

SCHEDULE 1

ACTIVITIES AND INSTALLATIONS AND MOBILE PLANT

PART I

ACTIVITIES

CHAPTER 1

ENERGY INDUSTRIES

Section 1.1

Combustion

PART A

- (a) Burning any fuel in a combustion appliance with a net rated thermal input of 50 megawatts or more.
- (b) Burning any of the following fuels in an appliance with a net rated thermal input of three megawatts or more otherwise than as an activity which is related to a Part B activity:–
 - (i) waste oil;
 - (ii) recovered oil;
 - (iii) any fuel manufactured from any other waste.

Interpretation of Part A

For the purposes of paragraph (a), where two or more appliances with an aggregate rated thermal input of 50 megawatts or more are operated on the same site by the same operator those appliances shall be treated as a single appliance with a rated thermal input of 50 megawatts or more.

PART B

- (a) Burning any fuel in a boiler or furnace with a net rated thermal input of 20 megawatts or more but less than 50 megawatts.
- (b) Burning any fuel in a gas turbine or compression ignition engine with a net rated thermal input of 20 megawatts or more but less than 50 megawatts.
- (c) Burning waste oil or recovered oil as a fuel in an appliance with a net rated thermal input of less than 3 megawatts.
- (d) Burning solid fuel which has been manufactured from waste by a process involving the application of heat in an appliance with a net rated thermal input of less than 3 megawatts.
- (e) Burning fuel manufactured from waste, other than waste oil or recovered oil or such fuel as is mentioned in paragraph (d) in any appliance with a net rated thermal input of less than 3 megawatts but more than 0.4 megawatts or which is used together with other appliances, which each have a net rated thermal input of less than 3 megawatts, where the aggregate net rated thermal input of all the appliances is at least 0.4 megawatts.

Interpretation of Part B

1. Nothing in Part B applies to any activity falling within Part A of Section 5.1.
2. In paragraph (c), “fuel” does not include gas produced by biological degradation of waste.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Interpretation of Section 1.1

For the purposes of section 1.1–

“net rated thermal input” is the rate at which fuel can be burned at the maximum continuous rating of the appliance multiplied by the net calorific value of the fuel and expressed as megawatts thermal;

“waste oil” means any mineral based lubricating or industrial oil which has become unfit for the use for which it was intended and, in particular, used combustion engine oil, gearbox oil, mineral lubricating oil, oil for turbines and hydraulic;

“recovered oil” means waste oil which has been processed before being used.

Section 1.2

Refining Mineral Oil and Gas, Operating Coke Ovens and Coal Gasification and Liquefaction Activities.

PART A

- (a) Refining gas including natural gas or its products.
- (b) Reforming natural gas.
- (c) Operating a coke oven.
- (d) Producing gas from coal, lignite, oil or other carbonaceous material or from mixtures thereof, other than from sewage, unless carried on as part of an activity which is a combustion activity, whether or not that activity falls within Section 1.1.
- (e) Purifying or refining any product of any of the activities described in paragraphs (a), (b), (c) or (d) of this Section or converting it into a different product.
- (f) The refining of mineral oils, or the loading, unloading or other handling of, the storage of, or other physical, chemical or thermal treatment of–
 - (i) crude oil;
 - (ii) stabilised petroleum;
 - (iii) crude shale oil;
 - (iv) where related to another activity described in this paragraph, any associated gas or condensate;
 - (v) emulsified hydrocarbons intended for use as a fuel.
- (g) The further refining, conversion or use, in the manufacture of a chemical of the product of any activity listed in paragraph (f) above, otherwise than as a fuel or solvent.
- (h) Activities involving the pyrolysis, carbonisation, distillation, liquefaction, gasification, partial oxidation or other heat treatment of coal (other than the drying of coal), lignite, oil, other carbonaceous material or mixtures thereof otherwise than with a view to making charcoal.
- (i) Purifying or refining any of the products of an activity mentioned in paragraph (a) or its conversion into a different product.

Nothing in paragraph (h) or (i) refers to the use of any substance as a fuel or its incineration as a waste or to any activity for the treatment of sewage.

In paragraph (h), the heat treatment of oil does not include heat treatment of waste oil or waste emulsions containing oil in order to recover the oil from aqueous emulsions.

Interpretation of Part A

In Part A “carbonaceous material” includes such materials as charcoal, coke, peat, rubber and wood.

PART B

- (a) Odourising natural gas or liquefied petroleum gas, except where that activity is related to a Part A activity.
- (b) Blending odourant for use with natural gas or liquefied petroleum gas.
- (c) The following activities:-
 - (i) the storage of petrol in stationary storage tanks at a terminal, or the loading or unloading of petrol into or from a road tanker, a rail tanker or an inland waterway vessel at a terminal;
 - (ii) the unloading of petrol into stationary storage tanks at a service station, other than an exempt service station, if the total quantity of petrol unloaded into such tanks at the service station in any 12 month period is likely to be equal to or greater than 100m³.

Interpretation of Part B

1. In Part B-

“inland waterway vessel” means a vessel, other than a sea-going vessel, having a total dead weight of 15 tonnes or more;

“petrol” means any petroleum derivative, with or without additives, having a Reid vapour pressure of 27.6 kilopascals or more which is intended for use as a fuel for motor vehicles, other than liquefied petroleum gas;

“service station” means any premises where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks;

“terminal” means any premises which are used for the storage and loading of petrol into road tankers, rail tankers or inland waterway vessels;

“exempt service station” is as defined in the Environmental Protection (Prescribed Processes and Substances) Regulations 1991(1).

2. Any other expressions which are also used in European Parliament and Council Directive [94/63/EC](#) on the control of volatile organic compound (VOC) emissions resulting from the storage of petrol and its distribution from terminals to service stations(2) have the same meaning as in that Directive.

(1) S.I.1991/507; that definition was added by S.I. 1996/2678.

(2) O.J. No. L 365, 31.12.94, p.24.