

Environmental Pollution Control (Air Impurities) Regulations

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ENVIRONMENTAL POLLUTION CONTROL ACT (CHAPTER 94A, SECTION 77(1))

ENVIRONMENTAL POLLUTION CONTROL (AIR IMPURITIES) REGULATIONS

Rg 8

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[1st January 2001]

Citation

1. These Regulations may be cited as the Environmental Pollution Control (Air Impurities) Regulations.

Dark smoke

2.—(1) For the purposes of section 11 of the Act, dark smoke includes smoke of any colour which appears to the Director or any authorised officer —

- (a) to be darker than shade No. 1 on the Ringelmann Chart;
- (b) when observed or recorded with such instrument or device as the Director may approve, to be darker than shade No. 1 on the Ringelmann Chart; or
- (c) to be of such opacity as to cause obscuration to a degree equivalent to smoke darker than shade No. 1 on the Ringelmann Chart.

(2) Section 11 of the Act shall not apply to the emission of dark smoke from any chimney where —

- (a) the emission of dark smoke is for a duration of less than 5 minutes in any period of one hour in a day; and
- (b) the total number of emissions of dark smoke from that chimney does not exceed 3 times a day.

Methods of smoke indication

3.—(1) Every occupier of any industrial or trade premises in or on which any industrial plant or fuel burning equipment is situated shall, if required by the Director to do so, provide or install such instrument, equipment or device in or on the premises in accordance with paragraphs (2) and (3).

(2) The instrument, equipment or device referred to in paragraph (1) must be of such type and installed in such manner as will enable any person in charge of the industrial plant or fuel burning equipment to readily ascertain at all times and without leaving the boiler room, furnace room or control room, whether smoke is being discharged from any chimney on the industrial or trade premises.

(3) The instrument, equipment or device may include one or more of the following:

- (a) a smoke density indicator, recorder and alarm which will provide adequate indication in the boiler room, furnace room or control room of the density of smoke being discharged from the chimney;
- (b) a closed circuit television installation with the receiver located in the boiler room, furnace room or control room; or

- (c) any other instrument, equipment or device approved by the Director.

Standards of concentration of air impurities

4.—(1) For the purposes of section 12 of the Act, the standards of concentration of air impurities that must be complied with in the conduct of any trade, industry or process or the operation of any fuel burning equipment or industrial plant shall be those specified in the Schedule.

(2) The concentration of any substance specified in the first column of the Schedule shall be determined in accordance with such method as may be specified by or is acceptable to the Director.

Testing procedures and requirements

5.—(1) For the purposes of section 12 of the Act, the Director may specify in any particular case, the point at which the concentration of air impurities shall be measured.

(2) The point at which the concentration of air impurities shall be measured may be situated at —

- (a) the fixed point of emission of any air impurities;
- (b) the final point of emission of any air impurities; or
- (c) any other point in or along any flue, duct or chimney located at a place in the premises other than the final point of emission of air impurities.

(3) Every owner or occupier of any industrial or trade premises shall --

- (a) carry out such tests with respect to the emission of air impurities from and the consumption of fuel in or on the premises as may be required by the Director;
- (b) keep a register of all such tests, specifying the date, nature and results of each test; and
- (c) ensure that such register is available for inspection by the Director or any authorised officer at all reasonable times.

(4) Subject to paragraph (5), the results of all tests conducted on boilers, furnaces and incinerators with respect to the emission of air impurities shall be expressed on the basis of flue gas containing 12% by volume of carbon dioxide.

(5) The results of all tests conducted on waste incinerators with respect to the emission of dioxins and furans shall be expressed on the basis of flue gas containing 11% by volume of oxygen.

(6) Every owner or occupier of any industrial or trade premises shall, for the purposes of enabling the Director or any authorised officer to exercise his powers under the Act —

- (a) provide the Director or the authorised officer with access to such premises, any part thereof and any control equipment, fuel burning equipment, industrial plant or chimney on such premises, at all reasonable times and as often as the Director or the authorised officer considers necessary; and
- (b) provide the Director or the authorised officer with such assistance and facilities as may reasonably be required by the Director or the authorised officer.

(7) The assistance and facilities referred to in paragraph (6)(b) shall include, in respect of each chimney serving the premises, the provision of one or more inspection opening or openings and such means of safe and adequate access for the purposes of enabling an authorised officer to inspect and obtain representative samples of any discharge from the chimney.

(8) In this regulation —

“boiler” means any device in which water or other liquid is heated by any combustible material;

“furnace” means any chamber, other than a boiler in which combustion takes place;

“incinerator” means any structure or part of a structure used in any trade, industry or process to dispose of material by burning or heating with any form of energy;

“waste incinerator” means an incinerator which is used for the purposes of disposing of municipal, industrial or hospital waste.

Exemption

6.—(1) Regulation 4 shall not apply to such industrial or trade premises and for such period between 1st January 2001 to 31st December 2003 as the Director may determine.

(2) The Director may —

- (a) require any industrial or trade premises referred to in paragraph (1) to comply with such other emission standards as he may specify; and
- (b) if he considers it necessary, extend the period of exemption referred to in paragraph (1), subject to such conditions as he may impose.

Penalties