

## **Southern Committee Meeting on 18<sup>th</sup> June, 2018**

**To: Chairperson and Each Member of the Southern Committee**

I refer to the following Notice of Motion from Councillor Marcia D'Alton which is on the Agenda for the meeting of the Southern Committee on the 18<sup>th</sup> June, 2018:

“That with works on the East Tip nearing completion, Cork County Council would outline the steps proposed to achieve the “whole of island” approach to remediation of Haulbowline Island that was committed to the European Commission in 2015.”

### **Report from the Department of Agriculture, Food and the Marine**

The Minister for Agriculture, Food and the Marine was originally requested by Government to take responsibility for the submission of an application to the Environmental Protection Agency (EPA) to regularise the licensing status of the East Tip of Haulbowline Island in relation to the hazardous waste deposited on this site. The requirement for a waste licence at the East Tip arises from the outstanding measures necessary to comply with the judgement of the Court of Justice of the European Union dated 26 April 2005 in Case C-494/01. To ensure that there were no legal obstacles to the Department of Agriculture, Food & the Marine undertaking the project, ownership of Haulbowline Island was formally transferred to the Minister in October 2013. The scope of the remediation was later extended by Government to include ground level remediation of the former steelworks factory site including the area of the island known as the South Tip.

Funding for the remediation of the Haulbowline Island is ring-fenced in the Department's Vote for this specific purpose and the remit of the Department relates only to the remediation of the island.

Cork County Council was appointed as agent to the Minister for Agriculture, Food and the Marine for the operational delivery of the remediation project. A Memorandum of Understanding was signed between the Council and the Department which established a Governance Framework for the project. Cork County Council has a project office commissioned for managing the Haulbowline Island Remediation Project, which includes the East Tip, South Tip and steelworks sites.

In the period up to 2017 expenditure was focussed on preparing for and securing the necessary planning and waste licence consents and upgrading the island

infrastructure in anticipation of works. The planning consent was approved for works on the East Tip in May 2014. A waste licence for the East Tip was approved by the Environmental Protection Agency in 2014. Having secured the necessary consents, a procurement process was commenced to secure the services of suitable contractors to deliver the remediation works in line with the specifications of the planning consent and the waste licence. Due to the unique and multi-disciplinary nature of the remediation works in an Irish context, the procurement process took longer than initially estimated but was nonetheless concluded in July 2017 for the East Tip Contract A works package (this is a discrete package of works for remediation of the East Tip). The expected duration of the works contract is 18 months. Works on the East Tip are currently progressing on schedule with an estimated completion date in December 2018.

The main priority for the project team in 2018 is the completion of the East Tip remediation works.

Whereas the current priority is remediation of the East Tip work elsewhere on the island has also continued. The South Tip and Steelworks site sits outside the CJEU judgement but the State has committed to address the legacy issues arising. Services were secured to provide a Detailed Quantitative Risk Assessment of the former steelworks factory site. This assessment was concluded in 2016. A detail design of the remedial solution was required as the next step. Specialist services were procured to carry out a review and taking the outcome from that review further services were procured to advise on the design of remediation options and to recommend the most appropriate means of achieving remediation. These steps were essential because the challenges on this part of the island are very different to the East Tip. These steps are also in keeping with those undertaken on the East Tip site and have been necessary to inform the preparation of applications to secure the necessary consents to undertake remediation works at the steelworks site. Work has been substantially advanced on the applications for consents. Following conclusion of these steps and receipt of the necessary consents, a procurement process can take place to undertake works themselves.

In recent days there have been national media queries about the project and in particular suggestions that when the East Tip works are concluded the equipment/machinery/personnel should be diverted to the other site. There can be no question of machinery from the East Tip works simply being redeployed; this would not be compatible with any of the foregoing requirements and it has

never been the project plan that this would occur. This position has been reiterated by the Tánaiste, the Minister for Foreign Affairs and Trade, who was involved in setting the current project in motion.

The Government has identified a budget of €61m as being available to achieve remediation. Media coverage on this issue has also suggested that not enough money is being expended on the project to date. It is important in this context to bear in mind that a high level budget figure was identified following profiling of the risks which could be encountered in undertaking remediation works on the site. The expenditure to date reflects the careful contractual arrangements which have been put in place; the management and execution of the works and quite probably a high degree of luck to date in not encountering more costly challenges.

There has been no representation by the State actors involved that the East Tip works are or would be the only works undertaken on the site. The Department and the Council have been working to and continue to observe the necessary environmental, planning and public procurement legislation as well as best practice for remediation of hazardous sites.

The Department and the Council remain open to updating concerned parties as necessary and have regularly convened a dedicated Stakeholder Consultation Group to provide information directly to interested parties and their representatives on project milestones.

**13<sup>th</sup> June 2018**