

## SCHEDULE 1

### ACTIVITIES, INSTALLATIONS AND MOBILE PLANT

#### PART 1:

#### ACTIVITIES

#### Chapter 1—Energy Industries

##### *Section 1.1—Combustion Activities*

#### **Part A(1)**

- (a) Burning any fuel in an appliance with a rated thermal input of 50 megawatts or more.
- (b) Burning any of the following fuels in an appliance with a rated thermal input of 3 megawatts or more but less than 50 megawatts unless the activity is carried out as part of a Part A(2) or B activity—
  - (i) waste oil;
  - (ii) recovered oil;
  - (iii) any fuel manufactured from, or comprising, any other waste.

#### **Interpretation of Part A(1)**

1. For the purpose of paragraph (a), where two or more appliances with an aggregate rated thermal input of 50 megawatts or more are operated on the same site by the same operator those appliances shall be treated as a single appliance with a rated thermal input of 50 megawatts or more.

2. Nothing in this Part applies to burning fuels in an appliance installed on an offshore platform situated on, above or below those parts of the sea adjacent to England and Wales from the low water mark to the seaward baseline of the United Kingdom territorial sea.

3. In paragraph 2, “offshore platform” means any fixed or floating structure which—

- (a) is used for the purposes of or in connection with the production of petroleum; and
- (b) in the case of a floating structure, is maintained on a station during the course of production,

but does not include any structure where the principal purpose of the use of the structure is the establishment of the existence of petroleum or the appraisal of its characteristics, quality or quantity or the extent of any reservoir in which it occurs.

4. In paragraph 3, “petroleum” includes any mineral oil or relative hydrocarbon and natural gas existing in its natural condition in strata but does not include coal or bituminous shales or other stratified deposits from which oil can be extracted by destructive distillation.

#### **Part A(2)**

Nil.

#### **Part B**

Unless falling within paragraph (a) of Part A(1) of this Section—

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- (a) Burning any fuel, other than a fuel mentioned in paragraph (b) of Part A(1) of this Section, in a boiler or furnace or a gas turbine or compression ignition engine with, in the case of any of these appliances, a rated thermal input of 20 megawatts or more but less than 50 megawatts.
- (b) Burning any of the following fuels in an appliance with a rated thermal input of less than 3 megawatts—
  - (i) waste oil;
  - (ii) recovered oil;
  - (iii) a solid fuel which has been manufactured from waste by an activity involving the application of heat.
- (c) Burning fuel manufactured from or including waste, other than a fuel mentioned in paragraph (b), in any appliance—
  - (i) with a rated thermal input of less than 3 megawatts but at least 0.4 megawatts; or
  - (ii) which is used together with other appliances which each have a rated thermal input of less than 3 megawatts, where the aggregate rated thermal input of all the appliances is at least 0.4 megawatts.

### **Interpretation of Part B**

1. Nothing in this Part applies to any activity falling within Part A(1) or A(2) of Section 5.1.
2. In paragraph (c), “fuel” does not include gas produced by biological degradation of waste.

### **Interpretation of Section 1.1**

For the purpose of this Section—

“waste oil” means any mineral based lubricating or industrial oil which has become unfit for the use for which it was intended, such as used combustion engine oil, gearbox oil, mineral lubricating oil, oil for turbines and hydraulic oil;

“recovered oil” means waste oil which has been processed before being used.

### *Section 1.2—Gasification, Liquefaction and Refining Activities*

#### **Part A(1)**

- (a) Refining gas where this is likely to involve the use of 1,000 tonnes or more of gas in any period of 12 months.
- (b) Reforming natural gas.
- (c) Operating coke ovens.
- (d) Coal or lignite gasification.
- (e) Producing gas from oil or other carbonaceous material or from mixtures thereof, other than from sewage, unless the production is carried out as part of an activity which is a combustion activity (whether or not that combustion activity is described in Section 1.1).
- (f) Purifying or refining any product of any of the activities falling within paragraphs (a) to (e) or converting it into a different product.
- (g) Refining mineral oils.
- (h) The loading, unloading or other handling of, the storage of, or the physical, chemical or thermal treatment of—

- (i) crude oil;
  - (ii) stabilised crude petroleum;
  - (iii) crude shale oil;
  - (iv) where related to another activity described in this paragraph, any associated gas or condensate;
  - (v) emulsified hydrocarbons intended for use as a fuel.
- (i) The further refining, conversion or use (otherwise than as a fuel or solvent) of the product of any activity falling within paragraphs (g) or (h) in the manufacture of a chemical.
  - (j) Activities involving the pyrolysis, carbonisation, distillation, liquefaction, gasification, partial oxidation, or other heat treatment of coal (other than the drying of coal), lignite, oil, other carbonaceous material or mixtures thereof otherwise than with a view to making charcoal.

### **Interpretation of Part A(1)**

1. Paragraph (j) does not include the use of any substance as a fuel or its incineration as a waste or any activity for the treatment of sewage.

2. In paragraph (j), the heat treatment of oil, other than distillation, does not include the heat treatment of waste oil or waste emulsions containing oil in order to recover the oil from aqueous emulsions.

3. In this Part, “carbonaceous material” includes such materials as charcoal, coke, peat, rubber and wood.

### **Part A(2)**

- (a) Refining gas where this activity does not fall within paragraph (a) of Part A(1) of this Section.

### **Part B**

- (a) Odourising natural gas or liquefied petroleum gas, except where that activity is related to a Part A activity.
- (b) Blending odorant for use with natural gas or liquefied petroleum gas.
- (c) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading at a terminal of petrol into or from road tankers, rail tankers or inland waterway vessels.
- (d) 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 period of 12 months is likely to be 100m<sup>3</sup> or more.

### **Interpretation of Part B**

1. In this Part—

“inland waterway vessel” means a vessel, other than a sea-going vessel, having a total dead weight of 15 tonnes or more;

“petrol” means any petroleum derivative (other than liquefied petroleum gas), 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;

“service station” means any premises where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks;

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“terminal” means any premises which are used for the storage and loading of petrol into road tankers, rail tankers or inland waterway vessels.

2. Any other expressions used in this Part which are also used in Directive [94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations<sup>(1)</sup> have the same meaning as in that Directive.

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(1) OJNo. L 365, 31.12.94, p. 24.