S.I. No. 347/1993 - Air Pollution Act, 1987 (Municipal Waste Incineration) Regulations, 1993.

S.I. No. 347 of 1993.

AIR POLLUTION ACT, 1987 (MUNICIPAL WASTE INCINERATION) REGULATIONS, 1993.

In exercise of the powers conferred on the Minister for the Environment by sections 5 , 10 , 51 and 54 of the Air Pollution Act, 1987 (No. 6 of 1987), 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:—

1. These Regulations may be cited as the Air Pollution Act, 1987 (Municipal Waste Incineration) Regulations, 1993.

2. (1) In these Regulations:—

(*a*) any reference to an article or Schedule which is not otherwise identified is a reference to an article or Schedule of these Regulations;

(*b*) any reference to a sub-article or paragraph which is not otherwise identified is a reference to the sub-article or paragraph of the provision of these Regulations in which the reference occurs.

(2) In these Regulations:—

"municipal waste" means domestic refuse, and commercial and trade refuse and any other waste similar in nature and composition to domestic refuse;

"municipal waste incineration plant" means industrial plant specifically used for the incineration of municipal waste, with or without recovery of the combustion heat generated;

"nominal capacity" means the sum of the incineration capacities of the furnaces in the plant (such capacities as specified by the constructor and confirmed by the occupier) with due account being taken in particular of the calorific value of the waste expressed as the quantity of waste incinerated per hour.

3. (1) Subject to sub-articles (2) and (3), the emission limit values in Columns 2, 3 and 4 of the First Schedule in relation to the pollutants in Column 1 thereof are hereby specified for municipal waste incineration plant subject, as appropriate, to the conditions specified in the Second Schedule.

(2) Subject to sub-article (3) and notwithstanding paragraph (*h*) of article 4, the emission limit values specified may be exceeded in the event of a technically unavoidable malfunction in emission control equipment, provided that the duration of such an exceedance is agreed with the local authority and is not longer than eight hours in any event and that the cumulative duration of such exceedances in any plant over any period of twelve months of operation is less than 96 hours.

(3) An emission limit value of 600 mg/Nm^3 for Total Dust is hereby specified in respect of any period of operation during which the provisions of sub-article (2) apply.

4. It is hereby directed that the best practicable means for preventing or limiting emissions from municipal waste incineration plant shall include the following:

(*a*) subject to paragraph (*b*), the use of facilities to ensure that at all times when the plant is in operation the gas resulting from the combustion of the waste is raised, after the last injection of combustion air and in a controlled and homogeneous fashion, to a temperature of at least 850°C for at least 2 seconds in the presence of at least 6% oxygen,

(*b*) conditions other than those specified in paragraph (*a*) may be applied in the case of any particular plant provided that it can be demonstrated to the local authority that the facilities used in relation to incineration and combustion gas treatment are appropriate to ensure that emissions of polychlorinated dibenzodioxins (PCDDs) and polychlorinated dibenzofurans (PCDFS) will not be greater than emissions of those substances which would be obtained under the conditions specified in paragraph (*a*),

(*c*) the use of auxiliary burners which automatically come into operation when the temperature of the combustion gases falls below 850°C and during plant start-up and shut-down periods in order to ensure that this temperature is maintained at all times during operation and as long as waste is in the combustion chamber,

(*d*) the concentration of Carbon Monoxide (CO) and Organic Compounds (expressed as Total Carbon) in the combustion gases while the plant is in operation not exceeding 100mg/Nm^3 and 20 mg/Nm^3 respectively, standardised at reference conditions: temperature 273K, pressure 101.3 kPa, 11% oxygen or 9% CO_2 and on a dry gas basis having corrected for the measured water vapour content,

(*e*) the discharge of waste gases from the plant in a controlled fashion by means of a stack, designed particularly with regard to height, so as to safeguard human health and the environment,

(*f*) the occupier agreeing monitoring procedures and the location of monitoring points with the local authority, recording, processing and presenting monitoring results in accordance with the requirements of the local authority, and carrying out the monitoring of emissions and the operating of plant in accordance with the conditions, as appropriate, specified in the Second Schedule,

(*g*) the occupier ensuring that continuous monitoring systems are checked at regular intervals in consultation with the local authority and that monitoring equipment is calibrated in accordance with a reference method approved by the local authority,

(*h*) the occupier notifying the local authority as soon as possible where there is a malfunction or breakdown of emission control equipment or where monitoring results show that an emission limit value specified in these Regulations is exceeded, and shutting down operations as required until any necessary modification is undertaken to ensure compliance with the emission limit values and normal operation can be restored.

5. A local authority shall make available for public inspection, during normal office hours at the offices of the local authority, the monitoring results which it receives pursuant to these Regulations.

FIRST SCHEDULE

Emission Limit Values (mg/N m^3)[1]