Rialtas na hÉireann
Government of Ireland

FAQ re. Transport of Solid Fuels

For Couriers, Haulage Companies, Producers, Retailers, etc.

What are the Solid Fuel Regulations that I need to be aware of?

The current regulations on solid fuels for domestic heating in Ireland took effect on October 31st, 2022. The primary focus of these regulations is on improving air quality and improving people's health chances and outcomes, by restricting the retail, online and commercial sale of smoky fuels, including smoky coal, turf, and wet wood. These fuels are proven to be a major contributor to air pollution in Ireland.

The regulations are known as the Air Pollution Act 1987 (Solid Fuels) Regulations 2022. They may be found online at www.irishstatutebook.ie/eli/2022/si/529/ or by searching for "SI 529 of 2022".

What are the requirements for the transport of solid fuels under the regulations?

Under the regulations, the owner or operator of any vehicle being used to transport solid fuel for the purposes of combustion for heating (space or water) in a domestic or licenced premises must carry certain records on that vehicle and present them to an authorised person if requested. **It should also be noted that under SI 529 of 2022 it is an offence to transport unapproved solid fuels.**

These records are:

a) A record of the quantity of each type of solid fuel on the vehicle and the name and address of the person or body who supplied the fuel.
b) A record of the origin and destination or destinations of the solid fuel and the name and address of the person or persons purchasing the fuel, and
c) A record demonstrating that the solid fuel is an approved solid fuel, such as an invoice, credit note, dispatch or delivery documents detailing the products purchased from a producer entered on the Fuels Register which shall include the registration number issued to producer under section of the Act of 1987 in respect of solid fuel being transported.

As turf cannot be an approved fuel, point (c) does not apply to shipments of turf, but an authorised person may request additional information to be satisfied that the turf is not being transported for retail purposes and was not purchased through the channels prohibited in the regulations.

What is an approved solid fuel?

An approved solid fuel is one which meets the technical specifications laid down in the new regulations. Details of these specifications may be found at www.gov.ie/cleanair

The onus to ensure that solid fuels being sold or otherwise distributed meet these technical specifications is on the producer/supplier of the solid fuels, rather than the driver of any delivery vehicle involved. However, the driver must ensure that he/she carries the required documents while transporting the fuel.

To be sure that each product you transport is provided by a producer registered with the EPA, and that the product is listed as registered by the EPA for that producer you can check list of producers on EPA website here and the list of products can be found here.

How or where should a driver get the required documents?

The person, retailer, company or other body who is arranging for the transport of solid fuels should provide these documents to the driver, e.g. at the time the solid fuel is being loaded for delivery. The driver must then retain the documents on board the vehicle so that they may be produced to an authorised person, if requested.

I do door-to-door sales, and do not know who will be purchasing the fuel in advance of carrying out my route. What should I do?

In this instance, you should comply with points a) and c) as detailed above and be able to comply with details about the origins of the fuel under point b).

Who is an authorised person?

An authorised person is a person appointed by a Local Authority or the Minister for the purposes of enforcement of these Regulations and the Act of 1987.

An authorised person may, in respect of any vehicle or any premises which, in his or her opinion, is being used in connection with the retailing or distribution of solid fuel:

- Inspect and take samples of any solid fuel on a vehicle.
- Inspect such records or such documents as the authorised person, having regard to all the circumstances, considers necessary for the purposes of these Regulations, or
- Require from the owner of a vehicle, such information considers necessary for the purposes of the Regulations.

What are the penalties for non-compliance with the regulations?

Non-compliance with the regulations may lead to prosecution being taken by the Local Authority which can lead to fines of up to €50,000.

I am simply transporting solid fuels for other parties. Do these regulations apply to me?

Yes. The regulations apply to all owners and operators of vehicles used to transport solid fuels, regardless of whether or not the vehicle owners/operators are directly involved in the solid fuels trade.

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Disclaimer

This document provides information to assist couriers and haulage companies to comply with the new regulations which came into force on the 31st of October 2022.

It represents the most up to date information possible and is not a legal interpretation of the regulations. It is a working document and subject to update and change at any time as new information becomes available.

Any additional queries can be directed to solidfuels@decc.gov.ie

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