



STATUTORY INSTRUMENTS.

S.I. No. 250 of 2019



WASTE MANAGEMENT (FACILITY PERMIT AND REGISTRATION)
(AMENDMENT) REGULATIONS 2019

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I, RICHARD BRUTON, Minister for Communications, Climate Action and Environment, in exercise of the powers conferred on me by sections 7 and 39 of the Waste Management Act 1996 (No. 10 of 1996), hereby make the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the Waste Management (Facility Permit and Registration) (Amendment) Regulations 2019.

(2) These Regulations shall come into operation three months after the date on which notice of their making is published in *Iris Oifigiúil*.

Interpretation

2. In these Regulations —

“Regulations of 2007” means the Waste Management (Facility Permit and Registration) Regulations 2007 (S.I. No.821 of 2007) as amended.

Amendments

3. The Regulations of 2007 are amended -

(a) in article 31 by inserting after sub-article (1) the following -

“1 (A) (a) Notwithstanding sub-article (1), a proposal to increase the total quantity of waste recovered at a facility to more than 100,000 tonnes and less than 200,000 tonnes in the case of a Class 5 activity as specified in Part 1 of the Third Schedule warrants an application for a waste facility permit in accordance with articles 7, 8, 9 and 10, as opposed to an application for a review of an existing waste facility permit.

(b) If a local authority receives an application for a review which includes a proposal to increase the total quantity of waste recovered at a facility to more than 100,000 tonnes and less than 200,000 tonnes in the case of a Class 5 activity as specified in Part 1 of the Third Schedule it shall inform the applicant within 15 working days from the date of receipt of such an application for a review -

(i) of a failure to comply with sub-article (1A) and advise that the application is

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 11th June, 2019.*

invalid and cannot be considered further by the local authority, and

- (ii) that the proposal to increase the total quantity of waste recovered at a facility to more than 100,000 tonnes and less than 200,000 tonnes in the case of a Class 5 activity as specified in Part 1 of the Third Schedule warrants an application for a waste facility permit in accordance with articles 7, 8, 9 and 10.”

and

- (b) in the Third Schedule Part 1 by substituting for the matter set out at reference CLASS No. 5 the following -

“

5.	Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 200,000 tonnes.
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GIVEN under my Official Seal,

30 May 2019.

RICHARD BRUTON

Minister for Communications, Climate Action
and Environment.

EXPLANATORY NOTE

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

These regulations amend the Waste Management (Facility Permit and Registration) Regulations 2007 (No.821 of 2007) to increase the total maximum quantity of waste which may be recovered at a Class 5 activity facility as specified in Part 1 of the Third Schedule from less than 100,000 tonnes to less than 200,000 tonnes on foot of a successful application for a waste facility permit.

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