
SCOTTISH STATUTORY INSTRUMENTS

2006 No. 133

The Water Environment (Oil Storage) (Scotland) Regulations 2006

Storage of oil – general

- 6.—(1) The storage of oil on premises other than—
- (a) in circumstances provided for in regulations 4 and 5;
 - (b) in any container which is situated wholly underground (unless the container is situated wholly within a building underground);
 - (c) where the oil is stored in accordance with—
 - (i) an authorisation under Part I of the Environmental Protection Act 1990⁽¹⁾ in respect of a Part A process falling within the description set out in Schedule 1 to the Environmental Protection (Prescribed Processes and Substances) Regulations 1991⁽²⁾; or
 - (ii) a permit under the Pollution Prevention and Control (Scotland) Regulations 2000⁽³⁾ in respect of a Part A activity as defined in Schedule 1 to those Regulations; or
 - (d) premises used as an oil distribution depot for the onward distribution of oil to other places, shall be carried out in accordance with paragraphs (2) to (8).
- (2) The oil stocks shall be stored in a container which is of sufficient strength and structural integrity, and has been installed so as to ensure that it is unlikely to burst or leak in its ordinary use.
- (3) The container must be situated within a secondary containment system which satisfies the following requirements—
- (a) subject to paragraph (6), it must have a capacity of not less than 110% of the container's storage capacity or, if there was more than one container within the system, of not less than 110% of the largest container's storage capacity, or 25% of the aggregate storage capacity, whichever is greater;
 - (b) it must be positioned, or other steps must be taken, so as to minimise any risk of damage by impact so far as is reasonably practicable;
 - (c) its base and walls must be impermeable to water and oil;
 - (d) its base and walls must 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 junctions of the pipe with the base or the walls must be adequately sealed to prevent oil escaping from the system.

(1) 1990 c. 43; amended by the Environment Act 1995 (c. 25), the Pollution Prevention and Control Act 1999 (c. 24), the Anti-Social Behaviour (Scotland) Act 2004 (asp 8) and the Pollution Prevention and Control (Scotland) Regulations 2000 (S.S.I. 2000/323).

(2) S.I.1991/472; amended by S.I. 1991/836, 1992/614, 1993/2405, 1994/1271, 1995/3247 and 1998/767; and S.S.I. 2000/323, 2004/26 and 2004/512.

(3) S.S.I. 2000/323; amended by paragraph 7 of Schedule 2 to the Anti-Social Behaviour etc. (Scotland) Act 2004 (asp 8), S.I. 2002/493, 2003/146, 170, 221, 235 and 411, 2004/26, 110, 112, 512 and 2005/101.

- (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) must be situated within the secondary containment system.
- (5) If the connection point to a fill pipe is not within the secondary containment system, a drip tray must be used to catch any oil spilled when the container is being filled with oil.
- (6) Where any drum is used for the storage of the oil in conjunction with a drip tray as a 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.
- (7) Where a fixed tank is used for storing oil the following requirements must be satisfied–
- (a) any sight gauge must be properly supported and fitted with a valve which closes automatically when not in use;
 - (b) any fill pipe, draw off pipe or overflow pipe must be positioned or other steps must be taken, so as to minimise any risk of damage by impact so far as is reasonably practicable and–
 - (i) if above ground, must be properly supported;
 - (ii) if underground–
 - (aa) must have no mechanical joints, except at a place where it is accessible for inspection by removing a hatch or cover;
 - (bb) must be adequately protected from physical damage;
 - (cc) must 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 must be maintained in working order and tested at the appropriate intervals, and at least every 5 years, to ensure that it works properly; and
 - (ee) if not fitted with a leakage detection device, must be tested for leaks before it is first used and further tests for leaks must be performed in the case of pipes which have mechanical joints, at least once in every 5 years, and in other cases, at least once in every 10 years; and
 - (iii) if made of materials which are liable to corrosion, must be adequately protected against corrosion, and pipes permeable to hydrocarbon vapours must not be used;
 - (c) the tank must be fitted with an automatic overfill 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 or any vent pipe;
 - (d) where a screw fitting or other fixed coupling is fitted, it must be maintained in good condition and used whenever the tank is being filled with oil;
 - (e) where oil from the tank is delivered through a flexible pipe which is permanently attached to the container or delivery pump–
 - (i) the pipe must be fitted with a tap or valve at the delivery end which closes automatically when not in use;
 - (ii) the tap or valve must not be capable of being fixed in the open position unless the pipe is fitted with an automatic shut off device;
 - (iii) the pipe must be enclosed in a secure cabinet which is locked shut when not in use and is equipped with a drip tray, or the pipe must–

- (aa) have a lockable valve where it leaves the container which is locked shut when not in use, and
 - (bb) be kept within the secondary containment system when not in use;
- (f) any pump must be–
 - (i) fitted with a non return valve in its feed line;
 - (ii) positioned or other steps must be taken, so as to minimise any risk of damage so far as is reasonably possible; and
 - (iii) protected from unauthorised use; and
- (g) any permanent vent pipe, tap or valve through which oil can be discharged from the tank to the open must satisfy the following requirements–
 - (i) it must be situated within the secondary containment system;
 - (ii) it must be arranged so that any oil discharged from the tank other than to its intended destination is contained within the system; and
 - (iii) in the case of a tap or valve, it must be fitted with a lock and locked shut when not in use.
- (8) Where a mobile bowser is used for storing oil, it shall satisfy the following requirements–
 - (a) any tap or valve permanently fixed to the bowser through which oil can be discharged to the open must be fitted with a lock and locked shut when not in use;
 - (b) where oil is delivered through a flexible pipe which is permanently attached to the mobile bowser–
 - (i) the pipe must be fitted with a manually operated pump or a valve at the delivery end which automatically closes when not in use;
 - (ii) the pump or valve must be provided with a lock and locked shut when not in use; and
 - (iii) the pipe must be fitted with a lockable valve at the end where it leaves the container and must be locked shut when not in use; and
 - (c) any sight gauge must be secured to the mobile bowser and be fitted with a valve or tap which must be locked in the shut position when not in use.