



Ms. Laura Burke
Director General
Environmental Protection Agency
Headquarters
PO Box 3000
Johnstown Castle Estate
County Wexford

(sent by email only)

23rd October 2015

Re: Consultation on Draft EPA Strategy 2016 to 2020

Dear Ms. Burke,

Further to your invitation, the *Irish Waste Management Association (IWMA)* offers the following comments in relation to the EPA's Draft Strategy for the period 2016 to 2020.

IWMA Background

The IWMA is made up of 35 waste management companies that operate 55 waste management facilities that are licensed by the EPA and 21 waste management facilities that are permitted by the local authorities. Further details of our association, including a list of our members is available at www.iwma.ie.

EPA Mission, Vision and Values

The IWMA supports the EPA's stated Mission, Vision and Values. We recognise the invaluable work that the EPA does and we very much appreciate the consultation and engagement with the waste industry by the EPA staff. In our experience, we find the EPA staff to be well qualified, very professional and always courteous, which is a credit to the culture embraced within the organisation.

Strategic Goals for 2016 to 2020

The proposed objectives and outcomes set out in the draft strategy are all important and welcome. It is clear that the EPA's role is wide and varied. The IWMA respectfully suggests that the EPA should take account of National issues in relation to waste management, even if such issues appear outside the remit of the Agency. We offer a few examples below.

1. Enforcement in Ireland is carried out in a two-tier system whereby the EPA and the local authorities enforce different tiers, i.e. Licensed sites versus permitted sites and unauthorised activities. Whilst we understand that the Agency cannot enforce permitted sites and many unauthorised activities, we ask that the EPA takes a more active role in achieving consistency between these two tiers of enforcement, given that the Agency has an over-arching role with regard to environmental enforcement and environmental protection.

Licensed sites are regularly audited and compliance investigations often established, with some resulting in prosecutions. The IWMA has no difficulty with this strong enforcement action, but we respectfully suggest that a much weaker enforcement regime is applied to permitted sites and unauthorised activities across the country. Local authorities are slow to prosecute by comparison.

The EPA is in a strong position to seek consistency from the local authorities in this regard. Weak enforcement in one tier of the waste sector provides commercial opportunities that can be exploited at a cost to the environment. The EPA, as custodian of the environment in Ireland, cannot afford to ignore this discrepancy.

2. From consultations with the Agency, we understand that it is the intention of the EPA to make licence compliance files more freely available on the internet. This action is driven by the terms of the Aarhus Convention, but it is in stark contrast to the lack of transparency surrounding permitted sites, where in most cases the AERs are kept confidential by the local authorities and are not released in response to requests made under the Access to Information on the Environment Regulations.

We respectfully suggest that the EPA must consider the impact of further dividing the two tiers of the enforcement system in Ireland and the resulting commercial disadvantage that this imposes on licensees. In the interest of fair trade, licensees must be allowed to keep their annual returns confidential if permitted sites are allowed this luxury, as such confidentiality clearly offers a commercial advantage.

3. We also respectfully suggest that the Agency should take a more active role in helping Ireland to meet the targets that are set in EU waste legislation. We suggest that the EPA could pro-actively assist in areas such as recycling of aggregates (end of waste status), which is a particular problem currently and in providing consistent rules on back-filling operations that provide outlets for C&D derived materials, whilst simultaneously protecting the environment.

In our experience, the Agency can view such issues as industry's problem, with the Agency's role restricted to enforcement of the regulations. We respectfully suggest that such issues will be Ireland's problem if and when targets are not met and all relevant actors in the waste sector must play a role in meeting these obligations, even if this requires resources to be directed to areas of need.

We hope the above comments are helpful and on behalf of our members I thank you for offering the IWMA this opportunity to influence the Agency's future strategy.

Yours Sincerely,

A handwritten signature in black ink that reads "Conor Walsh". The signature is written in a cursive, flowing style.

Conor Walsh
IWMA Secretary

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