

## Keep your oil safe

# The Control of Pollution (Oil Storage) (England) Regulations 2001

February 2011

### Who do the Oil Storage Regulations affect?

If you store more than 200 litres of oil above ground at an industrial, commercial or institutional site, then these Regulations affect you. The sites they cover include; factories, shops, offices, hotels, schools, churches, public sector buildings and hospitals. The Regulations apply only in England.

### Why do we need Oil Storage Regulations?

Over a sixth of all pollution incidents affecting the environment involve oil. Most incidents are caused by oil leaking from tanks or pipework, tanks being over-filled or vandalism. The Regulations help us stop these incidents by requiring tank owners to provide a secondary containment facility, such as a bund or drip tray, to prevent oil escaping into the environment.

Oil is toxic to plants and animals; even a small amount of oil can destroy river life. It forms a thin film on the water surface and stops oxygen getting to plants and animals. Oil spilt on the ground can pollute groundwater making it unfit for use and it is very expensive to clean up.

The Control of Pollution (Oil Storage) (England) Regulations 2001 (OSR England) aim to reduce the number of oil pollution incidents. By meeting the requirements of the Regulations you will be storing your oil safely, legally and reducing the risk of a potentially costly pollution incident.

### What you need to do

If your oil store is in England:

- Check your oil storage to see if it meets the requirements of the Oil Storage Regulations set out below.
- Contact us if you need help.

If you have custody or control of an oil store that doesn't meet the Regulations' requirements you could be liable for a fine of up to £5,000 at a magistrates court.



### Which types of oil are covered?

All types of oil including petrol, diesel, vegetable, synthetic and mineral oils are covered by these Regulations.

Waste oils aren't included as waste oil storage is regulated by the Environmental Permitting Regulations 2010 (EPR), by either an exemption or a permit. See our web site at [www.environment-agency.gov.uk/osr](http://www.environment-agency.gov.uk/osr) to see which applies to you. The EPR describe waste oil as 'mineral based ... oil which has become unfit for the use for which it was originally intended'



The EPR don't include waste synthetic or vegetable oils, these are covered by the OSR England.

For the storage of flammable liquids, such as petrol, other health and safety requirements also apply.

### The Regulations don't apply to:

- Waste oil storage as regulated by the Environmental Permitting Regulations 2010, see definition above.
- Premises used wholly or mainly as a private dwelling where 3,500 litres or less are stored (you should check if the Building Regulations – Approved Document J applies to your domestic installation).
- Premises used for refining oil or its onward distribution.
- Any oil container stored in a building or wholly underground – you should check safe storage information in our Underground storage tank guidance: PPG 27.
- Fuel oil on farms stored to generate heat or power for agricultural activities – this comes under the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations from 2010. There are Regulations for England and Wales which set comparable standards. See our website for more information.



### What are the standards?

Tanks, drums or other containers must be strong enough to hold the oil without leaking or bursting.

If possible, the oil container must be positioned away from any vehicle traffic to avoid damage from collision.

Secondary containment, such as a bund or drip tray, must be provided to catch any oil leaks from the container or its ancillary pipework and equipment.

The secondary containment must be sufficient to contain at least 110% of the maximum contents of an oil tank, mobile bowser or Intermediate Bulk Container (IBC).

Where more than one container is stored, the secondary containment should be capable of storing 110% of the largest tank or 25% of the total storage capacity, whichever is the greater.

The secondary containment base and walls must be impermeable to water and oil.

Any valve, filter, sight gauge, vent pipe or other ancillary equipment must be kept within the secondary containment when not in use.

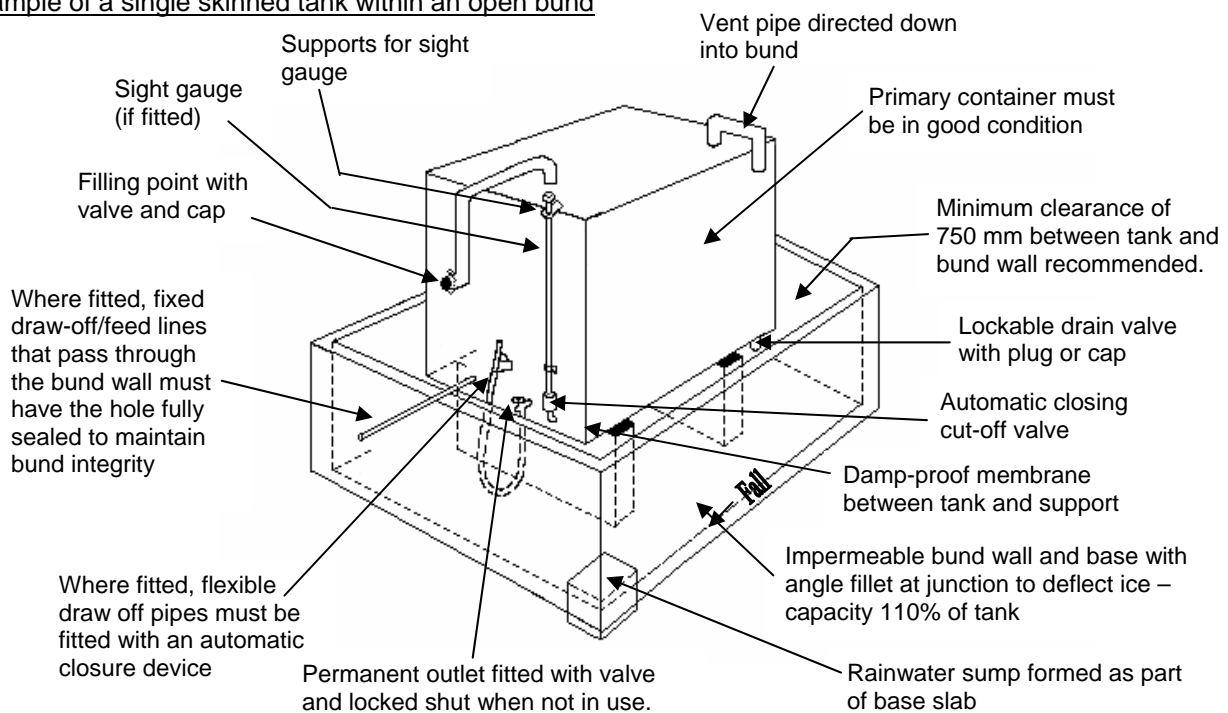
No drainage valve may be fitted to the secondary containment for draining out rainwater.

Above-ground pipework should be properly supported.

Underground pipework should be protected from physical damage and have adequate leakage detection. If you are installing pipes with mechanical joints, they must be easy to inspect.

Other requirements are included in the Regulations relating to sight gauges, fill points, vent pipes, flexible delivery pipes, pumps, deliveries to your oil storage and other ancillary equipment.

### Example of a single skinned tank within an open bund



### Are drums, IBCs and mobile containers covered?

Yes. The Regulations apply to drums greater than 200 litres and to mobile bowzers. Many self-bunded bowzers are now available. Those that are not banded will need to be kept in a banded area when in use. For single drums, a drip tray with a capacity of 25% is acceptable.

### How are the Regulations enforced?

We're responsible for enforcing these Regulations throughout England. Non compliance with the Regulations is an offence and you could receive a £5000 fine.

If your oil storage facilities are inadequate, we will provide advice and guidance to help you comply. If you fail to act, we will follow our [Enforcement and Sanctions statement](#) which includes:

- Serve an Anti Pollution Works Notice requiring you to bring the facilities up to standard. Failure to comply with a notice is a criminal offence and might result in prosecution.
- From April 2010 we received the power to apply 'civil sanctions' to certain Regulations we enforce under the Environmental Civil Sanctions (England) Order 2010. This includes the OSR England.

We are able to use the following civil sanctions for a breach of Regulation 9 of the OSR England, i.e. the offences of having custody or control of oil in contravention of the provisions of the Regulations:

- fixed monetary penalty
  - variable monetary penalty
  - restoration notice
  - stop notice
  - enforcement undertaking.
- Criminal proceedings for failure to comply with the OSR England.

### **What if you have an oil spill?**

If you have an oil spill or discover a leak from your tank or secondary containment use the contents of a spill kit to stop the spill, it you can do this safely.

We recommend you call our emergency hot line on 0800 80 70 60. Our Environment Officers can give you advice about how to reduce the impact of a spill.

### **Further Information**

The Environment Agency publishes a range of pollution prevention materials, including a series of Pollution Prevention Guidance notes (PPGs) which give practical advice to help you reduce your risk of causing pollution:

- Above Ground Oil Storage: PPG 2
- Dealing with spills: PPG 22
- Storage and Handling of Drums and Intermediate Bulk Containers: PPG 26.

More information, including the answers to frequently asked questions, is available at [www.environment-agency.gov.uk/osr](http://www.environment-agency.gov.uk/osr)

If you require further details, Defra has produced a guidance note on the Regulations which includes the Regulations themselves:

Guidance note for the Control of Pollution (Oil Storage) (England) Regulations 2001. This is available from: [www.defra.gov.uk/](http://www.defra.gov.uk/)

The Environment Agency is a partner in the Oil Care Campaign, which aims to reduce oil pollution from all sources, and produces leaflets about this, including the Oil Care Code.

To obtain a full list of available materials or individual Oil Care campaign publications, contact us on 08708 506 506 or log onto [www.publications.environment-agency.gov.uk](http://www.publications.environment-agency.gov.uk)

### **About this leaflet**

This leaflet is published by the Environment Agency. It describes the key points of "The Control of Pollution (Oil Storage) (England) Regulations 2001".

The Regulations set out the requirements to be met for the safe storage of oil in containers above ground. This leaflet doesn't cover all the details; you should refer to the Regulations themselves to get the full picture – see further information.

We welcome any questions or comments about this guidance, or suggestions about how we could improve it, please email us at [pollution.prevention@environment-agency.gov.uk](mailto:pollution.prevention@environment-agency.gov.uk), phone us on 08708 506 506 or write to us

at: Environment Agency  
99 Parkway Avenue  
Sheffield  
S9 4WG.

#### **General enquiry line**

08708 506 506 (Mon to Fri 8 – 6)

#### **Incident hotline**

0800 80 70 60 (24 hours)

#### **Floodline**

0845 988 1188