

## **STRATEGIC ENVIRONMENTAL ASSESSMENT SCREENING OF THE PROPOSED REVISED NATIONAL HAZARDOUS WASTE MANAGEMENT PLAN – UPDATE (1<sup>st</sup> November 2013)**

### **1. Background**

In accordance with Section 26 of the Waste Management Act 1996 as amended, the Environmental Protection Agency (EPA) is responsible for preparing Ireland's National Hazardous Waste Management Plan (NHWMP). The first such Plan was published in 2001 and was replaced by a second Plan published in 2008. This third Proposed Plan is a revision of the second Plan and will, on completion, supersede it and will cover a period of six years from date of publication. The National Hazardous Waste Management Plan is a strategic level document designed to provide overall direction to policy and decision makers involved in the prevention and management of hazardous waste.

### **2. Preparation of the Proposed Revised Plan**

The National Hazardous Waste Management Plan 2008-2012 has been updated and the main components of the National Hazardous Waste Management Plan 2008-2012 remain intact in the Proposed Revised Plan. These include promotion of:

- Prevention of hazardous waste generation
- Collection and correct treatment of hazardous waste
- Indigenous treatment of hazardous waste while reducing export volumes (where feasible)
- Dealing with legacy issues (e.g.: closed historic landfills)

The revision to the National Hazardous Waste Management Plan 2008-2012 principally includes more recent waste data (e.g. from National Waste Report for 2011), updates on recent legislation and waste related activities (e.g. recent implementation measures such as prevention initiatives (guidance and awareness)), brief information on emerging issues over the next plan period (e.g. expected legislative changes), and updates to recommendations to ensure that they remain valid for the next Proposed Revised Plan period.

### **3. Strategic Environmental Assessment Screening**

A full Strategic Environmental Assessment (SEA) was conducted concurrent with the development of the second Plan in 2008. This fulfilled the requirements of the SEA Directive (2001/42/EC)<sup>1</sup> and the European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004, S.I. No. 435 of 2004. Best practice was followed throughout the process and relevant published guidance followed.

In 2011, an Implementation Report was published on the second Plan as part of the monitoring step in SEA. This evaluation indicated that no unforeseen adverse effects on the environment had become evident arising from the implementation of the second Plan. It was noted from the EPA National Waste Report 2010, published in 2012, that hazardous waste volumes are declining.

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<sup>1</sup> Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, OJ L 197, 21.7.2001, p. 30–37

In accordance with Article 9(6) of European Communities (Environmental Assessment of Certain Plans and Programmes) Regulations 2004 (S.I. No. 435 of 2004) as amended, the EPA must decide if modifications to the National Hazardous Waste Management Plan 2008-2012 would or would not be likely to have significant effects on the environment taking into account relevant criteria set out in Schedule 1 of these Regulations. A notice in accordance with Article 9(6) was issued to the relevant SEA environment authorities in July 2012. This was followed up by a SEA Screening Report which was sent to the relevant SEA environment authorities in September 2012 (please refer to Annex 1 of this paper).

#### **4. SEA Screening - Update (1<sup>st</sup> November 2013)**

As the Proposed Revised Plan is now prepared and is available for public consultation the SEA Screening has been updated accordingly. The Proposed Revised Plan may be viewed at [www.hazardouswaste.ie](http://www.hazardouswaste.ie) and written submissions in relation to the Proposed Revised Plan may be made not later than Monday 23rd December 2013.

The main components of the National Hazardous Waste Management Plan 2008-2012 remain the focus in the Proposed Revised Plan (i.e., promoting the prevention, collection and correct treatment of hazardous waste while reducing export volumes (where feasible) and the continued identification and regulation of legacy issues (e.g., identification, risk assessment and regularisation of historic unregulated waste disposal sites).

It is considered that the proposed modifications to the National Hazardous Waste Management Plan 2008-2012 do not need to be subjected to further SEA processes. Revisions to the National Hazardous Waste Management Plan 2008-2012 principally include more recent waste data (e.g. from National Waste Report for 2011), updates on EU and national legislation and waste related activities (e.g. guidance and awareness), emerging issues over the next plan period (e.g. expected legislative changes), and updates to recommendations to ensure that they remain valid. Annex 2 of this paper presents a summary of the recommendations in the Proposed Revised Plan including associated SEA screening analysis.

The National Hazardous Waste Management Plan is a strategic level document and as a high level national plan, it promotes the prevention, collection, correct treatment and disposal of hazardous waste. While the Proposed Revised Plan recommends the provision of indigenous treatment facilities (where strategically advisable and where it is technically and economically feasible) it does not specify geographically where such facilities should be sited. Any proposals for hazardous waste treatment are subject to licencing / permitting requirements including assessment of environmental impacts.

Similar to the National Hazardous Waste Management Plan 2008-2012, one of the main objectives of the Proposed Revised Plan is to minimise the environmental, health, social and economic impacts of hazardous waste generation and management. It is envisaged that the Proposed Revised Plan will have a positive impact on the environment with respect to hazardous waste generation and management.

In terms of the National Hazardous Waste Management Plan's influence and relationship with other relevant plans (e.g. regional waste management plans), the Proposed Revised Plan includes a recommendation that Local authorities should consider the information provided in the Proposed Revised Plan, and, in accordance with Sections 22(8) and 26(6) of the Waste Management Acts 1996 as amended, take relevant recommendations of the Proposed Revised Plan into account in their revision and implementation of regional waste management plans, as well as regional planning guidelines and regional and area development plans.

The SEA Targets and Indicators developed for the National Hazardous Waste Management Plan 2008-2012 have been retained in the Proposed Revised Plan, where relevant. The Proposed Revised Plan also retains the environmental objectives as included in the previous plan (summarised in Table 27 of the Proposed Revised Plan). A summary of the SEA aspects of the National Hazardous Waste Management Plan and the Proposed Revised Plan's SEA environmental targets and indicators are included in Sections 1.4, 1.5 and 8.4 of the Proposed Revised Plan. A further Implementation/SEA Monitoring Report is planned to be developed during the next implementation period.

This updated SEA Screening report is being sent to the relevant SEA Environment Authorities including a notification that the Proposed Revised Plan is available for public consultation at [www.hazardouswaste.ie](http://www.hazardouswaste.ie) which closes on **23<sup>rd</sup> December 2013**. This SEA Screening determination will be updated (and made available at [www.hazardouswaste.ie](http://www.hazardouswaste.ie)) following completion of the public consultation phase and assessment of any changes made as a result of the same.

## Annex 1

### Strategic Environmental Assessment Screening Report in relation to minor modifications proposed to the EPA National Hazardous Waste Management Plan (2008-2013).

The current National Hazardous Waste Management Plan (NHWMP) was published by the EPA in 2008 to cover the period up to 2013. It is proposed in 2012/2013 to update this NHWMP with more recent (2010) waste data and to amend text to ensure that any recommendations remain valid for the next period of the plan. The NHWMP is subject to Strategic Environmental Assessment (SEA) and the full process was applied in its preparation. However, the proposed minor modifications to the plan will not make material changes to it and do not need to be subjected to further SEA processes. The original SEA is considered to be sound based on a review of the plan's implementation published in 2011. The SEA Objectives and Targets developed during the SEA of the NHWMP will continue to apply to the modified NHWMP.

Annex II of the SEA Directive (2001/42/EC) include criteria for determining whether a plan or programme (or modification thereto) is likely to have significant effects on the environment. These are reproduced in Schedule 1 of the SEA Regulations (S.I. No. 435 of 2004). These are replicated here with comments on the proposed minor modifications to the NHWMP:

1. *The characteristics of the plan or programme, or modification to a plan or programme, having regard, in particular, to*
  - *The degree to which the plan or programme, or modification to a plan or programme, sets a framework for projects and other activities, either with regard to the location, nature, size and operating conditions or by allocating resource, **The NHWMP sets a very general framework for the provision of indigenous treatment facilities. The proposed minor modifications to the NHWMP will not affect the framework for projects and other activities as provided for in the original plan.***
  - *The degree to which the plan or programme, or modification to a plan or programme, influences other plans including those in a hierarchy, **The proposed minor modifications to the NHWMP will not affect the degree of influence provided for by the original plan on regional waste management plans or relevant projects.***
  - *The relevance of the plan or programme, or modification to a plan or programme, for the integration of environmental considerations in particular with a view to promoting sustainable development, **The proposed minor modifications to the NHWMP will further the integration of environmental considerations promoting sustainable development, as provided for in the original plan, into the next period.***
  - *Environmental problems relevant to the plan or programme, or modifications to the plan or programme, **Environmental problems relevant to NHWMP include***

**the prevention, collection, treatment and disposal of hazardous waste. This remains the case with the proposed minor modifications to the NHWMP.**

- *The relevance of the plan or programme, or modification to the plan or programme, for the implementation of European Union legislation on the environment (e.g. plans and programmes linked to waste-management or water protection). Both the NHWMP and the proposed minor modifications relate to EU legislation and waste management. NHWMP was subjected to SEA and the SEA Objectives and Targets remain valid for the proposed updated plan.*

2. *Characteristics of the effects and of the area likely to be affected, having regard, in particular, to*

- *The probability, duration, frequency and reversibility of the effects,*
- *The cumulative nature of the effects,*
- *The transboundary nature of the effects,*
- *The risks to human health and the environment (e.g. due to accidents),*
- *The magnitude and spatial extent of the effects (geographical area and size of the population likely to be affected),*
- *The value and vulnerability of the area likely to be affected due to: a) special natural characteristics or cultural heritage, b) exceeded environmental quality standards or limit values, c) intensive land-use,*
- *The effects on areas or landscapes which have a recognised national, European Union or international protection status.*

**The NHWMP is a strategic level document covering relevant issues throughout the geographical area of the Republic of Ireland. As a high level national plan, it promotes the prevention, collection, correct treatment and disposal of hazardous waste. While it recommends the provision of indigenous treatment facilities (where economically and technically feasible) it does not specify geographically where such facilities should be sited. The NHWMP was subjected to the full SEA process. The minor modifications proposed to the plan do not alter the original plan to any extent that would change these recommendations.**

## Annex 2

Component	Summary	SEA Screening Comment
<b>Prevention of hazardous waste</b>	Prevention projects to reduce the generation of hazardous waste in certain priority sectors (pharmachem, agriculture, healthcare and households) should continue to be led by the EPA under the National Waste Prevention Programme. Prevention initiatives should be incorporated into Regional Waste Management Plans and the Green Public Procurement Action Plan should provide for the substitution and reduction in use of hazardous materials. Waste characterisation studies of certain waste streams are also recommended to evaluate the reduction of hazardous content of such wastes.	Similar to the previous plan, a general framework for prevention initiatives is described. It is considered that the proposed modifications do not need to be subject to further SEA processes. The objective is to prevent and reduce generation of hazardous waste therefore having a positive impact on the environment.
<b>Collection</b>	A comprehensive and accessible network of local drop-off facilities for householders and small businesses is recommended to tackle the problem of 'unreported' hazardous waste. Continue to examine the potential for producer responsibility obligations for a number of waste streams. A farm hazardous waste collection pilot project is recommended.	Collection of hazardous waste was a key focus in the previous plan. It is considered that the proposed modifications do not need to be subject to further SEA processes. The objective is to maximise the collection of hazardous waste with a view to reducing its environmental and health impacts.
<b>Self-sufficiency</b>	The objective of moving towards increased self-sufficiency and minimising exports continues to be recommended, where strategically advisable, and technically and economically feasible. If Ireland were to become self-sufficient, suitable hazardous waste treatment options would be required.	Similar to the previous plan, a general framework is set out regarding indigenous treatment of hazardous waste. The Proposed Revised Plan does not specify geographically where facilities should be sited. Any proposals for hazardous waste treatment are subject to licensing / permitting requirements including assessment of environmental impacts. It is considered that the proposed modifications do not need to be subject to further SEA processes.
<b>Legacy issues</b>	The management of old waste disposal sites, especially those that to a significant extent may have involved the disposal of hazardous waste, should continue to be managed (i.e. identified, risk assessed and regularised) in accordance with the Code of Practice drawn up by the EPA's Office of Environmental Enforcement and relevant legislation, where required.	The Proposed Revised Plan updates the previous plan and outlines existing measures (e.g.: legislative) in place to deal with legacy issues. It is considered that the proposed modifications do not need to be subject to further SEA processes.
<b>North-south cooperation</b>	The Proposed Revised Plan recommends that any proposals for hazardous waste recovery/disposal infrastructure, should take all-island considerations into account for capacity planning purposes. Co-operation between appropriate authorities on both sides of the border concerning hazardous waste management issues should be explored.	Similar to the previous plan, the Proposed Revised Plan continues to recommend all-island cooperation on hazardous waste management issues. It is considered that the proposed modifications do not need to be subject to further SEA processes.
<b>Guidance and Awareness</b>	During implementation of the second Plan, the EPA developed prevention resources for certain sectors. Such resources should continue to be disseminated (e.g. the Green Healthcare Programme). Local authorities and relevant sectoral organisations should also avail of appropriate media (e.g. social media) to inform the public and small businesses of hazardous waste collection services.	Guidance and awareness is considered a key aspect for proper hazardous waste management and in helping to minimise the environmental, social and economic impacts of hazardous waste management and generation. It is considered that the proposed modifications do not need to be subject to further SEA processes.

<b>Implementation</b>	Each of the 24 recommendations in the Proposed Revised Plan has a responsible body or bodies identified.	Similar to the previous plan, targets and indicators have been included in the Proposed Revised Plan to allow for monitoring the implementation of the Proposed Revised Plan (management indicators) and monitoring any environmental effects of the Proposed Revised Plan's implementation (environmental indicators). The EPA will also devise sectoral and waste stream specific indicators in the early part of the Proposed Revised Plan period to help monitor implementation of the Proposed Revised Plan's objectives. The EPA will carry out a mid-term review of the Proposed Revised Plan's implementation using data from the National Waste Reports and with the input of the National Waste Prevention Committee.
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