

GX 1843

Ollscoil na hÉireann, Gallimh
National University of Ireland, Galway

Semester II Examinations, 2002/2003

Exam Code(s)	2BL1, 2BL2, 2CW, 3BA6, 3BL1, 3BL2, 3CL1, 3CW1, 4BA8,, 4BL2, 4CL2, 1EM1, 1OA1
Exams(s)	2 nd 3 rd & 4 th LL.B. 2 nd & 3 rd Bachelor of Civil Law 3 rd & 4 th Bachelor of Corporate Law 3 rd & 4 th Bachelor of Arts (Public & Social Policy) Erasmus & Occasional Students
Module Codes(s)	LW358
Module(s)	Environmental Law II
Paper No.	1
Repeat Paper __ Special Paper __	
External Examiner(s)	Professor Yvonne, Scannell
Internal Examiner(s)	Mr. Eugene McKeown Mr. Cian Carroll
Instructions	Answer THREE questions
Duration	TWO Hours Erasmus students have 2½ Hours
No. of AnswerBooks	
Requirements:	
Handout	
MCQ	
Statistical Tables	
Graph Paper	
Log Graph Paper	
Other Material	International Treaties. Any primary and secondary legal instruments relevant to Environmental Law.
Department(s)	LAW

1. Liam attended the opening of a large industrial plant in Galway and was surprised at its lack of environmental awareness. He thinks the plant may require an Integrated Pollution Control Licence. Advise him as to how the licencing system functions and to the likely effect on the company of obtaining one.
2. Cleanburn, an Irish company, are considering the construction and operation of a small-scale incineration plant. They propose to deal with not more than 4500 tonnes of non-hazardous waste each year. Part of their plan is to operate a collection service for the neighbourhood. Cleanburn's environmental manager, an engineer, examined the First Schedule to the Waste Management Act 1996 and decided that all items they will collect come within the categories of that Schedule. He assumes that they must therefore be waste. You are asked to advise:
 - (a) if this assumption is correct,
 - (b) how the company will determine if waste is hazardous or not, and
 - (c) what the main features are of the authorisation procedures the company must follow for collection and recovery/disposal in relation to non-hazardous waste.
3. Discuss the main issues and problems in the enforcement of EC environmental law.
4. Bertie has an underground stream flowing through his land and while there is no plant or fish life present in the water, it is used to irrigate Celia's roses, which she sells in her flower shop. It has come to Bertie's attention that a mill has recently begun to operate upstream and is using the water to generate electricity. This process has caused the soft-water to change in character and to become hard. It is now less suitable than heretofore for use on the roses.

Outline the statutory remedies available to Bertie, and in your answer discuss the statutory definition of water pollution.

5. The Army have recently opened a new training ground for urban warfare training near Coronation Street. The training exercises carried out there are causing considerable annoyance and discomfort to the local residents. Old shells and packaging from ammunition is causing a litter problem in the area. Rats and other vermin are living in the ruins of the buildings. The local stream appears to be polluted due to runoff from the munitions store. There is constant noise from gunfire and the heavy artillery is causing the buildings to vibrate. The odours from the explosives have made several of the residents ill. Advise the local residents and discuss the merits or otherwise of their Common Law remedies in this case.

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