



Waste Legislation for Retailers

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Disclaimer: This document should not be considered a legal interpretation of the legislation referred to herein, nor should it be considered to be a complete account of all relevant legislation at the time of this publication or at a later date. Although every effort has been made to ensure accuracy of the material contained in this publication, complete accuracy cannot be guaranteed.





Waste Legislation for Retailers

1.0 Introduction

Environmental legislation provides a framework for minimizing environmental impact of any business, including the retailer. A number of environmental regulations apply to the activities of retailers, depending on the goods being sold. These regulations are also linked with other legislation, such as Planning, Health & Safety.

The Regional Waste Management Office (RWMO) for the Limerick/Clare/Kerry Region has produced this guide so that retailers have a readily available means of finding out the main aspects of waste legislation that apply to them. However, it is advised that you familiarize yourself directly with each relevant item of legislation referred to in this booklet.

The Regional Waste Management Office is funded by Limerick, Clare and Kerry County Councils and Limerick City Council.

If you have any queries, please feel free to contact the RWMO, email: rwmo@limerickcoco.ie, Tel 061 496596. The RWMO's website is www.managewaste.ie.

1.1 Environmental Management System

A business stands to reap benefits from having a structured environmental management system (EMS) in place. It does not always have to be the certified ISO 14001 EMS or other formal system but could be a framework for all environmental aspects of the business.

Some of the core items of an EMS are as follows:

- Environmental policy of the business - typically a one page statement which staff know and understand. The policy can also be on display for your customers to view.
- Knowledge of and compliance with relevant environmental legislation.
- Clear procedures, e.g. Waste minimization, emergency & spillage management.
- A commitment to continuous improvement.

The retailer can gain through internal cost savings from greater resource efficiency and through improved public image with their customers and potential future customers. Increasingly, potential clients, whether individuals or other businesses, are looking at environmental credentials before giving business to a new supplier.

Retailers are encouraged to check the website www.greenbusiness.ie and read about the tools and free expertise that is available to help you improve resource efficiency and minimize waste.

Sources of Further Information are available at the back of this brochure.

1.2 Waste Minimisation

The main objective of any waste management system should be waste prevention, followed by reuse, recycling, recovery and finally least of all disposal. Most waste legislation, as you will see in this guide, follows this principle which is known as the waste management hierarchy. Ireland's national recovery and recycling targets leading to diversion of waste from landfill follow EU policy which maintains the waste management hierarchy as its principal structure. The emphasis on waste prevention is reinforced in the most recent European Waste Framework Directive.

Central also to a lot of waste legislation is the concept of Producer Responsibility. This principle means that whoever is responsible for generating / selling the product is also responsible for managing the waste arising at the end of life of the product. This booklet provides an overview of the important items of legislation for the retailer. It is not an exhaustive list of regulations - other legislation may also apply, depending on the product you sell. The onus is on the retailer selling particular goods to ensure that they are aware of and comply with relevant environmental legislation.



2.0 Waste Legislation - Background

The framework for most waste legislation is the Waste Management Act of 1996 and its subsequent amendments.

Many of the regulations emanate from requirements under EU Directives, such as the Waste Packaging Directive, the WEEE and Batteries Directives.

As well as these national regulations, local authorities may also produce local byelaws, such as the Presentation of Waste Bye Laws, which are implemented on an individual local authority basis - in this region by Limerick, Clare and Kerry County Councils and Limerick City Council.

National policy focuses on the waste management hierarchy, i.e. promotion of waste prevention, reuse, improved recycling and recovery, diversion of waste from landfill or disposal. This has provided a motive for the objectives and requirements set out under the regulations, and as specified in regional waste management plans - in this case the plan for the Limerick / Clare / Kerry region.

Overall, national policy and associated waste legislation are in place with a view to reducing environmental impact. Waste legislation is one of the tools used to help achieve policy objectives and targets, in tandem with promotion of increased awareness as well as provision of guidance and support by local authorities, regional and national agencies.

While this publication does not provide details of the penalties for noncompliance with individual items of legislation, the legislation itself describes the particular offences and penalties involved.

3.0 Producer Responsibility

The principle behind producer responsibility is that whoever is responsible for generating / selling the product is also responsible for managing the waste arising at the end of life of the product.

There are several 'producer responsibility' regulations which involve the retailer. Not only is a manufacturer classed as a producer but importers, distributors and retailers are in many cases also classed as 'producers' because of their particular role along the supply chain.

Examples of producer responsibility regulations include those for Waste Packaging, Waste Batteries and Waste Electrical and Electronic Equipment (WEEE).

An example of a fully voluntary producer responsibility scheme is the Green Press Partnership (GPP) which is a partnership of six newspaper and magazine bodies. GPP focuses on improved waste prevention and recycling along the paper supply chain.

3.1 Waste Packaging Regulations

Waste Management (Packaging) Regulations 2007 – S.I. No. 798 of 2007

Since the original EU Packaging Directive of 94/62/EC, Ireland has made great strides in achieving waste packaging recovery targets. The most recent European Packaging Directive 2004/12/EC specifies increased recycling and recovery targets for waste packaging, including material-specific recycling targets.

What The Retailer Must Do

All **producers** - including retailers of packaging or packaged goods - must manage packaging waste arising on their premises as follows:

Specified packaging waste arising on-site:

Specified packaging waste comprises *aluminium, fibreboard, glass, paper, plastic sheeting, steel and wood.*

- Must be transferred to or collected by a producer of packaging / packaging products of an equivalent type, **or**
- Collected by a permitted waste collector for the purposes of recovery.

Other packaging waste arising on-site:

- Must be transferred to or collected by a producer of packaging / packaging products of an equivalent type, **or**
- Collected by a permitted waste collector for the purposes of treatment, recovery or disposal.



Additional Requirements for Major Producers of Packaging / Packaged Products

Major producers are producers, including retailers, that exceed €1m annual turnover and send in excess of 10 tonnes of packaging into the Irish market annually. Packaging in a reuse loop is not included when determining the tonnage of packaging - it is only included when it is finally classed as waste at the end of its life.

Once-off packaging arising from products sold and consumed on the premises must be included in determining tonnage, as well as packaging on goods sold for off-site use and consumption.

Major producers must be self-compliant and register with their local authority & take back packaging from customers / the public, place public notices to that effect and meet minimum recovery targets. The packaging to be taken back is the equivalent type to that which the major producer places on the market. (Note it does not have to be the same brand).

OR

Join a packaging waste compliance scheme i.e. [Repak](#) is the currently approved compliance scheme. Repak coordinates the achievement of national recovery and recycling targets on behalf of its members. Further information is available at www.repak.ie. For information on Repak's initiatives on waste prevention in conjunction with the EPA, please check the website www.preventandsave.ie

Note: A producer may be requested by the local authority to submit a Packaging Report, in order to determine whether that producer is a major producer.

3.2 WEEE Regulations

European Communities (Waste Electrical and Electronic Equipment) Regulations 2011 S.I. 355 of 2011

The WEEE Regulations, originally introduced in 2005, were implemented with a view to fulfilling national recovery requirements in accordance with the European WEEE Directive. The regulations state that producers of electrical & electronic equipment are financially responsible for the recovery and proper treatment and disposal of WEEE. Responsibilities also apply to distributors, including retailers.

The regulations provide for a free take-back scheme whereby householders can leave their WEEE back free of charge at the point of retail when purchasing a new similar item, or alternatively at authorised collection points, such as local authority Recycling Centres. The arrangements for non-household WEEE generated by businesses are based on the initial contract with the purchaser.

WEEE Categories

1. Large household appliances
2. Small household appliances
3. IT and telecommunications equipment
4. Consumer equipment

5. Lighting equipment
6. Electrical and electronic tools (with the exception of large-scale stationary industrial tools)
7. Toys, leisure and sports equipment
8. Medical devices (with the exception of all implanted and infected products)
9. Monitoring and control instruments
10. Automatic dispensers



What The Retailer Must Do

A retailer must:

- be registered annually with their local authority or alternatively register with an approved compliance scheme (ERP for the Limerick Clare Kerry Region);
- provide for free in-store take back of household WEEE and similar WEEE from businesses on a one-for-one basis on the sale of a new equivalent product;
- accept at the store an equivalent WEEE item from the customer up to 15 days after sale of the new product or up to 30 days if the WEEE has not been collected upon delivery of a new domestic appliance;
- ensure that any WEEE collected is delivered to an approved collection facility;
- ensure that the storage and transport of WEEE collected as above meets the requirements of the Regulations;
- ensure, through a public notice on the premises, that private households are informed of the WEEE take back facilities available to them
- only sell electrical and electronic goods that have been produced / imported by a producer registered with WEEE Register www.weeeregister.ie.
- where provided by the producer and as appropriate, display Environmental Management Costs (Producer Recycling Fund)

WEEE Retailer Registration

A retailer must either register annually with the local authority or alternatively register with the approved WEEE compliance approved body. For the Limerick Clare Kerry region, the approved compliance body is ERP Ireland.

If the retailer is already registered through their local authority, they may choose the alternative of registering with ERP Ireland - once the local authority is informed of this.

Contact details for registration with ERP Ireland are:

Email: retailerreg@erp-recycling.org, Tel: (0)1 299 5642, website www.erp-recycling.ie

3.3 Waste Batteries Regulations

Waste Management (Batteries and Accumulators) Regulations 2008 - S.I. No. 268 of 2008 / S.I. No. 556 of 2008 (Amendment Regs)

These Regulations transpose in full EU Directive 2006/66/EC on waste batteries and accumulators. (Accumulators comprise rechargeable batteries).

Definitions:

- **Portable battery:** small batteries, commonly used in domestic appliances. (AA, AAA, button cells)
- **Industrial/automotive battery:** Car battery, fence battery, power tools (inc. rechargeable), any other specialist batteries used in commercial or industrial activities.
- **Producer:** The manufacturer of any type of battery.
- **Distributor:** Any store, business or retailer who sells batteries to end users.



What The Retailer Must Do

- Retailers of ALL battery types must accept, free of charge from the public, waste batteries equivalent to those sold, even where the person has not purchased a battery.
- Retailers of automotive and industrial batteries must register with their local authority, or alternatively with one of the approved Battery compliance schemes. For the Limerick/Clare/Kerry Region, the approved battery compliance scheme is European Recycling Platform (ERP), Tel: 01 2995642 E-mail: Ireland@erp-recycling.org
- Retailers need only take back batteries equivalent to the type they sell.
- Battery take-back should be facilitated by the retailer through the use of drop-off waste battery collection containers.
- Only sell batteries that are supplied by a Producer who is registered with the national registration body, WEEE Register.
- Retailers may deposit waste batteries free of charge at the local authority recycling centres which accept batteries.
- Display adequate information regarding the free battery take-back scheme.

3.4 Farm Plastics Regulations

Waste Management (Farm Plastics) Regulations - S.I. No. 341 of 2001

Initially introduced in 1997, the Farm Plastics recovery scheme was revised and replaced through the Waste Management (Farm Plastics) Regulations, 2001. Farming has become one of the largest regular users of plastic film in this country, particularly for silage cover sheets and bale wrapping.

The Regulations place an obligation on farmers to recover farm plastic waste generated. A levy is charged on all farm plastics sold and this is used to assist in the recovery of the plastics.

Definitions:

Producer: The manufacturer or importer of silage wrap and plastic film.

Supplier: Any company/business/person who sells/distributes farm plastics to the end user, i.e. the farmer.

A producer of farm plastic film must either:

- Operate a deposit and refund scheme for farm plastic film that they place on the market in Ireland, as well as registering with, and submitting reports to, every local authority in whose functional area they supply farm plastic,

OR

- Participate in a collection/recovery scheme operated by the Irish Farm Film Producers Group (IFFPG), which is the sole government approved body under the regulations.

A supplier of farm plastic film must:

- register with an approved body (Irish Farm Film Producers Group) and exclusively offer for sale, plastic provided by a member of the Irish Farm Film Producers Group (IFFPG).
- apply the appropriate levy on all plastic sold, together with providing adequate documentation of the correct levy on all sales documentation.

In tandem with IFFPG, there is also a recycling initiative, Farm Plastics Recycling, that covers a recycling scheme for other types of farm plastic: fertiliser bags, feed bags, chemical containers, netting and twine.

Both IFFPG and Farm Plastics Recycling can be accessed via the website www.farmplastics.ie. Information that is provided includes the times and locations of used farm plastic bring points which are organised periodically in each local authority area.

3.5 Waste Tyres Regulations

Waste Management (Tyres and Waste Tyres) Regulations – S.I. No. 664 of 2007

The Waste Tyre Regulations 2007 came into effect on 1st January 2008. These regulations are designed to promote the environmentally sound management of waste tyres. The Regulations impose obligations on persons who supply tyres to the Irish market, whether as manufacturers, wholesalers, suppliers, traders, or retailers and on the collectors of waste tyres.

Tyre Suppliers

They must register with an approved body i.e.

(1) Tyre Recovery Activity Compliance Scheme (TRACS) (01) 4100601 - www.tracsireland.ie

or

(2) Tyre Waste Management (TWM) (087) 1479534 - www.twm.ie

or

register with the local authority where they operate a premises.

Tyre centres or garages are obliged to only use Authorised Waste Collectors to remove their waste tyres.

Farmers

Farmers must only use Authorised Waste Collectors to move waste tyres on or off their farms. If farmers hold more than 8 tyres per square metre area of their silage pits, then they need to hold a waste permit that is issued from their Local Authority. As an example, a 20m x 10m silage pit is allowed 1600 tyres.

Waste Tyre Collectors

Anyone who wishes to collect tyres must hold a valid Waste Collection Permit. All Authorised Waste Collectors must either register with TRACS or TWM or with their local authority. The sites that waste tyre collectors use to store waste tyres must hold a waste facility permit or licence.

The due date for first registration was 31st January 2008. Registration is due by the end of January of every subsequent year.



3.6 End Of Life Vehicles Regulations

Waste Management (End-Of-Life Vehicles) Regulations 2006 – S.I. No. 282 Of 2006

What the Vehicle Producer Must Do

The *End of Life Vehicle (ELV)* Regulations place obligations on producers - vehicle manufacturers and professional importers - to establish national collection systems for the recovery and treatment of end-of-life vehicles. Each producer must register with each local authority.

Typically, an end-of-life vehicle will be a passenger car or a light commercial van that the registered owner wishes to dispose of as waste. Owners of intact end-of-life cars and vans can deposit them free-of-charge at an Authorised Treatment Facility (ATF). An exception to the free take-back principle is provided where a vehicle is missing its essential components or where waste has been added to the vehicle.

Under the regulations, each producer's national collection system is required to have at least one authorised treatment facility in every city and county council area. The owner or operator of that facility shall issue, free of charge, a Certificate of Destruction to the registered owner, an authorised person of a local authority or a member of An Garda Síochána. Obligations are imposed on all authorised treatment facilities to ensure that they are properly permitted and have adequate facilities for handling and storage of ELVs.

What the Vehicle Owner Must Do

An obligation is also imposed on vehicle owners, where the registered owner of a specified vehicle intends to discard that vehicle as waste, he or she is required to deposit that vehicle at an authorised treatment facility. If the vehicle is not roadworthy, the services of a permitted waste collector must be used to transport the ELV to the facility.

It is important that the registered owner of the vehicle ensure they receive a Certificate of Destruction for the vehicle from the ATF. This is a statutory document, and cannot be copied or amended by any person.

The registered vehicle owner can give a letter of authorisation along with the vehicle's vehicle registration certificate/vehicle licensing certificate/ vehicle log-book to the waste collector in order for certificate of destruction to be issued.

4.0 Plastic Bag Levy

Plastic Bag (Amendment) (No. 2) Regulations – S.I. 167 of 2007

Under these regulations, the plastic bag levy is now 22 cent. Originally with a levy of 15c per bag when it was introduced in 2002, it has had a very positive impact, with use of plastic bags estimated to have reduced from over 300 bags per person per year to approximately 20 bags per person per year. As a result, plastic bag litter has reduced dramatically.

What The Retailer Must Do

- As a retailer, you are obliged to charge 22 cent for every plastic bag that you supply, apart from specific exemptions which are summarised below.
- The retailer must apply the levy at the point of sale - details of the levy must be supplied on invoice & receipt provided to the customer. The levy is not subject to VAT.

Exemptions

The levy does not apply to the sale / purchase of reusable plastic bags provided the retailer charges a minimum of 70 cent per bag. Also exempted are plastic bags used for fresh meat, fish, ice or poultry and bags for loose fruit and vegetables and other unpackaged foods. However, there is a clear specification regarding the maximum size of those bags.

To access Frequently Asked Questions on the Plastic Bag Levy, please check www.environ.ie, the website for the Department of Environment, Community and Local Government.

For full details regarding payment of the levy by the retailer to the Collector General, please check the website www.revenue.ie. Contact details:

**Collector-General,
Elevy (Plastic Bag) Section,
Mill Lane,
Listowel
Co. Kerry**
Lo-Call: 1890 20 30 70.
E-mail: ellevy@revenue.ie





5.0 On-Site Waste Management

5.1 Segregation According To Waste Types

While prevention should be the aim, achieved through for example reusable packaging, avoidance of out-of-date goods, and general avoidance of waste, the next objective is to segregate wastes in order to facilitate recycling or recovery.

As well as the information contained in this Section 5, please refer also to Section 3 which covers producer responsibility requirements, i.e. in relation to on-site segregation of the following:

- Waste Packaging
- Waste Electrical and Electronic Equipment
- Waste Batteries

and any other producer responsibility regulations applicable to your retailer business.

5.2 Food Waste Regulations

Waste Management (Food Waste) Regulations 2009 – S.I. NO. 508 of 2009

The Food Waste Regulations came into force in January 2010. They facilitate the diversion of biodegradable waste from landfill. The Regulations apply to outlets serving food on the premises and / or selling food products to customers - i.e. shops and supermarkets, as well as hotels, restaurants, cafes, staff canteens, etc.

What The Retailer Must Do

- Food waste must be **source segregated** and set aside from other waste
- Food waste arising in obligated premises, where food is supplied for consumption may be generated in three broad classifications
 - Catering waste**
 - Butchery waste**
 - Former foodstuffs**
- All “**catering waste**” - food waste arising in kitchens, hotels, cafes, canteens etc. must be placed in the brown bin, provided by your authorised waste collector. Used cooking oil must be collected separately.
- All meat waste generated at a “**butchery counter**”, including raw fish at a fish counter, is to be regarded as “**butchery waste**” and must be collected by approved licensed hauliers (licensed by the Department of Agriculture).

- Packaged meat waste arising on sales' display shelves at a retail premises is regarded as "**former foodstuffs**". Packaged meat and other former foodstuffs arising on retail premises must be kept separate from "catering waste" and collected by approved licensed hauliers (licensed by the Department of Agriculture), **unless** otherwise advised by your authorised waste collector. Check with your waste collector whether or not to remove packaging material from "former foodstuffs".

Notes

- Further information is available on www.foodwaste.ie.
- The Food Waste Regulations acknowledge the requirement for full compliance with the **Animal By Products Regulations** and with **Food Safety and Hygiene** standards. Please consult the following:
 - Department of Agriculture, Fisheries and Food, www.agriculture.ie
 - Environmental Health Service within the HSE, www.hse.ie
 - Food Safety Authority of Ireland, www.fsai.ie
- Food waste producers are not allowed to use purpose built mechanical devices to hydrate or alter the structure of food waste for the purposes of flushing solid food waste into the sewerage system. This is **irrespective** of whether the premises has a Trade Effluent Discharge Licence. For example, sink macerators are not allowed.
- Food waste may be treated on the premises under specific conditions. The producer may transport the waste to an authorized facility; the producer does not need a waste collection permit to transport the food waste to such a facility once specific conditions are met. Other than these options, food waste must be collected by an approved waste collector.

5.3 Use Of Approved Waste Collectors

Collectors of waste must be permitted as appropriate in accordance with the **Waste Management (Collection Permit) Regulations 2007 and Waste Management (Collection Permit) Amendment Regulations 2008**. Anyone, except in cases of specific exemptions, who proposes to collect waste must apply to the relevant nominated authority for their region for a single-region or a multi-region waste collection permit. Facilities used for recycling, treatment and disposal of waste must be licensed, permitted or otherwise authorized in accordance with the relevant legislation.

What The Retailer Must Do

There is a general obligation on every business to ensure that the contractor collecting their waste is permitted as appropriate. The retailer must check that the waste collector is permitted to collect the specific waste categories and individual types, which the retailer wishes to have collected. Please refer to the example of waste types given in the next paragraph.

The Service that Your Waste Collector Provides

Each waste collector must have a valid **Waste Collection Permit**. A copy of the permit and amendments is to be kept in each vehicle.

Waste Collection Permit conditions include details of the following:

- **Local authorities** in whose areas waste may be collected
- **Waste categories:** Household, Commercial/Industrial, Hazardous...
- **Individual waste codes** permitted – details in Appendix A of permit, e.g.

EWC 20 03 01 - Mixed municipal waste (standard waste)

EWC 20 03 07 - Bulky waste i.e. large nonstandard items

EWC 16 06 01* - Lead Batteries

EWC: *European Waste Catalogue, Note that * means hazardous waste*

- **Listed facilities and vehicles** - Appendices B, C respectively.

Dry Recyclables Collection

In addition to commercial waste collectors being required to provide separate receptacles for packaging waste, they must also provide their clients with a mixed dry recyclable collection service which must include the following:

| | |
|--|---|
| Newspapers Magazines, mailshots & Office Paper | ✓ |
| Cardboard | ✓ |
| Plastic Bottles | ✓ |
| Tetrapaks | ✓ |
| Cans & Tins (Drinks cans, Food cans) | ✓ |
| Plastic Film/Packaging | ✓ |

'Organic Waste'- Brown Bin collection

Collectors must provide segregated collection of 'brown bin' organic waste to all commercial premises producing food waste.

Under the Waste Management (Food Waste) Regulations, obligated premises such as food retailers, hotels, restaurants, delis, must present food waste for segregated waste collection Ref. The Food Waste Regulations described in Section 5.2 of this booklet).

Note:

You can check Waste Collection Permit details by contacting the Regional Waste Management Office, rwmo@limerickcoco.ie, Tel 061 496596.

5.4 Bye Laws For The Presentation And Collection Of Household & Commercial Waste

Specific local authority bye laws require that waste is presented in accordance with certain conditions for collection by an approved collector. These bye laws reinforce or add to the requirements contained in national waste legislation.

What The Retailer Must Do

Waste presentation bye laws typically include the following:

- Only use an approved collector with the appropriate waste collection permit.
- All household or commercial waste must be presented for collection in a wheelie bin, unless otherwise approved.
- Mixed dry recyclables and organic waste must be presented separately for collection.
- No additional refuse bags to be left beside or on top of bins & the lid of the wheelie bin to be fully closed.
- Time restrictions apply to when waste bins can be presented outside premises for collection.
- Bins must be removed from the roadways / footpaths after they are emptied - **public areas cannot be used for bin storage.**
- The presenter of the waste shall not cause any waste to be lost or deposited on the ground area outside their premises.

For further details, please consult your individual local authority.

5.5 Hazardous Waste Regulations

Common hazardous wastes include:

- Many waste chemicals including those that are labelled toxic, harmful, flammable or oxidising
- Liquid paint
- Fluorescent light tubes
- Oil wastes
- Discarded electrical and electronic equipment containing hazardous components

Regulations which address specific hazardous waste streams include:

- *WEEE Regulations - Waste Electrical & Electronic Equipment S.I. No. 340 of 2005*
- *ELV Regulations - End of Life Vehicles S.I. No. 282 of 2006*
- *European Communities (Waste Oils) Regulations - S.I. No. 399 of 1992*

Certain other regulations refer to hazardous waste in general, such as:

Waste Management (Hazardous Waste) Regulations S.I. No. 163 of 1998 / S.I. No. 73 of 2000

Waste Management (Movement of Hazardous Waste) Regulations S.I. No. 147 of 1998



Hazardous Waste – What The Retailer Must Do

- Hazardous waste must be segregated and adequately contained and labelled.
- A business must keep records, such as quantity, nature and origin of waste produced, as well as details on removal off-site and final treatment or disposal. (i.e. C1 Form records).
- Material Safety Data Sheets should be checked and suppliers consulted for further advice where appropriate.
- All legislation and standards for handling of hazardous materials must be followed.
- Ensure the waste contractor that you select to remove hazardous waste possesses a valid Waste Collection Permit. Check that the permit covers your local authority area and includes relevant waste codes. You can verify details through the Regional Waste Management Office, rwmo@limerickcoco.ie, Tel 061 496596, website www.managewaste.ie.
- Find out in advance the destination of the waste and ensure the site is licensed or permitted.

5.6 Prohibition On Backyard Burning

Waste Management (Prohibition of Waste Disposal By Burning) Regulations 2009 S.I. No. 286 of 2009

These regulations describe what is prohibited in terms of burning waste. In essence all forms of burning, other than that covered by strict licence, is prohibited and this includes burning waste in a domestic fireplace.

The Regulations make it clear than disposal of waste by uncontrolled burning is prohibited, other than specific temporary exemptions relating to certain agricultural practices.

5.7 Wastewater Discharges

Local Government (Water Pollution) Acts 1977 and 1990 Local Government (Water Pollution) Regulations, 1978 and 1992

Commercial activities discharging trade effluent to the public sewer require a licence under Section 16 of the Local Government Water Pollution Acts 1977 & 1990. In addition, with few exemptions, effluent discharges to waters require a licence under Section 4 of the Water Pollution Acts.

Should you have any queries in relation to licence for discharge of trade effluent to sewer or to water, you are advised to contact your local authority.

Note: Use of a macerator, e.g. under sink macerator, is not allowed under the Waste Management (Food Waste) Regulations.

5.8 Litter Prevention

Litter Pollution Act 1997 - 2003

Definition of Litter

The definition of litter is very broad and includes the obvious items like crisp bags, bottles, cans, etc.; but it also includes items such as cigarette butts and chewing gum.

Public Areas

Retailers shall arrange the removal of litter from public areas not exceeding a distance of 100m from their premises. Failure to do so is an offence.

Private Property

The owner or occupier of property, which can be seen from a public place, is obliged to keep it free from litter. Basically, any outdoor area on your property that is visible from a public place must be kept free of litter.

Posters, Signs and Advertising Flyers

The law forbids the erection of posters/signs on poles or on other structures in public places unless you have the written permission of the owner of the pole or other structure in advance of putting up the posters/signs. The placing of advertising leaflets on car windscreens is prohibited, as is the distribution of advertising leaflets on the street. All articles or advertisements exhibited in a public place must include the name and address of the person on whose behalf they are exhibited.

Public Litter Bins

Litter bins are provided for the disposal of casual street litter and are not to be used for the disposal of domestic/commercial waste. It is an offence to dispose of your household/commercial waste in street litter bins.





6.0 Other Relevant Environmental Legislation

6.1 General

The following is a non-exhaustive list of items of other equally significant environmental legislation which apply to retailers. It needs to be emphasised also that Planning requirements, health & safety, food hygiene are also of priority and you are advised to consult further with the relevant agencies, such as your Planning Authority, the Health & Safety Authority (www.hsa.ie), the Food Safety Authority of Ireland (www.fsai.ie), the Department of Agriculture, Fisheries and Foods (www.agriculture.ie), Health & Safety Executive (www.hse.ie), Dept of Transport (www.deti.ie), and other relevant agencies.

■ Avoidance of Nuisance

- Air Pollution Act 1987
- Noise Regulations 1994

■ Solvents Regulations:

- Emissions of Volatile Organic Compounds from Organic Solvents Regulations 2002 (S.I. No. 543 of 2002) (relevant to dry cleaners, printers, vehicle refinishing, etc.)

■ Decorative Paints Regulations

- Limitation of Emissions of Volatile Organic Compounds due to the use of Organic Solvents in certain paints, varnishes and vehicle refinishing products Regulations 2007 (S.I. No. 199 of 2007)

■ Refrigeration & Air Conditioning

- Fluorinated Greenhouse Gases (F-Gases) EC Regn 842 / 2006
- Ozone Depleting Substances (ODS) Regs SI 281 of 2006

■ Petroleum Retail Regulations

- The Dangerous Substances (Retail & Private Petroleum Stores) 1979 - 2008 Regulations
- Air Pollution Act 1987 - Petroleum Vapour Emissions Regulations S.I. 375/1997

■ Water Conservation Regulations 2008 (S.I. No. 527 of 2008)

■ Energy Conservation / Building Energy Rating

■ Product Environmental Labels, e.g.

- EU Eco Label (EU Flower)
- Green Dot Logo
- Recycling Symbols
- Energy Efficiency Label

