

**LOCAL GOVERNMENT (WATER POLLUTION) ACT, 1977, (CONTROL OF  
HEXACHLOROCYCLOHEXANE AND MERCURY DISCHARGES) REGULATIONS 1986**

The Minister for the Environment in exercise of the powers conferred on him by sections 6 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**

REG 1

1. These Regulations may be cited as the Local Government (Water Pollution) Act, 1977, (Control of Hexachlorocyclohexane and Mercury Discharges) Regulations, 1986.

REG 2

2. In these Regulations:—

any reference to a Schedule or article which is not otherwise identified is a reference to a Schedule or article of these Regulations;

any reference to a paragraph which is not otherwise identified is a reference to a paragraph of the provision in which the reference occurs;

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

"extraction of lindane" means the separation of lindane from a mixture of hexachlorocyclohexane isomers;

"HCH" means the isomers of 1, 2, 3, 4, 5, 6—hexachlorocyclohexane;

"lindane" means a product containing at least 99% of the y — isomer of 1, 2, 3, 4, 5, 6—hexachlorocyclohexane;

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

"mercury" means the chemical element mercury or any substance containing mercury, but does not include mercury discharged by the chlor-alkali electrolysis industry;

"the Minister" means the Minister for the Environment;

"newplant" means any plant, works, apparatus or drainage pipe used in connection with the production or use of (a) HCH, and (b) mercury, or in connection with any process in which the presence of these substances is inherent and which

—in the case of HCH either

(i) came into operation after the 11th day of October, 1984, or

(ii) has its HCH processing capacity substantially increased after that date;

—in the case of mercury either

(i) came into operation after the 12th day of March, 1984, or

(ii) has its mercury 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 OR SANITARY AUTHORITIES OF DISCHARGES TO WATERS**  
**OR TO SEWERS**

REG 3

3. In this Part—

"licence" means a licence under section 4 or 16;

"review" means review under section 7 or 17.

REG 4

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

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

( b ) the standards set out at 1A, 2A, and 3A, shall have effect subject to any variation that may be appropriate arising from compliance with the standards referred to in paragraph (a),

( c ) the standards shall be applicable to the total quantity of HCH present in all discharges of water containing HCH coming from the site of production, use or processing of HCH.

REG 5

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

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

( b ) the standards set out at 1A, 2A, 3A and 4A shall have effect subject to any variation that may be appropriate arising from compliance with the standards referred to in paragraph (a).

REG 6

6. In granting a licence for the discharge of trade effluent from a new plant, a local authority or 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.

REG 7

7. A local authority or sanitary authority shall review a licence in respect of trade effluent referred to in article 4 and 5 at least every four years.

## FIRST SCHEDULE

### Quality Standards for Discharges of HCH

Industrial Sector Unit of Measurement Quality Standards to be complied with from 1 April 1986 to 1 April 1988. Plant for the production of HCH. A. A. Flow weighted average concentration of HCH expressed as milligrams of HCH per litre of effluent discharged—(a) maximum monthly 32 (b) maximum daily 64. B. Average discharge of HCH expressed as grams of HCH per tonne of HCH produced—(a) maximum monthly 32 (b) maximum daily 64. Plant for the extraction of Lindane. A. Flow weighted average concentration of HCH expressed as milligrams of HCH per litre of effluent discharged—(a) maximum monthly 82 (b) maximum daily 164. B. Average discharge of HCH expressed as grams of HCH per tonne of HCH used—(a) maximum monthly 154 (b) maximum daily 308. 3. Plant where the production and extraction of lindane is carried out. Flow weighted average concentration of HCH expressed as milligrams of HCH per litre of effluent discharged—A. (a) maximum monthly 62 (b) maximum daily 124. B. Average discharge of HCH expressed as grams of HCH per tonne of HCH produced—(a) maximum monthly 165 (b) maximum daily 3210.

## SECOND SCHEDULE

### Quality Standards for Discharges of Mercury

Industrial Sector Unit of Measurement Quality Standards to be complied with from 1 July 1986 to 1 July 1989. Chemical industries using mercury catalysts. A. Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b) maximum daily 0.20. 1B.— in the production of vinyl chloride Discharge of mercury expressed as grams per tonne of installed vinyl chloride production capacity—(a) maximum monthly 0.20 (b) maximum daily 0.40. 2.— in other processes Discharge of mercury expressed as grams per kilogram of mercury processed—(a) maximum monthly 105 (b) maximum daily 2010. 2. Manufacture of mercury catalysts used in the production of vinyl chloride A. Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b) maximum daily 0.20. 1B. Discharge of mercury expressed as grams per kilogram of mercury processed—(a) maximum monthly 1.40 (b) maximum daily 2.81. 4.3. Manufacture of organic and non-organic mercury compounds (except for products referred to in industrial sector 2) A. Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b) maximum daily 0.20. 1B. Discharge of mercury expressed as grams per kilogram of mercury processed—(a) maximum monthly 0.10 (b) maximum daily 0.20. 14. Manufacture of primary batteries containing mercury A. Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b) maximum daily 0.20. 1B. Discharge of mercury expressed as grams per kilogram of mercury processed—(a) maximum monthly 0.05 (b) maximum daily 0.10. 6.5. Non-ferrous metal industry Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b) maximum daily 0.20. 16. Plants for the treatment of toxic wastes containing mercury Average concentration of mercury expressed as milligrams of mercury per litre of effluent discharged—(a) maximum monthly 0.10 (b)

maximum daily 0.20.1

GIVEN under the Official Seal of the Minister for the Environment  
this 5th day of March, 1986.

JOHN BOLAND,  
Minister for the Environment.

#### EXPLANATORY NOTE.

These Regulations prescribe quality standards to be applied by local and sanitary authorities when licensing discharges of effluents containing hexachlorocyclohexane or mercury to waters or to sewers under Sections 4 of the Local Government (Water Pollution) Act, 1977. The Regulations give effect to Council Directive No. 84/491/EEC of 9th October, 1984 (O.J. No. L274/11, 17th October, 1984) on hexachlorocyclohexane discharges and Council Directive No. 84/156/EEC of 8th March, 1984 (O.J. No. L74/49, 17th March, 1984) on mercury discharges by sectors other than the chlor-alkali electrolysis industry.