

L.N. 56 of 2008

ENVIRONMENT PROTECTION ACT
(CAP. 435)

Integrated Pollution Prevention and Control (Amendment)
Regulations, 2008

BY VIRTUE of the powers conferred by articles 9 and 10(2) of the Environment Protection Act, the Minister for Rural Affairs and the Environment has made the following regulations:-

1. (1) The title of these regulations is the Integrated Pollution Prevention and Control (Amendment) Regulations, 2008, and they shall be read and construed as one with the Integrated Pollution Prevention and Control Regulations, 2002, hereinafter referred to as “the principal regulations”.

Citation and scope.

L.N. 234 of 2002.

(2) The scope of these regulations is to include amendments made by Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emissions allowance trading within the Community and amending Council Directive 96/61/EC. These regulations shall also be read in conjunction with the European Community Greenhouse Gas Emissions Trading Scheme Regulations, 2005.

L.N. 140 of 2005.

2. For sub-regulation (1) of regulation 8 of the principal regulations shall be substituted by the following:

Amends regulation 8 of the principal regulations.

“(1) Where the Competent Authority is aware that the operation of an installation is likely to have significant negative effects on the environment of another state, or where a state likely to be significantly affected so requests, the Competent Authority of the state in whose territory the application for a permit pursuant to these regulations was submitted shall forward to the other state any information required to be given or made available in accordance with the provisions of regulation 9(1) hereof and Schedule 8 to these regulations at the same time as it makes it available to its own nationals. Such information shall serve as a basis for any consultations necessary in the framework of the bilateral relations between the two states on a reciprocal and equivalent basis.”

3. Sub-regulation (3) of regulation 15 of the principal regulations, shall be renumbered as paragraph (3)(a) thereof, and immediately thereafter there shall be added the following new paragraphs:

Amends regulation 15 of the principal regulations.

“(b) Where emissions of a greenhouse gas from an installation are specified in Annex 1 to the European Community Greenhouse Gas Emissions Trading Scheme Regulations, 2005 in relation to an activity carried out in that installation, the permit shall not include an emission limit value for direct emissions of that gas unless it is necessary to ensure that no significant local pollution is caused.

(c) For activities listed in Annex 1 to the European Community Greenhouse Gas Emissions Trading Scheme Regulations, 2005 the Competent Authority may choose not to impose requirements relating to energy efficiency in respect of combustion units or other units emitting carbon dioxide on the site.

(d) Where necessary, the Competent Authority shall amend the permit as appropriate.

Amends Schedule 1
to the principal
regulations.

4. In Schedule 1 to the principal regulations, item 3.5 shall be substituted as follows:

“3.5. Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain, with a production capacity exceeding 75 tonnes per day and, or with a kiln capacity exceeding 4 m³ and with a setting density per kiln exceeding 300 kg/m³.”

Amends Schedule 4
to the principal
regulations.

5. In Schedule 4 to the principal regulations, item 12 shall be substituted as follows:

“12. the information published by the European Commission or by international organisations.”