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SELLING AND STORING FUEL

Any local shop that chooses to store fuel must be aware of safety risks and the strict legal requirements in place. This guide provides an overview of what is required of you as a business owner in terms of storing fuel safely and selling it legally.

An ACS advice guide for retailers
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1. INTRODUCTION

Main principles

Your obligations with regard to the safe storage and sale of fuel are contained in the Petroleum (Consolidation) Regulations 2014, The Dangerous Substances & Explosive Atmosphere Regulations 2002 and the Health and Safety at Work etc. Act 1974. The most important things you need to know about storing and selling fuel are:

- You need permission from your local Council or Fire Authority to store fuel.
- You also need permission for your vapour recovery system from your local Council.
- Permissions will only be given if your site is suitable for the storage of fuel.
- You can only store fuel in a safe manner, having carried out a risk assessment.
- You cannot sell fuel to under 16 year olds and persons under this age should not use the pumps.

Who this guide is intended for

This guide is intended to be used by site keepers that have responsibility for:

- Their own site
- Groups of independent sites
- Groups of franchised sites

which are used by the public on a self-serve basis and have members of staff on-site at all times.

The guide is not intended for sites where the sole means of filling vehicles is through staff filling customer vehicles for them, or sites where no staff are present. This guide also does not cover the sale of hydrogen and other alternative fuels. Further advice about this and the sale of additives can be provided by your petroleum officer. More information about LPG is available at **www.uklpg.org**

Getting outside help

In almost all cases you should be able to speak to your local council's Trading Standards Service, Environmental Health Service or your Fire Authority (If your store is in a metropolitan county such as Merseyside, Greater Manchester) and ask for a visit to your premises to assess its suitability to store fuel.

Applying for permission to store fuel

There are two main permissions you need to obtain before storing fuel:

- You must obtain a petroleum storage certificate from the Trading Standards Service at your local Council, or your Fire Authority (if your store is in a metropolitan county such as Merseyside, Greater Manchester). This certificate can be issued for any period up to 10 years. You must provide 28 days notice to the enforcement authority if there are any material changes to the site (see page 7).

- You must also obtain a Pollution Prevention Permit from the Environmental Health Service at your local Council (see page 6). These are issued between every twelve months and three years – please contact your local Council for details on the valid period of this permit.

Types of delivery

Although there are variations, there are two types of fuel delivery commonly carried out at UK petrol filling stations. These are as follows:

- **Driver Controlled Delivery (DCD):**
  The site staff take no role in the delivery, thus allowing the delivery to be carried out at a time when the site is shut, and therefore the risks are reduced. Apart from supplying the Road Tanker Operator with both the ullage at the beginning of the process, and a means of checking the ullage after the delivery, there is little further action by the site staff. It is likely that the means of supplying the ullage for each tank would be electronic, but can be in a written from if the various parties agree to this.

- **Licensee Controlled Delivery (LCD):**
  This is where the keeper of the fuel (as per the Petroleum Storage Certificate) takes on partial responsibility for the tanker and they, or a representative known as a "competent person" will assist the tanker driver with the delivery. This will include agreeing that the amount in each pot of the tanker will go into its intended storage tank, without what is termed as an "overfill" and that the operation takes place in as safe a manner as possible.

2. FUEL LABELLING

Introduction

The Department for Transport (DfT) has introduced regulations that legally require labelling on all fuel dispensers and nozzles in all UK filling stations. These rules have been in place since 1st September 2019.

The labels are be shown at forecourts and on new vehicles, so drivers can match the label on the dispenser with a label near their vehicle's fuel filler cap. The labels also tell them the maximum percentage of the relevant renewable fuel.

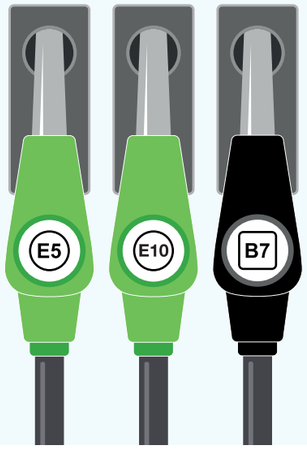
The E10 grade was introduced in 2021. E5 petrol and B7 diesel are the same fuels that have previously been in use, and have been blended into UK fuel for over 10 years.

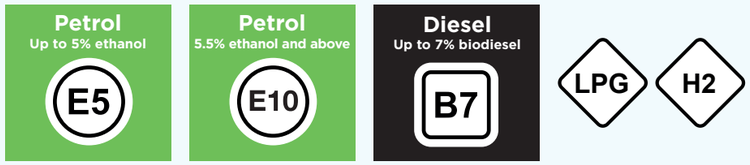
Understanding the labels

The petrol label always uses a circle. This contains the letter E and a number. 'E' stands for ethanol and the number indicates the maximum ethanol content. 'E5' petrol contains up to 5% renewable ethanol. 'E10' petrol contains above 5.5% renewable ethanol.

The diesel label always uses a square. This contains the letter B and a number. 'B' stands for biodiesel and the number indicates the maximum biodiesel content. 'B7' diesel contains up to 7% biodiesel.

There are also labels for other fuels such as Liquefied Petroleum Gas and Hydrogen. These gaseous fuels are shown in a diamond shape with the abbreviation LPG or H2.





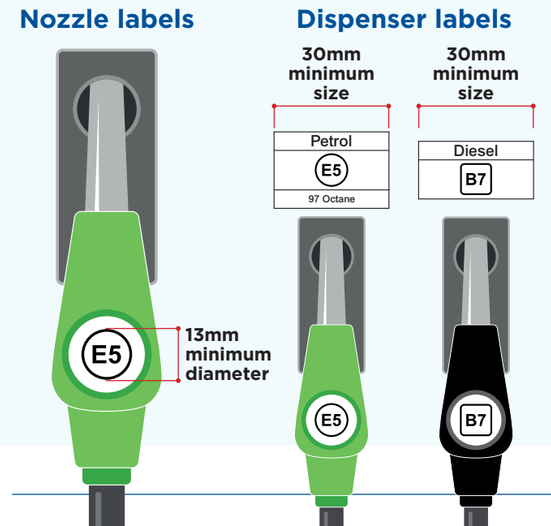
Placement of the labels

The labels must be visible on both the fuel dispenser and the fuel nozzle. Labels on the dispenser must be a minimum of 30mm in diameter, with labels on the fuel nozzle being a minimum of 13mm in diameter.

The labels are an extra way for customers to choose the fuel they need and give information on the maximum specified renewable fuel content. Petrol is now labelled E5 and E10, while diesel is labelled B7. You can still call these fuels petrol/unleaded and diesel, so it should always be clear which is which. These new labels are simply another way to help drivers choose the right fuel.

New vehicles will have the label close to the fuel filler cap and in the handbook, so drivers can match the label on their vehicle to the fuels available at forecourts. All vehicles with an E10 label can also use E5 petrol.

The British Standards Institute sets out the specification for labels via BS EN 16942:2016+A1:2021



3. STORING AND SELLING FUEL

If you choose to store and sell fuel you must think carefully about how you ensure that it is stored safely and that you and your staff understand the legal obligations. This illustration highlights many of the key things to think about.

ELECTRIC CHARGING POINTS

Electric charging points must be located outside of any hazardous zones on the forecourt, and any vehicles using an electric charging point should not cause issues with the flow of vehicles through the site.

The charger must be interlocked (combined) with the PFS' controls so that the charger is switched off when the site is closed for any reason. The charger must be controlled by the forecourt's emergency switching system to ensure that the charger is switched off by the emergency button being used.

PRESSURE VACUUM VALVE

This is the Pressure Vacuum Valve (PVV). This controls the vapour recovery system on the site, and you need a permit from Environmental Health for the whole system, and a certificate to show that the PVV operates correctly.

FILL POINTS AND VAPOUR RECOVERY

Fill points must be kept closed and locked at all times. They must be marked with the fuel grade, tank number and safe working capacity. The tanker vapour recovery point must also be locked and kept in good condition. It will usually be orange so as to be easily identified.

TANK ACCESS CHAMBERS

Access chambers should be kept clean, water free and should also show the tank number, grade and safe working capacity for the tank.

If the site has a Vapour Recovery 2 system in place (which recovers fuel vapour from vehicle tanks), this must also be monitored daily to ensure that the system is working correctly.

STORAGE TANKS

You will need to take steps to minimise the possibility of leaks from your storage tanks. There are a number of ways that you can do this, but the minimum is that you use information from your gauge and from your delivery to determine what should be in the storage tank and the actual content. You will need to be aware of any fuel delivered to the tank, and the amount of fuel that you have sold.

INTERCEPTOR

The drainage channels must be kept clear and in good condition. The interceptor must be cleaned regularly and a certificate obtained on an annual basis. The contents of the interceptor will need to be dealt with as hazardous waste.

TANKER DELIVERIES

Tanker deliveries are the most hazardous activity that will occur on the forecourt. You will need to ensure that staff are suitably trained and are aware of their obligations to ensure that suitable precautions are in place for when these take place.

SIGNAGE

At the pumps there should be signs saying:

- 'HIGHLY FLAMMABLE'
- 'NO SMOKING'
- 'SWITCH OFF ENGINE'
- 'MOBILE PHONES FOR PAYMENT ONLY'

KIOSK

Staff should supervise the operation of the dispensers from the kiosk at all times. They should only authorise the dispenser when they have established that the customer can use it safely. The supervisor should be able to communicate with customers on the forecourt at all times using a tannoy that should be in full working order. The supervisor needs to establish that the customer is over 16, is capable of using the dispenser, and that they have either a vehicle or a suitable petrol storage container capable of receiving the dispensed fuel.

SUITABLE PETROL STORAGE CONTAINERS

Portable petrol storage containers should meet a number of requirements under Schedule 3 of the Petroleum (Consolidation) Regulations 2014 (PCR) These requirements can be summarised using the following list:

- Be either plastic if containing not more than 10 litres, or metal if containing not more than 20 litres of liquid.
- Allow space for vapour.
- Be made of materials that are safe and will not degrade due to the liquids that are contained within.
- Be designed in such a way as it will stand steady, prevent leakage of both fuel and vapour, and allow fuel to be poured from it.
- Have various markings, such as; a nominal capacity, appropriate hazard warning sign, manufacturer's details and the phrases "PETROL" and "HIGHLY FLAMMABLE".

FIRE EXTINGUISHERS

Powder Fire extinguishers must be available. These should be at least one extinguisher per two dispensers. They must be serviced every twelve months, and after any use.

SAND BUCKETS

Sand buckets must be available and have covers on them. The sand should be replaced regularly have a small trowel (or similar) to throw the sand over a spillage. They should be checked for debris, litter and water every week. Once sand has been used on a spillage, or when you replace the sand in the bucket, it becomes hazardous waste.

DISPENSERS

Dispenser hoses should be checked every week for damage and replaced where necessary.

Dispenser nozzles should be checked every week to ensure that they are operating correctly.

4. MANAGING YOUR SITE

There are a number of key activities that you must carry out when operating a site that is storing and selling fuel:

Leak detection and containment

You must keep "wet stock" records that include contents of tanks, details of fuel delivered, details of fuel sold, and any discrepancies. Any suspected leaks must be reported in alignment with your procedures immediately. A template wet stock record sheet is available at www.acs.org.uk/advice. There are a number of other options for monitoring the site. You may wish to discuss this with your petroleum officer.

Staff training

All staff working on the site should complete regular training which is relevant to the role they perform as part of their job. Staff training should pay particular attention to their duties in relation to the forecourt itself. In-house training on local emergency procedures should be completed every six months. All staff training should be recorded and these records made available for inspection if required. All staff should have an understanding of the different safety zones on a forecourt.

Staff who act as a "competent person" and assist the tanker driver with deliveries, will need additional training. This training should be completed every three years.

Additional information
General Information about keeping fuel legally:
www.hse.gov.uk/fireandexplosion/owner-petrol-station.htm

Dispensing Fuel: Guidance for Employees:
www.hse.gov.uk/pubns/indg216.htm

Changes to the site

You must provide the enforcement authority with at least 28 days notice if any "prescribed material" changes to the site are likely to occur. These include:

- Ceasing the use of one or more petrol tanks.
- Removal or permanently decommissioning one or more petrol tanks.
- Installing any new petrol tanks or pipework.
- Installing an automotive fuel dispenser at a location where one does not already exist.

Enforcement

You are very likely to receive visits from Trading Standards Officers, Environmental Health Officers and Fire Safety Officers to ensure that you are storing fuel in accordance with the law. Breaches of the law can lead to an unlimited fine, a term of imprisonment or both for each offence. Where one of the above mentioned officers visits your site and finds any matters of concern, they will tell you in writing of their findings, either at the time or afterwards. Any concerns that remain unresolved may affect that authority's opinion of the "risk" that your site presents. They may issue you with a formal notice under the Health and Safety at Work etc. Act 1974, and may, on application for renewal of your storage certificate, or the making of a prescribed material change, consider whether the site is suitable to receive future certificates.

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5. DOCUMENTATION

You must maintain a number of different documents when storing and selling fuel:

Risk assessments

You have to have a written risk assessment in place. The Risk Assessment should identify all of the risks that your staff, customers, contractors, and any third party including the public, may face from you storing and selling fuel. Please note that contractors visiting your site will also have risk assessments that they need to adhere to.

The risk assessment needs to:

- Identify what the hazards are.
- Identify who might be at risk of harm.
- Evaluate the risks.
- Record any significant findings.
- Be reviewed regularly.

Your risk assessment should include hazards associated with:

- The storage and dispensing of fuels on site,
- Risk of fire as a result of these activities
- Risk of spillage at the site, particularly during a tanker delivery.
- Traffic or other accidents on the site, particularly where the public are involved.

A template risk assessment is available for ACS members at www.acs.org.uk/advice

Fuel tanker deliveries

Whenever a road tanker is on site to deliver fuel to the site's storage tanks, there are two main risk areas to be accounted for. These are the risk of fire and explosion, and the risk of fuel loss through spillage.

Steps must be taken to ensure that the hazardous zones around the tanker and fill points are observed, that there is no means of ignition anywhere near the tanker, and that members of the public are not permitted to enter either the hazardous zones, or the area around the tanker and the fill points during the actual delivery process. Suitable fire extinguishers should also be made available should they be required.

The site must also take steps to ensure that the tanker is able to both enter the site prior to the delivery, and exit the site afterwards without undue delay. This is because the tanker is full of fuel on entering, and full of vapour on exiting the site. Both states mean that in the event of a traffic accident on site, then the tanker becomes very vulnerable.

When considering steps to make the delivery process as safe as possible, the operator should make themselves aware of, and ensure compliance with, their duties under the Health and Safety Executive Approved Code of Practice "Unloading Petrol from Road Tankers" (L133). The site operator should also be aware of the duties of both the road tanker operator and the road tanker driver within the document so that they can show that they have done everything practicable should they need to. This is available electronically for free from the HSE Website but can be obtained as a traditional book for a charge from www.hse.gov.uk/pubns/books/l133.htm

Certification

The following certificates are required for your site. It is recommended that you keep all of these documents in the same place, as they must be available for inspection if required.

→ Electrical safety certificates
You must have your site inspected and assessed by a suitably qualified electrician on an annual basis. They must provide you with a certificate stating that the site is electrically safe.

→ Interceptor certificates
The interceptor is an underground device that can hold both water and fuel. It's purpose is to separate fuel and water and prevent fuel escaping to the environment. It is very important that it is maintained, and it must be emptied at least annually, and a certificate obtained.

→ Vapour recovery system certificates
The petrol vent will be fitted with a Pressure Vacuum Valve (PVV). The PVV controls the pressure that is in the vapour recovery system, and therefore the amount of petrol fumes allowed to escape to atmosphere. It also controls your ability to take fuel tanker deliveries. The whole vapour recovery system, and particularly the underground lines, require testing at least every five years for containment integrity, and the PVV itself at least every three years to ensure correct operation. Your permit may have other requirements for testing.

→ Record of visitors & contractors attending the site
You must keep a record of all persons that attend the site that are not customers. This shall include your staff, contractors and official visitors. This record should include the time and date of their arrival and departure. It should also include details about the purpose of their visit. You should also keep a record of any maintenance carried out on the site. Where done by a contractor, it would be a good idea to keep any paperwork such as the contractor's method statement and risk assessment for the works.
A template record is available at
www.acs.org.uk/advice

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ABOUT THIS GUIDE

This guide is provided by the Association of Convenience Stores in consultation with Buckinghamshire and Surrey Trading Standards. It was last updated in January 2022. Please refer to the ACS website for the most current version of this guidance.

ACS Primary Authority Scheme

This advice was developed by ACS, Buckinghamshire and Surrey Trading Standards, Woking Borough Council and Surrey Fire and Rescue Service; as part of a dedicated primary authority scheme. This means that all the advice that has this mark against it is 'Assured Advice'.

Assured Advice means that if you adopt this policy in your business, then it must be respected by all other local authorities and they cannot ask you to adopt a different policy.

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This guide covers a range of different issues of best practice and law. Those that qualify as assured advice are marked by this hallmark.

To benefit from assured advice you must sign up to the ACS scheme. All ACS members can sign up to the ACS Primary Authority Scheme for details of how to join up visit **www.acs.org.uk/advice**

CONTACT

For more details on this guidance, contact a member of the ACS team on 01252 515001.

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