



STATUTORY INSTRUMENTS.

**S.I. No. 649 of 2011**



POLLUTANT RELEASE AND TRANSFER REGISTER REGULATIONS  
2011

**(Prn. A11/2321)**

POLLUTANT RELEASE AND TRANSFER REGISTER REGULATIONS  
2011

I, PHIL HOGAN, Minister for the Environment, Community and Local Government, in exercise of the powers conferred on me by sections 6 (as amended by section 8 of the Protection of the Environment Act 2003 (No. 27 of 2003)) and 53 of the Environmental Protection Agency Act 1992 (No. 7 of 1992), and for the purposes of establishing an Irish pollutant release and transfer register (hereinafter ‘the register’) in the form of a publicly accessible electronic database and laying down rules for its functioning, in order to give effect to the United Nations Economic Commission for Europe Protocol on Pollutant Release and Transfer Registers, hereby make the following Regulations:-

*Citation*

1. These Regulations may be cited as the Pollutant Release and Transfer Register Regulations 2011.

*Interpretation*

2. (1) In these Regulations—

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

“Agency” means the Environmental Protection Agency established under section 19 of the Act of 1992;

“competent authority” has the meaning assigned to it by Regulation 5;

“diffuse sources” means the many smaller or scattered sources from which pollutants may be released to land, air or water, whose combined impact on those media may be significant and for which it is impractical to collect reports from each individual source;

“disposal” means (a) any operation which is not recovery even where the operation has a secondary consequence the reclamation of substances or energy, and (b) without prejudice to the generality of paragraph (a), includes the disposal options listed in Annex I to Council Directive 2008/98/EC<sup>1</sup>;

“European PRTR” means the European Pollutant Release and Transfer Register established by the European Union;

“facility” means one or more installations on the same site or on adjoining sites that are owned or operated by the same natural or legal person;

<sup>1</sup>OJ No. L 312, 22.11.2008, p.3

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 20th December, 2011.*

- “hazardous waste” means waste which displays one or more of the hazardous properties listed in Annex III to Council Directive 2008/98/EC;
- “installation” means a stationary technical unit where one or more activities listed in Schedule 1 are carried out, and any other directly associated activities which have a technical connection with the activities carried out on that site and which could have an effect on emissions and pollution;
- “Minister” means the Minister for the Environment, Community and Local Government;
- “off-site transfer” means the movement beyond the boundaries of a facility of waste destined for recovery or disposal and of pollutants in waste water destined for waste-water treatment;
- “operator” means the natural or legal person responsible for operating or controlling the facility or the person to whom decisive economic power over the technical functioning of the facility has been delegated;
- “person” means any natural or legal person;
- “pollutant” means a substance or a group of substances that may be harmful to the environment or to human health on account of its properties and of its introduction into the environment;
- “Protocol” means the United Nations Economic Commission for Europe Protocol on Pollutant Release and Transfer Registers;
- “recovery” (*a*) means any operation the principal result of which is waste serving a useful purpose by replacing other materials which would otherwise have been used to fulfil a particular function, or waste being prepared to fulfil that function, in the plant or in the wider economy, and (*b*) without prejudice to the generality of paragraph (*a*), includes the recovery operations listed in Annex II to Council Directive 2008/98/EC;
- “register” means the Irish Pollutant Release and Transfer Register;
- “release” means any introduction of pollutants into the environment as a result of any human activity, whether deliberate or accidental, routine or non-routine, including spilling, emitting, discharging, injecting, disposing or dumping, or through sewer systems without final waste-water treatment;
- “reporting year” means the calendar year for which data on releases of pollutants and off-site transfers must be gathered;
- “site” means the geographical location of the facility;
- “substance” means any chemical element and its compounds, with the exception of radioactive substances;

“waste” means any substance or object which the holder discards or intends or is required to discard;

“waste water” means urban, domestic and industrial waste water, as defined in Article 2(1), (2) and (3) of Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment<sup>2</sup>, and any other used water which is subject, because of the substances or objects it contains, to regulation by Community law.

*Objective and scope*

3. The aim of these Regulations is to establish an Irish pollutant release and transfer register (hereinafter ‘the register’) to give effect to relevant provisions of the United Nations Economic Commission for Europe Protocol on Pollutant Release and Transfer Registers.

*Competent authority*

4. (1) The Agency is designated as the competent authority in the State for the purposes of the register.

(2) The powers, functions and duties of the Agency under these Regulations are without prejudice to the performance by the Agency of any other of its powers, functions and duties under any other enactment.

*Scope of the register*

5. The register shall include:

- (a) releases of pollutants referred to in Regulation 7(2)(a) that must be reported by the operators of the facilities carrying out the activities in Schedule 1;
- (b) off-site transfers of waste referred to in Regulation 7(2)(b) and of pollutants in waste water referred to in Regulation 7(2)(c), that must be reported by the operators of the facilities carrying out the activities in Schedule 1;
- (c) release of pollutants from diffuse sources referred to in Regulation 6(1)(g), where available.

*Design and structure*

6. (1) The Agency shall publish the register, presenting the data in both aggregated and non-aggregated forms, so that releases and transfers can be searched for and identified by:

- (a) facility and its geographical location, including the river basin;
- (b) activity;
- (c) pollutant or waste, as appropriate;

<sup>2</sup>OJ L. 135, 30.5.1991, p.40. Directive as last amended by Regulation (EC) No. 1882/2003.

- (d) each environmental medium (air, water, land) into which the pollutant is released;
- (e) off-site transfers of waste and their destination, as appropriate;
- (f) off-site transfers of pollutants in waste water;
- (g) diffuse sources;
- (h) facility owner or operator.

(2) The Agency shall design the register for maximum ease of public access to allow the information, under normal operating conditions, to be continuously and readily accessible on the Internet and by other electronic means. Its design shall take into account the possibility of its future expansion and shall include all data reported for previous reporting years, up to at least the last ten previous reporting years.

(3) The register shall include links to the following:

- (a) the European PRTR;
- (b) other relevant existing, publicly accessible databases on subject matters related to environmental protection;
- (c) facilities' websites if they exist and if links are volunteered by the facilities.

#### *Reporting by operators*

7. (1) An operator shall, not later than 31 March in each year, furnish to the Agency information, of such nature and in such form as specified in the Agency's published PRTR guidance documents, in relation to releases of pollutants and off-site transfers of pollutants and waste in respect of the preceding calendar year.

(2) The operator of each facility that undertakes one or more of the activities specified in Schedule 1 above the applicable capacity thresholds specified therein shall report the amounts annually to the Agency, along with an indication of whether the information is based on measurement, calculation or estimation, of the following:

- (a) releases to air, water and land of any pollutant specified in Schedule 2 for which the applicable threshold value specified in Schedule 2 is exceeded;
- (b) off-site transfers of hazardous waste exceeding 2 tonnes per year or of non hazardous waste exceeding 2000 tonnes per year, for any operations of recovery or disposal with the exception of the disposal operations of land treatment and deep injection referred to in Regulation 9, indicating with 'R' or 'D' respectively whether the waste is destined for recovery or disposal and, for transboundary

movements of hazardous waste, the name and address of the recoverer or the disposer of the waste and the actual recovery or disposal site;

- (c) off-site transfers of any pollutant specified in Schedule 2 in waste water destined for waste-water treatment for which the threshold value specified in Schedule 2, column 1b is exceeded.

(3) In the case of data indicated by the operator as being based on measurement or calculation the analytical method and/or the method of calculation shall be reported to the Agency.

(4) The releases referred to in Schedule 2 reported under paragraph 2(a) of this Regulation shall include all releases from all sources included in Schedule 1 at the site of the facility.

(5) The information referred to in paragraph (2) shall include information on releases and transfers resulting as totals of all deliberate, accidental, routine and non-routine activities. In providing this information operators shall specify, where available, any data that relate to accidental releases.

(6) The operator of each facility shall collect with appropriate frequency the information needed to determine which of the facility's releases and off-site transfers are subject to reporting requirements under paragraph (2).

(7) When preparing the report, the operator concerned shall use the best available information, which may include monitoring data, emission factors, mass balance equations, indirect monitoring or other calculations, engineering judgements and other methods in line with Regulation 10(1) and in accordance with internationally approved methodologies, where these are available.

(8) The operator of each facility concerned shall keep available for the Agency the records of the data from which the reported information was derived for a period of 5 years, starting from the end of the reporting year concerned. These records shall also describe the methodology used for data gathering.

(9) Any person to whom Regulation 7 applies, who fails to comply with the provisions of Regulation 7 is guilty of an offence.

#### *Releases to land*

8. Waste which is subject to 'land treatment' or 'deep injection' disposal operations, as specified in Annex I to Council Directive 2008/98/EC, shall be reported as a release to land only by the operator of the facility originating the waste.

#### *Reporting cycle*

9. (1) The Agency shall incorporate the information reported by operators into the register within 15 months after the end of the reporting year.

(2) The first reporting year shall be 2007.

*Quality assurance and assessment*

10. (1) The operator of each facility subject to the reporting requirements set out in Regulation 7 shall ensure that robust quality assurance procedures are employed for all data collection and that methods of measurement comply with nationally approved measuring methods for air and water pollutants, as set out in the PRTR guidance documents published by the Agency.

(2) The Agency shall assess the quality of the data provided by the operators of the facilities referred to in paragraph (1), in particular as to their completeness, consistency and credibility.

*Access to Information*

11. (1) The Agency shall make the register publicly accessible by dissemination free of charge on the Internet in accordance with the timeframe set out in Regulation 9(1) and in accordance with the provisions of the European Communities (Access to Information on the Environment) Regulations 2007 (S.I. No. 133 of 2007).

(2) Where the information contained in the register is not easily accessible to the public by direct electronic means, the Agency shall upon request provide that information by any other effective means, as soon as possible and at the latest within one month after the request has been received.

*Confidentiality*

12. (1) Where an operator provides, in pursuance of these Regulations, information to which access may be refused under paragraph (2), and requests that specified information should be treated by the Agency as confidential information, verifiable justification for that request shall be given by the operator.

(2) The Agency may refuse to make information publicly available on the register where public disclosure of the information would adversely affect-

- (a) international relations, national defence or public security;
  - (b) the course of justice (including criminal inquiries and disciplinary inquiries);
  - (c) commercial or industrial confidentiality, where such confidentiality is provided for in national or Community law to protect a legitimate economic interest;
  - (d) intellectual property rights; or
  - (e) the confidentiality of personal information relating to a natural person who has not consented to the disclosure of the information, and where that confidentiality is otherwise protected by law.
- (3) (a) Where a request is made under paragraph (1), the Agency shall decide which information (if any) shall be treated as confidential information and shall inform the operator of its decision.

(b) In making a decision under subparagraph (a), the Agency shall consider whether the public interest would, on balance, be better served by refusing to treat any or all of the information as confidential information and whether the information relates to releases into the environment.

(c) The grounds for confidentiality shall be interpreted on a restrictive basis having regard to the public interest served by disclosures and whether the information relates to releases into the environment.

(4) Without prejudice to subparagraph (2)(c), any information on releases which is relevant for the protection of the environment to which that information relates shall be considered for disclosure according to national law.

(5) Whenever information is kept confidential in accordance with paragraph (2), the register shall indicate what type of information has been withheld and for what reason it has been withheld.

#### *Public Participation*

13. (1) The Minister shall provide the public with early and effective opportunities to participate in the further development of the register including capacity-building and the preparation of amendments to these Regulations.

(2) The public shall have the opportunity to submit any relevant comments, information, analyses or opinions within a reasonable timeframe.

(3) The Minister shall take due account of such input and shall inform the public about the outcome of the public participation.

#### *Review of decision of Agency under Regulation 11(2)*

14. (1) Subject to paragraph (2),

(a) a person shall not question the validity of a decision of the Agency relating to a request for information pursuant to Regulation 11(2) other than by way of an application for judicial review under Order 84 of the Rules of the Superior Courts (S.I. No. 15 of 1986), and

(b) any application for judicial review which questions the validity of the decision of the Agency must be instituted within the period of 8 weeks beginning on the date the decision is made.

(2) Where, on application to the High Court, the Court considers that in the particular circumstances there is good and sufficient reason for doing so, the Court may extend the period referred to in paragraph (1).

#### *Guidelines*

15. (1) The Agency may publish guidelines in relation to the implementation of these Regulations by operators.

(2) An operator shall, in complying with these Regulations, have regard to any guidelines published by the Agency under paragraph (1).

*Awareness raising*

16. The Agency shall, as appropriate, promote public awareness of the register and shall ensure that assistance is provided to the public in accessing the register and in understanding and using the information contained therein.

*Penalties*

17. A person who fails to comply with his or her obligations under these Regulations shall be guilty of an offence within the meaning of section 8 of the Act of 1992 and shall be liable to the penalties laid down in section 9(a) of the said Act.

*Prosecution of Offences*

18. (1) Summary proceedings for an offence under these Regulations may be brought and prosecuted by the Agency.

(2) Notwithstanding the provisions of section 10(4) of the Petty Sessions (Ireland) Act, 1851, summary proceedings for an offence under these Regulations may be commenced—

(a) at any time within 12 months from the date on which the offence was committed; or

(b) at any time within 12 months from the date on which evidence sufficient to justify the proceedings comes to the Agency's knowledge;

whichever is the later: provided that no such proceeding shall be initiated later than 2 years from the date on which the offence concerned was committed.

(3) Where an offence is committed under these Regulations by a body corporate and is proved to have been so committed with the consent, connivance or approval of or to have been attributable to any neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, is guilty of an offence and is liable to be proceeded against and punished as if he or she was guilty of the first-mentioned offence.

*Cost of prosecutions*

19. Where a person is convicted of an offence under these Regulations in proceedings brought by the Agency, the court shall, unless it is satisfied that there are special and substantial reasons for so doing, order the person to pay to the Agency the costs and expenses, measured by the court, incurred by the Agency in relation to the investigation, detection and prosecution of the offence, including costs and expenses incurred in the taking of samples, the carrying out of tests, examinations and analyses and in respect of the remuneration and other expenses of directors, employees, consultants and advisers, as the case may be.

*Payment of certain fines to the Agency*

20. Where a court imposes a fine, or affirms or varies a fine imposed by another court for an offence under these Regulations prosecuted by the Agency, it shall unless it is satisfied that there are substantial reasons for not so doing, on the application of the Agency (made before the imposition, affirmation or variation) provide by order for the payment of the amount of the fine to the Agency and such payment may be enforced by the Agency as if it were due to it on foot of a decree or order made by the Court in civil proceedings.

## SCHEDULE 1

### Activities

| No        | Activity  | Capacity threshold   |
|-----------|---|--|
| <b>1.</b> | <b>Energy sector</b>  |  |
| (a)       | Mineral oil and gas refineries  | *( <sup>3</sup> )  |
| (b)       | Installations for gasification and liquefaction   | *  |
| (c)       | Thermal power stations and other combustion installations   | With a heat input of 50 megawatts (MW)   |
| (d)       | Coke ovens  | *  |
| (e)       | Coal rolling mills  | With a capacity of 1 tonne per hour  |
| (f)       | Installations for the manufacture of coal products and solid smokeless fuel   | *  |
| <b>2.</b> | <b>Production and processing of metals</b>  |  |
| (a)       | Metal ore (including sulphide ore) roasting or sintering installations  | *  |
| (b)       | Installations for the production of pig iron or steel (primary or secondary melting) including continuous casting   | With a capacity of 2,5 tonnes per hour   |
| (c)       | Installations for the processing of ferrous metals:   |  |
|           | (i) Hot-rolling mills   | With a capacity of 20 tonnes of crude steel per hour   |
|           | (ii) Smitheries with hammers  | With an energy of 50 kilojoules per hammer, where the calorific power used exceeds 20 MW                 |
|           | (iii) Application of protective fused metal coats   | With an input of 2 tonnes of crude steel per hour  |
| (d)       | Ferrous metal foundries   | With a production capacity of 20 tonnes per day  |
| (e)       | Installations:  |  |
|           | (i) For the production of non-ferrous crude metals from ore, concentrates or secondary raw materials by metallurgical, chemical or electrolytic processes | *  |
|           | (ii) For the smelting, including the alloying, of non-ferrous metals, including recovered products (refining, foundry casting, etc.)                      | With a melting capacity of 4 tons per day for lead and cadmium or 20 tonnes per day for all other metals |
| (f)       | Installations for surface treatment of metals and plastic materials using an electrolytic or chemical process   | Where the volume of the treatment vats equals 30m <sup>3</sup>   |
| <b>3.</b> | <b>Mineral industry</b>   |  |
| (a)       | Underground mining and related operations   | *  |

<sup>3</sup>An asterisk (\*) indicates that no capacity threshold is applicable (all facilities are subject to reporting).

| No        | Activity   | Capacity threshold  |
|-----------|--|---|
| (b)       | Opencast mining and quarrying  | Where the surface of the area effectively under extractive operation equals 25 hectares   |
| (c)       | Installations for the production of:   |   |
|           | (i) Cement clinker in rotary kilns   | With a production capacity of 500 tonnes per day  |
|           | (ii) Lime in rotary kilns  | With a production capacity of 50 tonnes per day   |
|           | (iii) Cement clinker or lime in other furnaces   | With a production capacity of 50 tonnes per day   |
| (d)       | Installations for the production of asbestos and the manufacture of asbestos-based products  | *   |
| (e)       | Installations for the manufacture of glass, including glass fibre  | With a melting capacity of 20 tonnes per day  |
| (f)       | Installations for melting mineral substances, including the production of mineral fibres   | With a melting capacity of 20 tonnes per day  |
| (g)       | Installations for the manufacture of ceramic products by firing, in particular roofing tiles, bricks, refractory bricks, tiles, stoneware or porcelain | With a production capacity of 75 tonnes per day, or with a kiln capacity of 4 m <sup>3</sup> and with a setting density per kiln of 300 kg/m <sup>3</sup> |
| <b>4.</b> | <b>Chemical industry</b>   |   |
| (a)       | Chemical installations for the production on an industrial scale of basic organic chemicals, such as:  | *   |
|           | (i) Simple hydrocarbons (linear or cyclic, saturated or unsaturated, aliphatic or aromatic)  |   |
|           | (ii) Oxygen-containing hydrocarbons such as alcohols, aldehydes, ketones, carboxylic acids, esters, acetates, ethers, peroxides, epoxy resins          |   |
|           | (iii) Sulphurous hydrocarbons  |   |
|           | (iv) Nitrogenous hydrocarbons such as amines, amides, nitrous compounds, nitro compounds or nitrate compounds, nitriles, cyanates, isocyanates         |   |
|           | (v) Phosphorus-containing hydrocarbons   |   |
|           | (vi) Halogenic hydrocarbons  |   |
|           | (vii) Organometallic compounds   |   |
|           | (viii) Basic plastic materials (polymers, synthetic fibres and cellulose-based fibres)   |   |
|           | (ix) Synthetic rubbers   |   |
|           | (x) Dyes and pigments  |   |
|           | (xi) Surface-active agents and surfactants   |   |
| (b)       | Chemical installations for the production on an industrial scale of basic inorganic chemicals, such as:  | *   |

| No        | Activity  | Capacity threshold  |
|-----------|---|---|
|           | (i) Gases, such as ammonia, chlorine or hydrogen chloride, fluorine or hydrogen fluoride, carbon oxides, sulphur compounds, nitrogen oxides, hydrogen, sulphur dioxide, carbonyl chloride   |   |
|           | (ii) Acids, such as chromic acid, hydrofluoric acid, phosphoric acid, nitric acid, hydrochloric acid, sulphuric acid, oleum, sulphurous acids   |   |
|           | (iii) Bases, such as ammonium hydroxide, potassium hydroxide, sodium hydroxide  |   |
|           | (iv) Salts, such as ammonium chloride, potassium chlorate, potassium carbonate, sodium carbonate, perborate, silver nitrate   |   |
|           | (v) Non-metals, metal oxides or other inorganic compounds such as calcium carbide, silicon, silicon carbide   |   |
| (c)       | Chemical installations for the production on an industrial scale of phosphorous-, nitrogen- or potassium-based fertilizers (simple or compound fertilizers)   | *   |
| (d)       | Chemical installations for the production on an industrial scale of basic plant health products and of biocides   | *   |
| (e)       | Installations using a chemical or biological process for the production on an industrial scale of basic pharmaceutical products   | *   |
| (f)       | Installations for the production on an industrial scale of explosives and pyrotechnic products  | *   |
| <b>5.</b> | <b>Waste and waste water management</b>   |   |
| (a)       | Installations for the recovery or disposal of hazardous waste   | Receiving 10 tonnes per day   |
| (b)       | Installations for the incineration of non-hazardous waste in the scope of Directive 2000/76/EC of the European Parliament and of the Council of 4 December 2000 on the incineration of waste <sup>4</sup>   | With a capacity of 3 tonnes per hour                                  |
| (c)       | Installations for the disposal of non-hazardous waste   | With a capacity of 50 tonnes per day                                  |
| (d)       | Landfills (excluding landfills of inert waste and landfills, which have been definitely closed before 16.7.2001 or for which the after-care phase required by the competent authorities according to Article 13 of Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste <sup>5</sup> has expired) | Receiving 10 tonnes per day or with a total capacity of 25 000 tonnes |
| (e)       | Installations for the disposal or recycling of animal carcasses and animal waste  | With a treatment capacity of 10 tonnes per day                        |

<sup>4</sup>OJ L 332, 28.12.2000, p.91.

<sup>5</sup>OJ L 182, 16.7.1999, p.1. Directive as amended by Regulation (EC) No. 1882/2003.

| No        | Activity  | Capacity threshold   |
|-----------|---|--|
| (f)       | Urban waste-water treatment plants  | With a capacity of 100 000 population equivalents  |
| (g)       | Independently operated industrial waste-water treatment plants which serve one or more activities of this annex   | With a capacity of 10 000 m <sup>3</sup> per day   |
| <b>6.</b> | <b>Paper and wood production and processing</b>   |  |
| (a)       | Industrial plants for the production of pulp from timber or similar fibrous materials   | *  |
| (b)       | Industrial plants for the production of paper and board and other primary wood products (such as chipboard, fibreboard and plywood)   | With a production capacity of 20 tonnes per day  |
| (c)       | Industrial plants for the preservation of wood and wood products with chemicals   | With a production capacity of 50 m <sup>3</sup> per day  |
| <b>7.</b> | <b>Intensive livestock production and aquaculture</b>   |  |
| (a)       | Installations for the intensive rearing of poultry or pigs  | (i) With 40 000 places for poultry   |
|           |   | (ii) With 2 000 places for production pigs (over 30 kg)  |
|           |   | (iii) With 750 places for sows   |
| (b)       | Intensive aquaculture   | With a production capacity of 1 000 tonnes of fish or shellfish per year                               |
| <b>8.</b> | <b>Animal and vegetable products from the food and beverage sector</b>  |  |
| (a)       | Slaughterhouses   | With a carcass production capacity of 50 tonnes per day  |
| (b)       | Treatment and processing intended for the production of food and beverage products from:  |  |
|           | (i) Animal raw materials (other than milk)  | With a finished product production capacity of 75 tonnes per day                                       |
|           | (ii) Vegetable raw materials  | With a finished product production capacity of 300 tonnes per day (average value on a quarterly basis) |
| (c)       | Treatment and processing of milk  | With a capacity to receive 200 tonnes of milk per day (average value on an annual basis)               |
| <b>9.</b> | <b>Other activities</b>   |  |
| (a)       | Plants for the pre-treatment (operations such as washing, bleaching, mercerization) or dyeing of fibres or textiles   | With a treatment capacity of 10 tonnes per day   |
| (b)       | Plants for the tanning of hides and skins   | With a treatment capacity of 12 tonnes of finished product per day                                     |
| (c)       | Installations for the surface treatment of substances, objects or products using organic solvents, in particular for dressing, printing, coating, degreasing, waterproofing, sizing, painting, cleaning or impregnating | With a consumption capacity of 150 kg per hour or 200 tonnes per year                                  |

| <b>No</b> | <b>Activity</b>   | <b>Capacity threshold</b>            |
|-----------|---|--------------------------------------|
| (d)       | Installations for the production of carbon (hard-burnt coal) or electro-graphite by means of incineration or graphitisation | *                                    |
| (e)       | Installations for the building of, and painting or removal of paint from ships  | With a capacity for ships 100 m long |

## SCHEDULE 2

### Pollutants (\*)

| No. | CAS number | Pollutant <sup>(6)</sup>                            | Threshold for releases (column 1) |                              |                             |
|-----|------------|---|-----------------------------------|------------------------------|-----------------------------|
|     |            |   | to air (column 1a) kg/year        | to water (column 1b) kg/year | to land (column 1c) kg/year |
| 1   | 74-82-8    | Methane (CH <sub>4</sub> )                          | 100 000                           | — <sup>(7)</sup>             | —                           |
| 2   | 630-08-0   | Carbon monoxide (CO)                                | 500 000                           | —                            | —                           |
| 3   | 124-38-9   | Carbon dioxide (CO <sub>2</sub> )                   | 100 million                       | —                            | —                           |
| 4   |            | Hydro-fluorocarbons (HFCs) <sup>(8)</sup>           | 100                               | —                            | —                           |
| 5   | 10024-97-2 | Nitrous oxide (N <sub>2</sub> O)                    | 10 000                            | —                            | —                           |
| 6   | 7664-41-7  | Ammonia (NH <sub>3</sub> )                          | 10 000                            | —                            | —                           |
| 7   |            | Non-methane volatile organic compounds (NMVOC)      | 100 000                           | —                            | —                           |
| 8   |            | Nitrogen oxides (NO <sub>x</sub> /NO <sub>2</sub> ) | 100 000                           | —                            | —                           |
| 9   |            | Perfluorocarbons (PFCs) <sup>(9)</sup>              | 100                               | —                            | —                           |
| 10  | 2551-62-4  | Sulphur hexafluoride (SF <sub>6</sub> )             | 50                                | —                            | —                           |
| 11  |            | Sulphur oxides (SO <sub>x</sub> /SO <sub>2</sub> )  | 150 000                           | —                            | —                           |
| 12  |            | Total nitrogen                                      | —                                 | 50 000                       | 50 000                      |
| 13  |            | Total phosphorus                                    | —                                 | 5 000                        | 5 000                       |
| 14  |            | Hydrochlorofluorocarbons (HCFCs) <sup>(10)</sup>    | 1                                 | —                            | —                           |
| 15  |            | Chlorofluorocarbons (CFCs) <sup>(11)</sup>          | 1                                 | —                            | —                           |
| 16  |            | Halons <sup>(12)</sup>                              | 1                                 | —                            | —                           |
| 17  |            | Arsenic and compounds (as As) <sup>(13)</sup>       | 20                                | 5                            | 5                           |
| 18  |            | Cadmium and compounds (as Cd) <sup>(13)</sup>       | 10                                | 5                            | 5                           |

<sup>6</sup>Unless otherwise specified any pollutant referred to in Schedule 2 shall be reported as the total mass of that pollutant or, where the pollutant is a group of substance, as the total mass of the group.

<sup>7</sup>A hyphen (-) indicates that the parameter and medium in question do not trigger a reporting requirement.

<sup>8</sup>Total mass of hydrogen fluorocarbon: sum of HFC23, HFC32, HFC41, HFC4310mcc, HFC125, HFC134, HFC134a, HFC152a, HFC143, HFC143a, HFC227ea, HFC236fa, HFC245ca, HFC365mfc.

<sup>9</sup>Total mass of perfluorocarbons: sum of CF<sub>4</sub>, C<sub>2</sub>F<sub>6</sub>, C<sub>3</sub>F<sub>8</sub>, C<sub>4</sub>F<sub>10</sub>, c-C<sub>4</sub>F<sub>8</sub>, C<sub>5</sub>F<sub>12</sub>, C<sub>6</sub>F<sub>14</sub>.

<sup>10</sup>Total mass of substances including their isomers listed in Group I and II of Annex I to Regulation (EC) No 2037/2000 of the European Parliament and of the Council of 29 June 2000 on substances that deplete the ozone layer (OJ L 244, 29.9.2000, p.1). Regulation as amended by Regulation (EC) No 1804/2003 (OJ L 265, 16.10.2003, p.1)

<sup>11</sup>Total mass of substances including their isomers listed in Group I and II of Annex I to Regulation (EC) No 2037/2000.

<sup>12</sup>Total mass of substances including their isomers listed in Group III and VI of Annex I to Regulation (EC) No 2037/2000.

<sup>13</sup>All metals shall be reported as the total mass of the element in all chemical forms present in the release.

| No. | CAS number | Pollutant <sup>(6)</sup>                                  | Threshold for releases<br>(column 1) |                                    |                                   |
|-----|------------|---|--------------------------------------|------------------------------------|-----------------------------------|
|     |            |   | to air<br>(column 1a)<br>kg/year     | to water<br>(column 1b)<br>kg/year | to land<br>(column 1c)<br>kg/year |
| 19  |            | Chromium and compounds<br>(as Cr) <sup>(13)</sup>         | 100                                  | 50                                 | 50                                |
| 20  |            | Copper and compounds<br>(as Cu) <sup>(13)</sup>           | 100                                  | 50                                 | 50                                |
| 21  |            | Mercury and compounds<br>(as Hg) <sup>(13)</sup>          | 10                                   | 1                                  | 1                                 |
| 22  |            | Nickel and compounds (as Ni) <sup>(13)</sup>              | 50                                   | 20                                 | 20                                |
| 23  |            | Lead and compounds (as Pb) <sup>(13)</sup>                | 200                                  | 20                                 | 20                                |
| 24  |            | Zinc and compounds (as Zn) <sup>(13)</sup>                | 200                                  | 100                                | 100                               |
| 25  | 15972-60-8 | Alachlor  | —                                    | 1                                  | 1                                 |
| 26  | 309-00-2   | Aldrin  | 1                                    | 1                                  | 1                                 |
| 27  | 1912-24-9  | Atrazine  | —                                    | 1                                  | 1                                 |
| 28  | 57-74-9    | Chlordane   | 1                                    | 1                                  | 1                                 |
| 29  | 143-50-0   | Chlordecone   | 1                                    | 1                                  | 1                                 |
| 30  | 470-90-6   | Chlorfenvinphos   | —                                    | 1                                  | 1                                 |
| 31  | 85535-84-8 | Chloro-alkanes, C <sub>10</sub> -C <sub>13</sub>          | —                                    | 1                                  | 1                                 |
| 32  | 2921-88-2  | Chlorpyrifos  | —                                    | 1                                  | 1                                 |
| 33  | 50-29-3    | DDT   | 1                                    | 1                                  | 1                                 |
| 34  | 107-06-2   | 1,2-dichloroethane (EDC)                                  | 1 000                                | 10                                 | 10                                |
| 35  | 75-09-2    | Dichloromethane (DCM)                                     | 1 000                                | 10                                 | 10                                |
| 36  | 60-57-1    | Dieldrin  | 1                                    | 1                                  | 1                                 |
| 37  | 330-54-1   | Diuron  | —                                    | 1                                  | 1                                 |
| 38  | 115-29-7   | Endosulfan  | —                                    | 1                                  | 1                                 |
| 39  | 72-20-8    | Endrin  | 1                                    | 1                                  | 1                                 |
| 40  |            | Halogenated organic compounds (as<br>AOX) <sup>(14)</sup> | —                                    | 1 000                              | 1 000                             |
| 41  | 76-44-8    | Heptachlor  | 1                                    | 1                                  | 1                                 |
| 42  | 118-74-1   | Hexachlorobenzene (HCB)                                   | 10                                   | 1                                  | 1                                 |
| 43  | 87-68-3    | Hexachlorobutadiene (HCBd)                                | —                                    | 1                                  | 1                                 |
| 44  | 608-73-1   | 1,2,3,4,5, 6<br>-hexachlorocyclohexane<br>(HCH)           | 10                                   | 1                                  | 1                                 |
| 45  | 58-89-9    | Lindane   | 1                                    | 1                                  | 1                                 |
| 46  | 2385-85-5  | Mirex   | 1                                    | 1                                  | 1                                 |
| 47  |            | PCDD +PCDF (dioxins +furans) (as<br>Teq) <sup>(15)</sup>  | 0,0001                               | 0,0001                             | 0,0001                            |

<sup>14</sup>Halogenated organic compounds which can be absorbed to activated carbon expressed as chloride.

<sup>15</sup>Expressed as I-TEQ.

| No. | CAS number | Pollutant <sup>(6)</sup>                                | Threshold for releases (column 1) |                                     |                                     |
|-----|------------|---|-----------------------------------|-------------------------------------|-------------------------------------|
|     |            |   | to air (column 1a) kg/year        | to water (column 1b) kg/year        | to land (column 1c) kg/year         |
| 48  | 608-93-5   | Pentachlorobenzene                                      | 1                                 | 1                                   | 1                                   |
| 49  | 87-86-5    | Pentachlorophenol (PCP)                                 | 10                                | 1                                   | 1                                   |
| 50  | 1336-36-3  | Polychlorinated biphenyls (PCBs)                        | 0,1                               | 0,1                                 | 0,1                                 |
| 51  | 122-34-9   | Simazine  | —                                 | 1                                   | 1                                   |
| 52  | 127-18-4   | Tetrachloroethylene (PER)                               | 2 000                             | 10                                  | —                                   |
| 53  | 56-23-5    | Tetrachloromethane (TCM)                                | 100                               | 1                                   | —                                   |
| 54  | 12002-48-1 | Trichlorobenzenes (TCBs) ( <i>all isomers</i> )         | 10                                | 1                                   | —                                   |
| 55  | 71-55-6    | 1,1,1-trichloroethane                                   | 100                               | —                                   | —                                   |
| 56  | 79-34-5    | 1,1,2,2-tetrachloroethane                               | 50                                | —                                   | —                                   |
| 57  | 79-01-6    | Trichloroethylene                                       | 2 000                             | 10                                  | —                                   |
| 58  | 67-66-3    | Trichloromethane  | 500                               | 10                                  | —                                   |
| 59  | 8001-35-2  | Toxaphene   | 1                                 | 1                                   | 1                                   |
| 60  | 75-01-4    | Vinyl chloride  | 1 000                             | 10                                  | 10                                  |
| 61  | 120-12-7   | Anthracene  | 50                                | 1                                   | 1                                   |
| 62  | 71-43-2    | Benzene   | 1 000                             | 200<br>(as BTEX)<br><sup>(16)</sup> | 200<br>(as BTEX)<br><sup>(16)</sup> |
| 63  |            | Brominated diphenylethers (PBDE)<br><sup>(17)</sup>     | —                                 | 1                                   | 1                                   |
| 64  |            | Nonylphenol and Nonylphenol ethoxylates (NP/NPEs)       | —                                 | 1                                   | 1                                   |
| 65  | 100-41-4   | Ethyl benzene   | —                                 | 200<br>(as BTEX)<br><sup>(16)</sup> | 200<br>(as BTEX)<br><sup>(16)</sup> |
| 66  | 75-21-8    | Ethylene oxide  | 1 000                             | 10                                  | 10                                  |
| 67  | 34123-59-6 | Isoproturon   | —                                 | 1                                   | 1                                   |
| 68  | 91-20-3    | Naphthalene   | 100                               | 10                                  | 10                                  |
| 69  |            | Organotin compounds (as total Sn)                       | —                                 | 50                                  | 50                                  |
| 70  | 117-81-7   | Di-(2-ethyl hexyl) phthalate (DEHP)                     | 10                                | 1                                   | 1                                   |
| 71  | 108-95-2   | Phenols (as total C) <sup>(18)</sup>                    | —                                 | 20                                  | 20                                  |
| 72  |            | Polycyclic aromatic hydrocarbons (PAHs) <sup>(19)</sup> | 50                                | 5                                   | 5                                   |

<sup>16</sup>Single pollutants are to be reported if the threshold for BTEX (the sum parameter of benzene, toluene, ethyl benzene, xylenes) is exceeded.

<sup>17</sup>Total mass of the following brominated diphenylethers: penta-BDE, octa-BDE and deca-BDE.

<sup>18</sup>Total mass of phenol and simple substituted phenols expressed as total carbon.

<sup>19</sup>Polycyclic aromatic hydrocarbons (PAHs) are to be measured for reporting of releases to air as benzo(a)pyrene (50-32-8), benzo(b)fluoranthene (205-99-2), benzo(k)fluoranthene (207-08-9), indeno(1,2,3-cd)pyrene (193-39-5) (derived from Regulation (EC) No 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants (OJ L 229, 29.6.2004, p.5))

| No. | CAS number | Pollutant <sup>(6)</sup>                         | Threshold for releases (column 1) |                               |                               |
|-----|------------|--|-----------------------------------|-------------------------------|-------------------------------|
|     |            |  | to air (column 1a) kg/year        | to water (column 1b) kg/year  | to land (column 1c) kg/year   |
| 73  | 108-88-3   | Toluene  | —                                 | 200 (as BTEX) <sup>(16)</sup> | 200 (as BTEX) <sup>(16)</sup> |
| 74  |            | Tributyltin and compounds <sup>(20)</sup>        | —                                 | 1                             | 1                             |
| 75  |            | Triphenyltin and compounds <sup>(21)</sup>       | —                                 | 1                             | 1                             |
| 76  |            | Total organic carbon (TOC) (as total C or COD/3) | —                                 | 50 000                        | —                             |
| 77  | 1582-09-8  | Trifluralin                                      | —                                 | 1                             | 1                             |
| 78  | 1330-20-7  | Xylenes <sup>(22)</sup>                          | -                                 | 200 (as BTEX) <sup>(16)</sup> | 200 (as BTEX) <sup>(16)</sup> |
| 79  |            | Chlorides (as total Cl)                          | —                                 | 2 million                     | 2 million                     |
| 80  |            | Chlorine and inorganic compounds (as HCl)        | 10 000                            | —                             | —                             |
| 81  | 1332-21-4  | Asbestos   | 1                                 | 1                             | 1                             |
| 82  |            | Cyanides (as total CN)                           | —                                 | 50                            | 50                            |
| 83  |            | Fluorides (as total F)                           | —                                 | 2 000                         | 2 000                         |
| 84  |            | Fluorine and inorganic compounds (as HF)         | 5 000                             | —                             | —                             |
| 85  | 74-90-8    | Hydrogen cyanide (HCN)                           | 200                               | —                             | —                             |
| 86  |            | Particulate matter (PM <sub>10</sub> )           | 50 000                            | —                             | —                             |
| 87  | 1806-26-4  | Octylphenols and Octylphenol ethoxylates         | —                                 | 1                             | —                             |
| 88  | 206-44-0   | Fluoranthene                                     | —                                 | 1                             | —                             |
| 89  | 465-73-6   | Isodrin  | —                                 | 1                             | —                             |
| 90  | 36355-1-8  | Hexabromobiphenyl                                | 0,1                               | 0,1                           | 0,1                           |
| 91  | 191-24-2   | Benzo(g,h,i)perylene                             |                                   | 1                             |                               |

(\*) Releases of pollutants falling into several categories of pollutants shall be reported for each of these categories

<sup>20</sup>Total mass of tributyltin compounds, expressed as mass of tributyltin.

<sup>21</sup>Total mass of triphenyltin compounds, expressed as mass of triphenyltin.

<sup>22</sup>Total mass of xylene (ortho-xylene, meta-xylene, para-xylene).



GIVEN under the Official Seal of the Minister for the Environment,  
Community and Local Government,  
13 December 2011.

PHIL HOGAN,  
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.)*

The development of a national pollutant release and transfer register to facilitate public participation in environmental decision-making as well as contribute to the prevention and reduction of pollution of the environment is a key obligation which is required to be fulfilled by Ireland in order to ratify the United Nations Economic Commission for Europe Protocol on Pollutant Release and Transfer Registers (UNECE Protocol on PRTRs).

A PRTR is a national or regional environmental database or inventory of potentially hazardous chemical substances and/or pollutants released to air, water and soil, and transferred off-site for treatment or disposal.

These Regulations designate the Environmental Protection Agency as competent authority for the purposes of establishing and maintaining an Irish pollutant release and transfer register. The Agency must fulfil obligations with regard, inter alia, to the drawing up and maintenance of a publicly accessible national register within specified timeframes.

The UNECE Protocol requires that enforcement measures be taken to ensure implementation of its provisions. Offences under these Regulations may be prosecuted by the Environmental Protection Agency.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ón  
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,  
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,  
nó tríd an bpost ó  
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,  
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,  
CONTAE MHAIGH EO,  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)  
nó trí aon díoltóir leabhar.

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