Subsidiary Legislation made under s.7.

Petroleum Rules

1932.01.18

Commencement **18.1.1932**

Amending enactments	Relevant current provisions	Commencement date
rules of 22. 7.1940	–	
29.10.1953	Sch.	
13. 1.1955	rr. 9, 32, 34, 36, Sch.	
23.10.1968	rr. 2, 5, 7-8, 11, 13, 20, 22	
L.N. 1976/073	r. 5	
1977/160	rr. 34(3), 36(4)	
1979/008	r. 5(2)	
1980/143	rr 5(2), 34(3), 36(4)	
1982/029	r .5(2)	
1984/004	r. 5(2)	2.4.1984
1984/098	r. 5(2)	29.11.1984
1985/130	r. 5(2)	28.11.1985
1987/013	r. 5(2)	15.1.1987
1987/151	r. 5(2)	26.11.1987
1988/028	r. 34(3)	18.2.1988
1988/100	r. 5(2)	27.10.1988
1990/084	r. 5(2)	5.7.1990
1991/138	rr. 12(1)-(2), 20(1)-(2)	18.7.1991
1993/097	r. 5(2)	20.5.1993
2001/014	rr. 2, 31-32, 34, 39, Schs.1-6	22.3.2001
2005/045	r. 36(4)	1.4.2005
2012/115	rr. 2, 25A-25D, 38	26.7.2012
2016/095	rr. 25B(1)-(2), 25C(1), (5)	12.5.2016
2021/164	rr. 24, 26A, 32A, 34(1), 35, 36(4), 38, Sch.1	4.3.2021
Act. 2021-25	r. 38	27.9.2021
LN. 2022/220	rr. 5(2), 26A(6), 32A(6), 36(4)	28.7.2022
2023/194	rr. 5(2), 26A(6), 32A(6), 36(4)	18.7.2023
2024/135	rr. 5(2), 26A(6), 32A(6), 36(4)	1.8.2024
2025/156	rr. 5(2), 26A(6), 32A(6), 36(4)	1.8.2025
2026/283	rr. 5(2), 26A(6), 32A(6), 36(4)	1.8.2026

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EU Legislation/International Agreements involved:
Directive 94/63/EC
Directive 2009/126/EC

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SCHEDULE 6

Specifications for bottom-loading, vapour collection and overfill protection of European road tankers

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Title.

1. These rules may be cited as the Petroleum Rules.

Interpretation.

2. In these rules, unless the context otherwise requires,–

"dangerous gas" means gas which is inflammable or explosive and includes gas compressed, liquified or dissolved under pressure;

"Directive" means 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;

"existing" motor fuel storage installations, loading installations, and mobile containers means such installations, and mobile containers which were in operation before, or for which a licence was granted before the coming into force of these rules;

"existing service station" means a service station which is built, or for which an individual planning permission, construction licence or operating licence is granted, before 1 January 2012;

"gantry" means any structure at a terminal at which motor fuel can be loaded on to a single road tanker ay any one time;

"garage" includes any room, building, coach-house, lean-to or other place in which any motor car is kept with petrol in the tank thereof;

"intermediate storage of vapours" means the intermediate storage of vapours in a fixed roof tank at a terminal for later transfer to and recovery at another terminal: the transfer of vapours from one storage installation to another at a terminal shall not be considered as intermediate storage of vapour;

"loading installation" means any facility at a terminal at which motor fuel can be loaded onto mobile containers. Loading installations for road tankers comprise one or more "gantries";

"mobile container" means any tank, transported by road and used for the transfer of motor fuel from one terminal to another or from a terminal to a service station;

"motor car" includes every description of vehicle propelled by mechanical power;

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"new" in relation to motor fuel storage installations, loading installations and mobile containers means such installations and mobile containers which are not "existing" motor fuel storage installations, loading installations and mobile containers;

"new service station" means a service station which is built, or for which an individual planning permission, construction licence or operating licence is granted, on or after 1 January 2012;

"owner" when used with reference to a petroleum ship or to petroleum means the owner or master of the petroleum ship or the owner of the petroleum, as the case may require;

"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, except liquefied petroleum gas (LPG);

"petroleum ship" means any ship having on board or about to take on board a cargo the whole or any part of which consists of petroleum spirit or dangerous gas, or having discharged petroleum spirit or dangerous gas if the holds and tanks have not been rendered free from inflammable vapour to the satisfaction of the Captain of the Port;

"petrol vapour" means any gaseous compound which evaporates from petrol;

"petrol vapour capture efficiency" means the amount of petrol vapour captured by the Stage II petrol vapour recovery system compared to the amount of petrol vapour that would otherwise be emitted to the atmosphere in the absence of such a system and expressed as a percentage;

"quay" means any quay, pier, jetty, wharf, landing stairs, shore or other landing or loading place within Gibraltar.

"service station" means any installation where motor fuel is dispensed to motor vehicle fuel tanks from stationary storage tanks;

"Stage II petrol vapour recovery system" means equipment aimed at recovering the petrol vapour displaced from the fuel tank of a motor vehicle during refuelling at a service station and which transfers that petrol vapour to a storage tank at the service station or back to the petrol dispenser for resale;

"storage installation" means any stationary tank at a terminal used for the storage of motor fuel;

"target reference value" means the guideline given for the overall assessment of the adequacy of technical measures in Schedules 2 to 5 and is not a limit value against

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which the performance of individual installations, terminals and service stations will be measured;

"terminal" means any facility which is used for the storage and loading of motor fuel onto road tankers, rail tankers, or vessels, including all storage installations on the site of the facility;

"throughput" means the largest total annual quantity of motor fuel loaded from a storage installation at a terminal or from a service station into mobile containers during the three preceding years, except in Part IIA where it means the total annual quantity of petrol unloaded from mobile containers into a service station;

"vapours" means any gaseous compound which evaporates from motor fuel;

"vapour/petrol ratio" means the ratio between the volume at atmospheric pressure of petrol vapour passing through the Stage II petrol vapour recovery system and the volume of petrol dispensed;

"vapour-recovery unit" means equipment for the recovery of motor fuel from vapours including any buffer reservoir systems at a terminal;

"vessel" means an inland waterway vessel which is not a sea-going vessel and having a dead weight of 15 tonnes or more.

PART I.–GENERAL PROVISIONS RELATING TO PETROLEUM SHIPS, HULKS AND LIGHTERS AND OTHER SHIPS.

Person in charge of petroleum ship.

3. No petroleum ship shall be navigated or lie within Gibraltar except the same be constantly in charge of a competent person on board such ship and the master or person in charge shall at all times be responsible for the carrying out of and giving effect to the provisions of these rules.

Marks of petroleum ship.

4. The master or person in charge of every petroleum ship shall while in Gibraltar display at the masthead or where it can be best seen, but not less than twenty feet above the deck, by day a red flag not less than three feet square and by night a red light in addition to any navigation lights which may be required by any other law for the time being in force and in the case of a lighter she shall be fitted with a short pole mast capable of carrying a light or flag at a height of not less than five feet above the deck.

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Berthing of petroleum ship.

5.(1) Such number of firemen and such equipment as the Chief Fire Officer considers necessary shall attend the berthing of every petroleum ship and shall remain at the quayside in the vicinity of the ship until it has unberthed.

(2) There shall be payable by the ship owners or agents the sum of £86.50 in respect of the first hour or part thereof during which a ship is attended under the provisions of sub-rule (1) and the sum of £30.50 in respect of every half hour or part thereof thereafter.

Inspection by Captain of the Port.

6. The owner, master or person in charge shall when so required by the Captain of the Port or other officer duly authorized by the Captain of the Port afford every reasonable facility to enable such officer to ascertain whether these rules are duly observed.

Navigation, Berthing and Mooring.

Petroleum ships which may berth at Waterport.

7. Petroleum ships which carry less than five tons of petroleum spirit may be berthed at Waterport provided the Captain of the Port considers there are special circumstances and his written permission is obtained beforehand.

Petroleum ships to lie afloat.

8. A petroleum ship carrying petroleum spirit in bulk must at all times lie afloat.

Licensing of hulks and lighters.

9. No hulk or lighter shall be used for the storage of petroleum in bulk or in barrels, drums or other receptacles unless it is licensed therefor and every hulk or lighter so licensed shall be moored in such position as the Captain of the Port may from time to time direct.

Rules for Loading or Discharge of Petroleum Spirit applicable to Petroleum Ships only.

Rules as to loading or discharging.

10. The following provisions in respect of the loading or discharge of petroleum spirit shall in every case be complied with -

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(a) before any petroleum spirit is loaded on or discharged from a petroleum ship the owner, agent or master shall given notice to the Captain of the Port of the time of such loading or discharge and no petroleum spirit shall be loaded or discharged during any day unless such notice shall have been given beforehand;

(b) the purpose of loading or discharging petroleum spirit until such time as the operation of loading or discharging has been completed and the holds or tanks have been securely fastened down and in the case of discharge rendered thoroughly free from inflammable vapour where required by paragraph (c) of this rule there shall be no fire or artificial light on board such ship at or near the place where the petroleum spirit is being loaded or discharged:

Provided that this rule shall not prevent the use of lamps, heaters, cookers or other similar type of safe apparatus, electrical or otherwise, so designed, constructed and maintained as to be incapable of igniting inflammable vapour:

Provided also that this rule shall not be deemed to prohibit the discharging or loading of a petroleum ship under conditions approved by the Captain of the Port by means of steam from her own boilers or power generated by electric motors or internal combustion engines placed in a position away from cargo holds and pump rooms or alternatively by means of electric motors so designed, constructed and maintained as to be incapable of igniting infammable vapour and maintained in accordance with the requirements of Lloyd's Register of Shipping or such other classifications as the Captain of the Port may approve ;

(c) before any petroleum spirit contained in barrels, drums or other receptacles is discharged from a petroleum ship the holds of such petroleum ship shall be thoroughly ventilated and after all petroleum spirit has been removed from any petroleum ship the holds and tanks shall be rendered free from inflammable vapour:

Provided that this rule shall not be deemed to require to be free from inflammable vapour the tanks of q petroleum ship which leaves Gibraltar without delay after the discharge of cargo or remains only for the purpose of taking on board bunkers, stores or ballast or for such other purposes as may be approved by the Captain of the Port and of which the tanks are securely fastened down immediately after the discharge of cargo;

(d) iron or steel hammers or other instruments capable of causing a spark shall not be used for the purpose of opening or closing the hatches or tank covers of a petroleum ship.

Rules for Loading or Discharge of Petroleum Spirit

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applicable to Petroleum Ships, Hulks, Lighters and other ships

Yachts etc., may bunker at Waterport.

11. Only yachts and harbour craft may bunker with petroleum spirit at Waterport.

Restriction as to loading.

12.(1) No petroleum spirit shall be brought to the place of loading until the petroleum ship into which it is to be loaded is in readiness to receive the same.

(2) No ship to ship transfer of petroleum spirit shall take place except with the prior consent obtained in writing of the Captain of the Port and subject to any conditions imposed by him.

Petroleum spirit to be loaded or discharged speedily.

13. When the loading or discharge of petroleum spirit has been commenced such loading or discharge shall proceed with all due speed and diligence.

Pipes to be free from leakage

14. All pipes and other appliances used in the loading or discharge of petroleum spirit in bulk shall be reasonably free from leakage.

Removal of landed petroleum.

15. No petroleum spirit shall be landed at any quay until the petroleum ship or carriage by which the same is to be removed therefrom shall be at the quay in readiness to receive the same and all petroleum spirit discharged shall be forthwith removed to some duly licensed place of storage.

Leaky packages.

16. No petroleum spirit contained in casks, barrels, drums or other receptacles shall be loaded or discharged unless such receptacles are staunch and free from leakage and are of such strength and construction as not to be liable to be broken or to leak except in cases of gross carelessness or extraordinary accident.

Smoking.

17. The owner or person in charge shall take adequate steps to prevent smoking at or near the place where petroleum spirit is being loaded or discharged and to prevent any person engaged in such loading or discharge from carrying fuzes, matches or any appliance whatsoever for

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producing ignition. Where any petroleum spirit is carried on the deck of a petroleum ship conspicuous notices shall be posted up on board drawing attention to the danger arising from smoking or striking matches near such petroleum spirit.

Fires and lights not to be used on quay.

18. Fires and lights (other than electric filament lamps, self-contained electric lamps, heaters, cookers or other similar type of safe apparatus so designed, constructed and maintained as to be incapable of igniting inflammable vapour) shall not be used upon or in proximity to the quay upon which petroleum spirit is being loaded or discharged or upon which petroleum spirit is lying.

Precautions against fire.

19. The owner or person in charge shall take all due precautions for the prevention of accident by fire in the loading or discharge of petroleum spirit.

Saving.

20. The provisions of this Part relating to petroleum ships shall not apply to boats conveying not more than ten gallons of petroleum spirit, if such spirit is in receptacles staunch, free from leakage and of such strength and construction as not to be ordinarily liable to be broken or leak.

PART II. – PROVISIONS RELATING TO GARAGES ONLY.

Construction of garage.

21. No portion of a garage shall be used as a dwelling or as a place where persons assemble, and no room forming part of, or attached to, any room used as a dwelling, shall be used as a garage unless the floor, walls and ceiling of such garage be fire proofed to the following extent–

Floors – to be covered with a thickness of not less than four inches of concrete, brick or stone;

Walls – to be nowhere less than twelve inches thick; and

Ceiling – to be of concrete, brick-vaulting or other similar fireproof construction, or of asbestos sheets, or other fire-resisting covering, hung from the joists of floor above with at least six inches space between the fire- resisting covering and the under side of joists or other inflammable material forming the floor.

Entrance and ventilation.

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22. Every garage shall have a separate entrance from the open air distinct from that of any dwelling or building in which persons assemble and every garage shall be thoroughly ventilated.

Not more than three motor cars to be kept in unlicensed garage.

23. Subject to the provisions of rule 33 not more than three motor cars shall be housed or stored in any one garage, unless such garage be duly licensed for such purpose.

Not more than 100 litres of petrol to be kept in unlicensed garage.

24. The amount of petrol to be kept in any one garage, whether or not upon motor cars, shall not exceed 100 litres at any one time, unless the garage be duly licensed either as a fit and proper place for the storage in bulk of petrol or as a garage for more than three cars.

Use of petrol.

25.(1) In a garage, or in any place where a motor car is kept or is present, petrol shall not be used for the purpose of cleaning or lighting, or as a solvent, or for any purpose other than as fuel for the engine of a motor car:

Provided that where due precaution is taken to prevent petrol from escaping into a sewer or drain, and provision is made for disposing safely of any surplus petrol, and where no fire or naked light is present, quantities not exceeding one quarter of a pint may be used for the cleaning of a motor car at a safe distance from any building, place of storage (if inflammable goods or much frequented highway, or for the repair of tyres under suitable precautions.

(2) This rule shall apply to premises on which petrol is kept, whether such premises are licensed or not, unless the licensing authority sees fit, in the case of licensed premises, to grant an exemption by a special term of the licence.

PART IIA
PROVISIONS RELATING TO STAGE II PETROL VAPOUR RECOVERY DURING REFUELLING OF MOTOR VEHICLES AT SERVICE STATIONS.

Service stations.

25A.(1) Every new service station shall be equipped with a Stage II petrol vapour recovery system if–

(a) its actual or intended throughput is greater than 500m^3/year; or

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(b) its actual or intended throughput is greater than 100m^3 /year and it is situated under permanent living quarters or working areas.

(2) Every existing service station which undergoes a major refurbishment shall be equipped with a Stage II petrol vapour recovery system at the time of the refurbishment if−

(a) its actual or intended throughput is greater than 500m^3 /year; or

(b) its actual or intended throughput is greater than 100m^3 /year and it is situated under permanent living quarters or working areas.

(3) An existing service station with a throughput in excess of 3,000m^3/year must be equipped with a Stage II petrol vapour recovery system by no later than 31 December 2018.

(4) Subrules (1), (2) and (3) shall not apply to service stations exclusively used in association with the construction and delivery of new motor vehicles.

Minimum level of petrol vapour recovery.

25B.(1) As from the date upon which the installation of Stage II petrol vapour recovery systems become mandatory, pursuant to rule 25A−

(a) the efficiency of the petrol vapour capture must be at least 85%, as certified by the manufacturer in accordance with Standard EN 16321-1:2013; and

(b) where the recovered petrol vapour is transferred to a storage tank at a service station, the vapour/petrol ratio shall be equal to or greater than 0.95 but less than or equal to 1.05.

(2) In this rule, "Standard EN 16321-1:2013" means Standard EN 16321-1:2013 as made available by the European Committee for Standardisation.

Periodic checks and consumer information.

25C.(1) In-service petrol vapour capture efficiency of Stage II petrol vapour recovery systems must be tested at least once each year, in accordance with Standard EN 16321-2:2013.

(2) Where an automatic monitoring system has been installed, the petrol vapour capture efficiency must be tested at least once every 3 years.

(3) An automatic monitoring system referred to in sub-rule (2) shall automatically detect faults in the proper functioning of the Stage II petrol vapour recovery system and in the automatic monitoring system itself, indicate faults to the service station operator and

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automatically stop the flow of petrol from the faulty dispenser if the fault is not rectified within 7 days.

(4) Where a Stage II petrol vapour recovery system has been installed in a service station there shall be displayed a sign, sticker or other notification on, or in the vicinity of, the petrol dispenser, informing consumers of that fact.

(5) In this rule, "Standard EN 16321-2:2013" means Standard EN 16321-2:2013 as made available by the European Committee for Standardisation.

Obligations on owners and operators.

25D.(1) The duties set out in rules 25A to 25C apply equally to an owner of a service station as they do to an operator of a service station, and a breach of such a duty is actionable against either or both an owner and an operator.

(2) A breach of a duty imposed under rules 25A to 25C shall be deemed to be a contravention for the purposes of proceedings under rule 38.

PART III. – GENERAL PROVISIONS.

Petroleum spirit containers.

26. Petroleum spirit shall not be kept, used or conveyed except in metal vessels so substantially constructed as not to be liable except under circumstances of gross negligence or extraordinary accident, to be broken or become defective or insecure. Every such vessel shall be so constructed and maintained that no leakage, whether of liquid or vapour, can take place therefrom.

Petrol kept, used or conveyed in a motor car.

26A.(1) No person may keep, use or convey more than a total amount of 20 litres of petrol in a motor car unless that person has-

(a) a permit issued under rule 34; or

(b) a permit issued under subrule (2),

and the petrol is kept, used or conveyed in accordance with the terms and conditions of that permit.

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(2) The licensing authority may grant a person a permit authorising the keeping, using or conveying of petrol in a motor car only if it is satisfied that it would not create an unacceptable risk to the health or safety of any person.

(3) The licensing authority may attach such conditions to a permit issued under subrule (2) as it deems necessary which may include, but is not limited to, the following-

(a) the container in which the petrol may be kept, used or conveyed;

(b) the signage, if any, that is to be displayed on the vehicle;

(c) the systems, if any, of fire extinguishing;

(d) the mode of storage of the petrol;

(e) the safekeeping of the petrol generally.

(4) A permit issued under this rule for conveying petrol shall be for one journey only unless otherwise specified in the permit.

(5) The licensing authority may cancel a permit issued under this rule for breach of any of the conditions contained in the permit.

(6) A fee of £30.50 shall be paid for every permit.

(7) For the purposes of subrule (1) any petrol contained in the fuel tank of a motor car that is connected to an internal combustion engine in the way it would ordinarily be connected when the engine is running, is not to be counted towards the total amount of petrol that may be kept, used or conveyed in that motor car.

(8) Nothing in this rule shall affect the restrictions or requirements contained in the Transport (Carriage of Dangerous Goods by Road) Regulations 2010.

Lights.

27. The filling or replenishing of a vessel with petroleum spirit shall not be carried on, nor shall the contents of any such vessel be exposed, in the presence of fire or artifical light, except a light of such construction, position or character as not to be liable to ignite any inflammable vapour arising from such petroleum spirit, and no fire or artificial light capable of igniting inflammable vapour shall be brought within dangerous proximity of the place where any vessel containing petroleum spirit is being kept.

Conveyance of petroleum spirit.

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28. In the keeping and conveying of petroleum spirit all due precautions shall be taken for the prevention of accidents by fire or explosion, and for the prevention of unauthorized persons having access to any petroleum spirit kept or conveyed or to the vessels containing or intended to contain, or having actually contained, the same.

Prevention of fire.

29. Every person in charge of, or employed on, or in connection with, any motor car shall abstain from every act whatever which tends to cause fire or explosion, and which is not reasonably necessary and shall prevent any other person from committing such act.

Petroleum spirit not to go into drain.

30. Petroleum spirit shall not be allowed to escape into any inlet or drain communicating with a sewer.

Storehouse for petroleum spirit or motor fuel in bulk.

31. Where a person desires to have petroleum spirit or motor fuel stored in bulk, the premises at which such petroleum or motor fuel is stored shall be licensed in accordance with these rules.

Conditions for issue of licence under rule 31.

32. A licence shall not be granted for the storage in bulk of petroleum spirit or motor fuel unless the licence contains the following conditions–

(a) a condition requiring that the storehouse is fireproofed to such an extent as the licensing authority may deem necessary having regard to the position of such storehouse;

(b) a condition requiring that provision shall be made by excavation or by the erection of retaining walls to prevent outflow of the petroleum spirit or motor fuel in the event of fire, if such outflow would be likely to endanger life or cause damage to the property of others;

(c) a condition requiring that the Chief Fire Officer be allowed to inspect the storehouse at any reasonable time;

(d) in the case of storage in bulk of motor fuel at a service station, terminal or storage installation, a condition requiring that the relevant technical provisions contained in Schedules 2, 3 and 4 relating respectively to storage installations at terminals,

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and loading and unloading at service stations and terminals where the intermediate storage of vapour is carried out, are complied with.

Storage of petrol of a quantity of 100 litres or less.

32A.(1) No person may keep or store petrol of a total amount of more than 20 litres but no more than 100 litres on any premises unless the premises are licensed under rule 31 or that person has a permit issued under subrule (2).

(2) The licensing authority may issue a permit under this rule only if it is satisfied that the keeping or storing of petrol in accordance with the permit, including any proposed conditions of the permit, would not create an unacceptable risk to the health or safety of any person.

(3) The licensing authority may attach such conditions to the permit as it deems necessary which may include, but is not limited to, the following matters-

(a) the nature and location of the premises in which the petrol is kept;

(b) the mode of storage of petrol;

(c) the systems, if any, for fire extinguishing or detection;

(d) the safekeeping of the petrol generally.

(4) A permit issued under this rule must specify the premises where the petrol is to be kept or stored and the name of the person to whom it is issued.

(5) A permit issued under this rule may be granted for a maximum period of one year.

(6) A fee of £124.00 shall be paid for every permit.

(7) The licensing authority may cancel a permit issued under this rule for breach of any of the conditions contained in the permit.

(8) For the purposes of subrule (1) any petrol contained in the fuel tank of a motor car that is connected to an internal combustion engine in the way it would ordinarily be connected when the engine is running, is not to be counted towards the total amount of petrol that may be kept or stored in any premises.

Licence to keep more than three motor cars unnecessary in certain cases.

33. Where a person carries on the business of a garage proprietor or motor car repairer and the premises in which such business is carried on are licensed for the storage of petroleum spirit

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in bulk, it shall not be necessary for such person to take out a licence to keep more than three motor cars on the premises, but the petrol in the tanks of the motor cars shall be taken into account in calculating the amount of petroleum spirit which may be kept on the premises at any one time.

Tank wagons etc.

34.(1) No tank-wagon or other vehicle so designed as to be capable of conveying a greater quantity of petroleum than 100 litres at any one time other than in separate containers shall be used for the purpose of conveying petroleum, and no mobile container shall be used for the purpose of conveying motor fuel, without a permit issued by the licensing authority.

(2) A permit shall not be issued under this rule in respect of the conveyance of motor fuel in mobile containers unless the permit contains–

(a) a condition requiring that the technical requirements contained in Schedule 5 are complied with;

(b) a condition requiring that vacuum/pressure valves are periodically inspected for correct functioning; and

(c) (if the mobile container is a road tanker) a condition requiring that the road tanker be regularly tested for vapour tightness.

(3) Without prejudice to sub-rule (2), every permit issued under this rule shall contain such other conditions as the licensing authority may deem expedient and shall, subject to such conditions, remain in force from the date of issue until the next following 31st day of March.

Keeping of paraffin or kerosene.

35. The following provisions shall apply to the keeping in any shop, store or place of that class of petroleum commonly known as or called paraffin or kerosene:-

(a) not more than 60 litres shall be kept unless the place has been approved of by the licensing authority;

(b) not more than 100 litres shall be kept unless the place is licensed for the purpose.

Licences.

36.(1) No licence shall be issued under these rules in respect of any premises or ship unless the licensing authority considers the premises or ship to be suitable for the purpose for which it is to be licensed.

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(2) Every licence issued under these rules may contain any conditions which the licensing authority sees fit to impose and shall be subject to cancellation by the licensing authority upon the licensee committing any breach of such conditions.

(3) Subject to the provisions of the Act and of subrule (2) every licence shall remain in force from the date of issue until the next following 31st day of March.

(4) A fee of £124.00 shall be paid for every licence and for a permit under rule 34:

Provided that where a licence is issued after any 30th day of April the licence fee shall be reduced by one-twelfth part for each complete calendar month which has elapsed between the 1st day of April and the date of issue of the licence and so that the fee shall never be less than £1.70.

(5) No refund of any licence fee shall be made in respect of any licence which has been surrendered, withdrawn or cancelled.

Forms in schedule.

37. The forms set out in the Schedule, or forms to the like effect, may be used in the cases to which they refer, with such variations as the licensing authority may consider necessary.

Offences.

38.(1) Except where subrule (2) applies, a person who contravenes any of the provisions of these Rules or any condition of a licence or permit issued under these Rules is guilty of an offence and is liable–

(a) on summary conviction to a fine at level 5 on the standard scale or a term of imprisonment of six months or to both;

(b) on conviction on indictment to a fine of ten times the amount at level 5 on the standard scale or a term of imprisonment of 5 years or to both.

(2) A person who contravenes rule 24, 26A, 31 or 32A is guilty of an offence and is liable on conviction on indictment-

(a) to a fine not exceeding the greater of ten times level 5 on the standard scale or fifty times the value of the petrol, petroleum spirit or motor fuel by which the offence is committed or a term of imprisonment of 10 years or to both; or

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(b) in any case where the commission of the offence has resulted in death or serious injury, to life imprisonment.".

Transitional provisions.

39.(1) In the case of existing installations, the requirements contained in Schedule 2 below apply–

(a) if the throughput loaded at a terminal is greater than 50,000 tonnes per year, from the date of coming into force of the Petroleum Rules (Amendment) Rules 2001;

(b) if the throughput loaded at a terminal is or is less than 50,000 tonnes per year but greater than 25,000 tonnes per year, from 31st December 2001;

otherwise, from 31st December 2004.

(2) In the case of existing terminals, the requirements contained in Schedule 3 below apply–

(a) if the throughput is greater than 150,000 tonnes per year, from the date of coming into force of the Petroleum Rules (Amendment) Rules 2001;

(b) if the throughput is or is less than 150,000 tonnes per year but greater than 25,000 tonnes per year, from 31st December 2001;

otherwise, from 31st December 2004.

(3) In the case of existing service stations, the requirements in Schedule 4 below apply–

(a) if the throughput is greater than 1000m^3 per year or they are located under permanent living quarters or working areas from the date of coming into force of the Petroleum Rules (Amendment) Rules 2001;

(b) if the throughput is or is less than 1000m3 per year but greater than 500m^3 per year, from 31st December 2001;

(c) otherwise, from 31st December 2004.

(4) In the case of existing road tankers, the requirements contained in Schedule 5 below apply when retrofitted for bottom-loading in accordance with the specifications set out in Schedule 6.

(5) Where, by virtue of this rule or any provision in Schedules 2 to 6 below, any requirements which do not apply at the time a licence or permit is issued or granted for any purpose begin

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to apply for that purpose before the licence or permit expires, the licence or permit shall have effect subject to those requirements, notwithstanding that they were not in force at the time of its issue or grant.

(6) Nothing in this rule shall apply to installations, terminals, service stations or road tankers in operation or permitted after the coming into force for a period of one year from the date of coming into force of the Petroleum Rules (Amendment) Rules 2001.

(7) For the purposes of this rule, "existing" means in operation or permitted prior to the coming into force of the Petroleum Rules (Amendment) Rules 2001.

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SCHEDULE 1.

Rule 37.

FORMS.

Rule 9.

FORM A.-LICENCE FOR THE STORAGE OF PETROLEUM IN A HULK OR LIGHTER.

LICENCE is hereby granted to of to use the hulk (or lighter) , for the storage of petroleum in bulk (and/or barrels, drums or other receptacles as the case may be) subject to the following conditions:-

1. Not more than tons (or gallons as the case may be) of petroleum shall be stored on the said hulk (or lighter).

2. The petroleum shall be stored in bulk (*or specify receptacles*).

3. chemical fire extinguishers of a pattern approved of by the licensing authority and ready for immediate use shall be kept on or in the said hulk (or lighter) in such positions as may be indicated by the Chief Fire Officer.

4. Every artificial light used in or upon the said hulk (or lighter) shall be so constructed as not to be liable to ignite any inflammable vapour arising from the petroleum stored in the hulk (or lighter).

5. The licensee will at all times grant free access to the hulk (or lighter) to both the Captain of the Port and the Chief Fire Officer and comply with the provisions of the rules for the time being in force relating to the storage of petroleum in hulks (or lighters).

6. Any other conditions the licensing authority sees fit to impose.

7. The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this day of , 20

(Signed)
Licensing authority.

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Rule 23.

FORM B.-LICENCE TO KEEP MORE THAN THREE MOTOR CARS IN ONE GARAGE.

Whereas A B of , has applied for a licence to keep more than three motor cars in a garage situated at

And Whereas the said garage conforms with the requirements of the Petroleum Rules.

Now therefore licence is hereby granted unto the said to use the said garage for the purposeof keeping more than three motor cars subject to the following conditions:-

1. Not more than motor cars shall be stored in or be in the garage at any one time.

2. Not more than litres of petrol, including the petrol in the tanks of the motor cars in the said garage shall be stored or kept upon the said garage.

3. All petrol shall be kept or stored either in metal vessels or in an underground tank.

4. chemical fire extinguishers of a pattern approved of by the licensing authority and ready for immediate use shall be kept on or in the said garage in such positions as may be indicated by the Chief Fire Officer.

5. No gas heater or open stove shall be kept in or upon the said garage.

6. Every artificial light used in the said garage shall be so constructed as not to be liable to ignite any inflammable vapour arising from the petrol in the said garage.

7. The licensee shall at all times comply with the provisions of the rules for the time being in force relating to keeping of petrol in garages.

8. Any other conditions the licensing authority sees fit to impose.

9. The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this day of , 20

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(Signed)
Licensing authority.

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Rule 31.

FORM C. -LICENCE TO STORE PETROLEUM SPIRIT IN BULK.

Whereas A B of
has applied for a licence to store petroleum in bulk in premises situated at

And whereas the said premises conform with the requirements of the Petroleum Rules:

Now therefore licence is hereby granted unto the said to use the premises aforesaid as a storehouse for the purpose of storing petroleum spirit in bulk subject to the following conditions:–

1. Not more than litres of petroleum spirit shall be stored or kept upon the said premises at any one time.

2. All petroleum spirit shall be kept or stored either in metal vessels or in an underground tank.

3. chemical fire extinguishers of a pattern approved of by the licensing authority and ready for immediate use shall be kept on or in the said premises in such positions as may be indicated by the Chief Fire Officer.

4. No gas heater or open stove shall be kept in or upon the said premises.

5. Every artificial light used in or upon the said premises shall be so constructed as not to be liable to ignite any inflammable vapour arising from petroleum spirit stored in the said premises.

6. The licensee shall at all times comply with the provisions of the rules for the time being in force relating to the keeping of petroleum spirit in bulk.

7. Any other conditions the licensing authority sees fit to impose.

8. The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this day of , 20

(Signed)
Licensing authority.

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Rule 34.

FORM D.-PERMIT FOR A PERAMBULATING TANK-WAGON OR SIMILAR VEHICLE.

Permission is hereby granted to , of

to use a *(description of vehicle and the marks by which it can be identified)* for the purposes of conveying petroleum spirit subject to the following conditions:-

1. *(Inscribe herein the conditions.)*

2.

3.

4.

5. The licensing authority may cancel this permit upon the commission of any breach of the conditions herein set forth or of the rules for the time being in force relating to the vehicle to which this permit relates.

This permit shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated this day of , 20

(Signed)
Licensing authority.

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FORM E

LICENCE TO STORE MOTOR FUEL IN BULK AT A TERMINAL
OR STORAGE INSTALLATION

Rule 31

Whereas [name] of [address] has applied for a licence to store motor fuel in bulk at a terminal or storage installation situated at [address];

And whereas the said terminal or storage installation conforms with the requirements of the Petroleum Rules;

Now therefore licence is hereby granted to [name] to use the said terminal or storage installation for the purpose of storing motor fuel in bulk subject to the following conditions–

(a) not more than [ ] litres of motor fuel shall be stored or kept upon the said terminal or storage installation at any one time;

(b) all motor fuel shall be kept or stored either in metal vessels or in an underground tank in accordance with the provisions of the Petroleum Rules;

(c) chemical fire extinguishers of a manufacture approved by the licensing authority and ready for immediate use shall be kept on or in the premises in such positions as may be indicated by the Chief Fire Officer;

(d) no gas heater or open stove shall be kept in or upon the said premises;

(e) every artificial light used in or upon the said premises shall be so constructed as not to be liable to ignite any inflammable vapour arising from motor fuel stored in the said premises;

(f) the licensee shall at all times comply with the provisions of the rules for the time being in force relating to the storage of motor fuel in bulk at a terminal or storage installation;

(g) any other condition the licensing authority sees fit to impose;

The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

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Dated…..

[Signed by licensing authority].

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FORM F

PERMIT FOR A MOBILE CONTAINER

Rule 34

Permission is hereby granted to [name] of [address] to use [description of mobile container and the marks by which it can be identified] for the purpose of conveying motor fuel subject to the following conditions–

[Inscribe herein the conditions]

The licensing authority may cancel this licence upon the licensee committing any breach of the conditions herein set forth or of the rules for the time being in force.

This licence shall, unless previously cancelled, remain in force until the 31st day of March next following the date of issue.

Dated…..

[Signed by licensing authority].

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FORM G

PERMIT FOR A MOTOR CAR

Rule 26A

Permission is hereby granted to [name] of [address] to keep, use or convey [ ] litres of petrol in the motor car with vehicle registration number [ ] subject to the following conditions–

[Inscribe herein the conditions]

The licensing authority may cancel this permit upon the permit holder committing any breach of the conditions herein set forth or of the rules for the time being in force.

This permit shall be granted for [journey/date].

Dated…..

[Signed by licensing authority].

FORM H

PERMIT FOR STORAGE OF 100 LITRES OF PETROL OR LESS

Rule 32A

Permission is hereby granted to [name] of [address] to store no more than [ ] litres of petrol at [description and address of premises] subject to the following conditions–

[Inscribe herein the conditions]

The licensing authority may cancel this permit upon the permit holder committing any breach of the conditions herein set forth or of the rules for the time being in force.

This permit shall, unless previously cancelled, remain in force until the [date of expiry].

Dated…..

[Signed by licensing authority].

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SCHEDULE 2

Rule 39(1).

REQUIREMENTS FOR STORAGE INSTALLATIONS AT TERMINALS

1.(1) Subject to sub-paragraph (2) below, the external wall and roof of tanks above ground must be painted in a colour with a total radiant heat reflectance of 70 per cent. or more. These operations may be programmed so as to be carried out as part of the usual maintenance cycles of the tanks within a period of three years.

(2) Sub-paragraph (1) above shall not apply to a tank which is linked to a vapour recovery unit which conforms with the requirements set out in paragraph 3 of Schedule 3 below.

2. Tanks with external floating roofs must be equipped with a primary seal to cover the annular space between the tank wall and the outer periphery of the floating roof and with a secondary seal fitted above the primary seal. The seals should be designed to achieve an overall containment of vapours of 95 per cent. or more as compared to a comparable fixed-roof tank with no vapour-containment controls (that is a fixed-roof tank with only vacuum/pressure relief valve).

3. All new storage installations at terminals, where vapour recovery is required pursuant to article 4 of the directive and Schedule 3 below, must be–

(a) fixed-roof tanks connected to the vapour recovery unit in conformity with the requirements of Schedule 3 to these Rules; or

(b) designed with a floating roof, either external or internal, equipped with primary and secondary seals to meet the performance requirements set down in paragraph 2 above.

4. Existing fixed-roof tanks–

(a) must be connected to a vapour-recovery unit in conformity with the requirements of Schedule 3 to these Rules; or

(b) must have an internal floating roof with a primary seal which should be designed to achieve an overall containment of vapours of 90 per cent. or more in relation to a comparable fixed-roof tank with no vapour controls.

5. The requirements for vapour-containment controls mentioned in paragraphs 3 and 4 above do not apply to fixed-roof tanks at terminals where intermediate storage of vapours is permitted according to paragraph 1(2) of Schedule 3 below.

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SCHEDULE 3

Rule 39(2).

REQUIREMENTS FOR LOADING AND UNLOADING INSTALLATIONS

1.(1) Displacement vapours from the mobile container being loaded must be returned through a vapour-tight connection line to a vapour recovery unit for regeneration at the terminal; but this paragraph does not apply to top-loading mobile containers as long as that loading system is permitted.

(2) At terminals with a throughput of less than 25,000 tonnes per year, intermediate storage of vapours may be substituted for immediate vapour recovery at the terminal.

(3) All terminals with loading facilities for road tankers shall be equipped with at least one gantry which meets the specifications for bottom-loading equipment set out in Schedule 6 to these Rules.

(4) As from 31st December 2004 the requirements for bottom-loading equipment contained in Schedule apply to all road tanker loading gantries at all terminals.

2.(1) The connection lines and pipe installations must be checked regularly for leaks.

(2) Loading operations must be shut down at the gantry in the case of a leak of vapour. Equipment for such shutdown operations must be installed at the gantry.

(3) Where top-loading of mobile containers is permissible, the outlet of the loading arm must be kept near the bottom of the mobile container, in order to avoid splash loading.

3.(1) Subject to sub-paragraph (2) below, the mean concentration of vapours in the exhaust from the vapour recovery unit - corrected for dilution during treatment - must not exceed 35 g/normal cubic metre (g/Nm^3) for any one hour.

(2) Until 31st December 2004 the limit value of 35 g/Nm^3 for any one our need not be required for vapour recovery units installed before 1st January 1993, provided that the installation meets a limit value of 50 g/Nm^3 for any one hour measured in accordance with paragraph 4 below.

4. The monitoring and analysis of the mean concentration of vapours in the exhaust from the vapour recovery unit shall satisfy the following requirements–

(a) measurements must be made over the course of one full working day (seven hours minimum) of normal throughput;

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(b) measurements may be continuous or discontinuous, but if discontinuous measurements are employed, at least four measurements per hour must be made;

(c) the overall measurement error due to the equipment used, the calibration gas and the procedure used must not exceed 10 per cent. of the measured value;

(d) the equipment used must be capable of measuring concentrations at least as low as 3 g/Nm^3_1 and the precision must be at least 95 per cent. of the measured value.

5. Where, in accordance with paragraph 1(2) above, intermediate storage of vapours is substituted for immediate vapour recovery at a terminal–

(a) vapours displaced by the delivery of motor fuel in fixed-roof tanks used for the intermediate storage of vapours must be returned through a vapour-tight connection line to the mobile container delivering the motor fuel;

(b) loading operations may not take place unless the arrangements are in place and properly functioning.

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SCHEDULE 4

Rule 39(3).

REQUIREMENTS FOR LOADING AND STORAGE INSTALLATIONS AT SERVICE STATIONS AND TERMINALS WHERE THE INTERMEDIATE STORAGE OF VAPOURS IS CARRIED OUT

1. Subject to paragraph 3 below, vapours displaced by the delivery of motor fuel into storage installations at service stations and in fixed roof tanks used for the intermediate storage of vapours must be returned through a vapour-tight connection line to the mobile container delivering the motor fuel.

2. Subject to paragraph 3 below, loading operations may not take place unless the arrangements are in place and properly functioning.

3. Paragraphs 1 and 2 above shall not apply to service stations with a throughput of less than $100m^3$ per year.

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SCHEDULE 5

Rule 39(4).

REQUIREMENTS FOR DESIGN AND OPERATION OF MOBILE CONTAINERS

1. Subject to paragraph 2 below, mobile containers shall be designed and operated in accordance with the following requirements-

(a) mobile containers shall be designed so that residual vapours are retained in the container after unloading of motor fuel;

(b) mobile containers which supply motor fuel to service stations and terminals shall be designed and operated so as to accept and retain return vapours from the storage installations at the service stations or terminals;

(c) except for release through the pressure relief valves, the vapours mentioned in paragraphs (a) and (b) above shall be retained in the mobile container until reloading takes place at a terminal.

2. Paragraph 1 does not apply to losses of vapours resulting from measuring operations using dipsticks in relation to–

(a) existing mobile containers; and

(b) new mobile containers, which come into operation during the period of four years beginning on 1st January 1996.

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SCHEDULE 6

Schedule 3.

SPECIFICATIONS FOR BOTTOM-LOADING, VAPOUR COLLECTION AND OVERFILL PROTECTION OF EUROPEAN ROAD TANKERS

Couplings.

1(1) The liquid coupler on the loading arm must be a female coupler which must mate with a 4-inch API (10l.6mm) male adapter located on the vehicle as defined by -API Recommended Practice 1004, Seventh Edition, November 1988

Bottom loading and vapour recovery for MC-306 tank motor vehicles (Section 2.1.1.1 Type of adapter used for bottom loading).

(2) The vapour-collection coupler on the loading-gantry vapour-collection hose must be a cam-and-groove female coupler which must mate with a 4-inch (101.6mm) cam-and-groove male adapter located on the vehicle as defined by -API Recommended Practice 1004, Seventh Edition, November 1988

Bottom loading and vapour recovery for MC-306 tank motor vehicles (Section 4.1.1.2 Vapour-recovery adapter).

Loading conditions.

2(1) The normal liquid-loading rate must be 2,300 litres per minute (maximum 2,500 litres per minute) per loading arm.

(2) When the terminal is operating at peak demand, its loading gantry vapour collection system, including the vapour-recovery unit, is allowed to generate a maximum counter pressure of 55 millibars on the vehicle side of the vapour-collection adapter.

(3) All approved bottom-loading vehicles will carry an identification plate which specifies the maximum permitted number of loading arms which may be operated simultaneously whilst ensuring that no vapours are released via the compartment P and V valves, when the maximum plant back pressure is 55 millibars as specified in sub-paragraph (2) above.

Connection of vehicle earth/overfill detection.

3.(1) The loading gantry must be equipped with an overfill-detection control unit which, when connected to the vehicle, must provide a fail-safe permission signal to enable loading, providing no compartment-overfill sensors detect a high level.

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(2) The vehicle must be connected to the control unit on the gantry via a 10-pin industry-standard electrical connector. The male connector must be mounted on the vehicle and the female connector must be attached to a flying lead connected to the gantry-mounted control unit.

(3) The high-level detectors on the vehicle must be either 2-wire thermistor sensors, 2-wire optical sensors, 5-wire optical sensors or a compatible equivalent, provided the system is failsafe. Thermistors must have a negative temperature coefficient.

(4) The gantry control unit must be suitable for both 2-wire and 5-wire vehicle systems.

(5) The vehicle must be bonded to the gantry via the common return wire of the overfill sensors, which must be connected to pin lO on the male connector via the vehicle chassis. Pin 10 on the female connector must be connected to the control-unit enclosure which must be connected to the gantry earth.

(6) All approved bottom-loading vehicles must carry an identification plate (see paragraph 2(3) above) which specifies the type of overfill-detection sensors installed (that is, 2-wire or 5-wire)

Location of the connections.

4.(1) The design of the liquid-loading and vapour collection facilities on the loading gantry must be based on the following vehicle-connection envelope–

(a) the height of the centre line of the liquid adapters must be -

(i) maximum 1.4 metres (unladen);

(ii) minimum 0.5 metre (laden),

(iii) the preferred height being 0.7 to 1.0 metres;

(b) the horizontal spacing of the adapters must be not less than 0.25 metres (preferred minimum spacing is 0.3 metres);

(c) all liquid adapters must be located within an envelope not exceeding 2.5 metres in length;

(d) the vapour-collection adapter should be located preferably to the right of the liquid adapters and at a height not exceeding 1.5 metres (unladen) and not less than 0.5 metres (laden).

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(2) The earth/overfill connector must be located to the right of the liquid and vapour-collection adapters and at a height not exceeding 1.5 metres (unladen) and not less than 0.5 metre (laden)

(3) The above connections must be located on one side of the vehicle only.

Safety interlocks: Earth/Overfill detection.

5. Loading must not be permitted unless a permissive signal is provided by the combined earth/overfill control unit. In the event of an overfill condition or a loss of vehicle earth, the control unit on the gantry must close the gantry-loading control valve.

Safety interlocks: Vapour-collection detection.

6. Loading must not be permitted unless the vapour-collection hose has been connected to the vehicle and there is a free passage for the displaced vapours to flow from the vehicle into the plant vapour-collection system.

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