

Control of Pollution (Oil Storage) (England) Regulations 2001

The above regulations came into effect for new oil stores from 1 March 2002.

At present, the regulations apply only to England but similar regulations will follow covering Scotland and Wales. However, good practice suggests following the regulations applicable in England.

Oil stores 'at significant risk' had to comply from 1 September 2003, with all remaining existing oil stores having to comply from 1 September 2005.

An oil store is considered 'at significant risk' if it is:

- Located within 10 metres of a water course,
or
- Located within 50 metres of a well or bore hole.

The Environment Agency advise that there are more than 5,000 pollution incidents involving oil every year and that 1/6th of all pollution incidents affecting the environment involve oil. Most incidents are caused by oil leakage from tanks during storage or delivery.

The regulations require owners of oil tanks to provide a secondary containment facility, such as a bund or drip tray, to prevent oil escaping into the water environment.

The regulations apply to virtually all premises where more than 200 litres of oil are stored above ground at an industrial, commercial or institutional site, or more than 3,500 litres at a domestic site. The regulations apply to factories, shops and offices, hotels, schools, public sector buildings and hospitals, and churches.

The regulations do not apply at premises used wholly or mainly as a private dwelling storing less than 3,500 litres, at premises used for refining oil or its onward distribution, any oil stored in a building, any oil stored wholly underground, on farms where the 1991 Silage, Slurry and Agricultural Fuel Oil Regulations apply, and to waste oil.

The regulations cover all types of oil, including petrol, diesel, vegetable, synthetic and mineral oil.

The standards required by the regulations are as follows:-

- Tanks, drums or other containers must be strong enough to hold the oil without leaking or bursting

- If possible, the oil container must be positioned away from any vehicle traffic to avoid damage by collision
- A bund or drip tray must be provided to catch any leaking from the container or its ancillary pipework and equipment
- The bund must be sufficient to contain 110% of the maximum content of the oil container
- Where oil is stored in more than one container, the bund should be capable of storing 110% of the largest tank or 25% of the total storage capacity, whichever is the greater
- The bund, base and walls must be impermeable to water and oil and must be checked regularly for leaks
- Any valve, filter, site gauge, vent pipe or other ancillary equipment must be kept within the bund when not in use
- No drainage valve may be fitted to the bund for the purposes of draining out rain water
- Above-ground pipework should be properly supported
- Underground pipework should be protected from physical damage and have adequate leakage protection
- If mechanical joints must be used, they should be readily accessible for inspection

The regulations also apply to drums over 200 litres and to mobile bowzers. Bowzers that are not self-bunded will need to be kept in a bunded area or drip tray when not in use.

For single drums, a drip tray with a capacity of 25% is acceptable

Double-skinned tanks do not automatically comply with the regulations. This is because the site gauge and other pipework are outside the double skin. If the inner tank, site gauge and pipework are completely contained within a totally enclosed unit then it may comply with the regulations. The Environment Agency advise that details should be obtained from the manufacturer and referred to them for approval.

The Environment Agency are responsible for enforcing the regulations and will provide advice and guidance to help with compliance. Failure to comply could result in the issue of an improvement notice. Failure to comply with an improvement notice is a criminal offence, which may result in prosecution.

Further information is available from the Environment Agency website, www.environment-agency.gov.uk

This advice and information is given in good faith and is based on our understanding of the current law.

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Feb 2006