

LOCAL GOVERNMENT (WATER POLLUTION) ACTS, 1977 AND 1990 (CONTROL OF ALDRIN, DIELDRIN, ENDRIN, ISODRIN, HCB, HCB D AND CHC13 DISCHARGES) REGULATIONS 1993

In exercise of the powers conferred on the Minister for the Environment by section 30 of the Local Government (Water Pollution) Act, 1977 (No. 1 of 1977) and by sections 6, 7, 17, 19, and 26, of that Act as amended respectively by sections 4, 5, 13, 14, and 18 and 29, of the Local Government (Water Pollution) (Amendment) Act, 1990 (No. 21 of 1990), which said powers are delegated to me by the Environment (Delegation of Ministerial Functions) Order, 1993 (S.I. No. 127 of 1993), I, JOHN BROWNE, Minister of State at the Department of the Environment, hereby make the following Regulations:—

PART I

Preliminary and General

REG 1

1. These Regulations may be cited as the Local Government (Water Pollution) Acts, 1977 and 1990 (Control of Aldrin, Dieldrin, Endrin, Isodrin, HCB, HCB D and CHC13 Discharges) Regulations, 1993.

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;

"aldrin" means the chemical compound C₁₂H₈Cl₆ 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro- 1, 4-endo-5, 8-exo-dimethanonaphtalene;

"CHC13" means the substance chloroform;

"dieldrin" means the chemical compound C₁₂H₈Cl₆O 1,2,3, 4, 10, 10-hexachloro-6, 7-epoxy-1, 4, 4a, 5, 6, 7, 8, 8a-octahydro- 1, 4-endo-5, 8-exdo-dimethanonaphtalene;

"endrin" means the chemical compound C₁₂H₈Cl₆O 1, 2, 3, 4, 10, 10-hexachloro-6, 7-epoxy-1, 4, 4a, 5, 6, 7, 8, 8a-octahydro-1, 4-endo-5, 8-endo-dimethanonaphtalene;

"HCB" means the substance hexachlorobenzene;

"HCB D" means the substance hexachlorobutadiene;

"isodrin" means the chemical compound C₁₂H₈Cl₆ 1, 2, 3, 4, 10, 10-hexachloro-1, 4, 4a, 5, 8, 8a-hexahydro- 1, 4-endo-5, 8-endo-dimethanonaphtalene;

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

"the Act of 1990" means the Local Government (Water Pollution) (Amendment) Act, 1990 (S.I. No. 21 of 1990);

"the Minister" means the Minister for the Environment;

"handling of substances" means any industrial process involving the production, processing or use of any of the following substances viz. aldrin, dieldrin, endrin, isodrin, HCB, HCB D, CHC13, or any

other industrial process in which the presence of any such substance is inherent;

"new plant" means any plant, works, apparatus or drainage pipe used in connection with the handling of substances which came into operation after the 24th day of June, 1989 or which had its capacity for the handling of substances substantially increased after that date;

"waters" has the meaning assigned to it by section 1 of the Principal Act, save that it does not include an aquifer.

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 of the Principal Act or under section 16 of that Act as amended by section 12 of the Act of 1990;

"review" means a review under section 7 or under section 17 of the Principal Act as amended respectively by section 5 and section 13 of the Act of 1990.

REG 4

4. (1) The quality standards set out in Columns 2 and 3 of the Schedule are hereby prescribed and shall have effect as follows in relation to trade effluent arising from the handling of substances in the industrial processes of the types listed in Column 1 thereof:

(a) the standards set out at Column 2 shall have effect in all cases,

(b) the standards set out at Column 3 shall have effect subject to any variation that may be appropriate in any case arising from particular circumstances provided that compliance with the standards referred to in paragraph (a) is not affected.

(2) In the case of the handling of substances in industrial processes other than those of the types listed in Column 1 of the Schedule, a standard which is not less stringent than the most nearly comparable quality standard set out in Columns 2 and 3 thereof shall have effect in relation to trade effluent arising from such processes.

(3) The quality standard in Column 2 of the Schedule in respect of the production of aldrin and/or dieldrin and/or endrin (including formulation of these substances on the same site) applies to the sum of aldrin, dieldrin, endrin and isodrin (where the effluent also contains isodrin) in the effluent.

(4) The quality standards apply at the point where the effluent leaves the industrial plant except where an industrial process involving agitation in the open air of effluent containing CHC13 is used, in which case the quality standards shall have effect upstream of that process and all water likely to be polluted shall be taken into account in determining compliance.

REG 5

5. Without prejudice to the provisions of article 4, a local authority or sanitary authority shall ensure that the best technical means are used where necessary for the elimination of pollution in granting a licence for the discharge of trade effluent from a new plant.

REG 6

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

REG 7

7. A local authority or sanitary authority shall ensure as far as possible that the granting of a licence will not result in an increase in the pollution, by the substances in respect of which quality standards are prescribed in these Regulations, of other environmental media, in particular soil and air.

SCHEDULE

Quality Standards for aldrin, dieldrin, endrin and isodrin

Type of Industrial Process
Quality Standards and Units of Measurement
Column 1
Column 2
Column 3
1. Production of aldrin and/or dieldrin and/or endrin (including formulation of these substances on the same site). Average discharge of aldrin, dieldrin, endrin and isodrin expressed as grams per tonne of total production capacity—
Flow weighted average concentration of aldrin, dieldrin, endrin and isodrin expressed as micrograms per litre of effluent discharged— (a) monthly — 3 g/t (a) monthly — 2 ug/l (b) daily — 15 g/t (b) daily — 10 ug/l Where possible, daily values should not exceed twice the monthly value. Where possible, daily values should not exceed twice the monthly value.

Quality Standards for HCB

2. HCB production and processing. Average discharge of HCB expressed as grams per tonne of HCB production capacity— Flow weighted average concentration of HCB expressed as milligrams per litre of effluent discharged— (a) monthly — 10 g/t (a) monthly — 1 mg/l (b) daily — 20 g/t (b) daily — 2 mg/l

Quality Standards for HCB or for HCBD

3. Production of Perchloroethylene (PER) and carbon tetrachloride (CC14) by perchlorination. Average discharge of HCB, or of HCBD expressed as grams per tonne of PER + CC14 total production capacity— Flow weighted average concentration of HCB or of HCBD expressed as milligrams per litre of effluent discharged— (a) monthly — 1.5 g/t (a) monthly — 1.5 mg/l (b) daily — 3 g/t (b) daily — 3 mg/l

Quality Standards for CHCl3

4. Production of chloromethanes from methanol or from a combination of methanol and methane i.e. by hydrochlorination of methanol, then chlorination of methyl chloride. Average discharge of CHC13 expressed as grams per tonne of total chloromethanes production capacity— Flow weighted average concentration of CHC13 expressed as milligrams per litre of effluent discharged— (a) monthly — 10 g/t (a) monthly — 1 mg/l (b) daily — 20 g/t (b) daily — 2 mg/l5.
Production of chloromethanes by chlorination of methane. Average discharge of CHC13 expressed as grams per tonne of total chloromethanes production capacity— Flow weighted average concentration of CHC13 expressed as milligrams per litre of effluent discharged— (a) monthly — 7.5 g/t (a) monthly — 1 mg/l (b) daily — 15 g/t (b) daily — 2 mg/l

DATED this 3rd day of December, 1993.

JOHN BROWNE,
Minister of State at the Department
of the Environment.

EXPLANATORY NOTE.

These Regulations prescribe quality standards to be applied by local and sanitary authorities when licensing discharges of effluent containing aldrin, dieldrin, endrin, isodrin, HCB, HCBd and CHC13 to waters or to sewers under the provisions of the Local Government (Water Pollution) Act, 1977 as amended by the Local Government (Water Pollution) (Amendment) Act, 1990. The Regulations give effect to Council Directive No. 88/347/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List I of the Annex to Council Directive 76/464/EEC.