



Consultation paper on a proposal to prepare a National Implementation Plan on Persistent Organic Pollutants.

Introduction

This paper outlines the EPA's proposal to prepare a National Implementation Plan (NIP) for Persistent Organic Pollutants (POPs). Ireland is required to prepare a NIP under international agreements and European legislation. The EPA is inviting submissions from interested parties that may have an interest in or knowledge of the management of POPs.

What are Persistent Organic Pollutants ?

Persistent Organic Pollutants are chemical substances which can be transported through the environment across international boundaries far from their source. They can persist in the environment, bio accumulate through the food web and pose a risk to human health and the environment. POPs can be sub-divided into three main categories:

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|----|----------------------------------|------|----------------------------------|
| 1. | Pesticides | e.g. | DDT |
| 2. | Industrial Chemicals | e.g. | Polychlorinated biphenyls (PCBs) |
| 3. | Unintentional by products | e.g. | Dioxins, furans. |

Controls on POPs

Within the EU, substantial progress has been made in limiting the use of POP substances and in reducing their emission to the environment. Individual POP substances are controlled and regulated through various European and national legislative instruments. Also, as a group of substances, they are managed through two key international agreements and a European regulation as follows;

- A UN global convention on persistent organic pollutants, the Stockholm Convention;
- A UN European Regional protocol on persistent organic pollutants, The Aarhus Protocol;
- An EU Regulation on Persistent Organic Pollutants, Regulation (EC) No. 850/2004.

The Stockholm Convention on POPs

The Stockholm Convention on POPs entered into force on the 17th of May 2004. It is a global treaty signed by 152 states and regional economic integration organisations. The objective of the Convention is to protect human health and the environment from persistent organic pollutants.

The Convention starts by immediately targeting 12 particularly toxic POPs for reduction and eventual elimination. More importantly, it sets up a system for listing and tackling additional

chemicals identified as unacceptably hazardous. It recognises that a special effort may sometimes be needed to phase out certain chemicals for certain uses and seeks to ensure that this effort is made. It also channels resources into cleaning up the existing stockpiles and dumps of POPs around the world.

The Aarhus Protocol on POPs.

The Protocol on Persistent Organic Pollutants was signed on the 24th of June 1998 in Aarhus (Denmark). It is a protocol to the Convention on Long-range Transboundary Air Pollution (CLTRAP) and is currently being revised to extend the range of POPs covered.

The POPs Protocol focuses on a list of 16 substances (12 of which are also covered by the Stockholm Convention) that have been singled out according to agreed risk criteria. The substances comprise eleven pesticides, two industrial chemicals and three by-products/contaminants. The ultimate objective is to eliminate any discharges, emissions and losses to the environment of these POPs. The protocol bans the production and use of some products outright (e.g. aldrin). Others are scheduled for elimination at a later stage (e.g. DDT).

The Protocol restricts the use of dichloro-diphenyl-trichloroethane (DDT), hexachlorocyclohexane (HCH) including lindane, and polychlorinated biphenyls (PCBs). The Protocol includes provisions for the disposal of banned products. It also requires a reduction in the emission to the atmosphere of certain POPs which are a byproduct of combustion, namely, dioxins, furans, polycyclic aromatic hydrocarbons (PAHs) and hexachlorobenzene (HCB), below their base year level (the level in 1990 or an alternative year between 1985 and 1995 chosen by the Party). For the incineration of municipal, hazardous and medical waste, it lays down specific limit values for emissions to air.

Regulation (EC) No. 850/2004 on POPs¹

Regulation 850/2004 entered into force on the 20th of May 2004. The Regulation enables the European Community to ratify the Stockholm Convention and the Aarhus Protocol. It gives effect to the main provisions of the Convention and Protocol which were not yet sufficiently covered by Community legislation. The Regulation further advances the elimination of POPs by going beyond provisions set out in the Convention and Protocol.

There are a total of **16** substances or groups of substances listed in the Annexes of EC Regulation 850/2004, including all substances covered by the Convention and Protocol. The substances are listed as follows;

¹ Regulation (EC) No. 850/2004 of the European Parliament and of the Council of 29 April 2004 on persistent organic pollutants amending Directive 79/117/EEC

Table 1 Regulation (EC) No. 850/2004 - List of POPs

Annex I - List of Substances subject to Prohibitions	
<i>Part A – Substances listed in the Convention and in the Protocol</i>	
<ul style="list-style-type: none"> - Aldrin - Chlordane - Dieldrin - Endrin - Heptachlor 	<ul style="list-style-type: none"> - Hexachlorobenzene - Mirex - Toxaphene - DDT - Polychlorinated biphenyls (PCBs)
<i>Part B – Substances listed only in the Protocol</i>	
<ul style="list-style-type: none"> - Chlordecone - Hexabromobiphenyl - Hexachlorocyclohexane including lindane 	
Annex III - List of substances subject to release reduction provisions	
<ul style="list-style-type: none"> - Polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF) - Hexachlorobenzene (HCB) - Polychlorinated biphenyls (PCB) - Polycyclic aromatic hydrocarbons (PAHs) 	

What role does the EPA have on POPs ?

The EPA has been designated by the Department of Environment, Heritage and Local Government as the Competent Authority for the implementation and enforcement in Ireland of Regulation 850/2004 on POPs. The EPA liaises with relevant public bodies such as, Food Safety Authority of Ireland, Irish Medicines Board, Health and Safety Authority and Pesticide Control Service to regulate POPs in Ireland. The EPA is also responsible for the preparation of national reports under Regulation 850/2004 and for the preparation of a National Implementation Plan.

What is a National Implementation Plan?

Article 8 of Regulation 850/2004 requires Member States to prepare a National Implementation Plan (NIP) in accordance with their obligations under the Stockholm Convention. The key proposed elements of a NIP are as follows;

- **Country profile and background** - population, economic profile, geography;
- **Institutional, policy and regulatory framework in relation to POPs** - regulatory bodies involved in the POPs control area, national legislation relevant to POPs;

- **Assessment of POPs issue in Ireland** - historical POPs use, POPs stockpiles, current uses, emerging POPs issues, monitoring programmes;
- **Activities, strategies and action plans** - to meet a Member State's obligations under the Convention and the Regulation, including an action plan to identify, characterise and address the releases of unintentional by-product POPs;
- **Timetable for plan implementation and resource requirements** - proposed timeline for actions outlined in the NIP, including resources needed to implement the NIP.

The European Commission has prepared a Community Implementation Plan which can be viewed at http://ec.europa.eu/environment/pops/pdf/sec_2007_341.pdf

When will the NIP be prepared ?

The EPA has commenced the preparation of the NIP by compiling relevant information on monitoring, reporting and research in the POPs area. We are currently consulting with the public and, more formally, with certain key stakeholders working in the POPs area. All submissions will be taken into account in the preparation of the NIP. A draft National Implementation Plan will be published in due course for public consultation.

Where can I get more information on POPs ?

Further information on POPs can be obtained from the POPs page of the EPA website.

<http://www.epa.ie/whatwedo/resource/hazardous/pops/>

This webpage contains more detailed information on POPs including monitoring and research reports and ongoing research projects and other activities on POPs. Links to the text of relevant international agreements, national and European legislation are also available.

How can I give my opinion on the proposed NIP ?

The EPA welcomes input from interested parties. Written submissions in relation to the preparation of the National Implementation Plan on POPs may be made to the following address by **28th July 2008**.

POPs National Implementation Plan,
Environmental Protection Agency,
PO Box 3000,
Johnstown Castle Estate,
Co. Wexford

Or by email to pops@epa.ie

All correspondence should be headed "POPs National Implementation Plan". All submissions will be made publicly available.