

## **EPA Review – Follow up and Implementation**

### **Year 1 Priority Actions<sup>1</sup>**

This list of priority actions arising from the report of the EPA Review Group is divided between list A and list B. List A refers to those recommendations under the direct remit of the Department and/or the EPA. List B refers to those recommendations that are more general and not entirely within the Department's remit.

#### **List A**

<b>Recommendation</b>	<b>Lead Organisation</b>	<b>Timeframe for Delivery</b>	<b>Mechanism for Delivery</b>
7.1.4 Immediate steps should be taken to complete ratification of the Aarhus Convention by Ireland	DECLG	By April 2012	On receipt of approval from Attorney Generals Office, proceed with ratification process as per Department of Foreign Affairs & Trade guidelines
7.1.5. Environmental law is a rapidly developing and often highly technical area and tackling environmental crime effectively raises particular challenges. The Review Group recommends that the Committee for Judicial Studies (formerly the Judicial Studies Institute) considers putting in place regular information sessions for the judiciary on a range of issues relating to environmental governance and, in particular, civil and criminal liability for breach of environmental law. The possibility of exploiting available fora at EU level,	DECLG	To commence in Q1 2012; ongoing after that.	Appropriate methods to be considered in consultation with other relevant stakeholders.

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<sup>1</sup> Year 1 refers to 2012



formation of a high level Environmental Governance Network, involving key stakeholders.			achieving this goal, particularly with reference to the Sustainable Development Framework.
7.2.4 The general features of the method of appointment of the Director General and other Directors are robust, conform to the criteria in the White Paper on Better Regulation and should remain in place. The composition of the selection committee should be reviewed	DECLG	Review to be complete by Q3 2012	The composition of the selection committee is set out in the EPA Act 1992 and will require legislation to change it. The Department will review the composition of the committee and submit a report to the Minister with any recommended changes.
7.2.5 Of greater value than giving observer status to the public at EPA Board meetings would be a periodic engagement by senior staff of the Agency with stakeholders and the public on key environmental challenges	EPA	Q2 2012	The EPA will continue to deliver its lecture series on climate change, as budgets allow. Other options on how this recommendation could be implemented in a reasonable and cost-effective manner will be assessed and developed as appropriate.
7.2.7 An additional specialist Advisory Committee is needed to address the issue of the interface between the environment and human health.	EPA	By Q2 2012	The EPA is progressing the establishment of a Health Advisory Committee under Section 41 of the EPA Act to advise the Agency in the carrying out of its functions, where there is an interaction between Health and the Environment. This will allow for a more structured, formalised and proactive interaction between the EPA and other Authorities that have a public health remit.

7.2.10 The issue of staffing levels should be urgently reviewed to ensure that, in making decisions in relation to the allocation of scarce staff resources across the public sector, adequate account is taken of the priority attaching to the Agency's role in meeting critical legislative requirements	EPA and DECLG	On-going  Q2 2012	Every effort will be made to ensure an adequate staffing complement is maintained, in the context of the public sector reform programme and Employment Control Framework.  The EPA will carry out a work force planning analysis to ensure that resources are assigned to priority areas, identification of which will include consultation with the DECLG.
7.2.11 Top priority should be attached to securing overall funding for the EPA at a level that ensures its legal obligations can be met in the future	DECLG	On-going	All agencies must continue to maximise efficiencies and reduce costs. Funding decisions will be based on ensuring that the EPA has adequate resources to discharge its legal and contractual obligations.
7.3.1 The EPA, in deciding on the appropriate enforcement action in individual cases, should always take into account the strong deterrent effect of prosecutions and should pursue the prosecution route to optimum effect	EPA	Q2 2012	The EPA will conduct a review of its enforcement policy, and amend if necessary, to ensure a risk based approach is applied to both enforcement and prosecutions and that resources are deployed in an effective and efficient manner.
7.3.4 Currently, the EPA is restricted in its power to review part of an IPPC licence. Where this will not compromise environmental protection, and subject to appropriate public participation, the EPA should be given the power to undertake partial reviews of existing licences (see also 7.6.10)	DECLG	Q4 2012	This will be given consideration during the transposition of the Industrial Emissions Directive (2010-75-EU).

7.3.6 The EPA should continue to develop the role of the Office of Environmental Enforcement in the future in particular to support and guide local authority enforcement activities.	EPA	No specific new action necessary - On-going	This will be achieved through the continued work of the Environmental Enforcement Network
7.3.7 The EPA should continue to contribute to the development of national waste policy through provision of data and analysis of Ireland's performance	EPA	No specific new action necessary - On-going	This will be achieved through continued publication of national waste reports and other reports and information. A new system has also been developed for coordinating the collection of waste information.
7.3.9 Guidance on both Environmental Impact Statements (EIS) and Strategic Environmental Assessment (SEA) should be updated to take greater account of human health issues and to reflect any changes since the existing guidance material was produced. Consideration should be given to assigning the EPA a wider statutory role to strengthen the practical implementation of SEA in a more uniform way	DECLG and EPA	Q4 2012	<p>Further to the Judgment of the Court of Justice of the European Union in Case C-50/09, legislative change with regard to the transposition of the Environmental Impact Assessment (EIA) Directive in Ireland is required. Further to these changes to legislation, EIA Guidance will be reviewed.</p> <p>The EPA has already consulted with Health Bodies with regard to possible changes to the EIA Guidance with regard to Health issues and recommendations will be incorporated in the review of the Guidance.</p> <p>The Agency undertook a full review of the Effectiveness of SEA in Ireland in early 2011; in consultation with the DECLG and other stakeholders, this</p>

			has looked at ways to strengthen the practical implementation of SEA by all SEA statutory authorities across all relevant sectors.
7.3.10 Streamlining data collection (for example, water data) and monitoring requires greater coordination across public bodies. It is appropriate that the EPA would take a lead role here in terms of guidance and quality assurance, utilising Memoranda of Understanding (MoU) where appropriate	EPA	On-going	This will be achieved through the implementation of the recommendations arising from the review of the Office of Environmental Assessment. The Air Cross-Office group is a useful forum for bringing together Agency expertise on air modelling; this will be further expanded in the context of the national Air quality network.
		Q4 2012	During 2012, subject to available funding, the Air Quality system will be upgraded and the EPA will streamline data collection from the air quality network by collecting data from all automatic monitors.
		On-going	The expansion of the Environmental Data Exchange Network (EDEN) will continue and will include agencies such as the HSE, Inland Fisheries Ireland and the Marine Institute. Subject to resources, EDEN will be expanded to facilitate progress on the implementation of the Water

			Framework Directive. The scope of reporting by local authorities and other agencies using EDEN will also expand in 2012.
7.3.11 The EPA should continue to develop its high level support across the organisation in areas such as remote sensing and modelling to support environmental assessment and reporting	EPA	On-going  Q4 2012  Q4 2013	<p>This will be achieved through the implementation of the OEA Review recommendations. The Air cross Office group is a useful forum for bringing together Agency expertise on air modelling; this will be further expanded in the context of the national Air quality network.</p> <p>During 2012, the potential for the use of Global Monitoring for Environment and Security (GMES) models in Ireland will be assessed. The EPA is also continuing its involvement in the Coordination of Information on the Environment (CORINE) landcover programme<sup>2</sup>.</p> <p>Work on the next release of this data (CORINE 2012) will begin mid-2012. The EPA has developed a semi-automatic methodology using up-to-date remote sensing technologies to</p>

<sup>2</sup> CORINE Land Cover (CLC) is a map of the European environmental landscape based on interpretation of satellite images. It provides comparable digital maps of land cover for each country for much of Europe.

			produce CORINE in a more efficient and cost effective manner than previous versions. This project is due for completion by the end of 2013.
7.3.12 An evidence-based and statistically driven review of monitoring networks and EPA laboratory services is needed. While this should lead to more cost effective monitoring and optimising of EPA expertise, it is critical that this does not lead to a diminution in the quality of data collection and analysis	EPA	Complete	A comprehensive, evidence-based review of monitoring networks and EPA laboratory services was carried out in mid 2010, as part of the Office of Environmental Assessment (OEA) Review. In line with the OEA Review's recommendations, actions are underway in 2011 towards optimising the EPA expertise in a more integrated 4 lab structure. No additional review is proposed at the current time.
7.3.13 The EPA's role in biodiversity monitoring should be better co-ordinated with that of the National Parks and Wildlife Service (NPWS)	EPA and DAHG	Q4 2012	<p>In the short term, this will be achieved through liaison between the EPA and the NPWS and the agreement of a Memorandum of Understanding (MoU), building on existing cooperation in such areas as Appropriate Assessment, habitat mapping and research.</p> <p>In the longer term, this issue could also be considered as part of a wider review of environmental governance.</p>



<p>7.4.1 Ongoing effective dialogue across Government Departments, agencies and local authorities should be strengthened with respect to monitoring, reporting and research coordination and it is important that the EPA is supported fully by other areas of Government in order to fulfil national objectives</p>	<p>DECLG and EPA</p>	<p>Q3 2012</p>	<p>The EPA and the Department took part in the National Research Prioritisation Exercise recently completed by Forfás. Both organisations will implement the recommendations of this exercise where relevant and necessary for the environmental research programme.</p>
		<p>On-going</p>	<p>With regards to research, the EPA has established 3 distinct co-ordination groups aligned to the 3 research pillars (Climate Change &amp; Air Quality; Water Quality &amp; Aquatic Environment; and Sustainable Environment) comprised of Government departments (including DECLG), State agencies and other key stakeholders. These co-ordination groups assist the EPA to communicate with key stakeholders and provide a forum to identify research gaps, national priorities and potential for co-funding.</p>
		<p>On-going</p>	<p>Local Authorities have been included in information provision and outreach regarding climate impacts and adaptation. Further development in this area is envisaged.</p>

		On-going	Monitoring and reporting arrangements are currently being strengthened by the EPA through the EDEN network and improvements in air quality monitoring systems. A new system has also been developed for coordinating the collection of waste information. This area will also be considered as part of the wider review of environmental governance.
7.4.2 The EPA should provide a clear process for reviewing research recommendations and effecting their inclusion into wider policy development, with further discussions as necessary with relevant researchers	EPA and DECLG	Q3 2012	Policy relevant research syntheses reports are provided. The EPA plans to enhance this through further thematic reports being developed in consultation with researchers as necessary. The STRIVE research team will develop a new procedure for this, building on the <i>Summary of Findings</i> documents that have been a feature of completed research reports in the past 2 years.
		On-going	The Climate Change Research Programme (CCRP) findings are included in EPA work e.g. National Inventory Report.
		Q3 2012	The Dept will develop a mechanism to improve oversight of the environmental research programme, in

			cooperation with the EPA and with reference to the recommendations of the National Research Prioritisation Exercise, to ensure requirements for policy-supporting research are met and to contribute to emerging EU strategies in this area (e.g. Horizon 2020 and the Eco-Innovation Action Plan).
7.4.3 The EPA funded individual PhD scholarship programme should be maintained in order to provide for continued development of young researchers, and national research capacity outside the stricter constraints of the larger, more policy focussed, integrated research programmes	EPA	On-going	The Agency aims to maintain this programme, as current economic and budgetary circumstances allow.
7.4.4 Research funding (currently met by the Environment Fund) should be protected for the maintenance of the EPA research programme. Temptations to divert any environmental research funding to other areas of research, or its management to another agency, should be resisted. It is essential that Ireland maintains the strong and independent environmental research base it has built up over the last 15 years	DoECLG	Q3 2012	The National Research Prioritisation Exercise and the proposed Action Plan for the Green Economy underpin the need for environmental research. The recommendations of the National Research Prioritisation Exercise will be implemented when agreed by Government, where they are relevant and necessary for the environmental research programme.

7.4.5 In order to more fully optimise and achieve greater international impact and overall recognition of the outcomes from its research investment, it would be informative for the EPA to evaluate any obstacles that Irish environmental researchers face in publishing research and recommend methods to overcome these	EPA	Q4 2012	The Agency emphasises the necessity of peer review publication to Researchers and is not aware of specific obstacles but this can be explored. An evaluation of potential obstacles will be incorporated into the current mid-term review of STRIVE.
7.4.6 It is important that research to meet the challenges of climate change continues to be designed in full consultation with other relevant bodies, including those charged with duties for flood management, agriculture and biodiversity	EPA and other funding agencies	No specific new action necessary - On-going	The Climate Change Research Programme high level co-ordination group, established under the National Climate Change Strategy, chaired by the EPA, includes the major interest groups including DAFM, OPW, DECLG, Met Eireann, Dept of Transport and DCENR. Thematic steering groups within this programme also include representatives of state agencies and Government Departments who fund climate change or related research as well as user groups working at this level.
7.4.7 A balance between climate change research supporting existing policies and mitigating pressures, and responsive to uncertain climatic effects is required. A significant challenge to the value of environmental research is that projects are usually short-term. Medium to long-term research programmes, that provide spatial data over extended temporal scales, provide an extremely	DECLG, EPA and other funding agencies	On-going  Q3 2012	The EPA will strive to deliver on this recommendation in the context of the budget available.  The Department will explore the potential for multi-annual research budgets to facilitate medium to long-term research projects.

valuable national resource in order to evaluate policies relating to e.g. land-use and climate change. Future climate change research funding should include medium to long-term research projects as appropriate			The draft National Research Prioritisation Exercise highlights the need for policy-supporting research on climate issues and for related environmental research.
7.4.8 Research reports from the EPA funded programme are available for download from the website. It is desirable that full and summary reports continue to be made available, while ensuring that this facility is supported by good data management and quality assurance protocols	EPA	No specific new action required - On-going	<p>Research reports will continue to be made available for download from the EPA website and stored on the research data archive ERC website.</p> <p>The information contained on each of the project folders on the ERC website complies with the INSPIRE Directive's requirements for Geospatial Metadata. These websites are managed by suitably qualified trained persons.</p>
7.4.9 It is important that EPA monitoring data across all sectors is also put in the public domain in a timely manner, as both raw data and in readily accessible summary formats	EPA	<p>On-going</p> <p>Q4 2012</p>	<p>This will be achieved by continuing with the current practice of making both reports and data available on the EPA web-site, using Envision, and continually reviewing new approaches to dissemination of information in line with EPA commitments in its Public Sector Action Plan.</p> <p>The EPA web-site will be reviewed and updated during 2012.</p>

7.4.10 The EPA has a key role in dissemination of environmental information and environmental awareness-raising and education and should continue to develop partnerships with the DECLG, the eNGO network, and other public bodies (including local authority Environmental Awareness Officers and Heritage Officers) to ensure that synergies are maximised and that overlaps of initiatives / activities are avoided	EPA and DECLG	No specific new action required - On-going	This is being achieved through continued development of partnerships with the DECLG, the eNGO network and other public bodies, e.g. through the work of the National Waste Prevention Programme, Greening Communities and other networks. Annual actions are incorporated into the EPA's annual communications plan.
7.5.1 The Agency should continue to place an emphasis on formal mechanisms for managing ongoing discussions with all relevant Government Departments. This will ensure that any complex technical issues can be dealt with effectively	EPA	On-going but to be considered with Recommendation 7.2.3	<p>This is being achieved through continued participation in fora such as the Association of Chief Executives of State Agencies and other high level engagements with Government Departments.</p> <p>In the longer term it should also be considered as part of the wider review of environmental governance.</p>
7.5.2 It is important that the relationship between water authorities and the Agency be appropriately defined, minimising overlap and duplication, particularly in the area of monitoring	EPA	On-going	<p>This will be achieved as part of the reform of the wider water governance arrangements. The EPA is working closely with the Dept and the CCMA (local authorities) in a review of governance structures to deliver the Water Framework Directive.</p> <p>Discussions between the Department and the EPA on the WFD are on-</p>

			going; new or revised legislation will be needed to support agreed governance changes (see also 7.3.12).
7.5.3 A MoU should be drawn up between the Agency and the NPWS, to ensure that a unity of purpose and sharing of information is maintained between the two organisations, together with a good working relationship at local and regional level	EPA and NPWS	Q4 2012	This will be achieved through liaison with the NPWS and the agreement of a MoU in such areas as Appropriate Assessment, GIS, habitat mapping and research (see also recommendation 7.3.13)
7.5.4 The EPA and the Sustainable Energy Authority of Ireland (SEAI) should, as appropriate, explore opportunities for expanding their collaboration further in the future, particularly in support of the national climate change effort	EPA and SEAI	On-going	The EPA and SEAI review collaboration opportunities on an ongoing basis and will continue to do this as part of actions under the MoU between the two organisations. Initiatives include: joint release of greenhouse inventories, joint seminars, guidance for businesses on green supports and collaboration on Greening Communities activities.
7.5.5 Exchange of information between the local authorities and the EPA appears to be working well. However, while the availability of the raw data from air quality monitoring sites is welcome, it is recommended that these data be further processed, as is done with noise data at the moment, to prepare regularly updated maps of estimated human exposure.	EPA	Q4 2012	The EPA has developed EDEN to provide for the exchange of information between the local authorities and the EPA. It is working well for water status, drinking water and waste water data. This is being extended to Marine Institute and Inland Fisheries Ireland (see also recommendation 7.3.10)

			With regard to air quality, the OEA is part of an EU initiative on air mapping; the OEA will develop proposals as to how this might be achieved.
7.5.7 The EPA should engage directly with ENGOS to review their structured arrangements for engagement, with a view to identifying ways in which outcomes might be improved in a resource efficient manner	EPA	On-going	This has already commenced through dialogue with IEN at regular meetings. The EPA will continue to engage actively with the IEN in this regard.
7.5.8 The increased support for relevant television documentaries and other media engagements is a positive move and the continuation of this trend is recommended, as resources allow	DECLG and EPA	No specific new action necessary - On-going	The Department and the EPA will continue to support environmental awareness raising activities which have the potential to reach large audiences in the most cost-effective manner, as budgets allow. This will be incorporated into annual communications and awareness plans, where relevant.
7.6.1 The legislation governing the EPA, water-related legislation and nature protection legislation should be consolidated and should be subject to periodic review. The IPPC and waste licensing regulations should be consolidated at an early opportunity	DECLG and DAHG	Partial implementation by Q 4 2012 – in respect of IPPC and Waste regulations. To be reviewed post EU Presidency in 2013/2014 for other legislation	The Dept intends to consolidate the IPPC Licensing Regulations in 2012. Discussions on revised governance arrangements for Water Framework Directive work will give rise to the need for new or revised water-related legislation. The Dept will consider consolidating other texts, as priorities and resources allow in the context of the forthcoming EU Presidency in 2013. The Dept will request that



			DoAHG also examine when they will be in a position to undertake a consolidation exercise in respect of nature protection legislation.
7.6.5 The rules governing legal costs in certain environmental litigation (section 50B Planning and Development Act 2000, as amended) should be kept under review. Concerns about access to environmental justice should be examined in the context of a wider review of environmental governance	DECLG	Complete	Section 50B was amended in 2011 and will be kept under ongoing review – no further measures or changes are proposed at this time.
7.6.6 The interaction between planning and pollution control should be addressed by the joint An Bord Pleanála / EPA Working Group in conjunction with the DECLG and the Office of the Attorney General	DECLG	On-going, with a target completion date of Q1 2012.	<p>Further to the Judgment of the Court of Justice of the European Union in Case C-50/09, legislative change with regard to the transposition of the Environmental Impact Assessment (EIA) Directive in Ireland is required. The Department, EPA, An Bord Pleanála and the Office of the Attorney General are actively working together with the goal of providing a system that satisfies the requirements of the EIA Directive, is transparent and also avoids duplication of decision making.</p> <p>The EPA will continue to work with An Bord Pleanála, through the MoU between the two organisations to</p>

			identify further opportunities to work together in a collaborative way.
7.6.8 Robust systems should be put in place to monitor and enforce the financial requirements of licences on an ongoing basis	DECLG and EPA	EPA review by Q3 2012. Follow up action as appropriate Post EU-Presidency in 2013/2014.	The EPA will conduct a review of the current arrangements, in particular the application of existing powers, in 2012, in consultation with the DECLG, and propose any necessary changes identified.
7.6.9 Current legislation relating to contaminated land should be reviewed to develop a coherent, dedicated legal regime to address the various challenges that arise in this context, including guaranteeing that site operators make provision to meet any liabilities arising from their activities. Regulatory bodies should also ensure that sufficient controls are in place to avoid and militate against such situations arising	DECLG and EPA	EPA proposals to issue by Q3 2012.  To be determined – dependent on external factors	The EPA will review the current arrangements, in consultation with DECLG, and proposals to the Department will follow. The impact of any relevant legislative developments at EU level will also be considered.

**List B**

<b>Recommendation</b>	<b>Lead Organisation</b>	<b>Timeframe for Delivery</b>	<b>Mechanism for Delivery</b>
7.3.8 In order to facilitate greater public participation in licensing matters generally, the legislative framework should make provision for experts to give evidence via video-conferencing	DECLG	Q4 2012. Follow up action dependant on legal advice	Legal advice will be necessary.
7.6.4 The EPA should be subject to the Ombudsman's jurisdiction in respect of alleged maladministration. Appropriate resources must be made available to the Office of the Ombudsman to enable it to deal effectively with any significant increase in its workload that may arise	DECLG	During the lifetime of the Govt; dependant on external factors. Dept to complete initial enquiries by Q2 2012	Department to review recommendation in consultation with other stakeholders (e.g. Office of Ombudsman, Department of Public Expenditure & Reform, EPA).  If implemented, action will require primary legislation.
7.6.7 A generic whistleblower protection law should be introduced	DECLG	During the lifetime of the Government if required	This is a commitment in the Programme for Government and will be dealt with centrally.

**EPA Review – Follow up and Implementation**  
**Draft Implementation Plan: Actions not Prioritised for 2012**

<b>Recommendation</b>	<b>Lead Organisation</b>	<b>Timeframe for Delivery</b>	<b>Mechanism for Delivery</b>
7.1.1 Consideration should be given to carrying out a wider review of environmental governance in Ireland so that issues of suggested fragmentation in structures and processes can be examined more fully. This exercise, which should take account of other review / reform programmes of relevance, including in relation to local government, could be particularly useful in supporting the effort to address infringements of EU environmental legislation where, although significant improvements have been achieved in recent years, considerable further work remains to be done, work which must continue to be accorded the highest possible priority.	DoECLG as lead Dept with input from other stakeholders	Post EU-Presidency in 2013/2014	A review of environmental governance would be a valuable exercise. However, such a review would require concentrated engagement by a range of stakeholders, Government Departments, local authorities and other public bodies over a considerable period, to ensure a thorough and wide-ranging review. Given the significant resources involved and the multi-faceted nature of the issues to be examined, such a review would be better carried out after the Irish Presidency of the EU concludes in mid-2013, when there should be an opportunity to provide the resources required to complete the exercise to the appropriate standard.
7.1.2 General issues around enforcement should be examined as part of a wider review of environmental governance as they have resonance beyond the EPA, with	DoECLG and EPA, with input from other stakeholders	Post EU-Presidency in 2013/2014	Part of wider review of environmental governance (7.1.1)  Enforcement issues should be

Memoranda of Understanding (MoU) developed to manage the operational relationships between the EPA and other public authorities as necessary. All MoU to which the EPA is a party should be published on the Agency's website		Ongoing (MoUs)	considered separately as part of any regulatory changes arising from the Waste Policy review.  The EPA will publish any MoUs on its website on an ongoing basis
7.1.3 The proposed wider review of environmental governance would also be the most appropriate context in which to consider whether a specialist Environment Court / Tribunal and / or a system of administrative sanctions should be put in place (taking into account the experience of such systems recently introduced in England and Wales) and if so, what form such mechanisms and measures might take.	DoECLG	Post EU-Presidency in 2013/14	Please see above in respect of recommendation 7.1.1
7.2.2 The EPA should be more answerable to the Oireachtas through, for example, the extension of the parliamentary questions process to State agencies, as is set out in the Programme for Government (2011).	To be determined	During the lifetime of the Govt; dependant on external factors.	The extension of parliamentary questions beyond Government Departments is a commitment in the Programme for Government and therefore it will be considered centrally by Government.
7.2.6 There should be increased emphasis on knowledge and experience of environmental protection in the appointment of members of the EPA Advisory Committee, including key public sector stakeholders, and an external Chairperson should be appointed	DoECLG	By end Q1 2013	The term of office of the current advisory committee is due to expire in January 2013. Preparations to appoint a new committee will commence in Q2 2012 and the first part of the recommendation will be implemented as part of that process, as appropriate and following a review of

		Post EU-Presidency in 2013/2014	<p>representative bodies by the Department.</p> <p>In terms of the Chairperson, primary legislation will be required. This can be pursued through amending primary legislation post EU Presidency, if appropriate.</p>
7.2.8 The flexibility and change management shown by the EPA is a major strength and should not be limited by overly prescriptive statutory provisions governing the Agency's structure	DoECLG	N/A	No specific action required other than to ensure this recommendation is taken into account in any future legislative change.
7.2.9 The regional structure of the EPA has strategic advantages which should be maintained, subject to cost efficiency requirements	EPA and DoECLG	N/A	No specific action required.
7.3.2 There is a strong case for the EPA's licensing process to include formal requirements in relation to Health Impact Assessment. The proposed Advisory Committee on the interface between the environment and human health (Recommendation 7.2.7) should, as a matter of priority, make urgent	DoECLG and EPA	Dependant on the timeframe within which the committee considers this; to be reviewed post EU	In response to recommendation 7.2.7, the EPA will establish a Health Advisory Committee which will consider this recommendation. It is proposed therefore to await the outcome of deliberations of the Health Advisory Committee and subsequently review the position. Primary

recommendations about the most appropriate way to address this issue. This Committee should also assess and make recommendations in respect of the inclusion of health factors in risk assessment for prioritising enforcement		Presidency in 2013/2014	legislation would be required to introduce HIA.
7.3.3 While due regard should be given to the interests of SMEs and smaller agricultural units, the level of EPA licence fees should be routinely reviewed and the Group notes that these are due for upward revision	DoECLG	This can be reviewed on an on-going basis	To be reviewed on an on-going basis.
7.3.5 The EPA should be allowed greater access to the past records of licence applicants generally through a strengthening of relevant legislative provisions	DoECLG	Post EU-Presidency in 2013/2014	This would require legislative change and consultation
7.5.6 The EPA and local authorities should continue to work closely together to ensure that the inventories of contaminated land are complete and up-to-date and that local and regional development plans identify brownfield sites within their areas and promote the appropriate redevelopment of such sites	DoECLG and EPA	To be determined - dependent on external factors	The EPA will continue to perform its legislative tasks in relation to contaminated land issues and to make recommendations in relation to any gaps that it identifies. Any such review must take place in the context of proposed EU legislation; please refer to recommendation 7.6.9
7.6.2 Sections 52(1) and (2) of the 1992 Act should be revised and updated in light of the EPA's expanded remit and the principles underlying contemporary environmental regulation and should	DoECLG, with EPA input	Post EU-Presidency in 2013/2014	Primary legislation will be required. This can be pursued through primary legislation after the EU Presidency, as appropriate.

include specific references to the EPA's responsibilities in respect of water protection, climate change and its contribution to the conservation of biodiversity and to environmental sustainability			
7.6.3 The EPA's absolute statutory immunity should be revised	DoECLG, with EPA input	Post EU-Presidency in 2013/2014.	Legal advice will be needed on this issue. Primary legislation would also be required. This can be reviewed and progressed through primary legislation after the EU Presidency, if a decision is taken to proceed with the amendment.
7.6.10 Consideration should be given to making provision for amendments to IPPC and waste licences in certain limited circumstances (beyond clerical and technical amendments) without the necessity for a full licence review	DoECLG	Post EU-Presidency in 2013/2014	Primary legislation would be required to implement a change of this nature to the licensing system. Legal advice will also be necessary. If such a change were possible, it could be pursued through primary legislation.
7.6.11 Consideration should be given to providing for appeals in relation to air pollution licences to be made to the EPA rather than An Bord Pleanála	DoECLG	Post EU-Presidency in 2013	Primary legislation would likely be required to implement this recommendation. This can be considered in the context of any primary legislation after the EU Presidency in 2013.