

The 4th meeting of the 6th EPA Advisory Committee was held on Thursday 5th December 2013, at EPA Headquarters, Johnstown Castle Estate, Wexford.

Members Present: Laura Burke (Chair); Elizabeth Delahunty; Pat Farrell; Colin O'Dowd (via Video Conference); Elaine Nevin; Sharon McGuinness; John Cuddihy; Martin Hogan; John Sheahan; David Ball; Áine Ryall (via Video Conference).

In attendance: Dara Lynott; Noel Byrne; John Feehan; David Flynn; Jim Hurley; & Karen Vaughey.

Apology: Deirdre Lyons.

Secretary: Tom O Reilly

1. **Introductions**

The Chairperson welcomed the Advisory Committee to Wexford for their 4th meeting and thanked everyone for travelling.

2. **Minutes of Meeting held on 6 September 2013**

The Minutes of the Meeting held on 6 September 2013 were approved. The Committee briefly clarified the reasoning behind the proposed publication of the Minutes of the EPA Advisory Committee meetings onto the EPA's website. Following a brief discussion it was agreed that the minutes from this meeting forth will be published on the Agency's website following their approval.

3. **Approval of the Agenda**

The adoption of the Agenda was approved.

4. **Matters Arising**

There were no matters arising.

5. **Emerging Issues**

The Chairperson, Laura Burke advised the Committee that the Agency's Annual Report for 2012 had recently been published following the C&AG's approval of the accounts. Laura advised the Committee that the Agency had not been advised of its Employment Control Framework (ECF) target for 2013 or 2014 but that the EPA was within the 2012 assigned target of 315 staff and the current staff number is 307. The Committee was further informed that the Haddington Road Agreement which was introduced in July had impacted all staff at every level in the Organisation and that the Agency was in compliance with its requirements under the Agreement.

Laura advised the Committee that continued progress was being made on the Merger between the EPA and the Radiological Protection Institute of Ireland (RPII). The Committee was informed that the EPA's Meitheal Partnership Committee and the RPII's Partnership Committee were working together on behalf of the staff of each Organisation. Laura informed the Committee that a fifth office was being set up within the EPA called the Office of Radiological Protections and that Dara Lynott is chairing

a small group of representatives from both organisations which is drafting the Mission, Vision and Values for the merged entity.

Some of the Committee Members asked for information concerning the Agency's Budget for 2014, particularly in the context of the merger. Laura informed the Committee that the Agency's budget had not been approved however she understood that some additional funding would be made available to meet the costs of the merger. Following a question from the Committee, Dara Lynott briefly updated the Committee of the current status of the Kerdiffstown Landfill Remediation Project.

6. **The Activities of the Office of Environmental Enforcement**

(i) Overview of the activities of the Office of Environmental Enforcement – Noel Byrne, OEA

Noel Byrne, Senior Inspector OEE, gave a detailed overview of the activities undertaken by the Office of Environmental Enforcement, including detailed information on:

- OEE Regional Teams
- OEE Thematic Teams
- Risk Based Enforcement
- Enforcement Categories for 2013
- Sectoral Enforcement

(ii) Discussion

There was detailed discussion by the Committee regarding Risk Based Enforcement and how companies are categorised. One Committee Member questioned whether or not a company could change its Risk Category. Noel explained that a company's Risk Category can change from year to year, and this has implications on the Enforcement charges payable by the licensee. Another committee Member questioned whether or not the EPA considers the investment required by a company to meet the Conditions of their licence. Laura Burke explained that licensing of industry has been a driver of innovation and this innovation can often save money for licensees, a number of examples were given to the Committee.

7. **Establishment of Irish Water**

(i) Overview of the role of the EPA in the establishment of Irish Water – John Feehan, OEE

John Feehan, Senior Inspector OEE, gave a detailed overview of the role of the EPA in the establishment of Irish Water. The presentation included detailed information on:

- Regulatory Role of CER
- Regulatory Role of EPA
- Funding of Irish Water
- Service Level Agreements
- Engagement with Irish Water

(ii) Discussion

There was detailed discussion by the Committee following the presentation. One Committee Member questioned what the Agency was doing to rectify the instances where Local Authorities do not have Urban Waste Water Treatment Plants in urban centres for which they have an EPA licence. David Flynn explained that time has

been given to Licensees to put in place the relevant infrastructure, and where that infrastructure has not been put in place within the specified time, enforcement action has been progressed by the Agency. A Committee Member questioned the linkages between the Water Framework Directive, EPA and Irish Water. Laura Burke gave a brief overview explaining how each interacts with the others. Another Committee Member queried the EPA's role in Drinking Water Quality. John Feehan explained the EPA's role in drinking water quality and informed the Committee that the abstraction of water is soon to be licensed in Ireland, but legislation relating to it has yet to be published.

8. **Freedom of Information/Access to Information on the Environment**

(i) Freedom of Information/Access to Information on the Environment update – Karen Vaughey, OCCS

Karen Vaughey, FOI Officer, OCCS, gave a detailed overview of the EPA's Freedom of Information/Access to Information on the Environment processes. The presentation included detailed information on:

- EPA Provision of Information
- EPA Data Availability
- Differences between FOI and AIE
- Trends since 2005
- EPA Decisions 2013

(ii) Discussion

There was detailed discussion by the Committee following the presentation. One Committee Member questioned how long each FOI/AIE request took to process. Jim Hurley outlined that a recent analysis conducted by the FOI Offices revealed that both FOI and AIE requests typically took on average 10 hours each to complete. A Committee Member questioned if Drinking Water data was accessible for the Public to download. Dara Lynott explained that over 10 years of Drinking Water data is available on the EPA's website. A Committee Member welcomed the publication of Legal Actions taken by the Agency on its website.

9. **Any Other Business**

(i) Next Meeting

The Chairperson thanked the Members of the Committee for their attendance at the meeting and their contributions to the discussion. The next meeting of the Committee will take place in EPA Headquarters on Thursday 6 March 2014 commencing at 10.30am.

(ii) Topics for discussion

The Topics to be discussed at the meeting in March 2014 are as follows;

- Septic Tank Inspection Regime
- Merger Update

Water Framework Directive and the National Waste Database were also suggested as items which could be discussed a future meeting of the Committee.

This concluded the business of the meeting.