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## 11. SPECIFIC POLICY AND OBJECTIVES FOR THE REGION

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The Primary Objective of the Plan is to secure the best environmental management of all waste including preventing and minimising the generation of waste wherever practicable.

In order of priority, waste must be prevented, minimised, used, recycled, recovered and disposed of safely, having regard to public health and environmental protection, occupational hazards in waste handling as well as having regard to the best value solution.

There were 3 criteria, each of which receives equal weighting, used in the devising of the specific policy of this Plan. These criteria were environmental and health impacts, ability to meet the necessary targets and financial assessment.

The specific policy and objectives of the South East Waste Management Region (Region) are set out hereunder and grouped into the following sections:

- Public Awareness and Education
- Prevention and Minimisation
- Waste Collection and Charging
- Waste Recovery and Recycling
- Waste Treatment/Final Disposal
- Unauthorised Landfilling
- Location of Waste Management Facilities
- Litter Prevention
- Sludge Management
- National Hazardous Waste Management Plan
- Priority Waste Streams
- Market Development
- Policy on Joint Management and Procurement
- Complaints

### 11.1. Public Awareness and Education

The aims of the waste management plan are to:

- Minimise waste production
- Recover waste
- Promote waste prevention
- Recycle waste
- Manage waste in the most appropriate environmental manner

The regions awareness programme will be based on the national "Race Against Waste" campaign and tailored to develop local and regional campaigns.

Public awareness initiatives will lay the communications foundation for important events around which the plan will be delivered. These include:

- Roll-out of new collection schemes and methods
- Increasing and maintaining public participation in recycling initiatives etc.
- Establishment of the necessary waste management infrastructure

In the procurement of waste services for the implementation of this plan, all or a portion of the public awareness and education initiatives may be transferred to the contracting entity/private sector.

## 11.2. Prevention and Minimisation

The 1989 community strategy for waste prevention set out 3 fundamental concepts behind EU waste strategy:

- waste prevention
- waste recovery
- waste disposal

The most recent Sixth Environmental Action Programme outlines four main waste related aims and these are to:

- develop a thematic strategy on sustainable use and management of resources
- develop and implement measures on waste management and prevention
- develop a thematic strategy on waste recycling
- revise the legislation on waste

To implement the Sixth Environmental Action Programme at local level the Region will target the following key areas for specific action:

- Drawing up estimates of materials and waste stream flows within, into or out of the Region
- Raising awareness of the public's potential contribution to waste reduction
- Developing further indicators in the field of waste management
- Develop and implementing measures aimed at ensuring source separation and the collection and recycling of priority waste streams
- The appointment of a Green Business Officer to promote waste prevention initiatives may be considered by each of the Local Authorities within the Region
- The Region intends to apply for funding under the Local Authority Prevention Demonstration (LAPD) programme for a waste prevention initiative within the region.

Meeting these requirements will be achieved partly by a comprehensive and pro-active waste education and awareness campaign focusing on the public and commercial sectors. The theme of these local (and regional) initiatives will complement the initiatives under the "Race Against Waste" campaign and other National initiatives such as the National Waste Prevention Programme.

### ***National Waste Prevention Programme***

It will be the policy of the Region to promote the objectives of the National Waste Prevention Programme. These objectives will be achieved through education and awareness with the ultimate aim of decoupling waste generation and economic growth. The Waste Prevention Programme will target six key waste streams:

- Agriculture – waste packaging, oily sludges, sheep dip, farm plastics
- Industry – small to medium size enterprises
- Construction and demolition waste
- Mining and quarrying waste – stone and quarrying activities
- Municipal waste
- Hazardous waste

Waste streams subject to producer responsibility initiatives will be included.

### 11.3. Waste Collection and Charging

It is the policy of the Region to promote and apply a “pay-by-use” charging system for all municipal solid waste (MSW) collections. Acceptable pay by use mechanisms are to:

- pay-by-tag
- pay-by-lift
- pay-by-weight
- pay-by-volume

A flat charge only is no longer acceptable for the collection of MSW. However any of the “mechanisms” above together with a flat charge is acceptable.

Policy in relation to charging will be kept under review by the Region and adjusted as required.

The Region may produce common guidelines and/or Bye-Laws to implement pay-by-use policy.

In accordance with the Landfill Directive, it is the policy of the Region that waste prior to land filling will be pre-treated. Accordingly, source separation will be the minimum pre-treatment requirement post 2008.

It is the policy of the Region to seek to achieve that 80-85% on average of all households in the Region will have a waste collection service provided either by the Local Authorities and/or private sector by 2008.

For the 15-20% of households that may not have access to a collection service the Region proposes to adopt and implement the following waste management strategy:

- Promotion and support for home composting
- Identification, development and servicing of strategically located disposal outlets for dry recyclables and residual waste
- Apply the polluter pays principal to the collection of waste streams subject to resources
- Implementation of an information and awareness campaign aimed at reducing the extent of backyard burning and fly tipping in the region.

For the commercial/industrial sector all waste arisings will either be:

- managed on site by segregation of waste under the Packaging Regulations, or
- source segregated by the implementation of a 2-bin system (pre 2006) (dry recyclables and residual waste) and collected by a permitted collector.

Not later than year end 2006, all waste collection services for household, commercial and industrial in the region will comprise of a 2-bin system for dry recyclables and residual waste.

Dry recyclables will include (but not be limited to):

- Paper/cardboard
- Paper/cardboard packaging
- Plastics
- Metal containers

In the period post 2007, a 3 bin collection system will be mandatory throughout urban areas greater than 1,000 persons in the region for household, industrial and commercial waste or as otherwise determined by the Region. This third collection bin will be utilised to collect bio-waste.

The implementation of a three-bin collection system will be complete by end of 2008 for all sectors unless otherwise determined by the Region.

It is the policy of this plan that the implementation of the 2 and 3 bin system for the region will be enforced through the use of the Waste Management (Collection) Permit Regulations and/or waste presentation Bye-laws.

The receptacles for the collection of organic, dry recyclables and residual waste will be to the approval of the Region. This approval will include material type, receptacle type, size, colour and condition. The Region may, if deemed appropriate, consider the use of microchips or other electronic aids for waste receptacles and require the use of these electronic aids both in public and private collections of household, commercial and industrial wastes.

Producer responsibility will ensure that wastes arisings are segregated, collected and properly managed thereafter in permitted and/or licensed facilities.

The local authorities in the region may consider the introduction of common local bye-laws as appropriate.

The Region will rigorously, enforce compliance with the waste collection permits issued to include the auditing of the nature, origin and management of all waste collected. In the case of non-compliance will take appropriate action which may include seeking to review, suspend or terminate the collection permit of collectors. For all waste collections, the collector will demonstrate to the satisfaction of the Region, the nature, origin (by premises, commercial and/or industrial enterprises etc), treatment and final disposal of all wastes collected. .

The Region will actively seek to enforce the requirements of the Waste Management (Movement of Hazardous Waste) Regulations 1998 and the Waste Management (Transfrontier Shipment of Waste) regulations 1998 in order to ensure that hazardous wastes are properly managed from "cradle to grave". This will include ensuring that all hazardous waste movements in and out the region are accompanied by C1 consignment notes. The Region will also ensure that hazardous waste produced within the region that is being exported from the region for recovery or disposal is accompanied by the appropriate TFS notices.

It is a policy of this plan that residual waste collected within the Region will be directed under the Waste Management (Collection) Permit Regulations or other appropriate regulatory or enforcement measures to a nominated facility/facilities in accordance with law. In line with Government policy and targets to divert residual waste from landfill, as set out in Section 1.5 of this Plan, it is intended that a nominated facility for residual waste in accordance with this policy will be an integrated waste facility incorporating thermal treatment and energy recovery to be developed in accordance with this Plan.

It is the policy of the Region to carry out inspections and audits of facilities subject to waste permits, along with visits to authorised waste collectors. Such activities will be prioritised on the basis of factors such as the environmental significance of the activity and resource availability.

The Region will develop its methodologies to improve waste data statistics on the number of householders participating in collection services and seek to identify disposal outlets for householders not participating in collection services or who are unserved.

The Region will have regard to the guidance document issued by the EPA in relation to the recommended minimum criteria for environmental inspections (RMCEI).

It is an objective of this Plan that the Region will undertake waste characterisation studies on each of the three bin waste streams.

The Region will have regard to the recommendations of the National Working Group on waste collection permits and the revised collection permit regulations when published.

## 11.4. Waste Recovery and Recycling

Collection and recycling efficiencies for the component waste streams in household and commercial/industrial waste are set out in Section 9. Waste collectors and operators of waste infrastructure facilities either proposed or subject to review will demonstrate their degree of compliance with these collection and recycling efficiencies to the appropriate local authority/agency. The Region will have regard to the degree of compliance demonstrated when evaluating waste collection and/or infrastructure permit applications or reviews.

The specific policy of the Region in relation to recovery/recycling efficiencies is to enable the achievement of the targets set out hereunder:

- Home composting will be available to not less than 20% of urban households and 55% of rural households by 2010.
- The Region will provide or arrange for the provision of bring centres with the emphasis on quality of location, presentation and range of receptacles. The Region will keep under review the density of sites per thousand of population and the collection frequency necessary to enhance the management of bring sites.
- Proposed apartment and housing developments will be appropriately laid out to enable the implementation of three bin collection systems.
- For proposed apartment and housing developments the Region will ensure that these developments are either serviced by existing infrastructure or make appropriate provision for bring sites in their layout. Adequate access will be provided in developments to service proposed bring sites.
- The Region will provide or arrange for the provision of a minimum of 9 additional recycling centres subject to resources and the PPP process.
- The Region may require the inclusion of recycling centres as part of proposed waste infrastructure. These sites will be provided and operated by the infrastructure provider to the approval of the local authority and regulatory agencies. The scale and scope of these sites will be appropriate to the scale of the proposed waste infrastructure
- The Region will have regard to the range of recycling/recovery receptacles at recycling centres and where appropriate will ensure that arrangements are in place for collection of household hazardous waste and electronic waste and electric equipment (WEEE).
- The Region will encourage the provision of local biological treatment for agricultural wastes.
- The Region will encourage the provision of dry material recovery facilities for source segregated MSW.
- The Region will encourage the provision of biowaste treatment facilities for source segregated MSW
- The Region will provide or arrange or facilitate for the provision of an appropriate number of waste transfer facilities, to facilitate the movement of recyclables, biowaste and residual waste to their respective treatment facilities.
- The Region will provide for and or facilitate appropriate public information and awareness campaigns to complement national awareness initiatives and to coincide with the rollout of collection and waste infrastructure.
- The Region will encourage and or facilitate and disseminate information on source reduction and producer responsibility initiatives.
- The Region will encourage the provision of an adequate range of waste recovery and recycling infrastructure and will have due regard to the requirements of scale for economic viability.
- The Region will require developments (as determined from time to time by the local authorities) to submit for approval a C+D waste management plan with planning applications

As part of the provision of an integrated waste management system the Region may integrate the existing Biological Treatment Facility at Waterford City and the existing Dry Materials Recovery Facility at Dungarvan, Co. Waterford into the Public Private Partnership process.

## **11.5. Waste Treatment**

It is necessary for source segregated waste to be treated in the most appropriate manner to optimise recovery, recycling and re-use. The specific policies of the Region with regard to the primary waste fractions are as follows:

### ***Organic Fraction***

- Encourage the provision of local biological treatment facilities for agricultural/other non MSW bio wastes throughout the Region
- Provision/promotion of home composting systems for household organics
- Provision/promotion of a minimum of 9 recycling centres with provision for the collection of green waste from householders
- The Plan anticipates that by 2011 ~ 60,000 tonnes of recovered biological materials will be generated in the Region. It is the policy of the Plan not to support the further establishment of smaller biological facilities (particularly those of less than 25,000 tonnes). It is recognised that a number of smaller facilities currently operate in the Region and it is not anticipated that this will change. The Region promotes the establishment of larger facilities with a view to achieving economies of scale and to ensure that proposed facilities are fully assessed by means of an environmental impact assessment (EIA).

The Region will support the existing biological treatment facility at Six Mile Cross, operated by Waterford City Council and promote the provision by the private sector of major materials recovery facilities for the organic waste fraction elsewhere in the Region.

Provision/promotion of the use of green waste as amendment material in the larger scale biological treatment facilities. Failing this the provision/promotion of smaller windrow composting facilities at suitable locations for green waste.

### ***Dry Recyclables***

The Region will support the existing facility at Dungarvan operated by Waterford County Council and promote the provision by the private sector of major materials recovery facilities for dry recyclables elsewhere in the Region. The Plan anticipates that by 2011 ~ 140,000 tonnes of recovered dry materials will be generated in the Region. It is the policy of the Plan not to support the further establishment of smaller dry material recovery facilities (particularly those of less than 25,000 tonnes). It is recognised that a number of smaller facilities currently operate in the Region and it is not anticipated that this will change. The Region promotes the establishment of larger facilities with a view to achieving economies of scale and to ensure that proposed facilities are fully assessed by means of an environmental impact assessment (EIA).

### ***Residual Waste Treatment***

#### **Short term Requirements**

It is the policy of the Region to ensure adequate residual landfill capacity in the region particularly in the short term. This capacity may be provided either by the public or private sectors.

Prior to the implementation of the integrated waste treatment facilities (including thermal treatment) the Plan anticipates that approximately 5 - 10 % of the anticipated biodegradable waste generation in the Region will require an alternative management strategy as set out below to comply with the Landfill Directive or amendments thereof:

- Inter regional waste movement (which is currently the position)
- Other waste treatment outside the Region subject to compliance with the Landfill Directive

As our need for energy increases, the recovery of energy trapped in waste materials can benefit the environment by replacing energy from non-renewal sources. Even after extensive recycling, the residual waste stream still has a high combustible content available for energy recovery.

It is a specific policy of this plan to recover and beneficially reuse this energy from the combustible residual waste stream.

#### Energy Recovery

Residual waste – The Region will promote the recovery of energy from residual MSW by means of thermal treatment with energy recovery either for electricity generation or combined heat and power.

Landfilled waste – The Region will promote the recovery and utilisation, where practicable, of landfill gas generated at existing landfills within the Region.

Agricultural biological wastes and industrial sludges – the Region will promote the recovery of energy through appropriate processes.

#### Treatment of Residual Waste Stream

The Region will arrange for the provision of an integrated waste management system with associated waste transfer, biological and material recovery facilities and including thermal treatment with energy recovery by 2011.

The thermal treatment facility would have a capacity chosen to meet residual waste disposal needs of the South East region while taking cognisance of the requirement of economies of scale and value for money.

It is a policy of this plan that residual waste collected within the Region will be directed under the Waste Management (Collection) Permit Regulations or other appropriate regulatory or enforcement measures to a nominated facility/facilities in accordance with law. In line with Government policy and targets to divert residual waste from landfill, as set out in Section 1.5 of this Plan, it is intended that a nominated facility for residual waste in accordance with this policy will be an integrated waste facility incorporating thermal treatment and energy recovery to be developed in accordance with this Plan.

### ***Final Disposal***

Even after maximum recycling and recovery efforts, a residual waste stream will remain, it will be necessary to deal with this as outlined below.

The specific policy for final disposal details necessary actions to be undertaken by the Region as follows:

- Non-combustible residual waste is to be disposed of in residual landfills in the region.
- Non-hazardous bottom ash from the thermal treatment process to be disposed of in residual landfills in the region.
- Untreated fly ash (hazardous waste) from the thermal treatment process to be managed in an environmentally secure manner at an appropriate facility.
- Excess residual waste which cannot otherwise be dealt with is consigned to residual landfill in the region, pending provision of alternative or additional treatment/recovery facilities in accordance with the Landfill Directive.
- The Region will promote the provision of residual landfill capacity to deal with either inert, non-combustible waste streams, bottom ash or excess residual waste by the public and/or private sector.
- Provision of other residual waste disposal facilities within the Region must demonstrate compliance with the diversion targets set out in the Plan and the Landfill Directive.

### ***Directing Waste***

It is a policy of this plan that residual waste collected within the Region will be directed under the Waste Management (Collection) Permit Regulations or other appropriate regulatory or enforcement measures to a nominated facility/facilities in accordance with law. In line with Government policy and targets to divert residual waste from landfill, as set out in Section 1.5 of this Plan, it is intended that a nominated facility for residual waste in accordance with this policy will be an integrated waste facility incorporating thermal treatment and energy recovery to be developed in accordance with this Plan.

### ***Litter Prevention***

The Region will provide for street cleansing and enforcement of Litter Management Plans.

### ***Sludge and Biosolids Management***

It is the policy of this plan to ensure the full implementation of all Sludge Management Plans in the region.

The Region will consider the co-treatment/disposal of other sludge/biosolids with residual MSW where environmental and/or economic benefit would arise.

## **11.6. National Hazardous Waste Management Plan**

The EPA's National Hazardous Waste Management Plan contains a variety of recommendations which are directed towards state bodies and the private sector, including central government, local authorities, hazardous waste contractors and industry.

In relation to the requirements specified as being vested with local authorities, the Region will:

- Actively participate in any of the hazardous waste stakeholder groups proposed by the EPA or by the Department of the Environment, Heritage and Local Government;
- Actively seek to fully enforce the requirements of the Waste Management (Movement of Hazardous Waste) Regulations 1998 and the Waste Management (Transfrontier Shipment of Waste) Regulations 1998 in order to ensure that hazardous wastes are properly managed from "cradle to grave";
- Play its part in the national effort to eliminate the existence of the small proportion of hazardous waste which the National Hazardous Waste Plan defines as "unreported". This will be achieved by programmes of inspection of waste producers, public information initiatives and by other similar schemes;
- Seek to ensure that household hazardous waste is managed correctly and that there is adequate infrastructure available in the Region for its collection and storage prior to disposal at recycling centres and other facilities;
- Encourage suppliers of hazardous waste management services to extend their operations to include additional small businesses and the agricultural sector;
- Identify sites where hazardous wastes have been stored or processed in the past, with a view to carrying out a risk assessment of any long-term contamination and, in accordance with the requirements of the National Hazardous Waste Plan, to maintain a register of such locations.
- The provision of mobile household hazardous waste collection systems will be kept under review
- Provision will be made at recycling centres for the collection of household hazardous waste.

## **11.7. Priority Waste Streams**

The priority waste streams include the following:

- Healthcare waste
- Electrical and electronic waste
- PCB's
- End of Life Vehicles
- Batteries
- Construction and Demolition Waste
- Packaging waste
- Waste oils
- Tyres

Specific policies in relation to them are set out hereunder.

### ***Non-Hazardous Healthcare Waste***

- It is the specific policy of the Region that as far as is practicable and subject to an analysis of associated risk, all non-hazardous waste streams from residential/healthcare facilities, will be source separated into the three primary components of dry recyclables, organic waste and residual waste.
- Healthcare waste will be collected by appropriately permitted collectors.
- The Region will liaise with the Health Authorities with regard to facilities for collection and recovery of selected waste streams.
- The Region will examine in conjunction with the Health Authority the treatment of non-hazardous source separated food waste from healthcare facilities at appropriate facilities within the region and its subsequent beneficial re-use.

### ***Electrical and Electronic Waste***

The Region will promote the achievement of the recovery rates set out in the Directive by:

- Ensuring that all recycling centres have provision for the recovery of WEEE (it is noted that the return of electronic and electric goods by householders is free of charge under the Directive).
- Raising awareness of the recycling of WEEE in order to achieve the target of an average of 4 kgs of waste electronic and electrical equipment to be collected from each private household per year by January 2006.

### ***PCBs***

The Region will enforce the Waste Management (Hazardous Waste) Regulations in order to satisfy the requirements of the PCB Directive (96/59).

The Region will take measures to ensure that premises in which PCB's are stored must be appropriately labelled to alert the emergency services to their presence in the case of accident or fire.

Through its responsibility to the C1 and TFS Regulations, the Region will ensure that premises falling under the Regulations will dispose of PCBs to appropriate facilities.

Enhance awareness of the Regulations of the Directive and the requirements of the EPA's Management Plan for Polychlorinated Biphenyls (PCBs).

### ***End of Life Vehicles***

The Region will regulate dismantling facilities to ensure that they are authorised and meet certain environmental performance standards and defined recycling levels as set out in the Directive.

The Region will promote the establishment of authorised facilities for the processing of end-of-life vehicles.

### ***Batteries***

The Region will:

- Promote the requirements of existing and proposed Directives.
- Continue to support the schools battery-recycling scheme.
- Promote the provision of drop-off points for batteries at collection facilities.
- Focus awareness and education initiatives on the hazards associated with batteries.

### ***Construction and Demolition Waste***

The Region will:

- Promote the provision of mobile crushing and screening systems located at existing/proposed waste facilities where practical (open for consideration at other locations) in accordance with the objectives of the Irish National Construction and Demolition Waste Council (NCDWC).
- Promote the Draft Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects
- Promote and raise awareness on the Voluntary Industry Initiative aimed at increasing minimisation and recycling rates of construction and demolition waste
- Consult with the National Construction and Demolition (C&D) Waste Council (NCDWC) in relation to any significant issues that may arise with regard to C&D.
- Encourage the recovery of C&D, soil and stone at waste permitted sites. It is recognised that there is a requirement for these facilities by both the public and private sector.
- Encourage the establishment of a mobile crushing and screening plant. The Region will consider the need for transfer stations for C&D waste.
- Regularly review the types of waste which are collected at civic amenity facilities and may facilitate the collection of the recovery of rubble and stone from householders and from small builders if it is economical to do so.
- Promote the provision, by the private sector, of the necessary infrastructure for the recycling and recovery of C&D waste
- In the exercise of its development management functions, (the local authority) will encourage the provision of recycling facilities in appropriate quarry developments, construction sites and landfills for the recycling/recovery of C&D waste. The Region will promote the re-instatement of historical sites with appropriate material subject to site suitability. These facilities may be subject to other statutory processes.

The Region has prepared guidelines for the preparation of site waste plans for use in development management exceeding specified thresholds and will implement these.

### ***Packaging Waste***

The following specific policies will be followed for packaging waste recovery in the region:

- The Region will work closely with Repak Ltd. to ensure that the quantity of packaging required by the Packaging Regulations and the EU Directive are recycled within the required timescales.
- The Region will actively enforce the Waste Management (Packaging) Regulations with a view to eliminating "free riders", ensuring all major producers are either self-compliant or Repak members and require the obligations on producers of packaging waste to be met.
- The Region will provide information to all packaging producers in the region on the need for compliance with the Packaging Regulations and with a view to increasing packaging waste recovery. This information will also include material on the prevention of the creation of packaging waste.

- Having regard to land use planning and environmental considerations, Repak approved waste contractors will be encouraged to establish and extend collection systems and recycling facilities for packaging waste.
- In order to facilitate the application of the “Polluter Pays Principle” and the collection and recycling of packaging waste, all local authority household waste collection activities will be fully costed and appropriately charged to the householders in the region.
- The Region will, as part of their programme of environmental awareness, provide information to householders on the need to recycle packaging waste and on how the production of packaging waste can be prevented.

### ***Waste Oils***

It is the policy of the Region to promote and prioritise the regeneration of waste oil and its safe collection. Waste oil within the Region will be managed in accordance with the Waste Management (Hazardous Waste) Regulations 1998.

### ***Tyres***

It is the policy of the Region to promote the recovery, recycling and/or disposal of tyres in accordance with best environmental practice.

The Region will promote the establishment of authorised facilities for the processing of waste tyres.

## **11.8. Market Development**

The Region will examine the re-use of recovered materials within the Region and promote research and development on them.

A fundamental element of waste reuse and recycling is the availability of markets for recyclable and recycled materials. Market development will be encouraged through the public education campaign and the implementation of legislative tools. Industry will be encouraged to adopt minimum content standards for the recycled content of goods.

The Region will consult with the National Market Development Group for recycling markets and assist, where appropriate, with the rollout of initiatives.

## **11.9. Identification of Sites – Waste Disposal or Recovery**

It is a requirement under Section 22 of the Waste Management Act (WMA) to identify those sites at which waste disposal or recovery activities have been carried on (whether authorised or unauthorised).

The policy direction issued by the Minister requires that each local authority:

- prepare an inventory of sites at which waste disposal and recovery have been carried on
- carry out an initial risk assessment of each of these sites (i.e. walkover survey)

The Region has commenced this process.

In response to the policy direction referred to above, the EPA has issued draft guidelines on the Code of Practice for assessing the risk presented by such sites. The Region will have regard to the Code of Practice as developed by the Office of Environmental Enforcement.

In the period prior to the National Guidelines being published, the Region will develop the following procedure:

- an initial assessment will be undertaken by the Region of any such allegations of unauthorised waste activities
- depending upon a range of relevant factors, the nature and scale of the activity, its seriousness and environmental impact, whether a first-time or repeat offender is involved, and other relevant issues, enforcement action will be taken where necessary.

In accordance with Section 22(7)(h) of the Waste Management Acts 1996 to 2003, the following measures will be utilised to identify sites where waste disposal or recovery activities have been carried out in the past or which are otherwise contaminated. This identification process will also have regard to the DoEHLG's Circular letter ENV 11/88, which is entitled "Identification of Waste Contaminated Land", and the relevant parts of the National Hazardous Waste Management Plan.

Details of sites known or suspected to have been used for the historic disposal of hazardous waste will be included in a "Section 26 Register". Once identified, the sites will be prioritised in accordance to the methodology set out in Chapter 7 of the National Hazardous Waste Management Plan. The implementation of the Section 26 Register will require significant additional staffing and financial resources.

Table 11.1 below outlines the stages for the risk assessment of such sites.

**Table 11.1: Hazardous Waste Management Plan – Methodology for Developing a Register for Hazardous Waste Disposal Sites**

<b>Stage 1</b>	Develop a list of the industrial, commercial or agricultural activities most likely to have resulted in the generation of hazardous waste which would subsequently have required disposal either on or off-site.
<b>Stage 2</b>	Assess historical land-use with particular reference to the contaminative uses identified in Stage 1. This will require a desk study to identify the waste disposal activities likely to have been carried out and whether these took place on or off-site.
<b>Stage 3</b>	Identify which of the locations identified in Stage 2 are most likely to have been used for the disposal of hazardous waste.
<b>Stage 4</b>	Compile a 'Section 26 Register' of all suspected or known hazardous waste disposal sites.
<b>Stage 5</b>	Carry out a preliminary risk assessment based on the desk study procedure in Stages 1 to 4. The assessment will allow suspect sites to be provisionally allocated to one of three priority categories (A, B or C), thereby assigning each site included in the local authority register to a preliminary priority rating.

<b>Stage 6</b>	Undertake an intermediate risk assessment, based on a literature review and a visual inspection of the site. The results of this procedure will allow suspect sites to be re-allocated, as appropriate, to a more relevant priority category. The resultant priority rating will allow identification of those sites which must be subjected to Stage 7 investigations, as well as ranking them in order of priority.
<b>Stage 7</b>	Carry out a detailed risk assessment, based on actual site investigation work. Stage 7 investigations will verify the presence or absence of contaminants and will provide the information to be used to identify an appropriate remediation strategy.

In general the categories of waste disposal sites are:

- a) Local authority operated sites (1977 – 1996)
- b) Local authority sites operated and closed under a waste licence
- c) Existing local authority landfills
- d) Orphan sites (sites where the owner and/or operator are unknown).

For sites in (a) to (c) inclusive, it is the policy of the Region to compile an initial register by the end of 2006. For other sites, they will be added to the register as they are identified.

The local authorities in the Region in moving from the direct provision of disposal facilities to an integrated waste management system, local authorities will no longer have the income streams available to them to adequately address legacy (historical) landfills or waste recovery activities. State assistance is now being made available and accordingly the Region will seek the maximum state assistance to provide the funding to achieve the necessary standards in remediation and aftercare to comply with pending guidance from the EPA and the Section 60 Policy Notice from the DoEHLG.

### **11.10. Unauthorised Waste Management Activities**

The Region recognises the need to ensure that the Waste Management Acts and subsidiary legislation are enforced in an effective and equitable manner across the region as a whole. Enforcement activity will involve the full invocation of all relevant powers under national law where this is necessary and appropriate. Particular enforcement effort will be concentrated upon activities which are large-scale, are associated with significant environmental impacts, involve repeat offenders or continue after the receipt of warnings. Issues of priority to the Region will include the operation of unauthorised waste management sites and collection activities, fly-tipping and backyard burning by householders and commerce. Operators of facilities subject to waste permits or registrations and waste transporters authorised by waste collection permits will be expected to fully comply with these forms of statutory authorisation. Enforcement effort will also be targeted to ensure that there is strict compliance with any relevant by-laws covering issues such as waste presentation.

The Region is committed to tracking and auditing waste movements within the region.

## 11.11. Contaminated Sites

The Region will continue to liaise with the EPA's Office of Environmental Enforcement. The Agency has established a working group which is currently developing a "Complaints Investigation Protocol" on waste-related issues. It will be the policy of the Region to implement the protocol as developed by the Office of Environmental Enforcement.

From the outset, the Region has been represented on the National Working Group for Unauthorised Waste Activities.

Nationally, unauthorised waste management activities and contaminated sites have proven a difficult area to police from a range of perspectives, including legal, geographical and administrative perspectives. The Region has engaged in the process and has identified a number of sites.

In relation to unauthorised waste management activities and contaminated sites, the Region will have regard to:

- the policy direction issued by the Minister for the Environment, Heritage and Local Government on the 3<sup>rd</sup> May 2005
- the EC Court of Justice judgment dated the 26<sup>th</sup> April 2005 against Ireland in relation to the Waste Directive 75/442/EEC as amended by 91/156/EC.

It is the policy of the Region that all costs incurred in respect of investigations relating to proven unauthorised waste activities will be recovered from the landowner, collector and/or operator of the facility.

Investigation may include:

- an initial site walk over/site history investigation to determine the waste material deposited at the site
- trial pit site investigation
- gas monitoring or probe survey at each trial pit
- collection of surface water samples
- collection of soil samples from each trial pit location
- chemical analysis of all samples obtained

If required, intrusive site investigations of unauthorised waste sites, as well as other contaminated land, will be conducted in accordance with BS 5930:1999 titled "Code of Practice for Site Investigations" and the "Guidance Notes for the Safe Drilling of Landfills and Contaminated Land" where required.

It is the policy of the Region that the environmental assessments/investigations carried out on behalf of the landowner will only be undertaken by a suitably qualified and experienced organisation. The appointment of such a body will be required to be subject to the approval of the relevant County or City Council within the region in a manner appropriate for each instance where it is necessary.

## 11.12. Policy on Joint Management and Procurement

It is the policy of the local authorities to act jointly in the procurement and management of waste infrastructure necessary to implement the policies and to achieve the targets of this Plan.

It is the policy of the local authorities to act jointly to develop (or to facilitate the development) on a phased basis of required waste infrastructure (i.e. residual landfill) so as to minimise redundancy in the waste system. In respect of local authority owned/procured facilities, this may necessitate the sharing of existing facilities and/or the co-ordination of delivery of proposed/future facilities.

It is the policy of the local authorities to act jointly in sharing the procurement and/or financial risk in managing and/or developing the waste infrastructure necessary for the region.

Each local authority undertakes not to facilitate, procure, develop and/or manage any waste facility, if by so doing, the procurement and/or the development of regional waste infrastructure required under this plan is compromised or made non viable.

## 11.13. Location of Waste Management Facilities

It is the policy of the Region to provide adequately for waste management facilities, notwithstanding the zoning of land for the use solely or primarily of particular areas for particular purposes in development plans, or the absence of zoning provisions, approval for waste management facilities necessary for the proper implementation of the Plan shall be considered open for consideration in all areas, in addition disposal sites shall have regard to the Landfill Site Selection Manual (EPA 1996).

In some areas public infrastructure such as roads, sewers, water supply etc. may not be of the required standard. However if the need for the facility so requires and if the infrastructure will be provided by or on behalf of the developer/local authority by the time the facility is fully operational or within a reasonable time thereafter, deficiency of infrastructure shall not prejudice the achievement of the objectives of this Plan.

In the siting of future waste facilities, consideration will be given to the following environmental protection areas:

• Special Areas of Conservation	• Refuge for Fauna
• Special Protection Areas	• Ramsar Site
• Statutory Nature Reserve	• Biogenetic Reserve
• National Park	• UNESCO Biosphere Reserve
• Wildfowl Sanctuary	• Salmonid Water
• Sensitive Areas for Urban Wastewater	• Sensitive Areas for Fisheries and Forestry
• Areas of Special Control in County Development Plans	• Protected Areas as listed in Annex IV of the Water Framework Directive

#### **11.14. Complaints Management**

The Region will have regard to the guidelines from the Complaints Working Group established under the Enforcement Network, co-ordinated by the OEE.