



Environmental Protection Agency
Headquarters, PO Box 3000
Johnstown Castle Estate
Co Wexford,
Y35 W821, Ireland

Via email only to: byproduct@epa.ie

01 November 2023

Re. Final Consultation: Draft National By-Product Criteria – Greenfield Soil and Stone

Dear Sir/Madam,

The IGI promotes and advances the science of geology and its professional application in Ireland. It ensures that its members uphold, develop and maintain the highest professional standards. A stated objective of the IGI is to promote improvements in the law and take any other steps and proceedings as may be deemed necessary in the interests of the IGI and its members. Accordingly, the IGI makes the following observations and wishes to note the role of the geoscientist in achieving Ireland's transitions to a Circular Economy.

The consultation document is welcomed and, as it is an extensive document, we have focused only on areas which are of relevance to our membership.

The preparation of a desk study and a robust assessment of the history of a site requires input from a competent qualified environmental professional, referred to as "qualified staff" Section 2 (13). Involvement of an independent qualified professional (e.g. PGeo, CSci, CEng, MCIWM etc) who holds appropriate P.I. insurance will assist in complying with Annex 1 Criteria (1)(d).

Designated qualified persons are mentioned throughout the document as a suggestion to assist Producers and End Users in completing applications. We would suggest better defining this role and highlighting the importance of this role in relation to the characterisation of the site and the proposed Article 27 materials. The Producers and End Users may not be familiar with the rigour which should be applied in characterising these greenfield sites and the possibility of an item or feature being missed could be high in some of the initial applications. This will be especially important given that some of these declarations will be completed by main contractors or developers initially and will effectively constitute self-certification.

The IGI maintain a register of competent persons with respect to contaminated land/unregulated waste assessment following the EPA Code of Practice. We feel these individuals would hold the relevant knowledge and experience fulfil this "designated qualified person" in relation to soil condition.

We would be delighted to assist with any further queries you might have regarding any of the above.

Company number 314400. Directors: Eoin Wyse, Paul McDermott, Yvonne O'Connell, Siobhán Power



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European Federation
of Geologists

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Yours sincerely,

EurGeol Eoin Wyse PGeo
President

On behalf of the IGI

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