This statutory rule replaces and revokes S.R. 2010 No. 165 and accordingly it is being issued free of charge to all known recipients of the earlier statutory rule.

STATUTORY RULES OF NORTHERN IRELAND

2011 No. 2

ENVIRONMENTAL PROTECTION

The Solvent Emissions (Amendment) Regulations (Northern Ireland) 2011

Made - - - - 11th January 2011
Coming into operation in accordance with regulation 1(2)

The Department of the Environment, in exercise of the powers conferred upon it by Article 4 of the Environment (Northern Ireland) Order 2002(**1**), and having, in accordance with Article 4(4) of that Order, consulted district councils and such bodies or persons appearing to it to be representative of the interests of district councils as it considers appropriate, such bodies and persons appearing to it to be representative of the interests of industry, agriculture and business as it considers appropriate and such other bodies or persons as it considers appropriate, makes the following Regulations:

Citation and commencement

1.—(1) These Regulations may be cited as the Solvent Emissions (Amendment) Regulations (Northern Ireland) 2011.

(2) They shall come into operation as follows—

(a) this regulation and regulations 2 to 5, 7, 8 and 10 shall come into operation on 14 February 2011;

(b) regulations 6 and 9 shall come into operation on 1 June 2015.

Amendments of the Solvents Emissions Regulations (Northern Ireland) 2004 with effect from 14 February 2011

2.—(1) The Solvents Emissions Regulations (Northern Ireland) 2004(**2**) are amended with effect from 14 February 2011 as follows.

(2) In regulation 2(1)—

(a) after the definition of "the 2003 Regulations" insert—

(**1**) S.I. 2002 No. 3153 (N.I. 7)
(**2**) S.R. 2004 No. 36 as amended by S.R. 2010 No. 165

""the Solvent Emissions Directive" means Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations as amended by Directive 2008/112/EC of 16 December 2008 amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2002/53/EC, 2002/96/EC, and 2004/42/EC of the European Parliament and of the Council in order to adapt them to Regulation (EC) No1272/2008 on classification, labelling and packaging of substances and mixtures;"

(b) for the definition of "mixture" substitute—

""mixture" means a mixture or solution composed of two or more substances;"

(c) for the definition of "risk phrase substance or preparation" substitute—

""risk phrase substance or mixture" means a substance or mixture which, because of their content of volatile organic compounds classified as carcinogens, mutagens, or toxic to reproduction under Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on the classification, labelling and packaging of substances and mixtures(**3**) are assigned or need to carry the risk phrases R45, R46, R49, R60 and R 61 and a substance or mixture "becomes a risk phrase substance or mixture" when, because of its content of volatile organic compounds, it is assigned or needs to carry one of those risk phrases;"

(d) For the definition of "substance" substitute—

""substance" means any chemical element and its compounds, as they occur in the natural state or as produced by industry, whether in solid, liquid or gaseous form."

3.—(1) In the following provisions for "preparation" or "preparations" substitute "mixture" or "mixtures" respectively —

(a) Regulation 3(3)(a);

(b) Regulation 3(3)(c);

(c) Regulation 3(10)(a);

(d) Regulation 3(10)(b);

(e) Regulation 3(11)(a);

(f) Regulation 3(11)(b);

(g) Regulation 3(16);

(h) Regulation 5(1)(a);

(i) Regulation 5(2)(a);

(j) Regulation 8(11)(e); and

(k) Schedule 1 Part C.

4. In Schedule 1 Part C in the first column of the table for "risk phase R40" substitute "risk phrase R40 or R68".

5.—(1) In the following provisions for "the Solvent Emissions Directive" substitute "Council Directive 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations as amended by Directive 2008/112/EC of the European Parliament and of the Council of 16 December 2008

(**3**) OJ L 353, 13.12.2008, p.1,

amending Council Directives 76/768/EEC, 88/378/EEC, 1999/13/EC and Directives 2002/53/EC, 2002/96/EC, and 2004/42/EC of the European Parliament and of the Council in order to adapt them to Regulation (EC) No1272/2008 on classification, labelling and packaging of substances and mixtures".

(a) The heading of Regulation 3;

(b) Regulation 3(7);

(c) Regulation 3(12);

(d) The heading of Regulation 4;

(e) The heading of Regulation 5;

(f) Regulation 8(2)(i);

(g) Regulation 8(2)(j);

(h) Regulation 8(6);

(i) Regulation 8(11)(e);

(j) Schedule 1 Part C paragraph 1;

(k) Schedule 2 Part 3 paragraph 15(3); and

(l) Schedule 2 Part 3 paragraph 18(1).

Amendments of the Solvents Emissions Regulations (Northern Ireland) 2004 with effect from 1st June 2015

6.—(1) The Solvents Emissions Regulations (Northern Ireland) 2004 are amended with effect from the 1 June 2015 as follows.

(a) In the following provisions for "risk phrases" substitute "hazard statements"—

(i) Regulation 2;

(ii) Regulation 3(1)(a)(iii);

(iii) Regulation 3(3)(a);

(iv) Regulation 3(10)(a);

(v) Regulation 3(10)(b);

(vi) Regulation 3(11)(a);

(vii) Regulation 3(11)(b);

(viii) Regulation 3(16);

(ix) Regulation 5(1)a;

(x) Regulation (2)(a);

(xi) Regulation 8 (11)(e); and

(xii) Schedule 1 Part C 1st column.

(b) In Schedule 1 Part C in the first column for "the risk phrases R40 or R68" substitute "the hazard statements H341 or H351".