STATUTORY RULES OF NORTHERN IRELAND

2010 No. 412

WATER AND SEWERAGE

Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010

Made - - - - *9th December 2010*

Coming into operation *20th March 2011*

The Department of the Environment, makes the following Regulations in exercise of the powers conferred by Articles 14 and 61(2) of the Water (Northern Ireland) Order 1999(**1**):

Citation and commencement

1. These Regulations may be cited as the Control of Pollution (Oil Storage) Regulations (Northern Ireland) 2010 and shall come into operation on 20 March 2011.

Interpretation

2. In these Regulations—

"container" means a fixed tank, a drum, a mobile bowser or (even if not connected to fixed pipework) an intermediate bulk container;

"draw off pipe" means a pipe used to withdraw oil from the container;

"drum" means an oil drum or similar container used for storing oil;

"fill pipe" means a pipe used to deliver oil into the container;

"fixed tank" includes an intermediate bulk container, which is connected to fixed pipework;

"oil" means any kind of oil and includes petrol, diesel, waste, vegetable and plant oil, but does not include uncut bitumen;

"secondary containment system" means a 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.

Application of Regulations

3.—(1) Subject to paragraph (2), these Regulations apply to the storage of oil on any premises.

(**1**) S.I. 1999/662 (N.I.6); Article 14(2) was amended by The Water and Sewerage Services (Northern Ireland) Order 2006 (S.I.2006 No.3336 (N.I.21)) Article 291(8)

(2) These Regulations do not apply to the storage of oil—

(a) in any container with a storage capacity of 200 litres or less;

(b) on any premises used wholly or mainly as a private dwelling if the storage capacity of the container in which it is stored is 3500 litres or less;

(c) on any farm if the oil is used in connection with agriculture within the meaning of the Agriculture Act (Northern Ireland) 1949(**2**);

(d) on any premises regulated under the Control of Major Accident Hazards Regulations (Northern Ireland) 2000(**3**) if the storage capacity of the container in which it is stored is 2,500 tonnes or more ; and

(e) in any container which is wholly underground.

Requirements for oil storage – general

4.—(1) Oil shall be stored in a container which is of sufficient strength and structural integrity to ensure that it is unlikely to burst or leak in its ordinary use.

(2) The container shall be situated within a secondary containment system which satisfies the following requirements—

(a) subject to paragraph (6) it shall have a capacity of not less than 110% of the container's storage capacity or, if there is more than one container within the system, of not less than 110% of the largest container's storage capacity or 25% of their aggregate storage capacity, whichever is the greater;

(b) it shall be positioned, or other steps shall be taken, so as to minimise any risk of damage by impact so far as is reasonably practicable;

(c) its base and walls shall be impermeable to liquid and oil;

(d) its base and walls shall not be penetrated by any valve, pipe or other opening which is used for draining the system; and

(e) if any fill pipe, or draw off pipe, penetrates its base or any of its walls, the junction of the pipe with the base or walls shall be adequately sealed to prevent oil escaping from the system.

(3) Where a fill pipe is not within the secondary containment system, a drip tray shall be used to catch any oil spilled when the container is being filled.

(4) Any valve, filter, sight gauge, vent pipe or other equipment ancillary to the container (other than a fill pipe or draw off pipe or a pump) shall be situated within the secondary containment system.

(5) Where any drum is used for the storage of oil in conjunction with a drip tray as the secondary containment system, it is sufficient if the tray has a capacity of not less than 25% of —

(a) the drum's storage capacity; or

(b) if there is more than one drum used at the same time with the tray, the aggregate storage capacity of the drums.

Fixed tanks

5.—(1) Any fixed tank used to store oil shall satisfy the following requirements —

(a) any sight gauge shall be properly supported and fitted with a valve which closes automatically when not in use;

(**2**) 1949 c.2 (N.I.)
(**3**) S.R. 2000 No.93 as amended by S.R. 2005 No. 305

(b) any fill pipe, draw off pipe or overflow pipe shall be positioned, or other steps shall be taken, so as to minimise any risk of damage by impact so far as is reasonably practicable; and

(i) if above ground, shall be properly supported;

(ii) if underground—

(aa) shall have no mechanical joints, except at a place which is accessible for inspection by removing a hatch or cover;

(bb) shall be adequately protected from physical damage;

(cc) shall have adequate facilities for detecting any leaks;

(dd) if fitted with a leakage detection device which is continuously to monitor for leaks, the detection device shall be maintained in working order and tested at appropriate intervals to ensure that it works properly; and

(ee) if not fitted with such a device, shall be tested for leaks before it is first used and further tests for leaks shall be performed, in the case of pipes which have mechanical joints, at least once in every five years and, in other cases, at least once in every ten years.

(iii) if made of materials which are liable to corrosion, shall be adequately protected against corrosion.

(2) The tank shall be fitted with an automatic overflow prevention device (which may include an alarm sounding device) if the filling operation is controlled from a place where it is not reasonably practicable to observe the tank and any vent pipe.

(3) Where a screw fitting or other fixed coupling is fitted it shall be maintained in good condition and used whenever the tank is being filled with oil.

(4) Where oil from the tank is delivered through a flexible pipe which is permanently attached to it—

(a) the pipe shall be fitted with a tap or valve at the delivery end which closes automatically when not in use;

(b) the tap or valve shall not be capable of being fixed in the open position unless the pipe is fitted with an automatic shut off device;

(c) the pipe shall be enclosed in a secure cabinet which is locked shut when not in use and is equipped with a drip tray, or the pipe shall—

(i) have a lockable valve where it leaves the tank which is locked shut when not in use; and

(ii) be kept within the secondary containment system when not in use.

(5) Any pump shall be—

(a) fitted with a non return valve in its feed line or an isolating device;

(b) positioned, or other steps shall be taken so as to minimise any risk of damage by impact so far as is reasonably practicable; and

(c) protected from unauthorised use.

(6) Any permanent vent pipe, tap or valve through which oil can be discharged from the tank to the open shall satisfy the following requirements—

(a) it shall be situated within the secondary containment system;

(b) it shall be arranged so that any oil discharged is contained within the system; and

(c) in the case of a tap or valve, it shall be fitted with a lock and locked shut when not in use.