

30th January 2015

Re: EPA Response to Consultation on the Draft Regional Waste Management Plans

To whom it concerns,

The Environmental Protection Agency (EPA) is pleased to provide comment on the draft Regional Waste Management Plans through this public consultation. It is noted that EPA has already provided significant input to the preparation of these plans both through formal committees and through informal personal communications.

In general, the EPA welcomes the regional approach to waste management. The potential benefits to this approach are clear in terms of developing more streamlined and coherent responses to waste management challenges.

EPA notes that the plans have been prepared with strong reference to national and EU waste strategy and welcomes the ambitions on managing waste through actions that are placed on higher tiers of the waste hierarchy. In particular, mention of waste prevention throughout the plans is good, as is the commitment to staffing for this area.

The collaborative approaches described in the policy actions should deliver strong positive outcomes. EPA looks forward to engaging constructively with the new Regional Waste Offices, and to building on existing strong relationships with Local Authority staff.

With regard to specific comments on the topics & issues raised in these plans, EPA is pleased to make some detailed observations. EPA remarks are presented on the following pages and are grouped under the following headings:

- *Waste Prevention*
- *Re-Use*
- *Licensing*
- *Enforcement & Regulation*
- *Domestic Wastewater Treatment Sludges*
- *Waste Data & Indicators*
- *Integration of the SEA into the Plans*
- *Hazardous Waste*

On behalf of the EPA, I trust this submission is helpful in finalising these important documents.

Sincerely,



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Manager, Resource Efficiency Unit
Environmental Protection Agency

Note: In some circumstances, EPA comments are referenced to specific sections/pages of a particular regional report. Where this occurs, it is noted in the text. However, the authors of the three regional plans are strongly urged to consider all comments as in most cases they are applicable across all three plans.

Waste Prevention

EPA welcomes a clear focus on waste prevention throughout the plans. The commitment to staffing for this area is welcome and EPA looks forward to the collaboration described. The plans identify a clear distinction between 'waste management' and 'waste prevention' but the authors should consider including potential waste prevention activities in the relevant sections on waste management to ensure it is embedded in waste activities. e.g. food waste prevention and home composting promotion has an important role to play in 'managing' this waste stream.

Experience through the activities of the members of the Local Authority Prevention Network (LAPN) has shown that carrying out waste prevention programmes is not complicated but it is essential for adequate resources, in terms of funding and staff time, to be allocated. In this regard it is welcome to see a mechanism proposed to ensure ongoing financial allocation in local authority annual budgets. We have the following observations:

- It should be made clear that this funding is for non-staff costs and is in addition to any grant aid provided for waste prevention related activities awarded through LAPN, from DECLG or EPA. In addition, an allocation of local authority staff time for waste prevention related activities should also be proposed.
- The Waste Framework Directive establishes that "waste prevention should be the first priority of waste management". The proportion of funding allocated for waste prevention activities is a relatively small percentage of the total annual expenditure for the implementation of the plans, and does not reflect this importance of waste prevention in the waste hierarchy. To this effect, the minimum amount proposed of €0.15 per inhabitant is low. Provision should be made within the plans to review this amount and allow for an increase of the amount allocated over the life of the plans.

The authors are probably aware that the European Commission Communication *Towards a circular economy: A Zero waste programme for Europe* (the 'Circular Economy Package') has been withdrawn. The plans should reflect the current situation and possibly note Commission indication that it would be replaced with "more ambitious" legislation in 2015.

The action to maintain implementation of effective programmes on waste prevention is good. There should also be an ambition to develop new programmes – with waste prevention / resource efficiency in the home being an important early target area.

In the policy actions on Resource Efficiency, a useful additional action would be to provide support for SMEs (including micro-enterprises) to realise the economic benefits of resource efficiency (through savings on materials, energy and water). This would be accomplished with LEOs and the EPA's NWPP.

In the same section, and under the action on rethinking raw materials, consider including a reference to Industrial Symbiosis projects (such as SMILE Resource Exchange) which facilitate sourcing and exchanging the secondary raw materials.

The intention to build partnerships is welcome but the action as presented is very broad and it is difficult therefore to determine what actions are expected in this area. A further breakdown of actions in this area or a more detailed description would assist in defining this important work.

EPA notes identification of farm hazardous wastes as a stream of particular concern. Sixteen one-day bring-centres were operated for farm hazardous waste in 2013 and 2014 and proved highly successful collecting 265 tonnes of hazardous wastes and over 100 tonnes of WEEE & batteries. This is probably the largest ever bulk removal of highly toxic pollutants from the Irish environment in such a concentrated period of time. The collections were voluntary and demonstrate both the extent of the issue and the willingness of the farming community to deal responsibly with same. Fifteen local authorities and other government bodies contributed to the success of the initiative (demonstrating the added-value of collaboration). It would be important that the Regions and the local authorities be supportive to the establishment of a national scheme for collection of farm hazardous waste.

Integration of RWMPs with LAPN:

Throughout the plan it is inferred that the Regions will work strongly with existing waste prevention activities, but there is no specific mention of LAPN in the list of actions. It is important that the integration of LAPN activities in to the Regional Plans be more explicit, in particular to ensure efficiencies through combining of resources and to avoid any duplication of effort (e.g. documentation catalogue, case studies, good practice examples, etc.).

It is also noted that the 2012 government policy statement “Delivering our Green Potential” stated that: “*all Local Authorities will be expected to participate in the Local Authority Waste Prevention Demonstration programme*”.

Food Waste

Food waste is identified nationally and at EU-level as a priority issue and while it gets some mention in the plans, there should be a clear policy action to address this issue. The existing Stop Food Waste campaign provides a strong platform for this work and the policy action could commit the regions & LAs to active participation in this successful programme.

Action B.1.1 & B 1.1.2

Based on experience with LAPN in the previous waste management regions, a full time waste prevention co-ordinator, working with environmental awareness officers in each local authority in that region, is a proven successful model for implementing effective waste prevention activities. We therefore strongly support these actions. We have a number of observations on staff requirements for the successful implementation of waste prevention projects for consideration:

A key element of the National Waste Prevention Programme has been to build capacity in relation to waste prevention and resource efficiency within local authorities. Considerable resources have been expended to date in developing expertise and capacity within local authorities during the LAPD programme and subsequently during the LAPN programme. It is essential therefore that this should not be allowed go to waste.

During the progression of Phase 1 and Phase 2 LAPD and the LAPN programmes, it has been observed that personnel working on waste prevention in the participating local authorities have developed significantly in their personal and professional capacity. One important outcome from the programme is the emergence of a group of people with knowledge and experience in relation to running successful waste prevention and resource efficiency programmes. A significant finding of the LAPD Phase 1 & Phase 2 programmes is that prevention programmes require a long lead-in time to allow for suitable projects to be identified locally and contacts to be fostered at grassroots level. Existing LA staff participating in LAPN have expended a significant amount of time building up expertise and making contacts within their functional areas. These LA personnel in the Network now have considerable capacity in prevention. They have also provided significant support and mentoring of new staff wishing to undertake waste prevention activities. This expertise and capacity has been built up as follows:

1. Participation in the HETAC-accredited prevention training course developed under the Local Authority Prevention Demonstration programme
2. On site assistance and technical support provided by Clean Technology Centre, including walk through audits and prevention opportunity assessments, reinforcing the materials in the course.
3. Significant time dealing with target groups such as householders, communities, business, public bodies, farmers, festival organisers. This has involved detailed auditing, delivery of training, awareness raising, preparation of reports, identification of improvement options, etc.

The combination of 1 – 3 above means that these LA personnel are now ideally equipped to run prevention programmes. Any new recruit would have to go through the same process and have the same level of resources committed to them, in order to properly function in the role. It takes several years and considerable input from both within and without to produce a fully functional prevention officer. It is therefore recommended that existing project staff should be allowed to continue in their role so as not to lose this knowledge and expertise.

As has been the case with the evaluation criteria for LAPN grant aid proposals, future applications for grant aid are likely to be awarded additional marks where proposals include LA personnel experienced in waste prevention and further marks will be awarded where the prevention officer has also completed the HETAC prevention course.

The plan refers to appointing a resource efficiency co-ordinator in each of the regions, however this does not appear to be addressed in the actions to the same level as the Waste Prevention co-ordinator.

Re-Use

“Reuse” and “Preparing for reuse”: The promotion of these activities is important and the emphasis in the Plans is positive. Re-use is placed near the top of the waste hierarchy (preparing for re-use) and as such should be vigorously pursued by the LAs & RWOs.

It is acknowledged in the Plans that whilst “reuse” is not a waste activity, “preparing for reuse” is and requires the appropriate waste authorisation – certificate of registration, waste facility permit, waste licence or Industrial Emissions licence. This distinction is important to observe during implementation of the Plan and staff awareness of the difference between reuse and preparing for reuse will need to be high.

There should be consideration given to developing effective routes for discarded bulky items from the householder into the re-use sector and thereby back into use again. Regulatory and other barriers surrounding appropriate collection both at civic amenity sites and via kerbside collection should be identified and resolved. The environmental benefits (improved resource usage, reduced fly tipping) would be complemented by social and economic benefits arising from employment in local communities.

In the context of the principal of the circular economy, the Plans should recognise the opportunities presented by articles 27 and 28 of the 2011 Waste Directive Regulations on by-product and end-of-waste respectively. These articles appear to be only mentioned in section 11.2.5 [SR] of each of the Plans in relation to construction and demolition waste – this is an unnecessary limitation of the opportunities available.

Section 16.4.8 [SR]: The statement that “the operator must seek clarification from the EPA so that it is not a waste” is incorrect. In accordance with article 27 of the Waste Directive Regulations, an economic operator is required to notify the EPA of any decision made to classify a material as a by-product and to explain the grounds for that decision. The EPA may make a determination that the notified material should in fact be classified as waste.

The Region should consider the implications of the recent ECJ judgement against Italy in case C-323/13 in relation to the requirement to treat waste prior to landfilling. The matter of pre-treating waste prior to landfill is dealt with in the Plan (e.g. policy action A.1.1[SR] and discussed elsewhere) and this is a positive proposal. It might be worth considering specific reference to the judgement and how it is to be implemented in Ireland as this might require refinement of proposed actions in due course.

(Page numbers refer to Southern Plan)

Table 18-4 (page 217) Should prevention actions be included in here?

Page 222 in section 18.9 on Benefits – important to mention that RE and WP activities proposed in LA offices should yield cost savings if implemented

Section 19.8 refers to waste streams not subject to EU and national waste management performance targets – so maybe Food waste not appropriate here?

Licensing

In section 13.1.3 of the Southern Plan and section 13.2 of the CU Plan and section 13.1.1 of the Eastern Midlands Plan, the source of the inert classification of so-called biostabilised solid waste should be stated. It is not clear that any such classification has been applied to this material.

Historic Landfills

In section 13.3.1 of the Southern Plan and section 13.4.1 of the CU Plan, there is a reference to “the limited timelines being issued by the EPA to complete the remediation process”. It is not clear what the statement means but it appears to reflect a negative sentiment for which the EPA is responsible. It might be useful to elaborate on the perceived problem and provide evidence of its existence. It should be noted that only one certificate of authorisation has been granted to date. Any perceived problems with the certificate of authorisation process administered by the EPA should be stated and discussed with the EPA’s Environmental Licensing Programme.

Section 13.4.1 of the CU Plan refers to 3 certificates of authorisation having been granted in that region. This is incorrect. No certificates of authorisation have been granted in the region.

Policy action G.2.2. It is inferred that applications for certificates of authorisation should be expected by the EPA from 2017 onwards. To assist the EPA in its own resource allocation planning and to enable the timely processing of applications, it would be helpful if the schedule for making applications was stated and quantified to the extent possible. It is inferred from the draft Plan that the Region does not intend dealing with medium or low risk sites during the period of the Plan or making applications for certificates of authorisation for these sites.

Policy action G.2.3 is to “prepare authorisation applications to the EPA...”. The indicator is “number of authorisations granted” which does not measure performance against the indicator. The indicator might better match the policy action and might instead be “number of applications made”.

Enforcement & Regulation

The three WMPs each follow a similar structure and contain a dedicated Chapter 14 dealing with Enforcement & Regulation. The comments presented below use the Connaght Ulster Region (CUR) plan as a “base” for paragraph numbering etc and the comments are tailored where possible to address the Southern region (SR) and Eastern Midlands Region (EMR) plans.

- Section 14.1 refers to the NWCPO having a role to play in enforcement. This contradicts a later statement in 14.1.4 where it says that the enforcement function is “generally” the responsibility of the Local Authority. It is OEE understanding that the NWCPO have no role in enforcement so better to be clear and unambiguous on this point and amend the references to NWCPO enforcement in 14.1 and 14.1.4.
- Section 14.1.2 should reference EPA’s responsibility for enforcement of CoRs issued to local authorities. At the end of 14.1.2 it says that OCLRR does further enforcement work, including the publication of the National Waste Report. This is not considered to be enforcement work and it should be reworded accordingly.
- Section 14.1.3 is a bit light on the TFS Office role, particularly in relation to any co-operation that exists between the LA enforcement staff and the NTFSO. This should be explored a bit more and included in the plan.
- Section 14.1.5 in the CUR plan contains a table setting out the FTE waste enforcement officers deployed in the region. This is a useful table and should be included in the other two plans.

In addition, reference is made in 14.1.5 to a Section 60 Policy adopted by each local authority in 2009. The SR plan refers to Section 60 policy while the EMR plan refers to it in 14.2. The Section 60 refers to a Policy Direction issued by the Minister requiring the Las, in accordance with a code of practice that the EPA issued, to develop an Enforcement Policy in respect of unauthorised waste activities. More could be said in all three plans on the importance of implementing these policies and keeping them current and putting them into practice. It would be useful to have the plans refer to the current status of these policies as well as make some assessment of the benefits or other of them having been in place for the last 5 years.

- When talking about complaints in 14.1.5, the CUR plan omits on-the-spot fines from the list of powers which is an important administrative fine that can be imposed without recourse to the courts. The section finishes off by making reference to significant centralisation of waste management functions and that these are detailed below. I cant find any reference to any centralisation of functions after that point in the CUR plan?

A similar comment applies to the SR plan but reference is made to 14.3 for significant centralisation of waste mgmt. functions whereas 14.3 is a short paragraph detailing EPA enforcement.

- It would be useful if an “inspection” was defined in the text. Are only on-site visits reported as inspections?
- Figure 14.2 in CUR is confusing and requires effort to see what it was trying to convey. Breaking down the visits into what % relates to WFPs, CORs etc is not especially enlightening. The relatively high level of enforcement of COR sites may not fully accord with risk based enforcement as one would expect activities with WFPs to be higher risk than COR sites yet inspection of WFPs only accounts for less than 5% of all inspections with COR sites over 30%.

The corresponding figures 4.2 in the SR and EWR Plans are presented differently but it is worthy of note that inspections of COR sites do not feature at all?

- Towards the end of Section 14.2.1 it talks about almost all the unauthorised ELV sites having been closed or regularised. The number seems to be ‘one’, so why not say “with the exception of one, all....” For SR, the number of sites is two.

The reports (with the exception of EMR) speaks to ELV sites identified as of November 2010; it would be good to know what about a comment on how sites that have been identified since 2010 been dealt with.

- Section 14.5 deals with changes and challenges – it refers to the introduction of new local authority enforcement structures in 2015. It is probably a bit premature to say that as the CCMA have yet to sign off on this proposal and it is recommended that this section be updated to reflect the most up to date position when the plans are being finalised. The SR and EMR plans are more circumspect in their language
- Section 19.6 of all three plans set out three common enforcement and regulation policy actions. 2 of the three plans refer to responsibility for implementation of enforcement policies being that of the lead authority for waste enforcement in the region. The language should be consistent across the three plans and should reflect the current status of that work.

Notwithstanding any changes on foot of the DOE review, it would be good to see a separate and 4th policy statement in all of the plans committing the enforcement staff to co-operate together and with other enf staff across the other regions, do joint actions, share information etc.

Domestic Wastewater Treatment Sludges

- Section 7.5.8 (page 67) Policy Action H.1.1 and H.1.2. We see the management of sludges arising from domestic wastewater treatment systems as a national priority as this is an area in which action by the homeowner is being actively promoted and indeed is a legal requirement. To assist in determining management options for the collection, treatment and disposal of domestic wastewater sludges, a research project was initiated and the findings can be found in the **STRIVE 123 report**. This may be of assistance in the implementation of the priority actions.

Waste Data & Indicators

(Page-numbers refer to Southern Region plan)

The EPA welcomes that many of the recommendations regarding waste data and indicators in the EPA's December 2013 submission have been taken on board in the preparation of the draft plans, in particular consistency of approach across the regions and a commitment to establish and maintain a waste treatment capacity database.

The EPA has worked closely with the regions in the preparation of the draft waste plans on waste data and indicators and will continue to do so during the plan implementation phase, with the aim of improving the quality, timeliness and transparency of national and regional waste information.

With regard to the performance targets in the draft plans:

- **1% reduction per annum in the quantity of household waste generated per capita over the period of the plan.** The Regions will be aware that the quantity of household waste managed per capita increased in 2013 compared to 2012. With the close link between personal consumption and waste generated by households, there is a risk that economic recovery and increasing personal consumption will make this an ambitious target, but it is nevertheless a useful target to ensure a focus on household waste prevention initiatives. For reporting purposes, it is recommended that the target is based on household waste managed rather than generated. Managed household data are readily available while the methodology for estimation of unmanaged household waste undergoes annual review.

With household waste collection high on the waste policy agenda and with upcoming legislation,, an indicator focussing on household waste collection should be considered. The roll out of the 3rd (organic bin) under the 2013 household food waste and biowaste regulations will be completed over the lifetime of the plan. A target which focusses on implementation of the regulations would be useful as the target's success could incorporate enforcement objectives and prevention initiatives.

- **Preparing for Reuse and Recycling Rate of 50% of Municipal Waste by 2020.** 'Preparing for reuse' is currently not measured,except for specific waste streams such as WEEE for which preparing for reuse forms part of the reporting obligation under the Directive. Most preparing for reuse WEEE is of non-municipal B2B WEEE. Reporting on 'preparing for reuse' of municipal waste could therefore be difficult. Also most municipal waste generated in the region will be exported outside of the region for recycling, so tracking it to point of final treatment will be difficult as it will be mixed with waste from other regions, exported etc. Also it would be useful to clarify if this target is to be based on % of municipal waste managed (vs generated).
- **Reduce to 0% the direct disposal of unprocessed residual municipal waste to landfill from 2016 onwards.** What is meant by 'direct disposal' and 'unprocessed' needs clarification. Does this mean residual municipal waste collected from kerbside and delivered directly to landfill only? Or does it also include waste that goes from kerbside to bulking station and then to landfill? What about residual waste brought to civic amenity sites, pay to use compactors, or directly accepted at landfill from households, would these sources of residual municipal waste be included in the target reporting?
- Note that Commission Decision 2014/955/EU amends Decision 2005/532/EC establishing a list of wastes and applies from 1 June 2015.
- **List of terms** – Certificate of Registration. Only refers to CoRs issued by local authorities, should also reference EPA issued CoRs.
- **List of terms** – National Waste Data Base Report. Please remove the words 'Data Base'.
- **List of terms** – Waste collection permit system. Needs to be updated to reflect NWCPD role (permit not issued by LA in whose functional area waste is collected). See also WCP definition.
- **Page 7.** Future targets to 2030 (table). The second target re eliminating the use of landfilling of all major waste streams is not clear as there is a mix between 'all wastes' and then 'residual wastes'. What type of municipal, industrial, C&D wastes would be targeted for recovery over landfilling?
- **Table pg. 7.** The total in this table is misleading, as the tonnages presented do not add up to the total. Household waste is a subset of municipal waste and 'other waste' such as industrial process waste is not included.
- **Table page 9.** Is this total waste batteries collected, portable and non-portable?
- **Table page 9 and Table 20-3.** Suggest renaming 'tyres' to 'waste tyres'.
- **Page 9** – text re Batteries Directive target. Would be useful for the reader to say that the collection target for 2016 is 45% so that it can be compared against the 2012 collection rate (28%) reported in the text.
- **Page 9 and page. 23.** Text re ELV Directive target and ELVs 'collected in Ireland in 2012'. Please change word 'collected' to 'arising'.
- **Page 11** – text references 34 active EPA licensed facilities in the region with licensed capacity of 1,342,494 tonnes, and elsewhere 37 active facilities with licensed capacity 1,418,994 tonnes. The former is reported on page 132.

- **Page 14** – 3rd paragraph – should read ‘preparing for’ reuse infrastructure, rather than ‘reuse’ infrastructure.
- **Section 3.1** Waste legislation and policy. It would be useful to note within this section that waste legislation also governs reporting on waste generation, waste treatment, waste capacity and waste treatment location and sets down waste targets (whether these are targets for diversion, collection or treatment). For example, Waste Statistics Regulation (No. 2150/2002), the Landfill Directive, PRI Directives and the Waste Framework Directive. There are clear links between the targets within the draft plans and existing or planned targets set out in national and EU legislation.
- **Section 3.2.4** Pg. 20 Collection and Movement of Wastes. Suggest cross-referencing here the obligations for compliance with the movements of hazardous waste regulations (page 23). Also there are exemptions for the movements of some wastes in some circumstances (e.g. WEEE) and it would be useful to the reader to include information on this.
- References to C&D target under the Waste Framework Directive (eg pg 21, Table 5.1 on pg. 44). Please note the calculation method excludes hazardous C&D wastes as well as soil and stones.
- **Page 21.** References to batteries collection target. The collection target applies to portable batteries only and this should be clear for any references to the target throughout the plan (see also pg 44, pg. 122). Also there are targets for recycling efficiencies for different battery types under the Directive which are not mentioned in the draft plan.
- **Page 31.** Suggest a footnote with weblink to “EPA viewpoint on classification of mixed municipal waste existing waste management facilities”:
<http://www.epa.ie/pubs/advice/waste/municipalwaste/epaviewpointonewcclassificationofmixedmunicipalwaste.html#.VL-kwrWvlaQ>
- **Page 36.** Wouldn’t fully agree with strategic approach to focus on targets for municipal waste over household waste. Municipal waste definition is under ongoing discussion at EU level. Also for reporting under the Waste Framework Directive on recycling of paper/plastic/metals/glass, household waste is used for the calculation (method 1) rather than municipal waste. Having said this, the difficulty of tracking household waste from collection point to end treatment point when mixed with similar waste streams from commercial, industrial non-process sources is understood.
- **Page 39.** EPA welcomes the commitment to have a system to record the available treatment capacity at a national and regional level as this is a known data gap and the compilation and maintenance of such a national register was part of EPA’s December 2013 submission on the preparation of the draft plans. **Page 44.** In relation to ELVs, glass would be another key recyclable material that needs to be extracted during the dismantling process or post-shredder (metals and plastics mentioned).
- **Page 46.** Re landfills operating ‘dropped to five’ – need to make clear that this refers to merchant landfills accepting municipal and other wastes (e.g. industrial process waste). There are potentially other active landfills in the region accepting inert wastes or based at industrial installations disposing of waste generated on-site. Also there is a typo as it refers to landfills operating in EMR, not SR. Re the five, it would be good to clarify that this was at time of publication of the draft plan as this may have changed.
- **Page 56** – IPPC sector companies. Suggest making the point that some IPPC sector companies treat waste that they generate on-site, under condition of their licence.
- **Pg 63.** Section 7.1.2. This section is referencing commercial waste that is municipal in nature (i.e. similar to households) if compare to Table 7.1 on previous page, but this is not clear in the text. Commercial premises would have other non-municipal wastes arising but these wastes should be listed under ‘priority’ or ‘other’ wastes.

- **Page 95.** Section 9.2.4. The quantity per household served would be an underestimate because it wouldn't include any organic waste home composted or organic waste that ends up in the residual bin (i.e. not correctly segregated by the householder with a 3rd bin).
- **Page 100,** Section 9.3.6 reports that approx. 70% of total WEEE collected in SR is collected through the compliance schemes. It is not clear who collects the other 30%.
- **Page 101,** Household hazardous waste. Not all WEEE or batteries are hazardous, this should be clarified in the text. Also similar point for Table 9.16 – are the tonnages presented the hazardous categories of WEEE/batteries or all WEEE/batteries? Also there is a category for 'household hazardous waste' but the types of waste reported within this section are not described. Re 'other' (footnote 47) – several of these waste streams are non-hazardous.
- **Page 107.** Section 10.2. Re the municipal waste incinerator, suggest clarifying that this is incineration with energy recovery (R1) activity rather than a disposal (D10) activity.
- **Page 108.** Another reason for falling rate of disposal is the increased export of unprocessed municipal waste for incineration abroad.
- **Page 110.** Table 10-6. Non-household source segregated kitchen and canteen waste collected/collected per inhabitant (rows 1 and 2) is a subset of non-household segregated organic waste collected (rows 3 and 4). This could be more clearly presented in the table and text.
- **Page 112.** Section 11.1 Packaging wastes. Information on segregated packaging waste collected in the region would be available from the waste collection permit annual return dataset and would be useful information to present (and compare across regions).
- **Page 123.** Table 11-7 and second last paragraph on this page. The word 'collected' is not appropriate here, should be 'accepted at ATFs'.
- **Page 124. Section 12.** The first paragraph refers to 'the full range of recovery facilities including reuse, preparing for reuse...'. Reuse is not a waste management activity and this word needs to be deleted from the sentence. A check of the draft plans to ensure that the use of the terms reuse and preparation for reuse are correctly applied throughout should be carried out. See also section 16.4.10.
- **Page 124 Section 12.1.** Local authority waste authorisations. Are the references within this section for all authorisations, or just for active authorisations? There is a distinction made in the section on EPA authorisations between active/inactive licensees but it is not clear for the local authority authorisations. There could be permitted facilities/CoRs which are inactive, not commenced etc.
- Regarding grouping and description of WFP and CoR classes in tables in chapters 12 and 16. Note that WFP classes 7 & 10 and COR class 7 also incorporate recovery of waste (not only storage and transfer of waste). Is CoR class 9 storage of waste rather than land improvement?
- **Figures 12.3-12.6** (and others) which provide maps of locations of facilities are very useful to see visually how different types of waste facilities are spread throughout the region. A note within the text to reference that the facility numbers are linked to Appendix D would be useful for the reader.
- **Sections 12.2 and 16.2.** The exclusion of EPA authorised Certificates of Registration from the information provided in the plans is a data gap. The draft plan states that these authorisations are primarily CAS and bring banks, but there are biological treatment and land recovery activities (i.e. final treatment activities) covered by EPA authorised Certificates of Registration which should be referenced within the plan.
- Local authority authorisations are grouped by class of activity while EPA authorisations are grouped by main treatment activity (R/D) code. It would be useful if the EPA and local

authority authorisations could be referenced in a similar manner, even by 'type of activity'. It is acknowledged however that the legislation, and the authorisations themselves, do not make this an easy task.

- **Waste projections.** There are good data on household waste collected in the waste collection permit annual return dataset. This is helped by the fact that waste collection operators are obliged to separately report household kerbside waste collection and identify bulky waste collections from households. If the annual return template was enhanced to require operators to identify the source of the waste (particularly where the source is not clear from the EWC code such as chapter 15 segregated packaging waste) the identification of non-household municipal waste collected would be easier and a very useful annual dataset would be available for both national and regional reporting on municipal waste. This impacts on the proposed primary municipal waste indicators also (Table 20-2). The EPA would welcome working with the regions and NWCPO on this work area as it would have mutual benefits.
- **Section 16.1.2,** Table 16.2 is confusing and needs to be explained in the text to aid interpretation.
- **Section 16.2.** The tables in this section reference recovery and disposal codes and the reader would benefit from having a short description of each of the codes within the tables, e.g. R3 organic substance recycling.
- **Section 16.2.** Ideally the facilities referenced within the text and tables would be named (there are only approximately 34 of them) or linked to their ID number in Appendix E (similar to what was done on the maps for the local authority authorisations).
- **Section 16.2.** Note that some 'pending' EPA authorisations for soil recovery activities are permitted facilities, so there may be overlap in capacity reported, although generally the capacity of the licence application is higher than the existing permitted capacity.
- **Table 16.7.** Is 'waste sent off-site' appropriate for D5 (disposal to landfill)? What types of waste are included in these tonnages? Similar situation for reporting on the R3C biological treatment sites in this table.
- **Section 16.4.2.** Not all CAS currently offer a household hazardous waste collection service so potentially there are local authority areas where householders don't have a service available to them. Making such a service available at least annually would be a useful policy linked to E5 where it is recommended that the service be rolled out to small businesses.
- **Section 16.4.6.** It would be useful under the section biological treatment to differentiate between composting and anaerobic digestion facilities. It is not clear on reading this section how many of each type of activity there are in the region.
- **Section 16.4.10.** Information on the number of household waste collectors and other waste collectors is reported in different sections of the draft plan. It would be of interest to have more detail on these authorisations, for example, how many operators are authorised to collect various types of waste within the region and to see over time whether this number increases/decreases.
- **Section 16.4.10.** Note that Repak, WEEE Ireland etc. are compliance schemes rather than PRI initiatives (page 194) and reference to farm plastics should be made here too.
- **Section 17.2.2.** Governance. It is not clear within which section of the governance structure validation and reporting of waste data falls. As this will be a key role for reporting on implementation of the plans it would be important to reference this.
- **Section 17.4.** Rather than 'Publication of National Waste Report', please reference 'Collation, analysis and reporting of national waste statistics'. EPA participates in WMPNCC also (as does NWCPO and NTFSO).

- **Section 17.6.** NTFSO's role in the administration of hazardous waste movements within the State is not referenced here.
- **Section 18.2.4.** In January 2015 Waterford City and County Council and Galway City Council announced they would be exiting the household waste collection market so any references to local authorities operating in the market within the draft plans need to be updated.
- **Section 20.1 and Table 20-5** reference *annual* national waste reports from the EPA. While the EPA will publish some key national waste statistics annually (for example the 2013 bulletins published in November 2014), a full waste report will not be published annually.
- **Section 20.3 and Table 20-5.** Primary household and municipal waste indicators. The difficulties of tracking waste from point of generation to point of final treatment is referenced above, particularly for recycling which often happens post-export. Should the indicators therefore reflect 'destined for recovery' rather than 'destined for recycling'?
- **Appendix B – List of Legislation.** This could be presented in way that would be more useful for the reader, such as grouped by waste stream. There are some duplicate entries and also some other Commission Decisions relating to calculation and reporting on waste targets which are missing from the list, as well as the Waste Statistics Regulation and PRTR Regulation which have waste reporting obligations.
- **Appendix E.** Inventory of EPA waste licensed sites in the Southern Region. An inventory of EPA CoR sites in the Southern Region would complete the waste authorisation picture in the region.

Integration of the SEA into the Plans

The overall strategic vision of the Plans as described in Section 2.6 Strategic Vision of the Regional Waste Management Plan is noted. We acknowledge that the vision includes application of waste management hierarchy principles, source-segregation, polluter pays principle, balanced and sustainable infrastructure, self-sufficiency and proximity, opportunity and growth, co-operation and environmental protection aspects.

We also note the high level strategic objectives of the Plans which relate to policy & legislation, prevention, resource efficiency, coordination, infrastructure planning, enforcement & regulation, protection and other waste aspects. It is through these strategic objectives where the Plans should protect and integrate environmental sensitivities/vulnerabilities in the Preparation of other plan and in its implementation.

The findings of the SEA ER have been clearly integrated into the Plans in a number of specific chapters. In particular aspects such as criteria for siting waste infrastructure have been strongly influenced by the findings of the SEA. In addition, the suggested use of Key Performance Indicators in relation to the plan monitoring programme also shows how key environmental monitoring criteria have been incorporated. Promoting the use of a common set of these KPIs for use across each region will allow the benchmarking and performance checking in achievement of the common strategic objectives and policy actions. The coordination proposed with Irish Water in relation to the planning and management of wastewater treatment plant sludge in the preparation of any Irish Water Sludge Management plans is also a positive commitment.

We would recommend that a specific commitment be included to incorporate the requirements of the Water Framework Directive as relevant to the siting, design, operation waste related infrastructure and in conducting waste management activities (and related water management activities at those sites). A specific commitment should be included to integrate the second round of River Basin Management Plans and associated Programme of Measures upon their adoption within the lifetime of the Plans. In Chapter 3 – Waste and

Resource Policy and Legislation of the Plans, reference to the Water Framework Directive should also be included, given the Register of Protected Areas and requirements to achieve / maintain good water quality status.

The high level strategic objectives of the Plans described in Chapter 5 – Strategic Approach, should ensure protection of key environmental sensitivities/vulnerabilities in their implementation. In seeking to achieve the relevant targets for the various waste streams described in Table 5.1 – Mandatory Targets over the plan Period, it should be ensured that any additional waste related infrastructural developments or upgrades to existing facilities which may be required to meet these targets should take into account key environmental sensitivities/vulnerabilities. In particular, potential impacts on water quality, biodiversity, noise and air quality should be considered. Appropriate mitigation measures should also be established where necessary to minimise /avoid potential significant impacts.

Chapter 6 – Regional Profile provides a useful summary of the regional profile of the Plans. While aspects such as tourism, transport and land use are described, these should be put in the context of the Plan. (For example are seasonal pressures on waste infrastructure / litter management a significant factor in relation to tourist and recreational events in the region).

In Chapter 13 – Disposal Infrastructure, we welcome that a road map has been agreed for addressing the assessment/remediation of any existing ‘Risk Category A legacy / historic landfill’ sites over the lifetime of the Plan and that prioritisation of any remediation works required has been established.

In Section 16.6 Siting Criteria of Chapter 16 – Market Analysis and Infrastructure Planning, the inclusion of useful environmental issues summaries to be taken into account when considering the siting of waste related infrastructure shows a clear integration of the SEA in this regard. It would however be useful to clarify whether the siting criteria would also apply to any proposed upgrading or expansion works which may occur over the lifetime of the Plan.

Chapter 19 – Policy Actions and Targets includes descriptions of the proposed SEA mitigation measures associated with a number of specific policy actions where potential for negative impacts had been identified. This clearly that the findings and assessment of the SEA has been taken into account and integrated into the Plan and is welcomed.

It is noted in particular that potential negative effects have been identified (in the SEA) in relation to the siting and construction of additional waste management infrastructure. It would be useful to consider the inclusion of a commitment in the Plan to require EIA/AA/FRA where relevant and also consider the establishment of environmental management plan for proposed additional waste related infrastructure with potential to impact negatively on environmental vulnerabilities/sensitivities.

In Chapter 20 – Monitoring and Reporting, the inclusion of Table 20-5 Environmental Indicators shows how the Plan will integrate SEA related monitoring into Plan specific monitoring and is welcomed.

Specific Comments on the SEA Environmental Report

Chapter 4 - Review of Relevant Plans, Policies and Programmes includes information on the relevant transboundary related plans in the respective Key Relevant Plans and Programmes Tables of each ER. In this regard, the North West Area and South West Area Regional Waste Management Plans in Northern Ireland and the Northern Ireland Waste Management Strategy should also be considered.

Chapter 5 - Relevant Aspects of the Current State of the Environment (Baseline)

We welcome the inclusion of the EPA Challenges and Relationship to RWMP Table in each ER, which sets out how the relevant aspects of the Plans take into account the key environmental challenges identified in the EPA’s 2012 State of the Environment Report.

In terms of biodiversity aspects, we welcome the consideration of the need to protect designated sites, protected habitats and species, sites listed on the Water Framework Directive Register of Protected Areas (which include Shellfish Growing Areas, Freshwater Pearl Mussel waters, Salmonid waters). We also note that the control and management of invasive alien species is considered.

In the relevant subsection on Waste Disposal, the Plans make reference to a list of contaminated sites within the Plan area not being centrally available at present. You should consider including an objective, to establish this within the Plan period. It would also be useful to identify the bodies responsible for the collation and availability of this data on a regional level. The tables describing Historic Waste Disposal Sites, should also include an additional column showing which sites are scheduled for remediation within the proposed plan period. In Chapter 13 – Disposal Infrastructure of the Plan, we acknowledge that a road map has been agreed for addressing the assessment/remediation of the Risk 'Category A legacy / historic landfill' sites over the lifetime of the Plans and that prioritisation is being given to those sites where significant landfill gas related emissions are prevalent.

Chapter 7 - Alternatives

The tiered approach taken to the consideration of alternatives including the strategic alternatives and management alternatives is acknowledged and welcomed. It provides a consistent and coordinated methodology to identifying and recommending the preferred options which should result in more robust plans.

Chapter 9 – Mitigation and Monitoring

The monitoring programme for the Plans is acknowledged. We recommend however, linking Plan-monitoring and reporting and SEA related monitoring aspects where possible, to protect environmental receptors in implementing the Plan. We note your observations for the need for additional guidance in the form of a code of practices relating to the 're-use and preparation for re-use sector' and also associated with waste related 'environmentally sustainable enterprise development'. The relevant stakeholders associated with these should be described where possible and where possible timescales for their preparation would be beneficial.

Hazardous Waste

(Page-numbers refer to the Eastern Midlands Plan).

- Noted that Plan supports the development of disposal capacity for Hazardous Waste at existing landfill sites. The plan also mentions that closed LA sites with unused capacity might be suitable for this purpose (page 163). EPA welcomes that all options would be examined where this is technically, economically, strategically and environmentally advisable.
- Noted that it gives space to the importance of awareness raising in Hazardous Waste prevention.
- Noted that the use of Civic Amenity Sites for the collection of hazardous wastes from households and small businesses is supported.
- Page 14 There is reference to National Hazardous Waste Management Plan 2012 this plan has been replaced by the revised NHWMP 2014-2020 as cited elsewhere in the RWP.
- Page 20: Footnote 18 citing the Batteries and Accumulators Regulations needs to be updated to European Union (Batteries and Accumulators) Regulations 2014 (SI 283 of 2014) and amendment (S.I. 349 of 2014).
- Page 20: The Waste Management (Hazardous Waste) Regulations 1998 – several parts have been revoked and replaced with specific regulations e.g. Part III on batteries

- Page 93. Table 9.15 – footnote 42 includes books as household hazardous waste – please clarify.
- Page 165 – Please reword “EPA sites” to “EPA authorised sites”.

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Prepared: January 2015