

## SCHEDULE 1

### ACTIVITIES AND INSTALLATIONS AND MOBILE PLANT

#### PART 1

#### ACTIVITIES

#### CHAPTER 4: THE CHEMICAL INDUSTRY

##### Interpretation of Chapter 4

In this Chapter—

“Producing” as described in Part A of Sections 4.1 to 4.6 means the production by chemical or biological processing on an industrial scale of any listed substance or group of substances.

##### *SECTION 4.1: Organic chemicals*

###### *PART A*

Producing organic chemicals including—

- (a) hydrocarbons, linear or cyclic, saturated or unsaturated, aliphatic or aromatic,
- (b) organic compounds containing oxygen, including alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, phenols, epoxy resins,
- (c) organic compounds containing sulphur, including sulphides, mercaptans, sulphonic acids, sulphonates, sulphates and sulphones and sulphur heterocyclics,
- (d) organic compounds containing nitrogen including amines, amides, nitrous-, nitro- or azo-compounds, nitrate, nitriles, nitrogen heterocyclics, cyanates, isocyanates, di-isocyanates and di-isocyanate prepolymers,
- (e) organic compounds containing phosphorus including substituted phosphines and phosphate esters,
- (f) organic compounds containing halogens, such as halocarbons, halogenated aromatic compounds and acid halides,
- (g) organometallic compounds, such as lead alkyls, Grignard reagents and lithium alkyls,
- (h) plastic materials such as polymers, synthetic fibres and cellulose-based fibres;
- (i) synthetic rubbers,
- (j) dyes and pigments,
- (k) surface-active agents,
- (l) any other organic compounds not described in sub-paragraphs (a) to (k) above which have the potential to pollute the environment.

###### *PART B*

- (a) Unless described in Part A of this Section, the carrying out of any activity involving the use in any 12 month period of—
  - (i) 5 tonnes or more of diphenyl methane di-isocyanate or other di-isocyanate of lower volatility than toluene di-isocyanate, or
  - (ii) partly polymerised di-isocyanates or prepolymers containing 5 tonnes or more of di-isocyanate monomers, where the activity may result in a release into the air of such monomers.

- (b) The flame bonding or cutting with heated wires of polyurethane foams or polyurethane elastomers.
- (c) Any activity, if not related to any other Part A activity, for the polymerisation or co-polymerisation of any pre-formulated resin or pre-formulated gel coat which contains any styrene, which is likely to involve, in any 12 month period, the polymerisation or co-polymerisation of 100 tonnes or more of styrene,
- (d) Any activity, if not related to any Part A activity, for polymerising or co-polymerising any unsaturated hydrocarbons or a product of an activity described in Part A of this Section (other than a pre-formulated resin or pre-formulated gel coat which contains any unsaturated hydrocarbons), which is likely to involve, in any 12 month period, the polymerisation or co-polymerisation of 50 tonnes or more of any of those materials or, in aggregate, of any combination of those materials.

### Interpretation of Part B

In this Part, “pre-formulated resin or pre-formulated gel coat” means any resin or gel coat which has been formulated before being introduced into polymerisation or co-polymerisation activity, whether or not the resin or gel coat contains a colour pigment, activator or catalyst.

## SECTION 4.2: Inorganic chemicals

### PART A

- (a) Producing inorganic chemicals including—
  - (i) inorganic substances, including those in gaseous form, such as ammonia, hydrogen chloride, hydrogen fluoride, hydrogen cyanide and hydrogen sulphide, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, and phosgene,
  - (ii) acids, such as chromic acid, hydrofluoric acid, hydrochloric acid, hydrobromic acid, hydroiodic acid, phosphoric acid, nitric acid, sulphuric acid, oleum, sulphurous acids, and chlorosulphonic acid,
  - (iii) bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide and calcium hydroxide,
  - (iv) salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate, cupric acetate, ammonium phosphomolybdate,
  - (v) non-metals, metal oxides, metal carbonyls or other inorganic compounds such as calcium carbide, silicon, silicon carbide,
  - (vi) halogens or any compound comprising only—
    - (aa) two or more halogens, or
    - (bb) any one or more of those halogens and oxygen.
- (b) Unless falling within a description in any other Section of any Chapter of this Schedule, any production activity which is likely to result in the release—
  - (i) into the air of any hydrogen halides (other than the coating, plating or surface treatment of metal), or
  - (ii) into the air or water of any halogens or any of the compounds mentioned in paragraph (a) (vi) (other than the treatment of water by chlorine).
- (c) Unless falling within a description in any other Section of any Chapter of this Schedule, any production activity which uses, or is likely to result in the release of, hydrogen cyanide or hydrogen sulphide.

- (d) Unless falling within a description in any other Section of any Chapter of this Schedule, producing any compounds, or using or recovering any mixture (other than in the application of a glaze or vitreous enamel), containing any of the following substances or their compounds:—
- (i) antimony,
  - (ii) arsenic,
  - (iii) beryllium,
  - (iv) gallium,
  - (v) indium,
  - (vi) lead,
  - (vii) palladium,
  - (viii) platinum,
  - (ix) selenium,
  - (x) tellurium,
  - (xi) thallium,
  - (xii) cadmium, or
  - (xiii) mercury,
- where the activity may result in the release into the air of any of those elements or their compounds or the release into water of any substance listed in column 1 of the Table referred to in paragraph 10 of Part 2 of this Schedule in a quantity which, in any 12 month period, exceeds the background quantity by more than the amount specified in relation to that substance in column 2 of that Table.
- (e) Unless falling within a description in any other Section of any Chapter of this Schedule, recovering any compound of or engaging in any process of production which involves the use of cadmium or mercury or of any compound of either of those elements or which may result in the release to air of either of those elements or their compounds.
- (f) Any other activity (except the combustion or incineration of carbonaceous material as defined in Section 1.2) which does not fall within a description in Sections 2.1, 2.2 or 2.3 and which may result in the release into the air of any acid forming oxide of nitrogen.

*PART B*

NIL

#### *SECTION 4.3: Chemical fertiliser production*

*PART A*

Producing phosphorous, nitrogen or potassium based fertilisers (simple or compound).

*PART B*

NIL

#### *SECTION 4.4: Biocide production*

*PART A*

Producing plant health products and biocides.

*PART B*

NIL

**Draft Legislation:** This is a draft item of legislation and has not yet been made as a Scottish Statutory Instrument. This draft has been replaced by a new draft, The Pollution Prevention and Control (Scotland) Regulations 2012 ISBN 978-0-11-101851-4

#### *SECTION 4.5: Pharmaceutical production*

##### *PART A*

Producing pharmaceutical products, including intermediates.

##### *PART B*

NIL

#### *SECTION 4.6: Explosives production*

##### *PART A*

Producing explosives, other than as part of an activity described in any other Section of this Chapter.

##### *PART B*

NIL

#### *SECTION 4.7: Manufacturing activities involving ammonia*

##### *PART A*

Any activity for the manufacture of a chemical which may result in the release of ammonia into the air other than an activity in which ammonia is only used as a refrigerant.

##### *PART B*

NIL

#### *SECTION 4.8: Storage of chemicals in bulk*

##### *PART A*

NIL

##### *PART B*

The storage, other than as part of a Part A activity or in a tank for the time being forming part of a powered vehicle, of any substance listed in column 1 of Table 1, except where the total capacity of tanks used for storage is less than the amount specified in column 2 of the Table.

**Table 1**

<i>Substance</i>	<i>Amount</i> <i>(in tonnes)</i>
Any one or more acrylates	20
Acrylonitrile	20
Anhydrous ammonia	100
Anhydrous hydrogen fluoride	1
Toluene di-isocyanate	20
Vinyl chloride monomer	20
Ethylene	8,000

#### **Interpretation of Part B**

In this Part, “acrylate” means—

- (a) acrylic acid,
- (b) substituted acrylic acids,

- (c) esters of acrylic acids, and
- (d) esters of substituted acrylic acids.