



Notification Number: 2014/57/UK

Petroleum (Consolidation) Regulations 2014 (The final title for these regulations is yet to be confirmed.)

Date received : 03/02/2014

End of Standstill : 06/05/2014

Message

Message 001

Communication from the Commission - TRIS/(2014) 00282

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pietiekums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2014/0057/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201400282.EN)

1. Structured Information Line

MSG 001 IND 2014 0057 UK EN 03-02-2014 UK NOTIF

2. Member State

UK

3. Department Responsible

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4. Notification Number

2014/0057/UK - I40

5. Title

Petroleum (Consolidation) Regulations 2014

(The final title for these regulations is yet to be confirmed.)

6. Products Concerned

1. Technical standards for portable petrol containers.
2. Technical standards for fire-resistant materials used in the construction of a place where petrol is stored in domestic or other relevant premises ("domestic or other relevant premises" are described in the Main Content section below).

The aim of the consolidation of existing petroleum legislation in Great Britain is to modernise and simplify the legislation, and bring together in one set of regulations all the relevant petroleum storage-related legal requirements.

7. Notification Under Another Act

- PORTABLE PETROL CONTAINERS AND FIRE RESISTANT MATERIALS

The Petroleum (Consolidation) Regulations 2014 will not apply to—

- (a) a workplace except one—
 - (i) used, or intended for use, for the dispensing of petrol; or
 - (ii) within or coterminous with domestic premises;
- (b) any establishment to which the Control of Major Accident Hazards Regulations 1999 apply by virtue of regulation 3 of those regulations.

8. Main Content

Definitions

PORTABLE PETROL STORAGE CONTAINERS AND FIRE RESISTANT MATERIALS

2 In these regulations—

"demountable fuel tank" means the fuel tank for the internal combustion engine of a motor boat or similar vessel, motor vehicle, hovercraft or aircraft that has been designed so that it can be safely removed and re-affixed to the engine without leaking fuel;

"dispensing of petrol" means the manual or electrical pumping of petrol from a storage tank into—

- (a) the fuel tank for an internal combustion engine; or
- (b) a container;

....

"dispenser" ... means a mechanical or electrical device for the dispensing of petrol;

"dispensing premises" means a workplace for the dispensing of petrol that is not within or coterminous with domestic premises and does not include a road tanker or similar vehicle;

"demountable fuel tank" means the fuel tank for the internal combustion engine of a motor boat or similar vessel, motor vehicle, hovercraft or aircraft that has been designed so that it can be safely removed and re-affixed to the engine without leaking fuel;

...

"domestic or other relevant premises" means—



- (a) domestic premises [premises occupied as a private dwelling together with outhouses]; and
- (b) non-domestic premises [premises that are not domestic premises] that are not a workplace;

...

“workplace” means a workplace within the meaning of the Dangerous Substances and Explosive Atmospheres Regulations 2002 [means any premises or part of premises used for or in connection with work, and includes—

- (a) any place within the premises to which an employee has access while at work; and
- (b) any room, lobby, corridor, staircase, road or other place—
 - (i) used as a means of access to or egress from that place of work, or,
 - (ii) where facilities are provided for use in connection with that place of work, other than a public road].

PORTABLE PETROL CONTAINERS

General prohibition on the keeping of petrol

4. No person is to keep petrol except in compliance with ... regulation 13 [see below].

General prohibitions on dispensing petrol

12.—(1) No person is to dispense petrol from a dispenser on dispensing premises except—

- (a) ...
- (b) to fill a suitable portable container.

...

General prohibition on the keeping of petrol

4. No person is to keep petrol except in compliance with ... regulation 13 [see below].

...

(3) No person is to dispense petrol from a dispenser otherwise than on dispensing premises except to fill a suitable portable container.

(4) Paragraph (3) does not apply in relation to the re-fuelling of an aircraft by a bowser or vehicle specifically designed for the purpose of re-fuelling aircraft.

(5) In the regulation “suitable portable container” has the meaning given by paragraph 7 of Schedule 2.

PART 3

STORAGE OF PETROL IN DOMESTIC AND OTHER RELEVANT PREMISES

Storage of petrol in domestic or other relevant premises

13.—(1) A person keeps petrol in compliance with this regulation if the petrol—

...

(c) is kept—

- (i) in accordance with paragraph 1 or 2 of Schedule 2; ...

...

Manufacture etc. of portable petrol storage containers

18.—(1) Any person who manufactures, imports or supplies any container for use as a portable petrol storage container must ensure that the container meets the standards for such containers specified in Schedule 3.

Schedule 2

Suitable portable containers

Requirements for keeping of no more than 20 litres of petrol in suitable portable containers or no more than 30 litres of petrol in a single demountable fuel tank

1. A person keeps petrol in accordance with this paragraph where—

- (a) (i) no more than 20 litres of petrol is kept in one or more suitable portable containers; or
- (ii) no more than 30 litres of petrol is kept in one demountable fuel tank;

....



Requirements for keeping of up to 275 litres of petrol

2. A person keeps petrol in accordance with this paragraph where—

- (a) (i) more petrol is kept than may be kept in accordance with paragraph 1; and
- (ii) within the entirety of the domestic or other relevant premises no more than 275 litres of petrol is kept; and
- (b) (i) no more than so much petrol as may be kept in accordance with paragraph 1 is kept in accordance with that paragraph and the remainder is kept in accordance with paragraph 3; or
- (ii) all of the petrol is kept in accordance with paragraph 3.

3. Petrol is kept in accordance with this paragraph where—

- (a) the petrol is kept in—
 - (i) suitable portable containers; or
 - (ii) demountable fuel tanks,
- or both of those types of container;

...

7. For the purposes of this Schedule (and regulation 12) a container is a “suitable portable container” if it—

- (a) is in a good state of repair, secure from leaking, has not degraded from exposure to chemicals or light and is not unsteady when placed on a flat surface; and
- (b) fulfils one of the following conditions—
- (i) it meets the requirements in Schedule 3 of these regulations;

....

Schedule 3.

1. A portable petrol storage container must—

- (a) have a nominal capacity —
- (i) no greater than 10 litres if made of plastic; and
- (ii) no greater than 20 litres if made of metal;
- (b) have a total capacity between 10% and 15% more than the nominal capacity;
- (c) be made of either metal or plastic that is suitable and safe for the purpose and will not significantly degrade due to exposure to petrol or naturally occurring ultra-violet radiation;
- (d) be designed and constructed so that—
- (i) it is reasonably robust and not liable to break under the normal conditions of use;
- (ii) the escape of liquid or vapour is prevented;
- (iii) petrol can be poured safely from it; and
- (iv) it is not unsteady when placed on a flat surface;
- (e) be marked or labelled in a legible and indelible form with—
- (i) the words “PETROL” and “HIGHLY FLAMMABLE”;
- (ii) an appropriate hazard warning sign;
- (iii) the nominal capacity in litres; and
- (iv) the manufacturer’s name and the date and month of manufacture.

FIRE RESISTANT MATERIALS

Schedule 2

Suitable portable containers

Requirements for keeping of no more than 20 litres of petrol in suitable portable containers or no more than 30 litres of petrol in a single demountable fuel tank

1. A person keeps petrol in accordance with this paragraph where—

- (a) (i) no more than 20 litres of petrol is kept in one or more suitable portable containers; or
- (ii) no more than 30 litres of petrol is kept in one demountable fuel tank;

...;



(c) (i) if the storage place is within a building, it is fire-separated from the rest of the building and any exit route from the building; and

(ii) if the storage place is above, below or attached to a building, it is fire-separated from the building;

Requirements for keeping of up to 275 litres of petrol

2. A person keeps petrol in accordance with this paragraph where—

(a) (i) more petrol is kept than may be kept in accordance with paragraph 1; and

(ii) within the entirety of the domestic or other relevant premises no more than 275 litres of petrol is kept; and

(b) (i) no more than so much petrol as may be kept in accordance with paragraph 1 is kept in accordance with that paragraph and the remainder is kept in accordance with paragraph 3; or

(ii) all of the petrol is kept in accordance with paragraph 3.

3. Petrol is kept in accordance with this paragraph where—

...

(b) the storage place is attached to a building (but not a private dwelling);

(c) the storage place is fire-separated from the building;

...

8. In this Schedule—

“fire-resistant internal linings” means materials or products used in lining any partition, wall, ceiling or other internal structure that—

(a) adequately resist the spread of flame over their surfaces; and

(b) have, if ignited, either a rate of heat release or a rate of fire growth, which is reasonable in the circumstances;

“fire-separated” means—

(a) separated by an external wall of a building which is able adequately to resist the spread of fire over the walls and from one building to another, having regard to the height, use and position of the building; or

(b) separated by a partition, wall, ceiling or other internal structure, containing fire-resistant internal linings;

(c) separated by the means described in paragraph (a) or (b), other than a floor or ceiling, where there is an opening fitted with a self-closing door constructed of hard wood or other fire-resisting material.

“storage place” in domestic or other relevant premises, means the place where petrol is stored;

9. Brief Statement of Grounds

The United Kingdom is consolidating the existing petroleum storage legislation in Great Britain in response to a recommendation in a review of health and safety legislation conducted by Professor Ragnar Löfstedt entitled ‘Reclaiming health and safety for all: an independent review of health and safety regulation’. The recommendation is that the United Kingdom's Health and Safety Executive undertake a programme of sector-specific consolidations to be completed by April 2015. Subject to Parliamentary approval, the intention is for the legislative amendments giving effect to any changes to be commenced by the end of 2014.

PORTABLE PETROL STORAGE CONTAINERS

In preparing the draft Petroleum (Consolidation) Regulations 2014, Great Britain is not introducing any new technical standards in relation to the design and labelling of portable petrol containers. Requirements relating to the design and labelling of metal petrol containers from the Petroleum-Spirit (Motor Vehicles, etc) Regulations 1929 and for plastic petrol containers from the Petroleum-Spirit (Plastic Containers) Regulations 1982 are reflected in the new regulations. The aim of the consolidation of existing petroleum legislation is to modernise and simplify the legislation, and bring together in one set of regulations all the relevant legal requirements relating to the keeping of petrol. The overall aim of these requirements is the protection of consumers of petrol.

The new regulations also allow storage of petrol in larger de-mountable fuel tanks (i.e. the detachable fuel tank for a power boat). Persons will be able to store up to 10 litres of petrol in a plastic petrol container; 20 litres in a metal petrol container; and up to 30 litres in a demountable fuel tank. These storage levels reflect the current market availability of petrol storage containers.



FIRE RESISTANT MATERIALS

Great Britain's current Petroleum-Spirit (Motor Vehicles, etc) Regulations 1929 require that there be a (fire-resistant) substantial partition between, on the one hand, places in a building where petrol is stored, and, on the other hand, places in a building where persons assemble or dwell, or which are used as a means of exit from the building. The provisions notified are intended to replace and modernise these provisions.

The provisions on fire resistance of walls, ceilings, partitions and internal structures are not thought to differ significantly from the requirements of the Petroleum-Spirit (Motor Vehicles, etc) Regulations 1929 which form part of the body of legislation being consolidated.

10. Reference Documents - Basic Texts

References of the Basic Texts: Public consultation document on the draft Petroleum (Consolidation) Regulations 2014 (note that the wording in the draft regulations contained in the consultation document differs slightly compared with the wording hereby notified.)

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

-

13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

European Commission

Contact point Directive 98/34



EUROPEAN COMMISSION
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Prevention of Technical Barriers

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