

# S.I. No. 184/1996 — Local Government (Water Pollution) (Amendment) Regulations, 1996

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## LOCAL GOVERNMENT (WATER POLLUTION) (AMENDMENT) REGULATIONS, 1996

### LOCAL GOVERNMENT (WATER POLLUTION) (AMENDMENT) REGULATIONS, 1996

The Minister for the Environment, in exercise of the powers conferred on him by section 30 of the Local Government (Water Pollution) Act, 1977 (No. 1 of 1977) hereinafter called the "Act of 1977", by sections 6 and 19 of that Act as amended respectively by sections 4 and 14 of the Local Government (Water Pollution) (Amendment) Act, 1990 (No. 21 of 1990) and by section 26 of the Act of 1977, as amended by sections 18 and 29 of the Local Government (Water Pollution) (Amendment) Act, 1990, hereby makes the following Regulations:—

1. (1) The Regulations may be cited as the Local Government (Water Pollution) (Amendment) Regulations, 1996.

(2) These Regulations, the Local Government (Water Pollution) Regulations, 1978 ( S.I. No. 108 of 1978 ) and the Local Government (Water Pollution) Regulations, 1992 ( S.I. No. 271 of 1992 ), shall be construed together and may be collectively cited as the Local Government (Water Pollution) Regulations, 1978 to 1996.

2. These Regulations shall come into operation on the 24th day of June, 1996.

3. In these Regulations —

a reference to a sub-article which is not otherwise identified is a reference to a sub-article of the provision in which the reference occurs;

"the Act of 1990" means the Local Government (Water Pollution) (Amendment) Act, 1990 ;

"the 1978 Regulations" means the Local Government (Water Pollution) Regulations, 1978;

"the 1992 Regulations" means the Local Government (Water Pollution) Regulations, 1992.

4. The 1978 Regulations are hereby amended by the substitution for article 19A (inserted by article 6(b) of the 1992 Regulations) of the following article:

"19A. - (1) Subject to sub-article (2), where a license application is made to a sanitary authority in accordance with these Regulations and the relevant requirements of or under these Regulations are complied with, the sanitary authority shall determine the application within a period of two months beginning on the day of the receipt of the application or the day on which all of those requirements are complied with, whichever is the later.

(2) Where a license application is made to a sanitary authority in accordance with section 22(5) (a) of the Act of 1990 and the relevant requirements of or under these Regulations are complied with, the sanitary authority shall determine the application within a period of two months beginning on the day upon which the order under section 22(1) of the Act of 1990 comes into operation or the day on which all of those requirements are complied with, whichever is the later."

5. The 1992 Regulations are hereby amended by —

(a) the insertion after article 42 of the following article:

"42A. Articles 41 and 42 shall not apply to a case where a local authority finds that a harmful substance in sewage effluent or trade effluent is present in so small a quantity and concentration as to obviate present or future danger of deterioration in the quality of the water in the aquifer to which the discharge is proposed to be made.",

(b) the insertion of the words "Subject to sub-article (3)," before the words "A quality standard" in article 46(1),

(c) the addition of the following sub-article to article 46:

"(3) Sub-article (1) shall not apply in respect of a harmful substance which might be caused or permitted to enter water in an aquifer where a local authority finds that the harmful substance is present in so small a quantity and concentration as to obviate present or future danger of deterioration in the quality of the water."

GIVEN under the Official Seal of the Minister for the Environment

Dated this 19th day of June 1996.

Brendan Howlin

Minister for the Environment

#### EXPLANATORY NOTE

These Regulations amend provisions of the Local Government (Water Pollution) Regulations, 1978 ( S.I. No. 108 of 1978 ), concerning the application of the standard two month period allowed for the determination of license applications for effluent

discharges to sewers in circumstances where discharges are made to combined drains declared to be sewers for the purposes of the Local Government (Water Pollution) Acts 1977 and 1992. The Regulations also amend provisions of the Local Government (Water Pollution) Regulations, 1992 ( S.I. No. 271 of 1992 ), on the control of discharges to aquifers in situations where harmful substances are present in discharges, materials being disposed, etc. in such small quantities as to pose no risk to the quality of groundwaters.

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