



STATUTORY INSTRUMENTS.

S.I. No. 473 of 2024

EUROPEAN COMMUNITIES (GREENHOUSE GAS EMISSIONS
TRADING- INTEGRATED POLLUTION CONTROL LICENSING)
REGULATIONS 2024

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I, EAMON RYAN, Minister for the Environment, Climate and Communications, in exercise of the powers conferred on me by sections 6 and 53 of the Environmental Protection Agency Act 1992 (No. 7 of 1992) and for the purpose of giving further effect to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003¹, as amended by Directive 2004/101/EC of the European Parliament and of the Council of 27 October 2004², Directive 2008/101/EC of the European Parliament and of the Council of 19 November 2008³, Directive 2009/29/EC of the European Parliament and of the Council of 23 April 2009⁴ and Directive 2023/959 of the European Parliament and of the Council of 10 May 2023⁵ hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Communities (Greenhouse Gas Emissions Trading- Integrated Pollution Control Licensing) Regulations 2024.

Interpretation

2. In these Regulations –

“1992 Act” means the Environmental Protection Agency Act 1992 (No. 7 of 1992);

“Agency” means the Environmental Protection Agency established under section 19 of the Environmental Protection Agency Act 1992 (No. 7 of 1992);

“installation” means, a stationary technical unit where one or more activities listed in Schedule 1 of the 1992 Act may be carried out and any other directly associated activities which have a technical connection with the said activities on that site and which could have an effect on emissions and pollution, and references to an installation include references to part of an installation;

“emissions” means the release of greenhouse gases from sources in an installation.

“EU ETS Regulations” means, the European Communities (Greenhouse Gas Emissions Trading) Regulations 2024.

¹ O.J. No. L 275 25.10.2003 p.32

² O.J. No. L 338 13.11.2004 p.18

³ O.J. No. L 8 13.1.2009 p.3

⁴ O.J. No. L 140 5.5.2009 p. 63

⁵ OJ L 130, 16.5.2023, p. 134–202

Purpose and Application

3. These Regulations provide for the interaction of Agency's integrated pollution prevention and control licensing functions with the EU ETS Regulations

Co-ordination with Integrated Pollution Control Licensing

4. (1) The Agency shall ensure that where installations carry out activities that are included in Schedule 1 to the 1992 Act, the conditions of, and procedure for, the issue of a greenhouse gas emissions permit under the EU ETS Regulations are co-ordinated with those for licences issued under Part IV of the 1992 Act.

(2) The Agency may integrate the requirements of Regulations 6, 7 and 8 of the EU ETS Regulations into the procedures for licences issued under Part IV of the 1992 Act.

Amendment of Procedures for Integrated Pollution Control Licensing

5. (1) The 1992 Act shall apply to installations under these Regulations with the following modifications and with any other necessary modifications to that Act arising from the implementation of the EU ETS Regulations, and references in that Act or to the provisions of that Act shall, unless the context otherwise requires, be construed as including references to the EU ETS Regulations or the provisions of these Regulations.

- (2) The Agency in issuing a licence pursuant to Part IV of the 1992 Act—
- (a) shall not have regard to sections 83(4)(a), 83(5)(a)(vi), 86(1)(a)(i), 86(1)(b)(i), 86A(2), 86A(3)(b), 86A(3)(c)(ii) and (c)(iii) (in so far as it applies to emission limit values), 86A(4), 86A(5), 86A(6), 90(4)(a)(i) and 90(4)(a)(iia) of that Act in respect of greenhouse gas emissions, unless it is necessary to ensure that no significant local pollution is caused,
 - (b) may choose not to impose the requirements of Sections 83(5)(a)(viii), 86(1)(b)(vii) and 86(1)(b)(ix) in respect of greenhouse gas emissions and may amend any licence issued as appropriate.



L.S.

GIVEN under my Official Seal,
19 September, 2024.

EAMON RYAN,
Minister for the Environment,
Climate and Communications.

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