



STATUTORY INSTRUMENTS.

S.I. No. 446 of 2024

EUROPEAN UNION (INDUSTRIAL EMISSIONS) (AMENDMENT)
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 section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving further effect to Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010¹, hereby make the following regulations:

Commencement and citation

1. These Regulations may be cited as the European Union (Industrial Emissions) (Amendment) Regulations 2024.

Amendment of Environmental Protection Agency Act 1992

2. The Environmental Protection Agency Act 1992 (No. 7 of 1992) is amended –

- (a) in Part IV, by the insertion of the following section after section 81A:

“Definitions (Part IV)

81B. In this Part, ‘substance’ means any chemical element and its compounds, with the exception of the following substances:

- (a) radioactive substances as defined in Article 4 of Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation²;
- (b) genetically modified micro-organisms as defined in Article 2(b) of Directive 2009/41/EC of the European Parliament and the Council of 6 May 2009 on the contained use of genetically modified micro-organisms³;
- (c) genetically modified organisms as defined in point 2 of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the deliberate release into the environment of genetically modified organisms⁴;,”
- (b) in paragraph (c)(i) of section 86A(3), by the substitution of “sections 5(3)(b), 83(5)(a)(v) and 86(3) and subsections (4) and

¹ OJ No. L 334, 17.12.2010, p17

² OJ No. L 13, 17.01.2014, p1

³ OJ No. L 125, 21.05.2009, p75

⁴ OJ No. L 106, 17.04.2001, p1

- (6)” for “section 5(3)(b), 83(5)(a)(v) and 86(3) and subsection (4),”
- (c) in section 99J(4) –
- (i) in paragraph (e), by the substitution of “subsection (7);” for “subsection (7).”, and
 - (ii) by the insertion of the following paragraph after paragraph (e):
- “(f) where necessary, provisions on the cooperation between different inspection authorities.”,
- (d) in section 99K, by the insertion of the following subsection after subsection (3):
- “(4) (a) Emissions from an installation to which this Part applies into water shall not exceed the emission limit values set out in Part 1 of Annex VIII to the Industrial Emissions Directive.
- (b) Emissions from an installation to which this Part applies into air shall not exceed the emission limit values set out in Part 2 of Annex VIII to the Industrial Emissions Directive.
 - (c) Emissions referred to in paragraph (b) shall be monitored in accordance with Part 3 of Annex VIII to the Industrial Emissions Directive.”,
- and
- (e) in the First Schedule to the Act, in subparagraph (5) of the paragraph headed “Interpretation”, by the insertion of the following definition:
- “ ‘substance’ means any chemical element and its compounds, with the exception of the following substances:
- (a) radioactive substances as defined in Article 4 of Council Directive 2013/59/Euratom of 5 December 2013 laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation⁵;
 - (b) genetically modified micro-organisms as defined in Article 2(b) of Directive 2009/41/EC of the European Parliament and the Council of 6 May 2009 on the contained use of genetically modified micro-organisms⁶;
 - (c) genetically modified organisms as defined in point 2 of Article 2 of Directive 2001/18/EC of the European Parliament and of the Council of 12 March 2001 on the

⁵ OJ No. L 13, 17.01.2014, p1

⁶ OJ No. L 125, 21.05.2009, p75

deliberate release into the environment of genetically modified organisms⁷;”.

Amendment of European Union (Waste Incineration Plants and Waste Co-Incineration Plants) Regulations 2013

3. The European Union (Waste Incineration Plants and Waste Co-Incineration Plants) Regulations 2013 (S.I. No. 148 of 2013) are amended –

(a) in Regulation 2(2) –

(i) by the insertion of the following definition:

“ ‘dioxins and furans’ means all polychlorinated dibenz-p-dioxins and dibenzofurans listed in Part 2 of Annex VI to the Directive;”,

(ii) by the substitution of the following definition for the definition of “existing waste incineration plants and waste co-incineration plants”:

“ ‘existing waste incineration plant and waste co-incineration plant’ means a plant –

(a) which was in operation and had a permit in accordance with applicable Union law before 28 December 2002,

(b) which was authorised or registered for waste incineration and had a permit granted before 28 December 2002 in accordance with applicable Union law, provided that the plant was put into operation no later than 28 December 2003, or

(c) which, in the view of the competent authority, was the subject of a full request for authorisation before 28 December 2002, provided that the plant was put into operation not later than 28 December 2004;”, and

(iii) by the substitution of the following definition for the definition of “new waste incineration plants and waste co-incineration plants”:

“ ‘new waste incineration plant and waste co-incineration plant’ means a waste incineration plant and waste co-incineration plant that is not an ‘existing waste incineration plant and waste co-incineration plant’;”,

and

(b) in Regulation 13 –

(i) by the substitution of the following for Regulation (2)(a):

⁷ OJ No. L106, 17.04.2001, p1

- “(2) (a) Emissions into air from waste incineration plants and waste co-incineration plants (standardised as set out in Parts 3 and 4 of Annex VI to the Directive) shall not exceed the emission limit values set out in Parts 3 and 4 of Annex VI to the Directive or determined in accordance with Part 4 of that Annex to the Directive.” and
- (ii) by the insertion of the following subparagraph after paragraph (2)(b):
- “(c) The total concentration of dioxins and furans shall be calculated in accordance with Part 2 to Annex VI of the Directive.”.

Amendment of European Union (Large Combustion Plants) Regulations 2012

4. Regulation 10(10) of the European Union (Large Combustion Plants) Regulations 2012 (S.I. No. 566 of 2012) is amended by the substitution of “these Regulations” for “this Directive”.



L.S.

GIVEN under my Official Seal,
9 September, 2024.

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

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