STATUTORY INSTRUMENTS

1963 No. 493

CLEAN AIR

The Alkali, &c. Works Order 1963

Made - - - -	14*th March* 1963
Laid before Parliament	21*st March* 1963
Coming into Operation	1*st April* 1963

The Minister of Housing and Local Government, after a public inquiry and after consultation with the local authorities and other interests concerned, in exercise of his powers under section 4 (1) of the Public Health (Smoke Abatement) Act 1926(**a**) as extended by section 17 (3) of the Clean Air Act 1956(**b**), and of all other powers enabling him in that behalf, hereby makes the following order:—

1.—(1) This order may be cited as the Alkali, &c. Works Order 1963 and this order and the Alkali, &c. Works Orders 1928 to 1961(**c**) (in this order referred to as " the orders of 1928 to 1961 ") may be cited together as the Alkali, &c. Works Orders 1928 to 1963.

(2) This order shall come into operation on 1st April 1963.

2. The Interpretation Act 1889(**d**) applies to this order as it applies to the interpretation of an Act of Parliament.

3. The list of noxious and offensive gases mentioned in section 27 of the Alkali, &c. Works Regulation Act 1906(**e**) (in this order referred to as " the Act of 1906 ") as extended by the orders of 1928 to 1961 shall be further extended so as to include the gases and fumes set out in schedule 1 to this order.

4.—(1) The descriptions in Schedule 1 to the Act of 1906 as extended as aforesaid of the several works of which the number and short description appear in column 1 of Part I of schedule 2 to this order shall be extended by the addition of the words set forth in column 2 of that Part opposite to the item in column 1.

(2) The list of works mentioned in Schedule 1 to the Act of 1906 shall be further extended so as to include the works specified in Part II of schedule 2 to this order and the items appearing in that Part shall be added to and shall form part of Schedule 1 to the Act of 1906.

5. For item 23 of Part II of schedule 2 to the Alkali, &c. Works Order 1928(**f**) there shall be substituted the following item—

" 23. Pyridine works, that is to say, works in which pyridine or picolines are recovered or made."

(**a**) 16 & 17 Geo. 5. c. 43. (**b**) 4 & 5 Eliz. 2. c. 52.
(**c**) S.R. & O. 1928/26, 1935/162, 1939/1299 (Rev. II, p. 51: 1928, p. 63; Rev. II, p. 54: 1935, p. 129; Rev. II, p. 56: 1939 I, p. 142); S.I. 1950/364, 1958/497, 1961/2261 (1950 I, p. 165; 1958 I, p. 318; 1961 III, p. 3969).
(**d**) 52 & 53 Vict. c. 63. (**e**) 6 Edw. 7. c. 14. (**f**) S.R. & O. 1928/26 (Rev. II, p. 51: 1928, p. 63).

6. In item 27 of schedule 2 to the Alkali, &c. Works Order 1939(a) after the word " works " where that word occurs for the second time there shall be inserted the following—

" (not being works for the recovery of lead from scrap by direct liquation) ".

7. In schedule 2 to the Alkali, &c. Works Order 1958(b)—

(*a*) In item 31—

(1) For paragraph (*a*) there shall be substituted the following paragraph—

" (*a*) by the application of heat—

(i) copper is extracted from any ore or concentrate or from any material containing copper or its compounds ; or

(ii) molten copper is refined ; or

(iii) copper or copper alloy swarf is degreased ; or

(iv) copper alloys are recovered from scrap fabricated metal, swarf or residues by processes designed to reduce the zinc content ; or ".

(2) At the end of paragraph (*b*) there shall be inserted the following proviso—

" Provided that this paragraph shall not apply to works in which the aggregate casting capacity does not exceed ten tons per day."

(*b*) In item 32—

(1) In paragraph (*b*) for the words " swarf " to the end of the paragraph there shall be substituted the words " swarf, skimmings, drosses or other residues by melting ; or ".

(2) After paragraph (*c*) there shall be inserted the following paragraph—

" ; or (*d*) molten aluminium or aluminium alloys are treated by any process involving the evolution of chlorine or its compounds."

(*c*) In item 35—

(1) For paragraph (*a*) there shall be substituted the following paragraph—

" (*a*) coal, oil or mixtures of coal or oil with other carbonaceous materials or products of petroleum refining or natural gas or methane from coal mines or gas derived from fermentation of carbonaceous materials are handled or prepared for carbonisation or gasification or reforming and in which these materials are subsequently carbonised or gasified or reformed ; or ".

(2) For paragraph (*d*) there shall be substituted the following paragraph—

"(*d*) gases derived from any process described in paragraph (*a*) are subjected to purification processes ".

(*d*) In item 36—

(1) In paragraph (*a*) the words " and raw materials used for the manufacture of pottery products are handled and prepared " shall be deleted.

(2) For paragraph (*b*) (ii) there shall be substituted the following paragraph—

" (ii) continuous grate-fired kilns not being tunnel kilns ; or ".

(a) S.R. & O. 1939/1299 (Rev. II, p. 56: 1939 I, p. 142). (b) S.I. 1958/497 (1958 I, p. 318).

(3) After paragraph (*b*) (iii) there shall be inserted the following—

" ; or

(*c*) salt glazing of any earthenware or clay material is carried on ".

SCHEDULE 1

Gases and fumes to be included in the list of noxious or offensive gases mentioned in section 27 of the Act of 1906.

Acetic anhydride
Acetic acid
Aldehydes
Amines
Fumaric acid
Fumes containing chromium, magnesium, manganese, molybdenum, phosphorus, titanium, tungsten, vanadium or their compounds
Maleic acid
Maleic anhydride
Products containing hydrogen from the partial oxidation of hydrocarbons
Phthalic anhydride
Phthalic acid
Picolines.

SCHEDULE 2

SCHEDULED WORKS

PART I—EXTENDED DESCRIPTIONS OF CERTAIN WORKS SCHEDULED IN THE ACT OF 1906

Number of Item in Schedule 1 to Act of 1906 as extended by the orders of 1928 to 1961 and short description of works	*Words to be added to the description*
13. Arsenic works	and works in which arsenic is made.
18. Paraffin oil works	and works in which any such product is used in any subsequent chemical manufacturing process not being a process for the polymerisation or co-polymerisation of such products for the manufacture of thermo-plastic materials.
21. Zinc works	and works in which compounds of zinc are made by dry processes giving rise to fume.
28. Fluorine works	and works for the manufacture of fluorides, borofluorides or silico-fluorides.
30. Iron and steel works	; or (*f*) ferro-alloys are made by processes giving rise to fume.
37. Lime works	or oil.
40. Chemical incineration works	and works for the destruction by burning of chemical wastes containing combined chlorine, fluorine, nitrogen, phosphorus or sulphur.

PART II—ADDITIONAL WORKS

44. Phosphorus works, that is to say works in which—

(*a*) phosphorus is made ; or

(*b*) yellow phosphorus is used in any chemical or metallurgical process.

45. Ammonia works, that is to say, works in which ammonia is

(*a*) made ; or

(*b*) used in the ammonia-soda process ; or

(*c*) used in the manufacture of carbonate, nitrate or phosphate of ammonia or urea.

46. Hydrogen cyanide works, that is to say, works in which hydrogen cyanide is made or is used in any chemical manufacturing process.

47. Acetylene works, that is to say, works in which acetylene is made and used in any chemical manufacturing process.

48. Amines works, that is to say, works in which methylamine or ethylamine is made.

49. Calcium carbide works, that is to say, works in which calcium carbide is made.

50. Aldehyde works, that is to say, works in which formaldehyde, acetaldehyde or acrolein or the methyl, ethyl or propyl derivatives of acrolein are made.

51. Anhydride works, that is to say, works in which acetic, maleic or phthalic anhydrides or the corresponding acids are made.

52. Chromium works, that is to say, works in which any chrome ore or concentrate is treated for the production therefrom of chromium compounds or chromium metal is made by dry processes giving rise to fume.

53. Magnesium works, that is to say, works in which magnesium or any compound of magnesium is made by dry processes giving rise to fume.

54. Cadmium works, that is to say, works in which metallic cadmium is recovered or cadmium alloys are made or any compound of cadmium is made by dry processes giving rise to fume.

55. Manganese works, that is to say, works in which manganese or its alloys or any compound of manganese is made by dry processes giving rise to fume.

56. Metal recovery works, that is to say, works in which metal is recovered from scrap cable by burning the insulation.

Given under the official seal of the Minister of Housing and Local Government on 14th March 1963.

(L.S.) *Keith Joseph,*
Minister of Housing and Local Government.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

The discharge of certain noxious or offensive gases, smoke grit and dust from certain types of works is subject to control under the Alkali, &c. Works Regulation Act 1906, as extended by virtue of section 17 of the Clean Air Act 1956. Both the types of works and the list of gases may be modified or added to from time to time by order of the Minister of Housing and Local Government, and this Order makes the modifications and additions specified therein.