STATUTORY RULES OF NORTHERN IRELAND

# 1998 No. 268

# INDUSTRIAL POLLUTION CONTROL

## The Industrial Pollution Control (Prescribed Processes and Substances) (Amendment) Regulations (Northern Ireland) 1998

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| *Made - - - -* | *31st July 1998* |
| *Coming into operation* | *31st August 1998* |

The Department of the Environment, in exercise of the powers conferred on it by Articles 3(1) to (3) and 6(8) of, and paragraphs 1 to 3, 6 and 7 of Schedule 1 to the Industrial Pollution Control (Northern Ireland) Order 1997(**1**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

### Citation and commencement

**1.** These Regulations may be cited as the Industrial Pollution Control (Prescribed Processes and Substances) (Amendment) Regulations (Northern Ireland) 1998 and shall come into operation on 31st August 1998.

### Interpretation

**2.** In these Regulations—

"the Directive" means the European Parliament and Council Directive 94/63/EC on the control of volatile organic compounds (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations(**2**);

"the Order" means the Industrial Pollution Control (Northern Ireland) Order 1997; and

"the principal Regulations" means the Industrial Pollution Control (Prescribed Processes and Substances) Regulations (Northern Ireland) 1998(**3**).

### Amendment of the principal Regulations

**3.** The principal Regulations shall be amended in accordance with regulation 4.

**4.** In Schedule 1 Chapter 1 Section 1.4 (Petroleum processes) in Part C the word "NIL" shall be deleted and there shall be inserted:

(**1**) S.I.1997/2777 (N.I. 18)
(**2**) O.J. No. L365, 31.12.94, p. 24
(**3**) S.R. 1998 No. 28

"The following process unless falling within a description in Part A or Part B of this Section—

The unloading of petrol into stationary storage tanks at a service station, if the total quantity of petrol unloaded into such tanks at the service station in any 12 month period is likely to be equal to or greater than $100m^3$.

Paragraph 2 of Schedule 2 shall not apply to a process described in this Part.

In this Part—

"petrol" means any petroleum derivative, with or without additives, having a reid vapour pressure of 27.6 kilopascals or more which is intended for use as a fuel for motor vehicles, other than liquified petroleum gas;

"service station" means any premises where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks.".

**Date from which authorisation is required under Article 6 of the Order**

**5.** The Schedule shall have effect in relation to the date from which authorisation is required under Article 6 of the Order.

**Amendment of the Industrial Pollution Control (Applications, Appeals and Registers) Regulations (Northern Ireland) 1998**

**6.** In the Industrial Pollution Control (Applications, Appeals and Registers) Regulations (Northern Ireland) 1998(**4**)—

(a) in paragraph (1) of regulation 5 (consultation), after the words "Subject to regulations 7 and 8(2)" there shall be inserted "and except in the case of a prescribed process to which regulation 7A applies,";

(b) in paragraph (1) of regulation 6 (advertisements), for the words "regulation 7" there shall be substituted "regulations 7 and 7A,"; and

(c) after regulation 7 there shall be inserted the following regulation—

"**Exemption for service stations**

**7A.**—(1) This regulation applies to a prescribed process falling within Part C of Section 1.4 in Chapter I of Schedule 1 to the Industrial Pollution Control (Prescribed Processes and Substances) Regulations (Northern Ireland) 1998.

(2) The following requirements shall not apply in relation to a process to which this regulation applies—

(a) the requirement in paragraph 1(2) of Schedule 1 to the Order to advertise an application for an authorisation;

(b) the requirement in paragraph 6(2) of that Schedule to advertise the action to be taken by the holder of an authorisation in consequence of a variation;

(c) the requirement in paragraph 7(2) of that Schedule to advertise an application for a variation of an authorisation.".

(**4**) S.R. 1998 No. 29