



Department  
for Environment  
Food & Rural Affairs

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# **Consultation on changes to the testing of Petrol Vapour Recovery Equipment**

## **Summary of responses**

**February 2016**



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Llywodraeth Cymru  
Welsh Government



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# 1. Introduction

The UK government launched a consultation on 20 November 2015 on changes to the testing of Petrol Vapour Recovery (PVR) Equipment. These changes are required by EU Directive 2014/99/EU on Stage II Petrol Vapour Recovery (PVR) during refuelling of motor vehicles at service stations to reduce emission of harmful pollutants. The Directive requires that CEN standards 16321:1-2013 and 16321-2:2013 are used to certify and test equipment used at service stations. The consultation proposed making the changes through an amendment to the Environmental Permitting (England and Wales) Regulations 2010 (EPR). This consultation was conducted jointly with the Welsh government. The consultation ran for a period of seven weeks and closed on 11 January 2016.

## 2. Background

Petrol and diesel contain volatile organic compounds (VOCs). VOCs evaporate inside the fuel tank of a vehicle and fill the air space above the liquid fuel. When a vehicle is refuelled, these vapours are forced out from the fuel tank by the incoming fuel and, unless controlled, escape into the atmosphere through the filler neck of the fuel tank. Emissions to the atmosphere of volatile organic compounds (VOCs) are associated with a number of environmental and health problems, due to their effects upon local air quality; formation of ozone and photochemical smog; and atmospheric warming and climate change.

The UK government is committed to invest in cleaner air for all and has implemented legislation which requires VOCs to be controlled at petrol stations by the installation of equipment which limits the emission of these VOC vapours. This equipment is compliant with the Stage II Petrol Vapour Recovery (PVR) directive.

Directive 2009/126/EC establishes a minimum level of petrol vapour recovery across Member States and is implemented through the Environmental Permitting Regulations (England and Wales) 2010. EU Directive 2014/99/EU on Stage II Petrol Vapour Recovery (PVR) during refuelling of motor vehicles at service stations amends Directive 2009/126/EC to specify the CEN standards used to test the PVR equipment is working correctly. UK industry was involved in drawing up these standards.

## 3. About this document

This document provides a summary of the responses received and the government response. This document does not attempt to repeat the background information given in the consultation paper and only provides a limited amount of context for the options and related questions. Please refer to the consultation document which is available at <https://www.gov.uk/government/consultations/waste-incineration-guidance-proposed-amendments> for detailed information.

This document lists all of the questions asked in the consultation and summarises the responses received.

## 4. Overview of respondents

There were 7 responses to the consultation: 3 were from English Local Authorities, 1 from the Welsh Local Authority Environmental Permitting Regulations sub group, 2 from UK industry representatives representing i. petrol retailers and ii. petrol equipment installers and maintainers and 1 individual.

## 5. Responses to consultation questions and government response

The consultation contained three questions. These were:

1. Do you agree that the amending Regulations represent a practical and appropriate transposition of the 2014 Directive?
2. Do you agree that our assessment of the impact of transposing the Directive is a fair reflection of its impact on UK industry?
3. Do you have any other, general comments on the approach we are taking to transposing this Directive?

### **Question 1: Do you agree that the amending Regulations represent a practical and appropriate transposition of the 2014 Directive?**

#### **Key themes and statistics:**

All 7 respondents agreed that the most appropriate transposition of the 2014 Directive was through a minor amendment to the EPR

#### **Government response:**

We welcome the agreement of all the respondents to our proposed approach to transposition.

### **Question 2: Do you agree that our assessment of the impact of transposing the Directive is a fair reflection of its impact on UK industry?**

#### **Key themes and statistics:**

5 respondents agreed and 2 felt unable to assess impact due to lack of knowledge of the PVR equipment manufacturing sector.

Industry bodies representing petrol retailers and petrol equipment installers and maintainers fully agreed with our assessment on the impact on industry as did those Local Authorities who felt able to respond to this question. This confirmed our analysis that the

impact of the amendment would be negligible. Industry representatives observed that the new EU standards mandate those which are already used voluntarily in England and Wales and would have a positive effect on the operation of businesses that operate in other EU Member States as it would bring consistency of requirements.

### **Government response:**

We welcome the endorsement of our assessment of impact by respondents to the consultation.

### **Question 3: Do you have any other, general comments on the approach we are taking to transposing this Directive?**

### **Key themes and statistics:**

Only one respondent provided other general comments.

The respondent commented that the EPR had been amended to the extent that the regulations were now unclear and seemed contradictory in some places. The respondent suggested that a significant revision of EPR is required.

### **Government response:**

The EPR have been amended a number of times since they were made. Defra and the Welsh government are intending to consolidate them in late 2016. It is anticipated the consolidated Regulations will come into force in January 2017. A separate consultation was undertaken in 2015 on the consolidation of the Environmental Permitting (England and Wales) Regulations 2010. The summary and government response can be found here:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/484024/epr-consolidation-consult-sum-resp.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484024/epr-consolidation-consult-sum-resp.pdf)

## **6 Additional points raised in correspondence**

In addition to the responses to the consultation we also received the following comments:

We received some queries from Local Authorities on the reference in the Impact Assessment to an 'annual' inspection rate for petrol stations. We were able to confirm that the statement in the assessment that there would be no change to the inspection rate in relation to petrol retailers was correct and this would remain as annual inspection except where there is automatic monitoring in place in which case inspections are every three years.

## 7 Next steps

Regulations to amend the EPR to take account of the change to the testing standard will be made as soon as possible. The regulation will come into force on 13 May 2016.