

AGREEMENT

between

THE SOLID FUEL TRADE GROUP

and

**THE MINISTER FOR THE ENVIRONMENT
AND LOCAL GOVERNMENT**

concerning

**A REDUCTION IN THE SULPHUR CONTENT
OF BITUMINOUS COAL AND PETCOKE**

and the

**EXTENSION OF THE BAN ON THE
MARKETING, SALE AND DISTRIBUTION OF
SOLID FUELS**

June, 2002



1. INTRODUCTION

The Solid Fuel Trade Group (SFTG) represents the importers and principal distributors of solid fuel in Ireland. The list of SFTG members is set out in Appendix II to this Agreement.

SFTG acknowledges the concern of the **Minister for the Environment and Local Government and the Minister of State at the Department of the Environment and Local Government** about smoke and sulphur dioxide (SO₂) emissions from their product. Both parties recognise the need to ensure early action to achieve reductions of emissions to improve air quality in selected urban areas and contribute to the overall reduction of national emissions of SO₂. This will assist achievement of Ireland's targets under the UNECE "Gothenburg" Protocol to the Convention on Long Range Transboundary Air Pollution to abate Acidification, Eutrophication and Ground-Level Ozone and Directive 2001/81/EC of the European Parliament and of the Council on National Emission Ceilings for Certain Atmospheric Pollutants.

SFTG and the Minister recognise that in order to achieve our national emissions ceiling for SO₂, action in addition to existing provisions is required across a range of sectors including the solid fuel domestic sector. This agreement is part of the development of a comprehensive strategy to reduce national emissions to the atmosphere of SO₂, NO_x, VOCs and NH₃.

SFTG enters into this Agreement with the Minister in recognition of its responsibilities to help to improve environmental quality and the achievement of reductions of emissions to the air.

2. OBJECTIVE

The objective of this Agreement is to significantly reduce smoke and sulphur emissions from the solid fuel sector and to improve air quality by introducing new voluntary sulphur limits for coal and petcoke and by extending the ban on the marketing, sale and distribution of bituminous coal and other solid fuel restrictions in line with the Air Pollution Act, 1987 (Marketing, Sale and Distribution of Fuels) Regulations, 1998 (S.I. No. 118 of 1998) to additional urban areas.

3. **SULPHUR EMISSIONS IMPROVEMENTS**

The members of SFTG commit to implementing the following measures and achieving the following phased reduction targets with respect to sales of petcoke and bituminous coal in Ireland:

Sulphur Limit of Petcoke

- All contracts for the import of petcoke shall henceforth comply with a maximum sulphur content of 2.9%. No later than 1 August 2002, all imports of petcoke shall comply with a maximum sulphur content of 2.9% and total annual imports of petcoke shall have an average sulphur content of 2.5%.
- No later than 1 August 2003, all imports of petcoke shall comply with a maximum sulphur content of 2.75% and total annual imports of petcoke shall have an average sulphur content of 2.3%.
- No later than 1 August 2004, all imports of petcoke shall comply with a maximum sulphur content of 2.5% and total annual imports of petcoke shall have an average sulphur content of 2%.
- No later than 1 January 2005, all imports of petcoke shall comply with a maximum sulphur content of 2%.

Sulphur Limit of Bituminous Coal

Subject to the derogations and deadlines listed in Appendix I for the named companies, the following limits shall apply: -

- No later than 1 August 2002, all imports of bituminous coal shall comply with a maximum sulphur content of 0.7%.
- No later than 1 August 2004, all imports of bituminous coal shall comply with a maximum sulphur content of 0.7% without any derogations.

4. NEW COAL BAN AREAS

- In the towns and environs of **Bray, Kilkenny, Sligo and Tralee**, the SFTG shall ensure that **smokeless fuels shall comprise at least 25%** of overall solid fuel sales during the 2002 – 2003 heating season.
- **From 1 October 2003**, a ban on the marketing, sale and distribution of bituminous coal and other fuel restrictions in line with S.I. No. 118 of 1998 shall apply in the towns and environs of **Bray, Kilkenny, Sligo and Tralee**.
- The Minister will make regulations to this end, including the delimiting of the boundaries of the areas concerned.
- In the towns and environs of **Athlone, Carlow, Clonmel, Ennis**, the SFTG shall ensure the phased penetration of smokeless fuels as a percentage of overall solid fuel sales in accordance with the following schedule: -
 - 25% no later than 1 October 2002
 - 50% no later than 1 October 2003
 - 75% no later than 1 October 2004
- The Minister agrees not to extend by regulations the ban on the marketing, sale and distribution of fuels to urban areas other than those detailed above in advance of the second review detailed at point 6 unless required to ensure adherence to air quality standards.
- Should such circumstances occur the Minister will comprehensively consult with the SFTG at as early a date as possible.

5. ENFORCEMENT

The Department of the Environment and Local Government will actively promote and encourage strengthened enforcement of regulations by the relevant local authorities.

6. IMPLEMENTATION AND REVIEW

The implementation of this Agreement with immediate effect will be a priority action of SFTG and its members.

The first review of the agreement will be undertaken no later than 31 December 2003 and the second such review no later than 31 December 2004, including with the aim of building on ambition for the period beyond 2005.

7. MONITORING PROGRESS

SFTG will provide the Department with bi-annual returns (no later than 31 May and 30 November each year) indicating the total tonnages and sulphur content of all solid fuels imported directly into the State and into the State from Northern Ireland. This data will be independently audited and the Minister recognises that any returns which may identify commercially sensitive and confidential information for specific companies will require to be treated accordingly.

Dan Wallace

Dan Wallace, T.D.
Minister of State at the
Department of the Environment &
Local Government.

Kyran Hurley

Kyran Hurley
Chairman
Solid Fuel Trade Group

5th June, 2002

5th June, 2002

APPENDIX I

Derogation from Sulphur Limit of Bituminous Coal

The following maximum sulphur content limits of all imports of bituminous coal will apply to the companies listed below: -

Lissan Coal Company 15 Churchtown Road, Cookstown	1.3% no later than 1 August 2002 subject to a maximum of 25,000 tonnes per year	1.1% no later than 1 August 2003, subject to a maximum of 25,000 tonnes per year
Wicklow Corn & Coal Co. Tinakilly, Rathnew, Co. Wicklow.	1.5% no later than 1 August 2002, subject to a maximum of 12,500 tonnes per year	1.1% no later than 1 August 2003, subject to a maximum of 12,500 tonnes per year
Mac's Fuels Ltd., Dundalk, Co. Louth.	1.3 % no later than 1 August 2002, subject to a maximum of 10,000 tonnes per year	1.1% no later than 1 August 2003, subject to a maximum of 10,000 tonnes per year
Capper Trading Ltd., 124 Tamnamore Road, Dungannon, Co. Tyrone.	1% no later than 1 August 2002, subject to a maximum of 13,000 tonnes per year	

APPENDIX II

MEMBERS OF THE SOLID FUEL TRADE GROUP

Arigna Fuels Ltd.,
Arigna, Carrick-on-Shannon, Co. Roscommon.

Bord na Móna Fuels Ltd.,
Newbridge, Co. Kildare.

Capper Trading Ltd.,
124 Tamnamore Road, Dungannon, Co. Tyrone.

CCL Coal,
Bush Riverstown, Dundalk, Co. Louth.

Galtee Fuels Ltd.,
Askeaton, Barrigone, Co. Limerick.

Hayes Fuels,
146 Pomeroy Road, Dungannon, Co. Tyrone.

Kelly Fuels,
1 Lombard Street, Belfast.

James Kingsberry Ltd.,
Caroline House, Milewater Basin, Dufferin Road, Belfast.

Lissan Coal Company,
16 Churchtown Road, Cookstown.

Mac's Fuels,
Dundalk, Co. Louth.

Rheinbraun Fuel Trading (Ireland) Ltd.,
11 Emmet Place, Cork

Stafford Fuels,
New Ross, Co. Wexford.

Wicklow Corn and Coal Company Ltd.,
Tinakilly, Rathnew, Co. Wicklow.

Standard Brands (Trading) Ireland Ltd.,
Castlebellingham, Co. Louth.

