



STATUTORY INSTRUMENTS.

S.I. No. 471 of 2023



WASTE MANAGEMENT (FACILITY PERMIT AND REGISTRATION)
(AMENDMENT) REGULATIONS 2023

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I, OSSIAN SMYTH, Minister of State at the Department of the Environment, Climate and Communications in exercise of the powers conferred on me by sections 7 and 39 of the Waste Management Act 1996 (No. 10 of 1996) (as adapted by the Communications, Climate Action and Environment (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 373 of 2020)), and the Environment, Climate and Communications (Delegation of Ministerial Functions) Order 2022 (S.I. No. 298 of 2022) hereby make the following regulations:

Citation

1. These Regulations may be cited as the Waste Management (Facility Permit and Registration) (Amendment) Regulations 2023.

Definitions

2. In these Regulations—

“Regulations of 2007” means the Waste Management (Facility Permit and Registration) Regulations 2007 (S.I. No. 821 of 2007);

“Regulations of 2008” means the Waste Management (Facility Permit and Registration) (Amendment) Regulations 2008 (S.I. No. 86 of 2008).

Amendment of Regulation 5(2) of the Regulations of 2007

3. Regulation 5(2) of the Regulations of 2007 is amended by the insertion of the following definitions:

“ ‘approved body’ has the meaning given to it in Regulation 2 of the Regulations of 2021;

‘consumer’ has the meaning given to it in Regulation 2 of the Regulations of 2021;

‘deposit return scheme’ has the meaning given to it in Regulation 2 of the Regulations of 2021;

‘deposit return scheme products’ shall be construed in accordance with Regulation 3 of the Regulations of 2021;

‘garden waste’ means waste vegetative or organic material, including grass cuttings, waste material from pruning, leaves, plants, flowers and other similar small, or light, organic matter, produced from the care and maintenance of landscaped areas, gardens and parks;

‘Regulations of 2021’ means the Separate Collection (Deposit Return Scheme) Regulations 2021 (S.I. No. 599 of 2021);”.

Amendment of Part II of the Third Schedule to Regulations of 2007

4. Part II (amended by Regulation 3 of the Regulations of 2008) of the Third Schedule to the Regulations of 2007 is amended by the insertion of the following classes after the entry for CLASS No. 14:

“

15.	<p>The reception and storage, pending collection, of garden waste at a central collection point (including a temporary central collection point) where such activity is undertaken by, on behalf of, or with the approval of the local authority, subject to the following:</p> <ul style="list-style-type: none"> (a) the annual intake of waste does not exceed 500 tonnes; (b) the maximum amount of waste stored does not exceed 20 tonnes at any time; (c) the maximum period of storage of waste does not exceed 15 days.
16.	<p>The collection and storage of waste deposit return scheme products returned by consumers pending collection by, or on behalf of, an approved body in accordance with Regulations 14(2)(f), 14(2)(g), 15(1)(d) and 15(1)(f) of the Regulations of 2021.</p>

”.

Amendment of Part I of Fourth Schedule to Regulations of 2007

5. Part I (amended by Regulation 2(cc) of the Regulations of 2008) of the Fourth Schedule to the Regulations of 2007 is amended, in paragraph (13), by the substitution of “unreasonable noise, dust, grit, odour and other nuisances” for “unreasonable noise, dust, grit and other nuisances”.

GIVEN under my hand,
22 September 2023

OSSIAN SMYTH,
Minister of State at the Department of the Environment, Climate and
Communications

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations amend Part II of the Third Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007 (S.I. No. 821 of 2007) by inserting two new classes of activity, the reception and storage of garden waste and the collection and storage of waste deposit return scheme products, subject to registration with the local authority or the Environmental Protection Agency (EPA).

These Regulations also amend Part I of the Fourth Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007 (S.I. No. 821 of 2007) to require registration holders to take preventative measures to ensure that a registered activity does not result in the creation of unreasonable odour.

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