



The Environment Agency's Position on Oil Pollution of Inland Waters

Key Issues

- Oil and fuels are the most frequently reported type of pollutant of inland waters in England and Wales. We believe this is unacceptable and that effective steps need to be taken to reduce the number and severity of such incidents. This document describes the measures already in place to deal with oil pollution of all kinds, including mineral oils, fuel oils and vegetable oils, and identifies possible further actions.
- Every year there are more than 5,000 pollution incidents involving oil and fuels. Although some of these affect land, the vast majority affect the water environment. On average an oil spill costs a typical business up to £30,000 in fines, clean up charges and production losses.
- Oil is a highly visible pollutant that affects the water environment in a number of ways. It can reduce levels of dissolved oxygen and taint drinking water supplies at very low concentrations, making them unsuitable for use.
- Mineral oil is a List 1 substance under the Groundwater Regulations and must therefore not be released into groundwater. It can be difficult to deal with groundwater contaminated with oil. The effects can be long term, and include polluted surface water and drinking water supplies.
- Oil can harm wildlife. Wildfowl are particularly vulnerable, both through damage to the waterproofing of their plumage and through ingestion of oil during preening. Mammals such as water voles may also be affected. The flesh of fish exposed to oil can become tainted.
- Oil is everywhere in society. It is used in large quantities, requiring an extensive distribution and storage system. Opportunities for spillage and other accidental releases are probably greater than any other type of chemical pollutants. The principal causes of oil pollution are loss from storage facilities, spillage during delivery and deliberate disposal of waste oil to drainage systems.

The Environment Agency's role

The Environment Agency regulates discharges to the water environment in England and Wales under the Water Resources Act 1991 and the Groundwater Regulations 1998. We also regulate the largest and most complex industrial processes through the Integrated Pollution Prevention Control regime, as well as sites where waste is handled, such as landfills and composting facilities.

We have specific responsibility for the storage of agricultural fuel oils (through the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations, 1991) and for oil storage at industrial, commercial, institutional and large domestic premises (under the Control of Pollution (Oil Storage)(England) Regulations 2001).

The Government's guidance which accompanied these oil regulations included the following reference to our role: "The regulations apply minimum prescriptive standards on a blanket basis to all premises storing oil in above ground fixed or mobile tanks or facilities. This means that the Environment Agency (EA) will not need to make a special visit to individual sites to assess risks, but will enforce the regulations during routine visits and thus reduce resource burdens."

We were provided with extra funding to promote the regulations, which has been used to produce and distribute leaflets and related information and to fund a series of free seminars for industry. Further activities are planned for the remaining period during which the regulations will be phased in.

We support the Oil Care Campaign, working in particular to understand the causes of oil pollution, to improve facilities for recycling waste oil and to improve delivery procedures. We also work with other environmental regulators to produce a wide range of pollution prevention materials for industry giving advice on the storage, handling and use of oil.

The majority of oil pollution incidents affect water and we respond by protecting the environment, limiting damage and identifying the causes. Where appropriate, evidence is collected and legal action is taken.

We have a statutory responsibility to collect and give out information on the state of the environment. We also provide expert advice to government on environmental protection and carry out research on a wide range of environmental issues, including oil pollution. We comment on the environmental impacts of proposed developments where they have the potential to affect water quality, including those where oil will be stored and used.

Solutions

There is a comprehensive programme of measures to reduce oil pollution in place. The major elements are:

1. Oil Storage Regulations - these set minimum standards for above ground oil storage facilities at industrial, commercial, institutional and large domestic premises.
2. Building Regulations controls - Part J of the amended building regulations (effective from April 2002) requires new, higher risk oil storage installations to have a secondary containment system (a bund), to contain any spills from the tank. This includes tanks within 10 metres of a watercourse or 50 metres of a borehole.
3. Statutory Code of Practice for underground tanks at petrol stations and other fuel dispensing facilities - this outlines operational and management practices for underground oil storage at such facilities. It was made under the Groundwater Regulations 1998 and introduced in November 2002. Notices can be issued under these regulations to prohibit or control activities that might lead to a discharge of oil or fuel.
4. Silage, Slurry and Agricultural Fuel Oil Storage Regulations 1991 – these address agricultural fuel oil storage. All new tanks have required bunding since 1991.
5. Environment Agency guidance - the UK's environment agencies produce a series of pollution prevention guidance notes, many of which incorporate guidance on oil storage. These have been available since the early 1990s.
6. Industry standards and guidance - there are a number of relevant industry standards that deal with the design, installation and maintenance of oil storage facilities. These range from OFTEC

standards for the manufacture and installation of heating oil tanks to Energy Institute guidance on petrol filling stations and oil terminals. We work closely with the oil industry through the Oil and Water Liaison Group, chaired and hosted by the Energy Institute.

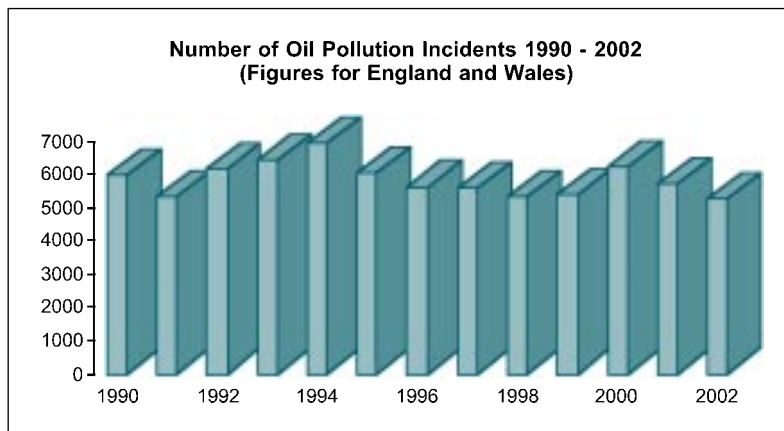
7. Specific permitting for waste management and IPC/IPPC sites - standards for oil storage are often included in permits for sites we regulate.
8. Voluntary operating agreements and supply chain initiatives – the oil company TOTAL has recently carried out a complete review of all its commercial customers to improve fuel storage standards. We are currently developing delivery guidance with the industry. Furthermore we have signed up to an operating agreement with TOTAL for its petrol filling stations that ensures the company's capital investment is in line with related environmental risk. Other companies are considering similar agreements.
9. Incidents at sea – in the marine environment operational discharges from vessels are the responsibility of the Maritime and Coastguard Agency (MCA). We have a joint regulatory role for spillage of oil, but the lead is normally taken by MCA.
10. Permit measures - discharge permits may specify stringent limits for operational emissions of oil. Measures such as oil separators or SUDS (Sustainable Drainage Systems e.g. swales, constructed wetlands, detention ponds) may also be specified to control intermittent oil pollution of surface water runoff from sources such as roads, car parks and lorry parks.
11. Dealing with oil pollution incidents - normally the Environment Agency will make sure those responsible for the incident clean it up. We may do the job ourselves if no responsible party can be identified. In all cases, oil will be contained and removed using suction, skimming, absorption or polymerisation techniques. Using materials to emulsify or disperse oil on inland waters is an offence.

We call for:

- Continued support from the petroleum industry in reducing oil pollution, through support for the Oil Care Campaign and in raising standards at all points in the distribution and use chain.
- Government to consider further measures which could reduce the environmental burden of oil pollution. This should include a review of the scope of the Oil Storage Regulations, a review of Part J of the Building Regulations and of alternative measures, such as a requirement for technicians installing oil fired equipment to be appropriately qualified and registered.
- Improved facilities for recycling used oil.
- Wider adoption of voluntary operating codes by the industry.

Background

- Over the last few years we have worked with others to reduce pollution by oil. In 2003, fuel and oil was responsible for 160 of the most serious water pollution incidents (category 1 and 2 incidents), down from 232 in 1999. However, there has been little change in the overall number of oil and fuel incidents over the same period.
- There are nearly three oil pollution incidents every day in England and Wales from the handling of oil.



- The Oil Care Campaign was established in response to the rapidly increasing number of oil pollution incidents in the early 1990s. This brought together regulators, industry, government and others in a concerted voluntary effort to tackle oil pollution. The Campaign has stabilised the numbers of incidents but not yet reduced them.
- Recognising that this voluntary approach was not enough to bring down the number of oil pollution incidents, the Government introduced the Control of Pollution (Oil Storage) (England) Regulations 2001. These set minimum standards for the storage of oil at industrial, commercial and institutional premises and aim to reduce the number of significant oil pollution incidents by 50%.