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“Proclaiming the Word and Work of God”

**Changes to
OIL STORAGE Regulations and how they may affect you
Control of Pollution (Oil Storage) (England) Regulations 2001**

These regulations came into force on 1 March 2002. A copy of the full regulations can be viewed at the following website: www.legislation.hms.gov.uk/si/si2001/20012954.htm

The regulations apply to the storage of oil on any premises but do not apply to the storage of oil for waste management, for a container situated in a building or wholly underground, in any container with a storage capacity of 200 litres or less, private dwellings if the storage capacity is less than 3,500 litres, or other more commercial or agricultural definitions.

Existing oil stores at ‘significant risk’ will have to comply with the regulations 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 -

- (a) located within 10 metres of a water course; or
- (b) located within 50 metres of a well or bore hole.

The Environment Agency advises that there are more than 5,000 pollution incidents involving oil every year and most incidents are caused by leakage from tanks during storage or delivery. The regulations will, therefore, 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.

To summarise, the standards required by the new 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 oil 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 container or 25% of the total storage capacity, whichever is the greater.
- the bund, base and walls must be impermeable to water and oil and be checked regularly for leaks.

- the base and walls of the bund must not be penetrated by any valve, pipe or other opening which is used for draining the system.
- 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 must be adequately sealed to prevent oil escaping from the system.
- 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.

Other requirements are set out within the Regulations.

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

The Environment Agency is 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:

Ecclesiastical Insurance Group has produced a very helpful summary note which can be found at:

http://www.ecclesiastical.co.uk/triweb/triweb_publish.nsf/framesetter/JBEM54PEDHDBOS6CFGNP?opendocument

The Environment Agency – the agency responsible for enforcement – also has useful a section on the regulations at:

http://www.environment-agency.gov.uk/business/444217/590750/590821/174658/?version=1&lang=_e

This includes a Frequently Asked Questions section (copy attached):

http://www.environment-agency.gov.uk/business/444217/590750/590821/174658/770733/?version=1&lang=_e

and a flowchart for helping assess whether these (or other regulations) apply:

http://www.environment-agency.gov.uk/commodata/acrobat/panel_5_update_973546.pdf

CIRIA (The Construction Industry Research and Information Association) has produced guidance on the construction of protective bunds which can be found at:

<http://www.ehsni.gov.uk/pubs/publications/masonrybunds.pdf>
<http://www.ehsni.gov.uk/pubs/publications/concretebunds.pdf>

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