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Commission for Regulation of Utilities,
The Exchange,
Belgard Square North,
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29th January 2026

Re: CRU Draft Determination on Uisce Éireann's revenues for Revenue Control 4 (2025-2029) - EPA Reference Number: EPAC-0226

A Chara,

The Environmental Protection Agency (EPA) welcomes the opportunity to provide a submission on the Commission for Regulation of Utilities (CRU) Draft Determination on Revenue Control 4 (RC4) for the 2025–2029 period.

Uisce Éireann provides an essential public service. The EPA, through its enforcement activities and assessment of water quality data, has identified that Uisce Éireann fails to meet licence requirements or national standards. Immediate capital investment and improvements in operational performance are necessary, as outlined in the EPA's National Drinking Water and Urban Wastewater reports published in 2025. These failures are particularly acute in wastewater treatment, where discharges from wastewater plants on the EPA's wastewater priority list, continue to cause significant environmental impacts on receiving waterbodies. These failures cannot be allowed to continue and must be addressed as quickly as possible. Funding under RC4 should be targeted to address these priority areas. The EPA's latest Urban Wastewater Treatment report^[1] shows that 59% of discharges from wastewater plants failed to consistently meet licence standards, with almost half of these failures linked to operational shortcomings. The CRU's assessment of RC3 reinforces these concerns, noting that Uisce Éireann did not meet its wastewater performance objectives, particularly in relation to

environmental compliance and the delivery of planned upgrades. While the EPA welcomes the increased investment in wastewater infrastructure proposed under RC4, this funding must be targeted to priority areas, where it will deliver the greatest environmental benefit, and the pace of delivery of these projects must also improve. In parallel, wastewater plants must be operated effectively to ensure compliance with EPA licence standards.

While RC4 covers all water services, the EPA's submission focuses on two key issues related to wastewater treatment, before further issues are outlined in relation to wastewater treatment and drinking water provision.

Key Issues for CRU Consideration

EPA wastewater priority areas

The EPA has identified 75 priority wastewater^[2] areas where improvements in wastewater treatment must be prioritised to deliver the greatest environmental benefit for receiving waterbodies. While RC4 provides funding for 23 of these priority areas, this represents only a portion of the total number of sites requiring capital investment/intervention. Therefore, not enough will be improved under RC4 to resolve these priority areas, particularly the areas identified as Water Framework Directive pressures. The EPA requests that RC4 should be amended to include greater expenditure on priority wastewater areas identified by the EPA. In addition, the EPA is concerned that the pace of delivery of projects remains protracted and CRU should consider metrics to monitor Uisce Éireann's progress in delivering projects from initial design to completion.

Greater focus on operational performance under RC4

Based on EPA's assessment of compliance data and site inspection findings, a significant proportion of wastewater treatment failures are as a result of operational shortcomings. The EPA notes and welcomes the increased allocation of funding towards operation expenditure in RC4 compared to RC3. Operational funding must be prioritised towards strengthening the operation and management of all wastewater treatment plants to ensure they consistently perform at their best. In addition, Uisce Éireann must implement effective preventative maintenance and repair programmes, to keep all assets in optimum condition, enhance resilience and prevent breakdowns. CRU should, through the RC4 Performance Assessment Framework (PAF), require Uisce Éireann to place greater emphasis on operational performance with metrics such as the implementation of preventative maintenance programmes. Greater investment in preventative maintenance, alongside improved practices, is essential to reducing avoidable failures and ensuring consistent compliance. Strengthening the alignment between CRU's operational metrics and EPA licence requirements, such as reducing incidents caused by operational failures, would support more coherent oversight and clearer reporting on operational performance.

The bullet points below outline further wastewater issues that need to be addressed during RC4.

- Accelerating delivery to address pollution pressures**

Wastewater discharges are identified as pollution pressures affecting nearly 200 waterbodies^[3]. The pace at which Uisce Éireann identifies and delivers improvements needs to accelerate. Where investment for infrastructural upgrades is not provided in RC4, Uisce Éireann should advance projects through pre-construction stages so construction can begin as soon as funding becomes available.

- **Addressing EU infringement cases**

The European Commission currently has two open infringement procedures against Ireland for non-compliance with the Urban Wastewater Treatment Directive (91/271/EEC revised as 2024/3019) with significant issues to be addressed at networks such as Cork City and Middleton. RC4 should be used to bring all the sites listed into compliance at the earliest opportunity.

- **Improved sewage network overflow monitoring and national reporting**

Improvements in overflow monitoring from sewage networks provided for in RC4 are welcome. However, Uisce Éireann should establish a national system to gather data from these monitors to enable analysis and national reporting. This should be incorporated into RC4.

- **Shellfish water protection**

RC4 should include provisions for Uisce Éireann to complete all outstanding assessments of the impacts of discharges on shellfish waters and implement appropriate action plans to address any adverse impacts highlighted through these assessments.

The sections below outline the key drinking water issues that need to be addressed during RC4.

The EPA's Drinking Water Quality in Public Supplies Report 2024^[4] (published July 2025) shows that over 99.8% of public water samples meet bacterial and chemical standards, yet 45 public water supplies (serving around 497,000 people) have been identified as "at-risk". Supplies identified as 'at risk' require significant upgrades to ensure long-term resilience and public health protection. Considering these findings, the following issues were identified for consideration and inclusion in RC4 by the CRU in relation to drinking water

- **Need to accelerate progress on EPA-identified at-risk supplies**

The EPA has identified 45 public water supplies^[5] which require significant upgrades to ensure robust treatment and protect public health. While RC4 includes investment to address most of these supplies, the remaining supplies should also be addressed in RC4, to protect public health and ensure compliance with the Drinking Water Directive.

- **Positive emphasis on risk-based prioritisation under RC4**

RC4 places a strong emphasis on addressing risk at drinking water supplies, which the EPA welcomes. A structured, risk-based approach ensures that investment and operational focus are directed first toward supplies with the greatest vulnerability. This will help to reduce the number of "at-risk" supplies, prevent problems before they arise and ultimately strengthen treatment resilience.

- **Leakage**

In the Draft Determination Executive Summary the CRU notes that the CRU's Performance Assessment Framework (PAF) Report highlighted that Uisce Éireann failed to achieve key performance targets in relation to leakage during RC3. The EPA

considers that a higher level of ambition is required to reduce the level of leakage in the shortest possible timeframe.

To conclude, the EPA also wishes to draw attention to some cross-cutting issues relevant to both drinking water and wastewater services

- **Details of capital projects**

In the interest of clarity for the public, RC4 should provide a list of all projects to which capital investment has been allocated, the works to be undertaken, and the proposed timeframe for commencement and completion of the works.

- **New legislation**

It is essential that proposed capital investments during the RC4 period are strategically aligned with the requirements of new legislation, including the revised Urban Wastewater Treatment Directive (2024/3019).

I trust these comments will assist the CRU in finalising its decision. We are happy to meet to discuss these matters further, if this is of assistance.

Yours sincerely,



Noel Byrne
Programme Manager
Office of Radiation Protection and Environmental Monitoring

^[1] <https://www.epa.ie/publications/monitoring--assessment/waste-water/Urban-Wastewater-Treatment-in-2024-report.pdf>

^[2] <https://www.epa.ie/our-services/compliance--enforcement/waste-water/urban-waste-water/urban-waste-water-priority-areas/>

^[3] <https://www.catchments.ie/significant-pressures-urban-waste-water/>

^[4] https://www.epa.ie/publications/compliance--enforcement/drinking-water/annual-drinking-water-reports/FINAL-EPA_DrinkingWaterQualityinPublicSupplies2024-v1.4.pdf

^[5] EPA Drinking Water Remedial Action List Q2 of 2025 | Environmental Protection Agency