

S.I. No. 58 of 1995.

**ENVIRONMENTAL PROTECTION AGENCY ACT, 1992 (ESTABLISHED ACTIVITIES) ORDER, 1995.**

The Minister for the Environment, in exercise of the powers conferred on him by sections 7 of the Environmental Protection Agency Act, 1992 (No. 7 of 1992), hereby orders as follows:

1. This Order may be cited as the Environmental Protection Agency Act, 1992 (Established Activities) Order, 1995.

2. This Order shall come into operation on the 3rd day of April, 1995.

3. In this Order—

any reference to a Schedule or article which is not otherwise identified is a reference to the Schedule or an article of this Order;

"the Act" means the Environmental Protection Agency Act, 1992;

"the number of acute in-patient beds" means the total number of acute in-patient beds or bed spaces, either in use or available for use, in a hospital or hospitals related to the activity on the date specified under article 4 or during normal levels of operation of the activity whichever is the greater;

"the number of employees" means the number of employees and other persons working or engaged in connection with the activity on the date specified under article 4 or during normal levels of operation, whichever is the greater

4. Subject to articles 5 and 6, the date specified in column (3) of the Schedule opposite a class of established activity identified in column (2)

( a ) shall be the specified date for such activity for the purposes of section 82 (2) of the Act, and

( b ) shall apply to such activity and to any other established activity which is associated with such activity and, on, at or adjacent to the site.

5. Notwithstanding article 4, and without prejudice to section 92 of the Act, the date specified in relation to a class of established activity shall be the date on which an application for a licence is made under Part IV of the Act in relation to any activity on, at, or adjacent to the site of the established activity and associated with the established activity, where such date of application is earlier than the date specified.

6. Notwithstanding article 4 and without prejudice to section 92 of the Act, the date specified in relation to a class of established activity shall be—

( a ) (i) the date (being a date on or after the commencement of this Order) on which an application for a licence or revised licence or permit or revised permit under any of the enactments to which section 99 (1) of the Act relates is made to a local authority, sanitary authority or the Minister for the Marine, or

(ii) the date (being a date on or after the commencement of this Order) on which a review of a licence or revised licence or permit or revised permit under any of the enactments to which section 99 (1) of the Act relates is commenced by the local authority, sanitary authority or the Minister for the Marine, where such date is earlier than the relevant date specified, or

( b ) the 3rd day of April, 1995, where, on that date, there is an application for a licence or revised licence, or permit or revised permit, or a review of a licence or revised licence or permit or revised permit, under any of the enactments to which section 99 (1) of the Act relates, and the application or review has yet to be determined by the local authority, sanitary authority or the Minister for the Marine.

## SCHEDULE

Reference Number of Activity in the First Schedule to the Act Class of Established Activity Specified Date

(1) (2) (3)

5.1 The manufacture of chemicals in an integrated chemical installation.

29 May, 1995

5.2 The manufacture of olefins and their derivatives or of monomers and polymers, including styrene and vinyl chloride.

29 May, 1995

5.5 The manufacture of artificial fertilizers.

29 May, 1995

8.1 The manufacture of paper pulp, paper or board (including fibre-board, particle board and plywood) in installations with a production capacity equal to or exceeding 25,000 tonnes of product per year.

29 May, 1995

10.1 The production of cement,

29 May, 1995

7.7 The rendering of animal by-products.

1 July, 1995

5.3 The manufacture, by way of chemical reaction processes, of organic or organo-metallic chemical products other than those specified at 5.2.

1 October, 1995

11.2 The incineration of hospital waste where the number of acute in-patient beds exceeds 200.

1 October, 1995

11.3 The incineration of waste other than that mentioned in 11.1 and 11.2 in plants with a capacity exceeding 1 tonne per hour.

1 October, 1995

5.6 The manufacture of pesticides, pharmaceutical or veterinary products and their intermediates where the number of employees does not exceed 100.

1 March, 1996

12.2 The manufacture or use of coating materials in processes with a capacity to make or use at least 10 tonnes per year of organic solvents, and powder coating manufacture with a capacity to produce at least 50 tonnes per year.

1 March, 1996

GIVEN under the Official Seal of the Minister for the Environment, this 7th day of March, 1995.

BRENDAN HOWLIN,

Minister for the Environment.

EXPLANATORY NOTE.

This Order, which should be read in conjunction with section 82 (3) of the 1992 Act, specifies dates on or after which the established activities concerned are required to have applied to the Environment Protection Agency for an integrated pollution control licence.