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SUBMISSION TO THE ENVIRONMENTAL PROTECTION AGENCY REVIEW

10 KEY ISSUES

"I believe that if we had a proper environmental body, a body in which the public had confidence and in which there existed a widespread belief that our environment was being properly protected, then many of our citizens should not feel the need of having to go outside and seek international support for the type of environmental protection we should be doing ourselves."

Dan Boyle

1. Oversight

The EPA should be brought under the Ombudsman for administrative review. Prescribed body for EPA licenses should be national environmental NGOs e.g. the members of Irish Environmental Network - not a single organisation - and environmental representatives should be brought onto the Board of the EPA.

2. Complaints

Complaints procedures must be prompt, transparent, and trackable on line. It must not require public availability of the names of those making complaints (to protect whistle blowers). There should be clearly defined timeframes for each step of a complaint. The EPA must end their perceived consistent refusal to meet complainants.

3. Legislation

The legislation should be consolidated so that everyone can see what the law is. The power for the EPA to require investigations, EIA, and enforcement actions should be clarified. The split jurisdiction between the EPA (licensing) and Local Authorities (planning) and between An Bord Pleanála (infrastructure) and the EPA (emissions) does not work.

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4. Procedures

Delays in licensing must be reduced from the multi-annual and incorporate clearly defined timeframes for each step. Consultation channels with other agencies should be prescribed, open and effective (from Local Authorities to Emergency Services). Advance warning of site inspections is unacceptable.

5. Defining the actors

The EPA refuse to Act until they have an application – e.g. Haulbowline's hazardous waste. It needs to be made clear which is the competent authority in cases such as this and who must take action and what happens when they don't.

6. Fit person

Persistent offenders or those who are under investigation for serious licence breaches are not 'fit persons' to hold licences. Granting licences to these offenders entirely undermines any deterrents.

7. End the retention culture

Applications for activities that are already taking place must not be permitted to continue until the licensing procedure is complete and it has been determined that the activities are not likely to have significant adverse impacts on the environment.

8. Cumulative Impact

The game is project splitting in order to avoid licensing requirements and to avoid the requirement for environmental impact assessment. Stop it.

9. Proactive role

EPA not proactive in investigations. It is failing to investigate the source and cause of identified pollutants in drinking water supplies, etc. It does not seek out licence shirkers. We need a monitoring network for soils¹ and a Q6 standard for water².

10. Awareness role

The EPA's funding for awareness such as this years €200,000+ for Duncan Stewart's Eco Eye is not openly assessed and overlaps with the DoE [who also gave €200,000+]. The duplication in awareness funding between DoELG, DAFF, and the EPA must be stopped and funding targeted at conflict areas.

¹ TOWARDS SETTING ENVIRONMENTAL QUALITY OBJECTIVES FOR SOIL, DEVELOPING A SOIL PROTECTION STRATEGY FOR IRELAND, EPA 2002

² Draft Forestry and Freshwater Pearl Mussel Requirement , Site Assessment and Mitigation Measures <http://www.friendsoftheirishenvironment.net/main/download.php?op=getit&lid=33>