

- The Control of Pollution (Oil Storage) (England) Regulations 2001(OSR England)**
Oils covered by these regulations include petrol, diesel, vegetable, synthetic and mineral oils. They apply to most industrial, commercial and institutional sites storing oil in containers over 200ltr and to private dwellings with containers storing more than 3,500ltr. The Environment Agency is responsible for enforcing these regulations throughout England and may serve an Anti Pollution Works Notice requiring inadequate facilities to be brought up to standard.
- The Water Environment (Oil Storage) (Scotland) Regulations 2006**
These regulations apply to any kind of oil including petrol, diesel, mineral oil, heating oil, lubricating oil, waste oil, vegetable and plant oil but don't include uncut bitumen. They apply to the storage of any volume of oil, with more prescriptive requirements applying to industrial, commercial and institutional sites storing oil in containers of 200ltr and over and to private dwellings with containers storing more than 2,500ltr of oil. The Scottish Environment Protection Agency (SEPA), is responsible for enforcing these regulations throughout Scotland and may serve an Enforcement Notice requiring inadequate facilities to be brought up to standard
- The Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010**
These Regulations apply to above ground oil storage facilities on industrial, commercial and institutional residential sites. They also extend to companies who refine or distribute oil. The Regulations set minimum design standards for new and existing above ground oil storage facilities, codifying existing good practice to ensure that above ground oil storage facilities are adequately constructed. A key requirement of the Regulations is for the storage container to have a secondary containment system (a bund, which is an outer wall or enclosure designed to contain the contents of an inner tank, or, a drip tray) to ensure that any leaking or spilt oil is contained and does not enter the aquatic environment.

All three sets of regulations state:

The container must be situated within a secondary containment system which satisfies the following requirements-

"It must have a capacity of not less than 110% of the container's storage capacity or, if there was more than one container within the system, of not less than 110% of the largest container's storage capacity, or 25% of the aggregate storage capacity, whichever is greater."

Definitions:

Container means: fixed tank*, drum, mobile bowser or (even if it's not connected to fixed pipe work) an IBC (Intermediate Bulk Container)

*In Scotland it stipulates a single or double skinned fixed tank

Drum means: an oil drum or similar container used for storing oil

Fixed Tank includes: an IBC which is connected to fixed pipe work

Oil means: In **England** - any kind of oil and includes petrol. In **Scotland & Nth Ireland** - any kind of oil and including petrol, diesel, waste & vegetable & plant oil but does not include uncut bitumen

Secondary containment system means: drip tray, an area surrounded by a bund or any other system for preventing oil which is no longer in its container from escaping from the place where it is stored. In Scotland they include the word "catch-pit" after the word "bund"

In England the EA can enforce the requirement to provide secondary containment for oil storage facilities within buildings using powers under Section 161A Water Resources Act 1991

Water Resources Act 1991 SI 57

The Water Resources Act established the National Rivers Authority (now replaced by the Environment Agency), and regulates water pollution. The Act applies in England and Wales only.

What is the Water Resources Act?

The Water Resources Act defines the Environment Agency's role in water pollution, water resource management, flood defence, fisheries and navigation. It covers discharges to surface and ground waters, estuaries and coastal waters, and controls abstracting and impounding water. Industrial operators have to pay the cost of repairing damage caused by their polluting discharges, largely by reimbursing the Environment Agency for the anti-pollution works it has carried out.

Who does the Water Resources Act affect?

The Act affects all businesses in England and Wales that discharge substances to controlled waters.

What do you have to do?

You must not cause or knowingly permit any poisonous, noxious or polluting material or solid waste to enter controlled water unless you have consent from the Environment Agency.

How is the Water Resources Act enforced?

The Environment Agency enforces the Water Resources Act. You can be fined or imprisoned if you do not take adequate care to prevent unauthorised discharges to controlled waters.

What is COSHH?

COSHH is the law that requires employers to control **substances that are hazardous to health**. You can prevent or reduce workers exposure to hazardous substances by:

- Finding out what the health hazards are
- Deciding how to prevent harm to health (**risk assessment**)
- Providing control measures to reduce harm to health
- Making sure they are used
- Keeping all control measures in good working order
- Providing information, instruction and training for employees and others
- Providing monitoring and health surveillance in appropriate cases
- planning for emergencies

Most businesses use substances, or products that are mixtures of substances. Some processes create substances. These could cause harm to employees, contractors and other people. Sometimes substances are easily recognised as harmful. Common substances such as paint bleach or dust from natural materials may also be harmful.

This is just an overview of the regulations, for clarification of an application or a fully detailed copy of any of the regulation please contact us in the first instance on:

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