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## Downstream

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**Cover:** Pipelines from the frozen wastes are ultimately our distribution industry's lifeline.

The picture was taken by one of the staff of Golder Associates, a global group of companies delivering environmental and ground engineering solutions for over 45 years to clients around the world. They employ 200 staff across the UK with a wider global resource of 5000 staff based in over 130 offices in 28 countries across 6 continents...a truly global network of expertise and knowledge!





# FPS on the move



FPS has ended a long search for larger office premises to accommodate the increasing activities and services it

provides for members. From 20 December FPS will be at:

**6 Royal Court,  
Tatton Street, Knutsford,  
Cheshire WA16 6EN**

All other contact details will remain unchanged.

Only a few hundred yards from the existing FPS premises, the new offices offer more space to accommodate more staff and more storage. "With the addition of the Health, Safety, Security and Environment Service (page 8) and

the link with Garage Watch (below), plus all the exhibition equipment and publications stock, the move is very timely," said FPS Chief Executive Susan Hancock. In addition to larger office space, 6 Royal Court also has a meeting room for seminars and workshops.

"Over a period of years, Knutsford has proved a central and convenient location for members to attend meetings, with fast access to the motorway system and the international airport at Manchester, so we are very pleased to be staying in the area."

## Garage Watch joins FPS

The Garage Watch Campaign has joined the FPS to form a stronger, more coherent voice to Government on issues surrounding retail forecourts. It will also enable the Campaign's members to take advantage of the FPS's wide resources and better and extended benefits and services.



Mark Bradshaw (pictured), who founded the Campaign in 2000 when two-tier pricing was causing unprecedented pressures on small independent forecourts, will continue to head the Campaign and to promote and support the independent forecourt industry.

Susan Hancock, Chief Executive of the FPS, announced the move by saying: "We are delighted to have the opportunity to work with Mark in supporting the independent forecourt industry. Many of the issues on which we lobby Government affect

the retail market in the same way, so our combined resources should provide a more effective voice for the downstream oil supply industry. The FPS has much to offer the Garage Watch Campaign and its members, who will benefit from the increased resources available to them."

Mark said: "We feel this development will boost the resources we can offer to our membership whilst strengthening our lobbying voice. The FPS was instrumental in the early days of the Campaign so it

makes perfect sense now for us to join them in

this way. It is true to say that without their help in the beginning, the Garage Watch Campaign could not have happened. Since then, we have regularly worked together to highlight issues to Government with noted results. We are excited at the opportunities joining the FPS brings and look forward to a robust, active and effective future."

Many FPS members in the UK and the Republic of Ireland have direct or indirect interests in forecourts so that the synergy from the link-up is substantial.

From its roots as a protest group, Garage Watch has grown into a successful trade body representing the independent garage in negotiations with both Government departments and other trade bodies. Recently described by the DTI as the "voice of the independent", Garage Watch strives to highlight the difficulties faced by independent petrol retailers. Through regular communication with its members, it aims to inform them of current legislation and offer practical advice, as well as information on business opportunities.



# FPS 2007

## 18 & 19 April The International Centre, Telford



FPS 2007, the Exhibition & Conference for the oil distribution industry, looks like being sold out before the end of the year, with 90% of the space already sold. Event Organiser, Vanessa Cook reports that

the FPS Events team are receiving new enquiries daily. "My advice to anyone thinking of exhibiting at FPS 2007 is book your space now to avoid being disappointed," she said.

FPS is pleased to announce the continued support of the following companies:



FPS 2007 Golf Day



JET IS A CONOCOPHILLIPS BRAND  
Café Bar & Delegate Bags



Delegate & Press Badges



FPS-OAMPS 2007  
Driver of the Year



£500 Holiday Voucher –  
Charity raffle prize

### FPS AWARDS DINNER

Bookings are now being taken for the FPS 2007 Awards Dinner. The industry's social event of the year is an ideal way to entertain customers and enjoy an evening with colleagues within the industry.



FPS have again secured the talents of top comedian John Martin as their after-dinner speaker. Those of you who were lucky enough to see John at FPS 2002 in Harrogate will

know that it will be a fantastic night, not to be missed.

To download your booking form visit [www.fpsshow.co.uk](http://www.fpsshow.co.uk), where there is also full information about travelling to Telford and hotel accommodation.

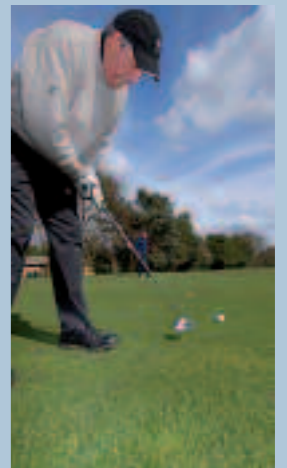
### FPS GOLF DAY

Collins Youldon have agreed to continue to sponsor the FPS Golf Day, and the 2007 event will be held at Worfield Golf Club, near Bridgnorth.

The championship length course has co-hosted the English Men's Senior Championship, the

Midlands Scratch Play and the Midland PGA Assistants' Championship – to name but a few.

There are only a limited number of places available, so it is advisable to book early. Booking forms are available on the website.



To register for FPS 2007 Exhibition and Distributor Conference, visit [www.fpsonline.co.uk](http://www.fpsonline.co.uk)  
For more information on FPS 2007 Exhibition, Distributor Conference, Awards Dinner or Golf Day, call Vanessa Cook on +44 (0) 1565 631313



# WHAT IS THE FPS DRIVER TRAINING SCHEME?

This is the 'must have' qualification for tanker delivery drivers. Training is delivered via a video or DVD and Workbook, which will allow the candidate to work through at their own pace.

When the Workbook is complete, it will be assessed externally and then the driver can take a half-day 'vocational assessment'. This will entail drivers carrying out vehicle checks, loading operations, driving and making deliveries whilst being assessed.

When drivers have successfully completed both the Workbook and the vocational assessment, they will receive a certificate showing that they have completed and passed the FPS vocational training course in Fuel Distribution.

## WHY TRAIN YOUR DRIVER?

Driver training raises the standards of a company's workforce, increases morale amongst staff and leads to safer, more efficient deliveries.

## WHAT DOES IT COST?

The FPS Driver Training Scheme is currently available at an introductory price of £125.00 +VAT for FPS Members, and £199.00 + VAT for Non FPS Members, per driver pack. This includes the external Workbook assessment, but not the 'vocational assessment'.



FOR MORE INFORMATION CONTACT  
PETER EMERY ON 01565 631313



# Does your driver go 'the extra mile'?

If so, then nominate them for the FPS-OAMPS Driver of the Year 2007 competition. Now in its 8th year, the competition sets out to find the driver who has done something above and beyond the call of duty. Each year the applications received bring to light stories of drivers who put in an extra effort to keep their customers happy, warm and smiling. Entries can be submitted after 31 December 2006 and the three finalists will be invited to the FPS 2007 Awards Dinner, where the

winner will be announced. The Winner receives £1,000 and there is £250 each for the two runners-up.

Fill in the form and tell us why your driver is simply the best!



## TOP TIPS TO HELP YOUR DRIVER WIN

- Get your forms in as soon as you can.
- In your responses to how has the driver 'gone the extra mile', give consideration to examples of outstanding environmental care as well as examples of good customer care.
- Brief your nominated driver on the award so that he/she can prepare for the interview.
- Allow drivers enough time for the interview: remember, they will be under some pressure from knowing someone is coming to see them. It's not really fair on the driver if you expect them to slot the interview in between deliveries.



The 2006 winner, Darren Gilham of Southern Counties (above) and runners-up Ben Clarke of Shelford Energy (right) and Jon Noel of CPL Petroleum.



## RULES

- One entry per depot. (The depot must be an FPS member or additional business mailing)
- The driver must be based at the nominating depot.
- The company must have employed the driver since 01.01.06.
- The driver must have had an incident free year (no accidents or spillages) 01.01.06 to 31.12.06.
- The driver must have gone the 'extra mile', or done something 'above & beyond the call of duty'.
- All previous entries are welcome to re-apply, with the exception of the 2006 finalists who can enter again in the 2008 competition.
- Entries may be submitted between 1 Jan - 9 Feb 2007.
- Candidates will be short-listed.
- Each short-listed candidate will be visited/interviewed by an assessor during March, from which three finalists will be selected.
- The judging panel will make its decision after a final interview on Thursday 19 April 2007 at the FPS 2007, The International Centre, Telford.
- All three finalists and their partners will be invited to attend the FPS 2007 Awards Dinner as guests of OAMPS UK Ltd, on Thursday 19 April 2007 at The International Centre, Telford, where the winner will be announced.

CHECK OUT DETAILS ON OUR WEBSITE [www.fpsonline.co.uk](http://www.fpsonline.co.uk)

## Nomination form

Proposer's Name \_\_\_\_\_  
 Company Name \_\_\_\_\_  
 Address \_\_\_\_\_  
 \_\_\_\_\_ Postcode \_\_\_\_\_  
 Tel \_\_\_\_\_ Email \_\_\_\_\_

## DRIVER'S DETAILS

Name \_\_\_\_\_  
 Time with company \_\_\_\_\_ (Years/months)

Has the driver had an incident free year? YES/NO

Explain on a separate sheet in no more than 100 words how the driver has 'gone the extra mile', or done something 'above and beyond the call of duty'.

Send it with this form to  
FPS-OAMPS Driver of the Year,  
FPS, 6 Royal Court, Tatton Street, Knutsford  
WA16 6EN or fax to 01565 631314.

# Health, safety, security and environment legislation: FPS launches lifeline package

FPS is launching a major new combined service to help members understand and comply with the increasing tide of legislation and requirements on health, safety, security and environment post Buncefield.

The FPS Health, Safety, Security and Environmental (HSSE) Service has been announced to cope with the introduction of further Health and Safety legislation such as the Dangerous Substances and Explosive Atmospheres Regulations (DSEAR), Working at Height Regulations and tougher security requirements.

"We can see that the industry is in need of specific advice and support when it comes to HSSE matters. Members are finding it increasingly difficult to keep abreast of the legislation changes affecting HSSE" said FPS Technical Manager Peter Emery.

Since the Buncefield incident,

emphasis by the Health & Safety Executive and the environmental agencies on management controls at fuel depots have increased and looks set to increase further in 2007.

Since the beginning of the year, inspections under the FPS Depot Certification Scheme have found that many depots have been lacking in written HSSE systems. They are relying on the knowledge and experience of staff and drivers, and unfortunately this could leave members exposed when trying to convince the regulatory bodies that their arrangements are robust enough to prevent an injury to people or harm to the environment.

Said Peter: "They are leaving themselves open to claims of industrial injury as we now seem to live in a society that believes someone is to blame for other people's mistakes and the courts will support a claim if the operator cannot prove that they have taken all reasonable steps to protect

their employees, contractors and members of the general public, including motorists."

The new service from the FPS will be available in the New Year and offers:

- HSSE advice
- Advice and support on the production of HSSE policies, procedures and risk assessments
- Support on updating existing HSSE management systems
- Depot Inspections
- HSSE training
- Support and advice before, during and after HSE, VOSA or environmental agencies' visits.

The service is available to both FPS members and non-members, with preferential rates for members.

**For further details of the services and to book an appointment, call Peter Emery, FPS Technical Manager, on 07979 070803 or email [pe@fpsonline.co.uk](mailto:pe@fpsonline.co.uk)**

## Technical Advisor

– employment opportunity with



FPS is looking to recruit a part-time Technical Advisor to help us offer a first-class health, safety, security and environmental service to member companies.

Applicants will have experience in the distributor business and, ideally, have an operational or health and safety background. The role will be varied and involve travel to attend meetings, many in London.

Good communication skills are needed, together with the ability to sift and assess reports and other legislative documents to identify if and how new legislation will impact on our members. The Advisor will inform members where to obtain help and advice.

This post is, initially, part-time on a 12 month fixed term contract. It is being created due to the increased interest by HSE in safety at oil storage depots, post-Buncefield, and the priority being given to DSEAR (the Dangerous Substances and Explosive Atmospheres Regulations) at depots.

**For further information or a confidential discussion, contact Susan Hancock, Chief Executive, at FPS, tel 01565 631313 or email [sh@fpsonline.co.uk](mailto:sh@fpsonline.co.uk)**

## Forecourt vapour recovery legislation kicks in

New air quality rules designed to cut pollution from petrol fumes leaked into the atmosphere from vehicle refuelling came into force in October.

The Petrol Vapour Recovery Stage II controls (PVRII) mean that every petrol station selling over 3.5 million litres of petrol a year has until 1 January 2010 to fit equipment to capture the fumes. The Government maintains that this threshold has been set high enough to ensure that smaller service stations, particularly those in rural areas, will not face disproportionate costs which could affect their viability.

The technology will recover around 85% of the petrol fumes which would otherwise escape into the atmosphere - around 16,000 tonnes per year in total.

Petrol fumes add to the formation of 'summer smog', a combination of ground level ozone, which harms human health, vegetation, and buildings, and particulate matter - PM<sub>10</sub> - which is associated with premature mortality.

Ben Bradshaw, Minister for Air Quality, said: "Summer smogs are tangible evidence of the implications for quality of life if we allow levels of pollutant emissions into the atmosphere to go unchecked. The legislation is part of a package of measures designed to reduce those levels and cut the risks to human health and the environment.

"The impact of the costs involved has been considered carefully. We want a common sense balance between the likely benefits for air quality and protecting the viability of businesses. That's why we are confining the measure to larger service stations. Many smaller rural service stations have a vital role in providing other services to communities, and we have set the threshold for fitting the equipment to ensure they are protected."

Petrol contains Volatile Organic Compounds (VOCs) which evaporate inside fuel tanks and escape to the atmosphere when drivers fill up. It is estimated that over 1.3 million tonnes of VOCs were emitted into the atmosphere in the UK in 2002. The single largest source is road traffic, accounting for 16%. Petrol stations contribute around 3%.

The Government predicts emissions from the fuel station sector are expected to decline to around 30 kilotonnes a year by 2010 due to the projected trend in UK fuel sales. Implementation of the PVR II technology would result in an estimated reduction in emissions of VOCs of 12.4 kilotonnes a year by 2010, and would also reduce benzene emissions by 20.5 tonnes. Both PVRI and PVRII will be regulated by local authorities under the Pollution Prevention and Control Regulations.

## GRAYDON

Petroleum Distributors Intelligence Unit – PDIU

One of the leading business information providers specialising in Credit Risk Management solutions.

Graydon, in partnership with The John Reynolds Group provide an intelligence unit specifically for the petroleum sector. This is a closed user group, which has been designed to protect members against the risk of bad debts and slow payments. Members report centrally on:

- Unsatisfied payments (e.g. RD & RDPR cheques and direct debits)
- Collection/Legal actions commenced against a debtor
- "Gone aways" and other critical events

This is real-time information and once collected the information is distributed amongst all PDIU members\*. PDIU members also benefit from free insolvency advice from PricewaterhouseCoopers (PwC).

The message for credit and financial managers in the fuel distribution sector is very clear. You now have the weapons to start fighting back!

Interested to find out more?

Contact:  
 Michaela Hilton  
 Tel: 020 8515 1424  
 Mobile: 0773 920 1835  
[michaela.hilton@graydon.co.uk](mailto:michaela.hilton@graydon.co.uk)

\* All members report anonymously. Operated within the constraints of the Consumer Credit Act (1974), Data Protection Act (1988) and the Competition Act (1988).



## JOHN REYNOLDS

### The Specialist Credit Insurance Brokers.

Bad debts are an unfortunate fact of life in fuel distribution. Credit insurance offers a cost-effective solution and, as acknowledged market leaders in providing credit insurance to the oil industry, we are pleased to make our services available to FPS members.

For a free-of-charge, non-obligatory consultation please contact **PAUL MARTIN** on **0161 905 5514** or e-mail on [pmartin@john-reynolds.co.uk](mailto:pmartin@john-reynolds.co.uk)



## JOHN REYNOLDS

INSURANCE BROKERS

Authorised & regulated by the Financial Services Authority

# Scotland is next step for Bayford

Askham Oils brought into growing empire

**Ever-expanding Bayford & Co Ltd has taken another step forward with the acquisition of the largest family-owned oil distribution business in the Lake District – Askham Oils of Penrith – in a multi million pound deal.**

Askham Oils is one of Texaco's largest authorised distributors and Bayford see the acquisition as the springboard for a move into Scotland.

"Scotland is the next logical step," says Bayford MD Jonathan Turner. "It will either be an organic move – as we already serve some of southern Scotland – or will be through acquisition. We're always in discussion with people and it will be a question of finding a good fit for the business."

Bayford delivers fuel and lubricants to homes, farms and businesses throughout the North of England and North Wales. The company is also behind Gulf, the UK's fastest growing filling station network, with more than 150 sites nationwide. Over the last 18 months, the company has made seven acquisitions, but still prides itself on being a family business.

"There aren't many people doing what we're doing," adds Jonathan, "but there are plenty who like the way we do things. They feel comfortable that, while we're big, it's me who negotiates with them and can deliver on the deal. We do decline offers all the time and we won't overpay, but we also don't waste people's time."

Increasing the Bayford oil tanker fleet by 20 per cent to more than 80, this latest acquisition complements Bayford's purchase last year of Delta Fuels in Kendal as well as existing Bayford operations in North Yorkshire and the North East.

"We are delighted to welcome Askham Oils into the Bayford group," said Jonathan. "This is a fantastic, profitable business and we have no intention of making significant change to what is a successful formula. The business has a great name in the Lake District and will continue to trade as Askham Oils. "At the same time, being part of Bayford clearly brings significant advantages, so we will naturally be sharing these fully with the team at Askham, to help them build an even better business."

Bayford are especially pleased that Brian Hodgeson and his sister Ann will be staying with the company to ensure a smooth handover.

Brian Hodgeson, the previous owner of Askham Oils, took over running the business when his father Denis retired several years ago. "I am very proud of our achievements over the past three decades, building Askham Oils into a true local success story, and I feel the time is now right for me to concentrate on other things," he said.



*Malcolm Hendrie, Jonathan Turner, Brian Hodgeson are all smiles about the Askham acquisition.*

"I wanted above all to find a new owner who would respect and look after our customers and employees. Following their success in recent years and their heritage as a well established family business, I feel confident that in Jonathan and the rest of the Bayford team, I have found the right people to drive Askham Oils forward for many years to come."

Bayford has just completed another year of record profits, making £4.4m operating profit on a turnover of £392m. The company has also announced an investment of £800,000 in upgrading and expanding its tanker fleet to meet the demands of its growing business. The seven new vehicles, including four, six and eight wheeler tankers, are all built on a Volvo chassis, with the tanks supplied by LAG in Belgium.

The new tankers have all been fitted with the latest Alfons Haar pump control technology, which will enable the driver to control the start and stop of the flow, from up to 200 feet away. As well as being more convenient for the driver, this new system helps to reduce the risk of spillages.

The introduction of an automatic gearbox into one of the six-wheeler tankers is also a first for Bayford. This innovation, it is hoped, will improve the agility and fuel economy of the vehicle. The new tankers are being assembled in the UK by Williams Tanker Services and all seven will be in service at one of Bayford's local distribution bases before the end of the year.

James Spencer, Bayford Operations Director, said: "These new tankers incorporate the latest technology to help us make our deliveries as efficient, reliable and economical as possible."

## FPS new members

### Research persuades insurers into market

An approach from an FPS member to Dublin-based Brennan Insurance alerted the broker to the potential of the oil distribution sector.

"We had to advise them to renew with their existing market," explains Brennan's New Business Manager Eamonn Doherty. "At that stage, we identified that there was no viable alternative."

So, the company, an independent Irish brokerage operating out of Dublin, has spent months working with insurers St Paul Travelers to gather information and identify the areas of risk involved in oil distribution. They have also been finding out from FPS members what issues there are with existing insurance arrangements. The result is a new service for the Irish market and further afield that, the company says, offers "a wide scope of cover, a comprehensive and responsive claims handling service – especially for spillages – at a competitive price".

Brennan Insurance has been providing advice to a wide range of clients for more than 80 years. It has a network of sub-brokers who offer a local service.



*Eamonn Doherty, New Business Manager for Brennan Insurances (left) and Liam Conlon, General Manager*

The company chose to work with St Paul Travelers because the firm has been operating in Ireland for the past 10 years and distributes its products

solely through a professional broker network.

"They identify niche markets, such as the automotive market or plant hire contractors, and use their own research into that area to determine a rating structure appropriate to the risk involved," says Eamonn. "Their experience of the petrochemical industry in the US encouraged them to underwrite this class of business in Ireland."

Brennans are using Pro Adjust loss assessors in association with White Young and Green for spillage claims. The company has years of experience in dealing with environmental pollution and has 12 offices throughout Ireland.

"Our insurance service has been available since September and cases have already been underwritten by the scheme," adds Eamonn, who is contactable at eamonn.doherty@brennaninsurances.ie

"We are confident that the facility will continue to grow, offering both a competitive and a comprehensive option to members."

## Success comes quickly to Fast Fuel

**South Wales based Fast Fuel has passed the £4 million turnover mark and amassed a 4,500-strong domestic and agricultural customer base – less than four years after being set up.**

Jerry Haslett and Rory Fisher, both of whom had worked together for many years at a senior level at a large local fuel distribution business, founded Fast Fuel in October 2002, supplying fuels, solid fuels and lubricants.

Later that year Jerry's son Leigh established Fast Fluid Power Ltd, specialising in filters, hydraulics and pneumatics, on an adjacent site at the Grangemill Industrial Estate in Raglan.

The company joined the FPS this summer.

"We wanted to benefit from the information and advice that the FPS offers, and to stay up-to-date with what's happening in the industry," says Jerry. "The FPS seems to be the hub of it all."

Fast Fuel operates four petroleum tankers throughout South Wales and the Forest of Dean, comprising specialist 7.5 tonne domestic vehicles, 26 tonne for industrial deliveries and a 44 tonne artic for heavy industry and marine, plus three light commercial vehicles delivering barrels, lubricants, greases and other associated products.

Fast Fuel recently placed an order for a new 18 tonne four-wheeler to cope with the increasing demand and to fulfil its winter commitments. The company employs 11 people and is recruiting more in the coming months.

"Our success has been recognised recently with our appointment as both Gulf and Millers Oils main distributors for South Wales," says Jerry. "We have also been awarded the Bluecat Adblue distributorship, and are now a supplier of Adblue tanks and equipment in association with QSS tanks of Hartlebury."

Fast Fuel services third party orders from other oil fuel distributors whose customers have requirements in South Wales and surrounding areas.

Company administration is headed by Jacaline Barnett, overseeing a team of three, dealing with sales and purchase ledgers, and a credit controller. Nick Sykes, former joint owner of Crown Oil UK Ltd, joined the company in 2005, bringing more than 20 years of valuable experience in the fuel distribution industry to Fast Fuel.

"We provide a same day or next day delivery policy for all customers and our success continues to build on a philosophy that customer satisfaction comes first," says Jerry.

# Competition law compliance: **where does fair become unfair?**

By Bernardine Adkins,  
Partner at Wragge & Co LLP specialising in antitrust

In the petroleum supply industry, as in many industries, companies have to tread a fine line where they rub shoulders with their competitors. On the one hand, they need to engage in legitimate commercial exchanges, yet on the other, they must ensure they keep an appropriate distance between one another. Otherwise cooperation may stray beyond permitted boundaries and interfere with the competitive process. Investigations by the Office of Fair Trading (OFT) into standard practices in various industries highlight that it is much easier than most companies think to stray, albeit inadvertently, into the realms of a breach of either the UK or EU competition rules.

The resignations at British Airways amid allegations of fuel surcharge price-fixing are a timely reminder that even the most sophisticated of businesses can slip up on competition compliance. Foremost in the minds of FPS members, however, is likely to be the so-called Irish Heating Oil cartel. In this case, a criminal investigation into the fixing of the price of heating oil in Galway City and County culminated in over 15 convictions (none were FPS members!) earlier this year. One individual received a six-month suspended prison sentence.

Cartel investigations and criminal sanctions may be avoided by heeding some simple “do’s and don’ts” so as to ensure competition law compliance. This article looks at some of the principal competition compliance issues that may be encountered on a day-to-day basis and provides some hints and tips on best practice in dealing with them.

After all, getting this wrong can have serious consequences. If it is found to have breached competition law, a UK company can be fined up to 10 per cent of its annual worldwide turnover. Individuals face up to five years in prison and possible extradition to other affected territories. Directors may be disqualified for up to 15 years. There will also be an inevitable harm to reputation. Even if no wrong-doing is found, an investigation by the OFT or

the Competition Commission can lead to a huge drain on management time and impact on profitability, to say nothing of the terrible pressure it may put on individuals.

When is an exchange of information between competitors not a cartel offence?

As a rule, companies should not share information with their competitors that enables them to co-ordinate their market behaviour and which negates the uncertainty of market conditions which encourages competition.

Therefore, it is a breach of the competition rules for companies to exchange with their competitors, either directly or indirectly, information that has the object or effect of:

- influencing the conduct on the market of all competitors; or
- disclosing to competitors the course of conduct a company has decided to adopt, or is contemplating adopting; and
- which results in an artificially transparent market.

What does this mean in practice? An exchange of the following type of information between competitors, if it is individualised, and relates to recent, current or future data, is generally considered to be a breach of competition law:

- information on customers, sales, orders and pricing;
- information relating to production volumes and capacity utilisation;
- information on market shares; and
- terms and conditions of sale.

But: aggregated information may be exchanged between competitors which is less than 12 months old provided that at least three companies from different industrial or financial groups participate.

Companies should interpret these rules cautiously. The Commission and the OFT require only a limited amount of evidence to conclude that a concerted practice has taken place. Do remember, however, that the rules do not aim to hamper companies from engaging in legitimate commercial



activities for fear of regulatory exposure.

## Trade associations

In industries where dissemination of know-how is crucial, the principal way in which companies might become involved in exchanging information with their competitors is in the context of trade associations. Trade associations often involve an exchange of statistical information and represent a legitimate forum for companies to share opinions and experiences.

As long as the information exchanged is aggregated and follows the general principles above, it will not be problematic from a UK/EU competition law perspective. The following general principles should be followed:

- the aggregated information circulated must not be discussed between members;
- the information must not be annotated with comments or observations;
- the information must not cover prices or forecasts relating to production or capacity utilisation.

Because trade associations are particularly ripe for discussions to stray outside the realms of what is permitted, it is prudent for them to follow these guidelines:

- the adoption of a written constitution which sets out the objectives of the trade association;
- ensure that all meetings are open to all members;
- make it clear that no individual estimates of market trends are to be circulated to members;
- ensure that no individual responses are circulated to members;
- make sure that only aggregated information is circulated to members;
- prohibit the discussion of conclusions between members; and
- keep full minutes of all meetings.

## Market research

It is general practice in many industries for companies to provide information on their sales, production and market shares to a third party data collector to collate and distribute the results to the contributing companies. It can assist companies to respond more effectively to that competition but becomes problematic where it enables

## Dealing with a dawn raid

If the OFT or the European Commission suspect that there has been such a degree of information exchange between competitors as to distort competition in the market, they have the right to arrive at your company premises unannounced and search for evidence of this. There

are a number of civil and indeed criminal powers that they may exercise, particularly if they suspect that a company is taking part in a cartel. It is advisable to have a dawn raid plan in place and to ensure employees know how to react, but a brief summary is below:

### DO

- Refer callers claiming to be on ‘official government business’ or similar to your legal department
- Agree, if asked, to secure documents or equipment while the officials wait to proceed with their inspection
- Check the identity of the officials, and copy their credentials
- Ask to see, and check carefully, the written authority for the investigation. This will state the purpose and scope of the investigation
- Find out as precisely as you can what it is the officials are looking for
- Attach a member of staff to each official
- Keep as full a record as you can of what the officials ask for and inspect, of questions asked and answered, and of any other discussions
- Take your own copy of all documents copied by the officials and of their inventory and an extra copy for your solicitors
- Be aware that anything you say may be used against the company and possibly yourself
- Seek immediate legal advice if at any stage you are uncertain as to your rights and responsibilities.

### DO NOT

- Refuse admission
- Refuse to contact any executive, however senior, that the officials ask to see
- Keep the officials waiting unduly
- Tell any person outside the company (except your solicitors) what is happening
- Appear unhelpful, or obstruct the investigation, at any stage
- Start shredding documents or deleting electronic documents!
- Engage in general conversation with the officials
- Refuse to supply information requested without legal advice
- Sign anything at the officials’ request without legal advice.

companies to gain too accurate a picture of their competitors’ practices.

The information circulated should be aggregated and historic, and should seek to provide the participants with a ‘snapshot’ of the overall market conditions as opposed to detailed information on commercially sensitive aspects of the market.

## Benchmarking

This practice involves the exchange of information between companies to provide them with an insight into their competitors’ best practices and increase their efficiency based on what they learn.

This type of practice is generally beneficial for competition but can have spill-over effects and may in certain circumstances result in an exchange of information that infringes UK/EU competition law. Published guidelines indicate that:

- extreme care should be taken with information which is quantitative in nature, such as fees and salaries, where the information represents a large proportion of costs;
- confidential and sensitive business information must not be exchanged;
- informal conversations are sufficient to bring an exchange of information within the realms of a concerted practice; and
- an exchange of historic, aggregated and anonymised information generally complies with the competition rules as long as it does not influence future competitive market behaviour.

Bernardine Adkins can be contacted at Wragge & Co on tel 0121 685 2802, email [bernardine\\_adkins@wragge.com](mailto:bernardine_adkins@wragge.com)

# Oil refining sector slips in accountability ratings

The oil refining sector has slipped into last place out of five global industry sectors assessed in the 2006 Accountability Rating published by *Fortune*, the business magazine.

The Accountability Rating analyses publicly-available information from the top 10 companies in five industry sectors to assemble its sector analysis. Oil refining was assessed alongside Automotive, Computer electronics and telecoms, Financial services, and Utility and energy. The exercise is led by AccountAbility, a London-based think-tank on organisational and corporate accountability, and csrnetwork, the UK corporate responsibility consultancy.

However, the Rating's authors attribute oil's slip from top spot to the refining sector's previous success rather than a dramatic fall in standards. They add that several companies have performed well financially over the last year, but have not developed their accountability processes.

There is almost universal recognition of the importance of greenhouse gas emissions and alternate fuels. However, the performance of companies in the sector on social and wider economic impacts is significantly less consistent. Only one company discusses issues related to political involvement and lobbying and just three companies discuss the social impacts of extraction and production facilities. In addition, surprisingly, very few companies are discussing the risks of supply disruption in a substantive manner.

A combination of poor performance from companies such as PDVSA,

The analysis was based on a range of factors:

- Stakeholder engagement. Does the company engage in dialogue with people who have an interest in, may be affected by, or may affect its business?
- Governance. Do senior executives and the advisory board properly consider stakeholder issues when setting strategy and formulating corporate policy?
- Strategy. Does the core business strategy integrate social and

environmental targets with financial ones?

- Performance management. Do the company's management processes, business standards, incentives, and targets seek to achieve social and environmental goals?
- Public disclosure. Does the company provide a detailed report of social and environmental performance?
- Assurance. Does the company secure appropriate independent assurance?

*"Surprisingly, very few companies are discussing the risks of supply disruption in a substantive manner"*

Valero, China National Petroleum and Sinopec, combined with tougher criteria in this year's analysis, played a part in the slippage, say the report authors. Simultaneously, other sectors, notably financial services, caught up with the 'early running' made by the petroleum sector in developing corporate responsibility.

Simon Zadek, Chief Executive of AccountAbility said: "Envisioning a sustainable business strategy is a good first step, but implementation is where the going gets tough. This year's results show that business has made good progress, yet there's a long way to go in embedding sustainability in everyday practices. Policy implementation and third party assurance are key areas where improvement is needed".

The Accountability Rating is a proprietary tool developed jointly by AccountAbility and csrnetwork. It measures the extent to which companies have built responsible practices into the way they do business and looks at how well they account for the impact of their actions on their stakeholders. In the oil sector, the measure was applied to (in descending order of ratings) BP, Royal Dutch/Shell Group, Total, ENI, Chevron, ConocoPhillips, Exxon Mobil, Pemex, Sinopec, Petroleos de Venezuela SA, Valero Energy and China National Petroleum.

BP, in fact, were ranked second and Royal Dutch/Shell Group third in the company-by-company rankings worldwide. The only name ahead of them in the accountability stakes was Vodafone.

Full results are at [www.accountabilityrating.com](http://www.accountabilityrating.com)

## Latest Touchscreen



Touchscreen computer specialist TouchStar's new TouchPC Raven sports a multitude of connectivity options to make it compatible with most systems and particularly suitable for in-cab use. It carries SD card, CF card, serial port, Ethernet, Bluetooth and CAN bus. There is also a built in GPS/GPRS module for satellite tracking and data communication and space for a Wi-Fi card.

The tough and durable housing frames a large 800 x 480 pixel colour TFT display for good representation of the finest of details, from photographs to a data cell on a spreadsheet. Using the Windows CE.NET 5.0 operating system, most current applications should be compatible with the TouchPC Raven for years.

## Retirement for man with 'oil in his veins'

John Brown of Brown's of Burwell retired at the age of 66 this summer after a lifetime in the industry.



John Brown

Philip Symonds has taken over as manager.

Retirement has been busy for John so far, with an imminent house move that will take him nearer to two of his grandchildren. Then, there's the 28-handicap to improve, tennis and gardening.

But it is also a major change for a man who has run a very diverse company with a garage, distribution business and removals business.

"It was rather an abrupt end," says John, "because it was so hectic right up to the eleventh hour."

The company was started by his grandfather in 1930, then run by his father and, from 1984, managed by John. Although the business has now been sold to NWF, there is still a family connection – John's son-in-law

"I think I must have oil in my veins," he says. "This is an industry that gets hold of you to a certain extent. In what other industry does your price change on a daily basis! With the FPS conferences and through Total, I've got to know a lot of people over a long period. There's never been a dull moment and I'm sad to have left it."

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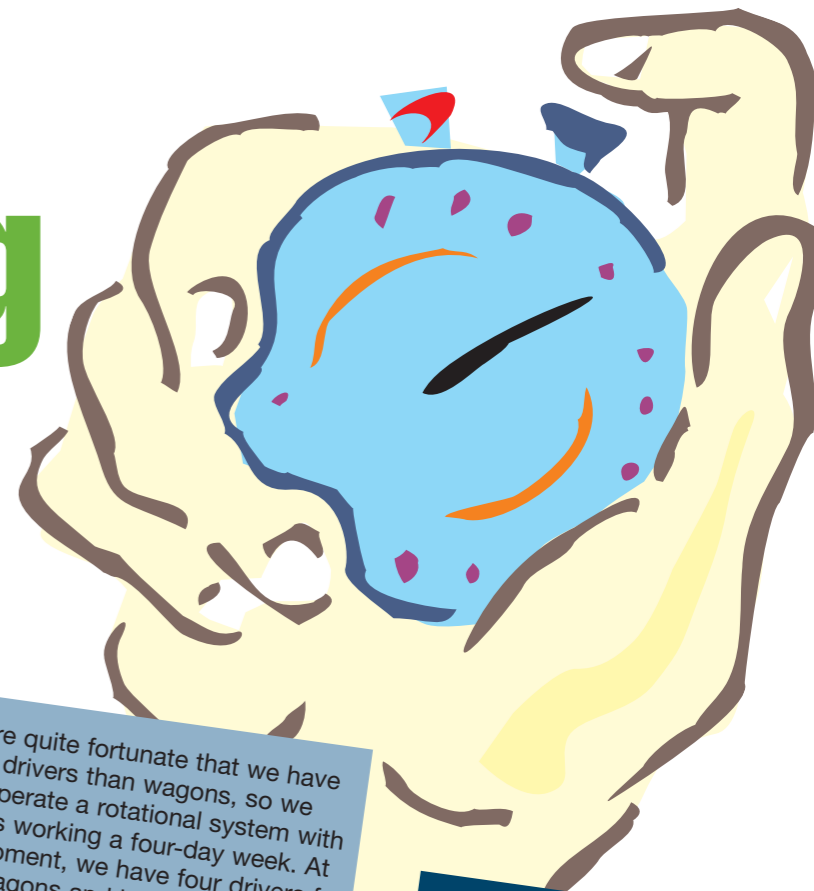
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How will FPS members cope with the drivers' hours restrictions imposed by the Working Time Directive when things get busy in the bad weather of winter? Here's what they told Downstream:

# Are drivers' hours restrictions driving you daft?



"We run a January to June and then July to December reference period and monitor hours closely. I'm happy to say that the 48-hour average doesn't cause us any grief. We've got one driver who's slightly over at the moment, but we can cope with that by giving him a day or two off.

The 60-hour maximum, though, will be a problem when we start to get busier in the run-up to Christmas. It's the classic profile for the industry. During December and January, we want to work Saturdays as well and working hours are a big factor in deciding who we bring in for that extra work. Last year, we had to tell some drivers that they could come in on Saturday, but had to come back to the depot after four hours. We couldn't let them work all day.

These seasonal pressures are made worse if there's bad weather that makes us behind with deliveries. We'd hope that the government would make dispensations if severe weather made the situation difficult."

**Ian Richards,**  
AID Fuel Oils Ltd, Cannock

"We don't have much of a problem at all. We don't push our drivers too hard so they never stretch the limits. Our depot manager monitors the hours every day, but we simply send people home earlier in the summer and make sure we don't exceed the time in the winter.

I'm not the only one who wants a home-life. Perhaps I'm one of the kinder employers. I don't want to work weekends so I don't see why anyone else should."

**Simon Barnard,**  
Opie Oils, Redruth

"We download the paperwork and our drivers keep an eye on their own hours too, but we know that they'll be pushed to the limit of their hours by the end of the winter. It goes from one extreme to the other. We're going to have to put another truck on the road to meet the demand.

Drivers do keep within their tacho rules, but it all depends on whether you space the six months correctly. We chose July to January – even so, we were right at the limit last year. The rules for what makes us a period of availability (POA) are vague so that doesn't help. It's all just more legislation that we could do without.

We look after our drivers and fleet and don't run dangerously. At the end of the day, you can only ask drivers to work so many hours before they start grumbling that they're not seeing their families and that they're exhausted. So it's fairly self-regulating."

**Nick Adamson,**  
Ackerman and Niece,  
Chipping Norton

"We take on another driver for the winter period and don't allow holidays, but actually we don't have very much seasonal variation because we supply farmers. In fact, we actually have more problem over the summer, covering for school holidays."

**David Booth,**  
Noel Booth and Sons Ltd, Wigan

"We run our reference period so that we get three busy months and three quieter. In theory, that means that we split the busy times over separate periods. It doesn't always work out that way, though. Last year we struggled immensely because of the unusual cold and the Buncefield fire. We tried very hard, but couldn't always stay within the limits.

We did take on another driver last year, but the limits are only slightly too tight for us, so we can't justify another. Besides, there are rumours of a rise to 56 hours rather than 48. We just need a bit more leeway.

Drivers read the papers and see that mainland Europe doesn't seem to be as strict, so they think we're trying to cap their wages and stop them from working."

**Simon Fitton,**  
Crown Oils, Bury

We could always see that this six-month method was going to be difficult and that's why we were so anti it. We've tried various systems for our 28 drivers, but now work on a quarterly basis, averaging out the hours over that time.

We tend to work it that drivers have a five-day week, but we are always going to need drivers on Saturdays, so there is time off during the week. Sometimes we might be fractionally over the hours and sometimes under, so it averages out.

So many businesses are seasonal – it's just that ours is more seasonal than most."

**David Hindmarch,**  
Chandlers Oil and Gas Ltd,  
Grantham

We don't work weekends and rarely work outside drivers' normal hours, so drivers work more or less the same hours all year round. We don't allow holidays during the winter period, though.

We have six trained drivers and four lorries – though we're waiting for a fifth – which means we have drivers in reserve if we're ever stretched. It's been a prolonged summer, but it's starting to get busier now. The way we work means we don't need to flout drivers' hours."

**Brian Beach,**  
Northern Oil Co Ltd, Nottingham

"We have a system where the driver fills in daily logsheet which is checked against the tacho and then entered into a small computer programme I wrote, which gives me spreadsheet information about all our drivers' hours and averages.

We work on a 26-week period and, I have to say, that if you're a bit clever, the 48-hour average isn't a problem. The big issue we have is with the 60-hour cap. I can look at the spreadsheet and see we have one driver whose average is 39 hours, but if we get a sudden cold spell – even though he's well under the limit – he still can't work more than the 60. Then, of course, we could also end up clashing with the European regulations. It's complex.

We've just installed digital tachos which work a similar system automatically, but we can't replace all of them until the lorries need to be changed, so I'll be operating the systems in parallel."

**Mike Buy,**  
Minster Fuels, Wimborne

"We're quite fortunate that we have more drivers than wagons, so we can operate a rotational system with drivers working a four-day week. At the moment, we have four drivers for four wagons and have to be a bit careful, but as we get busier, we'll have an extra driver. Hours aren't a problem for us."

**Clifford Cox,**  
Charter Fuels Ltd, Richmond

"As well as being Operations Manager, I'm a qualified tanker driver. It means I can go out and cover out-of-hours deliveries if necessary. We have a boat that comes in at midnight, for example, and I deliver the fuel for it.

Recently, we got a call at 8pm from a hotel that had 80 pensioners staying and had run out of oil. I was able to pick up a truck from one of our drivers and deliver the oil.

Our drivers, though, work to the set hours – 7am to 3.30pm. The days have gone when you can do it any other way. We want our drivers to take time off when needed and stay fresh. That's important when you're delivering to domestic customers.

We advertise a 24-hour service, but we try to steer people to daytime deliveries. We do get people calling at 1am on a Sunday morning to pay their bill!"

**Matt Barnes,**  
Grampian Fuels Ltd, Aberdeen

"I looked at our drivers' hours and really found that they don't do enough to bother with the reference periods. They work from 8am to 5pm, have breaktimes and get weekends off."

**Matt Pilkington,**  
Pilkington Fuels, Chorley

"We use a six-month period from July to the end of December and then from January through to the end of June. We did this last year and it worked out OK. A couple of the guys were very tight, but we managed. Overall, we've found it a lot better than we expected. We'd still prefer it over a 12-month period – that would work a lot better and there would be more flexibility.

We have 60 drivers, but we don't use as many over the summer. The problem with bringing in seasonal drivers for the winter is that they haven't accumulated any hours. That makes it difficult from now until December when, for example, we can't use them on Saturdays because they haven't got the hours in."

**Ray Fowler,**  
George J Goff Ltd, Norwich

**Pages 18-21 of this issue of Downstream carried an article by Fred Pearce, © New Scientist, entitled Fuel's gold: Big risks of the biofuel revolution.**

**At the request of New Scientist, we have withheld publication from this internet-based issue of Downstream.**

**Should you want to read the article in the print version of the magazine, please phone the FPS office on +44 (0) 1565 631313.**

## TOTAL Lubricants win Biffa contract

TOTAL has won the contract to supply all the lubricant needs for Biffa, one of the UK's leaders in integrated waste management specialising in household waste collection, landfill and treatment services.

The two-year tender contract involves the supply of up to one million litres of oil for Biffa's 1650 vehicles across 120 depots nationwide.



## Turnkey specialist moves up a gear

Gilbarco Veeder-Root has appointed Martyn Gent, former Business Development Director at Triscan/Meggitt Petroleum Systems, as the UK Manager of Gilbarco Veeder-Root Commercial Fuelling Solutions. Gent heads up a Commercial team comprising Adrian Asson, Major Account Manager and Steve Gain, Installation and Project Manager. The three have a combined total of more than 60 years' experience in the sector. Gent is supported by a new product development team and around 220 field service and installation engineers, 14 of whom are commercial specialists.

Commercial Fuelling Solutions claims to be the largest specialist in its field, providing turnkey solutions to the commercial fuelling market. Best known for its fuel dispense equipment, tank gauging and environmental monitoring systems, Gilbarco Veeder-Root also supplies the Commercial sector with FMS, PPG2 compliant bunded tanks, environmental, legislative and HSE site compliance surveys.

## Tank level alerts via phone or email



The OCIO GSM is the third generation of the market leading self calibrating digital tank contents gauge from Piusi. It has been designed to respond to the demand for remote monitoring of fuel tanks by sending either a text message to a mobile phone or an email to a specified address.

The OCIO gauge itself is designed for use with a wide variety of fluids and works by detecting the static pressure generated by the height of the fluid in the tank. As the unit is self-calibrating, it can be re-used if a tank is replaced simply by inputting the new tank sizes. The OCIO GSM can control up to eight OCIOs and provides instant tank level readings. The unit can be set to send one or more messages when a tank is showing high or low level or regular readings at pre-set intervals. The system allows for the unit to contact a supplier or tank manager to either arrange for a fuel delivery or the emptying of a tank full of waste fluid long before it becomes a site issue, so providing savings through efficient logistical organisation. The OCIO can also be connected to a computer via a data cable, with a software package that can control up to 12 OCIOs. Piusi therefore offers a complete package for monitoring local tanks or remote sites. Piusi say the OCIO gauge is the cost effective way of ensuring high accuracy tank monitoring in the 21st century. Available from CTS.



## Millers motor to more mpg

Millers Oils has launched a new high performance diesel fuel treatment, Diesel Power Sport 4, which provides enhanced combustion efficiency, especially in Euro IV compliant engines.



Millers says that, when added to fuel, Diesel Power Sport 4 enhances engine performance by boosting Cetane levels by around 4 points, at the same time as providing wear protection, improving throttle response and reducing emissions. During trials, average mpg returns rose by around 7%.

## Piusi boxes clever on fuel delivery

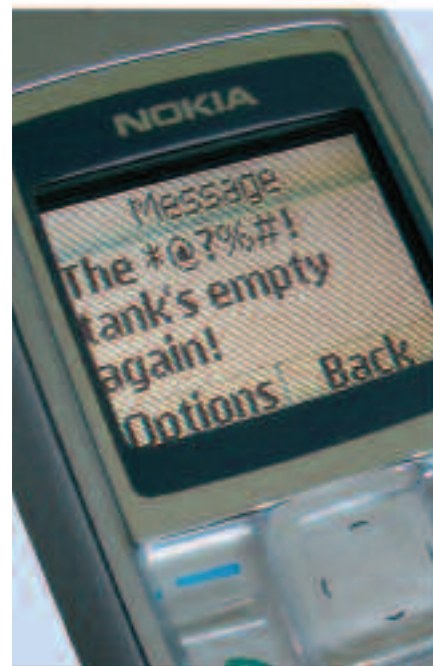
With the launch of the MC BOX, Piusi, the innovative Italian manufacturer has again produced a high quality, affordable product. The MC BOX is the safest way to lock a fuel tank, as it relies on Personal Identity Numbers to access the fuel. Each user is given a PIN, and up to 80 PINs can be in use at any given time. The MC BOX therefore allows for a fuel station to be unmanned and in operation all year round. Like most electronic systems, the MCBOX relies on a pump to dispense the fuel. As long as a pulse meter is fitted into the line, it can be retrofitted into an existing pumping system, so saving the operator money. The unit can handle a variety of products such as diesel, petrol, raps oil, oil and urea. It can store data for the 255 most recent transactions, including the total consumption per user within a defined period. It accepts registration numbers and records the date and time of refuelling, all of which can be viewed on the control panel. Like most Piusi products, users can upgrade the basic system at any time. The most common upgrade would be to make it into a fuel management system whereby data is downloaded via a key reader to a computer, with dedicated software providing operators with a complete and printable historical record of user



transactions. Users then have the option of either using a user key or a PIN to access fuel. Another common option is to link an OCIO tank level gauge to the unit to protect the refuelling pump. At low level, the OCIO will switch the pump off to prevent possible damage. Available from CTS.

# When will you get the message?

TANK MONITORING AT YOUR FINGERTIPS BY E-MAIL OR TEXT MESSAGING



How do you know what's left in the tank when you're off site or have several sites to cover? Call the OCIO GSM. Or receive text messages or e-mails.

OCIO GSM, made by fluid handling specialists Piusi, is a simple, compact device that can send a text message to your mobile phone or an e-mail to your laptop, wherever you are.

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## ABSORBENT TO MEET LANDFILL GUIDELINES

BioCat™, a new absorbent from Darcy Products, has been formulated in line with the guidelines of the EU Landfill Directive to provide a quick, safe, environmentally friendly means of dealing with small spills of petrol, diesel and oil on forecourts, garages, workshops, parking bays, loading points etc.

Under EU Landfill Directive Article 6(a) all hydrocarbon waste, which includes used absorbents, clay granules etc., must be pre-treated before being sent for landfill. Darcy says BioCat, an organic product, possesses an inherent ability to biodegrade, making the treatment process simpler, quicker, more economical and in some case eliminating it altogether.



It claims BioCat is effective on both porous and non-porous surfaces. Used on concrete, BioCat leaves a residue-free surface as well as instantly suppressing noxious or hazardous vapours. On porous surfaces BioCat prevents or limits penetration, is harmless to plant life and limits risk of ground water contamination.

Lightweight and capable of absorbing up to 10 times its own weight in contaminants, BioCat is available in 20, 100 or 210 litre containers or incorporated into the extensive range of Darcy Products emergency spill kits. Contact: Darcy Products Ltd Tel: 01732 843131 Fax: 01732 525500 Email: enqs@darcy.co.uk

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# AdBlue and SCR questions answered

From 1 October this year EURO 4 commercial vehicles with SCR technology (Selective Catalytic Reduction) have been entering UK fleets. These vehicles need a product known as AdBlue to operate.

What is AdBlue? How does SCR work? And how best to store and dispense AdBlue. These are questions being asked on a daily basis.

## What is AdBlue?

AdBlue is the trade name for an aqueous solution of urea. It is a reducing agent that is stored in a separate tank on the vehicle and injected into the exhaust stream after the turbo charger. AdBlue then converts harmful nitrogen oxides into nitrogen and water in the catalytic converter.

## What is SCR and how does SCR work?

SCR (Selective Catalytic Reduction) is one of two methods available for achieving the EURO 4 standard on commercial vehicles over 3.5 tonnes. All new commercial vehicles across Europe must now meet the EURO 4 standard.

The other method available, EGR (Exhaust Gas Recirculation), re-circulates the exhaust gases to meet the

standard and does not require AdBlue. EGR has been adopted by MAN and Scania, although both these manufacturers also offer SCR versions of these vehicles. When EURO 5 is introduced in 2008 the only way at present to meet the even lower emission standards is SCR.

SCR works by injecting AdBlue into the exhaust stream, where it goes through a process of hydrolysis. The ammonia molecules dock in the catalytic converter and when the harmful nitrogen oxide molecules connect with the ammonia molecules, a chemical reaction converts the nitrogen oxide into nitrogen and water.

An SCR vehicle running without AdBlue will be electronically rev-limited and will run at reduced speed. It is a prosecutable offence to run without AdBlue as the emission levels return to very high pre-EURO standards levels. Fines can be imposed on operators who are found to be not using AdBlue in EURO 4 SCR vehicles.

## How best to store and dispense AdBlue?

It is critical to ensure that AdBlue is not contaminated in any way before it enters the catalytic converter on the vehicle. Any contamination from contact with unapproved metals or materials could damage the catalytic converter and result in

vehicle breakdowns and expensive off road time and repair bills. AdBlue also needs to be kept at temperatures above minus 11.5°C and below 30°C to avoid freezing and hydrolysis respectively. The inclusion of insulation and fans within the bund ensures that the temperature is controlled and that condensation and potential contamination is not an issue.

Titan Environmental has developed its BlueStore range of tanks specifically to store and dispense AdBlue. Over three years of development work and testing has gone into the BlueStore range, working with major AdBlue manufacturers across Europe to provide a storage and dispensing solution that meets the specific requirements of AdBlue. It's important to realise that Adblue tanks are a world apart from oil tanks or other storage tanks. They are specialist products designed specifically for Adblue.

For more information on BlueStore from Titan, which includes options ranging from the mobile 430ltr Truckmaster to the large BlueSteel tank range, contact Titan's Adblue manager Scott Lorraine on 07774 216266 or email [Adblue@titanenv.com](mailto:Adblue@titanenv.com)



One of Titan's AdBlue BlueStore range

## DESO breaks £4m barrier

Back in 2001, tank manufacturer DESO Engineering was turning over £800,000. This year, the company, which has recently joined the FPS, broke the £4m barrier.

"We've grown considerably," says director Nick Hawkins, whose brother Tim is MD of the firm. "We're supplying a quality product at a competitive price."

One of the factors behind DESO's success is that the company manufactures its own tooling and machines.

"This allows us to develop and manufacture new products very quickly," explains Nick. "This year, we've launched five new models and the best-seller has been a slimline bunded tank – the narrowest on the market." It measures just 60cm wide.

Based in Somerset, the company started back in 1984 as general

steel fabricators for the agricultural industry. Two years later, they produced their first metal oil storage tank and, by 1992, were working exclusively for the oil storage sector.

At that time, they began distributing plastic tanks and recognised the potential for producing their own. In 1996, they opened their plastic moulding facility. Last year, the company moved to its new 20,000 sq ft purpose-built factory in Williton – a £1m investment in premises and equipment.

DESO already offers a collection and recycling facility for customers whose tanks need replacing, but expects recycling to become a bigger part of its business in future years. It has just bought a moulding company that produces a range of PET products, opening up routes into new markets.



DESO's ultra-slim SL1000-B

"Most FPS members are already our customers or are potential customers," says Nick. "We feel that the FPS has interests of the industry at its heart and, by joining, we can find out what's good and bad about our products – and other products out there – in a more direct way." [www.desoengineering.co.uk](http://www.desoengineering.co.uk)

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## Fuel Points ideal for bespoke installations

Complementing Harlequin's Fuel Station range of diesel storage and dispensing tanks are two new 1400 litre and 2500 litre Fuel Point models (right).

The Fuel Points share the compact, space-saving design of their Fuel Station counterparts and successfully combine this with a robust, 'no frills', fit for purpose specification. The result is ideal for smaller diesel storage installations which do not need the features of the Fuel Station range.

Each Fuel Point is supplied with 240 volt pump, fuel resistant delivery hose and automatic trigger nozzle, safely and securely contained within a lockable bund. Additionally, installers can choose from extras including electronic tank contents gauge, bund warning alarm and a choice of overfill prevention devices.

According to Harlequin's John Switzer: "Customers have been quick to appreciate the inherent flexibility offered by the Fuel Point concept. By being able to choose which items of



ancillary equipment they do and do not fit to each tank, they are better positioned to tailor a fuel storage solution to their own requirements."

Harlequin has further extended the concept of customer choice with the advent of a new 'Contract' range of bunded tanks. Designed primarily for storing heating oil, the Contract range consists of 1100, 1450 and 2700 litre capacity models, complementing the company's existing range of standard bunded tanks.

Supplied with factory fitted bottom outlet and fill, inspection and vent points, customers can also choose from a comprehensive range of ancillary equipment which includes electronic tank contents gauge, tank fitting kit, bund warning alarm and a

choice of failsafe and non-failsafe overfill prevention devices.

"Installers have been quick to appreciate the new additions to the Harlequin range, which have been designed from the outset to afford them and their customers greater choice. They are ideal for non-standard installations, where the added-value benefits of Harlequin's Standard Bunded range may not be required," said John.

## Harlequin's 25<sup>th</sup> birthday holds silver lining for trees charity

Harlequin Oil Tanks, is celebrating its 25<sup>th</sup> birthday by embarking on a year-long partnership with the Woodland Trust, the charity dedicated to conserving native woodlands.

Until 31 March 2007, a tree will be dedicated to the Woodland Trust for every Harlequin bunded tank, fuel station, SCR urea storage tank or waste oil tank sold. The trees will be dedicated at sites in England, Northern Ireland, Scotland and Wales. Similar arrangements are being made for Harlequin tanks sold in the Republic of Ireland. Harlequin's Managing Director Brian McCann said: "Having pioneered environmentally responsible fuel storage for 25 years, we are delighted to celebrate our Silver Anniversary in partnership with the Woodland Trust. As a result, a minimum of £25,000 will be donated to the Woodland Trust to mark our 25<sup>th</sup> birthday."

The Woodland Trust's Sue Lockwood said: "Dedicating trees is a great way

to mark a significant event or anniversary. Woods are crucial to sustaining life on our planet. Thanks to the support of Clarehill Plastics we will be able to care for and manage these important habitats for years to come."

Established in 1981, Clarehill Plastics has grown to become a top manufacturer of rotationally moulded storage containers, under the Harlequin brand. Today's Harlequin range includes over 70 different models in capacities of up to 10,000 litres. The Northern Ireland based company supplies customers throughout the UK, Republic of Ireland, Channel Islands and Isle of

Man and exports to mainland European markets, including Belgium, Denmark and France.

The Woodland Trust is the UK's leading woodland conservation charity. Established in 1972, the Trust aims to stop any further loss of ancient woodland; to restore and improve the biodiversity of woods; to increase new native woodland; and to improve people's understanding and enjoyment of woodland. The Trust today has 300,000 members and supporters and has over 1,000 sites in its care covering approximately 20,000 hectares throughout the United Kingdom. Access to its sites is free.



# FPS prods Ireland on lack of oil plans

FPS has sent a comprehensive submission to the Irish Government in response to its request for comments on its Green Paper, *Towards a sustainable energy future for Ireland*. FPS lobbies hard to encourage the government to make proper provision for oil and think hard about the less beneficial effects of biofuels.

The Paper considers issues of energy supply, environmental sustainability and economic competitiveness and the need to achieve the EU's greenhouse gas emissions targets.

Within the EU commitment to reduce greenhouse gas emissions to an overall 8% below 1990 levels, Ireland must limit the growth in its emissions to 13% above the 1990 levels up to 2012, i.e. an average of 63Mt CO<sub>2</sub> equivalent per year at the most. This will require a substantial reduction from now on as emissions for each year since 2000 have been well above this level. The latest figures available, for 2004, are almost 68.5Mt, with the transport sector responsible for the greatest increase.

Ireland's continuing heavy dependency on imported fossil fuels, its need to invest in energy infrastructure, the lack of agricultural land available for growing biofuel feedstock and the statutory prohibition on the use of nuclear fission for electricity generation leave its Government with a dilemma on how to achieve its targets.

Here are some of FPS's views:

### Securing the energy supply

The Irish Government's approach to ensuring the necessary infrastructure for energy supply to homes and businesses is remarkably similar to the UK Government's approach in its Energy Review: energy supply infrastructure = gas and electricity. It seems to have totally overlooked the need for a robust oil infrastructure!

Ireland does not have the oil pipeline network that the UK has, and only a single refinery. This makes it all the more important that there is sufficient storage throughout the country with good road connections for onward distribution. Proposals such as that by Inver Energy to construct a new deepwater oil terminal in the Shannon Estuary at Foynes should be supported.

### Gas oil and kerosene

Had Ireland experienced the sort of fuel protests that occurred in the UK in 2000, the Irish Government might better appreciate the vital part that distributors play in the supply of fuel to both domestic end users and businesses.

It is not only transport fuels that are important to the functioning of the country; gas oil and kerosene are essential for power and heating. The work of distributors in ensuring supply of these products to end users needs to be supported in any sustainable energy plan.

Whilst distributors may only have limited storage capacity at their depots, these supplies can be vital in ensuring product availability in emergencies.

### Independent forecourts

Similarly, the position of independent forecourts is vital. Unfortunately, however, these sites are finding it increasingly difficult to compete since the supermarkets entered the market,

driving down road transport fuel prices to a level often at or below cost. This makes it uneconomic for independent sites to trade as, unlike the supermarkets, they are unable to cross-subsidise from other activities. Many now take smaller deliveries as they can no longer afford to keep their storage tanks full. In any emergency, it is vital that these sites have maximum stock to ensure that maximum product is available throughout the country.

The Government should be giving these sites as much assistance as possible, not only to remain open, but to remain viable and with their tanks fully stocked.

### Compulsory stocking

The Green Paper also raises the position of the compulsory oil stocking obligation, which is currently under review. The Government believes that the volumes of NORA-owned (National Oil Reserves Agency) strategic stocks held in Ireland should be maximised, having regard for storage availability and value for money. This seems sensible if supplies are to be readily available in an emergency.

But what about strategic gas supplies? In view of the dependence on gas - natural gas accounted for 73% of the Republic's primary energy use in 2004 - should not the Irish Government be considering a compulsory stocking obligation on gas importers?

### Environmental sustainability - the biofuels fallacies

The article 'Fuels gold' on page 18 of this issue of Downstream explores some of the huge drawbacks of biofuels. They may not be the green fuel fix that governments would like to think. Careful reflection must be made on the effects at global level of an all-out push to move transport to running on biofuels. This initiative is looking increasingly likely to impact adversely in ways that were not anticipated by the EU - environmentally and socially.

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Left to right, John Hardman MD of Countrywide Farmers, Sir Ben Gill and Andy Stevenson of Energy West Midlands

# FPS wins grants breakthrough on forecourt training

## Farmers' energetic 50th

Guests from businesses across Worcestershire and beyond joined energy industry representatives among some 100 people at a champagne reception to mark Countrywide Farmers' 50 years in the energy sector. Countrywide Farmers Managing Director John Hardman said: "We are now serving approximately 26,000 customers with our energy products and delivering some 60 million litres of fuel each year, and this figure is continuing to grow." Guests listened to keynote presentations by NFU President Sir Ben Gill and Andy Stevenson from Energy West Midlands on current energy based issues, as well as listening to the singing talents of Beth Harris from the Countrywide Farmers Energy team, and music from The Celebration String Quartet.

## Adler expands through acquisition

Environmental clean-up specialist Adler and Allan has acquired the business and staff of Cerva Limited, a division of Conder Environmental plc. The business becomes the Separator Services Division of Adler and Allan, providing separator commissioning and servicing, alarm installation and structural surveys and repairs.

"The integration of the business into the Adler and Allan Group continues our strategy of offering a comprehensive range of related industrial and environmental services on a nationwide basis," said Henry Simpson, Group Commercial Director.

## FPS prods Irish government on oil strategy

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Food processors are already complaining that the price of feedstock for margarine has increased, pushing up the price to the consumer. Whilst this may not be of such dire consequence in the developed world, the effect on poorer nations must be considered.

Ireland is unable to produce sufficient indigenous feedstock to meet the EU Biofuels Directive obligation. It will therefore have to import biofuels, which may well have an adverse effect on rainforest and other ecologically important areas that are being cleared in order to grow biofuel crops to meet demand. The example of Indonesia's plans to convert 1.8 billion hectares of

The Rural Enterprise Gateway (REG) has approved the FPS training scheme for forecourt operators as eligible for funding.



REG is a support service aimed at helping rural businesses develop. It is offering to reimburse half the cost of the training programme to employers of successful candidates. While the offer is currently only available to businesses in rural Cheshire, Warrington and Halton, FPS hopes that equivalent grant-awarding bodies in other regions will also recognise its scheme, taking a lead from the REG.

Forecourt businesses within the REG catchment area that would like to take advantage of the grant should contact FPS office so that we can check on

their eligibility. The offer is only open to candidates who pass the course before the end of September 2007, so businesses need to act now. The FPS

Forecourt Operator Training Scheme is a full learning programme for forecourt retailing employees, covering all aspects of working safely and in compliance with legal requirements. The programme is IOSH accredited and assessed and, on successful completion, employees are awarded a Vocational Related Qualification – 'Working Safely on Petrol Stations'.

The training scheme was originally developed by the Petrol Retailers' Association with technical input from the PRA's Technical Director and checked and confirmed by senior representatives from Petroleum Licensing Authorities. It provides full evidence to the enforcement authorities of training carried out covering safe working practices and compliance with legal requirements. It also provides permanent reference materials for individual employees after training has been completed.

More details from FPS office – office@fpsonline.co.uk or telephone 01565 631313

forest to growing palm is given in 'Fuels Gold'. Feedstock and biofuel imports should not come from places where growing them has caused adverse social or ecological effects.

It is questionable whether the use of biofuels in road transport is the best use of the fuel: it can be more cost effective and environmentally beneficial to use energy crops to generate electricity. There are also a number of problems regarding 'housekeeping' of biofuels, due to the hygroscopic nature of biofuels and oxidation. There has already been at least one insurance claim relating to water in biodiesel. Bioethanol has similar storage limitations, but is completely miscible with water, so water contamination/condensation will not be immediately

noticeable in a petrol blend. It is essential that these problems are resolved before transport biofuels are introduced on a wide scale in Ireland.

### Other difficulties

Energy demand in Ireland is forecast to grow 2-3% annually up to 2020, with continued heavy dependency on imported fossil fuels and a need to invest in the energy infrastructure. This situation is made more difficult by unique features such as a relatively small market, low levels of interconnection and limited indigenous fuel supplies. It will be interesting to see the difference between ideals and reality when the Irish Government tries to implement a strategy for a sustainable energy future.

**NORTHERN IRELAND**  
Regional Representative  
David Meekin, Meekin Fuels  
Tel: 02894 432417

### Cross contamination

At the last Customs & Industry forum in Belfast in March, the cross-contamination issue was discussed yet again. Although Customs have produced guidelines for their officers and distributors for dealing with an accidental contamination and dealing with the contaminated product, concern was voiced by industry about the lack of guidance available for officers when confronted by contamination caused by delivery through the wet line system. How should the officers treat the situation when the delivery has been made by a company adhering to the FPS Code of Practice, as opposed to one which has not?

Paul Gerrard, who headed the Oils Fraud Strategy at the time, assured the meeting that, where distributors stick to the Code, in the event of a minor contamination they would not receive punitive action and the wording in HMRC guidelines would be amended to address these concerns. He indicated that this should be ready for consideration by FPS Council in April. It wasn't and we are STILL waiting to see the revised guidelines.

### Healthy tanker sales in Northern Ireland

There seems to be a healthy demand from the local market for new vehicles. Local tank and equipment builders have indicated a strong market and responded accordingly. The increased demand in the rest of the UK has led to waiting lists of up to six months from tanker manufacturers. Local manufacturers have been quick to respond and capitalise on it. It is essential that companies planning fleet updates are aware of this situation and schedule new vehicles well into the future.

**NORTH WEST**  
Regional Representative  
David Hodge, Ribble Fuel Oils,  
Tel: 01772 337367

The news that Customs was revising Notice 192, which implements the details of how the RDCO scheme

# Regional

# Roundup

FPS holds meetings around the country to enable its members to network. Ring Margaret Thornley at the FPS office, 01565 631313, to find out when and where the next one is due in your area, or check on the website, www.fpsonline.co.uk

operates, brought hope to distributors. After all, the burden that this legislation places on the legitimate trade compared with the simple filling in of nine boxes on a VAT form is completely out of proportion when the astronomical level of VAT fraud is taken into account. Might the irritating, time-consuming minutiae of the RDCO scheme be relaxed? No. Our hopes were dashed when the draft that was circulated for comment proved to be a tightening of the scheme, with even more requirements to be put in place. Where was the relaxing of the need to check postcodes and VAT numbers (how, when you are reliant on the customer for this?). Where was the return of the 'light touch' enforcement? Where was the news that Customs would circulate notice of withdrawn and changed RDCO numbers by email to help distributors with checking validity? Nowhere to be seen. Instead, additional duties and reminders about penalties and sanctions are peppered throughout.

Most concerning to distributors is the new requirement for drivers to give written confirmation for every delivery to a domestic premises. It is unreasonable for drivers to have to identify 'domestic' deliveries. Whilst it may be obvious when delivering to an ordinary house, there are many other properties in the domestic category that a driver could not be expected to recognise as classified as domestic.

For example, there are non-business charities, hospices as opposed to private hospitals, private nursing homes as opposed to private hotels, tanks located next to a domestic house adjacent to a business, etc etc. The driver will also not know if a user has been supplied

with more than 10,000 litres in the last year, unless there are further software changes – meaning, of course, more costs to the legitimate trade.

Drivers are already expected to carry out checks on tanks on behalf of the environmental agencies, the Dept of Communities and Local Government (responsible for the Building Regulations), HSE etc. The burden on drivers and the breadth of knowledge now expected of them is too great.

Another major change is a requirement to report suspicions on a form. This is a retrograde step. It may be useful to have a standard form in some circumstances, but many distributors make less formal reports of their suspicions directly to their assurance officer. Requiring them to fill in a form will make them reluctant to report what may seem more nebulous suspicions, with a result that HMRC will receive less information than at present.

Realistically, the RDCO scheme has reduced oils fraud simply by its very existence. Imposing more duties on distributors will make no difference to the level of fraud. It will simply cause further deterioration of relations between HMRC and the legitimate trade.

**SCOTLAND**  
Regional Representative  
David Todd, Gleaner Oil and Gas  
Tel: 01343 557400

At the last Scottish Regional Meeting on 26 September 2006, the guest speaker, Dom Biccchi, HM Inspection of Health & Safety for the Hazardous Installation Directorate, gave a detailed, eye-

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opening and thought-provoking update on the work done post-Buncefield and its potential impact on the fuel distribution industry.

While at present it is not likely that legislation will be changed, it is clear that certain industry standards will be rewritten and the interpretation and policing of these standards tightened.

A few weeks later, I attended a meeting at Grampian Fire Service where the Chief Officer and Deputy Chief Fire Officer of Hertfordshire gave a presentation on how they tackled the Buncefield fire, together with the main factors that influenced the way the events progressed.

Taking the message from both these meetings and what has already been discussed in the industry, potentially, by this time next year, those distributors storing fuel will all be working in a new environment that will have come about because of a reaction to the Buncefield incident. Hopefully, this will lead to what all companies and interested parties of this industry want, which is to maintain and increase the level of safety in our industry while providing a commercially acceptable product to our customers.

Finally, can I draw attention to the FPS website at [www.fpsonline.co.uk](http://www.fpsonline.co.uk) One member noted there is a new facility on this website called 'Click Here to Find Your Local Oil Supplier'. I had not been aware of this, although on checking I was informed the FPS issued information on how to get your company's details on their website 12 - 18 months ago (*I sometimes struggle to remember what I ate for dinner last night, so I am unlikely to remember this - and now it is up and running!!*) Can I therefore advise that, if you wish your company's name to appear as a supplier in particular geographical postcode areas, you should contact the FPS in order to obtain details on how this is done.

From Scotland, as we are now at last coming into more seasonal weather, can I wish everyone a cold winter and hope they are not too busy to come to the next Scottish meeting in Perth on 23 January 2007.

**YORKSHIRE**  
Regional Representative  
Andrew Wells, Total Butler  
Tel: 01977 603363

At the latest regional meeting, FPS members were delighted to welcome Mark Calvert, MD of Adler & Allan, the specialist oil and environmental services group. Mark gave a very informative

presentation on the aftermath of Buncefield and an overview of the way in which all the players involved worked together to control and then deal with the consequences of the explosion. One amazing fact was the volume of water, oil and foam that has had to be recovered. It is currently held in storage awaiting a decision from the relevant parties on a safe way to dispose of this contaminated product. It contains PFOS, a by-product of the foam, which has to be treated down to 3 parts per billion before it can be disposed of. The resulting discussions highlighted the need for all distributors, however large or small, to risk assess and check and double check that their depot procedures and systems are robust.

Talk at the meeting then turned to legislation and the increased volume of red tape, which continues to concentrate the distributor's minds and time. However, with the continued mild weather, so far, the Working Time Directive has thankfully not proved to be the burden that distributors had feared.

Although still viewed as a cost and time consuming exercise, the RDCO scheme had appeared to have succeeded in cutting off supplies to the fuel launderers, with no Yorkshire-based distributors reporting any illegal activities.



## Mechtronic settling in to new larger premises

Fuel oil distribution vehicle systems specialist Mechtronic reports a successful relocation to larger premises near Leeds city centre.

The company has secured a modern 6000 sq ft. steel portal frame building comprising generous office space along with a large workshop and stores facility within easy reach of M1/M62 motorways. Mechtronic says the premises will provide an excellent base to further develop existing products and launch brand new and exciting products dedicated to the fuel oil distribution market.

Since Mechtronic was established just over two years ago it has secured orders for over 200 vehicle systems. It attributes its success to innovative design backed by strong support for customers.

New contact details: MechTronic Ltd,  
15 Lower Wortley Road, Wortley, Leeds LS12 4RY  
Tel: 0113 279 9661 Fax: 0113 279 9662,  
web: [www.mechtronic.ltd.uk](http://www.mechtronic.ltd.uk)



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To find out more, visit Harlequin Online at [www.oil-tanks.co.uk](http://www.oil-tanks.co.uk)



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