
STATUTORY INSTRUMENTS

2011 No. 982

The Offshore Chemicals (Amendment) Regulations 2011

Amendment of the 2002 Regulations

17. In regulation 16A (enforcement notices)—

(a) in paragraph (1)—

- (i) for “operator” substitute “permit holder”; and
- (ii) omit “in writing (“an enforcement notice”)”.

(b) after paragraph (1), insert—

“(1A) If the Secretary of State is of the opinion that a release, use without a permit or discharge without a permit has occurred, is occurring, or is likely to occur, the Secretary of State or an inspector appointed under regulation 16 may serve on the permit holder or, if there is no permit holder, the operator, a notice which—

- (a) states that the Secretary of State is of that opinion;
- (b) specifies the matters which constituted, constitute, or are likely to constitute the release, use or discharge;
- (c) specifies the remedial steps that must be taken; and
- (d) specifies the period within which those steps must be taken.

(1B) The Secretary of State may serve a notice on the permit holder to vary the period within which remedial steps must be taken under an enforcement notice.”;

(c) for paragraph (2) substitute—

“(2) The steps that may be specified under paragraphs (1)(c) and (1A)(c) include steps that must be taken to remedy any pollution caused by a contravention, release, use or discharge.”;

(d) in paragraph (5), omit “served under paragraph (1)”; and

(e) in paragraph (6), after “paragraph (1)” insert “, (1A)”.