

**LOCAL GOVERNMENT (WATER POLLUTION) ACTS, 1977 AND 1990 (CONTROL OF
CARBON TETRACHLORIDE, DDT AND PENTACHLOROPHENOL DISCHARGES)
REGULATIONS 1994**

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) 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 Carbon Tetrachloride, DDT and Pentachlorophenol discharges) Regulations, 1994.

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;

"CC14" means the substance carbon tetrachloride;

"DDT" means the sum of the isomers 1, 1, 1-trichloro-2,2-bis(p-chlorophenyl); ethane;

1, 1, 1—trichloro-2 (o-chlorophenyl) - 2 - (p-chlorophenyl) ethane;

1, 1, 1—dichloro-2, 2 bis (p-chlorophenyl) ethylene; and 1, 1, 1-dichloro-2, 2 bis (p-chlorophenyl) ethane.

"pentachlorophenol" means the chemical compound 2, 3, 4, 5, 6—pentachloro-1-hydroxybenzene and its salts.

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

"handling of substances" means any industrial process involving the production, processing or use of any of the following substances viz. CC14, DDT and pentachlorophenol, 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 has come into operation after the 16th day of June, 1987 or which has 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 of Discharges to Waters or 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 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 the above 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 standards set out in Columns 2 and 3 of the Schedule apply in relation to receiving waters at the point where the effluent leaves the industrial plant except where an industrial process is used which involves agitation in the open air of effluent containing CC14, in which case the quality standards shall apply 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 CC14

Type of Industrial Process Quality Standards and Units of Measurement

Column 1	Column 2	Column 3
1. Production of CC14 by perchlorination	Average discharge of CC14 expressed as grams per tonne of total production capacity of CC14 and perchloroethylene in a process involving washing—Flow weighted average concentration of CC14 expressed as milligrams per litre of effluent discharged—(a) monthly — 40 g/t (a) monthly — 1.5 mg/l (b) daily — 80 g/t (b) daily — 3 mg/l	
Average discharge of CC14 expressed as grams per tonne of total production capacity of CC14 and perchloroethylene in a process not involving washing—Flow weighted average concentration of CC14 expressed as milligrams per litre of effluent discharged—(a) monthly — 2.5 g/t (a) monthly — 1.5 mg/l (b) daily — 5 g/t (b) daily — 3 mg/l		
2. Production of chloromethanes by methane chlorination (including high-pressure electrolytic chlorine generation) and from methanol	Average discharge of CC14 expressed as grams per tonne of total production capacity of chloromethanes—Flow weighted average concentration of CC14 expressed as milligrams per litre of effluent discharged—(a) monthly — 10 g/t (a) monthly — 1.5 mg/l (b) daily — 20 g/t (b) daily — 3 mg/l	

Quality Standards for DDT

3. Production of DDT including formulation of DDT on the same site

Average discharge of DDT expressed as grams per tonne of DDT produced, handled or used—Flow weighted average concentration of DDT expressed as milligrams per litre of effluent discharged—new plant	new plant	other plant
(a) monthly 1 g/t (a) monthly 0.05 mg/l (b) daily 2 g/t (b) daily 0.10 mg/l	(a) monthly 4 g/t (a) monthly 0.2 mg/l (b) daily 8 g/t (b) daily 0.4 mg/l	

Quality Standards for pentachlorophenol

4. Production of sodium pentachlorophenate by hydrolysis of hexachlorobenzene

Average discharge of pentachlorophenol expressed as grams per tonne of production/utilization capacity—Flow weighted
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average concentration of pentachlorophenol expressed as milligrams per litre of effluent discharged—(a) monthly 25 g/t(a) monthly 1 mg/l(b) daily 50 g/t(b) daily 2 mg/l

DATED this 2nd day of March, 1994.

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 effluents containing carbon tetrachloride (CCl₄), DDT and pentachlorophenol 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. 86/280/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.