

Encouraging Compliance with the Oil Storage Regulations

LEGAL NOTICE: EACH CUSTOMER IS LEGALLY RESPONSIBLE FOR COMPLIANCE WITH OIL STORAGE REGULATIONS AND Control of Pollution (Oil Storage)(England) Regulations 2001. THEY SHOULD NOT RELY ON EITHER UKPIA OR OIL COMPANY STANDARDS OR INFORMATION IN DETERMINING HOW THEY COMPLY.

The United Kingdom Petroleum Industry Association (UKPIA) is the trade association representing all the major integrated refining and marketing oil companies in the UK. UKPIA's members are: BP, ChevronTexaco, ConocoPhillips, Esso, Murco, Petroplus, Shell and Total. UKPIA has been working with its members to assess the impact of the Control of Pollution (Oil Storage)(England) Regulations 2001 ("the Regulations") and develop recommended good practice procedures for deliveries to customer locations covered by the Regulations.

Delivery Facility Checklist

In order to help customers meet the requirements of the Regulations UKPIA and its members have developed a "Delivery Facility Checklist" (a copy of the Regulations and DEFRA's guidance can be found at: <http://www.defra.gov.uk/environment/water/quality/oilstore>). The Checklist is based on the requirement of the Regulations and as such contains two parts.

- The first part contains a list of mandatory measures required by the Regulations. Where these measures apply to the customers facility, if the answer to any checklist question is "No", UKPIA Members reserve the right not to deliver petroleum and/or lubricant products and will only deliver where the customer has demonstrated to the company's satisfaction that it is safe to do so. Where the regulations are not applicable to a customer these measures are still recommended good practice.
- The second part contains a list of recommendations that UKPIA members will encourage their customers to meet. These are only recommendations and delivery is not dependent on compliance.

UKPIA's members will be adopting the checklist during 2004, however it should be noted that each company may have additional requirements and in the event that any part of the checklist is inconsistent with any term between you and any member company such contract term shall prevail.

The Regulations

As part of efforts to reduce the volume of oil released to the environment the Secretary of State introduced the Control of Pollution (Oil Storage)(England) Regulations 2001.

The Regulations specify minimum compliance standards and make recommendations for the design, installation, and maintenance of oil storage facilities ("oil" being defined in the Regulations as "any kind of oil, including petrol") together with guidance on the safe discharge and receipt of oil.

In outline, the Regulations apply to domestic oil storage greater than 3500 litres and industrial oil storage greater than 200 litres. Any storage installation falling within these categories must comply with the Regulations by 1st September 2005.

In addition, all new oil storage installations within the size categories above commissioned after 1st March 2002 must be immediately compliant, whilst all oil storage situated within 10 metres of any inland freshwaters or coastal waters or 50 metres of a well or borehole has had to comply from 1st September 2003.

The information given in this guidance is provided in good faith with the intention of furthering understanding of the subject matter. Whilst we believe the information to be accurate at the time of publication, UKPIA its members and its staff cannot however accept any liability for any loss or damage occasioned by any person or organisation relying on any such information, or acting and/or refraining from action as a result of any views expressed herein. If the reader has any doubts or other concerns whatsoever about any subject matter they are advised to seek independent legal advice based on the circumstances of their own situation

UKPIA Requirements

If the answer to any of these questions is “No”, UKPIA Members reserve the right not to deliver product unless the customer has demonstrated to the satisfaction of the company that it is safe to do so.

Item Ref	Requirements	Guidance
1	Is there an "Authorized Person" at the site who is readily available to assist the Driver at all times throughout the delivery?	The "Authorized Person" does not need to be at the delivery point at all times (except see Item Ref 9). The Driver must however be told how to contact the "Authorized Person" in the event of an emergency and that person should be able to get back to the offload point within approximately 2 minutes
2	Is the "Authorized Person" trained to receive the delivery and are they aware of the layout of Customers facilities and the Customers Offload Procedure?	The "Authorized Person" should be able to establish the ullage before delivery and understand the procedure to be followed in the event of a spill. NB items 1 & 2 are not a requirement of the Oil Storage Regs and companies may make unassisted deliveries where safe to do so.
3	If any of the Storage Tanks are underground, is the discharge into the tanks by gravity only ie product should not be pumped?	Pumping into underground storage is not permitted
4	Are all Storage Tanks mounted on a suitable and secure base?	Tanks should be standing on a secure foundation such that they cannot move. Tanks standing on drums, sleepers or pallets are not acceptable
5	Are all Storage Tanks surrounded by an impermeable bund capable of holding 110% of the largest tank capacity or 25% of the total storage capacity?	New tanks can be constructed as tanks within a tank ie the outer tank forms the bund: this is acceptable.
6	Do all Storage Tank Vents direct any oil overflow into a bund? Vents which open to atmosphere should have free airflow around them and no ignition source within 3 metres	On new tanks of the tank within a tank design, the vent should feed directly into the outer tank shell. On tanks which are surrounded by a traditional external bund, the vent pipe should extend low enough such that all oil spilt goes directly into the bund
7	Are all Storage Tank Fill Pipe Inlets marked with the Product Grade , and the Tank Number/Letter ?	Self explanatory
8	Are all Storage Tanks fitted with a working, calibrated Tank Gauge System or calibrated Dipstick and is the Maximum Tank Fill Capacity shown somewhere on the installation?	The Driver should not be required to use a dipstick or climb over any obstacle to read a Tank Contents Gauge. The Maximum Tank Fill Capacity can be marked on the gauge or on the tank
9	Can all the Tank Vent Pipes be seen by the driver from the offload position? If not are the Storage Tanks fitted with: - A physical Tank Overfill Prevention Device or - Will an Authorized Person be available at all times during the delivery who is positioned within sight of the Vent Pipe and who is in immediate contact with the Driver?	Self explanatory
10	Is the Customers installation free of visible oil leaks?	From either the tank or any pipework
11	Where the Fill Pipe Inlet is positioned outside the bund, is a suitable drip tray provided and is it emptied in an environmentally responsible manner after each delivery by the Customer?	Drip Tray should not leak
12	If Storage Tanks are connected by a Balance Pipe, does this pipe have a flow capacity greater than the Fill Pipe? If not then separate Fill Pipes must be provided for each tank?	Any Balance Pipe should be at least 4 inch diameter
13	If there is more than one Storage Tank fed from one single inlet, is the "Authorized Person" competent and prepared to operate all control valves other than the Fill Pipe Inlet Valve?	Drivers should not operate any valve other than the first inlet valve from the hose connection

UKPIA Recommendations

UKPIA member companies strongly recommend the following items to their customers.

Item Ref	Recommendations	Guidance
14	Have the storage facilities been checked for compliance with the Oil Storage Regulations?	The Oil Storage Regulations are a legal requirement for facilities with storage of more than: <ul style="list-style-type: none"> - 200 litres for Industrial, Commercial and institutional sites - 3500 litres for domestic sites And come into effect for: <ul style="list-style-type: none"> - All new storage constructed after 01/03/02 - Any storage within 10 metres of a watercourse or 50 metres of a well from 01/09/03. - All remaining storage from 01/09/05
15	Are the Storage Tanks positioned or protected in some way against impact by the Tanker?	Either during access or egress
16	Are all Fill Pipe Inlets positioned such that the Tanker doesn't have to move from the designated offload position during the delivery?	Self explanatory
17	Are all Storage Tanks marked with the Tank Number/Letter, the Product Grade and the Tank Capacity?	Self explanatory
18	Are all Fill Pipes Inlets fitted with a shut off valve and lockable cap?	Self explanatory
19	Are all Fill Pipe Inlets fitted with a non return valve?	Self explanatory
20	Does the Tanker Offloading Area drain to suitably sized Oil Separator of an approved design?	Self explanatory
21	Are all Storage Tanks fitted with a High Level Alarm system?	Activation of the alarm should be detectable to the Driver at the offload point whilst the truck engine is running. Alarm can be audible or visual. If visual, lights should be bright so as to attract the Drivers attention immediately
22	Is a Notice provided at the Fill Pipe Inlet giving the Safe Delivery instructions and the procedure to adopt in case of emergency?	Any special procedures for the Driver to adopt in the event of a spill should be displayed along with the customers contact details
23	Is there a regular system of inspection and maintenance for the storage facility?	Can the customer demonstrate that the facility including the tank contents gauges receive inspection and maintenance
24	Is the Bund area clear of vegetation and storage of any other materials?	Self explanatory
25	Does the Customer have a written Delivery Procedure in place for the delivery location?	If so is this written down anywhere and does the "Authorized Person" have a copy?
26	Has the Customer undertaken a formal Risk Assessment of the offload activity under the Management of Health and Safety at Work Regulations 1999?	A free Booklet called "5 Steps to a Risk Assessment" is available from the HSE. It can also be downloaded from the HSE Website
27	Can the Customer provide a copy of the Risk Assessment undertaken?	Self explanatory
28	Will the Customer ensure that they advise the supplier of any times when deliveries shouldn't take place for Health and Safety reasons?	Ask if there are any times when deliveries shouldn't take place