



STATUTORY INSTRUMENTS.

S.I. No. 30 of 2015

AIR POLLUTION ACT (MARKETING, SALE, DISTRIBUTION AND
BURNING OF SPECIFIED FUELS) (AMENDMENT) REGULATIONS
2015

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BURNING OF SPECIFIED FUELS) (AMENDMENT) REGULATIONS
2015

I, ALAN KELLY, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 10, 14 and 53 of the Air Pollution Act, 1987 (No. 6 of 1987), hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) (Amendment) Regulations 2015.

Commencement

2. (1) These Regulations (other than Regulations 4(*h*) and 4(*i*)) come into operation on 21 January 2015.

(2) Regulations 4(*h*) and 4(*i*) come into operation on 1 June 2015.

Definitions

3. In these Regulations—

“Regulations of 2012” means the Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012 (S.I. No. 326 of 2012).

“Licensed Premises” has the same meaning as it has in the Intoxicating Liquor Act 2008 (No. 17 of 2008);

Amendments to the Regulations of 2012

4. The Regulations of 2012 are amended—

(*a*) in Regulation 5. (4)(*a*) by substituting “tonne” for “tone”;

(*b*) by inserting the following after Regulation 6:

“6A. The occupier of any licensed premises located within a specified area shall not burn at such licensed premises any specified fuel.”;

(*c*) by substituting the following for Regulation 7. (1)(*b*)—

“(*b*) the product was supplied by a bagging operator or solid fuel supplier registered with the Agency,”

(*d*) by substituting the following for Regulation 7. (1)(*d*)—

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd February, 2015.*

“(d) such a person or body holds a current record setting out, *inter alia*, the registration number issued by the Agency to the bagging operator and, where appropriate, the solid fuel supplier who supplied the product verifying that the product is compliant with subparagraphs (a) and (b).”

(e) by substituting the following for Regulation 8. (1)(b)—

“(b) furnish such information as the Agency may reasonably require for the purpose of fulfilling its functions in relation to establishing and maintaining a register of bagging operators, and”

(f) in Regulations 8. (2) and 10. (6)(d) by substituting “solid fuel supplier” for “fuel supplier”.

(g) by substituting the following for Regulation 8. (2)(c)—

“(c) furnish such information as the Agency may reasonably require for the purpose of fulfilling its functions in relation to establishing and maintaining a register of solid fuel suppliers.”

(h) in Schedule 1 by substituting the following for the Specified Area of Celbridge and Leixlip:

“SPECIFIED AREA OF CELBRIDGE, LEIXLIP AND MAYNOOTH

The towns of Celbridge, Maynooth and Leixlip and their environs in the county of Kildare, comprising the following areas:—

The Electoral Division of Celbridge.

The Electoral Division of Leixlip.

The Electoral Division of Maynooth.

In the Electoral Division of Donaghcumper, the townlands of:—

BackwestonPark	Ballymadeer	Ballyoulster
Balscott	Celbridge Abbey	Commons Lower
Commons	Commons Upper	Coneyburrow
Coolfitch	Dangan	Donaghcumper
Elmhall	Loughlinstown	Newtown
Simmonstown	St Wolstans	Stacumny
Stacumny Cottage	Straleek”.	

(i) in Schedule 1 by substituting of the following for the Specified Area of Wexford:

“SPECIFIED AREA OF WEXFORD

The borough of Wexford and its environs in the county of Wexford, comprising the following areas:—

The Electoral Divisions of:—

Wexford No.1 Urban Wexford No.2 Urban Wexford No.3 Urban
Wexford Rural

In the Electoral Division of Ardcavan, the townlands of:—

Ardcavan	Ardcolm	Ballycrane
Ballymartin	Ballytramon	Ballywish
Burgess	Castlebridge	Craanagam
Craanatore	Crosstown	Ferrybank North
Ferrybank South	Glasganny	Glebe
Kilmisten	Knottown	Oldtown
Pollregan	Tincone	

In the Electoral Division of Artamon, the townlands of:—

Ballyboggan Lower Ballyboggan Upper Ballyregan (Fairyhill)

In the Electoral Division of Carrick, the townland of Newtown.

In the Electoral Division of Drinagh, the townlands of:—

Blackhorse	Drinagh North	Drinagh South
Kellystown	Rochestown	Roughmead
Sinnotstown	Starvehall	Whitestown Lower
Whitestown Upper		

In the Electoral Division of Rathaspick, the townland of Moorfields”.



GIVEN under the Official Seal of the Minister for the Environment,
Community and Local Government,
21 January 2015.

ALAN KELLY,
Minister for the Environment, Community and
Local Government.

EXPLANATORY NOTE

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

These Regulations amend the Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012 (S.I. No. 326 of 2012) by correcting typographical errors in Regulations 5. (4), 8. (2) and 10. (6).

These Regulations further clarify Regulation 7 the Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012. All persons selling or distributing bituminous coal outside specified ban areas to end users must ensure that (i) the product has a sulphur content no greater than 0.7%, (ii) that the product was sourced from a bagging operator or solid fuel supplier who is currently registered with the EPA and (iii) must hold a documentary record detailing the EPA issued registration number of the company that supplied the product and this record must be made available on request to authorised persons carrying out inspections. Registers can be viewed online on the EPA website www.epa.ie.

These Regulations extend the ban on the burning of bituminous coal and other specified fuels insidespecified ban areas to include licensed premises under the Intoxicating Liquor Act, such as pubs.

These Regulations also extend the Specified Area of Celbridge-Leixlip with effect from 1 June 2015 to include Maynooth Electoral Division, becoming the specified area of Celbridge, Leixlip and Maynooth.

These Regulations also extend the Specified Area of Wexford, with effect from 1 June 2015, to include Castlebridge and certain other designated townlands.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
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