



FPS BRIEFING NOTE

THE CONTROL OF POLLUTION (OIL STORAGE) (ENGLAND) REGULATIONS 2001

The Control of Pollution (Oil Storage) (England) Regulations 2001 require all above-ground oil storage containers in excess of 200 litres capacity at commercial, industrial and institutional premises to have secondary containment by 1 September 2005.

Additionally, oil storage containers in excess of 3,500 litres capacity at domestic premises must also have secondary containment by 1 September 2005.

The term 'oil storage container' includes tanks, drums, mobile bowsers and intermediate bulk containers.

The Regulations also include additional measures to prevent pollution, which are detailed in the Environment Agency's leaflet 'Oil Storage Regulations' which can be obtained from the Agency, tel 0845 9 333 111.

The reason for the introduction of this legislation was to try to reduce the number of pollution incidents arising from leaks from unbunded tanks, inadequate storage facilities and equipment, vandalism, poor management and human error, etc.

The Environment Agency is responsible for enforcing these Regulations throughout England. Should your oil storage facilities not meet the Regulations, the Agency will provide advice and guidance to assist you with compliance. However, if you fail to act, the Agency may serve a notice requiring that the facilities be brought up to standard. Failure to comply with a notice is a criminal offence and may result in prosecution.

The role of the oil distributor

Oil distributors also have a duty of care to ensure that they do not contribute towards any pollution. Therefore, if an oil tank is identified as contravening the Regulations at the time a delivery is to be made, the distributor may refuse to deliver.

Do you need further advice?

If you need further advice on oil storage, contact the Environment Agency on
08708 506506 or www.environment-agency.gov.uk