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S.I. No. 83/1994 — *Environmental Protection Agency Act, 1992 (Established Activities) Order, 1994.*

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ENVIRONMENTAL PROTECTION AGENCY ACT, 1992 (ESTABLISHED ACTIVITIES) ORDER, 1994.

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In exercise of the powers conferred on the Minister for the Environment by sections 7 and 82 (2) of the *Environmental Protection Agency Act, 1992* (No. 7 of 1992), 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 order as follows:

1. This Order may be cited as the *Environmental Protection Agency Act, 1992 (Established Activities) Order, 1994.*

2. This Order shall come into operation on the 16th day of May, 1994.

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 employees" means the number of employees and other persons working or engaged in connection with the *act* ivity 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) shall be the specified date for such activity for the purposes of section 82 (2) of this *Act*.

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 16th day of May, 1994, 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 <i>Act</i>	Class of Established Activity	Specified Date
(1)	(2)	(3)
5.6	The manufacture of pesticides, pharmaceutical or veterinary products and	1 September, 1994.

their
intermediates
where the
number of
employees
exceeds 200.

5.6

The
manufacture of
pesticides,
pharmaceutical
or veterinary
products and
their
intermediates
where the
number of
employees
exceeds 100
but does not
exceed 200.

1 January, 1995.

11.1

The
incineration of
hazardous
waste.

1 September, 1994.

Dated this 13th day of April, 1994.

JOHN BROWNE,

Minister of State at the Department of 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 shall have applied for an integrated licence from the *Environmental Protection Agency*.
