

POLICY NOTE

THE POLLUTION PREVENTION AND CONTROL (SCOTLAND) AMENDMENT REGULATIONS 2016

SSI 2016/39

The above Instrument is made in exercise of the powers conferred by section 2(2) of the European Communities Act 1972. The Instrument is subject to negative procedure.

Policy objectives

The Instrument amends the Pollution Prevention and Control (Scotland) Regulations 2012 to effect a change as a consequence of the amendment of Directive 2009/126/EC on Stage II petrol vapour recovery during refuelling of motor vehicles at service stations by Directive 2014/99/EU.

Regulation 32(1)(b) of the 2012 Regulations requires the Scottish Environment Protection Agency to ensure that permits for vehicle refuelling activities contain the conditions necessary to ensure compliance with the 2009 Directive. The 2014 Directive amends the 2009 Directive to require the efficiency to capture systems to be determined in accordance with a new European Standard (EN 16321-1:2013).

The 2014 Directive also amends the 2009 Directive to require that the testing of in-service petrol vapour capture efficiency of Stage II petrol vapour recovery systems is in accordance with a new European Standard: EN 16321-2:2013.

Consultation

The Instrument does not impose any new legal or financial burdens on business or industry, therefore no consultation was undertaken.

Impact Assessments

The Instrument will have no negative environmental impact, and have no socio-economic implications. Therefore no environmental, equality or other impact assessments have been undertaken.

Financial Effects

The Instrument imposes no new financial requirements on businesses, therefore no Business and Regulatory Impact Assessment was undertaken.

**Scottish Government
Directorate for Environment & Forestry**

21 January 2016