

STATUTORY INSTRUMENTS

S.I. No. 294 of 1985

LOCAL GOVERNMENT (WATER POLLUTION) ACT, 1977

(CONTROL OF CADMIUM DISCHARGES) REGULATIONS, 1985

Dublin

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The Minister for the Environment in exercise of the powers conferred on him by sections 6, 7, 17, 19, 26 and 30 of the Local Government (Water Pollution) Act, 1977 (No. 1 of 1977), after consultation with the Minister for Fisheries and Forestry, the Minister for Industry, Trade, Commerce and Tourism and the Water Pollution Advisory Council, hereby makes the following Regulations:-

PART I

PRELIMINARY AND GENERAL

1. These Regulations may be cited as the Local Government (Water Pollution) Act, 1977, (Control of Cadmium Discharges) Regulations, 1985.
2. These Regulations shall come into operation on the 16th day of September, 1985.
3. In these Regulations:-

any reference to a section is a reference to a section of the Local Government (Water Pollution) Act, 1977;

"cadmium" means the chemical element cadmium or any substance containing cadmium;

"local authority" and "sanitary authority" have the meanings assigned to them by section 1;

"the Minister" means the Minister for the Environment;

"new plant" means any plant, works, apparatus or drainage pipe used in connection with the production or use of cadmium or in connection with any process in which the presence of cadmium is inherent and which either -

(a) came into operation after the 28th day of September, 1983, or

(b) has its cadmium processing capacity substantially increased after that date;

"waters" has the same meaning as in section 1 but does not include aquifers.

PART II

LICENSING BY LOCAL AUTHORITIES OF DISCHARGES TO WATERS

4. In this Part -

"licence" means a licence under section 4;

"review" means review under section 7.

5. The quality standards set out in the Schedule shall have effect as follows in relation to trade effluent arising from the production or use of cadmium or any process in which the presence of cadmium is inherent:

- (a) the standards set out at 1, 2B, 3B, 4B, 5B and 6B shall have effect in all appropriate cases,
 - (b) the standards set out at 2A, 3A, 4A, 5A and 6A shall have effect subject to any variation that may be appropriate arising from compliance with the standards referred to in paragraph (a).
6. In granting a licence for the discharge of trade effluent from a new plant, a local authority shall have regard to the best available technology where necessary for the elimination of pollution and to any guidelines which may be issued by the Minister specifying the best available technology in relation to particular circumstances or particular classes of plant.
7. A local authority shall review a licence in respect of trade effluent referred to in article 5 at least every four years.

PART III

LICENSING BY SANITARY AUTHORITIES OF DISCHARGES TO SEWERS

8. In this Part -
- "licence" means a licence under section 16;
- "review" means review under section 17.
9. The quality standards set out in the Schedule shall have effect as follows in relation to trade effluent arising from the production or use of cadmium or any process in which the presence of cadmium is inherent:

(a) the standards set out at 1, 2B, 3B, 4B, 5B and 6B shall have effect in all appropriate cases,

(b) the standards set out at 2A, 3A, 4A, 5A and 6A shall have effect subject to any variation that may be appropriate arising from compliance with the standards referred to in paragraph (a).

10. In granting a licence for the discharge of trade effluent from a new plant, a sanitary authority shall have regard to the best available technology where necessary for the elimination of pollution and to any guidelines which may be issued by the Minister specifying the best available technology in relation to particular circumstances or particular classes of plant.
11. A sanitary authority shall review a licence in respect of trade effluent referred to in article 9 at least every four years.

SCHEDULE

QUALITY STANDARDS FOR DISCHARGES OF CADMIUM

Industrial Sector	Unit of Measurement	Quality Standards to be complied with from 1/1/1986	Quality Standards to be complied with from 1/1/1989
1. Zinc mining, lead and zinc refining, cadmium metal and non-ferrous metal industry.	Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -		
	(a) monthly	0.3	0.2
	(b) daily	0.6	0.4
2. Manufacture of cadmium compounds.	A. Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -		
	(a) monthly	0.5	0.2
	(b) daily	1.0	0.4
	B. Average discharge of cadmium expressed as grams per kilogram of cadmium used -		
	(a) monthly	0.5	0.5
	(b) daily	1.0	1.0

Industrial Sector	Unit of Measurement	Quality Standards to be complied with from 1/1/1986	Quality Standards to be complied with from 1/1/1989
3. Manufacture of pigments.	<p>A. Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -</p>	0.5	0.2
	(a) monthly		
	(b) daily	1.0	0.4
	<p>B. Average discharge of cadmium expressed as grams per kilogram of cadmium used -</p>		
	(a) monthly	0.3	0.3
	(b) daily	0.6	0.6
4. Manufacture of stabilizers.	<p>A. Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -</p>		
	(a) monthly	0.5	0.2
	(b) daily	1.0	0.4
	<p>B. Average discharge of cadmium expressed as grams per kilogram of cadmium used -</p>		
	(a) monthly	0.5	0.5
	(b) daily	1.0	1.0

Industrial Sector	Unit of Measurement	Quality Standards to be complied with from 1/1/1986	Quality Standards to be complied with from 1/1/1989
5. Manufacture of primary and secondary batteries.	A. Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -		
	(a) monthly	0.5	0.2
	(b) daily	1.0	0.4
	B. Average discharge of cadmium expressed as grams per kilogram of cadmium used -		
	(a) monthly	1.5	1.5
	(b) daily	3.0	3.0
6. Electroplating.	A. Flow-weighted average concentration of total cadmium expressed as milligrams of cadmium per litre of effluent discharged -		
	(a) monthly	0.5	0.2
	(b) daily	1.0	0.4
	B. Average discharge of cadmium expressed as grams per kilogram of cadmium used -		
	(a) monthly	0.3	0.3
	(b) daily	0.6	0.6

GIVEN under the Official Seal
of the Minister for the Environment
this 4th day of September, 1985.

L.S.

LIAM KAVANAGH

Minister for the Environment

Explanatory Note

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

These Regulations prescribe quality standards to be applied by local and sanitary authorities when licensing discharges of effluents containing cadmium to waters and to sewers under Sections 4 and 16 of the Local Government (Water Pollution) Act, 1977. The Regulations give effect to Council Directive No. 83/513/EEC of 26th September, 1983 (O.J. No. L291/1, 24th October, 1983) on cadmium discharges to the aquatic environment.