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Eastern and Midland Regional Assembly

Report for Do No Significant Harm Assessment of the EU Just Transition Fund Programme 2021-2027

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1 INTRODUCTION

1.1 Purpose of this Report

1.1.1 RSK has been instructed by the Eastern And Midland Regional Assembly (EMRA) to carry out a Strategic Environmental Assessment (SEA), Appropriate Assessment (AA), and Do No Significant Harm (DNSH) of the EU Just Transition Fund Programme 2021- 27 (Hereafter referred to as 'the Just Transition Programme'). This will sit alongside the existing Regional Spatial and Economic Strategy (RSES) documents for the Territory in the programme area.

1.1.2 The purpose of this document is to provide a DNSH assessment of the Regional Programme issued on 26th October 2022 and advise the EMRA of any environmental risks associated with the programme. The DNSH assessment accompanies both a Strategic Environmental Assessment (SEA) and Appropriate Assessment (AA) of the Policy objectives.

1.1.3 In preparing this assessment RSK Ireland Ltd has consulted with the relevant legislation and technical guidance issued by the European Commission namely:

- Regulation (EU) 2021/1056 of the European Parliament and of the Council of 24 June 2021 establishing the Just Transition Fund
- Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 22.6.2020 EN Official Journal of the European Union L 198/13
- Regulation (EU) 2021/1060 of the European Parliament and of the Council of 24 June 2021 laying down common provisions on the European Regional Development Fund, the European Social Fund Plus, the Cohesion Fund, the Just Transition Fund and the European Maritime, Fisheries and Aquaculture Fund and financial rules for those and for the Asylum, Migration and Integration Fund, the Internal Security Fund and the Instrument for Financial Support for Border Management and Visa Policy
- Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objective
- Commission Notice Technical guidance on the application of “do no significant harm” under the Recovery and Resilience Facility Regulation, Brussels, 12.2.2021 C(2021) 1054 final
- Regulation (EU) 2021/1060 -Annex I Dimensions and codes for the types of intervention for the ERDF, the ESF+, the Cohesion Fund and the JTF - Article 22(5) – 30 June 2021
- Information from European Union Institutions, Bodies, Offices and Agencies European Commission Notice -Technical guidance on the application of ‘do no significant harm’ under the Recovery and Resilience Facility Regulation (2021/C 58/01)



- 18.2.2021 EN Official Journal of the European Union C 58/1
- EU 215/2014 - IA - Article 8 - Categories of intervention for the ERDF, the ESF and the Cohesion Fund
- EU 215/2014 - IA - Annex I - Nomenclature for the categories of intervention of the Funds under the Investment for growth and jobs goal and of the Youth Employment Initiative
- EU Taxonomy Compass

1.1.4 Guidance from the European Commission dated 16 Feb 2021 has indicated that DNSH should follow the approach outlined in technical guidance provided with the Regulation establishing the Recovery and Resilience Facility (RRF). The technical guidance for DNSH for the RRF forms the basis for DNSH for all subsequent programmes including the EU JTF. The RRF indicates that no measure included in a Recovery and Resilience Plan (RRP) should lead to significant harm to environmental objectives within the meaning of Article 17 of the Taxonomy Regulation.

1.1.5 According to the RRF Regulation, the assessment of the RRFs should ensure that each and every measure (i.e. each reform and each investment) within the plan complies with the 'do no significant harm' principle (DNSH). The RRF Regulation also states that the Commission should provide technical guidance on how DNSH should apply in the context of the RRF. The present document has used the technical guidance and accompanying legislation to advise the report.

2 DO NO SIGNIFICANT HARM

2.1 DEFINITION OF DO NO SIGNIFICANT HARM

2.1.1 For the purposes of this report, DNSH is to be interpreted within the meaning of Article 17 of the Taxonomy Regulation. This article defines what constitutes 'significant harm' for the six environmental objectives covered by the Taxonomy Regulation. The text from Article 17 is detailed below

"Significant harm to environmental objectives

1. For the purposes of point (b) of Article 3, taking into account the life cycle of the products and services provided by an economic activity, including evidence from existing life-cycle assessments, that economic activity shall be considered to significantly harm:

(a) climate change mitigation, where that activity leads to significant greenhouse gas emissions;

(b) climate change adaptation, where that activity leads to an increased adverse impact of the current climate and the expected future climate, on the activity itself or on people, nature or assets;

(c) the sustainable use and protection of water and marine resources, where that activity is detrimental:

(i) to the good status or the good ecological potential of bodies of water, including surface water and groundwater; or

(ii) to the good environmental status of marine waters;

(d) the circular economy, including waste prevention and recycling, where:

(i) that activity leads to significant inefficiencies in the use of materials or in the direct or indirect use of natural resources such as non-renewable energy sources, raw materials, water and land at one or more stages of the life cycle of products, including in terms of durability, reparability, upgradability, reusability or recyclability of products;

(ii) that activity leads to a significant increase in the generation, incineration or disposal of waste, with the exception of the incineration of non-recyclable hazardous waste; or

(iii) the long-term disposal of waste may cause significant and long-term harm to the environment;

(e) pollution prevention and control, where that activity leads to a significant increase in the emissions of pollutants into air, water or land, as compared with the situation before the activity started; or

(f) the protection and restoration of biodiversity and ecosystems, where that activity is:

- (i) significantly detrimental to the good condition and resilience of ecosystems; or*
- (ii) detrimental to the conservation status of habitats and species, including those of Union interest.*

2. *When assessing an economic activity against the criteria set out in paragraph 1, both the environmental impact of the activity itself and the environmental impact of the products and services provided by that activity throughout their life cycle shall be taken into account, in particular by considering the production, use and end of life of those products and services.”*

2.2 EU CLIMATE COEFFICIENTS

Regulation (EU) 2021/1060 Annex I Dimensions and codes for the types of intervention for the ERDF, the ESF+, the Cohesion Fund and the JTF - Article 22(5) indicates how the EU climate coefficients are allocated for the Just Transition Fund, the list of intervention fields with their associated climate and environmental coefficient.

Coefficients are assigned to specific intervention fields, which correspond to an activity that might be included in the national recovery and resilience plans under the JTF. For some activities, multiple intervention fields with different coefficients exist, and the choice between them depends on whether those activities fulfil certain EU Taxonomy technical screening criteria or not. Coefficients for climate change objectives are defined as follows:

“ • 100% (“substantial contribution”) when the activity’s expected results make a substantial contribution to climate mitigation or adaptation objectives and/or comply with the EU Taxonomy technical screening criteria. A substantial contribution could be considered if an activity has a very substantial impact on climate mitigation or adaptation either directly through reducing the emissions from the activity overall – e.g., for example in activities such as energy generation or transport – or indirectly – e.g., for example in research and development or education.

• 40% (“moderate contribution”) when the activity’s results are moderately contributing to climate mitigation or adaptation objectives. A moderate contribution could be considered if an activity does not fully comply with the necessary conditions for the 100% coefficient but would still be expected to have a positive impact on climate mitigation or adaptation.

• 0% means that the activity was examined but found to have no or an insignificant impact on climate objectives.”

The RRF Regulation includes important substantive conditions of the EU Taxonomy for Sustainable Finance in its climate tracking methodology by incorporating technical screening criteria for certain intervention fields and associated coefficients. Since intervention fields concerned require compliance with important substantive conditions close to the EU Taxonomy, the climate coefficient is set at 100% .

On the other hand, the methodology still allows for a positive climate marking at a lower coefficient where not all EU Taxonomy criteria are fulfilled.

Where climate coefficients are referenced in this report the substantive conditions are noted in the Justification sections of the DNSH checklists.

Eastern and Midland Regional Assembly

2.3 DNSH ASSESSMENT PROCESS

Figure 1 indicates the process of the DNSH and how this is positioned within the statutory assessments for the programme.



Figure 1- Graphic Representation of the DNSH process

This document considers first an initial DNSH Checklist (Part 1) where the Specific Objectives (RSOs) and types of actions are considered in conjunction with the results of the Appropriate Assessment (AA), Strategic Environmental Assessment (SEA) and Regional Flood Risk Appraisal (RFRA) Screening. Where the type of actions under a RSO are not screened out at Part 1 further commentary and recommendations will be made in the DNSH (Part 2).

3 THE EU JUST TRANSITION PROGRAMME

3.1 THE REGIONAL PROGRAMME AND PROGRAMME OBJECTIVES

The EU Just Transition Fund (JTF) - one of the pillars of the Just Transition Mechanism under EU cohesion policy - aims to mitigate adverse effects of the green transition by supporting the most affected territory and workers and to promote a balanced socio-economic transition. In line with the JTF's single specific objective, actions supported will directly contribute to alleviating negative impacts of the transition on employment by supporting diversification and modernisation of the local economy in the most impacted territory.

The key task for the JTF is to provide new employment opportunities for workers and communities that were heavily dependent on peat. This can be achieved by supporting the diversification of the economy of the Territory to enable development and help impacted workers and communities adapt to a changing labour market. By providing opportunities for employment in the Territory, the JTF can help to create an inclusive, attractive, healthy & sustainable place to live, work and visit. A focus on inter-generational sustainability, local development, regenerative tourism & building a green and circular economy will be central to achieving this vision.

The Territory

To inform the development of the TJTP and the JTF Programme, the European Commission funded an analysis via the Structural Reform Support Programme (SRSP). To ensure that the TJTP and Programme targets the most negatively affected communities, an additional analysis commissioned by the Member State (MS) complemented the SRSP findings to identify the most negatively affected territory based on key socio-economic, demographic and environmental indicators. Based on this territorial analysis, the counties of Laois, Longford, Offaly, Westmeath, Roscommon and Municipal Districts (MDs) of Ballinasloe (Co. Galway), Athy, Clane-Maynooth (Co. Kildare) & Carrick-on-Suir and Thurles (Co. Tipperary) were identified as the most negatively affected by the green transition. This contiguous territory – which includes one full NUTS 3 Region (Midlands) and parts of three more (Mid-East, West & Mid-West) – provided a baseline for the geographical context, to ensure an evidence-based approach was applied in the selection of Programme operations.

Selected Priorities for the Programme

In Table 3.1 below details of the Priorities and types of actions associated with the project are summarised

Table 3.1 Programme Priorities for JTF.

Priorities	Types of Actions
<p>Specific objective: JSO8.1. Enabling regions and people to address the social, employment, economic and environmental impacts of the transition towards the Union’s 2030 targets for energy and climate and a climate-neutral economy of the Union by 2050, based on the Paris Agreement</p>	
<p>JTF1. Generating employment for former peat communities by investing in the diversification of the local economy</p>	<p>1.1 Foster the economic diversification of the territory by supporting productive investments in micro-enterprises, SMEs and economic stakeholders in key sectors, such as sustainable tourism and the bioeconomy, and by providing support to businesses to:</p> <ul style="list-style-type: none"> • Develop new/expand existing services and products. • Develop the digital capabilities of SMEs/businesses to make the most of opportunities offered by digitalisation. • Foster entrepreneurship, productivity, competitiveness, internationalisation, clustering and network development. • Enable SMEs and businesses to set-up, modernise, diversify and expand in the EU JTF Territory. <p>1.2 Support the implementation of bottom-up local and regional economic strategies</p> <ul style="list-style-type: none"> • The EU JTF will support local authorities and local stakeholders in implementing economic and community objectives and actions of economic strategies which are developed through collaboration involving local and regional stakeholders and are adopted through democratic processes. The targeted strategies are Local Economic and Community Plans and Regional Enterprise Plans. This action may: <ul style="list-style-type: none"> • Build on achievements of the National Just Transition Fund and on regional strengths as identified in the Smart Specialisation Strategy for Ireland. • Encourage the development of transformative projects in association with

Priorities	Types of Actions
	<p>the local authorities and local stakeholders.</p> <ul style="list-style-type: none"> Supporting the transition towards a climate-neutral economy by supporting the diversification of the economy of the Territory in line with bottom-up local and regional and economic strategies. <p>In supporting implementation of bottom-up local and regional economic strategies, this action will support:</p> <ul style="list-style-type: none"> Activities which are aligned with the single specific objective of the EU Just Transition Fund and which contribute to the implementation of the Territorial Just Transition Plan for Ireland, and; Activities which are limited to the types of activities listed in Article 8.2 of the EU JTF Regulation, such as but not limited to: <ul style="list-style-type: none"> supporting new and existing businesses/SMEs to create jobs, improve and diversify employment in the Territory Support job creation and providing enterprise supports in green and low carbon sectors Supporting digitalisation and connectivity to open up new employment options. <hr/> <p>1.3 Support research, development and innovation activities to contribute to the development of the green and circular economy</p> <p>The EU JTF will support investments in research, development, innovation, cooperation and demonstration activities that contribute to the development through structuring (aligning relevant partners) and mobilisation (development of multi-actor engagement to enable knowledge exchange and innovation) of the circular economy of the Territory, including the bioeconomy. This would include:</p> <ul style="list-style-type: none"> Support for Research, Development and Innovation (RD&I) activities and fostering the transfer of advanced technologies, including through living labs.

Priorities	Types of Actions
	<ul style="list-style-type: none"> • Support to multi-actor cooperation for mobilising, supporting and enhancing the circular economy, including through waste prevention, reduction, resource efficiency, reuse, repair and recycling, including RD&I for sustainable higher value products for new circular, resource-efficient biobased industries. • Support the building of multi-sectoral engagement based on the principles of a circular economy and bioeconomy to consider the material flow (the territorial metabolism) as a resource which supports goals for ensuring food and nutrition security, managing natural resources sustainably, reducing dependence on non-renewable, unsustainable resources, limiting, and adapting to climate change and strengthening European competitiveness and creating jobs, welfare, and prosperity. <ul style="list-style-type: none"> • Support enabling communication, coordination and alignment with education, training, and skills activities to support activities and productive investments in relevant actors in the circular and bioeconomy including cooperative organisations, SMEs and industry for the development of new business models, value chains, technologies, products and services. <p>If relevant, actions in the field of clean energy could also be supported as they could be linked to actions in the field of bioeconomy.</p>

Priorities	Types of Actions
<p>JTF2. Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets</p>	<p>Under this priority, the Programme will support a set of actions for the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets that will no longer be used for the extraction, transport and processing of peat.</p> <p>2.1 Rehabilitation and restoration of degraded peatlands</p> <p>2.2 Research, knowledge transfer and monitoring activities on rewetting measures and overall land management improvements for farmed peat soils</p> <p>2.3 Regeneration and repurposing of industrial heritage assets that will no longer be used for the extraction, transport and processing of peat.</p> <p>The actions supported will include:</p> <ul style="list-style-type: none"> • Preparation measures such as feasibility and design studies including environmental assessments and rehabilitation plans. • Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase) • Implementation of measures to enable and monitor restoration and enhanced rehabilitation of degraded peatlands across multiple project sites. Project sites may be located within Special Areas of Conservation (SACs). • Implementation of regeneration and repurposing measures to include investments in the upgrade of existing industrial heritage assets for amenity and investments in new amenity assets such as, but not limited to, walking trails, cycle paths, signage/notice boards, seating, boardwalks and bog bridges. • Research on rewetted soils to identify suitable land management practices to maintain low GHG emissions and support biodiversity while farming under wet

Priorities	Types of Actions
	<p>conditions. Example activities may include rewetting of drained organic rich soils under grass/agriculture.</p> <ul style="list-style-type: none"> • Education, awareness-raising and community engagement activities presenting the benefits of the restoration measures to the wider public <p>These actions will complement the activities under Priority 1 by providing employment for impacted workers and communities and by making the Territory a more attractive place to live, work and visit. Attracting visitors to the Territory by providing first-rate amenities and restored landscapes will support new and existing SMEs by creating a market for additional goods and services. The rewetting and restoration works will require and involve the expertise of workers and contractors formerly involved in peat extraction. The research, education, community engagement activities and knowledge transfers possible under this priority will also increase the skills base of impacted communities, supporting the potential for further productive activities.</p>
<p>JTF3. Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition</p>	<p>As part of this priority, the EU JTF Programme will enhance sustainable and clean mobility in the Territory by supporting actions focusing on the decarbonisation of transport to provide clean transport solutions to the people working in, studying in and visiting the EU JTF Territory. Factors such as range anxiety, stretched resources and uncertain travel patterns following the pandemic, and rapidly changing technology, mean that the barriers to transport operators in the Territory taking advantage of zero carbon fleets are very high. By introducing relatively simple measures, the move to cleaner public transport for all can be accelerated in the EU JTF Territory. This will include the following type of activities:</p> <ol style="list-style-type: none"> 1) Decarbonisation of public local rural bus route(s) including scoping, installation of electric charging points, and purchase of electric buses. 2) Support to private bus operators in the territory to move to electric vehicles

Priorities	Types of Actions
	<p>including consultancy support and support for specific aspect of the electrification upgrade</p> <p>3) Installation of publicly available fast and high-powered charge point infrastructure at community centre sites, including consultancy support, support to infrastructure work (civil and electrical work) and purchase of necessary equipment and related installation measures</p> <p>This Priority is key to ensuring the success of Priority 1. Sustainable and clean mobility in the region is essential to ensuring the Territory’s population is able to access jobs and training in order to participate in the economic and community diversification activities of Priority 1. It is intended that actions supported under this Priority will build more resilient communities by allowing earlier adoption of zero-emissions mobility options, providing workers with better access to local jobs, training and education opportunities. The creation of local sustainable transport solutions will better connect towns, remote working hubs and educational institutions in the Territory, better serving employees. Enhanced local sustainable transport enables communities to embrace clean and sustainable opportunities resulting from the green transition. It is envisaged that local suppliers of works, equipment and services will benefit from the investment of JTF funding of these actions, as well as local businesses which may be considering the use of zero-emissions vehicles for commercial purposes, particularly last-mile freight services and services associated with community programmes, such as meals on wheels or youth clubs.</p>

3.2 ENVIRONMENTAL STATEMENT

From the outset the Programme has outlined its commitment to environmental protection. The excerpt from the Programme below demonstrates high level principles for economic activities arising out of investments associated with the Programme

“The Programme includes environmental assessment documents on Strategic Environmental Assessment (SEA), Appropriate Assessment (AA), Strategic Flood Risk Appraisal Screening (SFRA) and DNSH under Regulation (EU) 2021/241 requiring that no measure should lead to significant harm to any of the environmental objectives within the meaning of Article 17 of the Taxonomy Regulation (EU) 2020/852.

The Programme will contribute to mainstreaming climate actions and supporting activities that would respect the climate and environmental standards and priorities of the EU. To ensure compliance with the requirements for DNSH, the Programme will support activities that protect biodiversity, water, air & land quality, and marine resources; encourage circular economy initiatives; reduce waste and increases recycling, and; reduce greenhouse gas emissions.

At the project level, all applications for development consents for activities that may give rise to likely significant effects on the environment must be accompanied by the following, as relevant:

- *SEA Environmental Report*
- *Flood Risk Assessment*
- *Environmental Impact Assessment (EIA) Report*
- *Appropriate Assessment*

Any reference to support for all activities in the Programme should be considered to refer to ‘environmentally sustainable development’ with no adverse effects on the integrity of European sites and no net loss of biodiversity, that shall be subject to appropriate feasibility studies, best practice site/route selection (to consider environmental constraints such as landscape, cultural heritage, protection of water quality, flood risks and biodiversity) environmental assessment including Ecological Impact Assessment Report to support development management and the completion of statutory SEA, EIA and AA processes as required.

The Programme seeks to protect, manage, and through enhanced ecological connectivity, improve the coherence of the Natura 2000 Network in the Territory.

Support for other plans/programmes (and initiatives arising) is based on compliance with EU and national policy, directives and legislation ensuring appropriate SEA, SFRA, EIA and AA processes are undertaken. The Programme will not support any plans/programmes where adverse effects on the Natura 2000 Network cannot be avoided or mitigated.



The Programme supports relevant development proposals compliant with the Water Framework Directive, that aim to protect inland surface waters, transitional waters, coastal waters and groundwater, preventing pollution, further deterioration of water quality, promotes sustainable water use and enhance improvement of the aquatic environment.

Any planning consent process emanating from support through the Programme will ensure compliance with the EU Waste Framework Directive and Action Plan for the Circular Economy. As such projects will:

- be subject to the objectives of County Development Plans and Local Area Plans supporting the circular economy and prioritising waste prevention followed by re-use, recycling and recovery before landfill*
- adhere to Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects (DHLGH) and any updated guidelines*
- adhere to the National Waste Management Plan for a Circular Economy*

Thereby, minimising the use of natural resource inputs, reducing waste, pollution and carbon emissions and improving the productivity of resources used in development through extending the life span of materials and facilitating the repurposing, recycling and re-use of resources at end of life.

It is important to be cognisant of this statement when assessing the specific policy objectives and the types of action arising.

At the time of assessment no specific project details are available, but it is understood that without this detail it is recognised that the JTF funding associated with the programme will be diligently allocated towards projects that Do No Significant Harm and that the Regional Assembly and their appointed agents will ensure that the necessary safeguards are installed to maintain environmental protection and compliance with the relevant environmental legislation and policies.

4 DNSH CHECKLIST PART 1

4.1 INTRODUCTION

The DNSH Checklist Part 1 considers an initial screening of the proposed types of action under each specific objective (RSO) and concludes with a statement of DNSH for the RSO or a recommendation to proceed to the DNSH checklist Part 2 for further commentary and analysis.

4.2 DNSH CHECKLIST STAGE 1 PRIORITY JTF1

Specific objective: JSO8.1. Enabling regions and people to address the social, employment, economic and environmental impacts of the transition towards the Union’s 2030 targets for energy and climate and a climate-neutral economy of the Union by 2050, based on the Paris Agreement (JTF)

Priority: JTF1. Generating employment for former peat communities by investing in the diversification of the local economy

With this priority, the EU JTF Programme will aim at addressing the economic challenge of the transition by fostering the diversification of the local economic fabric, jobs creation and local development in the Territory. The Priority Areas, Types of Action and Main Target Groups are outlined in Table 4.1

Table 4.1 Priority Areas, Types of Action & Main Target Groups.

Priority Area	Types of Action	Main Target Groups
1.1 Foster the economic diversification of the territory by supporting productive investments in micro-enterprises, SMEs and economic stakeholders in key sectors, such as sustainable tourism and the bioeconomy, and by providing support to businesses	<p>Develop new/expand existing services and products.</p> <p>Develop the digital capabilities of SMEs/businesses to make the most of opportunities offered by digitalisation.</p> <p>Foster entrepreneurship, productivity, competitiveness, internationalisation, clustering and network development.</p> <p>Enable SMEs and businesses to set-up, modernise, diversify and expand in the EU JTF Territory.</p>	Expected target groups are; SMEs, micro-enterprises, businesses and community-based enterprises and those with responsibility in the area of SME and entrepreneurship programmes, including the hospitality and tourism sector.
1.2 Support the implementation of bottom-up local and regional economic strategies	The EU JTF will support local authorities and local stakeholders in implementing economic and community objectives and actions of economic strategies which are developed through collaboration involving local and regional stakeholders and are adopted	Expected target groups are Local economic and community groups including but not limited to Local Authorities, Local Development Companies, Local Community

	<p>through democratic processes. The targeted strategies are Local Economic and Community Plans and Regional Enterprise Plans . . . This action may:</p> <p>Build on achievements of the National Just Transition Fund and on regional strengths as identified in the Smart Specialisation Strategy for Ireland.</p> <p>Encourage the development of transformative projects in association with the local authorities and local stakeholders. Supporting the transition towards a climate-neutral economy by supporting the diversification of the economy of the Territory in line with bottom-up local and regional and economic strategies.</p> <p>In supporting implementation of bottom-up local and regional economic strategies, this action will exclusively support:</p> <p>activities which are aligned with the single specific objective of the EU Just Transition Fund and which contribute to the implementation of the Territorial Just Transition Plan for Ireland, and;</p> <p>activities which are limited to the types of activities listed in Article 8.2 of the EU JTF Regulation.</p>	<p>Development Companies, County Childcare Committees, Children and Young People Committees and Family Resource Centres. Individual community groups/ projects are also a target group</p>
<p>.1.3 Support research, development and innovation activities to contribute to the development of the green and circular economy</p>	<p>The EU JTF will support investments in research, development, innovation, cooperation and demonstration activities that contribute to the development through structuring (aligning relevant partners) and mobilisation (development of multi-actor engagement to enable knowledge exchange and innovation) of the circular economy of the Territory, including the bioeconomy. This would include:</p> <p>Support for research, development and innovation (RD&I) activities</p>	<p>Expected target groups are: Rural and regional stakeholders including but not limited to research performing organisations, higher education institutions, innovation intermediaries, cooperation and cooperative activities, SMEs, micro-enterprises, local economic and community groups and community-based enterprises and those with responsibility in the area of</p>

	<p>and fostering the transfer of advanced technologies, including through living labs.</p> <p>Support to multi-actor cooperation for mobilising, supporting and enhancing the circular economy, including through waste prevention, reduction, resource efficiency, reuse, repair and recycling, including RD&I for sustainable higher value products for new circular, resource-efficient biobased industries.</p> <p>Support the building of multi-sectoral engagement based on the principles of a circular economy and bioeconomy to consider the material flow (the territorial metabolism) as a resource which supports goals for ensuring food and nutrition security, managing natural resources sustainably, reducing dependence on non-renewable, unsustainable resources, limiting, and adapting to climate change and strengthening European competitiveness and creating jobs, welfare, and prosperity.</p> <p>Support enabling communication, coordination and alignment with education, training, and skills activities to support activities and productive investments in relevant actors in the circular and bioeconomy including cooperative organisations, SMEs and industry for the development of new business models, value chains, technologies, products and services.</p>	<p>SME and entrepreneurship programmes and education, training and skills provision</p>
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4.2.1 PRIORITY JTF1 INTERVENTION CODES AND CLIMATE COEFFICIENTS

Based on the information available at time of assessment there are no specific projects or geographical locations identified.

Actions under this specific objective are intended to align with the following JTF EU Intervention Fields:

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“013 Digitising SMEs (including e-Commerce, e-Business and networked business processes, digital innovation hubs, living labs, web entrepreneurs and ICT start-ups, B2B)

021 SME business development and internationalisation, including productive investments

030 Research and innovation processes, technology transfer and cooperation between enterprises, focusing on circular economy

169 Territorial development initiatives, including preparation of territorial strategies”

These have been rated as having co-efficient scores for both climate change and environmental objectives which are included in Table 4.2

Table 4.2 Coefficients allocated to the chosen intervention fields JTF 1.

Code	Description	Rating (%)
013	Coefficient for the calculation of support to climate change objectives	0%
013	Coefficient for the calculation of support to environmental objectives	0%
021	Coefficient for the calculation of support to climate change objectives	0%
021	Coefficient for the calculation of support to environmental objectives	0%
030	Coefficient for the calculation of support to climate change objectives	40%
030	Coefficient for the calculation of support to environmental objectives	100%
169	Coefficient for the calculation of support to climate change objectives	0%
169	Coefficient for the calculation of support to environmental objectives	0%

Following the DNSH Stage 1 Checklist format, a determination for each of the Do No Significant Harm objectives has been recorded in Table 4.3

Table 4.3 DNSH Checklist for Priority JTF1

Which of the environmental objectives below require a substantive DNSH assessment of the measure	Yes	No	Justification if ‘No’ has been selected
Climate change mitigation		No	See note below
Climate change adaptation		No	See note below
The sustainable use and protection of water and marine resources		No	See note below

The circular economy, including waste prevention and recycling		No	See note below
Pollution prevention and control to air, water or land		No	See note below
The protection and restoration of biodiversity and ecosystem		No	See note below

4.2.2 JUSTIFICATION PRIORITY JTF1

The Types of actions identified at policy level do not demonstrate any material environmental impact or on climate change adaption and mitigation. These activities are classified as enablers for other actions and environmental and climate change impacts may arise as a result of the enabled activity. For the purposes of this report a further DNSH assessment is not required for Policy Objective JTF1 provided that the economic activities continue to align with the intervention codes and follow the recommendations outlined in Table 4.4 which have been extracted from the EU Taxonomy Compass.

Table 4.4 Recommendations and Guidelines for Specific Objective JTF1

DNSH Objective	Recommendation
Contributing to Climate Adaption	<p>Public or private education at any level or for any profession. The instructions may be oral or written and may be provided by radio, television, internet or via correspondence. It includes education by the different institutions in the regular school system at its different levels as well as adult education and literacy programmes, including military schools, academies and prison schools at their respective levels. The economic activities in this category could be associated with NACE code P85 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>Where applicable and possible, the economic activity should implement physical and non-physical solutions ('adaptation solutions') that substantially reduce the most important physical climate risks that are material to that activity.</p> <p>The physical climate risks that are material to the activity have been identified from those listed in Appendix A to this report by performing a robust climate risk and vulnerability assessment with the following steps:</p> <ol style="list-style-type: none"> a. screening of the activity to identify which physical climate risks from the list in Appendix A to this Annex may affect the performance of the economic activity during its expected lifetime; b. where the activity is assessed to be at risk from one or more of the physical climate risks listed in Appendix A to this Annex, a

	<p>climate risk and vulnerability assessment to assess the materiality of the physical climate risks on the economic activity;</p> <p>c. an assessment of adaptation solutions that can reduce the identified physical climate risk.</p> <p>The climate risk and vulnerability assessment is proportionate to the scale of the activity and its expected lifespan, such that:</p> <p>a. for activities with an expected lifespan of less than 10 years, the assessment is performed, at least by using climate projections at the smallest appropriate scale;</p> <p>b. for all other activities, the assessment is performed using the highest available resolution, state-of-the-art climate projections across the existing range of future scenarios consistent with the expected lifetime of the activity, including, at least, 10 to 30 year climate projections scenarios for major investments.</p> <p>The climate projections and assessment of impacts are based on best practice and available guidance and take into account the state-of-the-art science for vulnerability and risk analysis and related methodologies in line with the most recent Intergovernmental Panel on Climate Change reports, scientific peer-reviewed publications and open source or paying models.</p> <p>The adaptation solutions implemented:</p> <p>a. do not adversely affect the adaptation efforts or the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities;</p> <p>b. favour nature-based solutions or rely on blue or green infrastructure to the extent possible;</p> <p>c. are consistent with local, sectoral, regional or national adaptation plans and strategies;</p> <p>d. are monitored and measured against pre-defined indicators and remedial action is considered where those indicators are not met;</p> <p>e. where the solution implemented is physical and consists in an activity for which technical screening criteria have been specified in this Annex, the solution complies with the do no significant harm technical screening criteria for that activity</p>
<p>Climate Change Mitigation</p>	<p>In order for an activity to be considered as an enabling activity as referred to in Article 11(1), point (b), of Regulation (EU) 2020/852, the economic operator demonstrates, through an assessment of current and future climate risks, including uncertainty and based on robust data, that the activity provides a technology, product, service, information, or practice, or promotes their uses with one of the following primary objectives:</p> <p>a. increasing the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities;</p>

	<p>b. contributing to adaptation efforts of other people, of nature, of cultural heritage, of assets and of other economic activities.</p> <p>The activity should not undertaken for the purposes of fossil fuel extraction, transport or use.</p> <p>The projected life-cycle GHG emissions from the researched technology, product or other solution should not undermine GHG mitigation objectives under the Paris Agreement or hinder the deployment of climate mitigation solutions.</p>
Sustainable use and protection of water and marine resources	Any potential risks to the good status or the good ecological potential of bodies of water, including surface water and groundwater, or to the good environmental status of marine waters from the researched technology, product or other solution should be evaluated and addressed.
Circular Economy	Any potential risks to the circular economy objectives from the researched technology, product or other solution should be evaluated and addressed, by considering the types of potential significant harm as set out in Article 17(1), point (d), of Regulation (EU) 2020/852
Pollution prevention & control	Any potential risks to generate a significant increase in the emissions of pollutants to air, water or land from the researched technology, product or other solution should be evaluated and addressed.
Protection and restoration of biodiversity & ecosystems	Any potential risks to the good condition or resilience of ecosystems or to the conservation status of habitats and species, including those of (European) Union interest, from the researched technology, product or other solution should be evaluated and addressed.
Minimum Safeguards	<p>The minimum safeguards shall be procedures implemented by an undertaking that is carrying out an economic activity to ensure the alignment with the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights, including the principles and rights set out in the eight fundamental conventions identified in the Declaration of the International Labour Organisation on Fundamental Principles and Rights at Work and the International Bill of Human Rights.</p> <p>When implementing the procedures, undertakings shall adhere to the principle of ‘do no significant harm’ referred to in point (17) of Article 2 of Regulation (EU) 2019/2088.</p>

4.2.3 DNSH CHECKLIST PART 1 PRIORITY JTF2

Priority: JTF2. Supporting the rehabilitation and restoration of degraded peatlands and repurposing of industrial heritage assets.

The EU JTF will contribute to this Priority by supporting actions aimed at the restoration and rehabilitation of degraded peatlands and the regeneration and repurposing of industrial heritage assets such as access roads, tracks, trails, canals and peatland railways . Such actions will support the transition towards climate-neutrality, address the biodiversity crisis while also facilitating the diversification and modernisation of the economy of the Territory for the benefit of impacted workers and communities.

By offering a global approach to the rehabilitation, restoration, regeneration, repurposing and improved management of degraded peatland environments, actions supported under this priority will complement the peatlands regeneration works already supported by funding additional restoration and rehabilitation of degraded peatlands , research and knowledge transfer for improved land management for farmed organic peat soils and by providing opportunities for regenerating industrial heritage assets by linking them with new economic opportunities and drivers of socio-economic change.

Outcomes of actions supported under this scheme may include:

- Enhanced rehabilitation and restoration of peatland sites across and adjacent to the EU JTF Territory including raised and blanket bog, fens and other wetlands types (See definitions under ‘Standards of Rehabilitation’ below)
- Research, skills development and knowledge transfer for improved land and environmental management on organic peat soils
- Repurposing and redevelopment of existing routeways, waterways and existing infrastructures to create ecological corridors, trails and green & blue infrastructure networks (GBI) for walking, cycling, water and/or other recreational activities.

Details of the Types of Action and Main Target Groups are included in Table 4.5.

Table 4.5 Priority Areas, Types of Action & Main Target Groups Priority JTF2

Priority Area	Types of Action	Main Target Groups
2.1 Rehabilitation and restoration of degraded peatlands	<p>The types of actions supported include:</p> <p>Preparation measures such as feasibility and design studies including rehabilitation plans.</p> <p>Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).</p> <p>Implementation of measures to enable and monitor restoration and enhanced rehabilitation of degraded peatlands across multiple project sites. Project sites may be located within Special</p>	<p>Expected target groups are:</p> <p>Local authorities, former peat workers, owners of farmed peat soils targeted for rewetting and local communities impacted directly by the transition who will benefit from the economic development and other opportunities created by the restoration and rehabilitation of degraded peatlands and regeneration and repurposing</p>

	<p>Areas of Conservation (SACs). Project sites will not include peatlands which are subject to obligated rehabilitation or peatlands that are subject to rehabilitation or restoration under any other funded programme. Rehabilitation and restoration measures will include: blocking of drains (with peat or plastic dams); construction of bunds; imposition (or amendment) of grazing regimes; erection of fencing for stock control; control of scrub/invasive species; management of nutrient loadings from adjacent land, and; tree felling where appropriate. Drain-blocking and bunding measures on deeper peats will follow the best practice guidelines outlined in Irish Wildlife Manual No. 99 'Best practice in raised bog restoration in Ireland' published by the National Parks and Wildlife Service (NPWS) in 2017.</p> <p>Education, awareness-raising and community engagement activities presenting the benefits of the restoration measures to the wider public.</p>	<p>of industrial assets of the peatlands. Other target groups of this action will be the SMEs/businesses of the areas who will benefit from new, sustainable amenity provided to create and develop their commercial activities, and the general public which will benefit from this amenity value.</p>
<p>2.2 Research, knowledge transfer and monitoring activities on rewetting measures and overall land management improvements for farmed peat soils</p>	<p>The actions supported include:</p> <p>Preparation measures such as feasibility and design studies including action plans.</p> <p>Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).</p> <p>Rewetting of drained organic rich soils under grass. Rewetting is defined by the IPCC as “the deliberate action of raising the water table on drained soils to re-establish water saturated conditions, e.g., by blocking drainage ditches or disabling pumping facilities.”</p> <p>Research on rewetted soils to identify suitable land management practices to maintain low GHG emissions and support biodiversity while farming under wet conditions. Actions on the rewetted area may include, but are not limited to, reducing the grazing period with</p>	<p>Expected target groups are:</p> <p>Local authorities, former peat workers, owners of farmed peat soils targeted for rewetting and local communities impacted directly by the transition who will benefit from the economic development and other opportunities created by the restoration and rehabilitation of degraded peatlands and regeneration and repurposing of industrial assets of the peatlands. Other target groups of this action will be the SMEs/businesses of the areas who will benefit from new, sustainable amenity provided to create and develop their commercial activities, and the general</p>

	<p>existing livestock and use of alternative crops and grazing animals. Education, awareness-raising and community engagement activities presenting the benefits of the rewetting measures to the wider public.</p>	<p>public which will benefit from this amenity value.</p>
<p>2.3 Regeneration and repurposing of industrial heritage assets that will no longer be used for the extraction, transport and processing of peat.</p>	<p>The actions supported will include:</p> <p>Preparation measures such as feasibility and design studies including action plans.</p> <p>Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).</p> <p>Implementation of regeneration and repurposing measures to include investments in the upgrade of existing industrial heritage assets for amenity and investments in new amenity assets such as, but not limited to, walking trails, cycle paths, signage/notice boards, seating, boardwalks and bog bridges.</p>	<p>Expected target groups are:</p> <p>Local authorities, former peat workers, owners of farmed peat soils targeted for rewetting and local communities impacted directly by the transition who will benefit from the economic development and other opportunities created by the restoration and rehabilitation of degraded peatlands and regeneration and repurposing of industrial assets of the peatlands. Other target groups of this action will be the SMEs/businesses of the areas who will benefit from new, sustainable amenity provided to create and develop their commercial activities, and the general public which will benefit from this amenity value.</p>

Based on the information available at time of assessment there are no specific projects or geographical locations identified.

4.2.4 PRIORITY JTF2 INTERVENTION CODES AND CLIMATE COEFFICIENTS

Actions under this specific objective are intended to align with the following JTFF EU Intervention Fields:

“012. Research and innovation activities in public research centres, higher education and centres of competence including networking (industrial research, experimental development, feasibility studies)

073. Rehabilitation of industrial sites and contaminated land

079. Nature and biodiversity protection, natural heritage and resources, green and blue infrastructure

Eastern and Midland Regional Assembly

080 Other measures to reduce greenhouse gas emissions in the area of preservation and restoration of natural areas with high potential for carbon absorption and storage, e.g. by rewetting of moorlands, the capture of landfill gas.”

These have been rated as having co-efficient scores for both climate change and environmental objectives which are included in Table 4.6

Table 4.6 Coefficients allocated to the chosen intervention fields.

Code	Description	Rating (%)
012	Coefficient for the calculation of support to climate change objectives	0%
012	Coefficient for the calculation of support to environmental objectives	0%
073	Coefficient for the calculation of support to climate change objectives	100%
073	Coefficient for the calculation of support to environmental objectives	100%
079	Coefficient for the calculation of support to climate change objectives	40%
079	Coefficient for the calculation of support to environmental objectives	100%
080	Coefficient for the calculation of support to climate change objectives	100%
080	Coefficient for the calculation of support to environmental objectives	100%

Following the DNSH Stage 1 Checklist format, a determination for each of the Do No Significant Harm objectives has been recorded in Table 4.7.

Table 4.7 – DNSH Checklist Part 1 Policy Objective JTF 2.

Which of the environmental objectives below require a substantive DNSH assessment of the measure	Yes	No	Justification if ‘No’ has been selected
Climate change mitigation		No	See note below
Climate change adaptation		No	See note below
The sustainable use and protection of water and marine resources	Yes		See note below
The circular economy, including waste prevention and recycling	Yes		See note below

Pollution prevention and control to air, water or land	Yes		See note below
The protection and restoration of biodiversity and ecosystem	Yes		See note below

4.2.5 JUSTIFICATION PRIORITY JTF2

The AA screening report accompanying the JTF Programme has identified 93 SAC sites within the geographical area of the Programme with a further 44 SAC sites within a 15km zone of influence buffer. In addition 24 SPA sites have been identified within the geographic territory with a further 8 within the 15km zone of influence buffer.

Peatlands provide a variety of habitats for native and endangered species in Ireland and provide a valuable natural resource for the absorption of carbon. The work identified in the Programme which includes conducting environmental assessments, research and monitoring activities, education initiatives and rehabilitation, restoration and conservation of peatlands are all positive types of action which at a strategic level does no significant harm.

Increasing community involvement and engaging with a wide range of stakeholders to encourage collective responsibility for protecting and maintaining protected areas should also be regarded as positive.

The potential introduction of amenity facilities and infrastructure to these environments has the potential to affect the biodiversity, groundwater and create waste materials if the enabling work and designs are carried out without full regard of the sensitive receptors and ecosystems.

Specific reference to “guidelines outlined in Irish Wildlife Manual No. 99 ‘Best practice in raised bog restoration in Ireland’ published by the National Parks and Wildlife Service (NPWS) in 2017” is a welcome inclusion as it establishes a minimum performance standard for the economic activities.

Within environmental assessments, feasibility studies and design activities the proposed actions under this Priority are considered to Do No Significant Harm. As no projects are currently available it is not possible to accurately assess the potential for significant harm within the Implementation Stage. It is within the assessment and design stages that the necessary environmental aspects and impacts should be assessed for any works and necessary mitigations designed.

The determination is that this actions under this specific objective should proceed to the DNSH Checklist Part 2 as there are considerable recommendations included in the EU Taxonomy that need to be implemented at project level to ensure that the types of action continue to Do No Significant Harm.

4.2.6 DNSH CHECKLIST PART 1 PRIORITY JTF3

Priority 3: Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition

As part of this priority, the EU JTF Programme will enhance sustainable and clean mobility in the Territory by supporting actions focusing on the decarbonisation of transport to provide clean transport solutions to the people working, studying and visiting the EU JTF Territory.

The priority, Types of Action and Main Target Areas are detailed in Table 4.8 .

Table 4.8 Priority, Types of Action and Main Target Areas for JTF3.

Priority Area	Types of Action	Main Target Groups
<p>JTF3. Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition</p>	<p>Decarbonisation of public local rural bus route(s) including scoping, installation of electric charging points, and purchase of electric buses. The projects which could result from this priority are considered to be largely beneficial to the environment, moving towards more sustainable transport solutions.</p> <ul style="list-style-type: none"> • Support to private bus operators in the territory to move to electric vehicles including consultancy support and support for specific aspect of the electrification upgrade • Installation of publicly available fast and high-powered charge point infrastructure at community centre sites, including consultancy support, support to infrastructure work (civil and electrical work) and purchase of necessary equipment and related installation measures <p>This Priority is key to ensuring the success of Priority 1. Sustainable and clean mobility in the region is essential to ensuring the Territory’s population are able to access jobs and training in order to participate in the economic and community diversification activities of Priority 1. It is intended that actions supported under this Priority will build more resilient communities by allowing earlier adoption of zero-emissions mobility options, providing workers with</p>	<p>The expected target groups are:</p> <p>local transport providers operating in the Territory, local communities that have limited clean mobility options, owners of locations, such as owners and operators of community buildings where EV charging points will be installed and the general public who will be able to avail of clean transport in the Territory to go to work, study or to visit the Territory, as well those commuting to and utilising remote working hubs located at or near the EV charging points.</p>

	<p>better access to local jobs, training and education opportunities. The creation of local sustainable transport solutions will better connect towns, remote working hubs and educational institutions in the Territory, better serving employees. Enhanced local sustainable transport enables communities to embrace clean and sustainable opportunities resulting from the green transition. It is envisaged that local suppliers of works, equipment and services will benefit from the investment of JTF funding of these actions, as well as local businesses which may be considering the use of zero-emissions vehicles for commercial purposes, particularly last-mile freight services and services associated with community programmes, such as meals on wheels or youth club</p>	
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Based on the information available at time of assessment there are no specific projects or geographical locations identified.

4.2.7 PRIORITY JTF3 INTERVENTION CODES AND CLIMATE COEFFICIENTS

Actions under this specific objective are intended to align with the following JTFF EU Intervention Fields:

“021 SME business development and internationalisation, including productive investments

082 Clean urban transport rolling stock

086 Alternative fuels infrastructure”

These have been rated as having co-efficient scores for both climate change and environmental objectives which are included in Table 4.9

Table 4.9 Coefficients allocated to the chosen intervention fields, JTF 3.

Code	Description	Rating (%)
021	Coefficient for the calculation of support to climate change objectives	0%
021	Coefficient for the calculation of support to environmental objectives	0%

082	Coefficient for the calculation of support to climate change objectives	100%
082	Coefficient for the calculation of support to environmental objectives	40%
086	Coefficient for the calculation of support to climate change objectives	100%
086	Coefficient for the calculation of support to environmental objectives	40%

Following the DNSH Stage 1 Checklist format, a determination for each of the Do No Significant Harm objectives has been recorded in Table 4.10.

Table 4.10 DNSH Checklist Part 1 Priority JTF3.

Which of the environmental objectives below require a substantive DNSH assessment of the measure	Yes	No	Justification if 'No' has been selected
Climate change mitigation		No	See note below
Climate change adaptation		No	See note below
The sustainable use and protection of water and marine resources		No	See note below
The circular economy, including waste prevention and recycling	Yes		See note below
Pollution prevention and control to air, water or land	Yes		See note below
The protection and restoration of biodiversity and ecosystem		No	See note below

4.2.8 JUSTIFICATION PRIORITY JTF3

Minimising and eliminating carbon emissions from transport related activities can provide improve air quality with a subsequent potential improvement in human health. In a broader context reducing carbon emissions into the atmosphere is a key component in a global strategy to reduce global warming. This priority therefore has the potential to deliver positive benefits.

The inclusion of specific text in relation to measuring the impact of this priority ie:

“Air quality impact will be calculated based on directly measurable factors such as the increase in kilometres travelled by electric vehicles, or the kWh of renewable electricity used to charge vehicles”



Is welcomed as a monitoring mechanism and will identify the short and long term potential benefits of this priority through analysis of the data collected.

To enable the transition the types of actions included in this priority include the installation of charging (and other) infrastructure and the removal of diesel / petrol vehicles from service. Both these elements create potential for environmental impact as building or installation projects could potentially take place near or in the vicinity of protected areas. The installation works and the decommissioning of older vehicle has potential to create wastes so additional measures recommended under the EU Taxonomy should be incorporated at project level.

As no projects are currently available it is not possible to accurately assess the potential for significant harm within the implementation stage. It is within the design stages of this priority that the necessary environmental aspects and impacts should be assessed for any proposed installation works and at this point necessary mitigations designed.

The determination is that this actions under this Priority JTF3 should proceed to the DNSH Checklist Part 2 so that the substantive criteria included in the EU Taxonomy ca be outlined.

4.2.9 SUMMARY OF DNSH CHECKLIST PART 1

Having completed DNSH Checklist Part 1 the summary findings are as follows:

JTF1. Generating employment for former peat communities by investing in the diversification of the local economy

This priority does not at strategic level create any significant impacts. No further DNSH required.

JTF2. Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets

This priority has the potential to create impacts through the economic activities related to peatlands. This priority will progress to DNSH Stage 2 Checklist.

JTF3. Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition

This priority has the potential to create impacts through the economic activities related to creation of infrastructure and installation of EV and other technology. This priority will progress to DNSH Stage 2 Checklist.

5 DNSH CHECKLIST PART 2

For actions under specific objectives that have been referred for additional assessment, the DNSH Checklist Part 2 describes inclusions to ensure that these proposed actions Do No Significant Harm and makes further recommendations on positive specification and interventions that can be implemented to ensure that the Priority does not create any significant environmental harm.

5.1 DNSH CHECKLIST PART 2 PRIORITY JTF2

Priority: JTF2. Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets

Under this priority, the Programme will support a set of actions for the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial heritage assets that will no longer be used for the extraction, transport and processing of peat. The actions supported will include:

JTF 2.1 Rehabilitation and restoration of degraded peatlands including:

- Preparation measures such as feasibility and design studies including rehabilitation plans.
- Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).
- Implementation of measures to enable and monitor restoration and enhanced rehabilitation of degraded peatlands across multiple project sites. Project sites may be located within Special Areas of Conservation (SACs). Project sites will not include peatlands which are subject to obligated rehabilitation or peatlands that are subject to rehabilitation or restoration under any other funded programme. Rehabilitation and restoration measures will include: blocking of drains (with peat or plastic dams); construction of bunds; imposition (or amendment) of grazing regimes; erection of fencing for stock control; control of scrub/invasive species; management of nutrient loadings from adjacent land, and; tree felling where appropriate. Drain-blocking and bunding measures on deeper peats will follow the best practice guidelines outlined in Irish Wildlife Manual No. 99 'Best practice in raised bog restoration in Ireland' published by the National Parks and Wildlife Service (NPWS) in 2017.
- Education, awareness-raising and community engagement activities presenting the benefits of the restoration measures to the wider public.

JTF 2.2 Research, knowledge transfer and monitoring activities on rewetting measures and overall land management improvements for farmed peat soils including:

- Preparation measures such as feasibility and design studies including action plans.
- Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).
- Rewetting of drained organic rich soils under grass. Rewetting is defined by the IPCC as "the deliberate action of raising the water table on drained soils to re-establish water saturated conditions, e.g., by blocking drainage ditches or disabling pumping facilities."

- Research on rewetted soils to identify suitable land management practices to maintain low GHG emissions and support biodiversity while farming under wet conditions. Actions on the rewetted area may include, but are not limited to, reducing the grazing period with existing livestock and use of alternative crops and grazing animals.
- Education, awareness-raising and community engagement activities presenting the benefits of the rewetting measures to the wider public.

JTF 2.3 Regeneration and repurposing of industrial heritage assets that will no longer be used for the extraction, transport and processing of peat. The actions supported will include:

- Preparation measures such as feasibility and design studies including action plans.
- Stakeholder engagement activities which could include landowner negotiations (including compensation payments or land purchase).
- Implementation of regeneration and repurposing measures to include investments in the upgrade of existing industrial heritage assets for amenity and investments in new amenity assets such as, but not limited to, walking trails, cycle paths, signage/notice boards, seating, boardwalks and bog bridges.

TABLE 5.1 DNSH CHECKLIST PART 2 JTF2

Questions	No	Substantive Justification
Climate change mitigation: Is the measure expected to lead to significant GHG emissions?	X	<p>Proposed actions under this priority may be used to rehabilitate, restore degraded peatlands and regeneration and repurposing of industrial heritage assets</p> <p>Additional Appropriate Assessment Screening, SEA Screening and EIA Screening may be required under local, regional, national and EU policy. Once project details on specific designs and works programmes are known, then the relevant assessments can be conducted.</p> <p>On the basis that economic activities are compliant with the relevant existing and emerging legislation, and that appropriate environmental assessment of the extent of works are undertaken then this policy objective will not have a negative impact on climate change mitigation.</p> <p>For peatland rehabilitation and works in associated lands, the designs should include a Restoration plan including the following considerations:</p>

	<p><u>1. Restoration Plan</u></p> <p>1.1. The area should be covered by a restoration plan, which is consistent with the Ramsar Convention’s principles and guidelines on wetland restoration, until the area is classified as a wetland and is covered by a wetland management plan, consistent with the Ramsar Convention’s guidelines for management planning for Ramsar sites and other wetlands. For peatlands, the restoration plan follows the recommendations contained in relevant resolutions of the Ramsar Convention, including the resolution XIII/13.</p> <p>1.2. The restoration plan should contain careful consideration of local hydrological and pedological conditions, including the dynamics of soil saturation and the change of aerobic and anaerobic conditions.</p> <p>1.3. All wetland management relevant DNSH criteria should be addressed in the restoration plan.</p> <p>1.4. The restoration plan should provide for monitoring which ensures the correctness of the information contained in the plan, in particular as regards the data relating to the involved area.</p> <p><u>2. Climate benefit analysis</u></p> <p>2.1. The activity should comply with the following criteria:</p> <ul style="list-style-type: none"> a. the climate benefit analysis demonstrates that the net balance of GHG emissions and removals generated by the activity over a period of 30 years after the beginning of the activity is lower than a baseline, corresponding to the balance of GHG emissions and removals over a period of 30 years starting at the beginning of the activity, associated to the business-as-usual practices that would have occurred on the involved area in the absence of the activity; b. the projected long-term average net GHG balance of the activity is lower than the long-term average GHG balance projected for the baseline, referred to in point 2.2,
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		<p>where long term corresponds to 100 years.</p> <p>2.2. The calculation of climate benefit should comply with all of the following criteria:</p> <ol style="list-style-type: none"> a. the analysis is consistent with the 2019 Refinement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories. In particular, if the wetland definition used in that analysis differs from the wetland definition used in the national GHG inventory, the analysis includes an identification of the different land categories covered by the involved area. The climate benefit analysis is based on transparent, accurate, consistent, complete and comparable information, covers all carbon pools impacted by the activity, including above-ground biomass, below-ground biomass, deadwood, litter and soil, relies on the most conservative assumptions for calculations and includes appropriate considerations about the risks of non-permanence and reversals of carbon sequestration, the risk of saturation and the risk of leakage. For coastal wetlands, climate benefit analysis considers projections of expected relative sea level rise and the potential that the wetlands will migrate; b. the business-as-usual practices, including harvesting practices, are one of the following: <ol style="list-style-type: none"> i. the management practices as documented before the start of the activity, if any; ii. the most recent business-as-usual practices prior to the start of the activity. c. the resolution of the analysis is proportionate to the size of the area concerned and values specific to the area concerned are used; d. emissions and removals that occur due to natural disturbances, such as pests and diseases infestations, fires, wind, storm damages, that impact the area and cause underperformance do not result in non-compliance with the criteria of Regulation (EU) 2020/852, provided that the climate benefit analysis is consistent with the 2019
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		<p>Refinement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories regarding emissions and removals due to natural disturbances.</p> <p><u>3. Guarantee of permanence</u></p> <p>3.1. In accordance with national law, if the area has wetland status, then the area in which the activity takes place should be guaranteed by one of the following measures:</p> <ul style="list-style-type: none"> a. the area is designated to be retained as wetland and may not be converted to other land use; b. the area is classified as a protected area; c. the area is the subject of any legal or contractual guarantee ensuring that it will remain a wetland. <p>3.2. In accordance with the national law, the operator of the activity commits that future updates to the restoration plan, beyond the activity that is financed, will continue to seek the climate benefits as determined in point 2. Besides, the operator of the activity commits to compensate any reduction in the climate benefit determined in point 2 with an equivalent climate benefit resulting from the conduct of an activity that corresponds to one of the environmental protection and restoration activities defined in this Regulation.</p> <p><u>4. Audit</u></p> <p>Within two years after the beginning of the activity and every 10 years thereafter, the compliance of the activity with the substantial contribution to climate change mitigation criteria and with the DNSH criteria should be verified by either of the following:</p> <ul style="list-style-type: none"> a. the relevant national competent authorities; b. an independent third-party certifier, at the request of national authorities or the operator of the activity.
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		<p>In order to reduce costs, audits may be performed together with any forest certification, climate certification or other audit.</p> <p>The independent third-party certifier may not have any conflict of interest with the owner or the funder, and may not be involved in the development or operation of the activity.</p> <p><u>5. Group assessment</u></p> <p>The compliance with the criteria for substantial contribution to climate change mitigation and with DNSH criteria may be checked at the level of a group of holdings sufficiently homogeneous to evaluate the risk of the sustainability of the activity, provided that all those holdings have a durable relationship between them and participate in the activity and the group of those holdings remains the same for all subsequent audits.</p>
<p>Climate change adaptation: Is the measure expected to lead to an increased adverse impact of the current climate and the expected future climate, on the measure itself or on people, nature or assets?</p>	<p>X</p>	<p>Where applicable designations of the land area have been made, the following criteria should be followed:</p> <p>Restoration of wetlands refers to economic activities that promote a return to original conditions of wetlands and economic activities that improve wetland functions without necessarily promoting a return to pre-disturbance conditions, with wetlands meaning land matching international definition of wetland or of peatland as set out in the Ramsar Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention). The concerned area matches the Union definition of wetlands, as provided in the Commission Communication on the wise use and conservation of wetlands.</p> <p>The economic activities in this category have no dedicated NACE code as referred to in the statistical classification of economic activities established by Regulation (EC) No 1893/2006, but relate to class 6 of the statistical classification of environmental protection activities (CEPA) established by Regulation (EU) No 691/2011.</p> <p>Where an economic activity in this category complies with the substantial contribution criterion specified in point 5, the activity is an enabling</p>

	<p>activity as referred to in Article 11(1), point (b), of Regulation (EU) 2020/852, provided that it meets the technical screening criteria set out in this Section.</p> <p>Substantial contribution to climate change adaptation.</p> <p>1. The economic activity should implement physical and non-physical solutions ('adaptation solutions') that substantially reduce the most important physical climate risks that are material to that activity.</p> <p>2. The physical climate risks that are material to the activity should have been identified from those listed in <u>Appendix A</u> to this Annex by performing a robust climate risk and vulnerability assessment with the following steps:</p> <ul style="list-style-type: none"> a. screening of the activity to identify which physical climate risks from the list in <u>Appendix A</u> to this Annex may affect the performance of the economic activity during its expected lifetime; b. where the activity is assessed to be at risk from one or more of the physical climate risks listed in <u>Appendix A</u> to this Annex, a climate risk and vulnerability assessment to assess the materiality of the physical climate risks on the economic activity; c. an assessment of adaptation solutions that can reduce the identified physical climate risk. <p>The climate risk and vulnerability assessment should be proportionate to the scale of the activity and its expected lifespan, such that:</p> <ul style="list-style-type: none"> a. for activities with an expected lifespan of less than 10 years, the assessment is performed, at least by using climate projections at the smallest appropriate scale; b. for all other activities, the assessment is performed using the highest available resolution, state-of-the-art climate projections across the existing range of future scenarios consistent with the expected lifetime of the activity, including,
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		<p>at least, 10 to 30 year climate projections scenarios for major investments.</p> <p>3. The climate projections and assessment of impacts should be based on best practice and available guidance and take into account the state-of-the-art science for vulnerability and risk analysis and related methodologies in line with the most recent Intergovernmental Panel on Climate Change reports, scientific peer-reviewed publications and open source or paying models.</p> <p>4. The adaptation solutions implemented should:</p> <ul style="list-style-type: none"> a. not adversely affect the adaptation efforts or the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities; b. favour nature-based solutions or rely on blue or green infrastructure to the extent possible; c. be consistent with local, sectoral, regional or national adaptation plans and strategies; d. be monitored and measured against pre-defined indicators and remedial action is considered where those indicators are not met; e. where the solution implemented is physical and consists in an activity for which technical screening criteria have been specified in this Annex, the solution complies with the do no significant harm technical screening criteria for that activity. <p>5. In order for an activity to be considered as an enabling activity as referred to in Article 11(1), point (b), of Regulation (EU) 2020/852, the economic operator demonstrates, through an assessment of current and future climate risks, including uncertainty and based on robust data, that the activity provides a technology, product, service, information, or practice, or promotes their uses with one of the following primary objectives:</p> <ul style="list-style-type: none"> a. increasing the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities;
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		contributing to adaptation efforts of other people, of nature, of cultural heritage, of assets and of other economic activities.
<p>The sustainable use and protection of water and marine resources: Is the measure expected to be detrimental:</p> <p>(i) to the good status or the good ecological potential of bodies of water, including surface water and groundwater; or</p> <p>(ii) to the good environmental status of marine waters?</p>	X	<p>The activity should comply with the criteria set out in Appendix B.</p> <p>It is also noted that for any construction works, a Construction Environmental Management Plan, and an Operational Waste Management Plan will be required and the necessary mitigations to protect water and marine resources, prevent pollution and promote the use of recyclable materials and the compliant disposal and recycling (where possible) of residual materials during the construction/ installation stages.</p>
<p>The transition to a circular economy, including waste prevention and recycling: Is the measure expected to:</p> <p>(i) lead to a significant increase in the generation, incineration or disposal of waste, with the exception of the incineration of non-recyclable hazardous waste; or</p> <p>(ii) lead to significant inefficiencies in the direct or indirect use of any natural resource at any stage of its life cycle which are not minimised by adequate measures (; or</p> <p>(iii) cause significant and long-term harm to the environment in respect to the circular economy</p>	X	<p>Where works or construction activities are planned as a part of the economic activity:</p> <p>Peat extraction should be minimised.</p> <p>Where the economic activity involves construction activities:</p> <ol style="list-style-type: none"> 1.) At least 70 % (by weight) of the non-hazardous construction and demolition waste (excluding naturally occurring material referred to in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC) generated on the construction site is prepared for reuse, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy and the EU Construction and Demolition Waste Management Protocol. 2.) Operators should limit waste generation in processes related to construction and demolition, in accordance with the EU Construction and Demolition Waste Management Protocol and taking into account best available techniques and using selective demolition to enable removal and safe handling of hazardous substances and facilitate reuse and high-quality recycling by selective removal of

		<p>materials, using available sorting systems for construction and demolition waste.</p> <p>3.) Building designs and construction techniques should support circularity and in particular demonstrate, with reference to ISO 20887 or other standards for assessing the disassembly or adaptability of buildings, how they are designed to be more resource efficient, adaptable, flexible and dismantlable to enable reuse and recycling.</p>
<p>Pollution prevention and control: Is the measure expected to lead to a significant increase in the emissions of pollutants into air, water or land?</p>	X	<p>The use of pesticides should be minimised and alternative approaches or techniques, which may include non-chemical alternatives to pesticides are favoured, in accordance with Directive 2009/128/EC, with exception of occasions where the use of pesticides is needed to control outbreaks of pests and diseases.</p> <p>The activity should minimise the use of fertilisers and should not use manure. The activity should comply with Regulation (EU) 2019/1009 or national rules on fertilisers or soil improvers for agricultural use.</p> <p>Well documented and verifiable measures should be taken to avoid the use of active ingredients that are listed in Annex I, part A, of Regulation (EU) 2019/1021⁽⁷²⁾, the Rotterdam Convention on the prior informed consent procedure for certain hazardous chemicals and pesticides in international trade, the Minamata Convention on Mercury, the Montreal Protocol on Substances that Deplete the Ozone Layer, and of active ingredients that are listed as classification Ia ('extremely hazardous') or Ib ('highly hazardous') in the WHO recommended Classification of Pesticides by Hazard⁽⁷³⁾. The activity complies with the relevant national implementing law on active ingredients.</p> <p>Pollution of water and soil should be prevented and cleaning up measures are undertaken when pollution occurs.</p>
<p>The protection and restoration of biodiversity and</p>	X	<p>In areas designated by the national competent authority for conservation or in habitats that are</p>

<p>ecosystems: Is the measure expected to be:</p> <p>(i) significantly detrimental to the good condition and resilience of ecosystems; or</p> <p>(ii) (ii) detrimental to the conservation status of habitats and species, including those of Union interest?</p>	<p>protected, the activity should be in accordance with the conservation objectives for those areas.</p> <p>There should not be any conversion of habitats specifically sensitive to biodiversity loss or with high conservation value, or of areas set aside for the restoration of such habitats in accordance with national law.</p> <p>The plan referred to in point 1 (Restoration plan) of this Section should include provisions for maintaining and possibly enhancing biodiversity in accordance with national and local provisions, including the following:</p> <ul style="list-style-type: none"> a. ensuring the good conservation status of habitat and species, maintenance of typical habitat species; b. excluding the use or release of invasive species <p>The activity should comply with the criteria set out in Appendix D.</p> <p>To ensure a neutral position as a minimum, any new construction should not be built on one of the following:</p> <ul style="list-style-type: none"> a. arable land and crop land with a moderate to high level of soil fertility and below ground biodiversity as referred to in the EU LUCAS survey; b. greenfield land of recognised high biodiversity value and land that serves as habitat of endangered species (flora and fauna) listed on the European Red List or the IUCN Red List; c. land matching the definition of forest as set out in national law used in the national greenhouse gas inventory, or where not available, is in accordance with the FAO definition of forest. <p>When potential sites are being considered for construction, the local, regional, national and EU policy and legislation should be followed and positive biodiversity enhancements included within the design.</p>
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5.2 DNSH CHECKLIST PART 2 JUSTIFICATION PRIORITY JTF2

The determination is that actions under priority JTF2 Do No Significant Harm at policy level. Proposed actions have the potential to create a positive effect on climate mitigation, climate adaption and on the environmental objectives if undertaken correctly.

Economic activities that are brought forward under this specific priority should comply with the points outlined in the substantive Justification of Table 5.1 (above) and will be subject to all relevant existing and emerging policy and legislation at local, regional, national and EU level.

Appendix F contains a sample list of legislation for reference purposes.

Given the environmental sensitivity of peatlands, where third party certifiers, consultants, training providers and other parties providing professional advice are engaged to deliver services under this Priority, the expected target group, the contracting authority and any of its appointed agents should be satisfied that the professional advice received has been provided by a competent person or organisation with the relevant experience and qualifications related to rehabilitation and regeneration of peatlands and repurposing of industrial heritage assets.

Through research, innovative technologies and processes may be offered as a part of the economic activity. While innovation and research is encouraged, an innovative solution or methodology funded under this priority should be based on sound scientific theory and principles and should not be used if it results in further degradation of the peatlands, the water quality, biodiversity or if the same activity creates an increase in emissions and waste.

Work undertaken in designated areas such as Special Areas of Conservation (SAC) should as a minimum align with industry best practice and regulatory compliance and where applicable the economic activity should integrate positive climate and environmental actions.

5.3 DNSH CHECKLIST PART 2 PRIORITY JTF3

Priority JTF3. Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition

As part of this priority, the EU JTF Programme will enhance sustainable and clean mobility in the Territory by supporting actions focusing on the decarbonisation of transport to provide clean transport solutions to the people working, studying and visiting the EU JTF Territory. This will include the following type of activities:

- Decarbonisation of public local rural bus route(s) including scoping, installation of electric charging points, and purchase of electric buses.
- Support to private bus operators in the territory to move to electric vehicles including consultancy support and support for specific aspect of the electrification upgrade
- Installation of publicly available fast and high-powered charge point infrastructure at community centre sites, including consultancy support, support to infrastructure work (civil and electrical work) and purchase of necessary equipment and related installation measures

This Priority is key to ensuring the success of Priority 1. Sustainable and clean mobility in the region is essential to ensuring the Territory's population are able to access jobs and training in order to participate in the economic and community diversification activities of Priority 1.

It is intended that actions supported under this Priority will build more resilient communities by allowing earlier adoption of zero-emissions mobility options, providing workers with better access to local jobs, training and education opportunities. The creation of local sustainable transport solutions will better connect towns, remote working hubs and educational institutions in the Territory, better serving employees. Enhanced local sustainable transport enables communities to embrace clean and sustainable opportunities resulting from the green transition.

It is envisaged that local suppliers of works, equipment and services will benefit from the investment of JTF funding of these actions, as well as local businesses which may be considering the use of zero-emissions vehicles for commercial purposes, particularly last-mile freight services and services associated with community programmes, such as meals on wheels or youth club

Table 5.2 DNSH Checklist Part 2 JTF3

Questions	No	Substantive Justification
<p>Climate change mitigation: Is the measure expected to lead to significant GHG emissions?</p>	<p>X</p>	<p>Proposed actions under this priority may be used for civil and electrical infrastructure projects. Additional Appropriate Assessment Screening, SEA Screening and EIA Screening may be required under local, regional, national and EU policy. Once project details on specific designs and works programmes are known, then the relevant assessments can be conducted.</p> <p>On the basis that economic activities are compliant with the relevant existing and emerging legislation, and that appropriate environmental assessment of the extent of works are undertaken then this policy objective will not have a negative impact on climate change mitigation.</p> <p>Infrastructure enabling low-carbon road transport and public transport is described in the EU Taxonomy as construction, modernisation, maintenance and operation of infrastructure that is required for zero tailpipe CO₂ operation of zero-emissions road transport, as well as infrastructure dedicated to trans-shipment, and infrastructure required for operating urban transport.</p> <p>The economic activities in this category could be associated with several <u>NACE</u> codes, in particular F42.11, F42.13, F71.1 and F71.20 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>An economic activity in this category is an enabling activity as referred to in Article 10(1), point (i), of Regulation (EU) 2020/852 where it complies with the technical screening criteria set out in this Section.</p> <p>The activity should comply with one or more of the following criteria:</p> <ol style="list-style-type: none"> a. the infrastructure is dedicated to the operation of vehicles with zero tailpipe CO₂ emissions: electric charging points, electricity grid connection upgrades, hydrogen fuelling stations or electric road systems (ERS);

	<p>b. the infrastructure and installations are dedicated to transshipping freight between the modes: terminal infrastructure and superstructures for loading, unloading and transshipment of goods;</p> <p>c. the infrastructure and installations are dedicated to urban and suburban public passenger transport, including associated signalling systems for metro, tram and rail systems.</p> <p>1. The infrastructure should not be dedicated to the transport or storage of fossil fuels.</p> <p>Infrastructure enabling road transport and public transport is described in the EU Taxonomy as construction, modernisation, maintenance and operation of motorways, streets, roads, other vehicular and pedestrian ways, surface work on streets, roads, highways, bridges or tunnels and construction of airfield runways, including the provision of architectural services, engineering services, drafting services, building inspection services and surveying and mapping services and the like as well as the performance of physical, chemical and other analytical testing of all types of materials and products, and excludes the installation of street lighting and electrical signals.</p> <p>The economic activities in this category could be classified under several <u>NACE</u> codes, in particular F42.11, F42.13, F71.1 and F71.20 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>1.The economic activity should implement physical and non-physical solutions ('adaptation solutions') that substantially reduce the most important physical climate risks that are material to that activity.</p> <p>2.The physical climate risks that are material to the activity should be identified from those listed in <u>Appendix A</u> by performing a robust climate risk and vulnerability assessment with the following steps:</p> <p>a. screening of the activity to identify which physical climate risks from the list in <u>Appendix A</u> to this Annex may affect the</p>
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		<p>performance of the economic activity during its expected lifetime;</p> <ul style="list-style-type: none"> b. where the activity is assessed to be at risk from one or more of the physical climate risks listed in <u>Appendix A</u> to this Annex, a climate risk and vulnerability assessment to assess the materiality of the physical climate risks on the economic activity; c. an assessment of adaptation solutions that can reduce the identified physical climate risk. <p>3. The climate risk and vulnerability assessment should be proportionate to the scale of the activity and its expected lifespan, such that:</p> <ul style="list-style-type: none"> a. for activities with an expected lifespan of less than 10 years, the assessment is performed, at least by using climate projections at the smallest appropriate scale; b. for all other activities, the assessment is performed using the highest available resolution, state-of-the-art climate projections across the existing range of future scenarios consistent with the expected lifetime of the activity, including, at least, 10 to 30 year climate projections scenarios for major investments. <p>4. The climate projections and assessment of impacts should be based on best practice and available guidance and take into account the state-of-the-art science for vulnerability and risk analysis and related methodologies in line with the most recent Intergovernmental Panel on Climate Change reports, scientific peer-reviewed publications and open source or paying models.</p> <p>5. The adaptation solutions implemented should:</p> <ul style="list-style-type: none"> a. not adversely affect the adaptation efforts or the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities; b. favour nature-based solutions or rely on blue or green infrastructure to the extent possible;
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	<ul style="list-style-type: none"> c. be consistent with local, sectoral, regional or national adaptation plans and strategies; d. be monitored and measured against pre-defined indicators and remedial action is considered where those indicators are not met; e. where the solution implemented is physical and consists in an activity for which technical screening criteria have been specified in this Annex, the solution should comply with the do no significant harm technical screening criteria for that activity. <p>Infrastructure for personal mobility, cycle logistics is described within the EU Taxonomy as construction, modernisation, maintenance and operation of infrastructure for personal mobility, including the construction of roads, motorways bridges and tunnels and other infrastructure that are dedicated to pedestrians and bicycles, with or without electric assist.</p> <p>The economic activities in this category could be associated with several <u>NACE</u> codes, in particular F42.11, F42.12, F42.13, F43.21, F711 and F71.20 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>An economic activity in this category is an enabling activity as referred to in Article 10(1), point (i), of Regulation (EU) 2020/852 where it complies with the technical screening criteria set out in this Section. Points 1-5 are equally applicable for this type of economic activity.</p> <p>Where an economic activity involves urban and suburban transport, road passenger transport this is described by the EU Taxonomy as :</p> <ul style="list-style-type: none"> a. the purchase, financing, leasing, rental and operation of urban and suburban transport vehicles for passengers and road passenger transport. b. motor vehicles, operation of vehicles designated as category M2 or M3, in accordance
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	<p>with Article 4(1) of Regulation (EU) 2018/858, for the provision of passenger transport.</p> <p>The economic activities in this category may include operation of different modes of land transport, such as by motor bus, tram, streetcar, trolley bus, underground and elevated railways. This also includes town-to-airport or town-to-station lines and operation of funicular railways and aerial cableways where part of urban or suburban transit systems.</p> <p>The economic activities in this category also include scheduled long-distance bus services, charters, excursions and other occasional coach services, airport shuttles (including within airports), operation of school buses and buses for the transport.</p> <p>The economic activities in this category could be associated with several <u>NACE</u> codes, in particular H49.31, H49.3.9, N77.39 and N77.11 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>Where an economic activity in this category does not fulfil the substantial contribution criterion specified in point (a) of this Section, the activity is a transitional activity as referred to in Article 10(2) of Regulation (EU) 2020/852, provided it complies with the remaining technical screening criteria set out in this Section.</p> <p>Points 1-5 are equally applicable for this type of economic activity.</p> <p>The activity should comply with the one of following criteria:</p> <ol style="list-style-type: none"> a. the activity provides urban or suburban passenger transport and its direct (tailpipe) CO2 emissions are zero; b. until 31 December 2025, the activity provides interurban passenger road transport using vehicles designated as categories M2 and M3 that have a type of bodywork classified as 'CA' (single-deck vehicle), 'CB' (double-deck vehicle), 'CC' (single-deck articulated vehicle) or 'CD' (double-deck articulated vehicle), and
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		<p>comply with the latest EURO VI standard, i.e. both with the requirements of Regulation (EC) No 595/2009 and, from the time of the entry into force of amendments to that Regulation, in those amending acts, even before they become applicable, and with the latest step of the Euro VI standard set out in Table 1 of <u>Appendix 9</u> to Annex I to Regulation (EU) No 582/2011 where the provisions governing that step have entered into force but have not yet become applicable for this type of vehicle. Where such standard is not available, the direct CO2 emissions of the vehicles are zero.</p> <p>The EU Taxonomy describes installation, maintenance and repair of charging stations for electric vehicles in buildings and parking spaces attached to buildings.</p> <p>The economic activities in this category could be associated with several <u>NACE</u> codes, in particular F42, F43, M71, C16, C17, C22, C23, C25, C27 or C28 in accordance with the statistical classification of economic activities established by Regulation (EC) No 1893/2006.</p> <p>An economic activity in this category is an enabling activity as referred to in Article 10(1), point (i), of Regulation (EU) 2020/852 where it complies with the technical screening criteria set out in this Section.</p> <p>Points 1-5 are equally applicable for this type of economic activity.</p>
<p>Climate change adaptation: Is the measure expected to lead to an increased adverse impact of the current climate and the expected future climate, on the measure itself or on people, nature or assets?</p>	<p>X</p>	<p>As the economic activity may include public realm enhancements (blue and green infrastructure), in the planning stage project designs should respect the relevant criteria for doing no significant harm to other environmental objectives.</p> <p>The economic activity should comply with one the following criteria:</p> <ul style="list-style-type: none"> a. it uses state-of-the-art modelling techniques that: <ul style="list-style-type: none"> i. properly reflect climate change risks;

		<ul style="list-style-type: none"> ii. do not rely only on historical trends; iii. integrate forward-looking scenarios; <p>b. it develops climate models and projections, services and assessment of impacts, the best available science for vulnerability and risk analysis and related methodologies line with the most recent Intergovernmental Panel on Climate Change reports and scientific peer-reviewed publications.</p> <p>Where relevant infrastructure is being designed, the potential to reduce material impacts due to climate risks should be mapped through a robust climate risk assessment in the target economic activity.</p> <p>Proposed actions under this priority positively contribute to this environmental objective through reduced carbon emissions and are expected to deliver positive benefits for a life span of at least 10 years.</p> <p>The types of action (economic activities) are aligned to Ireland’s National Energy and Climate Action Plan.</p> <p>The activity should comply with the criteria set out in Appendix A..</p> <p>The infrastructure should not be dedicated to transportation or storage of fossil fuels.</p> <p>In case of new infrastructure or major renovation, the infrastructure has been climate proofed in accordance with the appropriate climate proofing practice that includes carbon footprinting and clearly defined shadow cost of carbon. Such carbon footprinting covers scope 1-3 emissions, and demonstrates that the infrastructure does not lead to additional relative greenhouse gas emissions, calculated on the basis of conservative assumptions, values and procedures.</p> <p>1.The economic activity should implement physical and non-physical solutions (‘adaptation solutions’) that substantially reduce the most important physical climate risks that are material to that activity.</p>
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	<p>2. The physical climate risks that are material to the activity have been identified from those listed in Appendix A to this Annex by performing a robust climate risk and vulnerability assessment with the following steps:</p> <ul style="list-style-type: none"> a. screening of the activity to identify which physical climate risks from the list in Appendix A may affect the performance of the economic activity during its expected lifetime; b. where the activity is assessed to be at risk from one or more of the physical climate risks listed in Appendix A , a climate risk and vulnerability assessment to assess the materiality of the physical climate risks on the economic activity; c. an assessment of adaptation solutions that can reduce the identified physical climate risk. <p>The climate risk and vulnerability assessment is proportionate to the scale of the activity and its expected lifespan, such that:</p> <ul style="list-style-type: none"> a. for activities with an expected lifespan of less than 10 years, the assessment is performed, at least by using climate projections at the smallest appropriate scale; b. for all other activities, the assessment is performed using the highest available resolution, state-of-the-art climate projections across the existing range of future scenarios⁽⁴⁵⁸⁾ consistent with the expected lifetime of the activity, including, at least, 10 to 30 year climate projections scenarios for major investments. <p>3. The climate projections and assessment of impacts are based on best practice and available guidance and take into account the state-of-the-art science for vulnerability and risk analysis and related methodologies in line with the most recent Intergovernmental Panel on Climate Change reports, scientific peer-reviewed publications and open source or paying models.</p> <p>4. The adaptation solutions implemented should:</p>
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		<ul style="list-style-type: none"> a. not adversely affect the adaptation efforts or the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities; b. favour nature-based solutions or rely on blue or green infrastructure to the extent possible; c. be consistent with local, sectoral, regional or national adaptation plans and strategies; d. be monitored and measured against pre-defined indicators and remedial action is considered where those indicators are not met; <p>Where the solution implemented is physical and consists in an activity for which technical screening criteria have been specified in this Annex, the solution complies with the do no significant harm technical screening criteria for that activity.</p>
<p>The sustainable use and protection of water and marine resources: Is the measure expected to be detrimental: (i) to the good status or the good ecological potential of bodies of water, including surface water and groundwater; or (ii) to the good environmental status of marine waters?</p>	<p>X</p>	<p>The activity complies with the criteria set out in Appendix B to this Annex.</p> <p>Where applicable, economic activities should comply with all local, regional and national legislation and policy. A sample list of these regulations which will have to be observed is included in Appendix F of this statement.</p> <p>Given the period of this programme is 2021-2027 any project proposed will also have to be compliant with any relevant new and emerging legislation.</p> <p>It is also noted that for any construction works, a Construction Environmental Management Plan, and an Operational Waste Management Plan will be required and the necessary mitigations to protect water and marine resources, prevent pollution and promote the use of recyclable materials and the compliant disposal and recycling (where possible) of residual materials during the construction/ installation stages.</p> <p>The implementation of SUDS (Sustainable Urban Drainage Systems) within economic activities is a positive intervention where appropriate. SuDS are designed to both manage the flood and pollution</p>

		<p>risks resulting from urban runoff and to contribute wherever possible to environmental enhancement and place making. With this in mind, the multi-functionality and multiple benefits of SuDS should always be considered.</p> <p>Where other water quality improvements and protective measures can be integrated within the economic activity, these should be considered at project planning stage.</p>
<p>The transition to a circular economy, including waste prevention and recycling: Is the measure expected to:</p> <p>(iv) lead to a significant increase in the generation, incineration or disposal of waste, with the exception of the incineration of non-recyclable hazardous waste; or</p> <p>(v) (ii) lead to significant inefficiencies in the direct or indirect use of any natural resource at any stage of its life cycle which are not minimised by adequate measures ; or</p> <p>(vi) (iii) cause significant and long-term harm to the environment in respect to the circular economy</p>	<p>X</p>	<p>Where applicable at least 70 % (by weight) of the non-hazardous construction and demolition waste (excluding naturally occurring material defined in category 17 05 04 in the European List of Waste established by Decision 2000/532/EC) generated on the construction site is prepared for reuse, recycling and other material recovery, including backfilling operations using waste to substitute other materials, in accordance with the waste hierarchy and the EU Construction and Demolition Waste Management Protocol. Operators limit waste generation in processes related construction and demolition, in accordance with the EU Construction and Demolition Waste Management Protocol and taking into account best available techniques and using selective demolition to enable removal and safe handling of hazardous substances and facilitate reuse and high-quality recycling by selective removal of materials, using available sorting systems for construction and demolition waste.</p> <p>Measures are in place to manage waste, in accordance with the waste hierarchy, both in the use phase (maintenance) and the end-of-life of the fleet, including through reuse and recycling of batteries and electronics (in particular critical raw materials therein).</p> <ul style="list-style-type: none"> • Building designs and construction techniques should support circularity and in particular demonstrate, with reference to ISO 20887 or other standards for assessing the disassembly or adaptability of buildings, how they are designed to be more resource efficient, adaptable,

		<p>flexible and dismantlable to enable reuse and recycling.</p> <ul style="list-style-type: none"> • The activity assesses availability of and, where feasible, uses equipment and components of high durability and recyclability and that are easy to dismantle and refurbish. • A waste management plan should be in place and ensures maximal reuse, remanufacturing or recycling at end of life, including through contractual agreements with waste management partners, reflection in financial projections or official project documentation.
<p>Pollution prevention and control: Is the measure expected to lead to a significant increase in the emissions of pollutants into air, water or land?</p>	<p>X</p>	<p>The operational phase of the proposed economic activity can potentially lead to an improvement in air quality. During construction and operational phases, where relevant, noise and vibrations from use of infrastructure should be mitigated by introducing open trenches, wall barriers or other measures and comply with Directive 2002/49/EC.</p> <p>Measures should be taken to reduce noise, dust and pollutant emissions during construction or maintenance works</p> <p>For road vehicles of categories M, tyres should comply with external rolling noise requirements in the highest populated class and with Rolling Resistance Coefficient (influencing the vehicle energy efficiency) in the two highest populated classes as set out in Regulation (EU) 2020/740 of the European Parliament and of the Council and as can be verified from the European Product Registry for Energy Labelling (EPREL).</p> <p>Where applicable, vehicles should comply with the requirements of the most recent applicable stage of the Euro VI heavy duty emission type-approval set out in accordance with Regulation (EC) No 595/2009.</p> <p>As specific details are not available regarding estimated quantities of waste, the economic activity should design activities that ensure components and materials used in the construction, renovation and installation activities</p>

		should comply with the criteria set out in Appendix C.
<p>The protection and restoration of biodiversity and ecosystems: Is the measure expected to be:</p> <p>(iii) significantly detrimental to the good condition and resilience of ecosystems; or</p> <p>(iv) (ii) detrimental to the conservation status of habitats and species, including those of Union interest?</p>	X	<p>The activity complies with the criteria set out in Appendix D to this Annex.</p> <p>Where relevant, maintenance of vegetation along road transport infrastructure should ensure that invasive species do not spread.</p> <p>Mitigation measures should be implemented to avoid wildlife collisions</p> <p>If biodiversity enhancements can be implemented in undertaking the economic activity then these should be included.</p>

5.4 DNSH CHECKLIST PART 2 JUSTIFICATION PRIORITY JTF3

The determination is that actions under priority JTF3 Do No Significant Harm at policy level. Proposed actions create have the potential to create a positive effect on climate mitigation, climate adaption and on the environmental objectives.

At policy level the objectives and types of action align with the objectives of the Climate Action Plan 2021 and the National sustainable Mobility Plan 2021.

Economic activities that are brought forward under this specific priority should comply with the points outlined in the substantive Justification of Table 5.1 (above) and will be subject to all relevant existing and emerging policy and legislation at local, regional, national and EU level.

Appendix F contains a sample list of legislation for reference purposes.

Where possible the integration of positive actions should be encouraged.

5.5 SUMMARY OF DNSH CHECKLIST PART 2

The determination is that the proposed actions under Priority JTF2 and Priority JTF3 Do No Significant Harm at policy level. The proposed actions create a positive impact on climate adaption and climate mitigation and a neutral impact on the environmental objectives. If further positive environmental interventions can be achieved these should be encouraged in undertaking the economic activity.

Economic activities that are brought forward under the Specific Objective JS08.1 will be subject to all relevant existing and emerging policy and legislation at local, regional, national and EU level. Appendix F contains a sample list of legislation for reference purposes.

Eastern and Midland Regional Assembly

6. CONCLUSION

6.1 SUMMARY OF DNSH ASSESSMENT.

From the initial Environmental Statement in the Programme, there is a high level commitment to respecting environmental objectives and implementing measures that have as a minimum a neutral effect on the environment.

The conclusion of the DNSH assessment for the Programme as described is that type of actions proposed under each of the Specific Objectives considered in this report **Do No Significant Harm**.

As described these are high level objectives indicating types of actions and economic activities that may arise as a result of JTF funding being made available.

In conjunction with the DNSH Assessment both a Strategic Environmental Assessment and an Appropriate Assessment have been undertaken in addition to Regional Flood Risk Assessment Screening on the Priorities as they apply to the Territory. Additional environmental assessment while mandatory in this instance is a positive action to assess the impact of the Programme.

The conclusions of these reports can be viewed in conjunction with the DNSH, but each indicates that the proposed actions under each of the Priorities are not intended to be harmful to the environment but signpost the need to screen and assess specific economic activities against local, regional, national and EU policy guidance and legislation when activity locations and activity details are understood.

It will be the responsibility of the Regional Assembly and its appointed agents to require that full compliance with the appropriate legislation is maintained and respected during the lifetime of the Programme and that economic activities undertaken do not create an impact that is prolonged after the completion of the Programme. All applications should be considered for suitability and how the proposed funding and approved economic activities that follow will align with the objectives of Climate Action Plan 2021.

Furthermore, proposed economic activities relevant to the Programme priorities should also consider a 'no intervention' scenario, where the DNSH criteria can be used to determine the environmental position if no activity is undertaken. If the activity provides an improved environmental condition against any of the DNSH criteria while remaining at least neutral on the others this is a positive activity. By applying this methodology, it can assist with prioritising activities and types of actions that are more beneficial rather than those that simply meet the criteria for selection.

Where appropriate and relevant further positive environmental interventions should be designed and implemented particularly where economic activities involve restoration, rehabilitation or conservation measures and where public realm enhancements are planned, biodiversity enhancements should be included.

Examples of these are included in the DNSH Checklist justification and recommendations and details of standards are included in the Appendices of this report and are taken from the Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives.

At each decision gateway the Regional Assembly and its appointed agents should encourage the use of and consider the information contained within what the Commission Notice Technical guidance on the application of 'do no significant harm' under the Recovery and Resilience Facility Regulation (2021/C 58/01) describes as **“Cross-cutting supporting evidence”**, examples of which include:

- ***“The applicable part of the EU environmental legislation (in particular environmental assessments) has been complied with and relevant permits/authorisations have been granted.***
- ***The measure includes elements requiring companies to implement a recognised environmental management system, such as EMAS (or alternatively ISO 14001 or equivalent), or to use and/or produce goods or services that are awarded an EU Ecolabel or another Type I environmental label***
- ***The measure concerns the implementation of best environmental practices or the reaching of benchmarks of excellence set out in the Sectoral Reference Documents adopted according to Article 46(1) of Regulation (EC) No 1221/2009 on the voluntary participation by organisations in a community eco-management and audit scheme (EMAS).***
- ***For public investments, the measure respects green public procurement criteria***
- ***For infrastructure investments, the investment has been subject to a climate and environmental proofing.”***

Where supporting evidence is presented to the Regional Assembly and/or its appointed agents the timing, validity and the technical content should also be verified to ensure that the information provided is both relevant and current.

If any economic activity is proposed using technology or methods that are untested or unproved or the environmental impacts are uncertain, the Regional Assembly and its appointed agents should exercise due diligence and request as a minimum that further evidence should be presented to justify its compliance to the Do No Significant Harm criteria and the relevant local, regional, national and EU policies and legislation.

Any economic activity under consideration should also consider in combination or cumulative effects with other developments. It is not possible to assess this as activity details and locations are not yet available. Once known, then other economic activities in the geographical area that have the potential to create a cumulative effect should be reviewed and the potential cumulative effect assessed with consideration to all the DNSH criteria.



6.2 MINIMUM SAFEGUARDS

Minimum safeguards should be implemented by an undertaking that is carrying out an economic activity to ensure the alignment with the OECD Guidelines for Multinational Enterprises and the UN Guiding Principles on Business and Human Rights, including the principles and rights set out in the eight fundamental conventions identified in the Declaration of the International Labour Organisation on Fundamental Principles and Rights at Work and the International Bill of Human Rights.

When implementing these procedures, undertakings shall adhere to the principle of 'do no significant harm' referred to in point (17) of Article 2 of Regulation (EU) 2019/2088

7. TECHNICAL SUMMARY

Having completed DNSH Assessment - Checklist Part 1 & 2 the findings are as follows:

- **JTF1. Generating employment for former peat communities by investing in the diversification of the local economy**

Assessment – Checklist Part 1 – Types of action proposed under Priority JTF 1 Do No Significant Harm

- **JTF2. Supporting the rehabilitation and restoration of degraded peatlands and regeneration and repurposing of industrial assets.**

Assessment – Checklist Part 2 – Types of action proposed under Priority JTF 2 Do No Significant Harm

- **JTF3. Providing former peat communities with smart and sustainable mobility options to enable them to benefit directly from the green transition**

Assessment – Checklist Part 2 – Types of action proposed under Priority JTF 3 Do No Significant Harm

A summary of the intervention codes are enclosed in Table 7.1.

Table 7.1 Summary of intervention codes used for the Specific Objective and Priorities of the Regional Programme

Priority	Intervention Code	Coefficient for the calculation of support to climate change objectives	Coefficient for the calculation of support to environmental objectives
JTF1	013	0%	0%
JTF1	021	0%	0%
JTF1	030	40%	100%
JTF1	169	0%	0%
JTF2	012	0%	0%
JTF2	073	100%	100%
JTF2	079	40%	100%
JTF2	080	100%	100%
JTF3	021	0%	0%
JTF3	082	100%	40%
JTF3	086	100%	40%





APPENDIX A – GENERIC CRITERIA FOR DNSH TO CLIMATE CHANGE ADAPTION

APPENDIX A Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council

APPENDIX A: GENERIC CRITERIA FOR DNSH TO CLIMATE CHANGE ADAPTATION

I. Criteria

- The physical climate risks that are material to the activity have been identified from those listed in the table in Section II of this Appendix by performing a robust climate risk and vulnerability assessment with the following steps:
 - (a) screening of the activity to identify which physical climate risks from the list in Section II of this Appendix may affect the performance of the economic activity during its expected lifetime;
 - (b) where the activity is assessed to be at risk from one or more of the physical climate risks listed in Section II of this Appendix, a climate risk and vulnerability assessment to assess the materiality of the physical climate risks on the economic activity;
 - (c) an assessment of adaptation solutions that can reduce the identified physical climate risk.

- The climate risk and vulnerability assessment is proportionate to the scale of the activity and its expected lifespan, such that:
 - (a) for activities with an expected lifespan of less than 10 years, the assessment is performed, at least by using climate projections at the smallest appropriate scale;
 - (b) for all other activities, the assessment is performed using the highest available resolution, state-of-the-art climate projections across the existing range of future scenarios consistent with the expected lifetime of the activity, including, at least, 10 to 30 year climate projections scenarios for major investments.
 - The climate projections and assessment of impacts are based on best practice and available guidance and take into account the state-of-the-art science for vulnerability and risk analysis and related methodologies in line with the most recent Intergovernmental Panel on Climate Change reports , scientific peer-reviewed publications, and open source or paying models.
 - For existing activities and new activities using existing physical assets, the economic operator implements physical and non-physical solutions ('adaptation solutions'), over a period of time of up to five years, that reduce the most important identified physical climate risks that are material to that activity.
 - An adaptation plan for the implementation of those solutions is drawn up accordingly. For new activities and existing activities using newly-built physical assets, the economic operator integrates the adaptation solutions that reduce the most important identified physical climate risks that are material to that activity at the time of design and construction and has implemented them before the start of operations.
 - The adaptation solutions implemented do not adversely affect the adaptation efforts or the level of resilience to physical climate risks of other people, of nature, of cultural heritage, of assets and of other economic activities; are consistent with local, sectoral, regional or national adaptation strategies and plans; and consider the use of nature-based solutions⁴ or rely on blue or green infrastructure⁵ to the extent possible
 - Other economic activities; are consistent with local, sectoral, regional or national adaptation strategies and plans; and consider the use of nature-based solutions or rely on blue or green infrastructure to the extent possible.

- Future scenarios include Intergovernmental Panel on Climate Change representative concentration pathways RCP2.6, RCP4.5, RCP6.0 and RCP8.5.
- Assessments Reports on Climate Change: Impacts, Adaptation and Vulnerability, published periodically by the Intergovernmental Panel on Climate Change (IPCC), the United Nations body for assessing the science related to climate change produces, <https://www.ipcc.ch/reports/>. Such as Copernicus services managed by the European Commission.

II. Classification of climate-related hazards

	Temperature Related	Wind Related	Water Related	Solid Mass Related
Chronic	Changing temperature (air, freshwater, marine water)	Changing wind patterns	Changing precipitation patterns and types (rain, hail, snow/ice)	Coastal erosion
	Heat stress		Precipitation or hydrological variability	Soil degradation
	Temperature variability		Ocean acidification	Soil erosion
	Permafrost thawing		Saline intrusion	Solifluction
			Sea level rise	
		Water stress		
Acute	Acute Heat wave	Cyclone, hurricane, typhoon	Drought	Avalanche
	Cold wave/frost	Storm (including blizzards, dust and sandstorms)	Heavy precipitation (rain, hail, snow/ice)	Landslide
	Wildfire	Tornado	Flood (coastal, fluvial, pluvial, ground water)	Subsidence
			Glacial lake outburst	

- Nature-based solutions are defined as ‘solutions that are inspired and supported by nature, which are cost-effective, simultaneously provide environmental, social and economic benefits and help build resilience. Such solutions bring more, and more diverse, nature and natural features and processes into cities, landscapes and seascapes, through locally adapted, resource-efficient and systemic interventions’.
- Therefore, nature-based solutions benefit biodiversity and support the delivery of a range of ecosystem services. (version of [adoption date]: <https://ec.europa.eu/research/environment/index.cfm?pg=nbs>).
- See Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Green Infrastructure (GI) — Enhancing Europe’s Natural Capital (COM/2013/0249 final).

The list of climate-related hazards in this table is non-exhaustive, and constitutes only an indicative list of most widespread hazards that are to be taken into account as a minimum in the climate risk and vulnerability assessment.



APPENDIX B – GENERIC CRITERIA FOR DNSH TO SUSTAINABLE USE AND PROTECTION OF WATER AND MARINE RESOURCES

APPENDIX B Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council

APPENDIX B: GENERIC CRITERIA FOR DNSH TO SUSTAINABLE USE AND PROTECTION OF WATER AND MARINE RESOURCES

- Environmental degradation risks related to preserving water quality and avoiding water stress are identified and addressed with the aim of achieving good water status and good ecological potential as defined in Article 2, points (22) and (23), of Regulation (EU) 2020/852, in accordance with Directive 2000/60/EC and a water use and protection management plan, developed thereunder for the potentially affected water body or bodies, in consultation with relevant stakeholders.
- Where an Environmental Impact Assessment is carried out in accordance with Directive 2011/92/EU and includes an assessment of the impact on water in accordance with Directive 2000/60/EC, no additional assessment of impact on water is required, provided the risks identified have been addressed.

Directive 2000/60/EC of the European Parliament and of the Council of 23 October 2000 establishing a framework for Community action in the field of water policy (OJ L 327, 22.12.2000, p. 1).

For activities in third countries, in accordance with applicable national law or international standards which pursue equivalent objectives of good water status and good ecological potential, through equivalent procedural and substantive rules, i.e. a water use and protection management plan developed in consultation with relevant stakeholders which ensures that

1) the impact of the activities on the identified status or ecological potential of potentially affected water body or bodies is assessed and

2) deterioration or prevention of good status/ecological potential is avoided or, where this is not possible,

3) justified by the lack of better environmental alternatives which are not disproportionately costly/technically unfeasible, and all practicable steps are taken to mitigate the adverse impact on the status of the body of water.

Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment (OJ L 26, 28.1.2012, p. 1)



APPENDIX C – GENERIC CRITERIA FOR DNSH TO POLLUTION PREVENTION AND CONTROL REGARDING USE AND PRESENCE OF CHEMICALS

APPENDIX C Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council

APPENDIX C: GENERIC CRITERIA FOR DNSH TO POLLUTION PREVENTION AND CONTROL REGARDING USE AND PRESENCE OF CHEMICALS

The activity does not lead to the manufacture, placing on the market or use of:

- i. substances, whether on their own, in mixtures or in articles, listed in Annexes I or II to Regulation (EU) 2019/1021, except in the case of substances present as an unintentional trace contaminant;
 - ii. mercury and mercury compounds, their mixtures and mercury-added products as defined in Article 2 of Regulation (EU) 2017/852;
 - iii. substances, whether on their own, in mixture or in articles, listed in Annex I or II to Regulation (EC) No 1005/2009;
 - iv. substances, whether on their own, in mixtures or in an articles, listed in Annex II to Directive 2011/65/EU, except where there is full compliance with Article 4(1) of that Directive;
 - v. substances, whether on their own, in mixtures or in an article, listed in Annex XVII to Regulation (EC) 1907/2006, except where there is full compliance with the conditions specified in that Annex;
 - vi. substances, whether on their own, in mixtures or in an article, meeting the criteria laid down in Article 57 of Regulation (EC) 1907/2006 and identified in accordance with Article 59(1) of that Regulation, except where their use has been proven to be essential for the society;
 - vii. other substances, whether on their own, in mixtures or in an article, that meet the criteria laid down in Article 57 of Regulation (EC) 1907/2006, except where their use has been proven to be essential for the society.
- Regulation (EU) 2019/1021 of the European Parliament and of the Council of 20 June 2019 on persistent organic pollutants (OJ L 169, 25.6.2019, p. 45).
 - Regulation (EU) 2017/852 of the European Parliament and of the Council of 17 May 2017 on mercury, and repealing Regulation (EC) No 1102/2008 (OJ L 137, 24.5.2017, p. 1).
 - Regulation (EC) No 1005/2009 of the European Parliament and of the Council of 16 September 2009 on substances that deplete the ozone layer (OJ L 286, 31.10.2009, p. 1).
 - Directive 2011/65/EU of the European Parliament and of the Council of 8 June 2011 on the restriction of the use of certain hazardous substances in electrical and electronic equipment. (OJ L 174, 1.7.2011, p. 88).
 - Regulation (EC) No 1907/2006 of the European Parliament and of the Council of 18 December 2006 concerning the Registration, Evaluation, Authorisation and Restriction of Chemicals (REACH), establishing a European Chemicals Agency, amending Directive 1999/45/EC and repealing Council Regulation (EEC) No 793/93 and Commission Regulation (EC) No 1488/94 as well as Council Directive 76/769/EEC and Commission Directives 91/155/EEC, 93/67/EEC, 93/105/EC and 2000/21/EC. (OJ L 396, 30.12.2006, p. 1)



APPENDIX D – GENERIC CRITERIA FOR DNSH TO PROTECTION AND RESTORATION OF BIODIVERSITY AND ECOSYSTEMS

APPENDIX D Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council

APPENDIX D: GENERIC CRITERIA FOR DNSH TO PROTECTION AND RESTORATION OF BIODIVERSITY AND ECOSYSTEMS

- An Environmental Impact Assessment (EIA) or screening has been completed in accordance with Directive 2011/92/EU .
- Where an EIA has been carried out, the required mitigation and compensation measures for protecting the environment are implemented.
- For sites/operations located in or near biodiversity-sensitive areas (including the Natura 2000 network of protected areas, UNESCO World Heritage sites and Key Biodiversity Areas, as well as other protected areas), an appropriate assessment, where applicable, has been conducted and based on its conclusions the necessary mitigation measures are implemented.

- The procedure through which the competent authority determines whether projects listed in Annex II to Directive 2011/92/EU is to be made subject to an environmental impact assessment (as referred to in Article 4(2) of that Directive).
- For activities in third countries, in accordance with equivalent applicable national law or international standards requiring the completion of an EIA or screening, for example, IFC Performance Standard 1: Assessment and Management of Environmental and Social Risks. In accordance with Directives 2009/147/EC and 92/43/EEC.
- For activities located in third countries, in accordance with equivalent applicable national law or international standards, that aim at the conservation of natural habitats, wild fauna and wild flora, and that require to carry out :
 - (1) a screening procedure to determine whether, for a given activity, an appropriate assessment of the possible impacts on protected habitats and species is needed;
 - (2) such an appropriate assessment where the screening determines that it is needed, for example IFC Performance Standard
- Biodiversity Conservation and Sustainable Management of Living Natural Resources.
- Those measures have been identified to ensure that the project, plan or activity will not have any significant effects on the conservation objectives of the protected area.



APPENDIX E – TECHNICAL SPECIFICATIONS FOR WATER APPLIANCES

APPENDIX E Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council

APPENDIX E: TECHNICAL SPECIFICATIONS FOR WATER APPLIANCES

1. The flow rate is recorded at the standard reference pressure 3 -0/+ 0,2 bar or 0,1 -0/+0,02 for products limited to low pressure.
2. The flow rate at the lower pressure 1,5 -0/+ 0,2 bar is ≥ 60 % of the maximum available flow rate.
3. For mixer showers, the reference temperature is 38 ± 1 °C.
4. Where the flow has to be lower than 6 L/min, it complies with the rule set out in point 2.
5. For taps the procedure described in clause 10.2.3 of EN 200 is followed, with the following exceptions:
 - (a) for taps that are not limited to low pressure applications only: apply a 3 -0/+ 0,2 bar pressure to both the hot and the cold inlets, alternatively;
 - (b) for taps that are limited to low pressure applications only: apply a 0,4 -0/+0,02 bar pressure to both the hot and the cold inlets and fully open the flow control.

Reference to EU standards is available at EU level to assess technical specifications of products: EN 200 on "Sanitary tapware. Single taps and combination taps for water supply systems of type 1 and type 2. General technical specification"; EN 816 "Sanitary tapware –Automatic shut-off valves PN 10"; EN 817 "Mechanical mixing valves (PN 10) -General technical specifications"; EN 1111 "Sanitary tapware –Thermostatic mixing valves (PN 10) – General technical specification"; EN 1112 on "Sanitary tapware. Shower outlets for sanitary tapware for water supply systems of type 1 and type 2 –General technical specification"; EN 1113 on "Sanitary tapware – Shower hoses for sanitary tapware for water supply systems of type 1 and type 2 –General technical specification", including a method to test the resistance to flexing of the hose; EN 1287 on "Sanitary tapware. Low pressure thermostatic mixing valves. General technical specifications"; EN 15091 "Sanitary tapware –Electronic opening and closing sanitary tapware".



APPENDIX F – REGISTER OF LEGISLATION

A1: IPPC Legislation

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
Integrated Pollution Control (IPC) Licensing	Since 2002, any person or company involved in certain large-scale or complex industrial processes with significant polluting potential are required to have an IPC licence.	Adhere to IPC improvement programme, as per licence granted
Environmental Protection Agency (Integrated Pollution Control) (Licensing) (Amendment) Regulations 2020, S.I. No. 189 of 2020	Amendments outlined within regulations with regards to environmental impact assessment report requirements by the EPA in respect of an application for a licence	For information purposes only
European Union (Environmental Impact Assessment) (Integrated Pollution & Prevention Control) (No 2) Regulations 2012 (S.I. No. SI 282/ 2012)	These Regulations amend the Environmental Protection Agency Act 1992 (No. 7 of 1992) and the Planning and Development Act 2000 (No. 30 of 2000) so as to ensure that an environmental impact assessment is carried out, where required under Directive No. 2011/92/EC, in relation to relevant decisions of the EPA to grant an integrated pollution prevention and control licence.	These Regulations only apply to integrated pollution prevention and control licence applications made to the Agency before 30 September 2012
Integrated Pollution Prevention & Control Directive 96/61/EC Codified and Directive 2008/1/EC	The IPC Act was amended in 2003 by the Protection of the Environment Act, 2003 which gave effect to the Integrated Pollution Prevention Control (IPPC) Directive (96/61/EC), codified (Directive 2008/1/EC)	The IPPC regime will replace existing IPC regime. The EPA will review IPC licences and transfer under the new PPC regime. Operators will be advised of any amendments to their licence.

<p>Environmental Protection Agency (Licensing Fees) Regulations 2013 - S.I. No. 284 of 2013</p>	<p>These Regulations set fees for applications to the EPA for licences to carry out certain Industrial Emissions Directive (2010/75/EU) waste activities specified in the First Schedule to the Environmental Protection Agency Act 1992 (inserted by the Protection of the Environment Act 2003 and amended by the European Union (Industrial Emissions) Regulations 2013 (S.I. No. 138 of 2013)).</p>	<p>Refer to schedule of fees table for class II waste activities. Fees payable to EPA for certain activity / class of activity. Fees apply for a review of a licence or revised licence</p>
<p>Protection of the Environment Act 2003</p>	<p>This Act transposes the Integrated Pollution Prevention and Control (IPPC) Directive into Irish law. All major industry in the Republic of Ireland is now subject to this system of licensing. These licences are issued by the EPA and cover all aspects of an affected company's environmental performance, including on-site waste storage activities which have environmental implications. The EPA is responsible for monitoring emissions from large or complex industries with significant polluting potential and dealing with any infringements of the terms of the licence.</p>	<p>Adhere to emission limits within licence to ensure any impacts to the environment are prevented</p>
<p>Environmental Protection Agency Act, Section 81, 1992.</p>	<p>This section of the Act calls for licences to be in place when dealing an industrial process in terms of; air and water quality management, special control and such other matters relating to the prevention, limitation, elimination, abatement or reduction of environmental pollution as it considers necessary.</p>	<p>Adhere to emission limits within licence to ensure any impacts to the environment are prevented</p>

European Union (Environmental Impact Assessment) (Environmental Protection Agency Act 1992) (Amendment) Regulations 2020, S.I. No. 191 of 2020	Amends the Environmental Protection Agency of 1992 as follows - - by the substitution of “environmental impact assessment report” for “environmental impact statement” and “environmental impact assessment reports” for “environmental impact statements” in each place where either occurs throughout the regulations	For information purposes only
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A2 : Legislation related to Air Quality

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
<p>Air Pollution Act, 1987</p>	<p>These Regulations prescribe the 1st February 1989 as the day on or after which industrial plant shall not be operated unless a licence under the Air Pollution Act, 1987 is in force in relation to the plant. The Regulations provide that existing plant of any class specified in the First Schedule shall not be operated on or after 1st March 1989 unless a licence under the Act is in force in relation to the plant, and also provide for various procedural matters under the Act in relation to the licensing of industrial plants, appeals to An Bord Pleanála in relation thereto, register of licence, and fees for applications for licences and appeals.</p>	<p>Industrial plant in operation shall have a licence under the Air Pollution Act, 1987.</p>
<p>Air Pollution Act, 1987 (Air Quality Standards) Regulations, 1987</p>	<p>The Regulation specifies air quality standards for sulphur dioxide, suspended particulates, lead and nitrogen dioxide regarding their limit and emission values. Regulations places responsibility on the EPA for the measurement of air quality.</p>	<p>Comply with limit and emission values. Minimise emissions where reasonable.</p>
<p>Air Pollution Act, 1987 (Sulphur Content of Heavy Fuel Oil and Gas Oil) Regulations, 2011</p>	<p>These Regulations replace the Air Pollution Act, 1987. They give effect to Council Directive 1999/332/EC relating to a reduction in the Sulphur content of certain liquid fuels and amending Directive 93/12/EEC. They</p> <ul style="list-style-type: none"> - prohibit the use of heavy fuel oils with a sulphur content exceeding 1% by mass from 1 January 2003. - Replaces the ban on the marketing of gas oils with a Sulphur content exceeding 0.2% by mass (in operation since 1 October 1994) with a ban on the use of these oils. - Provides for further Sulphur 	<p>A person or operator shall not use heavy fuel oil, the sulphur content of which exceeds 1% by mass.</p>

	<p>reduction to content not exceeding 0.1% by mass from 1 January 2008. The Directive widens the definition of "gas oil" so that the Regulations now encompass both aviation kerosene and marine gas oils.</p>	
<p>Air Quality Standards (Amendment) and Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air (Amendment) Regulations 2016 (S.I. No. 659/2016)</p>	<p>These Regulations transpose Commission Directive (EU) 2015/1480 of 28 August 2015 amending several annexes to Directives 2004/107/EC and 2008/50/EC of the European Parliament and of the Council laying down the rules concerning reference methods, data validation and location of sampling points for the assessment of ambient air quality. In so doing, they amend the Arsenic, Cadmium, Mercury, Nickel and Polycyclic Aromatic Hydrocarbons in Ambient Air Regulations 2009 (S.I. No. 58 of 2009) and Air Quality Standards Regulations 2011 (S.I. No. 180 of 2011) respectively, which transposed the earlier Directives.</p>	<p>Refer to Part 3 and 4 of Schedule 1 for sampling points selection criteria, monitoring site locations and documentation requirements</p>
<p>Air quality standards regulations 2011 (S.I. No. 180 of 2011)</p>	<p>These Regulations transpose the Directive on ambient air quality and cleaner air for Europe (CAFE) into Irish law. They introduce a limit value to PM2.5 in addition to the existing limit values for PM10, nitrogen dioxide and oxides of nitrogen, sulphur dioxide, lead, ozone, carbon monoxide and benzene.</p>	<p>BM must ensure that the monitoring, assessment and management of ambient air quality is in accordance with the limit detailed within the directives.</p>

<p>S.I. No. 44/2017 - European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2017</p>	<p>These Regulations make provisions necessary for the purposes of full and effective implementation in Ireland of Regulation (EU) No. 517/2014 on fluorinated greenhouse gases and repealing Regulation (EC) No. 842/2006. The new EU Regulation builds on the existing regulation whereby it aims to gradually over time phase down high global warming potential (GWP) fluorinated greenhouse (F-gases) and replace them with more environmentally friendly alternatives. Some key provisions include: Extended containment provisions including recording leak checks</p> <ul style="list-style-type: none"> · Service and maintenance ban using high GWP refrigerants · Extended placing on the market bans (Annex III) · Phasing down the amount of F-gases that can be placed on the market through gradually reducing quotas given to F-gas producers and importers 	<p>Leak checks will be required on equipment which contains fluorinated greenhouse gases in quantities of 5 tonnes of CO₂ equivalent or more (10 tonnes of CO₂ equivalent if the unit is hermetically sealed). Equipment containing less than 3kg; or 6kg if hermetically sealed, is not required to undertake leak checks until 1 January 2017.</p> <p>Ensure that any maintenance or servicing is only undertaken by a certified company. Do not use banned refrigerants.</p>
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<p>Regulation (EU) No. 517 of 2014 on fluorinated greenhouse gases Repealing Regulation (EC) No. 842 of 2006</p>	<p>The objective of this Regulation is to protect the environment by reducing emissions of fluorinated greenhouse gases. Accordingly, this Regulation:</p> <ul style="list-style-type: none"> (a) establishes rules on containment, use, recovery and destruction of fluorinated greenhouse gases, and on related ancillary measures; (b) imposes conditions on the placing on the market of specific products and equipment that contain, or whose functioning relies upon, fluorinated greenhouse gases; (c) imposes conditions on specific uses of fluorinated greenhouse gases; and (d) establishes quantitative limits for the placing on the market of hydrofluorocarbons. 	<p>Leak checks will be required on equipment which contains fluorinated greenhouse gases in certain quantities.</p> <p>The frequency of leak checks is determined by the tonnage of CO2 equivalent of F Gas in the equipment.</p> <p>Equipment included in the scope of the regulations:</p> <ul style="list-style-type: none"> a) stationary refrigeration equipment b) stationary air-conditioning equipment c) stationary heat pumps d) stationary fire protection equipment e) electrical switchgear <p>Companies that service air conditioning, refrigeration and fire protection systems that contain F gas must be certified. Servicing includes installing, repairing, maintaining and decommissioning. Company certification is in addition to the requirement to ensure employees are suitably trained.</p>
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<p>Control of Substances that Deplete the Ozone Layer Regulations 2011 (S.I. No. 465/2011)</p>	<p>These Regulations implement in Ireland Regulation (EC) No. 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer. They, among other things: designate the EPA as the competent authority for the purposes of the Regulation; prescribe restrictions on the import and export of controlled substances (i.e. those substances falling within the scope of Regulation (EC) No. 1005/2009) in line with the Regulation; provide for inspections by the Agency and support to the Agency by competent bodies in promoting recycling and recovery of controlled substances and inspections; define responsibility of producers, undertakings and any other person whose business involves the use of controlled substances, or the marketing, maintenance or servicing of products or equipment which contain such substances; and provide for waste management in respect of controlled substances.</p>	<p>Various requirements for persons whose business involves the use of controlled substances.</p> <p>Qualification requirements for persons whose business or employment involves leakage control, recovery, recycling, reclamation or destruction of controlled substances. Installation, servicing, maintenance dismantling or disposal of equipment in which controlled substances are used.</p>
<p>Limitation of Emissions of Volatile Organic Compounds due to the use of Organic Solvents in Certain Paints, Varnishes and Vehicle Refinishing Products (Amendment) Regulations 2012 (S.I. 186 of 2012) and Emissions of Volatile Organic Compounds from Organic Solvents Regulations, 2002</p>	<p>These Regulations transpose Directive 2010/79/EU on the limitation of emissions of volatile organic compounds (VOCs). Directive 2010/79/EU amends Directive 2004/42/EC by inserting a new Annex III concerning analytical methods used to determine the VOC content of products specified in Annex I.</p> <p>The Volatile Organic Compounds from Organic Solvents Regulations introduced controls on emissions of VOCs from various sectoral activities ranging from dry cleaning and pharmaceutical manufacture to vehicle respraying.</p>	<p>Retain records of solvent use.</p> <p>Liaise with regulator and determine if activities exceed threshold levels following extension of paint plant line</p>

<p>European Communities (Vehicle Testing) 1981-1986</p>	<p>These regulations require roadworthiness tests on heavy goods vehicles, buses and ambulances including pollution / smoke tests.</p>	<p>Any company heavy goods vehicles to be checked and kept in good running order All company vehicles to comply with required test intervals</p>
<p>European Communities (Vehicle Testing) Regulations, 2004</p>	<p>These Regulations consolidate the existing Regulations relating to the arrangements for the compulsory testing of commercial vehicles. They also provide for the use of design gross vehicle weight for determining vehicle classification for the purposes of testing vehicles, the introduction of a retest, the differentiation of heavy goods vehicles by size for test fee purposes, and a revision in the scale of test fees.</p>	
<p>Road Vehicle (construction & Use) Regulations (NI) 1999 SR1999/104 / (Amendment) (No. 3) Regulations 2009</p>	<p>It is an offence to use a vehicle if it is emitting "smoke, visible vapour, grit, sparks, ashes, cinders or oily substances" in such a way as is likely to cause "damage to any property or injury or danger to any person. Sets emissions limits for CO, HC, NOX and particulates (diesel only). Drivers are required to switch of their vehicle's engines when stationary and to keep engines in tune and any emission control equipment working efficiently.</p>	<p>Company to only use / drive vehicles with up to date roadworthiness tests</p>
<p>European Communities (Mechanically Propelled Vehicle Emission Control) Regulations, 1997</p>	<p>The Regulations aim to control emissions from vehicles that have the potential to produce smoke, visible vapour, grit, sparks ashes, cinders and oily substances.</p>	<p>Ensure vehicles adhere to emission standards.</p>
<p>European Communities (Mechanically Propelled Vehicle Emission Control) Regulations, 1996</p>	<p>These Regulations prohibit the issue for certain new vehicles from 1 November 1996 unless the vehicles conform to the air pollutant emission control requirements of the Directive.</p>	

<p>European Communities (Protection of Workers) (Exposure to Asbestos) Regulations, 1989</p>	<p>Employers who are responsible for those working in an environment with possible asbestos-containing materials to Identify any asbestos on a site before work commences; Assess the risks to employees' health from the work, provide employees with information, instruction and training; Prevent employees' exposure to asbestos and Dispose of any waste containing asbestos properly.</p>	<p>Ensure an asbestos survey is undertaken prior to any planned works if there is any likelihood of asbestos being present in the building.</p>
<p>Safety, Health and Welfare at Work (Exposure to Asbestos) Regulations 2006 & 2010</p>	<p>A series of Regulations have been made to ensure that workers are protected from risks related to exposure to asbestos at work. They apply to all places of work and all sectors of work where asbestos-containing materials (ACMs) may be present, and to everyone who may be at risk from exposure when at work.</p>	<p>Ensure that the presence of asbestos is assessed and all risks mitigated prior to any major works commencing</p>

A3 : Legislation related to Water

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
Local Government (Water Pollution) Regulations 1978-96 and Local Government (Water Pollution) Act 1977 and 1990	<p>This is the main national legislation regarding water management and protection. Enables local authorities to prosecute for water offences, enforce pollution control conditions in the licensing of effluent discharges from industry to waters or to sewers, issue notices specifying measures to be taken to prevent water pollution or requiring a person to cease the pollution of waters and requiring the mitigation or remedying of any effects of the pollution and seek court orders to prevent, terminate or remedy pollution effects.</p>	<p>Pollution potential should be minimised where possible, actual effluent discharge from site to any waterway or underground stratum is prohibited. Consent from local authorities must be sought for any discharge into a waterway. Refer to Schedule 1(ii) Effluent Treatment Control of IPC licence</p>
The Local Government (Water Pollution) (Amendment) Regulations, 1999	<p>These Regulations amend Part VI of the Local Government (Water Pollution) Regulations, 1992. They extend the application of certain water quality standards under those Regulations to a wider range of functions performed by local authorities, the Environmental Protection Agency and An Bord Pleanala under the Local Government (Water Pollution) Acts, the Environmental Protection Agency Act, 1992 and the Waste Management Act, 1996.</p>	<p>For information purposes only</p>
European Communities (Water Policy) (Amended) Regulations, 2010	<p>The European Communities (Water Policy) Regulations, 2003 (S.I. No. 722 of 2003) as amended by the European Communities (Water Policy) (Amendment) Regulations, 2005 (S.I. No. 413 of 2005), by the European Communities (Water Policy) (Amendment) Regulations, 2008 (S.I. No. 219 of 2008), and by the</p>	<p>Not directly applicable - for information purposes only</p>

	European Communities (Water Policy) (Amendment) Regulations, 2010 (S.I. No. 93 of 2010) provide for transposition of the EU Water Framework Directive (Directive 2000/60/EC).	
<p>European Communities Environmental Objectives (Groundwater) (Amendment) Regulations 2011 and European Communities Environmental Objectives (Groundwater) Regulations 2010.</p>	<p>These Regulations amend the European Communities Environmental Objectives (Groundwater) Regulations 2010 in regulation 8 so as to facilitate the possibility of carbon capture and storage following the transposition of Directive 2009/31/EC on the geological storage of carbon dioxide.</p> <p>The 2010 Regulations revoke the Local Government (Water Pollution) (Amendment) Regulations 1999 (S.I. No. 42 of 1999) from 2013 and establish a new strengthened regime for the protection of groundwater by giving effect to the measures needed to achieve the environmental objectives established for groundwater by Directive 2000/60/EC and by giving effect to the requirements of Directive 2006/118/EC. The Regulations establish clear environmental objectives to be achieved in groundwater bodies within specified timeframes and introduce the legal basis for a more flexible, proportionate and risk-based approach to implementing the legal obligation to prevent or limit inputs of pollutants into groundwater, which already exists under Directive 80/68/EE.</p>	<p>Point source discharges and diffuse sources liable to cause groundwater pollution shall be controlled so as to prevent or limit the input of pollutants into groundwater.</p> <p>The direct discharge of pollutants into groundwater is prohibited - Consent from local authorities must be sought for any discharge into a waterway.</p>
<p>European Union (Waste Water Discharge) Regulations 2020, S.I. No. 214 of 2020</p>	<p>These regulations amend the Waste Water Discharge (Authorisation) Regulations 2007 (S.I. No. 684 of 2007), the Waste Water Discharge (Authorisation) (Amendment) Regulations 2010 (S.I. No. 231 of 2010), the Waste Water Discharge (Authorisation) (Environmental Impact Assessment) Regulations 2016 (S.I. No. 652 of 2016). These Regulations, other than Part II, may be collectively cited as</p>	<p>For information only - no direct impact.</p>

	<p>the European Union (Waste Water Discharge) Regulations 2020.</p>	
<p>Environmental Protection Agency Act, 1992 (Urban Waste Water Treatment) Regulations 1994 and Urban Waste Water Treatment Regulations, 2001 and Urban Waste Water Treatment (amendments) Regulations, 2010</p>	<p>These regulations set out the requirements in relation to the provision of collecting systems and treatment standards and other requirements for urban wastewater treatment plants, generally and in sensitive areas. They also provide monitoring procedures in relation to treatment plants and make provisions for pre-treatment requirements in relation to industrial wastewater entering collecting systems and urban wastewater treatment plants. These Regulations revoke and generally re-enact in consolidated form the Environmental Protection Agency Act 1992 (Urban Waste Water Treatment Regulations, 1994, as amended) and prescribe a further 30 water bodies as sensitive areas. The Regulations: prescribe requirements in relation to the provision of collection systems and treatment standards and other requirements for urban waste water treatment plants, generally and in sensitive areas provide for monitoring procedures in relation to treatment plants and make provision for pre-treatment requirements in relation to industrial waste water entering collection systems and urban waste water treatment plants, and give effect to provisions of Council Directive 91/271/EEC of 21 May 1991, as amended, concerning urban waste water treatment, and Directive 2000/60/EC of 23 October 2000 - the Water Framework Directive. Amendments to the regulations include (a) designating ten additional areas (in River Boyne, River Liffey, River Barrow, River Shannon, River Fergus, River Brosna, Tullamore River, Boyne Estuary, Clonakilty Harbour and Wexford Harbour) as sensitive areas, and (b) making some</p>	<p>Must follow requirements if working close to a designated sensitive area.</p>

	<p>minor technical amendments. The Regulations impose requirements in relation to discharges from urban waste water treatment facilities and give effect to Directive No. 91/271/EEC (the Urban Waste Water Treatment Directive) and Directive No. 2000/60/EC (the Water Framework Directive).</p>	
<p>EU Water Framework Directive (2000/60/EC)</p>	<p>These Directive sets a framework for comprehensive management of water resources in the European Community. The fundamental objective of the Water Framework Directive aims at maintaining “high status” of waters where it exists, preventing any deterioration in the existing status of waters and achieving at least “good status” in relation to all waters by 2015 (maintain and improve the quality of water resources)</p> <p>It was given legal effect in Ireland by the European Communities (Water Policy) Regulations 2003 (S.I. No. 722 of 2003). (link is external) It applies to rivers, lakes, groundwater, and transitional coastal waters.</p> <p>On April 17th, 2018 the Government published the River Basin</p>	<p>Prevent pollution of water resources and maintain the standard of water quality.</p> <p>Minimise the pollution potential of activities on site.</p>

	<p>Management Plan for Ireland 2018-2021. Its sets out the actions that Ireland will take to improve water quality and achieve 'good' ecological status in water bodies (rivers, lakes, estuaries and coastal waters) by 2027. Ireland is required to produce a river basin management plan under the Water Framework Directive (WFD).</p>	
<p>The Protection of Groundwater Regulations, 1999</p>	<p>These Regulations are intended to provide additional protection for groundwater against discharges of certain dangerous substances. The Regulations prohibit the discharge by sanitary authorities of certain dangerous substances to groundwater, and provide for controls by the Environmental Protection Agency, by way of a licensing system, in relation to discharges of other such substances by sanitary authorities.</p>	<p>Prevent pollution of water resources and maintain the standard of water quality. Minimise the pollution potential of activities on site.</p>
<p>European Communities (Quality of Salmonid Waters) Regulations, 1998</p>	<p>These Regulations prescribe quality standards for salmonid waters and designate the waters to which they apply, together with the sampling programmes and the methods of analysis and inspection to be used by local authorities to determine compliance with the standards. The Regulations give effect to Council Directive No. 78/659/EEC of 18 July 1978, (O.J. No. L222/1, 14 August 1978) on the quality of fresh waters needing protection or improvement in order to support fish life.</p>	<p>Not directly applicable - Places responsibility or empowers statutory agencies.</p>

<p>Water Services Act 2017 Water Service Act 2014 (section 11) (Commencement) Order 2017 (S.I. No. 611/2017) Water Service Act 2014 (Commencement) Order 2017 (S.I. No.511/2017) Water Service Act 2007 (Threshold Amount and Allowance Amount) Order 2017 (S.I. No. 597/2017)</p>	<p>Domestic water charges were introduced in 2015 for homes that are connected to a public water supply or to public wastewater services. Irish Water, the national water utility, was given the task of administering the water charges.</p> <p>This system of domestic water charging has now been repealed. A new system of charging is being introduced, to focus on the promotion of water conservation. A levy will apply in certain circumstances for usage of water above a specified threshold.</p> <p>The Water Services Act 2017 has repealed the system of domestic water charging and provided for refunds to be paid. A threshold of 213,000 litres per year has also now been set, to promote water conservation. In general, a dwelling with water usage above this threshold amount may be regarded as having excessive water usage. Dwellings with more than 4 residents have an additional 'allowance amount' of 25,000 litres per year, above the threshold amount, for each extra person living there.</p>	<p>Places responsibility or empowers statutory agencies.</p>
<p>European Communities (Drinking Water) (No. 2) Regulations S.I. No. 122 of 2014</p>	<p>Under Regulation 11, a water supplier shall ensure that the water is wholesome and clean and meets the requirements of these Regulations. A water supplier shall not be in breach of its obligations under Regulation 4(1) where non-compliance is due to the domestic distribution system in a premises, or the maintenance thereof, and that distribution system is not in the charge or control of the water supplier in its capacity as a water supplier.</p> <p>The Agency shall verify compliance of water intended for human consumption supplied by a sanitary authority, or any person acting jointly with it or on its behalf, with the parametric values specified in Part 1 of the Schedule.</p>	<p>The company shall maintain the domestic distribution system of the premises in such condition that it does not cause, contribute to, or give rise to a risk of non-compliance of that water with a parametric value specified in Table A or Table B of Part 1 of the Schedule.</p>

<p>Water Service Act 2007</p>	<p>The Act sets down a comprehensive modern legislative code governing functions, standards, obligations and practice in relation to the planning, management, and delivery of water supply and wastewater collection and treatment services.</p> <p>It consolidates and modernises the legislative code governing water services. The Act focuses on management of water "in the pipe", as distinct from broader water resources issues such as river water quality, etc.</p> <p>Incorporates a comprehensive review, update and consolidation of all existing water services legislation, and facilitates the establishment of a comprehensive supervisory regime to ensure compliance with specified performance standards.</p>	<p>For information - Places responsibility or empowers statutory agencies.</p>
<p>European Communities (Control of Water Pollution by Asbestos) Regulations, 1990</p>	<p>These Regulations give effect to the water pollution control provisions of Council Directive No. 87/217/EEC of 19 March 1987, (O.J. No. L85/40, 28 March 1987) on the prevention and reduction of environmental pollution by asbestos. The Regulations impose a general obligation to prevent the entry of asbestos to waters and specify the measures to be applied to certain industrial plant using asbestos. They also provide for the monitoring of effluent discharges from industrial plant.</p>	<p>Control working with Asbestos. Retain a register of asbestos containing substances. Ensure adequate protection measures are applied.</p>

A4 : Legislation related to Waste

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
Waste Management Act 1996	<p>Prohibits any person from holding, transporting, recovering or disposing of waste in a manner, which causes or is likely to cause environmental pollution.</p> <p>Requires any person who carries out activities of an agricultural, commercial or industrial nature to take all such reasonable steps as are necessary to prevent or minimise the production of waste.</p> <p>Prohibits the transfer of waste to any person other than an authorised person. Requires the EPA to make a national plan in relation to hazardous waste.</p> <p>Requires the EPA to make a national plan in relation to hazardous waste. Prohibits the transfer of waste to any person other than an authorised person.</p>	<p>All persons involved in industrial activities must take steps to <i>prevent</i> or <i>minimise</i> the production of waste and prohibits the storage, transport, recovery or disposal of waste in a manner which causes or is likely to cause environmental pollution.</p>
The Waste Management Licensing Regulations, 2004 to 2011	<p>These Regulations provide for the continued operation of the system of licensing by the EPA of waste recovery and disposal activities under Part V of the Waste Management Act, 1996. The Regulations set out procedures for the making of waste licence applications, reviews of licences and consideration by the Agency of objections, including the holding of oral hearings.</p>	<p>The company must apply for a licence if it intends to set up a waste disposal site.</p>
Waste Management (Amendment) Act 2001	<p>Amend and extend the Waste Management Act, 2006</p>	<p>As above</p>

<p>European Communities (Amendment of Waste Management Act 1996) Regulations, 1998</p>	<p>These Regulations amend certain provisions of the Waste Management Act, 1998. It enables full effect to be given to requirements of EU legislation in relation to waste. In particular, enable a waste permit system to be operated by local authorities in relation to certain waste recovery and disposal activities for the purpose of giving further effect to Council Directive 75/442/EEC of 15 July 1975 (as amended) on waste.</p>	<p>For information only - Applicable to statutory bodies who must ensure all waste disposal contractors and facilities are appropriately permitted.</p>
<p>Waste Management (Planning) Regulations 1997</p>	<p>Specifies issues to be addressed in waste management plans and the bodies to which the plans must be submitted.</p>	<p>Ensure that waste transfer and storage is undertaken so as to prevent pollution.</p>
<p>European Communities (Waste) Regulations 1979 & 1984</p>	<p>1979 Regulation allocates responsibility to local authorities for the planning, organisation and supervision of waste activities, the making of waste plans and the issue of waste permits in regard to waste disposal activities. 1984 regulations implement EEC Directive 76/403/EEC*of 6 April 1976 relating to the disposal of polychlorinated biphenyls (PCBs).</p>	<p>For information only - Local Authority responsibility.</p>
<p>Waste Management (Landfill Levy) (Amendment) Regulations 2013 (S.I. No. 194/2013) Waste Management (Landfill Levy) Regulations 2015 (S.I. No. 189/2015)</p>	<p>These Regulations increase the landfill levy for waste disposed of at authorised and unauthorised landfill facilities from €65 per tonne to €75 per tonne with effect from 1 July 2013.</p> <p>The Waste Management (Landfill Levy) Regulations 2015 replace the Waste Management (Landfill Levy) Regulations 2011. They make provision for the continued operation of the landfill levy provided for under section 73 of the Waste Management Act 1996 and make some amendments to application of the levy.</p>	<p>The cost of taking waste to landfill by the contractor or the company will be at least €75 per tonne plus gate fees.</p> <p>Ireland aims to reduce to 0% direct disposal of unprocessed residual waste to landfills from 2016 onwards, and to achieve the Landfill Directive target on biodegradable waste by 2020.</p>

<p>European Union (Waste Management) (Environmental Impact Assessment) Regulations 2020 S.I. 130 of 2020</p>	<p>Amends the Waste Management Act and Waste Management (Licensing) Regulations 2004 with references to environmental impact assessment report and impact assessment statement in relation to an application for a waste licence</p>	<p>For information purposes only.</p>
<p>European Union (Environmental Impact Assessment) (Waste) Regulations 2012 (S.I. 283 of 2012) and</p> <p>European Union (Environmental Impact Assessment) (Waste) Regulations 2013 (S.I. 505 of 2013)</p>	<p>The purpose of these Regulations is to give further effect in Irish law to Article 3 and Articles 2 to 4 of Directive No. 2011/92/EU of the European Parliament and of the Council of 13 December 2011 on the assessment of the effects of certain public and private projects on the environment insofar as it applies to certain licensable activities that require both a land-use consent and a waste licence.</p> <p>Under the Irish waste licensing regime where an EIA is required as part of a waste management activity application, the EPA will assess and give advice on the Environmental Impact Statement (EIS) submitted as part of the EIA process.</p> <p>The EPA shall consider the content of the EIS and any other supplementary material submitted as part of the licence application.</p>	<p>Ensure that an environmental impact assessment is carried out, and a waste licence is granted by EPA where required.</p> <p>Where a license application requires an EIA, the company must ensure that EIS adequately identifies, describes and assesses all the direct and indirect effects of the proposed development on the environment.</p>
<p>Waste Management (Miscellaneous Provisions) Regulations, 1998</p>	<p>These Regulations requires a waste collection permit (in accordance with section 34 (1) of the Waste Management Act, 1996).</p> <p>They provide, for instance, including the prosecution of offences by any person, the transfer of waste, the making of waste management plans, the defrayal of costs incurred by local authorities and the provision of information.</p>	<p>Require those collecting waste to have a waste collection permit.</p>

<p>European Communities (Asbestos Waste) Regulations, 1990 and 1994</p>	<p>These Regulations set out conditions for the packaging, storage, transport and disposal of asbestos waste</p>	<p>Prevention and reduction of asbestos waste and environmental pollution from such waste. Only specialist licensed contractors can legally remove asbestos</p>
<p>Waste Management (Facility Permit and Registration) Regulations 2007 and</p> <p>Waste Management (Facility Permit and Registration) (Amendment) Regulations 2008 (SI 2008/86)</p> <p>Waste Management (Facility Permit and Registration) (Amendment) Regulations 2014</p>	<p>Amend and replace the Waste Management (Permit) Regulations 1998 and provide for a system of permitting or registration of waste facility activities. The Regulations make provision to enable the EPA to decide if the facility requires a waste licence or permit. Empower local authorities to recover all or part of the reasonable costs incurred by ongoing monitoring of compliance with a facility permit, including the costs of inspections and investigations. A local authority shall only grant a waste facility permit where it is satisfied that the facility is planning compliant.</p> <p>Empower local authorities to attach such conditions to a waste facility permit as are necessary to give effect to the objectives of regional Waste Management Plans or the National Hazardous Waste Management Plan.</p> <p>The 2014 Regulations amend the Waste Management (Facility Permit and Registration) Regulations 2007 by strengthening conditions in relation to traceability of material being recovered or recycled by putting an onus on proof of ownership and full traceability for material purchased at permitted waste facilities.</p>	<p>Waste facility permit is required for all waste management facilities i.e. where waste is processed or held.</p>

<p>Waste Management (Collection Permit) Regulations, 2007 Waste Management (Collection Permit) (Amendment) Regulations 2008</p> <p>Waste Management (Collection Permit) (Amendment) Regulations 2016 (S.I. 346/2016)</p>	<p>Amend and replace the Waste Management (Collection Permit) Regulations 2001 and provide for a system of permitting by local authorities of commercial waste collection activities.</p> <p>Empower local authorities to recover all or part of the reasonable costs incurred by them in ongoing monitoring of compliance with a collection permit, including the costs of inspections and investigations.</p> <p>Provides for conditions to be attached to collection permits specifying the requirements to be complied with in respect of the types and quantities of wastes collected and the place or places to which waste concerned may or shall be delivered.</p> <p>These Regulations amend the Waste Management (Collection Permit) Regulations 2007 to remove the requirement on a collector of household waste to charge on a pay by weight per kilogramme basis and other associated requirements for collecting household kerbside waste.</p>	<p>Ensure that all operators collecting waste from your premises have an up to date waste collection permit.</p>
<p>Waste Management (Register) Regulations, 1997</p>	<p>These Regulations prescribe the entries to be made in the registers maintained by the Agency and each local authority under the section 19 of the Waste Management Act, 1996.</p>	<p>For information only - Responsibility of the Local Authorities.</p>
<p>Waste Management (Trans frontier Shipment of Waste) Regulations, 1998</p> <p>And</p> <p>Waste Management (Shipment of Waste) Regulations, 2007</p>	<p>On the supervision and control of shipments of waste within, into and out of the European Community, as amended</p> <p>The purpose of these Regulations is to streamline the administration of the Trans frontier Shipment of Waste legislation in Ireland in order to provide a better and more consistent level of implementation.</p> <p>These Regulations put Dublin City Council as the sole authority</p>	<p>Only applicable if importing material classified as waste from other jurisdictions, including Northern Ireland.</p>

	<p>responsibly for the implementation of the Waste Shipment Regulations. Prior to which, 34 local authorities were competent for waste exports and the EPA were competent for imports and movements through the State.</p>	
<p>Waste Management (Registration of Brokers and Dealers) Regulations 2008 S.I No. 113 of 2008</p>	<p>These Regulations provide a registration system of waste brokers and dealers who arrange the shipment of waste to and from Ireland and also the transfer of waste through the State.</p>	<p>It would be good practice under these regulations to only use waste brokers and dealers registered with the appropriate competent authority and can provide records of the types and quantities of waste dealt with from the company.</p>
<p>Waste Management (Licensing) (Amendment) Regulations 2010.</p>	<p>These Regulations provide for the commencement and operation of the system of licensing by the EPA of waste disposal activities under the Waste Management Act, 1996. Licensing ensures that a high standard of environmental protection applies to the location, design, construction, operation and aftercare of waste disposal facilities.</p> <p>The Regulations set out procedures for the making of licence applications, reviews of licences and consideration by the Agency of objections, including the holding of oral hearings. The Regulations also prescribe the day on or after which specified classes of waste disposal activity require a waste licence.</p> <p>These Regulations are for the purpose</p>	<p>It applies to new facilities and to certain existing facilities with effect from 1 May 1997: licensing is being extended on a phased basis to apply to all existing facilities by the end of February 1999.</p> <p>Applies to waste disposal sites.</p>

	<p>of giving effect to Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and amending with regard to public participation and access to justice Council Directives 85/337/EEC and 96/61/EC.</p>	
<p>European Communities (End-Of-Life Vehicles) (Amendment) Regulations 2011</p>	<p>These Regulations amend the Waste Management (End-of-Life Vehicles) Regulations 2006 as amended and are intended to give effect to Commission Directive 2011/37/EU of 30 March 2011 amending Annex II to Directive 2000/53/EC of the European Parliament and of the Council on End-of-Life Vehicles.</p> <p>Directive 2000/53/EC prohibits the use of lead, mercury, cadmium or hexavalent chromium in materials and components of vehicles put on the market after 1 July 2003, other than in cases listed in Annex II to that Directive and under the conditions specified therein.</p> <p>Pursuant to Article 4(2)(b) of Directive 2000/53/EC, Annex II to that Directive is adapted to scientific and technical progress by the Commission on a regular basis.</p>	<p>Not directly applicable as mainly applies if you are a vehicle manufacturer or a professional importer.</p> <p>Ensure that ELV are sent only to ATF.</p>

<p>Waste Management (Packaging) Regulations 2007</p>	<p>Consolidate existing suite of regulations on packaging waste and introduce new measures aimed at delivering further improvements to arrangements for the recovery and recycling of packaging waste in Ireland.</p> <p>These Regulations aim to facilitate the achievement of targets for the recovery of packaging and packaging waste and provide limits for the nature and composition of packaging.</p> <p>They consolidate the current suite of regulations - the existing regulations of 2003 as well as the amending regulations of 2004 and 2006 – it improves clarity, transparency and accessibility to the packaging waste regulatory regime.</p>	<p>The Regulations impose recovery obligations on producers who supply packaging to the Irish market.</p>
<p>Litter pollution Act 1997 and the Litter Pollution Regulations, 1997 (as amended 2017)</p> <p>Litter Pollution Regulations, 1999</p>	<p>The Act controls the deposition of any substance or object so as to create litter in a public place or in any place that is visible to any extent from a public place.</p> <p>The 1999 Regulations increase the “on-the-spot” fine for litter offences, relate to procedural matters of prescribing the “on-the-spot” fine notice for such offences and revoke the Litter Pollution Regulations, 1997</p>	<p>Measures to be taken to prevent the creation of litter from any site.</p>
<p>European Communities (Toxic and Dangerous Waste) Regulations 1982</p>	<p>Defines wastes that are to be treated as hazardous, along with procedures and duties for handling such wastes.</p> <p>Categorisation of wastes arising from company activities.</p> <p>Provides more effective system of control over toxic and dangerous waste.</p>	<p>Company must take sufficient steps to plan, organise and supervise activities on site in relation to toxic and dangerous waste.</p> <p>Store toxic waste in leak proof containers</p> <p>Toxic wastes should be labelled and categorised accordingly.</p>

<p>European Communities (Shipments of Hazardous Waste exclusively within Ireland) Regulations 2011(S.I. No. 324 of 2011).</p> <p>And</p> <p>Waste Management (Movement of Hazardous Waste) Regulations, 1998</p>	<p>These Regulations revoke the Waste Management (Movement of Hazardous Waste) Regulations, 1998. These Regulations bring about improvements in the administration of the legislation on the shipments of hazardous waste exclusively within Ireland so as to provide a better and more consistent level of implementation of the Waste Shipments Regulation (EC) No. 1013/2006. The Dublin City Council is appointed as the sole competent authority responsible for the implementation of article 33 of the Regulation.</p> <p>The Regulations provide, a system of consignment notes regarding the movement of hazardous waste within the State.</p> <p>They also transpose into Irish legislation certain EU requirements regarding the labelling of waste containers and the mixture of wastes.</p>	<p>Ensure appropriately authorised waste contractors are used for hazardous waste. Ensure waste is stored and transferred to prevent pollution.</p>
<p>Waste Management (Hazardous Waste) Regulations, 1998 as amended</p>	<p>These Regulations implement provisions of a number of EU Directives relating to asbestos waste, batteries and accumulators, polychlorinated biphenyls (PCBs), waste oils and hazardous wastes generally.</p>	<p>As Above</p>
<p>The European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations, 2006</p>	<p>The purpose of these Regulations is to implement Council Directive 96/82/EC on the control of major accident hazards involving dangerous substances.</p> <p>The Regulations apply to establishments where dangerous substances are present in amounts equal to or exceeding the application thresholds.</p> <p>Operators of establishments are required to take all necessary measures to prevent the occurrence of major accidents and to limit the consequences of accidents for people and the environment.</p>	<p>Take all necessary measures to prevent the occurrence of major accidents.</p>

	<p>The Regulations impose duties in respect of safety management systems, preparation of safety reports and emergency preparedness.</p> <p>The Regulations also deal with provision of advice on major hazards in the context of land-use planning decisions.</p>	
<p>European Union (Waste Electrical and Electronic Equipment) Regulations S.I. No.149 of 2014. (Amendment 2019)</p>	<p>These Regulations give effect to the European Parliament and Council Directive 2012/19/EU of 4 July 2012 on waste electrical and electronic equipment. They are designed to promote the recovery of waste electrical and electronic equipment and to facilitate the achievement of targets for the collection, treatment, recovery and disposal of waste electrical and electronic equipment. The 2014 Regulations revoke the previous European Communities (Waste Electrical and Electronic Equipment) Regulations 2011 (S.I. No. 355 of 2011), the European Communities (Waste Electrical and Electronic Equipment) (Amendment) Regulations 2011 (S.I. No. 397 of 2011) and the European Union (Waste Electrical and Electronic Equipment) (Amendment) Regulations 2013 (S.I. No. 32 of 2013).</p> <p>These Regulations revoke the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) as amended by the Waste Management (Waste Electrical and Electronic Equipment) (Amendment) Regulations</p>	<p>Participate in a scheme for the collection, treatment, recovery and disposal of waste electrical and electronic equipment in an environmentally sound manner.</p>

	<p>2008 (S.I. No. 375 of 2008) and the Waste Management (Waste Electrical and Electronic Equipment) (Amendment) Regulations 2010 (S.I. No. 143 of 2010).</p> <p>These Regulations amend the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) as amended by the Waste Management (Waste Electrical and Electronic Equipment) (Amendment) Regulations 2008 (S.I. No. 375 of 2008).</p>	
<p>Waste Management (Electrical and Electronic Equipment) Regulations 2005</p>	<p>These regulations aim to:</p> <ul style="list-style-type: none"> • minimize waste from electric and electronic equipment (EEE) • increase recovery and recycling rates of WEEE: • improve the environmental performance of all operators involved throughout the lifecycle of electric and electronic equipment; • implement producer responsibility for WEEE: • minimise waste arisings of certain hazardous substances by prohibiting the use of certain heavy metals in electrical & electronic equipment. 	<p>The company must promote the responsible use, recovery and disposal of waste electrical and electronic equipment</p>
<p>European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2017 (S.I. No. 184/2018)</p> <p>European Union (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2017 (S.I. No. 44/2017)</p> <p>European Union</p>	<p>RoHS 1 and 2 have introduced measures to limit the presence of these harmful substances in electrical and electronic equipment. The existing Directive RoHS2 broadened the scope significantly as it now applies to all electrical and electronic equipment (EEE) placed on the EU market. The main purpose of the amends is to address a number of problems which were identified in the evaluation carried out by the Commission in relation to the scope of the Directive. Specifically, it will ensure the possibility of secondary market operations (e.g. reselling, second-hand market) for electrical and electronic equipment that were newly covered by RoHS 2 and the use of spare parts for such equipment if they</p>	<p>Participate in a scheme for the collection, treatment, recovery and disposal of waste electrical and electronic equipment in an environmentally sound manner.</p>

<p>(Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2016 (S.I. No. 42/2017)</p>	<p>are put on the market before 22 July 2019.</p> <p>Both the Council and the European Parliament are in favour of the approach followed by the Commission not to widen the scope of this revision and leave, as scheduled, the general review of the Directive for 2021. In the agreed text, the Commission is required to carry out this general review of RoHS2 by 22 July 2021.</p>	
<p>Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) (Amendment) Regulations 2008</p> <p>and</p> <p>Waste Management (Restrictions of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005</p>	<p>These Regulations amend the Waste Management (Restriction of Certain Hazardous Substances in Electrical and Electronic Equipment) Regulations 2005. They clarify that producers must have access in the State to any records that certify that electrical and electronic equipment, which he or she has placed on the market, is in compliance with the Regulations.</p> <p>These Regulations are designed to minimise waste arisings of certain hazardous substances by prohibiting the use of certain heavy metals in electrical and electronic equipment as required by Directive 2002/95/EC on the restriction of the use of certain hazardous substances in electrical and electronic equipment.</p> <p>The Regulations impose obligations on persons who supply electrical and electronic equipment to the Irish market, whether as retailers, importers or manufacturers.</p>	<p>For information only. Apply to suppliers of electrical and electronic equipment</p>

<p>Planning and Development Acts 2000 - 2018</p> <p>Planning and Development (Amendment) Act 2018</p> <p>Planning and Development (Amendment) Regulations 2018 (S.I. No. 29/2018) S.I. No. 30/2018</p> <p>Planning and Development (Amendment) (No. 2) Regulations 2018 (S.I. No. 30/2018)</p> <p>Planning and Development (Amendment) (No. 3) Regulations 2018 (S.I. No. 31/2018)</p> <p>Planning and Development (Amendment) Regulations 2017 (S.I. No. 342/2017)</p>	<p>This Regulation makes provisions for the proper planning and development of cities, towns and other areas. It relates to air pollution, development of potential contaminated land, identifying water services and features in the vicinity of the site and other environmental impacts, resulting from development.</p> <p>An Act to amend and extend the Planning and Development Acts 2000 to 2018 and for that purpose to establish the Office of the Planning Regulator; to provide for a National Planning Framework; to provide for certain planning and development requirements to be taken into account by Irish Water; to amend the Derelict Sites Act 1990; to give effect to Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for marine spatial planning; and to make miscellaneous and consequential amendments to the 2000 Act and to various other Acts insofar as they relate to Planning.</p>	<p>Reduce and minimise environmental impacts of site operations and construction activities.</p>
<p>Protection of the Environment Act 2003</p>	<p>This Regulation amends waste management laws and the Environmental Protection Agency Act 1992:</p> <ul style="list-style-type: none"> -gave effect to Directive 96/61/EC concerning (IPPC) and this is now the required licensing process. - Renames (IPC) licences as IPPC licences and tidies up legislative provisions relating to them, and to waste licences -Increases penalties for many environmental offences -Strengthens enforcement powers 	<p>All reasonable precautions must be taken to reduce and minimise the environmental impact of all the companies' activities.</p> <p>Enforce Protection of the existing environment.</p>

<p>Environmental Protection Agency (Licensing) (Amendment) Regulations, 2004 and Environmental Protection Agency (Licensing) (Amendment) Regulations 2010.</p>	<p>These Regulations amend the Environmental Protection Agency (Licensing) Regulations 1994 so as to ensure that the integrated licensing system operated by the EPA under the Environmental Protection Agency Act 1992 complies in all respects with the provisions of Council Directive 96/61/EC concerning integrated pollution prevention and control. The Regulations provide some new rules relative to the application for and approval of licences for scheduled activities under the Environmental Protection Agency Act, 1992. The Regulations also require the Agency to publish, every four years, their report on the State of the Environment. These Regulations are for the purpose of giving full effect to Directive 2003/35/EC of the European Parliament and of the Council of 26 May 2003 providing for public participation in respect of the drawing up of certain plans and programmes relating to the environment and to the amendments arising in relation to Council Directive 96/61/EC concerning integrated pollution prevention and control.</p>	<p>For information only. Places obligations on the EPA</p>
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A5 : Legislation related to Noise

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
European Communities (Construction Plant and Equipment) (Permissible Noise Levels) Regulations 1988 (Amendment 1996)	The regulations prohibit the manufacture, importation or marketing of construction plant or equipment covered by the regulations unless it bears the EEC mark and unless an EEC type-examination certificate and certificate of conformity have been issued.	All plant and equipment to bear the EEC mark and EEC type examination certificates and certificate of conformity to be obtained.
Environmental Protection Agency Act, 1992 (Noise) Regulations, 1994	This legislation present provision for a person to make a complaint to the district council against a person responsible for causing the noise.	Not directly applicable. Set out provisions for complaining to regulatory authorities regarding nuisance or environmental concerns.
Environmental Noise Regulations 2006	The regulations set out a two-stage process for addressing environmental noise. 1- Noise must be assessed through the preparation of strategic noise maps for areas and infrastructure falling within defined criteria. 2- Based on the results of the mapping process, the regulations require the preparation of noise action plans for each area concerned. The fundamental objective of action plans is the prevention and reduction of environmental noise.	Prevent and minimise environmental noise caused by site-based activities.

<p>Safety, Health and Welfare at Work (Control of Noise at Work) Regulations 2006</p>	<p>The 2006 Regulations are made under the Safety, Health and Welfare Act 2005, implementing European Directive (2003/10/EC) requiring basic laws throughout the Union to ensure that workers' hearing is protected from excessive noise at their place of work. The Regulations define two action values for daily noise exposure at 80 dB(A) and 85 dB(A) over an 8-hour period (or peak action values for peak noise at 135 dB and 137 dB) Employees must not be exposed to noise exceeding an exposure limit value of 87 dB over 8 hours (or 140 dB peak noise) – the employer may take the effects of hearing protection into account when determining what noise an employee is exposed to. There is a requirement to provide health surveillance where there is a risk to health.</p>	<p>Byrne-Mech must manage occupational noise exposure on site. Areas where noise exceeds 85dB(A) (8-hour TWA) must be designated hearing protection areas and hearing protection should be mandatory in these areas. Employees should be provided information on noise and hearing protection. Byrne-Mech should attempt to reduce noise at source.</p>
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A6 : Legislation related to Climate Change

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
The Climate Change Agreements (Eligible Facilities) Regulations 2012 (as amended)	Provides that a facility is to be eligible for inclusion in a climate change levy agreement only where 90% of the energy supplied to the facility will be used within an intensive installation. Sets the conditions for eligibility for inclusion in a climate change levy agreement.	All company activities using energy, which are subject to a Climate Change Levy Agreement.
Control of Substances that Deplete the Ozone Layer Regulations 2011	These Regulations implement in Ireland Regulation (EC) No. 1005/2009 of the European Parliament and of the Council on substances that deplete the ozone layer. They, among other things: designate the EPA as competent authority for the purposes of Regulation; prescribe restrictions on the import and export of controlled substances (i.e. those substances falling within the scope of Regulation (EC) No. 1005/2009) in line with the Regulation; provide for inspections by the Agency and support to the Agency by competent bodies in promoting recycling and recovery of controlled substances and inspections; define responsibility of producers, undertakings and any other person whose business involves the use of controlled substances, or the marketing, maintenance or servicing of products or equipment which contain such substances; and provide for waste management in respect of controlled substances.	No leaks of HCFCs during maintenance / servicing of AC units.

<p>Control of Substances that Deplete Ozone Layer Regulations 2006 & 2009</p>	<p>These regulations give provision to the restriction of certain substances that are deemed to be prohibited or restricted for the purpose of the Customs Consolidation Act. Where the business involves the use of controlled substances shall take precautionary measures and ensure that, where controlled substances are used, they are disposed of according and managed in accordance to the Waste Management Act 1996.</p>	<p>The company must ensure that they no longer use any prohibited or restricted substances. Where controlled substances are used, they must be disposed of appropriately</p>
<p>European Union (Energy Performance of Buildings) Regulations 2012</p>	<p>These Regulations provide for the transposition and implementation of Articles 1, 2, 3, 4(2), 6, 7, 11, 12, 13, 14(4), 15(4), 17, 18, 27, 28 and 29 of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast).</p> <p>Part 2 of these Regulations requires a person who commissions the construction of a new building to examine the technical, environmental and economic feasibility of installing high efficiency alternative energy systems at design stage. This requirement will apply to new buildings for which planning permission is applied for on or after 9 January 2013.</p> <p>Part 3 of these Regulations provides that a Building Energy Rating (BER) certificate be secured when:</p> <ul style="list-style-type: none"> • a new building is offered for sale or for let on or after 9 January 2013; • an existing building is offered for sale or for let on or after 9 January 2013. <p>Where a new building is offered for sale or for let from plans, the Regulations provide that a provisional BER certificate be</p>	<p>All new non-residential buildings (including public service buildings) require a rating certificate as of July 1, 2008; all existing non-residential and large public service buildings require the rating certificate as of July 1, 2009. Consequently, as and from these dates, if a building is constructed, sold or rented out, a certificate must be made available by the owner to the prospective buyer or tenant. This requirement will impact on the majority of Irish commercial conveyancing transactions. The objective of the certificate is to rate a building on its energy performance. It will provide information to any potential consumers on the energy performance of the building in question. It shall include reference values such as current legal standards and</p>

	<p>secured which will be replaced by a final BER certificate on completion of construction. This Part also requires that a building's energy performance indicator be stated in advertisements relating to the sale or letting of the building. In addition, on or after 9 January 2013, any building in excess of 500 m² which is frequently visited by the public is required to display either a BER certificate or a Display Energy Certificate (DEC) in a prominent place clearly visible to members of the public. On and from 9 July 2015, this requirement is extended to all buildings in excess of 250 m² which are frequently visited by the public when occupied by public bodies. Part 4 of these Regulations provides that the Sustainable Energy Authority of Ireland shall be responsible, inter alia, for the administration of the BER system and sets out requirements in relation to the registration of BER assessors, the issue of BER certificates, quality assurance, the maintenance of records, databases and documents, fees and levies, the development of codes of practice for assessors and assessor training providers. Part 5 of the Regulations provides for enforcement and sets out the powers of authorised officers and the penalties that may apply to any person guilty of an offence under these Regulations. Part 6 of these Regulations provides that the Sustainable Energy Authority of Ireland may take such steps as are necessary to promote advice to the users of heating and air-conditioning systems in accordance with the alternative approach set out in</p>	<p>benchmarks in order to make it possible for consumers to compare and assess the energy performance of buildings. The certificate, once issued, shall be valid for a period of no longer than 10 years. In Republic of Ireland, it is expected that the certificate is to be accompanied by an advisory report containing suggestions on how improvements could be made to the energy performance of the building. However, there will be no legal obligations on vendors or purchasers to carry out the recommended improvement. From 2013, the (Energy Performance of Buildings) EPBD will be superseded by the Recast EPBD.</p>
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	Articles 14(4) and 15(4), and by extension Article 16, of the Directive.	
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A7 : Legislation related to Chemicals

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
REACH (Registration, Evaluation, Authorisation and Restriction of Chemicals) No. 19074/2006	REACH entered into force on 01 June 2007 to streamline and improve the former legislative framework on chemicals in the EU. REACH switches most responsibility of control and safety of chemicals from authorities, to chemical manufacturers, importers and users and places greater responsibility on industry to manage risks that chemicals may pose to human health and the environment.	Confirmation that the company does not manufacture any chemicals in quantities greater than 1 tonne per annum. Also check that any chemicals imported by the company in quantities greater than 1 tonne per annum are on the REACH registration database.
EU Regulation Classification, Labelling and Packaging of Substance and Mixtures (CLP) Regulation No. 1272/2008	These regulations implement into EU legislation the United Nations Globally Harmonised System (GHS) of classification and labelling. The Regulation requires manufacturers, importers and downstream users to label, package and classify substances and mixtures in accordance with CLP Regulation before placing them on the market. Suppliers of a substance or mixture have to assemble and keep available all information required for the purposes of classification and labelling under the CLP Regulation for a period of at least 10 years after they last supplied the substance or the mixture.	The company must ensure that substances classified as hazardous are labelled according to the CLP Regulation in the workplace.

<p>Globally Harmonized System of Classification and Labelling of Chemicals (GHS)</p>	<p>A new system on the classification and labelling of hazardous substances and mixtures. The goal is to internationally standardise classification and labelling of chemicals through the use of pictograms, signal words, and hazard warnings. Applies to consumers, workers emergency responders, and in transport.</p>	<p>Ensure that all chemicals are classified and labelled in accordance with GHS.</p>
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A8 : Legislation related to Nature Conservation

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
<p>Wildlife Act 1976 and the Wildlife (Amendment) Act, 2000 & 2012 and Wildlife (Amendment) Act 2010 and European Communities (Wildlife Act 1976) (Amendment) Regulation 2017 (S.I. No. 166/2017)</p>	<p>The fundamental objectives of these acts is to provide up to date laws for the protection and conservation of wild fauna and flora, provide for the conservation of areas having specific wildlife values and provide ancillary services. The 2017 amendment regulations amend the Second Schedule of the European Communities (Wildlife Act, 1976) (Amendment) Regulations 1986 by the addition of non-lethal means to existing lethal means of controlling certain species of wild birds mentioned in the First Schedule.</p>	<p>To protect and conserve wild flora and fauna and their natural habitats. Minimise the effect of site operations on habitats.</p>
<p>European Communities (Natural Habitats) Regulations, 1997</p>	<p>These Regulations give effect to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora (Habitats Directive). The Regulations also place an obligation on the Minister, other Ministers of the Government, Local Authorities and other State Bodies to have regard to the provisions of the Regulations in carrying out their powers and functions under certain Enactments under their control.</p>	<p>All site operations or work to be carried in or near European sites or areas of high ecological interest most be minimised to reduce any impacts to local habitats.</p>

<p>European Communities (Birds and Natural Habitats) Regulations 2011</p>	<p>These consolidate the European Communities (Natural Habitats) Regulations 1997 to 2005 and the European Communities (Birds and Natural Habitats)(Control of Recreational Activities) Regulations 2010, as well as addressing transposition failures identified in judgments of the Court of Justice of the European Union (CJEU). The Regulations have been prepared to address several judgments of the CJEU against Ireland, notably cases C-418/04 and C-183/05, in respect of failure to transpose elements of the Birds Directive and the Habitats Directive into Irish law.</p>	<p>The company must ensure that it meets their obligations under the Birds and Habitats Directive</p>
<p>European Communities (Birds and Natural Habitats) (Amendment) Regulations 2015 (S.I. No. 355/2015)</p>	<p>The 2015 Regulations correct typographical errors in the 2011 Regulations and provide other provisions to assist Ireland's management of its obligations under the Birds and Habitats Directives, including in relation to Invasive Alien Species, An Garda Síochána and the Commission for Energy Regulation. These Regulations also correct a typographical error in the European Communities (Birds and Natural Habitats) (Restrictions on the use of Poison Bait) Regulations 2010.</p>	
<p>EU Regulation on Invasive Alien Species 1143/2014</p>	<p>These regulations entered into force on 1 January 2015. The Regulation seeks to address the problem of invasive alien species in a comprehensive manner so as to protect native biodiversity and ecosystem services, as well as to minimize and mitigate the human health or economic impacts that these species can have. The Regulation foresees three</p>	<p>Where an invasive alien species is listed it can no longer be intentionally kept, transported, reproduced or released by the company.</p>

	<p>types of interventions: prevention, early detection and rapid eradication, and management.</p>	
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A9 : Legislation related to Other Requirements

Relevant Legislation/other requirements	Brief description of legislation	Required Performance expected by company
IPC Licence No. P0369-01	Integrated Pollution Control Licence under section 83(1) for boiler making, manufacture of reservoirs, tanks and other sheet metal containers.	Must adhere to conditions or improvements specified in the IPC Licence in order to prevent or reduce emissions to air, water and land, to reduce waste, and use energy and resources efficiently.
Energy Audit Scheme - SEAI	In order for the EU to meet its binding energy efficiency and emissions targets, measures have been identified that cover activities in the public sector, utilities, buildings and transport, financing of energy projects, and energy use in large enterprises. Scheme applies if you employ 250 employees or over (on payroll) or have an annual turnover in excess of €50m.	The company must carry out an energy audit of operations every four years..In order to complete the energy assessments, the total energy consumption must be calculated over a consecutive 12-month period; the reference period. The reference period must incorporate the qualification date and must end prior to the end of the compliance period . Alternatively have a detailed energy audit element to EMS.
ISO 14001:2004 And ISO 14001:2015	Environmental Management System ISO 14001:2015 is the new revised standard published on 15 September 2015 and replaces ISO 14001:2004. There is a three-year transitional period up to September 2018 to switch to the new standard.	Maintain systems and check compliance through regular auditing. Implement new standard upon expiration of current certification.
ISO 9001:2008	Quality Management System.	Maintain systems and check compliance through regular auditing.