



Feidhmeannacht na Seirbhíse Sláinte  
Health Service Executive



**Submission on the EPA**  
***Draft Compliance and Enforcement Policy***

**HSE Consultant in Public Health Medicine**  
**Environment and Health Group**

**Date: 8<sup>th</sup> April 2015**

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## Submission Summary

**We recommend that a quality assured public health risk assessment system is in place in order to fulfill the principle of proportionality safely.**

**We recommend that timely effective enforcement is prioritised.**

**We recommend that when environmental legislation is not achieving what it supposed to/needs to achieve that the EPA should advise Government in order to safeguard the protection of human health.**

**We recommend that methods are introduced to address conflicting responsibilities.**

### *Core Principles – Proportionality*

*“The EPA ensures that any action taken is fair and proportionate to the harm or risk of harm to the environment or public health”*

While we agree with this core principle, in order to act on this principle, it is essential that that the EPA has effective methods of assessing the harm or risk of harm to public health. It is not apparent what these methods are, or whether they are quality assured and safe.

**We recommend that a quality assured public health risk assessment system is in place in order to fulfill this principle.**

### *Effectiveness of Enforcement*

Timeliness and effectiveness of enforcement actions should meet the needs of the public, for whose benefit the EPA exists. Some Consultants in Public Health Medicine have found that a protective response can be very slow. This can have wider negative impacts apart from the risk to the health of the population from the particular incident. It can affect relationships between public agencies which may impact on other interagency work.

**We recommend that timely effective enforcement is prioritised.**

### *EPA as specialist advisor to Government on legislative requirements*

Some protective legislation may be less than adequate – for example air pollution legislation appears considerably weaker and less protective than water pollution legislation.

**We recommend that when environmental legislation is not achieving what it supposed to achieve that the EPA should advise Government in order to safeguard the protection of human health.**

### *Conflicting responsibilities*

Consultants in Public Health Medicine are aware of instances where the responsibilities of the different parts of the EPA conflict because of its structure e.g. in relation to recent consideration of the Irish Water proposal to introduce orthophosphate dosing for plumbosolvency reduction purposes the EPA drinking water supervisory function would be in favour of the proposal while the environmental waste function would question it.

**We recommend that methods are introduced to address conflicting responsibilities.**