

PSE Kinsale Energy Ltd

**Kinsale Area Decommissioning
Project**

**Draft Resource and Waste
Management Plan**

253993-00-REP-17

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This report takes into account the particular instructions and requirements of our client.

It is not intended for and should not be relied upon by any third party and no responsibility is undertaken to any third party.

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1 Introduction

1.1 Overview

PSE Kinsale Energy Limited (Kinsale Energy) is preparing for the decommissioning of the Kinsale Area gas fields and facilities, which are coming to the end of their productive life, having been in production since 1978. The Kinsale Area gas fields and facilities are located in the Celtic Sea, between approximately 40 and 70km off the County Cork coast and onshore at Inch, Co. Cork (as illustrated in Figure 1).

Arup has been appointed by Kinsale Energy to prepare this draft Resource and Waste Management Plan (RWMP) for the Kinsale Area Decommissioning Project (KADP), to support the statutory consent process for the proposed decommissioning works under Sections 13 and 13A of the Petroleum and Other Minerals Development Act 1960 as amended. This report describes the proposed plan for managing wastes arising from decommissioning the KADP facilities.

This draft RWMP will be expanded and updated by the contractor(s) prior to the commencement of any activities on site.

This draft RWMP includes the following:

- Background to the Kinsale Area fields and the KADP (Section 1);
- Review of key policy and legislation which applies to the KADP (Section 2);
- Setting objectives for waste reuse and recovery from the KADP (Section 3);
- Description of estimated solid waste generation from the KADP (Section 4);
- Review of transportation management for waste generated from the KADP (Section 5); and
- Review of recovery and disposal options for wastes arising from the KADP (Section 6).

Following appointment, the contractor(s) will be required to develop and submit a more detailed (bespoke, contract-specific) RWMP that details, in addition to the items above, responsibilities in relation to the plan, detailed lists of wastes which will be generated, methods of waste transportation which will be used, destination recovery and disposal facilities which will be used and record keeping.

The scope of the draft RWMP includes the wells, two offshore platforms (Kinsale Alpha (KA) and Kinsale Bravo (KB)), associated subsea infrastructure (including well head protection structures, manifolds, valve skids, tee structures, and pipelines, umbilicals and their protection materials being removed from the seabed). The decommissioning of the onshore terminal at Inch is also considered. Waste generated from ships and staff involved in decommissioning activities will be considered at a strategic level.

For the purpose of this draft RWMP, all materials generated from the decommissioning works have been considered as wastes for recovery, recycling or disposal. However, where feasible, materials will be reused.

Offshore pipelines and umbilicals are proposed to be left in-situ with removal of ends at tie-in to facilities only and removal of protection materials only where necessary. The onshore pipeline will be left in-situ and filled with either grout or inhibited water. The infrastructure remaining in-situ has therefore not been included within the scope of this draft RWMP.

Additionally, the draft RWMP does not include the Gas Networks Ireland Above Ground Installation adjacent to the Inch terminal nor the Gas Networks Ireland pipeline from Inch to the national gas grid near Ballinacurra.

1.2 Background to the Kinsale Area Facilities

The Kinsale Area fields and production facilities are located in the North Celtic Sea Basin approximately 40 and 70km off the County Cork coast and onshore at Inch, Co. Cork (see Figure 1). The proposed decommissioning works described herein covers the entirety of the Kinsale Area facilities, including both the onshore and offshore facilities.

The Kinsale Head gas field was discovered in 1971 and brought on-stream in 1978 under a plan of development approved by the then Department of Industry and Commerce. The Kinsale Head field was developed through two fixed steel platforms, Kinsale Alpha (KA) and Kinsale Bravo (KB), with gas exported by pipeline from KA to the onshore Inch Terminal. Following the Kinsale Head discovery, there was extensive exploration of the Celtic Sea with approximately 90 wells drilled; the last was the Midleton well in Block 49/11 drilled by Kinsale Energy in 2015. However, despite the intensive exploration effort, no other large fields have been discovered, although a number of smaller gas fields have been commercially exploited as subsea tie-backs to Kinsale Head, including the Seven Heads field.

The Kinsale Area fields and production facilities were installed between 1977 and 2003 with gas production commencing in 1978 and seasonal gas storage operations taking place between 2001 and 2017.

There is a range of subsea infrastructure associated with the wider Kinsale Area fields (i.e. Kinsale Head, South West Kinsale, Greensand, Ballycotton and Seven Heads) including manifolds, pipelines, umbilicals and protection materials.

Peak production levels were achieved in the mid-1990s and since then gas production levels have decreased significantly – current (2017) daily average rates are less than 5% of peak rates. Field and facility performance has been carefully and proactively managed to maximise and extend economic production. However, given the continuing declines in gas rates, no economically sustainable investment program or technical improvements can be implemented to extend economic production.

The fields are coming to the end of their productive life and are expected to become uneconomic around 2020 - 2021. Cessation of Production (CoP) is the term used to mark the stage at which all production ceases and it will comprise the plugging and abandonment of wells and decommissioning of associated facilities as described in the following sections.

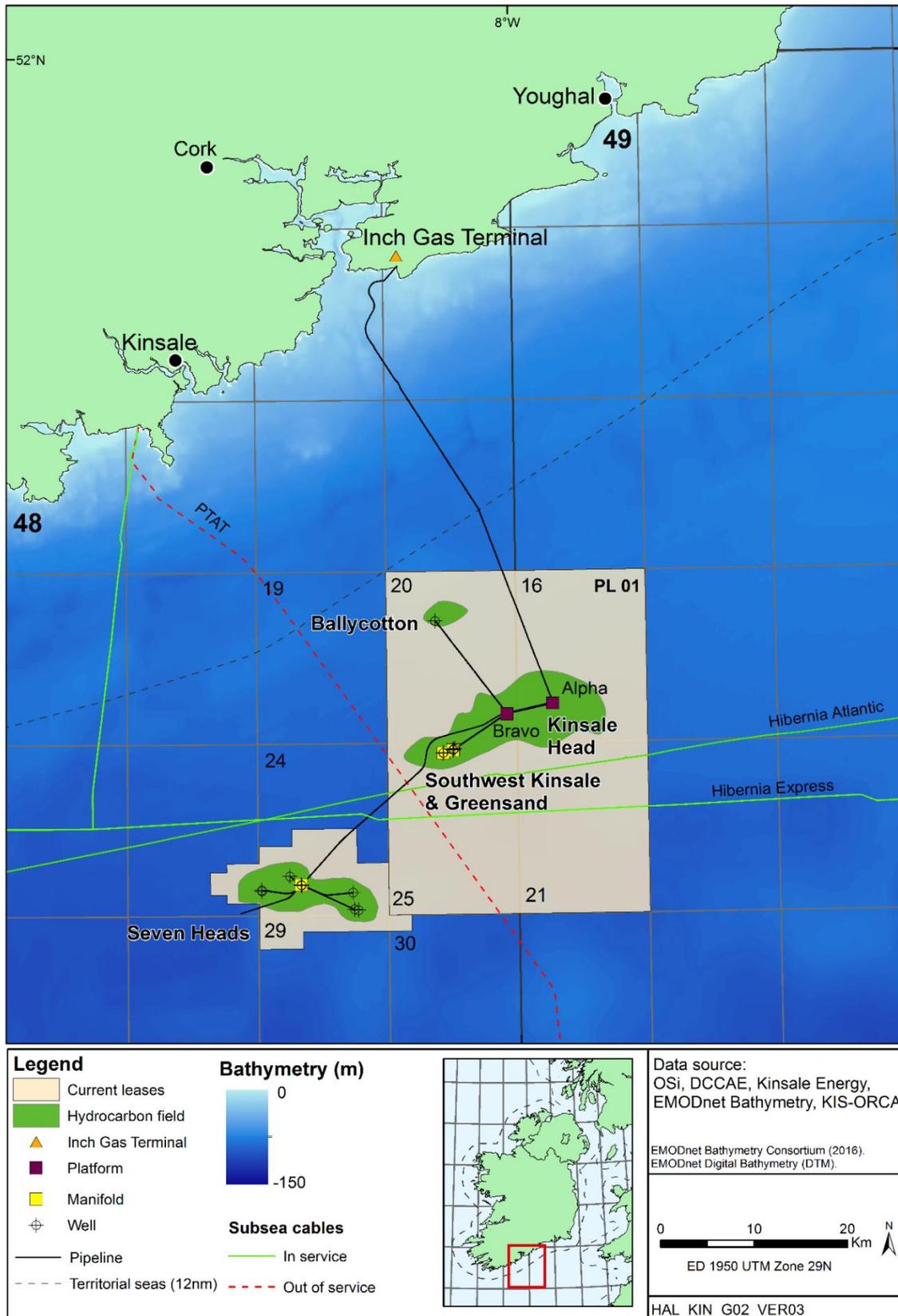


Figure 1: Location of the Kinsale Area fields

1.2.1 Development History

A brief summary of the development history for the various facilities is given in Table 1. The Kinsale Area fields were developed through the two fixed steel platforms, Kinsale Alpha (KA) and Kinsale Bravo (KB) and gas export by pipeline to the onshore Inch Terminal. Other fields are connected to the platforms by a series of pipelines, flowlines and umbilical cables.

Table 1: Summary of Development History for the Kinsale Area Fields

Lease	Field	No. of Wells	Facilities	Date/First Production	Status (2017)
PL-01	Kinsale Head	14	Kinsale Alpha (Manned Platform with production, drilling & accommodation) 7 x Platform Wells	1978	Producing
			Compression added	1992	
			Kinsale Bravo (Manned Platform with production, drilling & accommodation) 7 x Platform Wells	1979	Producing (1 Well Shut-In)
			Compression added	1993	
			Kinsale Bravo Converted to Normally Unmanned Installation	2001	
	Ballycotton	1	Ballycotton Subsea Well	1991	Shut-In
	Southwest Kinsale *	3	3 x Subsea Wells	1999 – 2001	Producing
	Greensand	1	1 x Subsea Well	2003	Producing
Seven Heads	Seven Heads	5	Subsea Manifold 5 x Subsea Wells	2003	Producing (1 Well Shut-In))

1.2.2 Project context

1.2.2.1 Project description

The broad scope of work involved in the KADP is summarised below:

- Facilities preparation: disconnect and degas process plant and pipelines (pipelines displaced with seawater, and inhibited seawater in the case of the 24" export pipeline and the 18" Seven Heads pipeline).
- Wells: plug and abandon all platform and subsea wells and removal of any surface component of these wells, including wellhead protection structures and platform conductors.
- Platform topsides: complete removal of topsides either by single lift using a conventional or specialist heavy-lift vessel (HLV), or multiple lifts using a smaller HLV after cutting the topsides into sections, in accordance with OSPAR Decision 98/3.

- Subsea structures: (e.g. manifolds, wellhead protection structures): full removal in accordance with OSPAR decision 98/3 including the removal of connecting spool pieces and umbilical jumpers, and associated protection measures, for recycling/disposal.
- Platform jackets: complete removal by single lift using a conventional or specialist HLV, flotation, or multiple lift by smaller HLV by cutting the jacket into sections in accordance with OSPAR Decision 98/3.
- Offshore pipelines, umbilicals and protection materials: leave in situ, rock cover of freespans only or all exposed sections, and rock cover remaining in situ protection materials.
- Export pipeline (offshore and onshore section): leave in situ, fill onshore section with grout (if a viable re-use option is not identified) and rock cover of freespans only or all exposed sections in offshore section.
- Inch Terminal: full removal of facilities and reinstatement of site to the original contours and agricultural use, as per the terms of the site planning permission (Cork County Council planning reference 2929/76).
- Post-decommissioning survey: A debris clearance and pipeline route survey will be undertaken to confirm the completion of the decommissioning operations.

1.2.2.2 Waste and Resource Management

The principal structures that will be removed from the fields as part of the KADP scope of works, generating wastes, include the following (further detail is provided in Table 2):

- Wells;
- Platform jackets for KA and KB (4,590 and 4,383 tonnes equivalent [te] respectively);
- Platform topsides from KA and KB (4,544 and 3,594 te respectively);
- Other subsea structures – well head protection structures, manifolds, valve skids and tee structures;
- Pipeline and umbilical ends and their associated protection materials; and
- Inch Terminal.

Additionally, waste generated from the ships and staff undertaking the decommissioning will also require management (e.g. treated domestic waste and surface drainage from decks).

The final disposal route and destination for items removed from the field, whether for recovery, recycling or disposal will be confirmed following appointment of the contractor(s). Suitable licensed waste facilities within Ireland and in the UK, Norway and the Netherlands (up to a distance of 700 nautical miles from the Kinsale Area) may be used for recycling or disposal of the various items removed from the field (some example facilities are described in **Appendix A**). The chosen waste facilities will be similar in nature to the facilities identified in **Appendix A** and must be appropriately licensed under the relevant international, EU and national waste legislation.

1.3 Methodology

Cognisance was given to all relevant guidance documents and the following sources of information were used in the preparation of the draft RWMP:

- KADP Environmental Impact Assessment Report (EIAR) prepared by Arup and Hartley Anderson on behalf of Kinsale Energy; and
- Various previous surveys, reports, risk assessments and drawings previously undertaken by Kinsale Energy for the Kinsale Area facilities.

Given the limited experience of decommissioning of oil and gas infrastructure in Ireland this report looks to international practice, in particular the UK, for resource and waste management guidance.

1.4 Assignment of Responsibilities

This draft RWMP for the KADP was prepared by Arup on behalf of Kinsale Energy. It is a high level document that will be implemented throughout the KADP and details the minimum requirements of the contractor(s) in relation to resource and waste management.

A detailed Resource and Waste Management Plan will be prepared by the contractor(s) undertaking the decommissioning works on appointment, with the draft RWMP forming the basis of this detailed plan and the associated method statements to be developed by the contractor(s). The detailed Resource and Waste Management Plans will set out the following:

- Detailed analysis of the waste arisings/material surpluses including programmes and method statements to support detailed surveys where required;
- How the project resource and waste management objectives in this plan will be achieved including proposed methods for reuse and recycling of wastes;
- The name, address and authorisation information of proposed recovery, recycling and disposal facilities which will be used for all wastes generated from the KADP;
- Proposals to educate the workforce and disseminate the Resource and Waste Management Plan to responsible staff member(s) for implementation; and
- Records that will be maintained relating to resource and waste management, including the identification of the records required to be kept, responsible staff member(s) for gathering and maintaining these records and the duration that these records will be maintained for.

The detailed Resource and Waste Management Plan (to be prepared by the contractor) will align with this draft RWMP.

The contractor(s) will be responsible for developing and implementing appropriate procedures, securing the relevant authorisations and agreements to ensure appropriate management and disposal of waste and resources throughout the KADP. The contractor(s) will also be required to employ staff with skills, qualifications and experience appropriate to the needs of the works to be carried out during the KADP.

The detailed plan by the contractor(s) will be submitted to Kinsale Energy for their approval prior to commencement of the KADP. Written approval from Kinsale Energy must be obtained prior to commencement of any decommissioning works. The contractor(s) will be responsible for managing environmental issues through appropriate risk management, mitigation, auditing, licensing and monitoring and will be required to ensure compliance with legislative and commercial standards.

2 Policy and Legislation

There is a hierarchical framework of policy and legislation in place to implement resource and waste management internationally, in the EU and Ireland. A review of relevant policy and legislation was undertaken to inform this draft RWMP. Key conventions, policy and legislation, which apply to the KADP are as follows:

International

- The Convention for the Protection of the Marine Environment of the North East Atlantic (the 'OSPAR Convention');
- The International Convention for the Prevention of Pollution from Ships (known as 'MARPOL');

-
- Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal;
 - OECD Decision C (2001)107/Final, as amended, on the Control of Transboundary Movements of Waste Destined for Recovery Operations;
 - Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 ('London Convention') and 'London Protocol'; and
 - Convention on International Trade in Endangered Species of Wild Flora and Fauna (known as 'CITES').

European Union

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste (as amended) (referred to as the 'TFS Regulations');
- Waste Framework Directive 2008/98/EC;
- Circular Economy Package; and
- Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on Port Reception Facilities for Ship-generated Waste and Cargo Residues.

Ireland

- Waste Management Act 1996 as amended, and associated Regulations;
- Waste Management (Shipments of Waste) Regulation, 2007;
- The Sea Pollution Acts 1991 to 2014 as amended; and
- European Communities (Port Reception Facilities for Ship-Generated Waste and Cargo Residues) Regulations 2003 (S.I. No. 117 of 2003).

A summary of the policy and legislation listed above and its applicability to the proposed development is presented in **Appendix B** to this report.

3 Resource and Waste Management Objectives

Taking into account key resource and waste management policy and legislation and the likely waste generation from the relevant decommissioning activities, the resource and waste management objectives for the KADP are as follows:

- 90% recycling rate by weight;
- Minimise disposal of waste to landfill; and
- Minimise environmental impacts of waste management.

The decommissioning works shall be undertaken in a manner which maximises the potential for reuse and recycling, including source segregating waste where appropriate. Details and method statements will be provided as part of the contractor's Resource and Waste Management Plan to minimise generation of waste at source and, where this is unavoidable, to reduce the quantity of waste sent to landfill by maximising re-use, recycling and recovery.

4 Waste Generation

4.1 Introduction

Waste generation from each of the key elements of the KADP considered in this report are summarised in the sections below under the following headings:

- Wells;
- Platforms – including jacket and topsides;
- Subsea Structures including spools, umbilical jumpers and protection materials; and
- Inch terminal.

Each section below includes a short text and tabular description of the infrastructure, facilities, associated materials and likely waste arisings. The material that is likely to be generated from the KADP and that will require management is identified in Table 2 and the following sections.

Table 2: Material generated from the KADP

Material Type	Wells	Platforms	Subsea Structures including spools, umbilical jumpers and protection materials	Inch Terminal
Steel	Total - 1,500Te for all wells, assuming recovery of casings to 3m below seabed and relevant sections of production tubing.	<p>Alpha Total - 9134Te 4544Te - Topsides (695Te Piping, 179Te Deck Plate, 2457Te Equipment, 1396Te Structure less 183Te Asbestos containing materials) 4590Te Jacket</p> <p>Bravo Total - 7977Te 3594Te – Topsides (552Te Piping, 147Te Deck Plate, 1900 Equipment, 1128Te Structure less 133Te Asbestos containing materials) 4383Te Jacket</p>	<p>KH Total - 293Te (4x25 Te wellhead protection structures, 10.2 Te SWK Intermediate Tee, 12.3Te SWK Valve Skid, 11.1Te Greensand PLEM, 11.1Te WDC PLEM; 148Te spools)</p> <p>SH Total - 249Te (SH Manifold and spools)</p>	Total - 110Te (Process Equipment)
Concrete	N/A	<p>Alpha Total - 1567Te Grout (including grout in mudmats, grouted members & grout between pile and jacket legs)</p> <p>Bravo Total -1383Te Grout (including grout in mudmats, grouted members & grout between pile and jacket legs)</p>	<p>KH Total - 4452Te (4x134Te wellhead protection structures, 2x65Te and 2x45Te for SWK Valve Skid, Greensand PLEM and WDC PLEM; 3x43Te and 1x47Te for SWK Intermediate Tee 80Te Pipe spool Concrete Coating & 3000Te Concrete Mattresses)</p> <p>SH – 1452Te</p>	Total - 5339Te (4980Te - approx. depth of 0.15m across full site [1.66ha] requires removal, consisting of concrete foundations, gravel, hardcore, helipad, internal access tracks etc.; 20Te – 2.9mx2.9mx3m Pumphouse [200mm solid block walls and 225mm precast slab roof]; 339Te – 11mx19.5mx3.5m Office Building [250mm cavity block walls and 225mm precast slab roof])

Material Type	Wells	Platforms	Subsea Structures including spools, umbilical jumpers and protection materials	Inch Terminal
			(42Te Pipe spool Concrete Coating and 1410Te Concrete Mattresses)	
Non-ferrous Metals	N/A	Alpha - 108Te Anodes Bravo - 108Te Anodes	SH 0.12Te Anode	N/A
Asbestos Containing materials	N/A	Alpha 183Te Bravo 133Te	N/A	N/A
Other Hazardous Waste	Small quantities of: <ul style="list-style-type: none"> Excess cement ; minimised through effective planning to only make required quantity (likely discharged offshore) Cement and steel millings (likely discharged offshore) 	Small quantities of: <ul style="list-style-type: none"> Fluorescent tubes (Mercury) F&G Detectors (radioactive waste) Fire Extinguishants HFCs TEG Diesel Heli-fuel Lubricating Oils Hydraulic fluids <ul style="list-style-type: none"> HW540 v2 BOP fluid (Erifon HD856) (1% concentration). Other miscellaneous hazardous items such as: <ul style="list-style-type: none"> Paint and Varnish Batteries Aerosols Coolants 	N/A	Small quantities of: <ul style="list-style-type: none"> Fluorescent tubes (Mercury) F&G Detectors (radioactive waste) Fire Extinguishants TEG Diesel Lubricating Oils Hydraulic fluids Other miscellaneous hazardous items such as: <ul style="list-style-type: none"> Paint and Varnish Batteries Aerosols Coolants

Material Type	Wells	Platforms	Subsea Structures including spools, umbilical jumpers and protection materials	Inch Terminal
Other Non-hazardous Wastes	N/A	Alpha Cabling 222Te (copper and plastics) Bravo Cabling 176Te (copper and plastics) Alpha Marine Growth 1450Te Bravo Marine Growth 1450Te	Umbilical quantities negligible (copper and plastics)	N/A
Total	1,500Te	23,493Te	6,445Te	5,449Te

Source: Genesis (2011), Xodus (2016a), Xodus (2016c), OHSS (2012), OHSS (2016), Ramboll (2017a), Ramboll (2017b), John O'Donovan & Associates (1976), well steel calculated on the bases of AGR (2017a), and assuming 43kg/m tubing on each production well.

4.2 Wells

There are seven production wells on each platform all of which have a similar design, with a 20" conductor followed by 13 $\frac{3}{8}$ " and 9 $\frac{5}{8}$ " on 7" steel casings with wells reaching a total vertical depth (TVD) below seabed of ~3,000ft. All wells are completed with 7" production tubing and a Xmas Tree located on the platform cellar deck. In addition to the production wells, subsea wells and four abandoned exploration wells will be permanently decommissioned as part of the proposed development.

4.2.1 Materials

Approximately 1,500Te steel will be required to be removed as a result of well decommissioning. This assumes recovery of steel casings to 3m below seabed and relevant sections of production tubing.

4.2.2 Resource and Waste Management

Due to the high recyclability of steel, which is the dominant casing material, the wells will be recycled. The wells will be brought on shore and subsequently removed to an appropriately licensed dismantling yard. The dismantling yard, and recycling and waste facilities, which will be fully licensed for the relevant activities, will be selected by the removal contractor(s).

4.3 Platforms

The main structures of the fixed platforms in the Kinsale Gas Field, known as KA and KB, are constructed of steel and are relatively similar in size and arrangement.

The KA platform consists of an 8 leg steel structure that was installed in 1977 and piled into the chalk seabed to an approximate depth of 50m below the seabed. KA comprises an eight-leg piled steel jacket with a total weight of approximately 7,900 tonnes, standing in approximately 89.9m of water. It supports an integrated steel deck module support frame and topsides of some 4,200 tonnes, which were installed in seven sections. KA currently houses all central processing facilities as well as production and accommodation facilities. There is also a vent stack on the north-west and helideck to the south-east of the platform.

KB consists of an 'interfield' platform which is unmanned and has less equipment than the KA platform. KB stands in approximately 90.5m of water and has a similar eight-led piled steel jacket weighing approximately 7,500 tonnes, which supports a 3,800 tonne topsides structure.

4.3.1 Materials

As outlined in Table 2 approximately 9,134 te of steel will be required to be removed from KA and 7,977 te of steel will require removal from KB. It is noted that the following wastes are also present on the platforms:

- Concrete;
- Asbestos containing materials (ACM);
- Non-ferrous metals; and
- Other hazardous wastes.

Concrete

Concrete is present on the platforms in the form of grout in mudmats, grouted members and between pile and jacket legs. Approximately 1,567te of grout will be required to be removed from KA and 1,383te of grout will

be required to be removed from KB. As outlined above, the concrete and grout will be brought on shore for reuse, recovery and/or disposal during decommissioning.

Asbestos Containing Materials

It is noted that there are asbestos containing materials (ACM) present on the topsides of the KA and KB platforms. This is primarily present in accommodation modules. An estimated 183te of asbestos-containing materials are present on the KA platform and an estimated 133te are present on the KB platform. ¹

Non-ferrous metals

There are a number of anodes on KA and KB platforms containing non-ferrous metals. It is estimated that there is 108te of non-ferrous metals on each platform that will require removal.

Other Hazardous Wastes

Certain hazardous wastes will be generated during the proposed decommissioning project. Please refer to **Appendix C** in relation to an indicative list of hazardous wastes which may arise during decommissioning.

4.3.2 Resource and Waste Management

Cleaning and topsides preparation, following Cessation of Production (CoP), is the work required on all systems, plant and equipment to ensure that the platforms are free of hydrocarbon fuels, gases and removable hazardous materials. This ensures that during preparations and final removal of the topsides, no hazards from the production, operating or cleaning elements remain and that the topsides are handed over in a clearly defined and documented condition to facilitate topsides removal.

Initially, pipework and vessels on the topsides will be isolated from the wells, purged with nitrogen gas and vented to the atmosphere to ensure they are free of any residual natural gas. Volumes of waste (water and corrosion debris (iron)) from the topsides cleaning are expected to be small as the hydrocarbons produced are dry natural gas (e.g. no sludges or solid naturally occurring radioactive materials (NORM) material are present).

These wastes will be collected for onshore disposal under Kinsale Energy's existing waste management procedures along with any residual inventories of diesel, chemicals, condensate or aviation fuel.

In summary, the topsides of the platforms will be removed using a single lift approach or the piece-medium (reverse installation) removal of the platform modules with some piece-small removal of components. The jackets may be removed either in a single lift, or they may be cut into a number of sections in situ prior to lifting and transport for disposal on shore where practicable.

The majority of the topsides will be recycled and only a small proportion is unsuitable for recycling and will be sent to landfill. Asbestos containing materials identified on the platforms (mainly building cladding material) will remain on the topsides and be taken away during the topsides removal. Asbestos containing material and other hazardous waste will be handled and disposed of at appropriately licensed facilities in accordance with all relevant legislation. Contractors will be required to strictly adhere to all relevant legislation and guidelines in this regard.

Due to the high recyclability of steel, which is the dominant jacket material, the jackets will be recycled. The jackets will be brought on shore and subsequently removed to an appropriately licensed dismantling yard. The dismantling yard, and recycling and waste facilities, which will be fully licensed for the relevant activities, will be selected by the removal contractor(s).

Marine growth comprising of a variety of hard and soft-bodied organisms are present on the platform jackets, and it is proposed that the marine growth will be removed onshore following the removal and transport of the

¹ This estimate was prepared for the purpose of this report only and is a high level estimate for environmental assessment purposes. This estimate should not be relied on for any other purpose.

jackets to the recovery/disposal facility. A proportion of the marine growth will be removed offshore at cut locations, or will fall off in transit.

4.4 Subsea Structures

4.4.1 Structures

There are numerous subsea structures located at Kinsale Head (including well head protection structures, manifolds, valve skids and tee structures) at Ballycotton, South West Kinsale, Greensand and Seven Heads that require decommissioning.

4.4.2 Materials

Table 2 provides a summary of the likely materials arising from subsea structures.

4.4.3 Resource and Waste Management

The concrete mattress and grout bag materials will be removed where necessary to allow access to the tie-in facilities underneath.

The well protection structures will be removed for recovery and/or disposal on shore. The well head protection structures need to be removed to allow access to the subsea well Xmas trees and well heads, in order to allow these components to be decommissioned. The steel structures will need to be cut/disconnected from the concrete foundation blocks, which anchor them to the seabed, and then the structures can be lifted to a vessel for onshore recycling/disposal.

Initially all tie-ins associated with the valve skid, intermediary tee, pipeline end manifolds (PLEMs) and manifold (including pipe spools and umbilical jumpers) that are in the way of the lift will be disconnected and removed. The concrete protection blocks, surrounding each structure will be removed and recovered. The removal activities will be the same as those identified for the well protection structures. Once all disconnections are made, the structures will be recovered to a vessel for onshore recycling/disposal.

Due to the high recyclability of steel and concrete, which are the dominant subsea structure materials, they will be recycled with minimal disposal. The subsea structures and protection materials will be brought on shore and subsequently removed to an appropriately licensed dismantling yard. The removal contractor(s) will select the dismantling yard, and recycling and waste facilities, which will be fully licensed for the relevant activities.

4.5 Pipelines and Umbilicals

4.5.1 Structures and Materials

As described earlier, it is proposed to leave both the offshore and onshore pipelines and umbilicals associated with the KADP in situ, with the removal of associated protection materials i.e. concrete mattresses and grout bag materials and pipeline ends where necessary. Table 2 summarises the estimated materials generated from the decommissioning of the pipelines and umbilicals to be either recycled or disposed of.

4.5.2 Resource and Waste Management

Offshore pipelines and umbilicals are not covered by OSPAR and Decision 98/3.

The preferred option is to leave the pipelines and umbilicals in situ, to remediate freespans and cover the ends, to reduce future risks to third parties, using rock cover. The concrete mattress and grout bag materials will be removed for recycling or disposal only where necessary to allow access to the tie-in facilities underneath.

It is planned to remove gas from the pipelines shortly after CoP. Consequently, it is anticipated that the contents of the pipelines will be displaced with seawater into the wells. No discharge of residual hydrocarbons is expected, noting the nature of the produced gas. The work will be performed prior to completion of the subsea well abandonment.

Due to the high recyclability of steel, which is the dominant pipeline material, the pipeline spools that will be removed will be recycled. The pipelines will be brought on shore and subsequently removed to an appropriately licensed dismantling yard. The removal contractor(s) will select the dismantling yard, and recycling facilities, which will be fully licensed for the relevant activities.

Prior to decommissioning the umbilicals, all of the chemical lines within the umbilicals will have been displaced with seawater, eliminating discharges to sea from this source during or after decommissioning activities.

It is proposed that the waterbased hydraulic fluid used in the subsea hydraulic control system will remain in the umbilical lines, all or part of which may be lost during decommissioning and/or over time due to degradation of the umbilical, depending on the chosen options. The total volume of hydraulic fluid in all the Kinsale Area umbilicals is approximately 29.5m³.

The onshore pipeline section will be filled with inhibited seawater pumped through the pipeline from Kinsale Alpha as part of the facilities preparatory works. In the event that no re-use option is identified, the onshore pipeline is to be filled with grout. A plug will be inserted in to the pipeline and run down the pipe internally to the required location.

4.6 Inch Terminal

4.6.1 Structures and Materials

The scope of work for the Inch Terminal decommissioning comprises the demolition and removal of all above ground facilities on site and reinstatement of the site to original ground condition (grassland), in accordance with the extant planning permission.

Materials likely to be generated include an estimated:

- 110 Te of steel process equipment;
- 5350 Te foundations across the site including concrete slab, helipad and internal access tracks constructed of gravel and hardcore;
- 340 Te of material from office building demolition; and
- 20 Te of material from pumphouse demolition consisting of solid block walls and concrete precast slab roof.

4.6.2 Resource and Waste Management

Prior to demolition and following Cessation of Production (CoP), Kinsale Energy will disconnect the terminal from the gas grid, purge the plant to render it hydrocarbon free, and all chemicals will be removed from site for recovery or disposal to authorised waste facilities. Similar to the offshore topsides, volumes of waste (water and corrosion debris (iron)) are expected to be small as the hydrocarbons produced are dry natural gas (e.g. no sludges or solid NORM material are present). These wastes, along with any residual inventories of

chemicals (TEG) will be collected for onshore disposal or recovery at authorised facilities under Kinsale Energy's existing waste management procedures.

The terminal facility will be disconnected from the power grid (three-phase ESB mains supply) and the telecommunications network (EIR telecommunications cable) prior to mobilisation of the demolition contractor(s).

Demolition works will be carried out by a suitably experienced contractor who will operate in accordance with a construction Health and Safety Plan, Demolition Resource Plan and a Waste Management Plan. The terminal demolition works will have a duration of approximately 16 weeks.

All buildings, above ground structures, roads and services (excluding the main access road which serves the adjacent Gas Networks Ireland above ground installation), vessels and above and below ground pipework (excluding the main export pipeline) will be fully demolished and the site reinstated to original ground condition (agricultural grassland).

No alternative re-use has been identified for this facility and the full demolition and removal of all facilities is assumed as part of this report. All wastes generated will be delivered from site to authorised recovery and disposal facilities.

On completion of the demolition works at the onshore Inch Terminal site, it is likely that subsoil and topsoil will need to be imported to the site (estimated at approximately 12,000 tonnes). All subsoil and topsoil required will be sourced locally where possible. Materials required from quarries will only be sourced from quarries which are listed on the register maintained by the local authority.

4.7 Waste Arising from Ships involved in Decommissioning

4.7.1 Overview

Waste will be generated by the vessels (including rigs, ships, barges tugs etc.) used as part of KADP when in transit and when operating within the Kinsale area fields. These vessels will be subject to the legislation outlined in Section 2 and all waste arising from contractors and decommissioning activities will be handled, treated and disposed of in accordance with relevant requirements and obligations (such as MARPOL – refer to Appendix B). The contractors will, where possible, minimise waste at source on ships.

The contractors undertaking the KADP will be required to prepare a detailed Environmental Management Plan (EMP) and detailed Resource and Waste Management Plan to describe appropriate method statements and procedures for minimising environmental impacts and managing waste arising from ships and staff. The draft EMP and draft RWMP prepared by Kinsale Energy set out the minimum requirements that the contractor(s) must adhere to, in this regard.

The following section provides a high level summary of likely waste generation and strategies to manage waste and resources. The quantity and nature of waste from vessels will vary from vessel to vessel and is expected to be generated in relatively small quantities. For this reason estimated quantities of this type of waste are not included in Table 2.

4.7.2 Discharges

Discharges resulting from operational vessels associated with the KADP will include treated domestic effluents (comprising grey water, sewage and food waste) and surface drainage from decks. These discharges are common for operational vessels and activities of this nature and quantities are expected to be relatively small.

4.7.3 Waste to Shore

Operational vessels and contractors associated with the KADP will generate a range of solid domestic and operational wastes, as are normally associated with shipping activities. These ‘domestic wastes’ will be returned for onshore disposal in accordance with legislation set out in Section 2.

The contractors will make provision for a waste storage area on the ships and include containers for the collection and segregation of waste to facilitate recycling and recovery. The domestic waste will be stored on the ships for the duration that they are offshore and be returned onshore for reuse, recovery and disposal as appropriate.

4.8 Summary of Waste Generation

The total estimated waste that will be generated from the KADP and require management is identified in Figure 2. The inventory includes an estimated:

- 19,265te of steel;
- 14,195te of concrete;
- 220te of non-ferrous metals;
- 3,295te of other non-hazardous materials;
- 320te of asbestos containing material; and
- 280te of other hazardous materials².

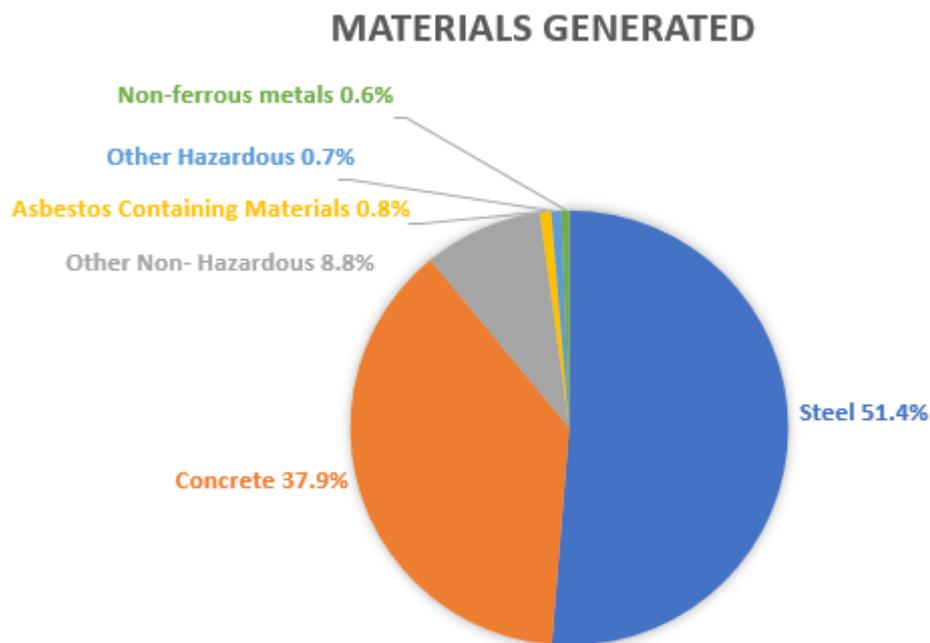


Figure 2: Estimated Waste Inventory of Likely Materials that will be generated from the KADP

² The quantities and List of Waste Codes for hazardous wastes must be determined by the contractor(s).

Table 3: Estimated Waste Generation – Wells and Platforms

Waste Type	List of Waste Code ³ (LOW Codes)	Estimated quantity
Steel	17 04 05 iron and steel	Wells: 1500te KA: 9134te KB: 7,977te
Concrete	17 01 01 concrete	KA: 1,567te KB: 1,383te
Non- Ferrous Metals	17 04 07 mixed metals	KA: 108te KB: 108te
Asbestos Containing Material	17 06 01 * insulation materials containing asbestos 17 06 05* construction materials containing asbestos	KA: 183te KB: 133te
Other Hazardous Wastes	A number of LOW codes apply here to be determined by the Contractor	Approximately 280te ⁴

Table 4: Estimated Waste Generation – Subsea Structures including spools, umbilical jumpers and protection materials

Waste Type	LOW Codes ⁵	Estimated quantity
Steel	17 04 05 iron and steel	Total: 542te
Concrete	17 01 01 concrete	Total: 5,904te

Table 5: Estimated total non-hazardous waste generated

	Total Inventory (te)	Planned to Shore (te)
Platforms and Wells	Wells: 1,500 KA: 12,664 KB: 11,227	25,391
Subsea Structures, Pipelines, Flowlines and Umbilicals	6,446	6,446
Total	31,837	31,837

³ List of Waste Codes (EPA, 2015) are included here as a suggestion and for the purpose of this report only. It is the responsibility of the contractor(s) to classify and assign List of Waste Codes for all wastes arising from the proposed decommissioning.

⁴ This figure is a high level estimate based on initial surveys. The quantities and List of Waste Codes for hazardous wastes must be determined by the contractor(s).

⁵ List of Waste Codes (EPA, 2015) are included here as a suggestion and for the purpose of this report only. It is the responsibility of the contractor(s) to classify and assign List of Waste Codes for all wastes arising from the proposed decommissioning.

5 Waste Transportation

5.1 Overview

The contractor(s) will be required to comply with the relevant legislation governing storage, transfer, treatment and disposal of all wastes (as described in Section 2) and will need to develop method statements and procedures for transporting waste as part of their detailed Resource and Waste Management Plan. Further, the contractor(s) will be obliged to effectively manage waste streams throughout the decommissioning process and demonstrate their ability to deliver innovative recycling options in accordance with the principles of the waste hierarchy and circular economy. Where feasible, wastes will be managed in Ireland, however it may be necessary to transfer wastes both within and outside the EU for reuse, recovery and/or disposal (particularly for the platform topsides and jackets).

Waste generated from the decommissioning works will be removed from the KADP and transported by vessels for dismantling prior to onshore reuse, recovery and/or disposal. The dismantling yard for the offshore infrastructure is yet to be selected, however, it will be an established yard, licensed for the recovery and/or disposal of decommissioned offshore structures where the dismantling, transport and disposal of materials represent an increment to ongoing activities.

Prior to the removal of any wastes, the contractor(s) will put in place all relevant waste authorisations required and maintain a register of this information throughout the KADP. Authorisations may be required for the transfer of waste (waste carriers); any off-site waste management facilities (permitted or exempt sites) to which waste is taken to and any requirements for hazardous waste premises notification. All documentation will be retained and regularly updated (where required) by the contractor(s) throughout the KADP.

All waste transfers will be undertaken by designated waste collection permit holders. The onshore waste facilities chosen by the contractor(s) must demonstrate proven disposal track records and have appropriate licenses in places.

5.2 Transportation to other countries within the EU

Waste generated may require transfer within the EU for reuse, recovery and/or disposal. This waste will be removed from the Kinsale fields by vessels and transported either directly to the appropriate destination within the EU or to the licensed dismantling yard for onward transfer to appropriate waste facilities within the EU. The trans-frontier shipment of waste to other EU countries will be subject to the TFS Regulations and relevant approvals will be obtained in advance from the National TFS Office at Dublin City Council. Further details on the TFS requirements are provided in **Appendix D**.

Relevant permits will be obtained by the contractor(s) prior to the commencement of decommissioning works. All waste transfers will be undertaken by registered waste collectors.

5.3 Transportation to countries not within the EU

Waste generated may require transfer to countries outside of the EU for reuse, recovery and/or disposal. This waste will be removed from the Kinsale fields by vessels and transported either directly to the appropriate destination outside of the EU or via the licensed dismantling yard prior to onward transfer to appropriate waste facilities outside of the EU. The trans-frontier shipment of waste to countries outside of the EU would be subject to the Basel Convention and OECD Council Decision C(92)39/FINAL.

Relevant permits will be obtained by the contractor(s) prior to the commencement of decommissioning works. All waste transfers will be undertaken by registered waste collectors. The transfer to and management of waste in Ireland and other EU countries is preferable, and the disposal of waste to non-OECD countries will be avoided where practicable.

6 Review of Recovery and Disposal Options

Kinsale Energy is keen to implement circular economy and waste hierarchy principles where practicable for the KADP. All wastes being removed as part of the decommissioning works will be returned to shore for re-use or recycling or final disposal on land in accordance with relevant statutory requirements. The main waste streams generated from the decommissioning will be managed as set out in Table 6.

Table 6: Management methods for waste generated

Waste Stream	Removal method	Waste management method
Platforms	Platform jacket legs will be cut at the top of footings at the seabed before removal. Topsides will be disconnected from jacket and removed. Materials will be transferred from the site on vessels to authorised waste facilities.	Steel will be brought to a dismantling facility and recycled where appropriate at authorised waste facilities. Concrete will be brought onshore for reuse and recycling at authorised waste facilities.
Wellhead Protection Structures	Wellheads and Protection Structures will be dismantled and casings to 3m below the seabed will be removed.	Steel and concrete will be brought onshore for reuse and recycling at authorised waste facilities.
Subsea protection materials	Concrete mattresses and grout bag materials will be removed only when necessary to allow access to the tie-in facilities underneath.	Steel and concrete will be brought onshore for reuse and recycling at authorised waste facilities.
Non-ferrous metals	Removed from platforms as part of the dismantling and removal of the topsides and jackets	Non-ferrous metals will be brought onshore for reuse and recycling at authorised waste facilities.
Asbestos Containing Material	Protocols to be followed to remove asbestos and transfer into heavy gauge polythene bags for transfer. Asbestos will be brought onshore for disposal by authorised handlers	Asbestos and other hazardous materials will be handled by a licensed operator and disposed of at a licensed facility.
Routine wastes from the decommissioning vessels	Transferred onshore to port in line with European Communities (Port Reception Facilities for Ship-Generated Waste and Cargo Residues) Regulations 2003 (S.I. No. 117 of 2003) and MARPOL	Disposal will be undertaken in accordance with normal procedures. Waste will be recycled, reused and/or disposed of (depending on type) in appropriately licensed facilities.
Hazardous waste	Where practicable, hazardous waste will be removed from the platforms prior to dismantling and be transferred to appropriate waste facilities for treatment and disposal.	Chemicals, lubricants, hydrocarbon contaminated materials, diesel – disposed of to an appropriately licensed facility, if it cannot be reused or recycled.

Some example waste facilities of the type which may be considered suitable for the KADP are included in **Appendix A**. This list is not considered exhaustive and different waste facilities may be identified and used by the decommissioning contractor(s).

7 References

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Appendix A

Example Waste Facilities

A1 Overview

This report provides an overview of example authorised waste facilities that may be of relevance for the Kinsale Area Decommissioning Project. There is a range of currently available Irish and international waste facilities identified that may treat and dispose of a range of waste streams that have been identified as part of the Resource and Waste Management Strategy for the project.

This report identifies these facilities and key characteristics, however it will be the responsibility of the contractor to select and agree the appropriate facilities that will be used for the recovery and disposal of waste arising from the project. Specific procedures, policies, guidelines, performance requirements and method statements will be developed as part of the contractor's detailed Resource and Waste Management Plan.

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A2 International facilities

Harland & Wolff, Belfast – dismantling yard

Address	
Permit/License Number	WML 07/30 LN/07/21/V2
Permit/License granted by	Northern Ireland Environment Agency
Facility description	<p>Has a waste management licence for dismantling of marine vessels and marine structures Storage of waste. Materials accepted are metals (ferrous and non-ferrous), NORM, concrete, WEEE and asbestos</p> <ul style="list-style-type: none"> • 68,500m² drydock serviced by two 1600 tonne gantry cranes. • 432m, 170m & 150m quay with various capabilities • 24/7 operation period • Asbestos handling license <p>Past Major Projects:</p> <ul style="list-style-type: none"> • Dry docking and upgrade work of Blackford Dolphin (MODU) (2013). • SeaRose FPSO dry docking for propulsion, turret and painting maintenance (2012).

John Lawrie Group, Aberdeen, UK – dismantling yard

Address	
Permit/License Number	Greenbank Road, East Tullos, Aberdeen, AB12 3BQ, United Kingdom
Permit/License granted by	SNO/038419
Relevant wastes accepted	Scottish Environment Protection Agency
Facility description	<p>Metals (Ferrous and Non-Ferrous), NORM, Concrete, WEEE</p> <p>The John Lawrie Group UK Headquarters are located in Aberdeen at one of the key ports for North Sea decommissioning projects. Key features of the facility are:</p> <ul style="list-style-type: none"> • Decommissioning-dedicated quayside area at Aberdeen Harbour • Licenced to receive and process 90,000 tonnes per annum of ferrous and non-ferrous scrap metals • SEPA licenced and regulated metal recycling facilities • Licenced to receive ELVs (end of life vehicles) and non-hazardous WEEE (Waste electrical and electronic equipment) • Large lay-down area for decommissioning work • Close to site of £350m Aberdeen Harbour expansion which will provide a facility for oil industry decommissioning work

ABLE UK, Seaton Port & Meadows, UK – dismantling yard

Address	ABLE Seaton Port, Tees Road, Hartlepool, TS25 2DB, UK and Seaton Meadows, Alab Environmental Services Ltd, Brenda Road, Hartlepool, Teesside, TS25 2BS, United Kingdom
Permit/License Number	EP3830LE
Permit/License granted by	Environment Agency (England)
Facility description	<p>ABLE Seaton Port is capable of handling all types of offshore construction vessels, has significant crane capacity and quays, which have been constructed particularly to suit the requirements of the heavy fabrication industry.</p> <p>From there, relevant waste can be transferred to the nearby Seatown Meadows landfill.</p> <p>The facility is permitted to accept hazardous (asbestos and construction waste containing asbestos), non-Hazardous (including inert) and stable non-reactive hazardous waste.</p> <p>Since 16 July 2004, ALAB operates an IPPC permitted landfill site for non-hazardous wastes with cells for stable non-reactive hazardous wastes. This means that all non-hazardous industrial/commercial waste streams can be received into the Seaton Meadows landfill. Additionally, the following can be accepted into stable non-reactive hazardous waste cells:</p> <ul style="list-style-type: none"> • Bonded asbestos • Fibrous asbestos • Contaminated land* <p>Any other stable non-reactive waste (hazardous) *</p> <p>The facility can accept up to 150,000 tonnes/year of waste including the following:</p> <ul style="list-style-type: none"> • 75,000t/yr non-hazardous waste (including inert waste) • 75,000t/yr asbestos waste and construction material containing asbestos • 75,000t/yr stable, non-reactive hazardous waste. <p>Facility infrastructure is as follows:</p> <ul style="list-style-type: none"> • Total Area : 126 acres & 25 acre Drydock • Total of 11 Quays • 9,000m² indoor fabrication, warehousing & storage space. • Mobile Accommodation Unit (MAU) • 3,000sq/m from North West Hutton • Europe's largest mobile crane (2014) <p>Past Major Projects:</p> <ul style="list-style-type: none"> • Shell awarded Able UK Brent Field Rig • Recycling Contact, 6 year contract (2014) • One of 12 that bid for Costa Concordia scrapping (2014) • Ghost Fleet decommissioning (2003) • 'Le Clemenceau' aircraft carrier decommissioning (2009/2010)

Greenhead Base, Lerwick Port, Shetland Islands, UK – dismantling yard

Address	Greenhead, Lerwick, ZE1 0PY, UK
Permit/License Number	SNO/038355
Permit/License granted by	Scottish Environment Protection Agency
Facility description	<p>Lerwick Harbour has a long-term contract underway at Greenhead Base which is operated by the Lerwick Port Authority. The Greenhead Base at Lerwick Harbour provides infrastructure and facilities for decommissioning operations. Veolia Environmental Services hold the PPC permit for the facilities and are responsible all waste management and decommissioning operations within the facility. This includes decontamination, deconstruction, segregation, re-use, re-cycling and disposal of materials; project management, health, safety and environmental accounting.</p> <p>The facility is operated through a cooperative agreement with PetersonSBS and the harbour is operated by Lerwick Port Authority.</p> <p>Processing sites are located on the quayside of Lerwick Harbour in close proximity to an Energy from Waste plant on the Shetland Islands. The site consists of a main process building housing waste processing equipment, storage silos for drill cuttings, and 1700 m3 capacity of banded fluid storage tanks.</p> <ul style="list-style-type: none"> • Total Area : 20,000m² concrete pad & 3,800m² with future plans of 55,000m² reclamation • North quay = 220m @ 6m depth ACD • South quay = 390m long (240m @ 8m ACD and 150m @ 9m ACD) • Offshore waste handling permits <p>Past Major Projects:</p> <ul style="list-style-type: none"> • Joint work with Veolia to decommission approx. 11,500tonnes of subsea equipment from BP's • Schiehallion & Loyal Fields (2014) • Partners in the Frigg decommissioning taking on the TCP2-MSF Onshore Demolition (2009) • MCP-01 Logistics and support of Offshore piece demolition (2008)

A3 Irish facilities

Hammond Lane Metal Company Ltd Cork, Ringaskiddy, Co. Cork (Metals)

Address	The Hammond Lane Metal Company Ltd, Ringaskiddy, Co. Cork
Permit/License Number	P0997-01
Permit/License granted by	EPA
Facility description	<p>Operating since 1991, the overall amount of waste accepted is up to 73,500 tonnes annually.</p> <p>The facility is licenced to accept ferrous metal and non-ferrous metal</p> <p>This includes both hazardous and non-hazardous generated by households, commercial and industrial operations and construction & demolition sites. General waste tonnages to be accepted are as follows:</p> <ul style="list-style-type: none"> • End of Life Vehicles – 50,000 tonnes;

- Ferrous metals – 12,890 tonnes;
- Non-ferrous metals – 10,000 tonnes;
- Batteries – 100 tonnes; and
- WEEE – 510 tonnes.

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Appendix B

Policy and Legislation

1.1 International Policy and Legislation

1.1.1 The Convention for the Protection of the Marine Environment of the North East Atlantic ('the OSPAR Convention')

1.1.1.1 Overview

OSPAR started in 1972 with the Oslo Convention against dumping and was broadened to cover land-based sources of marine pollution and the offshore industry as part of the Paris Convention of 1974. These two conventions were unified, updated and extended by the 1992 OSPAR Convention. The new annex on biodiversity and ecosystems was adopted in 1998 to cover non-polluting human activities that can adversely affect the sea.

The OSPAR Convention has been signed and ratified by 15 governments including Belgium, Denmark, the European Union, Finland, France, Germany, Iceland, Ireland, the Netherlands, Norway, Portugal, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, Luxembourg and Switzerland.

Contained within the OSPAR Convention are a series of Annexes which deal with specific areas including *Annex III: Prevention and elimination of pollution from offshore sources*; which are relevant to this report.

Annex III Article 5 notes that:

"1. No disused offshore installation or disused offshore pipeline shall be dumped and no disused offshore installation shall be left wholly or partly in place in the maritime area without a permit issued by the competent authority of the relevant Contracting Party on a case-by-case basis. The Contracting Parties shall ensure that their authorities, when granting such permits, shall implement the relevant applicable decisions, recommendations and all other agreements adopted under the Convention.

2. No such permit shall be issued if the disused offshore installation or disused offshore pipeline contains substances which result or are likely to result in hazards to human health, harm to living resources and marine ecosystems, damage to amenities or interference with other legitimate uses of the sea.

3. Any Contracting Party which intends to take the decision to issue a permit for the dumping of a disused offshore installation or a disused offshore pipeline placed in the maritime area after 1st January 1998 shall, through the medium of the Commission, inform the other Contracting Parties of its reasons for accepting such dumping, in order to make consultation possible.

4. Each Contracting Party shall keep, and report to the Commission, records of the disused offshore installations and disused offshore pipelines dumped and of the disused offshore installations left in place in accordance with the provisions of this Article, and of the dates, places and methods of dumping."

Since 25 March 1998 the dumping, and leaving wholly or partly in place, of disused offshore installations is prohibited within the OSPAR maritime area.

However, OSPAR Decision 98/3 on the Disposal of Disused Offshore Installations ('Decision 98/3') recognises the difficulties in removing concrete structures and the footings of large steel platform jackets weighing over 10,000te and installed prior to 9 February 1999. Specifically, Sections 2 – 3 of Decision 98/3 outlines that:

“2. The dumping, and the leaving wholly or partly in place, of disused offshore installations within the maritime area is prohibited.

3. By way of derogation from paragraph 2, if the competent authority of the relevant Contracting Party is satisfied that an assessment in accordance with Annex 2 shows that there are significant reasons why an alternative disposal mentioned below is preferable to reuse or recycling or final disposal on land, it may issue a permit for:

a. all or part of the footings of a steel installation in a category listed in Annex 1, placed in the maritime area before 9 February 1999, to be left in place;

b. a concrete installation in a category listed in Annex 1 or constituting a concrete anchor base, to be dumped or left wholly or partly in place;

c. any other disused offshore installation to be dumped or left wholly or partly in place, when exceptional and unforeseen circumstances resulting from structural damage or deterioration, or from some other cause presenting equivalent difficulties, can be demonstrated.”

Annex I of Decision 98/3 outlines the following in relation to those installations where derogations may be considered:

“The following categories of disused offshore installations, excluding their topsides, are identified for the purpose of paragraph 3:

a. steel installations weighing more than ten thousand tonnes in air;

b. gravity based concrete installations;

c. floating concrete installations;

d. any concrete anchor-base which results, or is likely to result, in interference with other legitimate uses of the sea.”

1.1.1.2 Relevance

OSPAR and Decision 98/3 are of relevance to the KADP as they prohibit the dumping and leaving offshore installations wholly or partly in place, but it recognises the difficulties in removing older, larger platforms as outlined in Decision 98/3.

In accordance with the requirements of Decision 98/3, the Kinsale Area platforms (including topsides and jackets) and subsea manifolds and well head protection structures will be removed as part of the KADP.

Offshore pipelines are not covered by Decision 98/3 and there is no international guidelines on the decommissioning of unused pipelines. As described above, the pipelines and umbilicals will not be removed.

In order to comply with OSPAR and Decision 98/3, there is a general presumption in favour of the reuse, recycling or final disposal on land for materials arising from the KADP.

1.1.2 The International Convention for the Prevention of Pollution from Ships (known as ‘MARPOL’)

1.1.2.1 Overview

The International Convention for the Prevention of Pollution from Ships (‘MARPOL’) was developed by the International Maritime Organisation to minimise pollution of oceans and seas from ships. The

MARPOL convention regulates pollution (including waste) generated by ships from operational or accidental causes. MARPOL does not apply to waste generated from offshore platforms.

MARPOL is divided into six technical Annexes. Regulations for the Prevention of Pollution by Garbage from Ships are contained in Annex V of MARPOL. The most recent revisions to Annex V (which entered into force in 2013) generally prohibits the discharge of all waste into the sea, with exceptions defined in relation to food waste, cargo residues, cleaning agents and additives. Exceptions also exist with respect to ensuring the safety of a ship and those on board and as a result of accidental loss. Annex V also imposes a complete ban on the disposals of all forms of plastic into the sea.

The Marine Survey Office (in the Department of Transport, Tourism and Sport) implements MARPOL on behalf of the Irish Government.

1.1.2.2 Relevance

MARPOL is of relevance to the KADP as it regulates the discharge of waste from ships into the sea. The KADP will require the use of a range of ships to support decommissioning activities. As such, the discharge of garbage from those ships is generally prohibited whilst ships in excess of 100 gross tonnage and every ship that is certified to carry 15 or more persons and fixed or floating platforms shall be required to prepare and carry a garbage management plan, which the crew shall follow. Further every ship of 400 gross tonnage or more and every ship, which is certified to carry 15 or more persons engaged in voyages to ports or offshore terminals, will be obligated to carry and maintain a Garbage Record Book.

The provisions of Annex V which deals with different types of waste from ships and the manner by which disposal should be undertaken, will be applied to those ships operating as part of the KADP. A simplified overview of the discharge provisions is provided in Figure 1.

Figure 1 Simplified overview of the discharge provisions in Annex V of MARPOL

Type of garbage	Ships outside special areas	Ships within special areas	Offshore platforms and all ships within 500 m of such platforms
Food waste comminuted or ground	Discharge permitted ≥ 3 nm from the nearest land and <i>en route</i>	Discharge permitted ≥ 12 nm from the nearest land and <i>en route</i>	Discharge permitted ≥ 12 nm from the nearest land
Food waste not comminuted or ground	Discharge permitted ≥ 12 nm from the nearest land and <i>en route</i>	Discharge prohibited	Discharge prohibited
Cargo residues ¹ not contained in wash water	Discharge permitted ≥ 12 nm from the nearest land and <i>en route</i>	Discharge prohibited	Discharge prohibited
Cargo residues ¹ contained in wash water		Discharge only permitted in specific circumstances ² and ≥ 12 nm from the nearest land and <i>en route</i>	Discharge prohibited
Cleaning agents and additives ¹ contained in cargo hold wash water	Discharge permitted	Discharge only permitted in specific circumstances ² and ≥ 12 nm from the nearest land and <i>en route</i>	Discharge prohibited
Cleaning agents and additives ¹ contained in deck and external surfaces wash water		Discharge permitted	Discharge prohibited
Carcasses of animals carried on board as cargo and which died during the voyage	Discharge permitted as far from the nearest land as possible and <i>en route</i>	Discharge prohibited	Discharge prohibited
All other garbage including plastics, domestic wastes, cooking oil, incinerator ashes, operational wastes and fishing gear	Discharge prohibited	Discharge prohibited	Discharge prohibited
Mixed garbage	When garbage is mixed with or contaminated by other substances prohibited from discharge or having different discharge requirements, the more stringent requirements shall apply		

1.1.3 Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

1.1.3.1 Overview

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was adopted on 22 March 1989 and entered into force in 1992. To reduce the transfer of hazardous waste between nations and prevent the transfer of hazardous waste to developing and less developed countries Ireland, the UK and Norway (which are possible destinations for waste from the KADP) are among the signatories of the convention.

The overarching objective of the Basel Convention is to protect human health and the environment against the adverse effects of hazardous waste. Parties to the Basel Convention must ensure that trans-boundary movements of hazardous waste are minimised and that any trans-boundary movement is conducted in a regulated manner that will protect human health and the environment.

Hazardous waste, for the purpose of the Basel Convention, include those that are listed in Annex I and exhibit the characteristics identified in Annex III as well as those wastes considered to be hazardous by domestic legislation. Disposal refers to any operation specified in Annex IV of the Convention.

Waste lists annexed to the Basel Convention are referenced in Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (as amended) and further detail is provided in Section 1.2.1.

1.1.3.2 Relevance

All hazardous waste generated as part of the KADP will be governed by the Basel Convention. The Resource and Waste Management Strategy has given cognisance to appropriate management, treatment and disposal of hazardous waste and will seek to minimise trans-boundary movement of any hazardous waste where practicable.

1.1.4 OECD Decision C (2001)107/Final, as amended, on the Control of Transboundary Movements of Waste Destined for Recovery Operations

1.1.4.1 Overview

Since March 1992, the trans-boundary movement of wastes destined for recovery operations between member countries of the Organisation for Economic Co-operation and Development (OECD) have been governed in accordance with an intra-OECD Control System. The Control System was established by Council Decision C (92)39/FINAL on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations.

This Council Decision provides a framework for the OECD members to control trans-boundary movement of recoverable waste between OECD countries in an environmentally sound and economically efficient manner. Compared to the Basel Convention, it provides a simplified and more explicit means of controlling the trans-boundary movement of waste. It also facilitates trans-boundary movement of recoverable wastes between OECD member countries in the case where an OECD member country is not a Party to the Basel Convention.

The OECD Decision includes lists of wastes which have been harmonised to a large extent with the lists of wastes of the Basel Convention.

1.1.4.2 Relevance

The provisions of Council Decision C (92)39/FINAL on the Control of Transfrontier Movements of Wastes Destined for Recovery Operations will apply to hazardous waste generated as part of the KADP. Specifically, the movement of hazardous waste to any other OECD member would be undertaken in accordance with the relevant control procedures.

1.1.5 Convention on International Trade in Endangered Species of Wild Flora and Fauna (known as 'CITES')

1.1.5.1 Overview

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

CITES deals with the conservation of wild populations in their native habitats and establishes the need for a permit system for the trade of certain species. Specifically, CITES identifies threatened species and those species in which trade must be controlled, including alien species that are

potentially invasive in non-native habitats. As such, member parties are obliged to consider the problems of invasive species when developing national legislation and regulations that deal with trading live animals or plants.

1.1.5.2 Relevance

This Resource and Waste Management Strategy has been prepared with cognisance of CITES and potential invasive species that may be encountered as part of the KADP.

The KADP and associated waste and resource management activities will be undertaken with due consideration to ensure that effective regulation of species and conservation will be undertaken in accordance with CITES.

1.2 European Union Policy and Legislation

1.2.1 Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste (as amended) (referred to as the ‘TFS Regulations’)

1.2.1.1 Overview

Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste (as amended) (referred to as ‘the TFS Regulations’) regulates the movement of wastes within and out of the EU and implements the Basel Convention.

On 28 July 2016, Regulation (EU) 2016/1245 set out a preliminary correlation between customs and waste codes to enforce the TFS Regulations and assist customs officers with the identification of potential waste streams.

Article 2 of the Regulation notes that the “*‘area under the national jurisdiction of a country’ means any land or marine area within which a state exercises administrative and regulatory responsibility in accordance with international law as regards the protection of human health or the environment*”.

Article 30 of the regulation notes that “*Countries that are Parties to the Agreement on the European Economic Area may adopt the control procedures provided for shipments within the Community.*”

Article 33 of the Regulation notes that:

“1. Member States shall establish an appropriate system for the supervision and control of shipments of waste exclusively within their jurisdiction. This system shall take account of the need for coherence with the Community system established by Titles II and VII.”

Article 53 of the Regulation notes that:

“Member States shall designate the competent authority or authorities responsible for the implementation of this Regulation. Each Member State shall designate only one single competent authority of transit.”

1.2.1.2 Relevance

The TFS Regulations covers almost all types of waste and enforces approval requirements for certain types of waste which may arise from the KADP.

The TFS Regulations prohibit the export of waste to non-EU countries for disposal and the export and import of hazardous waste for recovery to/from non-EU countries. Further, all parties are obligated to undertake the following:

- All parties involved must ensure that waste is managed in an environmentally sound manner, respecting EU and international rules, throughout the shipment process and when it is recovered or disposed of;
- Ensure effective waste management in an environmentally sound manner throughout the shipment process, the notification procedure requires the prior written consent of the competent authorities of the countries concerned by the shipment (country of dispatch, country of transit and country of destination) to be given within 30 days; and
- The notifier has a duty to take back waste shipments that are found to be illegal or cannot be provided as intended (including the recovery or disposal of waste).

The TFS regulations state that the member state has responsibility for the waters under its control. The Regulation was transposed into Irish law on 12 July 2007 through the Waste Management (Shipments of Waste) Regulation, 2007, with further detail provided in Section 1.3.

1.2.2 Directive 2008/98/EC on Waste ('Waste Framework Directive')

1.2.2.1 Overview

Definition of "Waste"

The definition of waste in the European Union is set out in Article 3 of the Waste Framework Directive¹ as *"any substance or object which the holder discards or intends or is required to discard"*.

The Waste Framework Directive incorporates the concepts of *"by product"* (Article 5) and *"end-of-waste"* (Article 6). The directive sets out a legal framework for defining a substance or object as a by-product and provides a process by which certain specified wastes shall cease to be a waste.

Article 5(1) of the Waste Framework Directive sets out the following four conditions that a production residue must meet in order to be considered a by-product:

- Further use of the substance or object is certain;
- The substance or object can be used directly without any further processing other than normal industrial practice;
- The substance or object is produced as an integral part of a production process; and
- Further use is lawful, i.e. the substance or object fulfils all relevant product, environmental and health-protection requirements for the specific use and will not lead to overall adverse environmental or human health impacts.

These tests are cumulative, meaning that all four conditions must be met.

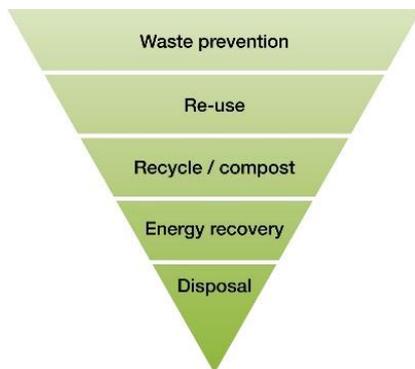
Waste Hierarchy

The waste hierarchy (See Figure 2) sets out the most desirable approaches to waste management in the European Union (through the EU Waste Framework Directive 2008/98/EC). It became obligatory in Ireland in 2011 through the European Communities (Waste Directive) Regulations 2011. The waste

¹ Directive 2008/98/EC on waste

hierarchy imposes a priority order, with waste prevention being the most preferable option and waste disposal the least desirable.

Figure 2 Waste Hierarchy



1.2.2.2 Relevance

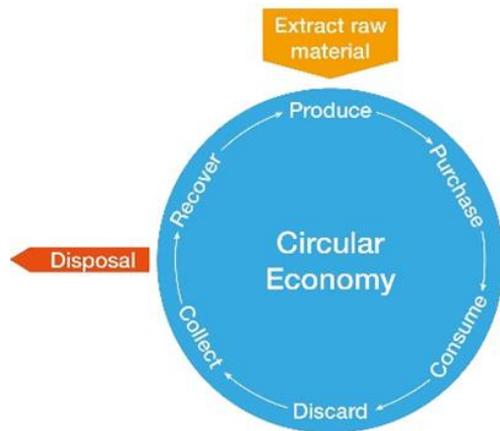
All waste generated as part of the KADP will be required to be managed in accordance with the Waste Framework Directive. Specifically, this Resource and Waste Management Strategy seeks to apply the principles of the waste hierarchy and where practicable identify waste likely to be generated as well as by products and materials which achieve 'end of waste' status that may be available for re-use or recycling.

1.2.3 European Commission Circular Economy Strategy (2015)

1.2.3.1 Overview

The principal objective of sustainable resource and waste management is to use material resources more efficiently, where the value of products, materials and resources are maintained in the economy for as long as possible and the generation of waste minimised. To achieve resource efficiency there is a need to move from a traditional linear economy to a circular economy (See Figure 3). The circular economy seeks to maintain the value of products, materials and resources in the economy for as long as possible, thereby minimising waste. The circular economy aims to reduce environmental externalities (such as pollutant emissions, water extraction and public health impacts) and seeks to build economic, natural and social capital to maximise their utility and value at all times.

Figure 3 Circular Economy



In December 2015, the European Commission adopted an ambitious Circular Economy Package, which includes revised legislative proposals on waste to stimulate Europe's transition towards a circular economy.

The Circular Economy Package consists of an EU Action Plan for the Circular Economy that establishes a programme of action, with measures covering the whole cycle: from production and consumption to waste management and the market for secondary raw materials. The annex to the action plan sets out the timeline when the actions will be completed.

The proposed actions will contribute to "closing the loop" of product lifecycles through greater recycling and re-use, and bring benefits for both the environment and the economy.

Key legislative measures adopted to date under the plan include:

- Directive (EU) 2018/851 amending Directive 2008/98/EC on waste;
- Directive (EU) 2018/850 amending Directive 1999/31/EC on the landfill of waste;
- Directive (EU) 2018/852 amending Directive 94/62/EC on packaging and packaging waste; and
- Directive (EU) 2018/849 amending Directives 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment.

1.2.3.2 Relevance

The principles of the circular economy will be applied to the waste generated from the KADP where practicable. Specifically, this Resource and Waste Management Strategy will seek to enhance the uptake of secondary raw materials and improve resource efficiency.

1.2.4 Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on Port Reception Facilities for Ship-generated Waste and Cargo Residues

1.2.4.1 Overview

Directive 2000/59/EC, as amended, has the purpose of reducing discharges of ship-generated waste and cargo residues into the sea, especially illegal discharges, from ships using ports in the Community.

1.2.4.2 Relevance

All ships used during the KADP will be obligated to monitor, control and reduce their discharge of waste in accordance with this Directive. Further detail on implementation through Irish legislation is provided in Section 1.3.4.

1.3 Irish Policy and Legislation

1.3.1 Waste Management Act, 1996, as amended and Regulations

1.3.1.1 Overview

The Waste Management Act, 1996 was enacted in May, 1996 and sets out the responsibilities and functions of various persons in relation to waste in Ireland. This was amended by a number of subsequent acts including the Waste Management (Amendment) Act 2001 and the Protection of the Environment Act 2003. The Act:

- Prohibits any person from holding, transporting, recovering or disposing of waste in a manner which causes or is likely to cause environmental pollution;
- Requires any person who carries on activities of an agricultural, commercial or industrial nature to take all such reasonable steps as are necessary to prevent or minimise the production of waste; and
- Prohibits the transfer of waste to any person other than an authorised person (i.e. a holder of a waste collection permit or a local authority).

The Waste Management Act, 1996 as amended, does not apply to wastes dumped at sea or radioactive substances.

Waste Facility Authorisations

Waste disposal and recovery activities in Ireland are required to hold an authorisation in accordance with the Waste Management Act 1996, as amended. A four tier system of authorisation has been established for the regulation of waste activities at a facility. Waste disposal and recovery or recycling activities require one of the following authorisations:

- A Waste (IE or IPC) licence;
- A Waste Facility Permit; or
- A Waste Certificate of Registration.

A small number of low risk activities are deemed to be exempted in accordance with the Waste Management Act 1996, as amended and these do not require authorisation.

1.3.1.2 Relevance

This Resource and Waste Management Strategy has been developed with regard to the Waste Management Act, 1996, as amended to ensure compliance with national legislation. All reasonable steps will be taken to minimise waste and appropriate actions have been outlined to ensure that the transport, recovery, disposal and transfer of waste is undertaken in an appropriate manner.

1.3.2 Waste Management (Shipments of Waste) Regulation, 2007 (SI 419 of 2007)

1.3.2.1 Overview

The TFS Regulations were transposed into Irish law on 12 July 2007 through the Waste Management (Shipments of Waste) Regulation, 2007 (ST 419 of 2007).

The National TransFrontier Shipments Office, based at Dublin City Council, is the competent authority for all waste being exported from the State, under the EU and National TFS Regulations. It is the competent authority for any transfrontier shipments of waste into, out of, or transiting through the State.

All shipments of waste, for which notification is required, shall be subject to the requirement of a financial guarantee or equivalent insurance.

In Article 4 of the Waste Management (Shipments of Waste) Regulation, 2007 it is stated that:

“Designation of competent authority.

4. (1) Dublin City Council is designated as the competent authority under article 53 of the TFS Regulation, hereafter referred to as the competent authority.

It shall be the competent authority of dispatch in respect of the export of waste from the State, the competent authority of destination and the competent authority of transit in respect of the import of waste into, or passage of waste in transit, through the State. It may for the purposes of the enforcement of the TFS Regulation and these Regulations operate both within and outside its functional area.

(2) The competent authority may, for the purposes of paragraph 1, appoint authorised officers.

(3) Without prejudice to the powers conferred on the competent authority or its authorised officers by the TFS Regulation and these Regulations it is declared that the provisions of section 14 of the Act, subject to any modifications or adaptations as may be required, shall apply in relation to these Regulations.”

Waste is categorized as hazardous and non-hazardous and classified in the List of Wastes published by the Environmental Protection Agency under hazardous and non-hazardous waste codes (LOW codes)².

For shipment purposes, Basel and OECD codes (see sections above) are used to identify the waste in Amber (hazardous) and Green (non-hazardous) lists annexed to Regulation 1013/2006 in Annexes III, IIIA, IIIB, IV, IVA, and V.

Amber List Wastes

Shipments of Amber listed waste destined for recovery, and all shipments of waste destined for disposal, are subject to prior notification and consent procedures in accordance with Articles 3 and 4 of Regulation 1013/2006. Proposed shipments of unlisted, contaminated, or co-mingled or mixed waste not classified under one single entry in the waste lists are subject to the procedure of prior written notification and consent.

Green List Wastes

² EPA (2015). Waste Classification List of Waste & Determining if Waste is Hazardous or Non-Hazardous Valid from 1st June 2015. Environmental Protection Agency, Wexford, Ireland.

The Green list applies to the export of non-hazardous waste for recovery classified under one single entry.

Shipments of Green listed waste for recovery are not subject to the notification and consent procedures but must be accompanied by an Annex VII document in accordance with Article 18 of EC Regulation 1013/2006. Regardless of whether or not wastes are included in the Green list, they may not be shipped as Green wastes if they are contaminated by other materials to an extent which increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the Amber list, or prevents the recovery of the waste in an environmentally sound manner.

1.3.2.2 Relevance

Dublin City Council is the competent authority of dispatch in respect of the export of waste for the KADP.

A summary of procedures for the export of waste from Ireland is set out in the Waste Management (Shipments of Waste) Regulation, 2007. Different procedures apply to wastes exported to EU, non EU, OECD and EFTA members. A summary of procedures is provided in **Error! Reference source not found.** to this report. Section **Error! Reference source not found.** of this Strategy provides further detail on destination options and transportation management for waste generated from the KADP.

1.3.3 The Sea Pollution Acts 1991 to 2014 as amended

1.3.3.1 Overview

The Sea Pollution Acts 1991 to 2014, and associated Regulations are a group of acts that make provision in national law for the following matters:

The Sea Pollution Act 1991 made provision for the prevention of pollution of the sea by oil and other substances; and gave effect to the London Convention and Protocol (Refer to Section **Error! Reference source not found.**).

The Sea Pollution (Amendment) Act 1999 gives effect to the International Convention on Oil Pollution Preparedness, Response and Co-operation, 1990, done at London on the 30th day of November 1990, and amends the Sea Pollution Act, 1991.

Government decision (S.15675D, 03 May 1988), the Minister of Communications Marine and Natural Resources has assigned the responsibility for the removal of oil from the coastline and in the event of major pollution incident, the direction of co-ordination of the onshore response to the Irish Coast Guard.

The Sea Pollution (Miscellaneous Provisions) Act 2006 give effect to the following:

- International Convention on Civil Liability for Bunker Oil Pollution Damage 2001 done at London on 23 March 2001;
- Matters relating to Council Regulation (EC) no. 44/2001 of 22 December 2000 on Jurisdiction and the Recognition and Enforcement of Judgments in Civil and Commercial Matters in so far as it relates to that Convention;
- OPRC-HNS Protocol on Preparedness, Response and Co-operation to Pollution Incidents by Hazardous and Noxious Substances done at London on 15 March 2000;
- International Convention on the Control of Harmful Anti-Fouling Systems done at London on 5 October 2001;

- Annex VI as added to the MARPOL Convention by the Protocol agreed in London on 26 September 1997; and
- The International Convention for the Control and Management of Ships' Ballast Water and Sediments 2004, done at London on 13 February 2004.

1.3.3.2 Relevance

In summary, the Sea Pollution Acts 1991 to 2006, as amended, provide for the management of ship-source pollution and give effect to related EU and international policy and legislation. All ships used as part of the KADP will be required to manage their waste and discharges effectively to protect the environment. This Resource and Waste Management Strategy will set out the framework for controlling and implementing effective disposal measures to prevent marine pollution.

1.3.4 European Communities (Port Reception Facilities for Ship-Generated Waste and Cargo Residues) Regulations 2003 (S.I. No. 117 of 2003)

1.3.4.1 Overview

Directive 2000/59/EC of the European Parliament and of the Council of 27 November 2000 on port reception facilities for ship-generated waste and cargo residues is effective in national law through the European Communities (Port Reception Facilities for Ship-Generated Waste and Cargo Residues) Regulations 2003 (S.I. No. 117 of 2003). Ships visiting Irish ports must provide formal advance notice of waste and cargo residues which they intend to deliver, and ports must provide reception facilities for ships. Wastes include waste oils (sludge and bilge water), garbage (food waste, plastic, etc.), sewage and cargo-associated waste.

Port Companies, Harbour Authorities, Fishery Harbour Centres, Marinas and certain local authorities are designated as local competent authorities with responsibilities in their functional areas for the regulation of reception of waste and cargo residues from ships. The local competent authorities have Three-Year Port Waste Management Plans. They charge fees for reception of ship waste and must notify their fee system to the shipping sector.

1.3.4.2 Relevance

All ships used as part of the KADP will be required to notify the relevant authorities and provide formal advance notice of waste and cargo residues that they intend to deliver. Specifically, the movement of waste and cargo to ports would be undertaken in accordance with the relevant control procedures.

1.3.4.3 Dumping at Sea Acts, 1996 to 2009

1.3.4.4 Overview

In Ireland, OSPAR and London Convention requirements are implemented via the Dumping at Sea Act 1996, as amended and subsequent legislation including the following:

- Dumping at Sea Act (14/1996);
- Dumping at Sea (Amendment) Act 2004 (35/2004);
- Sea Fisheries and Maritime Jurisdiction Act 2006 (8/2006), s. 103; and

- Foreshore and Dumping at Sea (Amendment) Act 2009 (39/2009), part 3, s. 1 (other than subss. (2), (4)) and sch. 2.

The Dumping at Sea Act was most recently updated in July 2016. In summary, the Dumping at Sea Acts prohibit the dumping at sea from vessels, aircraft or offshore installations of a substance or material unless permitted by the Environmental Protection Agency. Any person who wishes to dispose of material at sea is required to apply for a Dumping at Sea permit. Section 1 Interpretation of the Act notes that dumping means:

(a) any deliberate disposal in the maritime area (including side-cast dredging, plough dredging, water injection dredging and other such dredging techniques) of a substance or material from or in conjunction with a vessel or aircraft or offshore installation,

(b) any deliberate disposal in the maritime area of vessels, aircraft or offshore installations,

but does not include—

(i) the disposal in accordance with the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, or other applicable international law to which Ireland is a party, of a substance or a material incidental to, or derived from, the normal operations of a vessel or aircraft or offshore installation (or its equipment) other than a substance or a material transported by or to a vessel or aircraft or offshore installation for the purpose of disposal of such substance or material or derived from the treatment of such substance or material on such a vessel or aircraft or installation;

(ii) the discharge, for the purpose of dispersing or otherwise altering the distribution or character of any mineral oil on the surface of the sea, of a substance or material designed or intended for use for the purpose aforesaid and cognate words shall be construed accordingly;

(iii) placement of a substance or material or vessel or aircraft in the maritime area for a purpose other than the mere disposal thereof, provided that, if the placement is for a purpose other than that for which the substance or material or vessel or aircraft was originally designed or constructed, it is in accordance with the provisions of sections 2 and 5 of this Act;

(iv) the discarding of unprocessed fish or fish offal from fishing vessels;

1.3.4.5 Relevance

Under the provisions of the Dumping at Sea Acts 1996 to 2009, the KADP will be prohibited from dumping at sea unless a permit is obtained from the Environmental Protection Agency.

However, Section 5 of the Dumping at Sea Act which specifically regulates the abandonment of an offshore installation has not been commenced and therefore will not apply to the KADP.

Appendix C

List of Potential Wastes and Hazardous Materials

Appendix C: List of Potential Wastes and Hazardous Materials

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
Steel	Wells	Steel	N	1,500 tonnes	
	KA (Kinsale Alpha)		N	9,134 tonnes	
	KB (Kinsale Bravo)		N	7,977 tonnes	
	Subsea Structures including spools, umbilical jumpers and protection materials		N	542 tonnes	
	Inch (Inch Terminal)		N	110 tonnes	
Concrete	KA	Concrete	N	1,567 tonnes	
	KB		N	1,383 tonnes	
	Subsea Structures including spools, umbilical jumpers		N	5,904 tonnes	

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
	and protection materials				
	Inch		N	5,339 tonnes	
Non-Ferrous Metals	KA	Non-Ferrous Metals	N	108 tonnes	
	KB		N	108 tonnes	
	Subsea Structures including spools, umbilical jumpers and protection materials		N	0.12 tonnes	
Other non-hazardous wastes	KA	Cabling (copper and plastics)	N	222 tonnes	
	KB		N	176 tonnes	
	KA	Marine Growth	N	1,450 tonnes	

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
	KB		N	1,450 tonnes	
Asbestos Containing Materials	KA	Asbestos Containing Materials	N	183 tonnes	
	KB	Asbestos Containing Materials	N	133 tonnes	
Filters, socks/rags	KA	Oil contaminated material	Y	-	Quantity varies per year. Waste collected in bins, which came ashore monthly.
Cylinders	KA	Nitrogen cylinders	N	10	N2 seal gas to compressors
		Hydraulic fluid	N	1	Emergency Generator
		N2 cylinders		7	Sevenheads HPU
	Inch	GC calibration gas	N	2	57.5kg cylinders
		Helium	N	2	40kg cylinders
Fire Fighting chemicals (Portable extinguishers)	KA	CO2	N	57	Quantities of cylinders may vary.
	KA	Dry powder	N	90	

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
	KA	Wet chemical	N	2 * 12 litre cylinders in galley	
	KA	Foam	Y	19	
	Inch	CO2	Y	8 cylinders, 40 kg each	
	Inch	Dry powder	Y	7 cylinders, 57kg each	
Fixed Fire suppression system cylinders	KA	Hi Fog system for each turbine enclosure)	N	6	Turbine hall (2 Hifog per turbine)
		N2 for HiFog system activation	N	3	
		CO2 for compressor turbine enclosures	N	9	3 N2 cylinders per turbine enclosure
		CO2 for CCR	N	12	CCR (upper and lower)
		CO2	N	42	Vent stack

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
		Inergen	N	4	Back of Control room
	Inch	Inergen	N	2	
Aqueous Resistant Film Forming Foam	KA	Fixed storage and portable containers.	N		5000 litres approx. total quantity
Smoke detectors	KA	Americum	N		101 smoke, 132 gas, 8 heat, 78 flame.
	Inch		Y		13 smoke, 14 gas, 4 heat, 2 flame.
Flourescent tube lighting	KA	Mercury	N		488 light fittings
	Inch		Y	17	
HFCs	KA	HFCs in refrigeration/HVAC units.	N		91kg in Refrigeration, HVAC units
	Inch		N		Air conditioning in Control Room Building
Oils, Lubricants	KA	Lubricants	Y		Located in various sized containers and in equipment. Quantities varied over time.
	Inch		Y		

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
Miscell chemicals in containers	KA	Paints, grease, coolant, aerosols, etc.	Y (some)		Variable quantities
	Inch		Y (some)		
Lead in old paint coatings	KA	Lead	N		To be confirmed by survey commissioned by contractor
	Inch		N		
Diesel	KA	Diesel	Y		32 m ³ ; Crane pedestal, Day tanks).
	Inch	Diesel	Y		2.2m ³ (generator & fire pump tanks)
Condensate	KA	Condensate	Y		4.8m ³ (Condensate storage tank)

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
Heli fuel	KA	Jet A1 Fuel	Y	1 tank	5.43 m ³ ; Tote
Dehydration & Regen system	KA	TEG Glycol	Y		29,700kg; source: Annual OSPAR Report
	Inch	TEG Glycol	y		2.626 m ³ (storage vessel)
Umbilicals Fluids	Subsea umbilicals	Hydraulic Fluid - HW540 v2	N		24.3 m ³
		BOP Fluid	N		5.75 m ³ BOP fluid: Erifon HD856
	Topsides- KA	HW540 v2	N		Supply and return storage tanks as part of HPU system.
		BOP Fluid	N		Cameron tank volume: 800L
Batteries	KA	Batteries	Y		2176 kg (Alpha), 828kg (Inch)

Item	Location/Reference	Waste Description	Removed post COP, before decommissioning (Y/N)	Quantity (no. of cylinders, where not otherwise indicated) ¹	Comments Note: All quantities and details presented in this table are indicative and subject to contractor surveys
	Inch		Y		
WWTP equipment	KA	Waste from waste water treatment vessels.	N		Small quantities. To be surveyed and quantified prior to decommissioning.
Drains & caissons	KA	Closed oil caisson	Y		Minimal quantities.
PFP Coating	KA	Mixture of Chartek, Mandolite, Thermolag.	N		Drawings available showing location
Human effluent	KA	-	Y		Discharged to sea
Corrosion products	KA, Inch		N		Minimal quantity
Medical supplies	KA	Medical supplies	Y		Small variable quantity (First aid boxes, medical cabinet)

¹ Where waste quantities relate to the Kinsale Alpha platform, and a quantity is not presented for the Kinsale Bravo platform, please note that similar quantities of wastes should be assumed to arise from the Kinsale Bravo platform.

Appendix D

TFS Procedures

D1 Transfrontier Shipment of Waste from Ireland to within the EU

The trans-frontier shipment (TFS) of waste from Ireland is governed by European Regulation (EC) No 1013/2006 which has been transposed into Irish law through the Waste Management (Shipment of Waste) Regulation 2007 (SI No 419 of 2007). Under these regulations, Dublin City Council is designated as the national competent authority established for the export, import and transit of waste shipments.

This memo provides an overview of the TFS of waste authorisation process relevant to the shipment of waste arising from the support the Kinsale Area Decommissioning Project (KADP). All TFS of waste originating in any local authority area in the State after the 12 July 2007, that are subject to the prior written notification procedures set out in the regulations must be notified to and through Dublin City Council National TFS Office.

There are four main stages involved in the trans-frontier shipment (TFS) of waste as outlined below and described in the following sections:

- Submitting an Application/Notification;
- Assessing and Transmitting the Notification;
- Moving the Waste; and
- Waste Processing.

D1.1 Submitting an Application/Notification

Intended shipments that are subject to the controls of the prior written notification and consent procedures must be brought to the attention of the National TFS Office by means of the submission of an application, known as a notification, consisting of a notification document and a movement document, as set out in Annex 1A and 1B of Council Regulation 1013/2006). A person or body proposing to carry out a shipment of waste, whether it is the waste producer, collector, broker, or dealer, may act in a notifying and exporting capacity.

The notifier should apply in writing to the National TFS Office for a requisition number (for inclusion on the Notification Document Annex 1A), outlining proposals in relation to the waste description, waste code, origin and destination of the waste. Requests for requisition numbers may be made to the National Transfrontier Shipment Office within Dublin City Council.

A unique reference number is allocated to each notification issued for tracking purposes. Before the notifier can proceed with arranging any waste shipments he/she shall submit a completed Notification Document, together with any supporting documentation, to the National TFS Office for approval.

Subject to exceptions, only one waste identification code (Basel/OECD) shall be covered for each notification. When the notifier is not the original producer, the notifier shall ensure that the appropriate person also signs the notification document.

A notification must be accompanied by:

- Correct Notification fee;
- Copy of the contract drawn up between the notifier and the consignee for the recovery or disposal of the waste;
- Original Financial Guarantee and Calculations;
- List of Carriers/Hauliers including Waste Collection Permit details;
- Detailed Waste Description;
- Transport Route/Itinerary; and
- Contact details for the Competent Authority of Destination & Transit.

D1.2 Assessing and Transmitting the Notification

Once the notification procedure has been followed correctly:

- The National TFS Office shall retain a copy of the notification and transmit the original to the competent authority of destination, with copies sent to any competent authority(ies) of transit, within 3 working days of the official receipt of the notification.
- The National TFS Office shall send an acknowledgement to the notifier within 3 working days of the receipt of the notification (and copies to the other competent authorities concerned), informing the notifier of the transmission of the notification.
- When the competent authority of destination considers that the notification has been completed correctly, it shall send an acknowledgement notice to the notifier and the other competent authorities concerned.

Tacit consent by the competent authority of transit may be assumed if no objection is lodged within the 30-day time limit following transmission of the acknowledgement by the competent authority of destination.

The competent authorities of destination, dispatch and transit, may also within the 30 day time limit, transmit their decision in writing to the notifier, with copies to each other, granting consent to the planned shipment with or without conditions. The competent authorities shall signify their written consent by appropriately stamping, signing and dating the original notification document or their copies of same.

There are mechanisms for objections to the shipment by the National TFS Office, the competent authorities of dispatch and destination. In addition there are requirements relating to any essential changes to the details and/or conditions of the consented shipment.

D1.3 Moving the Waste

Once a satisfactory notification has been submitted and prior to any waste being exported, waste exporters must have:

- a) Obtained the necessary consent from all the regulatory authorities involved;
- b) Received a certificate for the guarantee;
- c) Have appropriate third party liability insurance;
- d) Ensure that the waste is moved in accordance with the information provided in the notification; have arranged to comply with all other applicable enactments in addition to the TFS legislation, and
- e) Ensure that the proposed shipment is managed in an environmentally sound manner.

After consent has been given to a notified shipment by the competent authorities involved, the notifier shall complete the movement document and send a copy of the completed movement document to the competent authorities concerned and to the consignee at least 3 working days before the shipment starts.

Certain specified documents must accompany the shipment and the movement document shall be retained by the consignees that receives the waste. The movement document and a copy of the notification document, together with the written consents and any conditions specified by the competent authorities concerned, shall accompany each shipment. The movement document shall be retained by the consignee facility that receives the waste.

D1.4 Waste Processing

Upon arrival at the destination, the waste should be processed and disposed of at the destination facility in accordance with the procedures and measures outlined in the relevant permit or authorisation.

Within 3 working days of receiving the waste, the destination facility shall provide confirmation in writing that the waste has been received. This confirmation shall be contained in Box 18 of the movement document. The facility shall send signed copies of the movement document containing this confirmation to the notifier and to the National TFS Office.

As soon as possible, but no later than 30 days after completion of the recovery or disposal operation, and no later than one calendar year following receipt of the waste, the facility carrying out the operation shall, under

its responsibility, certify that the recovery or disposal has been completed. This certificate shall be contained in, or annexed to, the movement document. The facility shall send signed copies of the movement document containing this certificate to both the notifier and the National TFS Office.

If the waste shipment is destined for interim recovery or disposal operations, the contract shall include an obligation on the destination facility of interim recovery or disposal to:

- i) Provide certificates to the notifier and the competent authorities concerned that the waste has been recovered or disposed of in accordance with the notification.
- ii) Obtain a certificate of completion from the subsequent non-interim facility if located in the first country of destination, and to transmit the certificate to the notifier and the competent authorities concerned.

Draft

D2 Trans-boundary movement of waste from Ireland to another OECD country (not within the EU)

European Regulation (EC) No 1013/2006 and the transposing Waste Management (Shipment of Waste) Regulation 2007 (SI No 419 of 2007) contains rules on the shipment of waste, whereby a distinction is made between exports to:

- (a) another EU Member State,
- (b) an EFTA country,
- (c) an OECD country or
- (d) a non-OECD country.

Regulations vary by country if the destination facility is located outside the EU. Before exporting any waste to any country outside of the EU it is advisable to check with the competent authorities in those countries to and through which the waste will travel as to what controls/procedures apply to the waste type being shipped.

Articles 31 - 40 and 47 - 48 of Council Regulation EC No. 1013/2006 are the main provisions to be noted in relation to the export of waste from the EU. In summary, the Basel Convention applies and compliance with relevant international law is necessary. Further, written consent must be obtained from competent authorities of dispatch, destination and transit location and environmentally sound management, contracts and financial guarantees are required in order for the shipment to take place.

DRAFT

D3 National TFS Office - TFS Guidelines

Draft

**Transfrontier Shipment of Waste
 Guidelines For Exporting Waste from, and Importing Waste to, the Republic of Ireland**

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1.0 INTRODUCTION

1.1 EU / Irish Legislation

The transfrontier shipment of waste deals with the movement of waste between countries. Transfrontier shipments of waste within, into and out of the EU, for recovery or disposal operations, are governed by Regulation (EC) No. 1013/2006 on shipments of waste which came into effect on the 12th July 2007. Proposals for the export of waste from, and the import of waste into the Republic of Ireland are subject to the provisions of the Waste Management (Shipments of Waste) Regulations 2007, S.I. No. 419, introduced on the 5th of July 2007, which give effect to Regulation (EC) No. 1013/2006 under Irish Law. The overall objective of the TFS Regulations is to implement measures for the supervision and control of shipments of waste in order to ensure that the movement, recovery, or disposal of waste, is managed in an environmentally sound manner, for the protection of the environment and human health.

1.2 Scope of TFS Regulations

The Regulations apply to waste:

- (a) exported from the Republic of Ireland to EU Member States
- (b) in transit through the EU
- (c) exported from the Republic of Ireland to countries outside the Community
- (d) imported into the Republic of Ireland from EU Member States
- (e) imported into the Republic of Ireland from countries outside the Community

1.3 Competent Authorities

All EU member states have designated a national competent authority, responsible for implementing both EU and national TFS Regulations within their jurisdiction. Countries outside the EU operate under an agreement whereby nominated competent authorities supervise international waste movements. There are 3 competent authorities involved with the transfrontier shipment of waste:

- (a) the competent authority of dispatch for the country or area from which the waste shipment originates;
- (b) the competent authority of destination for the country or area where the authorised facility is located in which the shipment is received for recovery or disposal;
- (c) the competent authority of transit for the country through which the waste is transported on route to the destination facility.

1.4 National TFS Office

Under the Waste Management (Shipments of Waste) Regulations 2007, Dublin City Council is nominated as the competent authority of dispatch in respect of the export of waste, the competent authority of destination in respect of the import of waste, and the competent authority of transit in respect of any waste shipments transiting through the Irish State. Dublin City Council carries out its National TFS functions at

**National TFS Office, Dublin City Council [NTFSO],
Floor 2, Eblana House,
68-71 Marrowbone Lane,
Dublin 8, Republic of Ireland
Email: nationaltfs@dublincity.ie
Fax: 01 411 3452**

2.0 WASTE LISTS

2.1 Amber and Green Lists

Waste is categorized as hazardous and non-hazardous and classified in the European Waste Catalogue published by the Environmental Protection Agency under hazardous and non-hazardous waste codes (EWC codes). For shipment purposes, Basel and OECD codes (agreed by the Basel Convention and the OECD) are used to identify the waste in Amber (hazardous) and Green (non-hazardous) lists annexed to Regulation 1013/2006 in Annexes III, IIIA, IIIB, IV, IVA, and V.

2.1.1 Amber List

Shipments of Amber listed waste destined for recovery, and all shipments of waste destined for disposal, are subject to prior notification and consent procedures in accordance with Articles 3 and 4 of Regulation 1013/2006 (see page 4). Proposed shipments of unlisted, contaminated, or co-mingled or mixed waste not classified under one single entry in the waste lists are subject to the procedure of prior written notification and consent.

2.1.2 Green List

The Green list applies to the export of non-hazardous waste for recovery classified under one single entry. Shipments of Green listed waste for recovery are not subject to the notification and consent procedures but must be accompanied by an Annex VII document in accordance with Article 18 of EC Regulation 1013/2006 (see page 9). Regardless of whether or not wastes are included in the Green list, they may not be shipped as Green wastes if they are contaminated by other materials to an extent which increases the risks associated with the waste sufficiently to render it appropriate for inclusion in the Amber list, or prevents the recovery of the waste in an environmentally sound manner.

Note

It should be noted that since waste Regulations vary according to the country for which the material is destined if that country is outside the EU, a particular classification will not always apply. Misclassified material may be returned on the basis that it has been illegally exported.

2.2 Mixed Municipal Waste

Shipments of mixed municipal waste (waste entry EWC 20 03 01) to recovery or disposal facilities shall be subject to the same provisions as shipments of waste destined for disposal (prior written notification and consent procedures).

2.3 Dry Recyclable Waste

Exports of dry recyclable waste for the purposes of recycling or recovery must be correctly classified. Dry recyclable waste will not normally qualify as Green listed waste unless it has been sorted and is readily classifiable under a single category of the permitted Green listed wastes. Co-mingled dry recyclable material of municipal origin will often qualify as Amber listed waste, and must be notified in accordance with the Regulations.

3.0 BROKERS AND DEALERS REGISTRATION

Brokers and Dealers Regulations

Brokers and dealers, who on a professional basis collect or arrange for the shipment of waste the subject of the TFS Regulation and the Waste Management (Registration of Brokers and Dealers) Regulations 2008, S.I. No. 113 of 2008, must ensure that they are registered with the competent authority (National TFS Office, Dublin City Council).

Any person who arranges for the shipment of waste the subject of the TFS Regulation and the Brokers and Dealers Regulation, on behalf of others or themselves, has a responsibility to only use a broker or dealer who is registered with the competent authority. Any person who contravenes these provisions shall be guilty of an offence. A waste broker arranges to handle, transport, dispose of or recover controlled waste on behalf of themselves or others. They do not necessarily handle, transport, dispose of or recover the waste directly. Waste brokers include waste dealers who acquire waste and sell it on.

Waste brokers and dealers include:

- Businesses that buy and sell scrap metal and other recoverable materials. They may operate from a yard or act as a third party making the buying and selling arrangements for the materials.
- Businesses arranging the disposal of waste on behalf of another company or waste producer.
- Waste disposal operators or carriers arranging the disposal or recovery of waste not covered by their own licence.

A broker shares responsibility with the waste holders for the proper management of the waste before and after its transfer. As they control what happens to the waste, they are legally responsible for its proper handling and disposal. Any individual or business that arranges the collection, recycling, recovery or disposal of waste on behalf of themselves or another party must register as a waste broker with the National TFS Office [see **Annex 1** for registration guidance].

4.0 PRIOR WRITTEN NOTIFICATION PROCEDURES Waste Exports from the Republic of Ireland

There are 4 main stages involved in the shipment of waste each of which is dealt with in turn under the appropriate heading:

- Submitting an Application/Notification;
- Assessing and Transmitting the Notification;
- Moving the Waste;
- Waste Processing

4.1 Submitting an Application/Notification

4.1.1 Notification and Movement document

Intended shipments that are subject to the controls of the prior written notification and consent procedures must be brought to the attention of the National TFS Office by means of the submission of an application, known as a notification, consisting of a notification document and a movement document, as set out in Annex 1A and 1B of Council Regulation 1013/2006).

4.1.2 Notifier

A person or body proposing to carry out a shipment of waste, whether it is the waste producer, collector, broker, or dealer, may act in a notifying and exporting capacity.

4.1.3 Applying for a notification

The notifier should apply in writing to the National TFS Office for a requisition number (for inclusion on the Notification Document Annex 1A), outlining proposals in relation to the waste description, waste code, origin and destination of the waste. Requests for requisition numbers may be made by post, email, or fax:

National TFS Office, Dublin City Council [NTFSO],
Floor 2, Eblana House,
68-71 Marrowbone Lane,
Dublin 8, Republic of Ireland
Email: nationaltfs@dublincity.ie
Fax: 01 411 3452

A unique reference number is allocated to each notification issued for tracking purposes. Before the notifier can proceed with arranging any waste shipments he/she shall submit a completed Notification Document, together with any supporting documentation, to the National TFS Office for approval. The notifier is required to submit by post 1 original and 2 copies of the notification.

4.1.4 Information, documents and items required in a notification

The notification and movement documents must be completed to the fullest extent possible at the time of notification [see **Annex 2** for guidance on completing the Notification and Movement Document]. The notifier shall provide the information listed in Annex II, Parts 1 and 2. Subject to exceptions, only one waste identification code (Basel/OECD) shall be covered for each notification. When the notifier is not the original producer, the notifier shall ensure that the appropriate person also signs the notification document.

A notification must be accompanied by:

- (a) **Notification fee** [see **Annex 3: Schedule of Charges**]. Please note that the NTFSO is not in a position to process applications unless the correct fee is included in the notification application. The notifier may claim a refund of fees paid for unused tonnages [see **Annex 4** for guidance on Refunds].
- (b) **Copy of a contract** drawn up between the notifier and the consignee for the recovery or disposal of the waste [see **Annex 5** for Contract template].
- (c) **Financial Guarantee and Calculations:** The original guarantee document, together with calculations [see **Annex 6** for guidance on the Financial Guarantee], must be furnished to the National TFS Office as part of the notification process.
- (d) **List of Carriers/Hauliers**, indicating **Waste Collection Permit** reference numbers together with copy/extract from the Permit referencing the waste material and destination.
- (e) **Detailed Waste Description** including information on source and handling, and appropriate Waste Codes.
- (f) **Transport Route/Itinerary**
- (g) **Contact details** for the Competent Authority of Destination & Transit, including name, address, telephone number, email address & contact name.

5.0 ASSESSING AND TRANSMITTING THE NOTIFICATION

5.1 Acknowledgement and Transmission

Once the notification procedure has been followed correctly, the National TFS Office shall retain a copy of the notification and transmit the original to the competent authority of destination, with copies sent to any competent authority (ies) of transit, within 3 working days of the official receipt of the notification. The National TFS Office shall send an acknowledgement to the notifier within 3 working days of the receipt of the notification (and copies to the other competent authorities concerned), informing the notifier of the transmission of the notification. When the competent authority of destination considers that the notification has been completed correctly, it shall send an acknowledgement notice to the notifier and the other competent authorities concerned.

5.2 Additional Information

If the notification procedure has not been followed correctly, the National TFS Office will issue a request for additional information within 3 working days of the receipt of the notification. The application will be considered incomplete and will not be processed any further. Once the additional information is received and checked, the application will be considered complete and the transmission procedures shall apply.

Following the transmission of a notification, any of the competent authorities concerned may request further information from the notifier.

5.3 Consent

The competent authorities of destination, dispatch and transit, may within 30 days following the transmission of the acknowledgement by the competent authority of destination, transmit their decision in writing to the notifier, with copies to each other, granting consent to the planned shipment with or without conditions. Tacit consent by the competent authority of transit may be assumed if no objection is lodged within the 30-day time limit. The competent authorities shall signify their written consent by appropriately stamping, signing and dating the original notification document or their copies of same.

5.4 Objections

i) Once the notification procedure has been followed correctly, the National TFS Office may decide, within 3 working days of receipt of the notification, not to proceed with the notification if it has objections to the shipment, and shall inform the notifier of its decision and the reason for the objection.

ii) Where a notification is transmitted by the National TFS Office, the competent authorities of dispatch and destination may within 30 days following the transmission of the acknowledgement by the competent authority of destination raise objections on specified grounds.

5.5 Changes in the shipment after consent

If any essential change is made to the details and/or conditions of the consented shipment, (including changes to the intended quantity, route, date of shipment, or carrier), before the shipment starts, the notifier shall immediately inform the National TFS Office, all other competent authorities concerned and the consignee.

In such cases a new notification shall be submitted, unless all the competent authorities concerned consider that the proposed changes do not require a new notification.

Where such changes involve additional competent authorities to those involved in the original notification, a new notification shall be submitted.

6.0 MOVING THE WASTE

Once a satisfactory notification has been submitted and prior to any waste being exported, waste exporters must have:

- (a) obtained the necessary consent from all the regulatory authorities involved;
- (b) received a certificate for the guarantee;
- (c) have appropriate third party liability insurance;
- (d) ensure that the waste is moved in accordance with the information provided in the notification; have arranged to comply with all other applicable enactments in addition to the TFS legislation, and
- (e) ensure that the proposed shipment is managed in an environmentally sound manner.

The following procedures then apply:

6.1 Completion of movement document

After consent has been given to a notified shipment by the competent authorities involved, the notifier shall insert the actual date of shipment in the movement document, sign it and complete the document.

6.2 3 working days notice

The notifier shall send a copy of the completed movement document to the competent authorities concerned and to the consignee at least 3 working days (excluding Bank Holidays) before the shipment starts. A copy of the pre-notification should be submitted to the National TFS Office between the hours of 9.30am - 4.30pm Monday to Friday. The notifier shall retain a copy of the completed movement document.

6.3 Documents to accompany each transport

The movement document and a copy of the notification document, together with the written consents and any conditions specified by the competent authorities concerned, shall accompany each shipment. The movement document shall be retained by the consignee facility that receives the waste.

7.0 WASTE PROCESSING

7.1 Written confirmation of receipt of the waste by the consignee facility

Within 3 working days of receiving the waste, the destination facility shall provide confirmation in writing that the waste has been received. This confirmation shall be contained in Box 18 of the movement document. The facility shall send signed copies of the movement document containing this confirmation to the notifier and to the National TFS Office.

7.2 Certificate for recovery or disposal by the facility

As soon as possible, but no later than 30 days after completion of the recovery or disposal operation, and no later than one calendar year following receipt of the waste, the facility carrying out the operation shall, under its responsibility, certify that the recovery or disposal has been completed. This certificate shall be contained in, or annexed to, the movement document. The facility shall send signed copies of the movement document containing this certificate to both the notifier and the National TFS Office.

8.0 GENERAL NOTIFICATIONS

The notifier may, with the consent of the National TFS Office, submit a general notification to cover several shipments if, in the case of each shipment:

- (i) the waste has essentially similar physical and chemical characteristics;
- (ii) the waste is shipped to the same consignee and the same facility; and
- (iii) the route of the shipment as indicated in the notification document is the same.

Notification procedures detailed in this document apply in principle to general notifications.

9.0 INTERIM RECOVERY AND DISPOSAL

Interim Disposal means disposal operations D13 (Blending or mixing prior to submission to any of the operations D 1 to D 12); D 14 (Repackaging prior to submission to any of the operations D 1 to D 13); D 15 (Storage pending any of the operations D 1 to D 14).

Interim Recovery means recovery operations R12 (Exchange of wastes for submission to any of the operations R 1 to R 11) and R13 (Storage of wastes pending any of the operations R 1 to R12).

General Requirement

i) Where a shipment of waste is destined for an interim recovery or disposal operation, all the facilities where the interim operation in the country of destination and the subsequent non-interim recovery and disposal operations located in the country of destination or located in another country are envisaged, and information on the interim and non-interim operations, shall be indicated in the notification document.

ii) A notification shall cover the shipment of waste from its initial place of dispatch to its interim recovery or disposal. If a subsequent non-interim operation takes place in another country then a new notification shall be required to cover the shipment of the waste from the first country of destination to the next country of destination which shall be authorised under the jurisdiction of the competent authority in the first country of destination.

Notification Document

- i) **Block 10:** If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, details on the facility performing the interim operation should be provided in Block 10. Corresponding information on the
 - ii) subsequent facility or facilities where any subsequent non-interim operation takes place or may take place in the first country of destination or in another country should be provided in an Annex referenced in Block 10.
- ii) **Block 11:** If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, details on the interim operation/s should be provided in Block 11. Corresponding information on the subsequent non-interim operation/s taking place in the first country of destination or in another country should be provided in an Annex referenced in Block 11.

Financial Guarantee

- i) If the waste shipment is destined for interim recovery or disposal operations, a financial guarantee shall be raised to cover the interim operation in the first country of destination.
- ii) Further to request from the notifier, the financial guarantee shall be released when the NTFSO has received the completion certificate for the interim operation.
- iii) Any further shipment for a subsequent non-interim operation taking place in another country shall be covered by a new financial guarantee or equivalent insurance.

Contract

If the waste shipment is destined for interim recovery or disposal operations, the contract shall include an obligation on the destination facility of interim recovery or disposal to-

- i) Provide certificates to the notifier and the competent authorities concerned that the waste has been recovered or disposed of in accordance with the notification.
- ii) Obtain a certificate of completion from the subsequent non-interim facility if located in the first country of destination, and to transmit the certificate to the notifier and the competent authorities concerned.

10.0 GREEN LISTED WASTE

Green List waste refers to shipments of non-hazardous waste for recovery within and from the EU. Annex III, IIIA and IIIB of Commission Regulation 1013/2006 specify different types of non-hazardous waste (Green List) and apply to the export of waste for recovery. The annexes will be issued by the Commission in due course.

'Green List' waste is:

- A single type of waste that can be classified by a single entry in Annex III, or;
- A mixture of wastes covered by a single entry in Annex III, or;
- A mixture of wastes covered by a single entry in Annex IIIA.

Annex IIIB comprises waste that is considered 'green list' when moving only between EU member states. Exports of waste in annex IIIB non-OECD countries are subject to notification controls.

The exporter/notifier must determine the code that best describes the waste being moved. Any contamination that may either make the waste hazardous or make it more appropriate to classify it by another code for shipment under the Amber rules, must be taken into account when determining the waste classification.

The person who arranges the shipment of Green List waste must ensure that each consignment is accompanied by the document in Annex VII of Regulation 1013/2006 and moved under contract to an authorised facility. They must also ensure that each shipment is managed in an environmentally sound manner.

To export waste under Green List controls the exporter/notifier must:

- Ensure the waste being exported is 'green list' waste
- Check the recovery facility is located in a country that accepts imports of the type of green list waste being sent under green list controls
- Ensure the waste is going to an authorised facility where it will be recovered in an environmentally sound manner
- Enter into a contract with the person the waste is being sent to for recovery. The contract must contain specified terms and be in place before the waste is shipped
- Register as a Broker or Dealer with the NTFSO in accordance with the Waste Management (Shipment of Waste) Regulations S.I. No. 419 of 2007
- Complete and sign an Annex VII form before moving the waste, providing details about: the people involved with producing and moving the waste, waste description, proposed recovery operation and the recovery facility
- Make sure a copy of the signed and completed Annex VII form accompanies the waste on its journey to the receiving facility in the country it is going to

- Keep copies of the completed form sent with the waste for three years. NTFSO enforcement officers may ask for copies of the forms completed for shipments already made

The Annex VII document must be completed as far as possible before the shipment commences in order to provide details of shipment. It must be signed and dated by the person who arranges the shipment and by the consignee and/or the recovery facility when the waste is received. Each shipment must be accompanied by a corresponding Annex VII for that load. A copy shall be retained by the person who arranges the shipment for inspection by NTFSO Enforcement Officers, as necessary.

The person arranging the shipment is responsible for ensuring that the waste is moved in accordance with the information provided on the Annex VII. It is also their responsibility to ensure that the shipment complies with all other requirements as well as waste shipment legislation i.e. that appropriate liability insurance is provided, and that the proposed shipment is managed in an environmentally sound manner.

The contract referred to in Annex VII (Box 12) should be drawn up between the person or company who arranges the waste shipment and the consignee. The contract is effective from the start of the shipment and its duration. It must include obligations on the person who arranges the shipment (or the consignee in certain circumstances) to have the waste returned, recovered, or provide for its storage in cases when the shipment or its recovery cannot be completed or where an illegal shipment has been effected. The person who arranges the shipment or the consignee shall provide a copy of the contract to the NTFSO if requested **[see Annex VII for Contract template]**.

Online Reporting System:

To facilitate the administration, recording, enforcement and inspections of Green List waste movements, the NTFSO operates an online reporting system for the export and import of Green List waste out of and into Ireland in accordance with Regulation 13(d) of the Waste Management (Registration of Brokers and Dealers) Regulations 2008, and Regulation 5(1)(q) of the Waste Management (Shipments of Waste) Regulations 2007. The person or company who arranges Green waste shipments, whether a broker or dealer involved in the export and import of waste, is required to provide information to the National TFS Office in a Green List Waste (GLW) report each calendar quarter. This is a quarterly summary report on waste shipped in the last 3 months.

The GLW (Green List Waste) Shipment report must be completed and submitted online at the end of each calendar quarter; this may be accessed together with instructions for completing the report via the webpage <https://wrms.dublincity.ie/wrms/frontoffice>.

Fees for Green shipments:

TFS SERVICE CHARGES FOR GREEN-LISTED WASTE	EXPORTS per tonne	IMPORTS
Annual Administration Fee (per notifier)	€ 250.00	€500.00
Tonnage Fee General	0.60	0.00
Tonnage Fee Glass	0.30	0.00
Bulk Shipment (1 shipment > or = 1000 tonnes)	0.30	0.00

Note: A bulk shipment is defined as a single waste shipment greater than or equal to 1,000 tonnes carried out at any one time.

Invoice

The person arranging the shipment will be issued with an invoice every quarter based on the details contained in the GLW Report in accordance with the schedule of charges. For payment purposes the calculation of the

fee should be based on the tonnages received at the facility as recorded from actual movements carried out on in the previous quarter.

Payments

Customers are requested to submit the required fee either by cheque to the National TFS Office, Eblana House, 66 to 68 Marrowbone Lane, Dublin 8, or by electronic fund transfer.

Pre-shipment notice to Enforcement

If directed, the person who arranges the shipment shall send a copy of the completed Annex VII Form to the National TFS Office Enforcement Unit at least 3 working days, not including Bank Holidays, before the shipment starts. The NTFSO should be notified during the hours of 9.30am - 4.30pm Monday to Friday.

11.0 EXPORTS TO, AND TRANSIT THROUGH, COUNTRIES OUTSIDE THE EU

The Waste Shipment Regulations (WSR) contains rules on the shipment of waste, whereby a distinction is made between exports to:

- (a) another EU Member State,
- (b) an EFTA country,
- (c) an OECD country or
- (d) a non-OECD country.

Regulations vary by country if the destination facility is located outside the EU. Before exporting any waste it is advisable to check with the competent authorities in those countries to and through which the waste will travel as to what controls/procedures apply to the waste type being shipped.

Articles 31-40 and 47&48 of Council Regulation EC No. 1013/2006 are the main provisions to be noted in relation to the export of waste from the EU.

11.1 Export of Green List Waste to Non-OECD Countries

Green listed waste for recovery –such as paper/scrap-can be exported to EU Member States, EFTA countries and OECD countries without prior notification. Under the WSR, non-OECD countries must state (in answer to a European Commission written request sent to each of them) whether and, if so, under what procedure, they wish to receive green-list waste from the EU for recovery.

Each country's response can be found in Commission Regulation (EC) No 1418/2007 issued on the 26th November 2007 or by clicking on the website link below (information website only to ensure compliance with legislation and wishes of the country of destination):

http://ec.europa.eu/trade/issues/global/environment/waste_nr.htm#

A country can state that it:

- (a) does not wish to import green-list waste -a prohibition,
- (b) that it is prepared to accept them without any controls;
- (c) that it will permit exports only with a pre notification and consent; or
- (d) that it will permit exports in accordance with other local requirements.

It is the responsibility of the notifier/exporter/ person who arranges the shipment of waste to ensure that waste material intended for export is correctly classified, and to ascertain the controls that apply to proposed shipments of waste for recovery to countries outside the EU. Misclassified material may be returned (under waste repatriation procedures) on the basis that it has been illegally exported.

As regards the documentation to accompany the waste the document contained in Annex VII of the WSR must accompany the shipment. Blocks 6 and 7 of this form should be completed with the name and address of the waste generator or the plant where the waste is to be received together with the details of a contact person [A plant responsible for storing the waste intended for recovery (an R13 organisation) also comes under this definition].

The Annex VII form must be duly completed by-

- (a) the person who arranges the shipment before the shipment takes place, and then by;
- (b) the recovery facility and the consignee when the waste is received-see article 18 of the WSR .

The completed Annex VII form must accompany each consignment of waste throughout its journey.

If a country has not responded to the Commission's request for a procedure to be chosen, prior notification must be obtained in every case for the country in question (Article 37(2) of the WSR). If a notification has to be made, a non-OECD country has 60 days to decide. During this period, no export to that country is possible from the EU.

12.0 WASTE IMPORTS INTO IRELAND AND INTO THE COMMUNITY

12.1 Waste Management

Waste shipped within the Community and waste imported into the Community must be managed throughout the period of shipment and on its arrival in the country of destination, without endangering human health and without using processes or methods which could harm the environment. The authorised facility which receives the waste should be operated in accordance with established standards for human health and environmental protection.

12.2 Imports of waste into Ireland

Proposals for the import of waste into the Republic of Ireland are subject to the provisions of Regulation (EC) No. 1013/2006, and the Waste Management (Shipments of Waste) Regulations 2007, S.I. No. 419. Shipments of Amber listed waste destined for recovery, and all shipments of waste destined for disposal, are subject to notification and tracking procedures. Shipments of uncontaminated, sorted wastes which appear on the Green Waste List and are destined for recovery at an authorised facility under contract need only be accompanied by an Annex VII document.

12.2 Imports of waste into the Community for recovery

Imports into the Community of waste for recovery may be permitted where the exporting country:

- (a) Is one to which the OECD Decision applies;
- (b) Is a Party to the Basel Convention; or
- (c) Where prior agreements or arrangements are in place.

This applies to proposals for the import of waste into the Republic of Ireland.

12.3 Right of prohibition

The National TFS Office reserves the right under the Regulations to prohibit the import of waste.

12.4 Adequate cover

As the competent authority of destination, the National TFS Office shall review the amount of cover provided for a waste import into the State and, if necessary, approve an additional financial guarantee.

12.5 Exclusions

Subject to conditions, shipments of waste generated by armed forces or relief organisations are excluded from the scope of the Regulations.

13.0 ENFORCEMENT

13.1 Legal procedures

The National TFS Office enforces the Regulations by ensuring that waste is exported and imported in accordance with the relevant legal procedures.

13.2 Supervision

The National TFS Office supervises and monitors the shipment and recovery or disposal of waste through the notification procedures and inspections.

13.3 Inspections

Staff from the National TFS Office are authorised to carry out inspections of any intended consignments of waste prior to dispatch, and any consignments of waste entering the State. On and off-site inspections are carried on throughout the State in order to prevent illegal shipments and to ensure that the shipment, recovery or disposal of waste is managed in an environmentally sound manner for the protection of the environment and human health.

13.4 Ports

The National TFS Office may direct that shipments of waste shall leave or enter the State at a specified port or place within the State.

13.5 Control of waste

The National TFS Office may seize, take in charge, recover or dispose of a consignment of waste or a part thereof where any provision of the Regulations has not been complied with as respects the consignment or a part thereof, as the case may be.

13.6 Direction to return waste [waste repatriation]

The National TFS Office may direct a person who undertakes the shipment of waste or who is the consignee of waste imported into the State, to return the waste to its place of origin or to such other place as may be specified in the direction and to take such measures as may be so specified in relation to the waste, including the recovery or disposal of the waste in such manner or at such facility as may be so specified.

13.7 Prohibition

The National TFS Office may prohibit the import or export of any shipment of waste, or of a class or classes of waste, or of any shipment, class or classes of waste intended for any specified purpose, either generally or for such periods as may be specified for the purposes of the Regulations, or to comply with recommendations or provisions of the Hazardous Waste Management Plan made under Section 26 of the Act.

13.8 Exclusions

Types of shipments and activities excluded from the scope of these Regulations are listed in Article 1(3) of the Council Regulation.

14.0 GENERAL PROVISIONS

14.1 Waste Management

All those involved in a shipment of waste and its recovery or disposal shall take the necessary steps to ensure that the shipment is managed without endangering human health and in an environmentally sound manner throughout the period of shipment and its recovery and disposal.

14.2 Communication methods

Subject to the agreement of the National TFS Office, the other competent authorities concerned, and the notifier, the information and documents referred to in these Regulations may be submitted by using any of the following methods of communication:

- Post; or
- Fax; or
- Fax followed by post

14.3 Language

Any notification, information, documentation or other communication submitted by the notifier shall be supplied in English or Irish to the National TFS Office.

14.4 Keeping of documents and information

All documents relating to a notified shipment shall be kept for at least three years from the date when the shipment starts by the notifier, the National TFS Office, the consignee and the facility which receives the waste. Information given pursuant to Article 18 shall be kept for at least three years from the date when the shipment starts by the person who arranges the shipment, the consignee and the facility which receives the waste.

14.5 Public access to notifications

The NTFSO, as the competent authority of dispatch and destination, may make publicly available information on notifications consented to, where such information is not legally confidential.

The NTFSO provides access to certain information maintained on our Public Register in connection with: 1) the shipment of hazardous (Amber-listed) waste; and, 2) the shipment of non-hazardous (Green-listed) waste, carried out under Regulation (EC) No. 1013/2006 and the Waste Management (Shipments of Waste) Regulations 2007; and, 3) Brokers and Dealers who have obtained a Certificate of Registration under the Waste Management (Registration of Brokers and Dealers) Regulations 2008.

1) Hazardous (Amber) Shipments

The National TFS Office provides public access to information on consented notifications in respect of hazardous waste shipments that are exported from the ROI, imported into the ROI, and transited through the ROI, under the following headings:

Hazardous Waste Exports- Notification Number; Notifier/Exporter; Waste Description; EWC Code; Basel/OECD Code; Y Code; Shipment Number; Shipment Quantity; Disposal/Recovery Code; Destination Country.

Hazardous Waste Imports- Notification Number; Competent Authority of Despatch; Notifier/Exporter; Waste Description; Basel/EWC Code; Y Code; Shipment Number; Shipment Quantity; Disposal/Recovery Code;

Hazardous Waste Transits- Notification Number; Competent Authority of Despatch; Notifier/Exporter; Waste Description; EWC Code; Y Code; Shipment Number; Shipment Quantity; Disposal/Recovery Code; Country of Origin; Destination Country.

Request to access specific information contained in TFS notifications

TFS notifications are not available for public inspection on the grounds that certain information contained in notification files and records is regarded as confidential. A request received from a member of the public to inspect a notification, or a request to obtain other specific information regarded as confidential, shall not be granted. The NTFSO is subject to the provisions of the Freedom of Information Act. An information request under this Act must be submitted in writing to Dublin City Council. Details are available from: Freedom of Information Officer, Corporate Services Department, Dublin City Council, 3 Palace Street, Dublin 2; Tel: 2223775; Email: foi@dublincity.ie.

2) Non-hazardous (Green) Shipments

The NTFSO provides public access to information in respect of non-hazardous waste shipments that are exported from the ROI, and imported into the ROI, under the following headings:

Non-Hazardous Waste Exports- The Person/Company Who Arranges the Shipment;
Waste Description: EWC Code; Shipment Quantity; Shipment Month; Destination Country.

Non-Hazardous Waste Imports- The Person/Company Who Arranges the Shipment;
Waste Description: EWC Code; Shipment Quantity; Shipment Month; Country of Origin.

3) Registered Brokers and Dealers

The NTFSO provides public access to information in respect of the registration of Brokers and Dealers under the following headings: Registered Person/Company; Registered Number; Certification/ Registration Date; Contact Person.

Availability Information specified above is available for public inspection at the NTFSO by prior arrangement (telephone 01 2224601, 2224634) and is also obtainable on request by email (nationaltfs@dublincity.ie).

ANNEX 1

Broker and Dealers Registration FAQs

What are the Brokers and Dealers Regulations?

The Waste Management (Registration of Brokers and Dealers) Regulations, S.I. No. 113 of 2008 provide for the introduction of a registration system for waste brokers and dealers in order to better facilitate controls on such persons who arrange shipments of waste.

Any individual or business involved in the export of Amber List or Green List waste abroad for recovery and/or disposal must register with the National Transfrontier Shipment Office (NTFSO) in Dublin City Council.

Who is required to register?

A **broker** is defined as an individual or company who arranges the recovery or disposal of waste and includes those who do not take physical possession of the waste.

A **dealer** means any individual or company whose activities involve the purchase and selling of waste and includes those who do not take physical possession of the waste.

Brokers and dealers as described above must be registered with the NTFSO in Dublin City Council in order to carry out their activities. Registration is valid for a period of two (2) years.

How do I register?

Applications for registration must be submitted to the NTFSO of Dublin City Council. The application form is available from the NTFSO, which must be completed and accompanied by the following documents:

- Signed and stamped statutory declaration (provided with application form) (Schedule 1 of the Regulations)
- Copy of the applicant's certificate of incorporation, certified by the Registrar of Companies
- If the applicant carries out business under a name which differs to that of the applicant, a copy of a certificate of registration under the Registration of Business Names Act 1963
- Application fee of €200

A full list of the information required is given in [Articles 7 and 8 of the Waste Management \(Registration of Brokers and Dealers\) Regulations 2008](#).

Application forms can be accessed through the appropriate quick-link on the following web-page or by emailing: nationaltfs@dublincity.ie
[Dublin City Council: National TFS Office](#)

Where should applications be sent for processing?

Completed applications forms and accompanying documentation should be sent to the following address:

Brokers and Dealers Registration
National Transfrontier Shipment Office
Floor 2, Eblana House
68-71 Marrowbone Lane
Dublin 8

What is the application fee?

An annual registration fee of €200 applies to all applications.

What are the criteria used in deciding to grant or refuse an application for registration?

See [Article 8 of the Regulations](#).

The certificate of registration may be subject to conditions related to environmental protection and preventing the illegal shipment of waste, see [Article 9 of the Regulations](#).

Is there an appeals process if I am refused a certificate of registration?

See [Article 11 of the Regulations](#).

How will commercially sensitive information be handled in the application process?

See [Article 14 \(3\) of the Regulations](#).

What if my company is registered outside of Ireland?

Where the applicant is incorporated outside the State, the equivalent company registration certificate from the appropriate authority of that State must be provided.

If the applicant's principal place of business is outside the State, confirmation must be provided from the competent authority (ies) of that State of the applicant's registration or authorisation under the relevant legislation in that State.

Applicants for registration, who are resident outside of the State, will be required to provide the address of their principal place of business within the State.

It is an offence under these Regulations to supply misleading or false information in an application for registration.

How long is the certificate of registration valid?

Certificates of registration will be valid for a period of two (2) years.

How do I renew or transfer my certificate of registration?

- See [Article 10 for certificate renewal process](#)
- See [Article 12 for transfer of certificate process](#)

Duties of Brokers and Dealers

The obligations of brokers and dealers are set out in [Article 13 of the Waste Management \(Registration of Brokers and Dealers\) Regulations, S.I. No. 113 of 2008](#), and include:

- Compile and maintain records relating to the waste dealt with during the course of business
- Notify the competent authority (Dublin City Council) when convicted of an offence as specified in Schedule 2 of the regulations
- Make available, within 10 working days, records as required under the regulations
- Provide information on the collection and movement of waste as specified by the competent authority
- Records must be retained for 5 years.
- It is an offence under these Regulations to supply misleading or false information in an application for registration.

What obligations are there on individuals or companies exporting waste from the State?

Under [Article 15 of the regulations](#) only registered brokers and dealers may export waste from Ireland. Therefore any person or business who arranges for the shipment of waste the subject of the TFS Regulation (i.e. Green List and Amber List waste) and the Brokers and Dealers Regulation, has a responsibility to only use a broker or dealer who is registered with the competent authority. Any person who contravenes these provisions shall be guilty of an offence.

What are the enforcement powers of NTFSO regarding brokers and dealers?

- The NTFSO administers the registration of waste brokers and dealers
- It has enforcement powers, see [Article 11](#) (revocation process) and [14 \(general enforcement\)](#) of the Regulations

Contact details of NTFSO on this issue:

Brokers and Dealers Registration
National Transfrontier Shipment Office
Floor 2, Eblana House
68-71 Marrowbone Lane
Dublin 8

Tel: 01 2224631, 01 2224633

Fax: 01 411 3452

Email: nationaltfs@dublincity.ie

ANNEX 2

Guidelines for Completing the Notification Document & Movement Document

Introduction

A planned shipment subject to the procedure of prior written notification and consent may take place only after the notification and movement documents have been completed pursuant to **Regulation (EC) No 1013/2006 of the European Parliament of the Council of 14 June 2006 on Shipments of Waste**, and during the period of validity of the written or tacit consents of all the competent authorities concerned.

The National TFS Office, Dublin City Council [NTFSO], the National Competent Authority of Despatch for Ireland, is responsible for providing and issuing the notification and movement documents (in both paper and electronic versions). The competent authorities use a notification numbering system prefixed with the country code of the country of dispatch, which allows a particular consignment of waste to be tracked and traced. The NTFSO issues a notification using the prefix IE 31 (the country code in ROI) to identify the notification, which is followed by a four digit number.

The notification document (Annex 1A) is intended to provide the competent authorities concerned with the information they need i) to assess the acceptability of proposed waste shipments; ii) to acknowledge receipt of the notification; and iii) to consent in writing to a proposed shipment. The movement document (Annex 1B) is intended to travel with a consignment of waste at all times from the moment it leaves the waste producer to its arrival at a disposal or recovery facility in another country. Each person who takes charge of a shipment must sign the movement document either upon delivery or receipt of the wastes in question. The movement document records the passage of the consignment through the customs offices of all countries concerned, and is used by the relevant disposal or recovery facility to certify that the waste has been received and that the recovery or disposal operation has been completed.

At the time of notification, the notifier is required to complete blocks 1–18 on the notification document and complete blocks 3, 4 and 9–14 on the movement document. When the notifier is not as the original producer, this producer or one of the persons indicated in point 15(a)(ii) or (iii) of Article 2 of Regulation 1013/2006 is, where practicable, also to sign in block 17 on the notification document. Where it is necessary to add annexes to the documents, each annex should include the notification reference number and cite the block to which it relates.

Please note that the required information must be provided in the notification documents. If any question is not applicable in a particular case, please insert N/A, as appropriate. For example, in Block 14, if any requested code does not apply to the waste, please insert N/A.

After receipt of the consents from the competent authorities of dispatch, destination and transit (or tacit consent), and before the actual start of the shipment, the notifier is required to complete on the movement document the remaining blocks 2, 5–8 (except the means of transport, the date of transfer and the signature), 15 and, if appropriate, 16. Prior to the actual start of shipment the notifier is required to send a copy of the completed and signed movement document to i) the NTFSO, ii) the other competent authorities concerned, and iii) the consignee, at least 3 working days before the shipment commences. At the time of taking possession of the consignment, the carrier or its representative is to complete on the movement document the means of transport, the date of transfer and the signature, which appear in blocks 8(a) to 8(c) and, if appropriate, 16. The shipment shall be accompanied by the movement document and copies of the notification document containing the written consent, including any conditions, of the competent authorities concerned.

Guidance for completing the Notification Document (Annex 1A)

Block 1: Exporter/Notifier - Provide the required information on the exporter/notifier: registration number; exporter/notifier name & address including the name of the country; contact person who is responsible for the shipment; telephone number, fax number & email.

Block 2: Importer/Consignee - Provide the required information on the importer/consignee. Normally, the consignee would be the disposal or recovery facility given in block 10. In some cases, however, the consignee may be another person, for example a dealer, a broker or a corporate body, such as the headquarters or mailing address of the receiving disposal or recovery facility in block 10. In order to act as a consignee, a dealer, broker or corporate body must be under the jurisdiction of the country of destination and possess or have some other form of legal control over the waste at the moment the shipment arrives in the country of destination.

Block 3: Notification Number - When issuing a notification document, the NTFSO provides an identification number which will be printed in this block. Under A, “individual shipment” refers to a single notification and “multiple shipments” to a general notification. Under B, give the type of operation the waste being shipped is destined for. Under C, pre-consent refers to Article 14 of Regulation 1013/2006.

Block 4: Number of Shipments - Give the intended number of shipments.

Block 5: Quantity - Give the estimated minimum and maximum weight in tonnes (1 tonne equals 1 megagram (Mg) or 1 000 kg) of the waste. The total quantity shipped must not exceed the maximum quantity declared in Block 5.

Block 6: Period for shipment - Give the intended date of a single shipment or, for multiple shipments, the dates of the first and last shipments. The intended period of time for shipments may not exceed one year, with the exception of multiple shipments to pre-consented recovery facilities, for which the intended period of time may not exceed three years. All shipments must take place within the validity period of the written or tacit consents of all competent authorities concerned issued by the competent authorities. Where a competent authority issues a written consent to the shipment and the validity period of that consent in block 20 differs from the period indicated in block 6, the decision of the competent authority overrides the information in block 6.

Block 7: Packaging - Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the notification document. If special handling precautions are required, such as those required by producers’ handling instructions for employees, health and safety information, including information on dealing with spillage, and instructions in writing for the transport of dangerous goods, tick the appropriate box and attach the information in an annex.

Block 8: Carriers - Provide the required information on the intended carriers of the waste: registration number; name & address including the name of the country; contact person responsible for the shipment; telephone number, fax number & email. If more than one carrier is involved, the required information for each carrier should be listed in an annex. Where the transport is organised by a forwarding agent, the agent’s details and the respective information on actual carriers should be provided in an annex. Provide evidence of waste collection permits issued to the carrier(s) regarding the waste transports in an annex. Means of transport should be indicated using the abbreviations provided in the list of abbreviations and codes attached to the notification document.

Block 9: Generator/Producer - Provide the required information on the generator/producer of the waste: registration number. If the notifier is the producer of the waste then write “Same as block 1”. If the waste has been produced by more than one producer, write “See attached list” and append a list providing the requested information for each producer. Where the producer is not known, give the name of the person in possession or control of such waste (holder). Also provide information on the process by which the waste was produced and the site of production.

Block 10: Destination Facility - Provide the required information: destination of the shipment by ticking either disposal or recovery facility; registration number; actual site of disposal or recovery if it is different from the address of the facility. If the disposer or recoverer is also the consignee, state here “Same as block 2”. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, the facility performing the operation should be mentioned in block 10, as well as the location where the operation will be performed. In such a case, corresponding information on the subsequent facility or facilities, where any subsequent R12/R13 or D13–D15 operation and the D1–D12 or R1–R11 operation or operations takes or take place or may take place should be provided in an annex (see R-codes or D-codes of Annexes IIA or IIB of Directive 2006/12/EC on waste (see also the list of abbreviations and codes attached to the notification document).

Block 11: Disposal/Recovery operation - Indicate the type of recovery or disposal operation. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, corresponding information on the subsequent operations (any R12/R13 or D13–D15 as well as D1–D12 or R1–R11) should be provided in an annex. Also indicate the technology to be employed. If the waste is destined for recovery, provide the planned method of disposal for the non-recoverable fraction after recovery, the amount of recovered material in relation to non-recoverable waste, the estimated value of the recovered material, and the cost of recovery and the cost of disposal of the non-recoverable fraction in an annex. *List of recovery and disposal codes is available on the reverse side of the notification document.*

Block 12: Waste Description - Provide designation and composition of the waste. Give the name or names by which the material is commonly known or the commercial name and the names of its major constituents (in terms of quantity and/or hazard) and their relative concentrations (expressed as a percentage). In the case of a mixture of wastes, provide the

same information for the different fractions and indicate which fractions are destined for recovery. A chemical analysis of the composition of the waste may be requested. Attach further information in an annex if necessary.

Block 13: Physical Characteristics - Indicate physical characteristics of the waste (eg solid, liquid) at normal temperatures and pressures. *List of physical characteristics is available on the reverse side of the notification document.*

Block 14: Waste Identification - State the code that identifies the waste according to Annexes III, IIIA, IIIB, IV or IVA of Regulation 1013/2006. Give the code according to the system adopted under the Basel Convention (under subheading (i) in block 14) and, where applicable, the systems adopted in the OECD Decision (under subheading (ii)) and other accepted classification systems (under subheadings (iii) to (xii)). Give only one waste code (from Annexes III, IIIA, IIIB, IV or IVA of Regulation 1013/2006) with the following two exceptions: In the case of wastes not classified under one single entry in either Annex III, IIIB, IV or IVA, give only one type of waste. In the case of mixtures of wastes not classified under one single entry in either Annex III, IIIB, IV or IVA, unless listed in Annex IIIA, provide the code of each fraction of the waste in order of importance (in an annex if necessary).

(i): Basel Convention Annex VIII codes should be used for wastes that are subject to the procedure of prior written notification and consent (see Part I of Annex IV of Regulation 1013/2006). Basel Annex IX codes should be used for wastes that are not usually subject to the procedure of prior written notification and consent but which, for a specific reason such as contamination by hazardous substances or national regulations, are subject to the procedure of prior written notification and consent. Basel Annexes VIII and IX can be found in Annex V of Regulation 1013/2006. If a waste is not listed in Annexes VIII or IX of the Basel Convention, insert “not listed”.

(ii): OECD member countries should use OECD codes for wastes listed in Part II of Annexes III and IV of Regulation 1013/2006, i.e. wastes that have no equivalent listing in the Annexes of the Basel Convention or that have a different level of control under this Regulation from the one required by the Basel Convention. If a waste is not listed in Part II of Annexes III and IV of Regulation 1013/2006, insert “not listed”.

(iii): European Union Member States should use the codes included in the European Community list of wastes (see Commission Decision 2000/532/EC as amended).

(iv) and (v): Where applicable, national identification codes other than the EC list of wastes used in the country of dispatch and, if known, in the country of destination should be used. Such codes may be included in Annexes IIIA, IIIB or IVA of this Regulation.

(vi): If useful or required by the relevant competent authorities, add here any other code or additional information that would facilitate the identification of the waste.

(vii): State the appropriate Y-code or Y-codes according to the “Categories of wastes to be controlled” (see Annex I of the Basel Convention and Appendix 1 of the OECD Decision), or according to the “Categories of wastes requiring special consideration” given in Annex II of the Basel Convention (see Annex IV Part I of Regulation 1013/2006 or Appendix 2 of the Basel Instruction Manual), if it or they exist(s). Y-codes are not required by Regulation 1013/2006 and the OECD Decision except where the waste shipment falls under one of the two “Categories requiring special consideration” under the Basel Convention (Y46 and Y47 or Annex II wastes), in which case the Basel Y-code should be indicated. Nevertheless, indicate the Y-code or Y-codes for wastes defined as hazardous according to Article 1(1)(a) of the Basel Convention in order to fulfil the reporting requirements under the Basel Convention.

(viii): If applicable, state here the appropriate H-code or H-codes, i.e. the codes indicating the hazardous characteristics exhibited by the waste (see the list of abbreviations and codes attached to the notification document). If there is no hazardous characteristics covered by the Basel Convention, but the waste is hazardous according to Annex III of Directive 91/689/EEC on hazardous waste, state the H-code or H-codes according to this Annex III and insert “EC” after the H code (e.g. H14 EC). *List of H codes is available on the reverse side of the notification document.*

(ix): If applicable, state here the United Nations class or classes which indicate the hazardous characteristics of the waste according to the United Nations classification (see the list of abbreviations and codes attached to the notification document) and are required to comply with international rules for the transport of dangerous goods (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition). *List of H codes is available on the reverse side of the notification document.*

(x and xi): If applicable, state here the appropriate United Nations number or numbers and United Nations shipping name or names. These are used to identify the waste according to the United Nations classification system and are required to comply with international rules for transport of dangerous goods (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition).

(xii): If applicable, state here customs code or codes, which allow identification of the waste by customs offices (see the list of codes and commodities in the “Harmonised commodity description and coding system” produced by the World Customs Organisation).

Block 15: Countries/CA Codes/Exit/Entry - On line (a) of block 15, provide the name of the countries of dispatch, transit and destination. On line (b), provide, where applicable, the code number of the respective competent authority for each country and on line (c) insert the name of the border crossing or port and, where applicable, the customs office code number as the point of entry to or exit from a particular country. For transit countries give the information in line (c) for points of entry and exit. If more than three transit countries are involved in a particular shipment, attach the appropriate information in an annex. Provide the intended route between points of exit and entry, including possible alternatives, also in cases of unforeseen circumstances, in an annex.

Block 16: Customs - In cases where shipments enter, pass through or leave the European Union, provide the required information

Block 17: Declaration - Each copy of the notification document is to be signed and dated (six-digit format) by the notifier before being forwarded to the competent authorities of the countries concerned. When the notifier is not the same person as the original producer, this producer, the new producer or the collector is, where practicable, also to sign and date; it is noted that this may not be practicable in cases where there are several producers.

Block 18: Annexes - Indicate the number of annexes containing any additional information supplied with the notification document. Each annex must include a reference to the notification number to which it relates.

Block 19: Acknowledgement/Waste recd - For use by competent authority or authorities of the country or countries of destination (where applicable) and transit when issuing a signed, dated and stamped acknowledgement for the receipt of the waste.

Block 20: Consent - For use by competent authorities of any country concerned when providing a signed, dated and stamped written consent (a competent authority of transit may provide a tacit consent) to the waste shipment.

Block 21: Consent/Objection - If the shipment is subject to specific conditions, the competent authority in question should tick the appropriate box and specify the conditions in block 21 or in an annex to the notification document. If a competent authority wishes to object to the shipment it should do so by writing “OBJECTION” in block 20. Block 21, or a separate letter, may then be used to explain the reasons for the objection.

Guidance for completing the Movement Document (Annex 1B)

Block 1: Notification Number - The notification number entered is the number in Block 3 in the notification document.

Block 2: Serial/Total No. Shipments - For a general notification for multiple shipments, enter the serial number of the shipment and the total intended number of shipments indicated in block 4 in the notification document (for example, enter “4/11” for the fourth shipment out of eleven intended shipments under the general notification in question). In the case of a single notification, enter “1/1”.

Block 3: Exporter/Notifier - Reproduce the same information on the notifier as given in block 1 in the notification document.

Block 4: Importer/Consignee - Reproduce the same information on the consignee as given in block 2 in the notification document.

Block 5: Quantity - Give the actual weight in tonnes (1 tonne equals 1 megagram (Mg) or 1000 kg of the waste.

Block 6: Date of shipment - Enter the date when the shipment actually starts.

Block 7: Packaging - Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the movement document. If special handling precautions are required, such as those prescribed by producers’ handling instructions for employees, health and safety information, including information on dealing with

spillage, and transport emergency cards, tick the appropriate box and attach the information in an annex. Also enter the number of packages making up the consignment.

Blocks 8 (a), (b) and (c): Carriers - Provide the required information on the carriers: registration number; name & address including the name of the country; telephone number; fax number; email. When more than three carriers are

involved, appropriate information on each carrier should be attached to the movement document. The means of transport, the date of transfer and a signature should be provided by the carrier or carrier's representative taking possession of the consignment. A copy of the signed movement document is to be retained by the notifier. Upon each successive transfer of the consignment, the new carrier or carrier's representative taking possession of the consignment will have to comply with the same request and also sign the document. A copy of the signed document is to be retained by the previous carrier.

Block 9: Generator/Producer - Reproduce the information given in block 9 of the notification document.

Block 10: Destination Facility - Reproduce the information given in blocks 10 in the notification document. If the disposer or recoverer is also the consignee, write "Same as block 4".

Block 11: Disposal/Recovery operation - Reproduce the information given in block 11 in the notification document. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, the information on the facility performing the operation provided in block 10 is sufficient. No further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility(ies) performing the D1–D12 or R1–R11 operation(s) needs to be included in the movement document.

Block 12: Waste Description - Reproduce the information given in block 12 in the notification document.

Block 13: Physical Characteristics - Reproduce the information given in block 13 in the notification document.

Block 14: Waste Identification - Reproduce the information given in block 14 in the notification document.

Block 15: Declaration - At the time of shipment, the notifier shall sign and date the movement document. The shipment shall be accompanied by the movement document and copies of the notification document containing the written consent, including any conditions, of the competent authorities concerned.

Block 16: Additional requirement in certain cases - This block can be used by any person involved in a shipment in specific cases where more detailed information is required by national legislation concerning a particular item (for example, information on the port where a transfer to another transport mode occurs, the number of containers and their identification number, or additional proof or stamps indicating that the shipment has been consented by the competent authorities). Give the routing (point of exit from and entry into each country concerned, including customs offices of entry into and/or exit from and/or export from the Community) and route (route between points of exit and entry), including possible alternatives, also in case of unforeseen circumstances, either in block 16 or attach it in an annex.

Block 17: Shipment not first recd by facility - This block is to be completed by the consignee in the event that it is not the disposer or recoverer and in case the consignee takes charge of the waste after the shipment arrives in the country of destination.

Block 18: Shipment recd by facility - This block is to be completed by the authorised representative of the disposal or recovery facility upon receipt of the waste consignment. Tick the box of the appropriate type of facility. With regard to the quantity received, give the actual weight in tonnes (1 tonne equals 1 megagram (Mg) or 1000 kg of the waste. A signed copy of the movement document is given to the last carrier. If the shipment is rejected for any reason, the representative of the disposal or recovery facility must immediately contact his or her competent authority. Signed copies of the movement document must be sent within three days to the notifier and the competent authorities in the countries concerned. The original movement document shall be retained by the disposal or recovery facility. Receipt of the waste consignment must be certified by any facility performing any disposal or recovery operation, including any D13–D15 or R12 or R13 operation. Indicate also the type of disposal or recovery operation by using R-codes or D codes and the approximate date by which the disposal or recovery of waste will be completed.

Block 19: Certification of Completion - This block is to be completed by the disposer or recoverer to certify the completion of the disposal or recovery of the waste. Signed copies of the movement document with block 19 completed should be sent to the notifier and competent authorities of dispatch, transit and destination as soon as possible, but no later than 30 days after the completion of the recovery or disposal and no later than one calendar year following the receipt of the waste. The disposal or recovery of waste must be certified by any facility performing any disposal or recovery operation, including a D13–D15 or R12 or R13 operation.

Block 20, Block 21 and Block 22: Customs - The blocks must be used for control by customs offices at the borders of the Community.

This document is based on the provisions of Annex 1C and Annex II of Regulation (EC) No 1013/2006 of the European Parliament of the Council of 14 June 2006 on Shipments of Waste.

ANNEX 3

Schedule of Charges applying from 1st July 2010

Export Charges €	Amber	Green	Amber + Green
Annual Fixed Administration Fee (per calendar year)	500.00	250.00	600.00
Tonnage Fee	2.50	0.60	
Glass		0.30	
Soil	0.30		
Bulk Shipment [a single shipment of waste greater than or equal to 1000 tonnes (for fee purposes)].	0.30	0.30	

Import Charges €	Amber	Green
Annual Fixed Administration Fee (per calendar year)	500.00	500.00
Shipment Fee	25.00	0.00

Repatriation Fee €	Amber and Green List Waste
Repatriation/direction to return amber or green list waste from Irish, EU or international ports	750.00 per returned shipment

Registration Fee €	2-yearly Fee/ Renewal Fee
Registration under Waste Management (Brokers and Dealers) Regulations 2008	200.00

Refund Fee €	Administration of Refund Application
Unused Tonnes notified; Cancelled Notifications	350.00

Monitoring Fee €	Amber and Green List Waste
Investigations/Written Directions re Amber & Green Shipments	350.00

Please Note-

Export Charges: The administration fee applies from 1st January to 31st December each year.

Import Charges: The €25 fee applies to each shipment on a notification for Amber waste imports. No tonnage/shipment fees apply to the import of Green waste.

Repatriation Fee: The €750 fee covers all containers in a returned shipment. This fee is avoidable.

Registration Fee: The Certificate of Registration shall be valid for a period of 2 years.

Refund Fee: The fee of €350 shall be deducted from the tonnage fees already paid on the notification. Refund claims up to €350 shall not be considered. The annual administration fee is non-refundable. A claim for a refund must be received by email on the prescribed TFS Refund Form no later than 1 month from the notification expiry date (guidance and form available on website: www.dublincity.ie).

ANNEX 4

Claiming a Refund

The National TFS Office considers claims or requests from notifiers for a partial refund of fees paid in respect of the submission of TFS Notifications on the basis that i) the total intended quantity of waste indicated in tonnes on the notification document is not shipped, or ii) the notification is cancelled. Claims for a refund must be received no later than 1 month from the notification expiry date.

Fee per Refund Application

A fee of €350 shall be charged for the processing of each refund application in respect of unused tonnages and cancelled notifications. This fee shall be deducted from the tonnage fees already paid on the notification. Accordingly, applications for a refund amounting to €350 or less shall not be considered.

Refunds Claims are processed in accordance with the following conditions-

Unused Tonnes: A refund is payable in respect of unused tonnes of waste not shipped on the notification. The amount refunded shall be the fees paid for any unused tonnes, less €350 of the total tonnage fee paid on the notification.

Cancelled notifications: A refund is payable in respect of the tonnage fee paid on a notification that is cancelled prior to shipments taking place, less €350 of the tonnage fee paid.

Administration Charge: A refund is payable for unused tonnes only. The annual administration fee charged per notifier is non-refundable.

Refund Claim Form: A claim for a refund must be submitted to the NTFSO by email (national.tfs@dublincity.ie) on the prescribed form: TFS Refund Form (attached).

Refund Submission Time: Claims for a refund must be received no later than 1 month from the notification expiry date.

Procedures for Claiming a Refund applying from 1st July 2010

Claimants for a refund in respect of Unused Tonnes and Cancelled Notifications must-

- Submit a claim for a refund to the NTFSO by email on the prescribed form: TFS Refund Form (attached).
- Submit the completed TFS Refund Form no later than 1 month from the expiry date on a notification.
- Provide information on the TFS Refund Form in respect of each notification under the following 8 headings:

- 1) The TFS Notification Number/s.
- 2) The notification expiry date.
- 3) The refund category: whether the claim is for unused tonnes or a cancelled notification.
- 4) The intended quantity in tonnes and the intended number of loads.
- 5) The quantity in tonnes and the number of loads received at the destination facility (as confirmed by the facility in Block 18 on Annex 1B Movement Document).
- 6) The unused quantity in tonnes and the unused number of loads.
- 7) The reason/s for not shipping the intended tonnage, or the reason for cancelling the notification.
- 8) The refund amount claimed (for unused tonnes).

ANNEX 5

CONTRACT [Amber]

Contract concluded between the Notifier and the Consignee for purposes of Article 5 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste

This Contract applies to waste shipments effected on TFS Notification Number IE 31XXXX (in addition to any other contract entered into between the parties concerned).

The parties to this Agreement being the Notifier and the Consignee shall comply with the requirements of the Waste Shipment Regulations in respect of the recovery or disposal of notified waste shipments. Shipments shall be carried out in accordance with the information provided in the Notification subject to the conditions of Consent and the approved Financial Guarantee and this Contract.

Notifier (Name, Address):

Consignee: (Name, address);

Competent Authority of Despatch: National TFS Office, Dublin City Council,
Eblana House, 68-71 Marrowbone Lane, Dublin 8, ROI.

It is hereby agreed between the parties that the following legal duties and obligations will be observed in relation to TFS Notification No IE 31XXXX, as required by Council Regulation (EC) No 1013/2006:

-The Notifier shall take back the waste if the shipment or the recovery or disposal operation has not been completed in the intended way or was effected in an illegal way, in accordance with the provisions of Article 22 and Article 24(2) of Council Regulation (EC) No 1013/2006.

-The Consignee shall recover or dispose of illegally shipped waste under its responsibility, in accordance with the provisions of Article 24(3), of Council Regulation (EC) No 1013/2006.

-The Facility shall submit a certificate to the competent authorities and to the Notifier indicating that the recovery or disposal operation on each shipment has been completed, in accordance with the provisions of Article 16(e) of Council Regulation (EC) No 1013/2006.

-This Contract is valid for the duration of all shipments effected on the notification until the final certificate from the facility has been received indicating that the recovery or disposal operation has been completed.

Signatures

Notifier: _____ **Date**: _____

Consignee: _____ **Date**: _____

ANNEX 6

Financial Guarantee

Under Regulation (EC) 1013/2006 and the Waste Management (Shipments of Waste) Regulations 2007, the notifier of a proposed waste shipment is legally obliged to put in place a Financial Guarantee to cover liabilities resulting from shipments carried out under the notification. The purpose of the Financial Guarantee is to cover costs arising in the context of 1) cases where a notified shipment, or the recovery or disposal of the notified waste cannot be completed as intended, or 2) cases where a shipment or the intended recovery or disposal is deemed illegal. The guarantee is concerned with the legal completion of the waste only and does not apply to liabilities covered by public liability insurance put in place by the notifier in connection with environmental pollution or damage to third parties.

A Financial Guarantee should be submitted for the approval of the National TFS Office, Dublin City Council [NTFSO] on headed paper; containing the original signature of the appropriate person acting on behalf of the Bank, the date of issue, and a reference number. A guarantee in the form of a deposit with a bank to secure the bond is acceptable.

Calculations

The Financial Guarantee must cover costs in relation to transport, recovery or disposal, and storage. The calculation of the amount of the guarantee should be based on the costs involved in respect of an individual shipment, as follows:

- a) Transport costs. These costs are associated with transporting one shipment of waste between the points of despatch and destination, there and back, in respect of, for example, shipping, carriage, and harbour costs, in cases where shipments cannot be completed as intended or are deemed illegal and must be returned to the country of origin.
- b) Recovery/Disposal costs. These are costs based on the estimated cost of the recovery/disposal operation in respect of one shipment in relation to shipments which cannot be completed as intended or are deemed illegal. In such cases alternative arrangements would be required for recovery or disposal in the country of despatch or destination, as agreed.
- c) Storage costs. A contingency sum amounting to 50% of the transport and recovery/disposal costs must be included to cover storage for up to 90 days in situations where the waste material cannot be delivered directly to the facility for legal or other reasons and must be stored at the port of entry or elsewhere. The contingency sum also covers any additional administrative or legal costs incurred by the competent authorities.
- d) Number of active shipments taking place at any one time. The value of the guarantee increases according to the number of active shipments covered and specified in the guarantee. A shipment is deemed active until such time that a certificate of disposal or recovery is issued by the consignee.

Therefore, the value of an average bond is $[a + b + (a + b \times 50\%)] \times d$

The calculations for the value of the bond should be submitted to the NTFSO on signed headed paper.

Certificate

The export of the waste cannot commence unless the NTFSO issues a certificate confirming that there is an adequate financial guarantee in force to cover the proposed shipment.

Text

The Financial Guarantee should be based on the wording in our suggested text, as follows-

Template for Financial Guarantee

In accordance with the provisions of the Waste Management (Shipments of Waste) Regulations, 2007 (S.I. No. 419 of 2007), and Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, we, **(NAME OF BANK)** hereby unconditionally and irrevocably guarantee to pay for any and all claims made by the National TFS Office, Dublin City Council, being the Competent Authority of Despatch as defined by the above Regulations, on receipt of a written demand or demands from the Competent Authority referred to above, accompanied by a signed Declaration that the amount claimed is due by reason of the notifier **(NAME)** and / or the consignee **(NAME)** having failed to fulfil their obligations under the Regulations with regard to **(TFS Number)**, provided that our liability shall not exceed **(AMOUNT)** per load and our total liability shall not exceed **(AMOUNT)**.

This guarantee covers the movement of any **(Number)** consignments only at any one time. Further consignments can issue only upon receipt of a copy certificate of disposal or recovery from the previous consignment. The Guarantee shall be in place to cover all consignments notified for the period () to () as specified by **(TFS Number)**) and shall terminate on the close of our banking business on the 400th day after receipt of the consignment by the consignee if that consignment was collected on the last day of the period as specified above (and if that day is not a business day, that the next succeeding business day) or if sooner upon receipt of a copy of the certificate of recovery/disposal of the final consignment. This guarantee may also be terminated by 400 days written notice served by us on you, the National TFS Office, Dublin City Council, as the Competent Authority of Despatch, and our liability hereunder shall cease as and from the close of our banking business on the day of expiry of that notice (and if that day is not a business day, then the next business day) except for any liability in respect of which a demand in writing shall have been made hereunder before the expiry date.

Any demand under this guarantee must be presented in writing to the Manager, **(NAME OF BANK)**.

Dated this _____ day of _____ 2008

Signed: _____
Manager

Shipments under guarantee

It is the full responsibility of the notifier to ensure that all shipments carried out are financially guaranteed in accordance with the certification process. The consent issued to a TFS notification shall be considered withdrawn if the financial guarantee approved and certified by the NTFSO is not effective when the pre-notified shipment starts.

Bond Release

The notifier is required to furnish a letter to the NTFSO requesting the release of the bond, as applicable. The NTFSO shall release the bond following receipt of certified confirmation regarding the completion of all notified recovery or disposal operations.

ANNEX 7

CONTRACT [Green]

Contract concluded between the Person Who Arranges Shipments of Green-list Waste for purposes of Article 18, Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on Shipments of Waste

This Contract applies to waste shipments carried in accordance with Article 18 procedures on an Annex VII document in compliance with the requirements of Regulation (EC) No 1013/2006. The parties to this Agreement, being the Person Who Arranges Shipments and the Consignee, shall comply with the requirements of the Waste Shipment Regulations in respect of the movement of Green waste and its recovery at an authorised facility. Shipments shall be carried out in accordance with the information provided in the Annex VII document and under the terms of this Contract.

Person Who Arranged Shipment: _____

Consignee: _____

Competent Authority of Despatch: National TFS Office, Dublin City Council,
Eblana House, 68-71 Marrowbone Lane, Dublin 8, ROI.

It is hereby agreed between the parties that the following legal duties and obligations will be observed, as required by Council Regulation (EC) No 1013/2006:

-This contract between the person who arranges the shipment and the consignee shall be effective when the shipment starts.

-This contract is valid for the duration of all shipments effected on the Annex VII document until the final recovery operation has been completed at the authorised facility.

-The Annex VII document shall be signed by the person who arranges the shipment before the shipment starts, and by the recovery facility and the consignee when the waste is received.

-The person who arranges the shipment shall ensure that the waste is accompanied by the Annex VII document.

-The person who arranges the shipment or the consignee shall provide a copy of the contract upon request by the competent authority concerned.

-The person who arranged the shipment, or where that person is not in a position to complete the shipment of waste or its recovery, the consignee, shall take back the waste or ensure its recovery in an alternative way, and provide, if necessary, for its storage in the meantime, if the shipment or the recovery operation has not been completed in the intended way or was effected in an illegal way.

Signatures

Notifier: _____

Date: _____

Consignee: _____

Date: _____

ANNEX 8

Frequently Asked Questions

What is the transfrontier shipment of waste?

The transfrontier shipment of waste concerns the shipment of waste between countries involving waste movement within, into and out of the EU.

How is the Transfrontier Shipment of waste regulated and controlled?

Transfrontier shipments of waste within, into and out of the EU are regulated and controlled by Regulation (EC) No.1013/2006 of the European Parliament and the Council of 14 June 2006 on shipments of waste effective from the 12th of July 2007. As and from this date, Dublin City Council is designated as the National Competent Authority for the export, import and transit of waste shipments under the Waste Management (Shipments of Waste) Regulations 2007, which give effect to the provisions of Regulation (EC) 1013/2006.

What is the National TFS Office?

For purposes of the Regulations Dublin City Council has established the National TFS Office, address: National TFS Office, Dublin City Council, Eblana House, 68-71 Marrowbone Lane, Dublin 8, Republic of Ireland. The National TFS Office is responsible for meeting Dublin City Council's obligations as the nominated Competent Authority of Dispatch in respect of the export of waste from the State, the Competent Authority of Destination in respect of the import of waste into the State, and the Competent Authority of Transit in respect of the passage of waste in transit through the State.

What is a Competent Authority?

To implement the TFS Regulations and ensure the movement and processing of waste in an environmentally sound manner, 3 competent authorities are designated for the dispatch, destination and transit of waste.

What are the Waste Lists?

For export and import purposes, wastes are identified for inclusion in Green or Amber lists which are annexed to Regulation (EC) 1013/2006. Shipments of Amber listed waste for recovery are subject to the prior written notification and consent procedures. Shipments of Green listed waste for recovery need only be accompanied by information certified by the owner. All shipments of waste destined for disposal are subject to the prior written notification and consent procedures.

Who is the Notifier?

A person or body proposing to carry out a shipment of waste, whether it is the waste producer, collector, broker, or dealer, may act in a notifying and exporting capacity. Where the notifier intends to ship waste, he/she shall submit a prior written notification to and through the National TFS Office.

What does prior written notification mean?

Under the prior written notification and consent procedures, any proposals for the shipment of waste must first of all be brought to the attention of the National TFS Office by means of the submission of an application, known as a notification, consisting of a notification document and a movement document, as set out in Annex 1A and 1B of Regulation (EC) 1013/2006. Having obtained consent to the waste movement, prior to export the notifier shall send a copy of the completed movement document to the National TFS Office between the hours of 9:30am to 4:30pm Monday to Friday (excluding Bank Holidays) and to the competent authorities concerned at least 3 working days before the shipment starts. The notifier shall retain a copy of the completed movement document.

What is the purpose of the Notification and Movement documents?

The Notification Document provides the Competent Authorities of countries concerned in the proposed waste shipment with information such as the waste type, waste generator, intended quantity of shipments, disposal/recovery process, expiry date etc. The Movement Document, must accompany the waste shipment at all times through the country (ies) of transit on route

to the disposal/recovery facility in the country of destination. This document provides information on the notifier, importer, carriers of the consignment, means of transport etc. The main objective of this document is to track and trace the movement of the waste shipment from cradle to grave, including the certification regarding the acceptance and the completed recovery/disposal operation at the authorised waste recovery/disposal facility.

What Information should be submitted in an application or notification?

The notification and movement documents must be fully completed and must be accompanied by:

- The notification fee.
- Copy of a contract drawn up between the notifier and the consignee for the recovery or disposal of the waste.
- Financial Guarantee.
- List of Carriers/Hauliers, indicating Waste Collection Permit reference numbers
- Detailed Waste Description.
- Transport Itinerary.
- Contact details for the Competent Authority of Destination & Transit, including name, address, telephone number, email address & contact name.

How do I export waste out of the Republic of Ireland?

Intended shipments from the State that are subject to the controls of the prior written notification and consent procedures must be brought to the attention of the National TFS Office by means of the submission of a notification. The notifier should firstly apply in writing to the National TFS Office for the notification document and movement document, outlining proposals in relation to the description, origin and destination of the waste. A reference number is allocated to each notification issued.

What if I am exporting waste outside the European Community?

Proposals for the export of waste to countries outside the EU such as China, Hong Kong, Malaysia, Singapore, India are subject to specific importation Regulations. **Please contact the National TFS Office for further information.**

What is the procedure on notification consented before July the 12th 2007?

Any shipment that has been notified and for which the competent authority (ies) of destination, transit and export has given acknowledgement and consent before the 12 July 2007 shall be subject to the provisions of the Regulation (EEC) No 259/93. Their consent shall be completed not later than one year from 12 July 2007.

When can I move the Waste?

Having submitted a satisfactory notification, prior to export, waste exporters must have obtained the necessary consent from all the competent and regulatory authorities involved; have received a certificate for the guarantee; have appropriate third party liability insurance; ensure that the waste is moved in accordance with the information provided in the notification; have arranged to comply with all other applicable enactments in addition to the TFS legislation, and ensure that the proposed shipment is managed in an environmentally sound manner. The notifier shall insert the actual date of shipment in the movement document, sign it and otherwise complete the movement document and shall send a copy of the completed movement document to the competent authorities concerned and to the consignee at least 3 working days before the shipment starts. The movement document and a copy of the notification document containing the written consents and the conditions of the competent authorities concerned shall accompany each transport.

How do I reference any annexes/attachments to my notification documents?

Each attachment should include the reference number of the relevant notification and mention the block to which it relates in the notification or Movement Document. It should be in capital letters at the top of each annex/amendment.

Are there any other requirements needed on completing the notification documents?

A six digit format should be used to indicate the date e.g. 12 July 2007 should be shown as 12.07.07 (*day. month. year.*) All signatures should be written in permanent ink. The name of the authorised representative e.g. signature of declaration box 15, should also be written in capital letters to accompany the signature.

What is consent to notification?

The competent authorities of dispatch, destination, and transit may consent to the proposed shipment with or without conditions, or may object to the shipment.

What if I have changes in the shipment after consent?

If any essential change is made to the details and or the conditions of the consented shipment, including changes in:

- Intended quantity
- Route
- Date of shipment or carrier

The notifier shall inform the competent authorities concerned and the consignee immediately.

In such cases a new notification shall be submitted, unless all the competent authorities concerned consider that the proposed changes do not require a new notification. Where such changes involve competent authorities other than those concerned in the original notification, new notification shall be submitted.

What is a general notification?

In cases where essentially similar waste (e.g. those having essentially similar physical and chemical characteristics) are to be shipped to the same consignee, facility, through the same route, exporter, the competent authorities of the countries concerned may provide one general notification for such multiple shipments for a time period of up to one year.

What is a pre – consented facility?

The competent authorities of destination, import, which have jurisdiction over specific recovery facilities, may decide to issue pre-consents to such facilities. Such decisions can be limited to a specified period of time and can be revoked at any time.

What is an illegal shipment?

An illegal shipment means any shipment of waste, which is subject to the pre-notification and consent procedures but is effected:

- without notification to all the competent authorities concerned
- without consent of all the competent authorities concerned
- In breach of the information specified in the notification documents and In contravention of the Regulations.

How long do I keep the documents and information for?

All documents sent to or by the competent authorities in relation to a notified shipment shall be kept for *at least three years* from the date when the shipment starts, by the competent authority (ies), the notifier, the consignee and the facility that receives the waste.

What is the Basel Convention?

Means the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal.

What is the OECD Decision?

The OECD (Organisation of Economic Co-operation and Development) decision [Council Decision C (2001) 107/FINAL – Decision] is applied to transfrontier shipments of waste destined for recovery operations that take place from one OECD member to another. Any country that is not part of the OECD decision is known as a non-OECD country e.g. China.

Who are the EFTA countries?

The European Free Trade Association (EFTA) consists of four members Iceland, Liechtenstein, Norway and Switzerland. If you are intending on exporting to these countries **please contact the National TFS Office for further information.**

What is Impel?

IMPEL is the European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL). It is an informal Network of the environmental authorities of the Member States. The network is commonly known as the IMPEL Network.

ANNEX 9

Web Links

- Application forms, including the Notification Document; Movement Document; Broker and Dealer Registration Form; Refund Claim Form; and the Annex VII Document, can be accessed through the appropriate quick-link on the following web-page:

[Dublin City Council: National TFS Office](#)

[or by emailing nationaltfs@dublincity.ie]

- Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste europa.eu/scadplus/leg/en/lvb/l11022.htm
- European Waste Catalogue Coding System:
www.environ.ie/en/Publications/Environment/Waste/WEEE/FileDownload.1343.en.pdf
- Irish Acts and Statutory Instruments are available at www.irishstatutebook.ie
- EPA – National Waste Reports www.epa.ie/whatwedo/resource/nwr/
- Department of Environment Website: www.environ.ie
- Race Against Waste www.raceagainstwaste.ie
- This webpage explains the rules and gives further information on the control of waste shipments in the EU.
ec.europa.eu/environment/waste/shipments/index.htm
- Access to European Law: www.europa.eu.int/eur-lex/en/index.html
- European Environment Agency: www.eea.europa.eu/
- Germany Environmental Agency: www.umweltbundesamt.de/index-e.htm
- OECD home page: <http://www.oecd.org/>
- OECD countries: <http://www2.oecd.org/waste/Countries.asp?q=1>
- OECD enquiries: <http://www2.oecd.org/waste/Queries.asp>
- Impel website: <http://impel.eu/>
- Basel Convention home page: <http://www.basel.int/>
- Basel parties: <http://archive.basel.int/ratif/convention.htm>
- Basel countries: [http://www.basel.int/PARTIES%20\(CA\).doc](http://www.basel.int/PARTIES%20(CA).doc)
- EFTA Countries website webmaster@efta.int
- EEA agreement /EFTA countries – please refer to **annex 20 (waste)**
secretariat.efta.int/Web/EuropeanEconomicArea/EEAAgreement/annexes

ANNEX 10

Contacts

National TFS Office Dublin City Council, Tel: + 353 (01 2224235
Eblana House, or + 353 (0)1 2224374
68-71 Marrowbone Lane, Fax: +353(0) 1 4544830
Dublin 8, Email: nationaltfs@dublincity.ie
Republic of Ireland www.dublincity.ie/living_in_the_city/your_home/waste_services/national_tfs_office/

Waste Enforcement Unit Dublin City Council, Tel: + 353 (0)1 2224267
Eblana House Fax: +353 (0)1 4539549
68-71 Marrowbone Lane, Email:
Dublin 8. waste.enforcement@dublincity.ie
Republic of Ireland

Department of Environment Environmental Division LoCall: 1890 20 20 21
Heritage and Local Government Custom House, or 01 888 2000
Dublin 1 www.environ.ie

EPA Headquarters PO Box 3000 Tel: +353 (0)53-9160600. Fax:+353 (0)53-9160699
Johnstown Castle Estate Lo Call: 1890 335599
Co. Wexford Email: info@epa.ie
www.epa.ie

OEE Public Authority Enforcement Environmental Complaints Unit, Tel: +353 (0)53-9160600.
Office of Environmental Enforcement, Fax:+353 (0)53-9160699
Environmental Protection Agency, Lo Call: 1890 335599
PO Box 3000
Johnstown Castle Estate Email: info@epa.ie
Co. Wexford www.epa.ie

Health and Safety Authority The Metropolitan Building Tel: 1890 289 389
James Joyce Street Fax: +353 (0) 1-614 7020
Dublin 1 Email: wcu.hsa.ie
www.hsa.ie

Department of Agriculture, Agriculture House, Tel: +353 (0) 1 6072000
Fisheries and Food Kildare Street, Lo-call 1890 200 510
Dublin 2. Email: info@agriculture.gov.ie
www.agriculture.gov.ie

Enfo 17 St. Andrew's St., Tel: +353 (0) 1 888 2001 Fax: +353 (0) 1 888 3946
Dublin 2 LoCall: 1890 200 191
Email: info@enfo.ie
www.enfo.ie

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Government Publications Sales Office Sun Alliance House Tel: +353 (0) 1 647 6869
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