

**The extracts shown here from the Groundwater Regulations clearly demonstrate that causing pollution with mineral oils and hydrocarbons is an offence. The regulations came into force on 2nd December 1998 and affect all those washing down equipment. Don't risk prosecution and up to a £20,000 fine, call Course Care for a free consultation and find out how you can comply.**

For full information the following 2 web addresses should prove most helpful;

**GROUNDWATER GUIDANCE**

[www.defra.gov.uk/environment/water/ground/pdf/groundwater-guidance.pdf](http://www.defra.gov.uk/environment/water/ground/pdf/groundwater-guidance.pdf)

**STATUTORY INSTRUMENTS / Groundwater Regulations 1998**

[www.legislation.hnsq.gov.uk/si/si1998/98274802.htm](http://www.legislation.hnsq.gov.uk/si/si1998/98274802.htm)

**STATUTORY INSTRUMENTS**

1998 No. 2746

**ENVIRONMENTAL PROTECTION**

**The Groundwater Regulations 1998**

Made	6th November 1998
Laid before Parliament	11th November 1998
Coming into force	
regulations 1 and 16(1)	2nd December 1998
regulation 23	1st January 1999
all other provisions	1st April 1999

The Secretary of State for the Environment, Transport and the Regions, the Secretary of State for Wales and the Secretary of State for Scotland, being Ministers designated<sup>[1]</sup> for the purposes of section 2(2) of the European Communities Act 1972<sup>[2]</sup> in relation to measures relating to the prevention, reduction and elimination of pollution of water, acting jointly in exercise of the powers conferred on them by section 2(2) of that Act, hereby make the following Regulations.

**Citation, extent, commencement and interpretation**

1. - (1) These Regulations may be cited as the Groundwater Regulations 1998 and shall come into force-

(a) in the case of this regulation and regulation 16(1), on 2nd December 1998;

(b) in the case of regulation 23, on 1st January 1999;

(c) in the case of all other provisions, on 1st April 1999.

**Application of provisions of water pollution legislation**

14. - (1) A person shall be treated as contravening section 85 of the Water Resources Act 1991 or, as the case may be, section 30F<sup>[12]</sup> of the Control of Pollution Act 1974 (water pollution offences) if-

(a) he causes or knowingly permits-

(i) the disposal or tipping for the purposes of disposal of any substance in list I or II in circumstances which might lead to an indirect discharge of that substance into groundwater unless it is carried on under and in accordance with an authorisation granted under regulation 18; or

(ii) any activity to be carried on in contravention of a prohibition imposed under regulation 19 or any authorisation granted under that regulation; or

(b) he contravenes the conditions of any authorisation under regulation 18 or 19.

**SCHEDULE**

Regulation 1(2)

**LIST 1**

1. - (1) Subject to sub-paragraph (2) below, a substance is in list I if it belongs to one of the following families or groups of substances-

- (a) organohalogen compounds and substances which may form such compounds in the aquatic environment;
- (b) organophosphorus compounds;
- (c) organotin compounds;
- (d) substances which possess carcinogenic, mutagenic or teratogenic properties in or via the aquatic environment (including substances which have those properties which would otherwise be in list II);
- (e) mercury and its compounds;
- (f) cadmium and its compounds;
- (g) mineral oils and hydrocarbons;



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