1979 No. 21

PUBLIC HEALTH

Oil Fuel (Sulphur Content of Gas Oil) Regulations (Northern Ireland) 1979

Made . . . . . 26*th January* 1979
Coming into operation . . . 5*th March* 1979

The Department of the Environment in exercise of the powers conferred on it by Article 55 of the Pollution Control and Local Government (Northern Ireland) Order 1978(a) and of all other powers enabling it in that behalf, and after consulting such persons appearing to it (i) to represent producers and users of oil fuel, (ii) to represent manufacturers and users of plant and equipment for which oil fuel is used, and (iii) to be conversant with problems of air pollution, as it considers appropriate, in accordance with the provisions of Article 55(2), hereby makes the following regulations:—

Commencement and citation

1. These regulations may be cited as the Oil Fuel (Sulphur Content of Gas Oil) Regulations (Northern Ireland) 1979 and shall come into operation on 5th March 1979.

Interpretation

2. In these Regulations:—

"the Department" means the Department of the Environment;

"gas oil" means any liquid petroleum product produced in a refinery of which—

(*a*) less than 65 per cent by volume, including losses, is distilled at a temperature of 250° Centigrade when it is tested by the method described in the British Standard which is entitled "Method for determination of distillation of petroleum products" and was published on 23rd September 1968 under the number B.S. 4349: 1968; and

(*b*) 85 per cent or more by volume, including losses, is distilled at a temperature of 350° Centigrade when it is tested by that method;

"power station" includes any plant or equipment used directly or indirectly for the generation of electrical energy, or for purposes of testing, trial or development in connection with the generation of such energy;

"ship" has the meaning assigned to it by section 742 of the Merchant Shipping Act 1894(b).

Permitted maximum amount of sulphur in gas oil

3.—(1) For the purposes of these regulations, the maximum permitted amount of sulphur per one hundred grammes of gas oil (in these regulations referred to as "the permitted maximum"), when tested by the appropriate method, in relation to any date falling within a period specified in column (1) of the Schedule shall be the number of grammes specified in respect of that period in column (2).

(a) S.I. 1978/1049 (N.I. 19) (b) 1894 c. 60

(2) For the purposes of this regulation gas oil is tested by the appropriate method when—

(*a*) it is tested by the method described in the British Standard which is entitled "Determination of the Sulphur Content of Petroleum Products by the Wickbold Combustion Method" and was published on 31st August 1976 under the number B.S. 5379 : 1976 EN41, and

(*b*) the results of any such test are interpreted in accordance with the rules given in the British Standard which is entitled "Recommendations for the Application of Precision Data to Specifications for Petroleum Products" and was published on 28th March 1968 under the number B.S. 4306 : 1968.

Prohibition of use of gas oil having excess sulphur content

4.—(1) Subject to regulations 5 and 6, no person shall use, or cause or permit to be used, in any furnace or engine to which these regulations apply, any gas oil having a sulphur content which exceeds the permitted maximum.

(2) These regulations apply to any furnace or engine except

(*a*) a furnace or engine used in a power station or in a ship; or

(*b*) a diesel engine used to propel a motor vehicle.

(3) In this regulation—

"motor vehicle" does not include an agricultural vehicle, engineering plant or a works vehicle;

"agricultural vehicle" means a mechanically propelled vehicle which is designed and used primarily for work on the land in connection with agriculture, grass cutting, forestry, land levelling, dredging or similar operations;

"engineering plant" means—

(*a*) moveable plant or equipment being a mechanically propelled vehicle or trailer which is specially designed and constructed for the special purposes of engineering operations and which is not constructed primarily to carry a load other than a load being either excavated materials raised from the ground by apparatus on the vehicle or trailer or materials which the vehicle or trailer is specially designed to treat while carried thereon; or

(*b*) a mobile crane;

"works vehicle" means a mechanically propelled vehicle which is—

(*a*) not kept or used on any public road; or

(*b*) designed for use otherwise than on a public road but where used on such a road is so used only in delivering goods from or to private premises to or from a vehicle in the immediate neighbourhood, or in passing from one part of some private premises to another or to other private premises in the immediate neighbourhood, or in connection with road works while at or in the immediate neighbourhood of the site of such works; and

"public road" means a road which is repairable at the public expense.

Exemptions in certain cases

5.—(1) Nothing in regulation 4 shall apply to the production, treatment or use of gas oil which is in the course of being manufactured or blended.