

2003 No. 96

INDUSTRIAL POLLUTION CONTROL

**The Industrial Pollution Control (Prescribed Processes and Substances) (Amendment) Regulations
(Northern Ireland) 2003**

Made - - - - - *25th February 2003*

Coming into operation *28th March 2003*

The Department of the Environment, in exercise of the powers conferred on it by Articles 3(1) to (4) of the Industrial Pollution Control (Northern Ireland) Order 1997^(a) 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) 2003 and shall come into operation on 28th March 2003.

Interpretation

2. In these Regulations –

“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^(b);

“the amending Regulations” means the Industrial Pollution Control (Prescribed Processes and Substances) (Amendment) Regulations (Northern Ireland) 1998^(c).

Amendment to the principal Regulations

3. The principal Regulations shall be amended in accordance with regulations 4 and 5.

4. In Schedule 1, Chapter 1, Section 1.4 (Petroleum processes), in Part A(a) after “(iv) if related to another process in this paragraph, any associated gas or condensate” there shall be inserted –

“(v) emulsified hydrocarbons intended for use as a fuel.”.

5. (a) In Schedule 1, Chapter 1, Section 1.4 (Petroleum processes) in Part B, following the words:

“The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from road tankers, rail tankers or inland waterway vessels at a terminal”,

(a) S.I. 1997/2777 (N.I. 18)

(b) S.R. 1998 No. 28

(c) S.R. 1998 No. 268

there shall be inserted:

“where the quantity of petrol loaded from the stationary storage tanks into road tankers, rail tankers or inland waterway vessels in any 12 month period is likely to be equal to or greater than 10,000 tonnes.”.

(b) In Schedule 1, Chapter 1, Section 1.4 (Petroleum processes) in Part C, the words:

“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 100m³.”

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

shall be deleted and there shall be substituted:

“(a) 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 100m³.”

(b) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from road tankers, rail tankers or inland waterway vessels at a terminal where the quantity of petrol loaded from the stationary storage tanks into road tankers, rail tankers or inland waterways in any 12 months is likely to be less than 10,000 tonnes.

Paragraph 2 of Schedule 2 shall not apply to a process described in paragraph (a) in this Part.”.

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

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

Sealed with the Official Seal of the Department of the Environment on 25th February 2003.

(L.S.)

Judena Goldring

A senior member of the Department of the Environment

DATE FROM WHICH AUTHORISATION IS REQUIRED UNDER ARTICLE 6 OF THE ORDER

Disapplication of regulation 3(3) of the principal Regulations

1. Regulation 3(3) of the principal Regulations shall not apply to a prescribed process falling under Parts B and C of Section 1.4 in Chapter 1 of Schedule 1 to those Regulations.

Processes falling within Part B of Section 1.4

2.—(1) For the purposes of regulation 3(1) of the principal Regulations, the prescribed date in respect of a process falling within Part B of Section 1.4 in Chapter 1 of Schedule 1 to those Regulations shall be –

- (a) 31st December 1998, where the process is carried on at a new terminal;
 - (b) 31st December 1998, where the process is carried on at an existing terminal where the quantity of petrol loaded from the stationary storage tanks into road tankers, rail tankers or inland waterway vessels in any 12 months is likely to be equal to or greater than 25,000 tonnes;
 - (c) 31st December 2004, in any other case.
- (2) In this paragraph –
- (a) an “existing terminal” means one which was in operation, or for the construction of which planning permission was granted, before 31st December 1998;
 - (b) a “new terminal” means one which is not an existing terminal;
 - (c) expressions which are also used in Part B of Section 1.4 in Chapter 1 of Schedule 1 to the principal Regulations have the same meaning as in that Part.

Processes falling within Part C of Section 1.4

3.—(1) For the purposes of regulation 3(1) of the principal Regulations, the prescribed date in respect of a process falling within paragraph (a) of Part C of Section 1.4 in Chapter 1 of Schedule 1 to those Regulations shall be as set out in paragraph 2 of the Schedule to the amending Regulations.

(2) For the purposes of regulation 3(1) of the principal Regulations, the prescribed date in respect of a process falling within paragraph (b) of Part C of Section 1.4 in Chapter 1 to those Regulations shall be 31st December 2004.

EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Industrial Pollution Control (Prescribed Processes and Substances) Regulations (Northern Ireland) 1998 (S.R. 1998 No. 28) (“the 1998 Regulations”) by adding to the list of prescribed processes in Schedule 1, Section 1.4, Petroleum Processes, Part A, the loading, unloading or other handling of the storage of, or the physical or chemical treatment of emulsified hydrocarbons intended for use as a fuel (Regulation 4).

These Regulations further amend the 1998 Regulations, so that petrol terminals, with throughputs of less than 10,000 tonnes per year, are prescribed for local (district council) control (Regulation 5). Terminals with throughputs equal to or greater than 10,000 tonnes per year continue to be prescribed for restricted central control. Furthermore the date of authorisation of petrol terminals with throughputs of less than 25,000 tonnes per year is amended from 31st December 1998 to 31st December 2004. (Regulation 6 and the Schedule).

Copies of these Regulations can be obtained from the Stationery Office, 16 Arthur Street, Belfast, BT1 4GD.

© Crown Copyright 2003

Published and printed in the UK by The
Stationery Office Limited
under the authority and
superintendence of Carol
Tullo, Controller of
Her Majesty’s Stationery
Office being the Government
Printer for Northern Ireland and
the Officer appointed to print the
Acts of the Northern Ireland Assembly

Dd. N796. C3. 2.03. Gp. 130. 14567.

£1.75

ISBN 0-337-94924-7



9 780337 949241