



**Guidance on the Preparation & Submission
of the Environmental Liability Risk Assessment (ELRA) for
The Annual Environmental Report (AER) for Waste Water
Discharge Licences**

ENVIRONMENTAL PROTECTION AGENCY
An Ghníomhaireacht um Chaomhnú Comhshaoil
PO Box 3000, Johnstown Castle Estate, Co Wexford, Ireland

Telephone: +353-53-9160600; Fax: +353-53-9160699
E-mail: info@epa.ie Website: www.epa.ie

Lo Call: 1890 335599

Table of Contents

1. Introduction	3
2. Environmental Liability Risk Assessment	3
2.1. Procedure.....	3
2.2. Step 1: Initial Screening	3
2.3. Step 2: Environmental Sensitivity – Table 1.....	4
2.4. Step 3: Risk Assessment Table 2a.....	4
2.5. Step 3: Risk Matrix Table 3	4
2.6. Step 4: Statement of Measures Table 4.....	4
2.7. Step 5: Financial provision.....	4
3. Environmental Liability Risk Assessment Report.....	5

1. INTRODUCTION

As part of the requirements of Condition 7 of Waste Water Discharge Licences (WWDL), licence holders (licensees) are required to prepare and submit an annual statement as to the measures taken or adopted in relation to the prevention of environmental damage and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or incidents/accidents as may be associated with discharges or overflows from the waste water works¹. This guidance document is provided to assist licensees in the preparation of the **Environmental Liability Risk Assessment (ELRA)**. The methodology to be used involves the completion of a series of tables in the associated excel spreadsheets which will assist the author in the preparation of a risk assessment which forms the basis of the statement of measures taken or planned to be taken.

2. ENVIRONMENTAL LIABILITY RISK ASSESSMENT

The ELRA assessment for UWWDL is an exercise to identify the environmental risks (liabilities past/present or planned) associated with the operations under UWWDL and how the licensee can reduce/eliminate these through a Programme of Measures. The ELRA must be reviewed as necessary to reflect any significant change to the volume or character of effluent discharged, and in any case every three years following initial agreement (the results of the review shall be notified as part of the AER).

The licensee may be liable for significant costs in the event of an incident of environmental pollution and should have appropriate financial provision in place. It should be clearly noted that most public liability policies **do not cover such environmental pollution events**. The financial provision (or insurance etc.) required to effectively offset the environmental risks is to be determined by the licensee (and their appropriately qualified financial advisor/insurance provider).

2.1. Procedure

The procedure involves an initial screening to identify the sensitivity of the receiving water and key risks associated with the operations covered by the Waste water Discharge Licence. A programme of measures should then be identified and a programme put in place to mitigate against all identified key risks.

2.2. Step 1: Initial Screening

Look up the Dynamic Risk Enforcement and Assessment Methodology (DREAM) at <https://www.edenireland.ie> . The DREAM tool should be used to

¹ This Condition is not required where discharge is made to coastal waters where the agglomeration is less than 2,000 p.e

assist in the identification and assessment and identification and assessment of potential risks associated with the agglomeration, for example the proximity to bathing waters, drinking water abstractions and shellfish waters etc. You should also state whether the waste water treatment plant discharge is compliant with the Urban Waste Water Treatment Regulations SI 254 of 2001 (see most recent EPA report).

2.3. Step 2: Environmental Sensitivity – Table 1

Assess the sensitivity of the receiving environment to which your agglomeration discharges using **Table 1** (Table 1 in the Excel file). Please also note that most of the information you require will be contained in your licence application. A copy of the licence application can be downloaded from the EPA website at the following location:

<http://www.epa.ie/whatwedo/licensing/wwda/>. Include **Table 1** in your ELRA report.

2.4. Step 3: Risk Assessment Table 2a

The next step involves the identification of all the risks associated with the operations covered by the waste water discharge licence. Complete **Table 2** to include each process which should be clearly identified along with the potential hazards and the environmental effect. Using **Table 5 and Table 6** the severity rating and the occurrence rating should be recorded which will give an overall risk score for each risk.

Include **Table 2** from the Excel spreadsheet detailing the remediation costs associated with potential damage to the environment from the operation of the agglomeration.

2.5. Step 3: Risk Matrix Table 3

Having calculated the overall risk score for each risk identified, fill in the risk matrix in **Table 3**. Include **Table 3** the Risk Matrix and discuss the status of each risk code in the matrix.

2.6. Step 4: Statement of Measures Table 4

Outline a statement of measures to mitigate against risks and to change the future status of Risk Codes in the Matrix. Include the **Statement of Measures: Table 4** in the ELRA report to the EPA. This statement must be signed by the Director(s) responsible for the WWDL.

2.7. Step 5: Financial provision

As part of the measures identified in Condition 7.2.1 the licensee must make financial provision to cover any liabilities identified in Condition 7.2.2. The amount of indemnity held shall be reviewed and revised as necessary, but at least triennially. Proof of renewal or revision of such financial indemnity shall

be included in the annual ‘Statement of Measures’ report identified in Condition 7.2.1

Provide details of the financial provision in place (or proposed) to offset the risks identified. The licensee as part of the measures identified in relation to the prevention of environmental damage is required to make financial provision to cover all liabilities identified in condition 7.2.2 to the satisfaction of the Agency.

The amount of indemnity held shall be reviewed and revised as necessary, but at least triennially. Proof of renewal or revision of such financial indemnity shall be included in the annual ‘Statement of Measures’ report identified in Condition 7.2.1. It is recommended that the Licensee reviews the current insurance policy which caters for environmental pollution incidents and where required upgrades this policy to include for full insurance cover for environmental damage, clean-up costs and remediation as a result of these events.

3. ENVIRONMENTAL LIABILITY RISK ASSESSMENT REPORT

Having completed the above steps each table should be copied into a final report (as required by your licence) and sent to the EPA Office assigned to your licence.

Any queries on the Regulations should be addressed to the Environmental Liability Unit which can be contacted via: e-mail elinfo@epa.ie or you can write to us at:

Environmental Liability Unit
Environmental Protection Agency
Regional Inspectorate
Inniscarra
Co. Cork

LoCall 1890 33 55 99