

## **LOCAL GOVERNMENT (WATER POLLUTION) ACTS, 1977 AND 1990 (CONTROL OF EDC, TRI, PER AND TCB 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) and by sections 6, 7, 17, 19 and 26, of that Act as amended respectively by sections 4, 5, 13, 14, 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 EDC, TRI, PER and TCB Discharges) Regulations, 1994.

##### **REG 2**

2. In these Regulations:—

any reference to a Schedule, paragraph or article is a reference to a Schedule, paragraph or article of these Regulations;

"EDC" means the substance 1, 2 — dichloroethane (C<sub>2</sub>H<sub>4</sub>Cl<sub>2</sub>);

"HCH" means the isomers 1, 2, 3, 4, 5, 6 — hexachlorocyclohexane;

"PER" means the substance perchloroethylene (C<sub>2</sub>Cl<sub>4</sub>);

"TCB" means the sum of the three isomers

— 1, 2, 3— trichlorobenzene,

— 1, 2, 4— trichlorobenzene,

— 1, 3, 5— trichlorobenzene;

"TRI" means the substance trichloroethylene (C<sub>2</sub>HCl<sub>3</sub>);

"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. EDC, TRI, PER and TCB, 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 31st day of July, 1991 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 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;

"production capacity" means the capacity authorised by a licence or the highest annual quantity produced over the four years prior to the granting of a licence (including such a licence revised under section 7 or 17 of the Principal Act, as amended);

"processing capacity" means the capacity authorised by a licence or the highest annual quantity processed over the four years prior to the granting of a licence (including such a licence revised under Section 7 or 17 of the Principal Act, as amended);

"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 First 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) without prejudice to the foregoing paragraph (a), the standards set out at Column 3 shall have effect by reference to the reference volume set out in that Column in relation to the type of industrial process concerned,

(c) purified EDC production capacity includes that fraction of the EDC which is not cracked in the vinyl chloride production unit associated with the EDC production unit and which is recycled to the EDC purification section of the plant,

(d) in the case of an industrial process of the type listed in paragraph 2 of Column 1 of the First Schedule, if the processing and utilisation capacity of EDC is greater than the purified EDC production capacity the quality standards for that process shall be applied in relation to the total processing and utilisation capacity and, if there are several such plants on the same site, the quality standards shall apply to such capacities of the plants taken together,

(e) in the case of plant, other than a new plant, in which is carried out an industrial process of the type listed in paragraph 4 of Column 1 of the First Schedule and which uses a process involving dehydrochlorination of tetrachloroethane, the production capacity shall be equivalent to the capacity of TRI and PER production, the ratio of TRI and PER production taken at one third.

(2) In the case of the handling of substances in industrial

processes other than those of the types listed in Column 1 of the First 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.

#### REG 5

5. The quality standards set out in Column 2 of the Second Schedule are hereby prescribed and shall have effect in relation to trade effluent arising from the use of the substances concerned in the industrial processes of the types listed in Column 1 thereof where annual discharges of any of the substances from such an industrial process exceeds 30 kilograms.

#### REG 6

6. The quality standards prescribed in articles 4 and 5 apply at the point where the effluent leaves the industrial plant except where an industrial process involving agitation in the open air of effluents containing EDC, TRI or PER 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 7

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

#### REG 8

8. A local authority or sanitary authority shall review a licence in respect of trade effluent referred to in article 4 and article 5 at least every four years.

#### REG 9

9. 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.

### **FIRST SCHEDULE**

#### Quality Standards for EDC

Type of Industrial Process	Quality Standards,	Units of Measurement and Reference Volumes	Column 1	Column 2	Column 3
1. Production of EDC without processing or use on the same site.	Average discharge of EDC expressed as grams per tonne of purified EDC				

production capacity—

(a) monthly — 2.5 g/t

(b) daily — 5 g/tFlow weighted

average concentration of EDC expressed as milligrams per litre of effluent discharged—

(a) monthly — 1.25 mg/l

(b) daily — 2,5 mg/l

Reference Volume:

2m<sup>3</sup>/tonne of purified EDC production capacity2. Production of EDC with processing or use at the same site, except for the use of EDC in the production of ion exchangers.Average

discharge of EDC expressed as grams per tonne of purified EDC

production capacity—

(a) monthly — 5 g/t

(b) daily — 10 g/tFlow weighted

average concentration of EDC expressed as milligrams per litre of effluent discharged—

(a) monthly — 2.5 mg/l

(b) daily — 5 mg/l

Reference Volume:

2.5m<sup>3</sup>/tonne of purified EDC production Capacity3. Processing of EDC into substances other than vinyl chloride viz. ethylene diamine, ethylene polyamine, 1.1.1.— trichloroethane, trichloroethylene, and perchloroethylene.Average

discharge of EDC expressed as grams per tonne of processing capacity—

(a) monthly — 2.5 g/t

(b) daily — 5 g/tFlow weighted

average concentration of EDC expressed as milligrams per litre of effluent discharged—

(a) monthly — 1 mg/l

(b) daily — 2 mg/l

Reference Volume:

2.5m<sup>3</sup>/tonne of EDC processing capacity.

Quality Standards for TRI

Type of Industrial ProcessQuality Standards, Units of Measurement and Reference VolumesColumn 1Column 2Column 34. Production of TRI and PER.Average

discharge of TRI expressed as grams per tonne of production capacity of TRI and PER—

(a) monthly — 2.5 g/t

(b) daily —5 g/tFlow weighted

average concentration of TRI expressed as milligrams per litre of effluent discharged—

(a) monthly — 0.5 mg/l

(b) daily — 1 mg/l Reference Volume: 5m<sup>3</sup>/tonne of TRI and PER

production capacity

Quality Standards for PER

5. Production of TRI and PER (TRI-PER processes).Average

discharge of PER expressed as grams per tonne of production capacity of TRI and PER—

(a) monthly — 2.5 g/t

(b) daily — 5 g/tFlow weighted

average concentration of PER expressed as milligrams per litre of effluent discharged—

(a) monthly — 0.5 mg/l

(b) daily — 1 mg/l

Reference Volume:

5m<sup>3</sup>/tonne of TRI and PER production capacity  
6. Production of carbon tetrachloride (TETRA) and PER (TETRA-PER processes). Average discharge of PER expressed as grams per tonne of production capacity of TETRA and PER—

(a) monthly — 2.5 g/t

(b) daily — 5 g/t

Flow weighted  
average concentration of PER expressed as milligrams per litre of effluent discharged—

(a) monthly — 1.25 mg/l

(b) daily — 2.5 mg/l

Reference Volume:

2m<sup>3</sup>/tonne of TETRA and PER production capacity

Quality Standards for TCB

Type of Industrial Process  
Quality Standards, Units of Measurement and Reference Volumes  
Column 1 Column 2 Column 3  
7. Production of TCB by dehydrochlorination of HCH and/or processing of TCBA  
Average discharge of TCB expressed as grams per tonne of production capacity of TCB—

(a) monthly — 10 g/t

(b) daily — 20 g/t

Flow weighted  
average concentration of TCB expressed as milligrams per litre of effluent discharged—

(a) monthly — 1 mg/l

(b) daily — 2 mg/l

Reference Volume:

10m<sup>3</sup>/tonne of TCB produced or processed  
8. Production and/or Processing of chlorobenzenes by chlorination of benzene  
Average discharge of TCB expressed as grams per tonne of production and/or processing capacity of monochlorobenzenes and dichlorobenzenes—  
Plant (other than new plant discharging less than 50 kgs)

(a) monthly — 2.5 g/t

(b) daily — 5 g/t

Other Plant

(a) monthly — 0.5 g/t

(b) daily — 1 g/t

Flow weighted  
average concentration of TCB expressed as milligrams per litre of effluent discharged—

Plant (other than new plant discharging less than 50 kgs)

(a) monthly — 0.25 mg/l

(b) daily — 0.5 mg/l

Other Plant

(a) monthly — 0.05 mg/l

(b) daily — 0.1 mg/l

Reference Volume:

10m<sup>3</sup> tonne of monochlorobenzenes and dichlorobenzenes Produced or processed

## SECOND SCHEDULE

### Quality Standards for EDC, TRI and PER

Type of Industrial Process Quality Standards and Units of Measurement 1.

Use of EDC for degreasing metals at a location other than an industrial site for the production and processing or use of EDC Flow weighted average concentration of EDC expressed as milligrams per litre of effluent discharged—

(a) monthly — 0.1 mg/l

(b) daily — 0.2 mg/l. Use of TRI for degreasing metals Flow weighted average concentration of TRI expressed as milligrams per litre of effluent discharged—

(a) monthly — 0.1 mg/l

(b) daily — 0.2 mg/l. Use of PER degreasing metals Flow weighted average concentration of PER expressed as milligrams per litre of effluent discharged—

(a) monthly — 0.1 mg/l

(b) daily — 0.2 mg/l

DATED this 2nd day of August, 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 EDC, TRI, PER and TCB 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 90/415/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.