

## SCHEDULE 1

### Activities, installations and mobile plant

## PART 2

### Activities

#### CHAPTER 1

#### Energy activities

#### SECTION 1.2

#### *Gasification, Liquefaction and Refining Activities*

##### **Part A(1)**

- (a) Refining gas where this is likely to involve the use of 1,000 or more tonnes of gas in any 12-month period.
- (b) Reforming natural gas.
- (c) Operating coke ovens.
- (d) Coal or lignite gasification.
- (e) Producing gas from oil or other carbonaceous material (or from mixtures of oil or other carbonaceous material), other than from sewage, unless the production is carried on as part of an activity which is a combustion activity (whether or not that combustion activity is described in Section 1.1).
- (f) Purifying or refining any product of any of the activities falling within paragraphs (a) to (e) or converting it into a different product.
- (g) Refining mineral oils.
- (h) The loading, unloading, handling or storage of, or the physical, chemical or thermal treatment of—
  - (i) crude oil;
  - (ii) stabilised crude petroleum;
  - (iii) crude shale oil;
  - (iv) where related to another activity described in this paragraph, any associated gas or condensate; or
  - (v) emulsified hydrocarbons intended for use as a fuel.
- (i) The further refining, conversion or use (otherwise than as a fuel or solvent) of the product of any activity falling within paragraph (g) or (h) in the manufacture of a chemical.
- (j) Activities involving the pyrolysis, carbonisation, distillation, liquefaction, gasification, partial oxidation or other heat treatment of—
  - (i) coal (other than the drying of coal);
  - (ii) lignite;
  - (iii) oil;
  - (iv) other carbonaceous material; or
  - (v) mixtures of any of these,

otherwise than with a view to making charcoal.

- (k) Odourising natural gas or liquefied petroleum gas where that activity is related to a Part A activity.

#### Interpretation and application of Part A(1)

**1.** Part A(1)(j) does not include—

- (a) the use of any substance as a fuel;
- (b) the incineration of any substance as a waste;
- (c) any activity for the treatment of sewage or sewage sludge.

**2.** In Part A(1)(j), the heat treatment of oil, other than distillation, does not include the heat treatment of waste oil or waste emulsions containing oil in order to recover the oil from aqueous emulsions.

**3.** In Part A(1), “carbonaceous material” includes such materials as charcoal, coke, peat, rubber and wood, but does not include wood which has not been chemically treated.

#### **Part A(2)**

- (a) Refining gas where this activity does not fall within Part A(1)(a) of this Section.

#### **Part B**

- (a) Blending odourant for use with natural gas or liquefied petroleum gas.
- (b) The storage of petrol in stationary storage tanks at a terminal, or the loading or unloading at a terminal of petrol into or from road tankers, rail tankers or inland waterway vessels.
- (c) The unloading of petrol into stationary storage tanks at a 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 500m<sup>3</sup> or more.
- (d) Motor vehicle refuelling activities at an existing service station after the prescribed date, if the petrol refuelling throughput at the existing service station in any 12-month period is, or is likely to be, 3500m<sup>3</sup> or more.
- (e) Motor vehicle refuelling activities at a new service station, if the petrol refuelling throughput at the service station in any 12-month period is likely to be 500m<sup>3</sup> or more.

#### Interpretation of Part B

**1.** In Part B—

“existing service station” means a service station—

- (a) which was put into operation; or
- (b) for which planning permission under the Town and Country Planning Act 1990(1) was granted,

before 31st December 2009;

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

“new service station” means a service station which is put into operation on or after 31st December 2009, other than an existing service station;

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

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(1) 1990 c. 8.

“prescribed date” means—

- (a) if an application for the grant or variation of an environmental permit was made under the 2007 Regulations on or before 1st January 2010—
  - (i) if the application was granted, the date of grant,
  - (ii) if the application was refused and the applicant appeals against the refusal, the date of the appeal determination or the date the appeal is withdrawn, or
  - (iii) if the application was refused, and the applicant does not appeal against the refusal, the day after the last day on which an appeal could be brought; or
- (b) if no such application is made, 1st January 2010;

“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.

2. Any other expressions used in Part B which are also used in 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<sup>(2)</sup> have the same meaning as in that Directive.

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(2) OJ No L 365, 31.12.1994, p 24, as amended by Regulation [\(EC\) No 1882/2003](#) (OJ No L 284, 31.10.2003, p 1).