



EUROPEAN COMMISSION

Directorate-General for Internal Market, Industry, Entrepreneurship and SMEs
Single Market Enforcement
Notification of Regulatory Barriers

Notification Number : 2017/0370/IRL (Ireland)

The AIR POLLUTION ACT (MARKETING, SALE, DISTRIBUTION AND BURNING OF SPECIFIED FUELS) REGULATIONS 2017 which will amend Statutory Instrument, The Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012.

Date received : 04/08/2017

End of Standstill : 06/11/2017 (closed)

Message

Message 001

Communication from the Commission - TRIS/(2017) 02068

Directive (EU) 2015/1535

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notifikation - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2017/0370/IRL - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késésket - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera ośroźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201702068.EN)

1. MSG 001 IND 2017 0370 IRL EN 04-08-2017 IRL NOTIF

2. IRL

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4. 2017/0370/IRL - S00E

5. The AIR POLLUTION ACT (MARKETING, SALE, DISTRIBUTION AND BURNING OF SPECIFIED FUELS) REGULATIONS 2017 which will amend Statutory Instrument, The Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012.

6. Coal for residential use.

7. -

8. Ireland has legal obligations under EU legislation, namely, under the National Emissions Ceiling Directive (2016/2284/EU) and Cleaner Air for Europe Directive (2008/50/EC) to reduce the health impacts associated with air pollution. While air pollution reductions should result from implementation of EU wide legislation, there is an obligation on each Member State to devise its own nationally appropriate strategies, which identify and effectively address its own national air pollution profile. This should include strategies tailored to reduce significant key sources of air pollution.

Residential solid fuel in Ireland is estimated to be responsible for over 50% of all fine particulate matter (PM2.5) air pollution in Ireland, despite providing less than 5% of national energy demand. PM2.5 has a direct impact on human health and the environment and is estimated to be responsible for 95% of the 1,600 premature deaths attributable to air pollution in Ireland (EEA, 2016). Residential solid fuel emissions are not currently addressed by EU legislation. This fact and the disproportionate contribution to air pollution and premature mortality require that Ireland take action to develop and implement complementary national measures to reduce this key source of emissions.

Ireland has in place, since 1990, a legislative framework to address residential emissions through the designation of Clean Air Zones under the Air Pollution Act, 1987. The draft regulation consolidates the existing network of Clean Air Zones in larger urban areas in Ireland, and extends them to smaller urban areas and nationwide to make the clean air benefits available to all. The draft regulation will also facilitate more effective implementation and enforcement of the legislation by providing a consistent legislative framework nationwide.

9. The prevalence of residential solid fuel is unusually high in Ireland (see graph, Figure 1 of attached report) made up in the main of coal and peat based fuels; comprised in energy terms of coal (7.7%), peat (7.5%), and a small amount of biomass (1.2%). Coal is the most significant source of PM2.5 responsible for 47% of all residential emissions. Peat and biomass are responsible for 43% and 10% respectively. The EPA has found that air pollution levels are more elevated outside Clean Air Zones and supports a nationwide Clean Air Zone.

The draft regulation extends the existing Clean Air Zones nationwide, to set national minimum standards for certain coals to reduce emissions that will support a move away from unprocessed coal to cleaner fuels, for example, manufactured coal products, in line with WHO recommendations (2014). A move to manufactured fuel can also have climate benefits as it facilitates blended biomass based lower carbon products, consistent with national taxation policy, which excludes the biomass element of low smoke manufactured coal products from carbon tax (DG Taxud assessment 2015, Ref. TAXUD.C.2(2015)4708811 VZ/sk).

10. References of the Basic Texts: The Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations 2012. <http://www.irishstatutebook.ie/eli/2012/si/326/made/en/print>

11. No

12. -

13. No

14. No



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15. Yes

16. TBT aspect

Yes

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

European Commission

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