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Supervisors' Question and Answer September 2003

1926.152(a)

"General requirements."

1926.152(a)(1)

Only approved containers and portable tanks shall be used for storage and handling of flammable and combustible liquids. Approved safety cans or Department of Transportation approved containers shall be used for the handling and use of flammable liquids in quantities of 5 gallons or less, except that this shall not apply to those flammable liquid materials which are highly viscous (extremely hard to pour), which may be used and handled in original shipping containers. For quantities of one gallon or less, the original container may be used, for storage, use and handling of flammable liquids.

Question: Does OSHA now allow the use of plastic cans for the storage and dispensing of flammable liquids and combustible liquids?

Answer: Short answer is "it depends." Before we get to the long answer, let's clarify OSHA's terminology.

Notice that OSHA refers to "approved safety cans" or "DOT approved containers." The OSHA standard reflects the fact that there are two types of containers being used in work places. One is a "safety can" which is usually made of metal but is also now available in high-density polyethylene plastic. The second type is more widely used by the general public as well as in workplaces. It takes the form of a "jerry can" which used to be made of metal but is now more often seen in plastic.

By definition a safety can is a container with a capacity of 5 gallons or less and equipped with a spring-closing lid and spout cover, a means to relieve internal pressure, and flash-arresting screen. Safety cans must be approved or listed by a Nationally Recognized Testing Laboratory (NRTL) such as FM or UL (look for this inscription on each can). Justright is a major manufacturer of safety cans.

A jerry can or DOT approved container has a screw-on cap and lacks a spring-closing lid, spout cover, or flash arresting screen. A DOT approved container must be marked with one

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or more certifications that it meets ANSI/ASTM F852-86 and/or DOT requirements (again, look for inscriptions on the can). Blitz is a major manufacturer of the DOT approved container.

OSHA/VOSH will not cite **1926.152(a)(1)** if a DOT approved (jerry can type) container is being used and stored safely. Here are the following things that must be done:

- Be sure the manufacturer's information about standards certification is legible on the container.
- The container must be rated for the fuel you will put in it. (Look for the manufacturer's information to verify container's fuel rating).
- Mark the container with the content - gasoline, diesel, kerosene, gas/oil mix. (This is also a HazCom provision).
- Have on site and store only a temporary (daily) supply of flammable/combustible liquids.
- Store the containers safely away from flame or heat sources and protect from damage.
- Make sure an appropriate fire extinguisher is nearby.
- Be sure the container is in good shape without broken spouts, screw-on caps or vent caps (if provided).
- All containers are to be screwed tightly shut when not in use. If there is a vent cap it must be seated in place.

So, YES you can use a high-density polyethylene jerry if the manufacturer has certified that it meets the ANSI/ASTM/DOT requirements. And, be sure to keep the container safely stored and sealed when not in use.

Yet, to be on the safe side it is still recommended that you use a safety can for your 5 gallons of temporary fuel. Save your use of the "Dot approved" containers for those smaller quantities of mixed fuel.

Documentation of this question/answer:

- * OSHA Memo for Regional Administrators. Subject: DOT Approved Gas Cans. Dated August 26, 1996. Issued by Michael G. Conners, Deputy Assistant Secretary.
- * OSHA Region III Memo. Subject: Revision to 29CFR 1926.152(a)(1). Dated: February 5, 1999. From Russell B. Swanson, Director of Construction to Linda R. Anku, Regional Administrator
- * Conversation with Warren Rice, Virginia Department of Labor and Industry, VOSH Division of Cooperative Programs

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