

1971 No. 960

CLEAN AIR

The Alkali, &c. Works Order 1971

<i>Made</i>	- - -	9th June 1971
<i>Laid before Parliament</i>		16th June 1971
<i>Coming into Operation</i>		1st July 1971

The Secretary of State for the Environment, after a public inquiry and after consultation with the local authorities and other interests concerned, in exercise of his powers under section 4(1) of the Public Health (Smoke Abatement) Act 1926(a) as extended by section 17(3) of the Clean Air Act 1956(b), and of all other powers enabling him in that behalf, hereby makes the following order :—

Citation and commencement

1.—(1) This order may be cited as the Alkali, &c. Works Order 1971 and shall come into operation on 1st July 1971.

(2) This order and the order of 1966 may be cited together as the Alkali, &c. Works Orders 1966 and 1971.

Interpretation

2.—(1) The Interpretation Act 1889(c) shall apply for the interpretation of this order as it applies for the interpretation of an Act of Parliament.

(2) In this order—

“the Act of 1906” means the Alkali, &c. Works Regulation Act 1906(d) ;

“the order of 1966” means the Alkali, &c. Works Order 1966(e) ; and

“scheduled work” means a work specified in Schedule 1 to the Act of 1906 as set out and extended in Schedule 2 to the order of 1966.

Extension of list of noxious or offensive gases in section 27 of the Act of 1906

3. The list mentioned in section 27 of the Act of 1906 (as subsequently extended in the order of 1966) which, by virtue of section 11 of the Clean Air Act 1968(f) includes certain smoke, grit and dust shall be further extended so as to include the gases and fumes mentioned in the Schedule to this order as noxious or offensive gases to which the Act of 1906 applies.

Amendment of the order of 1966

4. Schedule 1 to the Act of 1906 (which is to be read as set out and extended in Schedule 2 to the order of 1966) shall be amended and further extended as follows—

(a) 1926 c. 43.
(d) 1906 c. 14.

(b) 1956 c. 52.
(e) S.I. 1966/1143 (1966 III, p. 2741).

(c) 1889 c. 63.
(f) 1968 c. 62.

- (1) Paragraph (18) shall have effect as originally enacted, that is to say—
“(18) Paraffin oil works, that is to say, works in which crude shale oil is refined.”.
- (2) In paragraph (30)(c) the words “in air or rotary furnaces, fired by coal or oil, or” shall be omitted.
- (3) For paragraph (32) there shall be substituted the following paragraph—
“(32) Aluminium works, that is to say, works in which—
(a) aluminium swarf is degreased by the application of heat ; or
(b) aluminium or aluminium alloys are recovered from aluminium or aluminium alloy scrap fabricated metal, swarf, skimmings, drosses or other residues by melting but not including works in which aluminium or aluminium alloys are separated from ferrous metals by liquation in sloping hearth furnaces ; or
(c) aluminium is recovered from slag ; or
(d) molten aluminium or aluminium alloys are treated by any process involving the evolution of chlorine or its compounds ; or
(e) aluminium is extracted from any material containing aluminium by a process evolving any noxious or offensive gases ; or
(f) oxide of aluminium is extracted from any ore
and materials used in the above processes or the products thereof are treated or handled by methods which cause noxious or offensive gases to be evolved.”.
- (4) At the end there shall be added—
“(57) Petroleum works, that is to say, works in which—
(a) crude petroleum is handled or stored ; or
(b) crude petroleum is refined by any operation carried out at petroleum refineries to convert crude petroleum into saleable products ; or
(c) any product of such refining is subjected to further refining ; or
(d) natural gas is refined ; or
(e) any product of any of the foregoing operations is used, except as a solvent, in any subsequent chemical manufacturing process, not being a chemical manufacturing process described in any other scheduled work ; or
(f) used lubricating oil is prepared for re-use by any thermal process.
(58) Acrylates works, that is to say, works in which acrylates are
(a) made ; or
(b) purified ; or
(c) made or purified and polymerised.
(59) Di-isocyanates works, that is to say, works in which di-isocyanates are made, or partly polymerised, or used in the manufacture of expanded plastics.

(60) Mineral works, that is to say, works in which metallurgical slags, or pulverised fuel ash, or minerals are subjected to any size reduction, grading or heating by processes giving rise to dust, including the subsequent handling of the products of any such process but not including works for the processing of coal, lime works, ceramic works or foundries except in so far as the process carried on is described in any other scheduled work.”.

Article 3

SCHEDULE

GASES AND FUMES

The expression “noxious or offensive gases” includes the following gases and fumes:—

- Fumes from petroleum works
- Acrylates
- Di-isocyanates

Peter Walker,

Secretary of State for the Environment.

9th June 1971.

EXPLANATORY NOTE

(This Note is not part of the Order.)

The discharge of certain noxious or offensive gases from certain types of work is subject to control under the Alkali, &c. Works Regulation Act 1906. The original lists of gases and schedule of works subject to control under the Act have been amended and extended from time to time, and the existing lists are set out in schedules 1 and 2 to the Alkali, &c. Works Order 1966 which consolidated previous orders. This order—

- (a) extends and amends the schedule of works by the addition of further works and the amendment of the definition of certain scheduled works; and
- (b) extends the list of noxious and offensive gases by the addition of the gases and fumes set out in the schedule.