EXECUTIVE NOTE

THE WATER ENVIRONMENT OIL STORAGE (SCOTLAND) REGULATIONS 2006 (SSI 2006/133)

Introduction

The above instrument was made in exercise of the powers conferred by section 20 and 36(2) and (3) of, and schedule 2 to, the Water Environment and Water Services Act 2003. The instrument is subject to negative resolution procedure.

Policy Objectives

The Regulations set design standards for the storage of oil, both in fixed and in mobile containers, and the timescales within which new and existing containers need to comply with the regulations. A key element is secondary containment, such as a "bund", to ensure leaking or spilt oil does not enter controlled waters. They also include notice procedures where SEPA consider that works, precautions or other steps need to be carried out on existing containers during the transition period, to minimise pollution risks to the environment. Equivalent regulations for England were made in 2001; in some cases organisations that operate on a UK basis are already working to the proposed standards. The inclusion of agricultural fuel oil within the rules is in line with our commitment to meeting the requirements of the Water Framework Directive.

Consultation

The following bodies have been consulted during the preparation of the instrument:

Scottish Environment Protection Agency

A short public consultation also took place from 12 December 2005 to 24 January 2006. As the regulations had previously been consulted upon in 2003 and there were no major technical changes a short consultation was requested.

Financial Effects

A transitional period of up to four years has been included to meet the standards. It is anticipated that many containers which do not meet the standards may already be due for replacement within this period.

A copy of the RIA can be obtained from the Water Division or can be found at http://www.scotland.gov.uk/Topics/Environment/Water/15561/2436.

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