

S.I. No. 271/2011 — Environmental Protection Agency Act, 1992 (Registration of Coal Bagging Operators and Fuel Suppliers) Regulations 2011.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 10th June, 2011.*

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 6 and 53 of the Environmental Protection Agency Act 1992 (No. 7 of 1992), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Environmental Protection Agency Act, 1992 (Registration of Coal Bagging Operators and Fuel Suppliers) Regulations 2011.

Entry into Force

2. These Regulations come into operation on 7 June 2011.

Definitions

3. In these regulations:—

“Agency” means the Environmental Protection Agency established under section 19 of the Environmental Protection Agency Act 1992 ;

“bagging operator” means any person or body who or which carries out the business of bagging coal for residential supply within the State

“bituminous coal” means coal falling within CN Code 2701 12 placed on the market for residential heating;

“fuel supplier” means any person or body which wholesales, supplies, or solely or mainly retails, bituminous coal in the State in a given year.

Registers

4. (1) The Agency shall establish and maintain registers of each bagging operator and each fuel supplier and shall issue a unique registration number to each bagging operator or fuel supplier registered.

(2) The Agency may charge a fee which shall be no greater than the amount which the Agency estimates it will incur in, or in connection with, establishing and maintaining registers under Regulation 4(1).

(3) The Agency may refuse to register a bagging operator or fuel supplier where the Agency is not satisfied that the sulphur content specification for bituminous coal as prescribed by Regulations made under the Air Pollution Act 1987 (No. 6 of 1987) is being complied with by the applicant.

(4) An authorised person may carry out or cause to be carried out inspections for the purposes of ensuring the compliance of bituminous coal with the sulphur content specification as prescribed by Regulations made under the Air Pollution Act 1987 (No. 6 of 1987).

(5) The Agency may revoke a registration where the Agency is not satisfied that the sulphur content specification for bituminous coal as prescribed by Regulations made under the Air Pollution Act 1987 (No. 6 of 1987) are being complied with by bagging operator or fuel supplier.

L.S.

Given under the Official Seal of the Minister for the Environment, Community and Local Government,

7 June 2011.

PHIL HOGAN,

Minister for the Environment, Community and Local Government.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations set out the functions of the Agency in relation to maintaining registers of coal bagging operators and fuel suppliers for the purpose of ensuring compliance with environmental parameters for bituminous coal as prescribed in Regulations made separately under the Air Pollution Act 1987 .

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