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18<sup>th</sup> July 2023

## Re: EPA Submission on Draft National Waste Management Plan for a Circular Economy

Dear Philippa,

The Environmental Protection Agency (EPA) welcomes the opportunity to make a submission on the draft National Waste Management Plan for a Circular Economy (hereafter 'the Plan').

This submission is comprised of this cover letter and four Appendices:

- Appendix I. Comments on Specific Policy Areas
- Appendix II. Comments on Targeted Priority Actions
- Appendix III. Comments on Key Deliverables
- Appendix IV. Comments on the SEA Environmental Report

This submission builds on the EPA's pre-draft submission made in December 2021 and input made during the process of developing the plan.

### Responsibilities of the EPA

The Environmental Protection Agency (EPA) is responsible for protecting and improving the environment as a valuable asset for the people of Ireland. Our purpose is to protect, improve and restore our environment through regulation, scientific knowledge and through working with others. Responsibilities of the Agency include, but are not limited to:

- Authorisation of specified activities including large industrial and waste activities (e.g. landfills, incinerators, waste transfer stations, biological treatment facilities).
- Enforcement of EPA authorised activities. Prosecuting or assisting in the prosecution of significant breaches of environmental protection legislation.
- Issuing Certificates of Registration for local authority waste activities and Certificates of Authorisation for Historic Landfills.
- Assessing and making decisions on by-product notifications and end of waste applications.

- Conducting an annual programme of audits and inspections of EPA licensed facilities.
- Supervising the environmental protection activities of local authorities by auditing their performance, provision of guidance and working through NIECE (Network for Ireland's Environmental Compliance and Enforcement).
- Working with local authorities and other agencies to tackle environmental crime.
- Delivery of the Circular Economy Programme which incorporates implementation of the National Waste Prevention Programme.
- Reporting national waste statistics and implementing national waste characterisation programmes.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.
- Generating targeted information, advice and guidance to assist compliance and enable behavioural change to support transition to a resource efficient circular economy.

### **Key Messages of this Submission**

The EPA welcomes the increased focus on circularity and actions within the Plan to enable Ireland to shift towards a circular economy. Ireland has not yet succeeded in breaking the link between economic growth, consumption levels and waste generation and is missing valuable opportunities to maximise the beneficial and efficient use of waste materials. Our circularity and recycling rates are both below the average across EU Member States. Successfully implementing the Plan will be part of the co-ordinated delivery of measures needed to move Ireland from a linear to a circular economy.

The following are key messages for consideration in the Plan and these are expanded on in **Appendices I, II and III** with comments on topics, priority actions and deliverables especially those where it is recognised that the Agency has a leading role.

#### **1. Governance**

The EPA's Office of Environmental Enforcement exercises a supervisory role in respect of the environmental protection activities of local authorities. The National Waste Enforcement Steering Committee, which is co-chaired by the Agency, oversees the work of the Waste Enforcement Regional Lead Authorities through agreed enforcement priorities. **The EPA recommends that the organisational arrangements proposed in the Plan recognise existing national governance structures for enforcement activities to ensure current arrangements are preserved and maintained.**

Effective governance by public bodies of national policy, plans and programmes is essential to deliver better waste management outcomes and accelerate the circular economy. The EPA's Circular Economy Programme identifies the local authority sector as a key partner to support delivery of circular economy ambitions for Ireland.

**The EPA calls for a partnership agreement to be established between the Agency and the Local Authority Sector to provide clarity to roles in respect of circular economy activities and to define an effective way of working together.** It is recommended that establishing such

a partnership is included as a key deliverable of the Plan and is part of the future governance arrangements to support delivery of the circular economy.

Waste prevention is central to delivering a circular economy. The EPA has a statutory role in establishing, monitoring and assessing the implementation of waste prevention measures and the National Waste Prevention Programme sits within the Circular Economy Programme. **The EPA recommends that the Plan references the statutory role of the EPA in relation to waste prevention. The EPA will work collaboratively with local authorities to deliver the waste prevention activities in the Plan, to ensure that they are impactful, coordinated and focused on priority areas and materials.**

The Plan contains a comprehensive set of targets, policies, actions and deliverables with the EPA identified as a key stakeholder. 31% of the 83 priority actions in the Plan identify that the EPA has a role although it is not clear if this is in a lead or supporting role. **The EPA recommends that the final Plan identifies the lead organisation responsible for delivery of each action and deliverable to ensure clear ownership to support co-ordination of activities between delivery organisations.**

## 2. Collection and Recycling

Ireland is in danger of missing future EU waste targets for 2025 for municipal waste, total packaging waste and plastic packaging waste. **The EPA recommends the Plan includes strong implementation measures by local authorities targeting households (including apartments) and businesses to support delivery of these targets** including:

- Implementation of waste collection permit conditions and waste presentation bye-laws to support urgent rollout of the 3-bin system and
- Delivery of targeted awareness campaigns and enforcement activities to address contamination and improve the separation of food waste and recyclables from residual waste.

Waste collection and treatment is largely privatised and the waste industry has a critical role in collecting, recycling and recovery of wastes in the Irish market. **The EPA recommends the Plan place greater emphasis on the role of industry, including the provision of improved source segregation services to households and businesses to improve capture of materials, lowering of contamination levels and the delivery of higher recycling rates.**

## 3. Exports and National Treatment Capacity

An estimated 39% (1.3 million tonnes) of municipal waste generated was exported abroad in 2020, including over 400,000 tonnes of residual municipal wastes. Ireland remains overly reliant on export markets for the treatment of specific waste streams including residual municipal waste, hazardous waste, packaging waste and more recently biowastes. **It is recommended that the vulnerability of Ireland's treatment system is addressed in the lifetime of the Plan with the aim to become self-sufficient for the treatment of residual municipal waste.**

The EPA welcomes the inclusion in the Plan to deliver a *national waste contingency facility*. **It is recommended the scope of such a facility includes the acceptance of hazardous waste for disposal and storage of non-hazardous wastes prior to recovery.**

#### 4. Data and Targets

Data reporting for key waste streams needs to be consistent by key stakeholders to avoid inconsistencies and inaccuracies in monitoring performance and progress. **It is recommended that the final plan use the waste datasets published by EPA for which it has statutory reporting responsibilities.** Similar it is recommended that reporting over the Plan implementation period uses waste data published by the EPA.

The Plan includes a headline ambition target of 0% total waste growth which is welcomed by the EPA. **The EPA recommends that consumption targets in the Plan are extended to focus on measuring total waste for key waste streams including municipal, construction, packaging and WEEE.**

#### 5. Circular Economy Network and Funding

The EPA's Circular Economy Programme identifies the need for a Circular Economy Network for good alignment between the programme, local authority needs and circular economy strategic priorities. **It is recommended that the Plan recognises the value of this network as a vehicle to align circular economy and waste prevention activities.**

The EPA recognises that funding of local authorities to deliver circular economy projects and demonstration activities of scale and impact is needed. **The EPA recommends that the Plan identify the need to review the existing funding model to support such activities to agree the most effective structure over the period of the Plan.**

#### 6. Strategic Environmental Assessment (SEA)– Integration and Consultation

**Integration of the environmental assessments into the Plan - The plan should include a clear commitment to integrate and implement the recommendations and mitigation measures identified in the SEA environmental report (ER).** The integration of the key findings in the SEA ER in the plan will reinforce and maximise the potential for positive environmental outcomes.

**Transboundary Consultation -** The SEA ER should provide clarity regarding the level of transboundary consultation that has been undertaken in preparing the plan and the associated SEA. It is clear that transboundary consultation has been undertaken with the appropriate authorities in Northern Ireland at scoping stage, however, **given the nature of the waste industry in Ireland it may be appropriate to undertake transboundary consultation with authorities in other countries that are in receipt of waste exported from Ireland.** Where transboundary

consultation has been undertaken with non-EU member states, the relevant requirements of the SEA protocol<sup>1</sup> under the ESPOO Convention should be taken into account and referred to.

The EPA looks forward to the adoption of the new National Waste Plan for a Circular Economy and working with the Regional Waste Management Planning Offices and local authorities. The Agency is available to meet with the RWMPOs to discuss and clarify comments made on the Plan.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Micheál Lehane'.

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Micheál Lehane  
Director

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<sup>1</sup> <https://unece.org/fileadmin/DAM/env/eia/documents/legaltexts/protocolenglish.pdf>

## Appendix I. Comments on specific Policy Areas

### Partnership

The EPA's Circular Economy Programme is based on a four-pillar structure, including *Delivering Through Partnerships*, as shown in Figure 1, with a focus on the priority areas as articulated in national waste policy documents and the European Green Deal.

Collaboration with national organisations to implement circular economy solutions in the economy in Ireland is key for a successful move from a linear to a circular economy.

An effective partnership can deliver actions efficiently and to the benefit of both partners and the wider waste and circular economy sectors.

The Circular Economy Programme identifies the local authority sector as a key partner to support delivery of circular economy ambitions for Ireland.



Figure 1 EPA Circular Economy Programme Structure

With responsibilities in climate action and mitigation, local enterprise support, rural and urban community development as well as waste management planning, local authorities are in a unique position to realise a holistic vision of what the circular economy can mean for citizens in their communities.

**The Circular Economy Programme calls for a partnership agreement to be established between the EPA and the Local Authority Sector to provide clarity to roles in respect of circular economy activities and to define an effective way of working together.** It is recommended that establishing such a partnership is included as a key deliverable of the Draft Plan and is part of the future governance arrangements for the sector.

### Roles and Responsibilities

The Draft Plan contains a comprehensive set of targets, policies, actions and deliverables with the EPA identified as a key stakeholder.

The targeted policies and priority actions are assigned to specific stakeholders. Of the 83 priority actions identified in the Draft Plan, 31% are currently assigned to the EPA in a lead or supporting role. Where multiple stakeholders are assigned to priority actions the lead organisation to deliver the action is not identified. Similarly, the EPA is identified directly or indirectly in many key deliverables.

**The EPA recommends that the final draft Plan identifies the lead organisation responsible for delivery of each action and deliverable.** This will help to ensure ownership

of specific actions and co-ordinate implementation activities between the lead and supporting organisations.

In Appendices I to III the EPA has commented on the priority actions and deliverables to which it has been provisionally assigned. In our response, the role of the EPA as a lead, co-lead or support organisation is identified.

## Prevention

### **This statutory role of the EPA in relation to waste prevention needs to be clearly outlined in the National Waste Management Plan for a Circular Economy.**

The Government's Waste Action Plan for a Circular Economy published in 2020 flagged that the National Waste Prevention Programme would be reconfigured as a Circular Economy Programme, with the EPA co-ordinating national, regional and local activities.

The statutory National Waste Prevention Programme sits within the EPA's Circular Economy Programme.

## Draft Plan – Headline Targets

The Draft Plan includes a series of targets, with a headline ambition target of 0% total waste growth and other key targets on consumption, contamination and reuse. These targets are welcomed by the EPA.

It is noted that the consumption target of "zero percent" waste growth is weighted towards reducing construction waste and in particular the impact of specific interventions such as the national decisions on end of waste and by-product for construction materials are referenced.

The EPA notes that the consumption target for municipal waste does not address the "top line" or total waste growth instead it focuses on measuring residual waste per capita. Residual waste may reduce from one year to the next but necessarily because our consumption is declining. Growing levels of recycling and/or recovery will impact on the quantity of residual waste being generated annually without consumption changing. Consumption targets need to keep a focus on reducing total waste and in this regard, it is worth considering consumption targets for different material streams. The EPA recommends that consumption targets/metrics are included other key waste streams such as municipal, packaging and WEEE. To support the design of new targets the EPA recommends that the following sources of prevention and consumption indicators are reviewed with the intention of selecting additional consumption and prevention targets:

- **Tracking Waste Prevention Progress** - this report proposes a new set of indicators dedicated to monitoring long-term trends in waste prevention. They focus on the drivers of waste generation, waste prevention policies enablers, and resulting outcomes in reduced waste and emissions.

<https://www.eea.europa.eu/publications/tracking-waste-prevention-progress>



- **EC Circular Economy Monitoring Framework** - The framework includes new indicators, such as material footprint and resource productivity. It also includes new indicators to measure progress towards the waste prevention targets. In addition, the framework monitors the contribution of a circular economy to sustainability, climate neutrality and resilience.

<https://ec.europa.eu/eurostat/web/circular-economy/monitoring-framework>

There are additional comments on the targets, specifically the reuse and contamination targets, which need to be taken on board. These are included in Appendices II and III.

## Data

It is recommended that there is strong alignment on data for key waste streams and metrics in the Draft Plan and future reporting. For example total waste collected is stated in the Draft Plan as 13.5 million tonnes whereas the official number reported by the EPA and CSO is 16.2 million tonnes generated (refer to *National Waste Statistics Summary Report for 2020*, published December 2022).

It is recommended that waste data in the final plan is aligned to the datasets published by EPA officially especially for key targets and baseline metrics. This will ensure a consistent set of data is reported and referenced by key stakeholders. It is also recommended that reporting under the Draft Plan over the implementation period uses the waste data as published by the EPA for which it has statutory reporting responsibilities. This will avoid inconsistencies in reporting performance and progress.

## Funding

Under its innovation demonstration pillar of the Circular Economy Programme the EPA is committed to providing funding to local authorities for focused circular economy activities of scale. This builds on the previous funding local authority funding model under the Local Authority Prevention Network.

In 2022 and 2023 the funding calls focused on the built environment, targeting activities to reduce construction and demolition waste in the first instance by promoting the use of circular design and construction practises.

The funding of local authority circular economy projects under the Circular Economy Programme is not referenced in the Draft Plan and the EPA recommends that it is included in Volume III, Part B Organisation, Engagement and Resources. The EPA will lead on the provision of this funding with call topics identified and agreed with the local authorities to ensure priority areas are targeted and strong participation in funding calls. It is foreseen that topics will be relevant to the delivery of both the Circular Economy Programme and the Draft Plan.



### Circular Economy Network

Under the innovation demonstration pillar of the Circular Economy Programme the EPA proposes to relaunch the Local Authority Prevention Network as the Circular Economy Network. This is to ensure a good alignment with the Circular Economy Programme and local authority needs and circular economy priorities.

The Circular Economy Programme will work with the local authority sector to develop this network as part of the partnership model.

### Collection and Recycling

Ireland is in danger of missing future EU waste targets

Municipal waste recycling rate is 41% in 2020 and must reach 55% by 2025.

Plastic packaging recycling rate is 29% and must reach 50% by 2025.

In terms of recycling the extent of change since 2010 has not been as significant with a rate of 38% in 2010 increasing to 41%. Over the period recycling has not grown as anticipated and has been for the most part stagnant. Ireland is well below the European average of 48%. The gap to the 2025 target of 55% is 14 percentage points and is a significant challenge needing urgent attention. Immediate introduction of mandatory incentivised charging for commercial customer is required alongside mandatory rollout of the brown bins to all households and businesses and a review of the household charging system.

Focused improvements to the current kerbside segregated system, including extending collection coverage, complete rollout of the 3-bin system to households (including apartments) and businesses and revisions to the charging system is needed to increase rates of recycling. The EPA National Waste Report 2020<sup>2</sup> calls for key actions to be led and delivered by local authorities including:

- Targeted and co-ordinated awareness and education campaigns focused on improving the capture of food waste from businesses and households and
- Targeted enforcement campaigns to lower contamination rates in the recyclable bin

The EPA recommends that these actions are addressed explicitly in the relevant priority actions in Focus Areas 1,2 and 4.

### Treatment Capacity and Exports

The EPA's National Waste Summary Report states, *Ireland remains overly reliant on export markets for the treatment of specific waste streams including residual municipal waste, hazardous waste, packaging waste and more recently biowastes.*

The latest data shows that 44% of Ireland's segregated packaging waste continued to be exported for recycling in 2020, while 55% of the nation's hazardous waste was sent to other

<sup>2</sup> <https://www.epa.ie/publications/monitoring--assessment/waste/national-waste-statistics/>

European countries for disposal or recovery. An estimated 39% (1.3 million tonnes) of all municipal waste generated was exported abroad in 2020, down from 40% in 2019. Of the waste exported, most went for recycling (57%) or energy recovery (33%) including over 400,000 tonnes of residual municipal wastes. Of the municipal waste exported in 2010, totalling 838,000 tonnes, 93% was sent for recycling, 6% was residual waste and exported for recovery and 1% was organic waste.

There is limited resilience in the system to deal with market shocks and unforeseen events which can give rise to additional quantities of wastes. By addressing waste infrastructure deficits, Ireland can develop circular economy opportunities and reduce the emissions associated with transporting waste over long distances.

It is recommended that the vulnerability of Irelands treatment system, particularly in relation to residual waste, is addressed in the Draft Plan. The EPA recommends the inclusion of a target with the aim of tackling our over-reliance on exports and treating all residual municipal waste generated in Ireland by the end of the Plan period. The EPA welcomes core policy 12 of the Draft Plan which states:

- **Nationally Important Infrastructure** - The Plan recognises and supports the need for nationally important waste infrastructure, including infrastructure of the type, scale and proximity essential to maintain waste services and infrastructure that contributes to the ambition and policies of the Plan.

The EPA notes the deliverables on reuse, thermal and disposal capacity. In addition, it is recommended that a specific deliverable supporting the development of indigenous recycling infrastructure for priority materials is included.

The EPA welcomes the inclusion of a deliverable on the development of a *national waste contingency facility* in the Draft Plan. It is noted that this facility is listed under the disposal infrastructure policies (TPs 15). It is recommended that the scope of such a facility includes the provision to accept an amount of hazardous waste for disposal and also to store waste, i.e. inert, non-hazardous and hazardous. This will help to provide contingency against future markets shocks, which have occurred previously such as the collapse in the global paper recycling market, for a period while options for subsequent recycling and recovery offsite are found.

It is recommended that a timeline is stated as part of the local government's commitment to deliver a national contingency facility under key deliverable 21.

### **Innovation/Research**

The EPA welcomes the inclusion of Core Policy CP7 in the Draft Plan recognising the vital role that research and innovation (R&I) has to play in supporting the transition to a circular economy in Ireland and acknowledging the need to support and encourage further R&I.

The EPA funds the delivery of high-quality scientific research to support environmental policy development, implementation and broader decision-making. Our current research strategy *EPA Research 2030*, published in 2021, includes a new thematic hub on 'Facilitating a Green and Circular Economy'. This is a thematic area where we have struggled to attract a high number of research applications, pointing to a lack of Irish research capacity in this area. Addressing this

challenge will be a specific focus for us in designing future EPA research calls. It highlights an urgent need to invest in and expand Irish research capacity to inform and support the circular economy transition across many sectors and at all stages of product lifecycles. This includes developing novel materials and processes to enable circular production; new technologies and smart devices to assist implementation of products-as-a-service models; behavioural science insights to better understand consumer choices and barriers to the uptake of more circular alternatives. In this context, it is suggested **the wording of CP7 should be broadened beyond ‘the waste sector’ and beyond a focus on the management of non-kerbside wastes, to reflect the need R&I to inform and support the circular economy transition across many sectors.**

The EPA Research Programme is currently funding an IPA research project on *Waste and Circular Economy Governance* which is reviewing the current arrangements in place for the circular economy and bioeconomy in Ireland. A workshop on the findings is scheduled for Q1 2024 with a final synthesis report due in Q2 2024. The findings and recommendations will help inform a new governance structure for the sector.

The EPA is currently reviewing the national coordination structures for environmental research. As part of this review, we will consider how the EPA Research Programme can engage with the Local Government sector in a more structured and effective manner going forward, to ensure that EPA-funded research can support the delivery of the Plan.

### **Hazardous Waste and Waste Containing Chemicals**

The plan recognises and supports the need for nationally important waste infrastructure and notes the waste treatment capacity deficit in the state and the high levels of waste export. This concurs with previous feedback provided by the EPA to the draft NWMP for a CE and echoes Recommendations/Key Actions identified in the NHWMP 2021-2027, which aim to strengthen systemic resilience for management of hazardous waste in Ireland (Recommendation 4) and an examination of the economic viability of managing various waste streams in Ireland.

(With general reference to Volume I and II of the plan; and more specifically Vol II - Section 6 – Focus 8 (C&D Waste) p. 42 and Focus Area 10 (Hazardous Waste) p. 44).

It is essential that a transition to a circular economy **consider and address the issue of hazardous chemicals – and not just by minimising or preventing these chemicals entering the economy in the first place (e.g. at design stage) but also by removing these types of chemicals already in circulation.** Hazardous chemicals can accumulate in materials over repeated recycling loops and remain in the system for many years after the chemicals have ceased to be intentionally used in new products. Research indicates that recycled materials can contain both higher concentrations and a more diverse range of chemicals than materials made with virgin constituents (Lowe et al., 2021).

As such, **consideration needs to be given in the National Waste Management Plan for a Circular Economy to measures to prevent restricted and banned chemicals from entering**

**recycling waste streams** including Persistent Organic Pollutants (POPs), mercury and those chemicals restricted under the REACH Regulations.

We would like to highlight some examples. Under the UN Stockholm Convention on POPs (and associated EU & Irish POPs Regulations) a number of brominated flame retardants (e.g. PBDEs, HBB and HBCDD) have been restricted due to their persistent, bioaccumulative and toxic properties. These chemicals were used in consumer goods such as electrical and electronic equipment, construction materials, coatings, textiles and polyurethane foam (furniture padding). The chemical HBCDD, in particular, was mainly used as a flame retardant in polystyrene-based insulation products. An ongoing assessment by the EPA on the nature and extent of HBCDD use in Irish construction applications has found that future building renovation and demolition works are likely to result in an increase in the generation of insulation waste materials containing HBCDD in the coming years and decades. **Consideration needs to be given to what measures are required to assist in ensuring that construction waste materials containing HBCDD above the relevant concentrations do not enter recycling waste streams. Similarly, consideration needs to be given to measures to assist in ensuring old electrical and electronic waste items that contain POPs are identified and appropriately segregated and managed.**

Also, in order to ensure hazardous substances do not enter the recycling process and to improve the recycling rates of certain materials, **consideration should be given to the promotion of the use of the European Chemicals Agency’s SCIP Database** (<https://echa.europa.eu/scip>), particularly by waste management operators within the State.

Reuse	
Draft Plan detail	EPA Comment
The reuse target roadmap (Vol II, page 15) calls for the establishment of a working group with relevant bodies to set the framework for target delivery.	The EPA welcomes the identification of targets as detailed on Section 3.1.3 (Target 3A and 3B) including an initial per capita reuse target. Revision of Target 3A is recommended and a suitably ambitious reuse target set given the likelihood that we are already meeting the proposed 10kg target <sup>3</sup> . This should be done through engagement with the EPA’s Circular Economy programme.

<sup>3</sup> In June 2023 the EPA is reporting to the European Environment Agency (EEA) for the first time on national reuse rates across five product categories as set out in Implementing Decision (EU) 2021/19 of 18 December 2020. These data, to be published on [www.epa.ie](http://www.epa.ie) in July 2023, will set out a new baseline for reuse activity in the economy, providing quantitative data on the amount of items reused (in tonnes) and also provide qualitative data on the various reuse measures and activities targeted at increasing rates of reuse over time. The Draft National Waste Management Plan for a Circular Economy (NWMPCE) sets out a reuse target of 10 kg/person/annum (National Target 3A – Reuse), based on findings from the 2022 EPA-funded Q2 Reuse project. Based on the new baseline data we currently preparing to submit, it appears will reach, if not exceed this target.

Reuse	
Draft Plan detail	EPA Comment
	<p>The EPA is leading on the formation of a National Reuse and Repair Partnership as identified in the Circular Economy Programme. This partnership will serve as a vehicle to scale-up and develop the sector through agreed targeted actions and timeframes. This action falls within the scope of the partnership.</p> <p>It is recommended that the National Reuse and Repair Partnership plays a role in bringing together the relevant bodies to set the framework for target delivery.</p>
Target 3B	<p>An increased level of ambition is required, increasing from 10 locations (spread regionally) to also address with the population needs (PA12.3 (page 48)).</p> <p>It is recommended that the Roadmap for Reuse also includes activities to achieve Target 3B and details how product types will be identified and included as part of future reporting.</p>
Focus Area 12, Priority Action 12.1 Provide Technical Support and training to the reuse and repair sector.	<p>The Circular Economy Programme are currently preparing a guidance document on reuse to provide clarity through examples on the types of direct reuse (prevention) activities which don't require an authorisation compared to preparation for reuse activities which are a treatment activity requiring an authorisation.</p> <p>It is recommended that the EPA are identified leading on the preparation of the technical guidance with the local authorities leading on the training aspect identified.</p>
Focus Area 12 (page 48)	'This Focus area needs to reflect the role of the EPA in driving the circular economy and the role of the National Reuse and Repair Partnership'
Reuse – Consent/Authorisation (reference PA 12.5)	<p>This priority actions refers to consenting/authorisation regimes for reuse and repair activities. It is not clear if preparation for reuse is what is really being referred to (given that reuse is not a waste activity and so does not need consent). The EPA recommends that that the Plan references in this action the need to review the waste management facility permit and certificate of registration regulations with a focus to extend the classes of activities to include preparation for reuse.</p>

Reuse	
Draft Plan detail	EPA Comment
	In general, it is recommended that the policies and actions in Focus Area 12 are reviewed to clarify whether preparation for reuse is the more appropriate activity being referred to. (rather than reuse and repair).

Green Public Procurement	
Draft Plan detail	EPA Comment
<p>Core Policy 10 supports the consistent application of Green Public Procurement.</p> <p>Existing text: <i>This guidance was published by the EPA in 2021 to support the inclusion of sustainable and green practices into public sector procurement procedures and Ireland has committed to implementing GPP in all tenders using public funds by 2023.</i></p>	<p>The EPA welcome the inclusion of Green Public Procurement as a policy area which has the opportunity to reduce consumption, prevent waste and improve waste management.</p> <p>Suggest editing the text, as Ireland has not committed to implementing GPP in all tenders by 2023. The Programme for Government: Our Shared Future (2020) states that “we will mandate the inclusion of green criteria in all procurements using public funds, to be completed within 36 months.”</p> <p>The Department of the Environment, Climate and Communications is expected to publish a GPP Strategy and Action Plan for public consultation in Q3 2023 and the final Plan should take into consideration relevant roles &amp; responsibilities when this national policy document is finalised</p>

Data Quality	
Draft Plan detail	EPA Comment
<p>Core Policy 11 commits to</p> <p><i>...assist all stakeholders to ensure the availability of timely quality data and projections to inform policy development and to enable the monitoring of progress against policies and targets.</i></p>	<p>The EPA welcomes this statement. The local authorities are key stakeholders in the collection and validation of waste data. The EPA is reliant on this data for the completion of statutory reporting deadlines on behalf of the State in particular household and municipal waste datasets. As discussed at recent National Waste Data Network Meetings collating, validating and producing the local authority and litter datasets will transfer from the Agency to the local government sector from 2024 reporting onwards. In line with this core policy the local authorities will be required to deliver this dataset by an</p>



Data Quality	
Draft Plan detail	EPA Comment
	<p>agreed date each year so the EPA can publish completed national datasets in a more timely fashion which are critical for assessing the State's progress to targets and Draft Plan targets. The EPA will also require the local authority to collect specific data (such as source data) from the largest waste facility operators annually. This information is required each year as part of our national reporting of municipal waste. It is recommended that key deliverable 46 is updated to reflect these additional requirements on local authorities to report data to the EPA.</p>

Food Waste	
Draft Plan detail	EPA Comment
<p>Focus Area 5 Purpose</p> <p><i>To prevent food waste in line with the UN SDG target to halve per capita global food waste by 2030 and to implement the National Food Waste Prevention Roadmap</i></p>	<p>It is not the sole responsibility of this plan to achieve these goals. While LAs have actions in the Roadmap there are others who have roles too. It is recommended that this is reflected in the purpose statement and also refers to the Waste Framework Directive as the Commission will be proposing targets under this next month. The following edits are proposed to the purpose statement:</p> <p style="text-align: center;"><i>To <u>support</u> prevention food waste in line with the UN SDG target to halve per capita global food waste by 2030 and <u>the implementation</u> of the National Food Waste Prevention Roadmap.</i></p> <p>Focus Area 5 needs to refer to the <a href="#">Food Waste Charter</a>, see comment under Policy Area 5.1, Appendix II.</p> <p>The following edit to text in Volume III is suggested, linking the Food Waste Prevention Roadmap to the national policy statement, Waste Action Plan for a Circular Economy.</p> <p style="text-align: center;"><i>Of the planned interventions in Table 1.1, the halving of food waste from the retail and consumer sector offers the greatest potential for MSW waste prevention. DECC has prepared the National Food Waste Prevention Roadmap as a commitment under the <u>Climate Action Plan</u> and a</i></p>



Food Waste	
Draft Plan detail	EPA Comment
	<u>Waste Action Plan for a Circular Economy</u> . This Roadmap sets out the priority actions to prevent food waste across key sectors in the supply chain and the delivery of this Roadmap will be essential to achieve this ambitious prevention target. (See Vol III PAGE 11)

Regulation 27 (by-products) and Regulation 28 (End-of-Waste)	
Draft Plan detail	EPA Comment
Vol II, Vol III	The EPA recommends that all reference to Article 27 is changed to Regulation 27 (by-products) and reference to Article 28 is to change to Regulation 28 (End-of-Waste),  The EPA recommends that all reference to road planings is changed to site-won asphalt (road planings).
Vol II, page 8  Existing Text: <i>It is anticipated that the greatest opportunity for reduced consumption in this Plan is the consumption of primary aggregates for construction which may be substituted by secondary aggregates through the application of Article 27 and 28 decisions and through the implementation of best practice. Wider behavioural change through improved consumer decision making is also a key aspect of this Plan to reduce consumption</i>	Recommended text edits:  <i>It is anticipated that the greatest opportunity for reduced consumption in this Plan is the consumption of primary aggregates for construction which may be substituted by secondary <del>aggregates</del> materials, such as recycled aggregates and by-product soil and stone, <del>through the application of Article 27 and 28 decisions</del> using the by-product or end of waste regulatory mechanisms and through the implementation of best practice. Wider behavioural change through improved consumer decision making is also a key aspect of this Plan to reduce consumption.</i>
Vol II, page 38  Existing text: <i>Similarly, construction waste policy is focussed on prevention (TP8.1) through the implementation of national decisions on by-product.</i>	End-of-waste is not a waste prevention measure.  Recommended text edits:  <i>Similarly, construction waste policy is focussed on prioritisation of prevention <u>and circularity</u> (TP8.1) through the implementation of national decisions on by-product <u>and end of waste</u> (TP8.2).</i>

Regulation 27 (by-products) and Regulation 28 (End-of-Waste)	
Draft Plan detail	EPA Comment
	TP8.2 does not specifically reference national decisions on by-product and end of waste, however 8.3 does.
Vol II, page 48	Priority Action 12.4 does not speak to bioeconomy; suggest addition of: Identify and encourage potential materials markets for reuse and repaired goods <i>and secondary products</i> .
Vol II, page 49	It is not clear how plastic recycling is linked to IBA. Suggest that these are separated into two targets.
VOL II, page 50	It is not clear how C&D and soil and biological treatment is linked to thermal recovery capacity?
VOL III, page 18	It should be noted that site-won asphalt (road planning) by-product decision is now further progressed with a draft published in February 2023 and notified to the EU in June 2023: <a href="https://www.epa.ie/our-services/licensing/waste/by-products-regulation-27/">https://www.epa.ie/our-services/licensing/waste/by-products-regulation-27/</a> The criteria are expected to be available for uptake in 2023. Greenfield soil and stone criteria currently being drafted for public consultation.
VOL III	It is recommended that the projection is moved forward to 2024 as national decision for greenfield soil and stone is not anticipated to be available for uptake until Q1 2024.
VOL III, KD9	It should be noted that the national decision for recycled aggregates allows for the recovery of aggregates from soil and stone and that it is recommended that prediction figures both for by-product soil and stone and end-of-waste recycled aggregates account for this.
VOL III, page 25	It should be noted that the National decision on end-of-waste will see the recovery of aggregates from soil and stone and may see further decrease SRF capacity requirements.
VOL III, page 67	Recommend adding to last bullet 'And national by-product decision for site-won asphalt (road planings)'

Regulation 27 (by-products) and Regulation 28 (End-of-Waste)	
Draft Plan detail	EPA Comment
Vol II, page 13	The 8.8 million figure is identified in 2019 waste statistics data. More recent <u>2020 data indicates a figure of 8.2 million tonnes.</u>

Exports	
Draft Plan detail	EPA Comment
Vol II, Section 5.7.1, 1st paragraph  <i>“However, the standard of treatment in destinations outside of the EU is not as certain”.</i>	<p>There is no information/evidence provided to support this statement. It is recommended that this statement is removed if not substantiated.</p> <p>Section 5.7.1, 3rd paragraph states:</p> <p><i>EPA waste statistics for 2019 show that 447,310 tonnes were exported for final treatment.</i></p> <p>This tonnage does not reflect details provided in Table 5.12 (states total exported tonnage is 1,242,697).</p>

## Appendix II. Comments on Targeted Priority Actions

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
<b>Municipal Household</b>			
2.1	<p>Targeted Priority Action as set out in the draft Plan</p> <p>Collaborate with all stakeholders to deliver continued and focused behavioural change campaigns and projects, targeting households, that enable the transition to sustainable consumption.</p>	LAS/EPA	<p>The EPA's focus on behavioural change campaigns and projects targeting households will link to (i) our role in leading the national waste prevention programme (ii) insights from behavioural insights studies (iii) insights from waste statistics and waste characterisation studies. DECC should be included in Communications Campaigns.</p>
<b>Food Waste</b>			
5.1	<p>Collaborate with the Stop Food Waste programme to inform business' and householders on best practice food waste prevention to drive behavioural improvements</p>	EPA/LAS	<p>The EPA in its role in leading the national food waste prevention programme will collaborate with local authorities on sharing/amplifying messaging from the Stop Food Waste campaigns.</p>
5.2	<p>Coordinate the annual National Food Waste Recycling Week in partnership with the members of the National Food Waste Recycling Steering Group and local authorities.</p>	EPA/LAS	<p>The EPA is represented on the National Food Waste Recycling Steering Group and supports the annual national food waste recycling week campaign. In this action the LA is the lead and EPA has a supporting role.</p>
5.4	<p>Provide guidance and support to assist all settings to meet the food waste target and to assist the primary production, manufacturing and processing sectors with the quantification and reduction of food losses along the production and supply chain including post-harvest losses.</p>	EPA/LAS	<p>There is a mismatch in the targeted policies column and the priority actions as prevention is not strictly management (and often management is confused as prevention), so suggest the following text:</p> <p><i>Continue to promote the <u>prevention</u> and optimum and preferred methods for the</i></p>

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
			<p><i>management of food waste in all settings.</i></p> <p>EPA suggested text: <i>Provide guidance and support ...supply chain including post-harvest losses through the roll out of the <u>Food Waste Charter</u></i></p> <p><i>The EPA are the lead delivery body for the Food Waste Charter under the National Food Waste Prevention Roadmap</i></p>
<b>Packaging Waste</b>			
6.4	Collaborate with all stakeholders to deliver continued and focussed behavioural change campaigns and projects, targeting households, that enable the transition to sustainable consumption	DECC/EPA/LAS	The EPA's focus on behavioural change campaigns and projects targeting households will link to (i) our role in leading the national waste prevention programme (ii) insights from behavioural insights studies (iii) insights from waste statistics and waste characterisation studies
<b>Construction and Demolition</b>			
8.3	Develop and deliver training, with the EPA, to support national decisions on Article 27 by-products for road planings and greenfield soil and stone; and support the implementation of a national decision on Article 28 end-of-waste for aggregates, which includes crushed concrete and prioritise the use of materials arising from national end-of-waste or by-product decisions.	EPA/LAS	The EPA will support the LAS by providing guidance and information for regulation 27 by-product (for <i>site-won asphalt</i> =road planings and greenfield soil and stone) and regulation 28 end of waste (for <i>recycled aggregates</i> ) and prioritise the use of materials arising from national end-of-waste or by-product decisions.
<b>Textiles</b>			
9.2	Assess and define the extent of existing textile collection options and infrastructure, including the network of registered charity outlets and	EPA/LAS	It is suggested to include DECC as the lead as they chair the Textiles Working Group.

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
	define the challenges, barriers and gaps to progress		
9.3	Identify measures to promote reuse and repair of textiles – make recommendations on the enhancement of existing options or the introduction of alternative options for textile collection.	EPA/LAS	DECC should lead this action as they chair the Textiles Working Group and this has a number of activities linked to collaboration.
9.4	Encourage and facilitate greater collaboration between the retail, reuse and post-consumer textiles sector to maximise synergies.	EPA/LAS	It is suggested to include DECC as a lead role as they chair the Textiles Working Group and this has a number of activities linked to this collaboration piece.
9.5	Review the regulatory and enforcement regime for textile collection and processing and make recommendations as required.	EPA/LAS	It is suggested that DECC lead as they chair the Textiles Working Group.
<b>Hazardous Waste</b>			
10.1	Conduct awareness raising campaigns to highlight best-practices and alternatives, with initial focus on paints, cleaning products and gardening chemicals.	EPA/LAS	Equivalent Key Action in NHWMP is 5.1 and is the responsibility of the RWMPOs – Both Plans should be aligned.
10.2	Update guidance on disposal of household hazardous waste and disseminate with targeted campaigns through the EPA website, mywaste.ie and waste operators.	EPA/LAS	Equivalent Key Action in NHWMP is 5.1 and is the responsibility of the RWMPOs – Both Plans should be aligned.
10.3	Conduct national surveys on householder awareness and behaviours regarding hazardous substances to inform prevention initiatives and measures	EPA/LAS/CSO	Equivalent Key Action in NHWMP is 5.1 and is the responsibility of the RWMPOs – Both Plans should be aligned.
10.4	Examine the potential of product and in-store labelling of hazardous substances to inform consumer	EPA/LAS	Equivalent Key Action in NHWMP is 5.1 and is the responsibility of the RWMPOs – Both Plans should be aligned.

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
	purchasing and waste management decisions.		
10.5	Identify locations for asbestos collection facilities and work with the EPA to deliver collections and to promote best practice in the management of asbestos contaminated waste	EPA/LAS	Equivalent Key Action in NHWMP is 5.1 and is the responsibility of the RWMPOs – Both Plans should be aligned.
10.6	Ensure that there is an adequate and proportionate enforcement regime in place to mitigate the impact of hazardous waste on the environment and human health and identify deficits where they exist	EPA/LAS	The language used in action 10.6 is not clear. The <u>closest</u> Equivalent Key Actions in NHWMP are 2.1 to 2.3, however, NTFSO could also be considered as a stakeholder here.
<b>Infrastructure/Regulatory</b>			
11.2	Develop a National Waste infrastructure Capacity Register and other improvements to aid the consenting process	EPA/LAS	EPA have developed a National Waste Capacity Register for EPA licensed sites, and the LAS (through the NWCPO) have a register for Waste Facility Permits and Certificates of Registration. Recommend that EPA are joint leads with LAS.
11.3	Ensure at least one facility per local authority is authorised for storage of waste from road maintenance and other local authority construction projects.	EPA/LAS	The EPA are responsible for issuing the Waste Facility Permit to the Local Authorities however the onus for this action is on LA to lead and obtain the authorisations. Local authority to address capacity and to ensure they provide for sufficient capacity in the first instance.
<b>Reuse and Repair</b>			
12.1	Promote the development of repair and preparing for reuse initiatives with the provision of technical, regulatory and financial support working in partnership with the voluntary sector and other parties.	LAS	The EPA welcomes partnership working as identified in TP12.1. The EPA considers that the National Reuse and Repair Partnership which is an action for delivery under the Circular Economy Programme will play a key role in this. The local authority sector and DECC are represented



PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
			on the membership of this developing partnership initiative. It is therefore recommended to include the EPA and DECC as responsible organisations.
12.5	Investigate the appropriate authorisation regime for reuse and repair activities to facilitate the capture of reuse and repair data.	EPA/DECC/LAS	<p>It may be better to consider this as two separate actions:</p> <ul style="list-style-type: none"> <li>- one on the most appropriate consenting regime for reuse and repair infrastructure (for example an initial action may be timely to review the class of activities under the waste management facility and permit regs to assess whether different activities need to be included especially in the reuse and repair space)</li> <li>- a separate action on the collection of reuse and repair data should be investigated.</li> </ul> <p>The EPA leads on the formation of the National Reuse and Repair Partnership. The partnership will serve as a vehicle for addressing barriers to reuse and repair and will engage with relevant stakeholders to drive the sector forward.</p> <p>Both of the topics identified in TP12.5/PA12.5 fall within the scope of the partnership.</p> <p>EPA guidance on reuse will be available in later 2023 so should assist with delivery of this action. Reference could be made in this re-worded action to the EPA guidance.</p>
<b>Recycling Infrastructure</b>			
13.2	Investigate the potential for circularity of Incinerator Bottom Ash using the by-product or end of waste regulatory mechanisms.	EPA/LAS	The EPA recommend that this action should be led by Industry.
13.4	Evaluate the processes and outputs of Material Recovery Facilities, set a	EPA/LAS/IND	The Circular Economy Programme in cooperation with

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
	goal for the circularity of waste streams and identify process enhancements or alternative processes.		other EPA sections (licensing and OEE), LAs and industry and contribute to the development and implementation of; <ul style="list-style-type: none"> <li>• an evaluation process;</li> <li>• a reporting/recording system to capture and update the results of the evaluations;</li> <li>• an agenda for improvements of processes.</li> </ul>
<b>Recovery Infrastructure</b>			
14.1	Ensure that there is an agreed schedule of planned maintenance shutdowns within the thermal sector to minimise disruption to waste treatment.	EPA/LAS	The EPA exercises an independent statutory role in its enforcement of EPA authorisations; nothing in the plan can interfere with that independent statutory role.
14.2	Set a circularity goal for the output from biological treatment facilities and for soil and other construction and demolition waste streams.	EPA/LAS	It is not clear what is envisaged by this action, does it relate to target recovery rate, or achieving end-of-waste status? It is recommended to make this more specific/ defined.
14.3	Determine the implications of calorific values on thermal capacity with the thermal recovery sector (e.g., waste to energy plants)	EPA/LAS	The EPA exercises an independent statutory role in its enforcement of EPA authorisations; nothing in the plan can interfere with that independent statutory role.
14.5	Liaise with the EPA on the enforcement of Waste Recovery Licences to avoid disruptions to waste treatment.	EPA/LAS	The EPA exercises an independent statutory role in its enforcement of EPA authorisations; nothing in the plan can interfere with that independent statutory role.
<b>Disposal Infrastructure</b>			
15.5	<i>Encourage appropriate alternative land uses at authorised inactive landfills (uncommenced, permanently closed, or temporarily</i>	LAS	This does not appear to match correctly with the associated PA15.5: i.e., appropriate

PA	Targeted Priority Action identified	Responsibility/ Organisation identified	EPA Comments
	<i>closed) subject to amendments to existing approvals.</i>		alternative land uses does not indicate landfilling.
15.6	<i>Liase with the EPA on the enforcement of Waste Disposal Licences to avoid disruptions to waste treatment</i>	LAS/EPA	The EPA exercises an independent statutory role in its enforcement of EPA authorisations; nothing in the plan can interfere with that independent statutory role.
<b>Hazardous Infrastructure</b>			
16.1	Identify hazardous waste streams where there is an associated treatment capacity risk	EPA/LAS	The EPA welcome this priority action and will take a leading role with collaboration from Local Authorities.
16.3	Develop a register of hazardous waste storage / processing/ treatment facilities with a particular focus on business continuity and contingency	EPA/LAS	The EPA welcome this action and will lead and collaborate with Local Authorities.
16.4	Liase with the EPA on the enforcement of Hazardous Waste Licences to avoid distributions to waste treatment.	EPA	The EPA exercises an independent statutory role in its enforcement of EPA authorisations; nothing in the plan can interfere with that independent statutory role.

### Appendix III. Comments on Key Deliverables

KD	Key Deliverable	EPA Comment
3	<p><b><u>Continued Waste Prevention Campaigns</u></b></p> <p>The LAS has delivered coordinated national and local waste prevention campaigns on behalf of DECC and will continue to do so with the support of DECC.</p>	<p>The National Waste Prevention Programme sits within the EPA-led Circular Economy Programme.</p> <p>The co-ordination of national and local waste prevention campaigns needs to be carried out in co-operation with EPA (given its statutory role) as well as DECC.</p> <p>This will bring greater co-ordination and amplification to national awareness campaigns and messaging.</p>
4	<p><b><u>Enforcement of the Bye-Laws</u></b></p> <p>This Plan commits the WERLAs and LAS to more rigorous enforcement of the bye-laws on the segregation, storage and presentation of municipal waste.</p>	<p>Recent waste data reported by the EPA shows that the recycling rate has stagnated, and Ireland is struggling to make progress. Source segregation at the household and non-household level is key to improving the quality and quantity of dry recyclables and organics. The consistent implementation and enforcement of household and commercial bye-laws across every local authority area is critical to support segregation of materials at source as part of the 3-bin system. Similarly, enforcement of collectors is also needed through compliance with permit conditions is needed.</p> <p>It is recommended that more rigorous enforcement of waste collection permits is included as part of this deliverable.</p>
6	<p><b><u>Brown Bin Collection</u></b></p> <p>The LAS will require private waste collectors to fully roll out the food waste recycling bin and increase this recycling collection network</p>	<p>Ireland is off-track to achieve the mandatory municipal waste recycling target of 2025 and 2030. The rollout of brown bins to households, including apartments, and business is the first step in implementing a fully source segregated waste collection system. Once bins are in place the focus can switch to encourage, incentivising and enforcing the segregation of food wastes. It is not clear from the deliverable how the LAs will ensure that collectors' rollout brown bins in line with the latest regulations.</p> <p>It is recommended that this deliverable include a reporting element by collectors which will allow an analysis of progress in terms of rollout and capture of separately collected food waste.</p>
7	<p><b><u>National Decision Article 27</u></b></p> <p>The EPA have committed to a national decision on Article 27 which will unlock the potential for a</p>	<p>The EPA have committed to a national decision on <del>Article</del> <i>Regulation 27</i> (by-product) which will unlock the potential for a reduction in significant amounts of waste <i>and increase in circularity rates</i> annually.</p>

KD	Key Deliverable	EPA Comment
	reduction in significant amounts of waste annually.	
8	<p><b><u>National Decision Article 28</u></b></p> <p>The EPA have committed to a national decision on Article 28 which will unlock the potential for a reduction in significant amounts of crushed aggregate waste annually.</p>	<p>The EPA have committed to a national decision on <del>Article</del> <i>Regulation 28</i> (end-of-waste) which will unlock the potential for a reduction in <del>significant amounts of crushed aggregate waste</del> <i>consumption of primary aggregates and increase in circularity rates</i> annually. VOL III PAGE 19 KD8</p> <p>Suggested change wording in header from “crushed aggregate” to “recycled aggregate”.</p> <p>In the second paragraph reference to by-product is not appropriate under article (regulation) 28 end-of waste.</p> <p>It should be noted that the national decision for recycled aggregates allows for the recovery of aggregates from soil and stone and that it is recommended that prediction figures both for by-product soil and stone and end-of-waste recycled aggregates account for this.</p>
9	<p><b><u>C and D Best Practice Guidelines</u></b></p> <p>The LAS is committed to the roll out and promotion of the EPA best practice guidelines for C&amp;D projects.</p>	<p>The EPA welcome the action to commit to the roll out and promotion of the EPA Best Practice Guidelines for Resource and Waste Management Plans for C&amp;D Projects.</p> <p>Priority Action 8.2 to ‘pilot the preparation of Resource &amp; Waste Management Plans for construction and demolition projects at selected local authority developments’ is also welcome.</p>
11	<p><b><u>Reduce Contamination</u></b></p> <p>The LAS will establish an enabling group to coordinate the delivery of the plan target on contamination</p>	<p>The design of the contamination target as currently set out is focused on a mass balance approach at materials recovery facilities and composting and anaerobic digestion plants by setting a <b>“minimum of 90% of the materials collected in these bins are suitable for recycling”</b>.</p> <p><b>To implement this approach will require a change to conditions to relevant existing EPA and local authority waste authorisations. This will be a challenge to introduce in the short term.</b> However similar contamination limits are not applied to collectors and producers (householders or business) through collection permits and bye-laws which may undermine source segregation of waste (through the 3-bin system). A functioning source-segregated kerbside system is fundamental to the collection of quality materials and enhancing rates of recycling. Setting contamination limits through</p>

KD	Key Deliverable	EPA Comment
		<p>the collection permits and bye-laws needs to be considered as part of this target.</p> <p>A recent German Law (Biowaste Ordinance Law) is proposing to implement a contamination limit on collectors and facilities and it is recommended that it is reviewed as part of the final review of this target.</p> <p>It is recommended that the proposed enabling group for this deliverable would be a sub-group of the existing <b>National Waste Data Network with the group co-chaired by the EPA and the local authorities</b>. It is suggested that the group would first look at the options to deliver the plan target.</p>
17	<p><b><u>Monitor Reuse and Repair</u></b></p> <p>The EPA is required to monitor reuse by a common methodology and the LAS will support the EPA in this activity</p>	<p>The lead local authority supporting the EPA should be identified in the Plan.</p> <p>The target will need to be adjusted based on the new baseline produced by the EPA in 2023.</p>
25	<p><b><u>National Coordinating Group for Waste and the Circular Economy</u></b></p> <p>DECC, LAS and EPA will collectively establish the NCGWCE to agree and align work plans, priorities, and supports to maintain the continuity of activities and accelerate the transition to a circular economy.</p>	<p>The draft Plan proposes a new governance structure namely the national coordinating group for waste and Circular Economy. The current governance arrangements in the waste and circular economy sectors are extensive which have been created reactively rather than to a specific design. The EPA are currently funding an IPA research project titled <i>Waste and Circular Economy Governance</i> which is reviewing the current arrangements in place for the circular economy and bioeconomy. A workshop on findings is scheduled for Q1 2024 with a final synthesis report schedule for Q2 2024.</p> <p>Establishing the NCGWCE in advance of the findings of this study is premature. A new governance structure for the sector will be informed by the findings and recommendations of the study. The findings will also consider whether waste and circular economy need separate governance arrangements.</p> <p>It is suggested that the wording of the deliverable focus on “establishing the appropriate governance arrangements” rather than being explicit on the role of the national coordinating group. It is also worth noting that DECC are due to publish an updated Whole of Government Circular Economy Strategy which is likely to include an update on governance arrangements for the strategy. This also needs further consideration.</p>

KD	Key Deliverable	EPA Comment
28	<p><b><u>National Forum</u></b></p> <p>LAS, DECC and the EPA will cooperate to facilitate an annual national forum on waste and the circular economy to maintain collaborative engagement.</p>	<p>The proposal to facilitate an annual national forum needs to consider existing national forums and working groups in place, in particular the DECC's waste/circular economy advisory group which has multiple representatives from public bodies, industry, compliance schemes, unions, NGOs and charity. This deliverable is linked to the outcome of key deliverable 25 also and the structures recommended.</p>
34	<p><b><u>Communications Strategy</u></b></p> <p>DECC, LAS and the EPA through the NCGWCE will develop a multi annual National Circular Economy Communications Strategy to be implemented in partnership.</p>	<p>There is an existing national waste &amp; circular economy communications strategy group, chaired by DECC's Circular Economy Division. It is not clear if this deliverable is replacing this existing group.</p>
41	<p><b><u>Strategic Multi Annual Work Planning.</u></b></p> <p>The LAS, DECC and EPA will produce a strategic multi-annual work plan through the recommended NCGWCE to ensure alignment of objectives, priorities and supports</p>	<p>It is important that there is clarity on the roles of the key stakeholders, LAs, DECC and EPA in the delivery of waste and circular economy actions. An agreement defining clearly the roles and responsibilities of key stakeholder is needed to bring certainty and ownership to policy areas and actions.</p> <p>Once in place, common policy areas/topics of work can be aligned and planned to avoid duplication of effort.</p> <p>This deliverable is linked to the outcome of key deliverable 25.</p>
46	<p><b><u>Improve Waste Data Quality and Availability</u></b></p> <p>The LAS including NWCPO and NTFSO will work with key partners DECC and EPA on the improvement of the quality and availability of waste data</p>	<p>The provision of accurate and timely data is a key strategic priority for the EPA. We will work with our stakeholders through national fora, legislation and data sharing agreements to provide waste data within 12 months of the reference year.</p> <p>As discussed at recent National Waste Data Network Meetings the responsibility for collating, validating and producing the local authority and litter dataset will transfer from the EPA to the local government sector from 2024 onwards. In line with this core policy the local authorities will be required to deliver this dataset by an agreed date each year so the EPA can publish completed national datasets in a more timely fashion which are critical for assessing the State's progress to targets and Draft Plan targets. The EPA will also require the local authority to collect specific data (such as source data) from the largest waste facility operators annually. This information is</p>



KD	Key Deliverable	EPA Comment
		required each year as part of our national reporting of municipal waste.
48	<p><b><u>Reuse / Repair Enabling Group</u></b></p> <p>The LAS and EPA will coordinate the establishment of a Reuse / Repair enabling group to carry out the tasks to support the determination of sustainable reuse and repair targets.</p>	<p>The National Reuse and Repair Partnership will be the vehicle for this enabling group, and to determine reuse and repair targets</p> <p>The EPA should be identified as a member of the Enabling Group. The EPA is not listed in Figure 9.1 (page 67).</p>

## Appendix IV. Comments on the SEA Environmental Report

### General Comments

The EPA is designated as a statutory environmental authority under the Strategic Environmental Assessment (SEA) Regulations. In our role as a SEA environmental authority, we focus on promoting the full and transparent integration of the findings of the SEA into the National Waste Management Plan for a Circular Economy (NWMP) and advocating that the key environmental challenges for Ireland as set out in *Ireland's Environment - An Integrated Assessment* are addressed in the context of the plan. Our functions as an SEA environmental authority do not include approving or enforcing SEAs or plans.

There may be merit in publishing the SEA scoping report alongside the environmental report and the NWMP on [mywaste.ie](http://mywaste.ie) to enhance transparency and accessibility. The scoping report includes further information relating to the current state of the environment.

### Strategic Environmental Assessment Non-Technical Summary

It should be noted that the non-technical summary is intended as an aide to the general public and should encourage public participation. As such, the document should be written in plain language, highlighting key relatable issues to that the people understand them and thus meaningfully engage in the SEA process. It would be useful to review the document to ensure the information contained within it is presented with the general public in mind. For example, Table 8: *Summary of Assessment – Focus Area Target Policies and Priority Actions* covers 16 pages. The table refers to the mitigations proposed in code form – these should be explained so the measures are clearly understood by the readers.

### Integration of SEA into the Plan

The integration of the SEA process should reflect the overall objective of the SEA Directive “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes”.

A key aspect that needs to be addressed relates to the level of integration of the findings and recommendations of the SEA into the plan. We note the inclusion of the list of mitigation measures from both the SEA environmental report and the appropriate assessment in Appendix 12 of the plan. We note also that the Summary of SEA and AA mitigation measures, included in Volume II of the plan, “commits to the incorporation of these measures through the implementation of the Plan”. However, it is not clear within each of the policies and actions, identified as needing mitigation, how the mitigation measures will be implemented. The plan should clearly integrate the mitigation measures as part of each of the policies and actions identified.

### Chapter 3: Strategic Environmental Assessment Methodology

It would be useful to make reference in Table 3.1 *SEA Steps* to the SEA scoping workshop which took place in December 2021.

We note the extensive list of comments received from the statutory SEA environmental authorities at scoping stage have been included (Table 3.2 *Statutory Consultee Scoping Responses*). It would be useful to include an additional column in Table 3.2 addressing how the comments were incorporated into the SEA environmental report and/or the plan.

Furthermore, it would be useful to explain the level of transboundary consultation that has been undertaken both at SEA scoping and environmental report stages e.g. has transboundary consultation been carried out with countries other than Northern Ireland. This would include a discussion on any outcomes from the transboundary consultations and how any information gleaned from the consultations has been incorporated into the environmental report.

It is clear that there was good communication between the plan making and the SEA teams. Both the SEA environmental report and the non-technical summary would benefit from the inclusion of a diagram outlining how the environmental assessment processes influence the development of the plan and are undertaken in parallel with the development of the plan.

### Chapter 4: Review of relevant plans and programmes

The NWMP should align with key relevant higher-level plans and programmes and be consistent with the relevant objectives and policy commitments contained therein. In order to demonstrate this the SEA environmental report, the non-technical summary and the plan would benefit from the inclusion of a schematic showing the plan hierarchy for waste related plans, e.g. European Green Deal, Circular Economy Action Plan, Waste Action Plan for a Circular Economy, etc. This would help identify areas which need closer coordination and integration, as well as provide context for where the plan sits in the policy landscape.

The discussion on the European Green Deal in section 4.3.2 should acknowledge the requirements of the *Fit for 55* package.

### Chapter 5: Relevant aspects of the current state of the environment

We welcome the detailed references to the EPAs Statement of the Environment Report 2020 in this chapter. However, the inclusion of the summary assessment in Table 5.1 and the key findings in Table 5.2 may be confusing. The inclusion of Table 5.1 may suffice as a baseline assessment of the environment and highlighting the relevance to the plan.

We acknowledge the use of the Environmental Sensitivity Mapping webtool to generate sensitivity maps to give a strategic overview of the cumulative distribution of likely sensitive areas from the national perspective. Section 5.3.10.2 *ESM Discussion* should address the output that illustrates the presence of some existing waste facilities adjacent to or within specific environmentally sensitive areas, e.g. compliance with environmental licences. It would also be useful for the

discussion to elaborate on how the sensitivity maps will be incorporated into the plan, e.g. advice for use in lower-level planning hierarchies.

The inclusion of Table 5.8 *Likely Evolution of the Baseline without implementation of the Plan* is welcomed. It could be enhanced with the support of data and standards to reinforce the goal of the new plan to change the future baseline in relation to generation of waste.

#### Chapter 6: Framework for Assessment

We welcome the inclusion of Table 6.1 *Strategic Environmental Objectives*, and in particular, the links illustrated between each of the objectives the sustainable development goals. The objectives could be made more robust by reference to legal standards and targets, which are included in the proposed SEA monitoring programme. Clearly illustrating the link between the objectives, the legal thresholds, standards and targets and the proposed monitoring programme would also improve the transparency and effectiveness of the entire SEA process.

#### Chapter 7: Alternatives

The SEA Environmental Report includes a comprehensive assessment of the alternatives for the plan, including how the SEA and plan teams worked together to identify the strategic direction for the plan.

The analysis of the alternatives would have benefited, under the 'business as usual' scenario, from the inclusion of information on why/how the plan targets were chosen e.g. 0% waste growth, 1% MSW per person per year, etc.

#### Chapter 8: Assessment of Preferred Scenario

This chapter includes an extensive discussion relating to each of the core policies, target policies and the priority actions included in the plan. Alongside the discussion are proposed SEA mitigation measures for certain policies and actions. There is merit in further explaining why some of the mitigation measures have been chosen and link them back to specific potential impacts of the plan.

As discussed above, it is important that the recommendations of the SEA environmental report are fully integrated into the plan, or if not the case, an explanation provided as to the reasons for not including them. This is particularly important given that this new waste management plan is the key mechanism for driving the transition to a circular economy in Ireland. Likewise, the mitigation measures from the appropriate assessment should be integrated into the plan. To this end, we recommend including a section in both the SEA and the plan, explaining how the recommendations and mitigation measures from the environmental assessments have been integrated into the plan. This would also demonstrate that the plan making process was fully integrated with the assessment processes rather than undertaken as separate processes.

## Chapter 9: Mitigation and Monitoring

The Monitoring Programme should be flexible to take account of specific environmental issues and unforeseen adverse impacts should they arise during implementation. It should consider and address the possibility of cumulative effects. Monitoring of both positive and negative effects should be considered. The monitoring programme should set out the various data sources, monitoring frequencies, responsibilities and reporting.

We note the inclusion of the ambitious monitoring plan in Table 9.3: *Proposed SEA Monitoring Programme*. If implemented in full, this monitoring programme will provide very useful information which can inform the implementation of the plan. It would be useful within the table, to make the distinction between data source and responsible organisation. In addition, the monitoring programme should include a commitment to publishing annual, or biennial, implementation/monitoring reports with key indicator data. This would enable the National Waste Management Planning Offices to assess the delivery of the plan's commitments. It would also enhance transparency of the plan and provide a means of communicating with the public.

If the monitoring identifies adverse impacts during the implementation of the plan, the Regional Waste Management Planning Offices should ensure that suitable and effective remedial action is taken. We note the acknowledgement in the SEA environmental report that remediation of any unforeseen effects is likely to require a more integrated response across different organisations. The EPA recommended, as part of our scoping submission, the establishment of an Environmental Working Sub-Group. It would be useful to include a commitment to the establishment of this group, to provide oversight of the environmental monitoring and reporting phase of the plan.

The implementation, monitoring and reporting on the plan should be aligned with the environmental monitoring and reporting required under the SEA legislation. This will assist in evaluating the environmental performance of the national waste management plan.

Guidance on SEA-related monitoring is available on the EPA website at <https://www.epa.ie/publications/research/environmental-technologies/research-306-guidance.php>. The guidance refers to the EirGrid Grid 25 Implementation Programme which may be a useful example in deciding indicators, sources of data and monitoring frequencies.

### Future Amendments to the Plan

Any future amendments to the Plan should be screened for likely significant effects, using the same method of assessment applied in the "environmental assessment" of the Plan.

### SEA Statement – Information on the Decision

Once the RBMP is adopted, an SEA Statement should be prepared that summarises:

- How environmental considerations have been integrated into the RBMP;
- How the Environmental Report, submissions, observations and consultations have been taken into account during the preparation of the RBMP;

- The reasons for choosing the RBMP adopted in the light of other reasonable alternatives dealt with; and,
- The measures decided upon to monitor the significant environmental effects of implementation of the RBMP.

A copy of the SEA Statement with the above information should be sent to any environmental authority consulted during the SEA process.

Guidance on preparing SEA Statements is available on the EPA website at the following link: <https://www.epa.ie/publications/research/environmental-technologies/research-306-guidance.php>

### Environmental Authorities

In accordance with the SEA Regulations, the following authorities should be consulted with:

- Environmental Protection Agency;
- Minister for Housing, Local Government and Heritage;
- Minister for Environment, Climate and Communications; and,
- Minister for Agriculture, Food and the Marine.