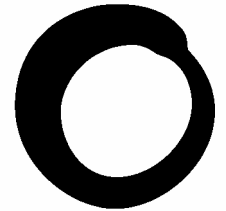


March 2005



**Friends of
the Earth**

Action guide

Adopt a Polluter

Filthy factories, dodgy dumps and squalid sewage

1.0 Introduction

Northern Ireland is a pollution black-spot. Raw sewage is pumped into the sea at our top coastal resorts, the countryside is littered with illegal landfill sites, and factories discharge deadly chemicals into our streams with impunity. Presiding over all this is an ineffective environmental watchdog, DOE Environment and Heritage Service (EHS). Friends of the Earth is campaigning for EHS to be replaced with a new independent Environmental Protection Agency (EPA). This briefing enables you to join our campaign.

Friends of the Earth inspires solutions to environmental problems, which make life better for people.

Friends of the Earth is:

- dedicated to protecting the environment and promoting a sustainable future for Northern Ireland**
- the UK and Ireland's most influential environmental campaigning organisation**
- the most extensive environmental network in the world, with over 60 national organisations across five continents**
- a unique network of campaigning local groups working in over 200 communities throughout the UK and Ireland**
- dependent upon individuals for over 90 per cent of its income.**

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1.1 What we're asking you to do

As part of our campaign to tackle pollution and win an EPA for Northern Ireland, we are calling on groups and individuals to 'adopt a polluter'.

- Please choose a local polluter - a factory, landfill site or sewage works. We can visit your group to help you choose one.
- Then use your Right to Know to begin collecting information about your chosen polluter and EHS performance in regulating it. Most of the information is publicly available from Government offices.
- When your 'dossier' is complete, bring the issue to the attention of local people, local media and local politicians - your MP and Assembly members.
- You can also present your evidence to the Review of Environmental Governance. Most information at 12.0.

Your example will illustrate the wider malaise in our system of environmental protection, like a straw showing how the wind blows. You can help create the public pressure necessary to win an Environmental Protection Agency for Northern Ireland.

This briefing is intended to help you get started. It doesn't have all the information you might need but hopefully it will point you in the right direction and give you the confidence to join the campaign.

2.0 The polluters

2.1 Sewage works

Water Service, an agency of the Department for Regional Development, is Northern Ireland's biggest single polluter. Just 60 per cent of Water Service sewage works comply with European law, the Urban Waste Water Treatment Directive. The compliance figure for England and Wales is 95 per cent.

For example, untreated sewage is discharged at Bangor, Donaghadee, Larne, Portrush and Portstewart. Poorly treated sewage is pumped out at places like Newtownabbey, Carrickfergus, Ballycastle, Cookstown, Strabane and Derry.

The Urban Waste Water Treatment Directive sets a number of standards which sewage works must meet. These standards are based on the population size served by the works, known as Population Equivalent (PE), the size and flow of the receiving water and its sensitivity to nutrient enrichment (eutrophication).

Unfortunately, Water Service cannot be prosecuted for these continuing pollution incidents because it enjoys Crown immunity.

The current Water Reform proposals would see Water Service 'externalised' to become a Government-owned company (GoCo) at which point Crown immunity would be lifted. Friends of the Earth is concerned, however, that the new regime for the regulation of the GoCo, still to be published, may be so lax as to effectively guarantee protection from

prosecution for pollution incidents for many years. In effect, Crown immunity may continue in a new guise.

Friends of the Earth is campaigning to ensure that the new GoCo is subject to rigorous environmental regulation. Where sewage treatment plant is already in place, we want to see the GoCo prosecuted for pollution incidents arising from poor maintenance and management failings. For example, the sewage works at Downpatrick is sufficient to the task of protecting the River Quoile from pollution, however the river was polluted in January 2004 when a rag became stuck in a valve, presumably as a result of bad housekeeping. This incident cannot be blamed on the sewage infrastructure deficit because the Downpatrick Waste Water Treatments Works (WWTW) provides the level of treatment (called secondary treatment) that is required under European law.

Where new sewage treatment plant is required, we want to see the GoCo agree a legally-binding timetable for the completion of the capital works programme with Environment and Heritage Service. For example at Bangor which has no sewage works, raw sewage enters the Irish Sea every day in breach of European and domestic law. While we don't expect these daily breaches to be prosecuted, a failure to complete the construction of the new plant by the agreed date should trigger a prosecution.

Further information on sewage campaigning is provided at 11.0.

2.2 Landfill sites

Northern Ireland is turning into a tip. Illegal landfill sites litter the countryside and waste is routinely carried up from the Republic of Ireland. Sites which are licensed to accept inert waste such as builders rubble are taking food scraps, clinical waste, asbestos and animal carcasses while other sites have no licence at all. Run-off from this decomposing cocktail eventually leaches out of the site, polluting rivers and contaminating wells.

Landfill sites and other waste management facilities are licensed and controlled by the Waste Management and Contaminated Land Unit of Environment and Heritage Service.

Every landfill site requires planning permission (issued by Planning Service) and a waste management licence (issued by EHS). Most also require a site conditioning plan, available from EHS. If the site discharges leachate (run-off) into a watercourse it also requires a discharge consent (issued by EHS). These consents include conditions and limits to the amount of pollution that is permitted.

Many landfill sites are operating illegally: they may not have planning permission, a waste management licence, a site conditioning plan or a discharge consent. Others may hold these authorisations but do not comply with the conditions and pollution limits laid down in them.

2.3 Factories

Northern Ireland doesn't have much heavy industry but there are a number of small factories, power stations, pharmaceutical manufacturers and food processing plants. These are all potential sources of pollution and are controlled by one or more units within EHS. Power stations in particular have the potential to pollute the air as well as water. This briefing, though, will deal mostly with water pollution.

Every factory requires planning permission (issued by Planning Service) and many will also require consents issued by EHS, for example a discharge consent or Industrial Pollution Control (IPC) authorisation.

2.4 Others

Garages, business parks, hotels and other small firms may also discharge to waterways. In urban areas they will mostly discharge to the mains sewer but rural businesses may have to discharge into a local river. Such discharges will be authorised and controlled by EHS.

Run-off from farms is a significant pollution problem for Northern Ireland. Silage leachate, slurry and fertilizer are major problems in many parts of the country but the source can often be difficult to pin-point.

Friends of the Earth's campaigning is focused on Water Service sewage works and landfill sites. This doesn't mean, however, that you should limit yourself to these polluters. If a factory is polluting your local river then it is a prime target for your campaign.

3.0 The system

3.1 The law

Most of Northern Ireland's major environmental laws come from Europe. Directives covering areas such as waste, sewage treatment, water quality and conservation are drawn up by the European Commission and must be transposed into domestic law.

Northern Ireland has had a reputation for late and incorrect transposition of directives, but in recent years the Department of the Environment has received sufficient resources to enable it to catch up with the backlog. There remains, however, a legacy of poor compliance with the law.

3.2 Environment and Heritage Service

Environment and Heritage Service (EHS), an agency of the Department of the Environment, is responsible for pollution control, nature conservation and built heritage. The Department of the Environment also includes Planning Service and Environmental Policy Group. This briefing will mostly deal with the role of Environment and Heritage Service.

The part of EHS concerned with pollution control is called Environmental Protection, within which are the following units:

3.21 Water Management Unit

The Water Management Unit (WMU) is responsible for protecting water by:

- Monitoring water quality.
- Preparing water quality management plans.
- Controlling discharges to water, including Water Service discharges.
- Taking action to combat or minimise the effects of pollution.
- Supporting environmental research.

3.22 Waste Management and Contaminated Land Unit

The Waste Management and Contaminated Land Unit (WMCLU) is responsible for the enforcement of waste regulations. The WMCLU is in charge of:

- Issuing and revoking waste management licences.
- Monitoring compliance with waste management licences.
- Registering waste carriers.
- The overall movement and management of waste, and
- The implementation of the Northern Ireland Waste Management Strategy.

3.23 Industrial Pollution and Radiochemical Inspectorate

The Industrial Pollution and Radiochemical Inspectorate (IPRI) is responsible for enforcing environmental legislation that controls pollution from certain industrial processes. The IPRI:

- Issues and enforces industrial pollution authorisations.
- Controls the use and disposal of radioactive materials.

3.3 Public registers

All discharge consents, waste management licences, industrial pollution authorisations and monitoring data are held by EHS in public registers. Anyone is entitled to view these registers and there is currently no charge for doing so. It is best to make an appointment to view the registers but it is possible to simply turn up. The registers are held in Calvert House, Castle Place, Belfast.

3.4 Planning Service

Planning Service is responsible for issuing and enforcing planning consents. Planning applications are held in 'open files' along with objections, Environmental Impact Assessments, comments from EHS and other useful information.

To view the open files you must make an appointment with the relevant Divisional Planning Office. It is possible to visit without making an appointment but you will not get to see the complete file. You will be allowed to view a smaller file which doesn't contain as much useful information.

You can make copies of any of the information at a cost of 50p per sheet. Planning Service is very strict about this.

A guide to the Northern Ireland planning system is available from Community Technical Aid's website at www.communitytechnicalaid.org or by calling them on 028 9064 2227.

3.5 Using your right to know

From 1 January 2005 you have powerful rights of access to all information held by public authorities unless a specific exception allows the authority to refuse to give it to you.

Access to environmental information is governed by the Environmental Information

Regulations 2004. Access to all other information is governed by the Freedom of Information Act 2000. Remember these rights are in addition to the powerful rights that you already have to information held by Local Authorities (councils) and your rights of access to information held on public registers.

Some features are common to all requests for information (whether environmental or other):

- Authorities must respond as soon as possible and at the very latest within 20 working days (four weeks).
- Authorities must give detailed reasons for any refusal to release information.
- Authorities have a legal duty to provide advice and assistance. This means that they must help you to draft your request where you need such help.
- You have a legal right to a free appeal to the Information Commissioner if you are refused information or if your request is not treated properly. Before you do so, you should first of all make a formal written complaint to the authority that refused your request and ask them to reconsider.
- There are limits set down in law to the amounts that may be charged for information. Authorities must have a charging scheme which you can consult.
- The Government has published 'Codes of Practice' for how authorities should comply with their new obligations. These are a very useful resource for you to check that your rights are being respected and that authorities are behaving properly.

However there are a number of key differences between the two regimes:

- Requests for environmental information need not be in writing: they have exactly the same legal effect if you ask for the information by phone or in person. However, we advise people to put all information requests in writing unless they can be dealt with immediately and simply.
- The grounds on which authorities can refuse to release environmental information are much narrower, and there are fewer of them, than for other information.
- The grounds on which authorities can refuse to release environmental information only ever apply where the public interest favours withholding the information.
- The Environmental Information Regulations also apply to a large number of private bodies including waste companies, power generating companies, airport operators and others. This means that you can write directly to those companies and request environmental information and they must give it to you.

A sample letter is copied below. Further information on your Right to Know is available at www.community.foe.co.uk

Date [important to refer back to the 20 working days limit]

Dave Foster
Water Management Unit
Environment and Heritage Service
Calvert House
23 Castle Place
Belfast
BT1 1FY

Jane Smith
14 Rowan Heights
Rathfriland
Co. Down
BTXX XXX

jane.smith@virgin.net

Dear Mr Foster

Access to information request, Environmental Information Regulations 2004

I would like to request the following information under the Environmental Information Regulations 2004.

[Specify as clearly as possible:

- (i) what you want
- (ii) whether you want the information by email, in hard copy or on CD.]

I look forward to your reply.

Yours sincerely

Jane Smith

4.0 Organising your campaign

Starting a campaign can be very daunting. You can feel like a lone voice in the wilderness, the amount of information you need to take on can be overwhelming and you can seem powerless against entrenched vested interests. This section will help you get started, gather support and build momentum for your campaign.

4.1 Know the issue

It isn't necessary for you to be an expert in pollution, aquatic biodiversity, hydrology or anything else. You do, however, need to have a good working knowledge of how the pollution control regime works, who is responsible for what, and how to tell who the polluters are. Thankfully this isn't difficult.

4.2 Public registers and planning files

Most of the information you require is in the public registers held by Environment and

Heritage Service or in a Planning Service file. If the information isn't with EHS or Planning Service then this often means your chosen polluter is operating illegally. For example, all landfill sites require planning permission (granted by Planning Service) and a waste management licence (granted by EHS). If neither of these is on file then you can be sure the site is illegal.

In addition, landfill sites which discharge to water will probably require a discharge consent. The discharge consent sets standards for the quality of the discharge and also dictates a monitoring regime. Monitoring data are also kept on the public registers and these can be very useful. It is very easy to compare the standards of the discharge consent with the actual results of the monitoring data. You can then tell at a glance if your adopted polluter is compliant or in breach.

4.3 Directives and Regulations

It is useful to be familiar with the law. Don't worry, you won't need to be a legal eagle but most legislation will include deadlines, minimum standards and compliance measures. For example, the Landfill Regulations ban the disposal of more than one category of waste in a single landfill site. Or the Urban Waste Water Treatment Directive requires all sewage works to provide the appropriate level of treatment by the end of 2005.

European Directives are published on the European Union's website at www.europa.eu.int and are available in hard copy from its Northern Ireland office at Windsor House, Bedford Street, Belfast. Northern Ireland legislation is available from the Stationery Office website at www.northernirelandlegislation.hms.o.gov.uk or in hard copy from its office on Arthur Street, Belfast.

4.4 Campaign planning

So you think that landfill site is polluting the local river and the monitoring data from EHS confirm your suspicions? You've read up on the law and you feel motivated to do something but where do you start, how long will it take and what do you want to achieve? It's time to plan your campaign.

4.5 The plan

Having a campaign plan makes your life easier. It's an important step which is often overlooked but it will enable you to focus your efforts and should increase your chance of success. A word of warning though – don't fall into the trap of planning for planning's sake. The plan is a means to an end, not an end in itself.

4.51 The aim

Every plan needs an aim. The aim should be simple and preferably summed up in a single sentence. For example, the aim could be, "Clean up the illegal landfill site." It is important that the aim is agreed as you don't want your allies dropping out later on. For example, you may feel that everyone in your group is agreed, only to discover that some people want the landfill site closed while others would be content to have it cleaned up.

4.52 Objectives

Once you have your aim it is time to add some objectives. The objectives are the detail of

your campaign. They should be SMART – **S**pecific, **M**easurable, **A**chievable, **R**ealistic and **T**ime-specific. The objectives break the campaign into simple, manageable steps and mean you're not overwhelmed by the enormity of your task.

Objectives can vary in size and complexity but they should all help you to achieve your aim. Taking our landfill example, an objective could be to ensure that all illegally dumped waste is removed within one year.

4.53 Targets

Each campaign objective should have one or more targets: the people or institutions with the power to deliver the change you're campaigning for. Targets can be decision makers in politics or industry, the general public as voters or consumers, retailers or civil servants. It is most likely your targets will be civil servants in DOE or DRD, the ministers and the polluters.

4.54 Honing your message

As campaigners, we are competing for people's attention in a noisy, busy world. We can also get so immersed in the merits of our issue that we forget that others may not feel so passionately about it. If you are going to grab people's attention or force decision-makers to listen, then you will need to plan and prepare.

Before you write a letter or print a leaflet, ask yourself some basic questions about what you are trying to achieve. Try to write down the basics of your message in one or two short, simple sentences. You don't need to dumb down your message but doing this will strip away all the secondary details and help you arrive at something snappy that will grab attention in the shortest possible time.

Remember, you're not writing a technical dissertation: you're trying to make a compelling argument which can't be ignored. Try to recall what grabbed you about the issue in the first place.

4.6 Mobilise the public

The public is one of the most powerful levers you have and it is important to get them on your side. Try to remember, however, that 'the public' is not a homogenous group. It is made up of individuals who have different and ever-changing roles: parents; rate payers; rural dwellers; or voters. Your communications will be much more effective if you target specific people.

4.7 People power

It is not enough to be right; you also need to be powerful. If you're planning on doing more than writing a few letters you will need people to join you. Campaigns are rarely won by individuals; they are won by groups of concerned people. The more people you actively involve in your campaign, the more tasks which can be shared, and the greater your chances of success.

4.8 Public meetings

Public meetings are a great way of informing the public, finding allies and securing support for your campaign. Organising one is a big commitment, but as long as you plan ahead you don't need to feel daunted.

Before you embark on organising a public meeting you should ask yourself a few key questions.

Are there enough people in your area sufficiently interested in the issue to turn up? Experience shows that public meetings work best when the issue is both timely and local. It is also very demoralising to stand in front of an almost empty hall.

Is a public meeting the best way to spread your message? Perhaps a letter to the local papers or a postcard campaign would be more effective. Maybe a public meeting will compliment your other activities.

What do you want people to take away with them? Do you want people to join your group, sign a petition or write to their MLA? Don't let people leave without trying to engage them in some positive way. Between them, they could have the skills, time and motivation to really bring your campaign to life.

Do you have enough people in your group to help, and enough time to do everything to make this meeting a success? Organising a public meeting isn't a job for one person. It can be done but it is much easier and quicker if you have a group of people to help. It needn't be a formal, constituted group: a collection of motivated and committed individuals can be just as effective.

4.81 The meeting

You've considered the above questions and decided that a public meeting is the right thing for this phase of your campaign. Now you just have to organise it. There are a few essential ingredients for a successful public meeting: the format; the title; the speakers; the venue; who you will invite; and what publicity you need.

4.82 The format

A conventional format is to have a panel of three or four speakers, perhaps with a local councillor, MP or MLA. Each panellist could make a short presentation followed by a question and answer session. Leave plenty of time for the questions as this is often the most engaging part of the meeting. It is vital you have a good chairperson who will keep the speakers to time and mediate in the more heated moments.

Feel free to experiment with the format. Avoid long lectures with no visuals, though. It's a sure way of putting your audience to sleep!

4.83 The title

The title of your meeting should be snappy and grab people's attention. A question often works and something a bit controversial can add interest.

4.84 Speakers

Invite a broad range of speakers, from both sides of the argument. A well-known local celebrity can be a crowd puller. Brief your speakers well on the venue, the start and finish times, how long they should speak, transport arrangements and other practicalities. Find out if they plan to use visuals. If they aren't planning to, try to encourage them to. Even just holding up reports, press clippings and photographs can help to keep the audience engaged.

4.85 The venue

The venue should be accessible, affordable and suitable for your needs. Libraries, schools, community centres and pub function rooms are often suitable. If you're not sure how big it should be, go for slightly smaller, but make sure there is enough room for displays and refreshments. A crowded small room looks and feels better than a half empty large room. The audience feels more involved, the speakers are more enthusiastic and your campaign will have more legitimacy.

4.86 Who to invite

Of course, the meeting is open to everyone but it is well worth the effort to invite a few people you know will make a positive contribution. If you're not sure who to invite just send an open invitation to specific organisations.

4.87 Publicity

Sell the event at every opportunity using flyers, posters, press releases, email and anything else that will get you publicity. Drill the date and time into people's minds. By making it sound slightly controversial, you'll get people talking about it.

4.88 Follow-up

Well done! You've just held a successful public meeting. It was well attended and lots of people have signed up to help you fight that polluter. Don't let that enthusiasm dissipate. Contact your new allies to let them know you haven't forgotten about them and give them something to do. There are lots of ways people can get involved from simply signing a petition to organising meetings with MPs. We'll deal with these later.

4.9 Stalls

Information stalls can be a very good way of reaching a large number of people. High street stalls give you a visual presence and a chance to fundraise, recruit, and enlist support for your campaign. They are simple to set up, but in order to avoid the all-too-common sight of crowds of people giving you a wide berth, here are a few tips.

- A large group huddled behind a stall can be very intimidating. Stand beside the stall or, better still, away from it. Mingle with the crowd and direct people over to your stall to make a donation or sign a petition.
- Keep your opening message simple and snappy. Don't bore people with too much detail, just something that will grab their attention.
- Quickly assess people's level of interest. Don't try to beat them into submission: if they're not interested let them go. Some people will be really enthusiastic and you can get into more detail with them. Get their contact details and introduce them to others in your group. Many people will be interested but don't have time to stop and chat. Give them a leaflet and direct them to the petition/sign-up sheet on your stall.
- Games, street theatre and music can be very good ways of attracting attention but don't let your audience leave without at least giving them a leaflet.
- Don't clutter your stall with irrelevant information. If your campaign is about a polluting landfill site then only have information on polluting landfill sites.

- Be prepared for tricky individuals. Avoid getting into a protracted argument. Be polite but firm. If you feel they have legitimate concerns ask them to contact you later - they might just need more convincing. If they are persistent simply stop talking to them. Move away and talk to someone else.
- Make sure everyone on the stall is clued in and 'on message'.
- Thank people for stopping.

5.0 Friends and allies

5.1 Community and special interest groups

It is important to network and make allies if you're planning a major campaign. Community and special interest groups are an excellent, ready-made collection of activists and it is well worth contacting them. Special interest groups might include angling associations, surfing clubs, rambling groups, mother and baby groups, church organisations etc.

Your objectives and theirs may not overlap completely but you should be able to find some common ground. They can also be a great way of tapping into the community at large.

The first step is to make contact with local campaigning and community organisations. Your local library or voluntary resources centre will have a directory of community groups. Think laterally and don't just go for the usual suspects - a broad alliance will be more difficult to ignore!

Networking can also help you to fill specific skills gaps, such as legal, planning and IT skills, by bringing in people from other organisations. You may also be able to target and meet resource needs, such as computers, printing facilities and meeting venues.

5.2 Friends of the Earth local groups

Another great source of budding activists is your local Friends of the Earth group. Local groups are often brimming with experienced campaigners and have access to staff and campaign resources. Contact the Friends of the Earth office in Belfast on 028 9023 3488 for details of your nearest local group.

6.0 Fundraising

For the most part, environmental campaigning can be done on a shoe-string with most groups finding that lack of time is a more difficult problem than lack of cash. Nonetheless, as your campaign gathers pace you may need to meet telephone, postage and internet costs, also printing and photocopying costs. You may need to hire a hall for a public meeting or buy materials for stalls and actions. Occasionally groups even need to pay a consultant or fund a legal action! This means you will have to raise some money.

Before you begin it is important to know what you are fundraising for and how much you need. Devise a fundraising strategy: there is no point in fundraising for the sake of it.

Use your contacts to access grants and other sources of funding. Find out the latest themes and buzz words which will help with your applications. The Northern Ireland Council for Voluntary Action (NICVA) and your local volunteer bureau may be able to help with finding

sources of funding.

Build up a varied funding base so you are not reliant on a small number of income sources. Have a contingency in case an application fails or a source dries up.

It is worth being creative with your fundraising ideas but here are a few tried and tested ones:

- Street collections - you will need to get a permit from the Police.
- Pub quizzes and raffles - you can organise your own or convince an existing one to donate the proceeds to you.
- Auctions, car boot sales and eBay.
- Set up a website or newsletter and sell advertising space to local businesses.
- Register your campaign as a recipient of funds from rag weeks, marathons and other events.
- Apply for awards that support voluntary endeavour and achievement.
- Identify potential high donors - get to know their interests, invite them to events and keep them informed of your successes.

7.0 Take action

You've learnt all about your chosen polluter, you know how the pollution control and planning systems work, you've organised a public meeting and now have lots of supporters, you've run a few fundraising events and your bank balance is looking very healthy. You've certainly been busy but it doesn't make a campaign. You need to start producing something a bit more tangible.

There are lots of campaign actions you can take from a simple information stall to elaborate street theatre. Friends of the Earth uses a number of different techniques and tailors its actions to suit the issue and target. Be creative!

7.1 Petitions

Petitions are a tried and tested way of demonstrating popular support. It is very empowering to be able to demonstrate that 1000 people want a landfill site cleaned up. (A word of warning though: if you are objecting to a planning application, a petition counts as a single objection whether there are 10 or 10,000 signatures.)

7.2 Days of action

A great way of getting media coverage is to organise a stunt or action. For example, Larne Friends of the Earth baked a birthday cake in the shape of a toilet and presented it to Water Service on the tenth anniversary of its first promise to build a sewage works for the town.

It is very helpful if you can 'hook' your action onto some other related event. Your adopted polluter may be organising an open day or a public meeting or could be sponsoring an event.

Days of action work best if they're slightly confrontational but light-hearted. Silly costumes, music and street theatre help to make a spectacle. You don't need to keep at it all day, just long enough to make an impression and get some media coverage.

Don't get too carried away though. Keep focused and stick to your core message. A complicated hotchpotch will simply confuse people.

Keep within the law: if the police ask you to move on, do so.

7.3 Damning dossiers

Why not compile a dossier about your chosen polluter? At its most basic, this could take the form of a scrap book or ring binder file but you might like to develop it further and write a report. Your dossier or report could include the following:

- Copies of the various authorisations issued to the polluter: discharge consents, waste management licences and planning permissions. (For the first two of these, write to EHS and for the last, write to Planning Service.)
- Compliance monitoring data: EHS monitors emissions to check whether the polluter is complying with the permitted limits set down in its discharge consent and/or waste management licence. Write to EHS to request the monitoring data. You will need to specify the period you are interested in, for example you might ask for data for the period beginning 1 January 2002 until the present.
- Information on the number and nature of any pollution incidents that have occurred. This could include press clippings and photographs as well as evidence supplied by EHS. You will need to write to EHS asking if any pollution incidents have occurred. If so, ask them to supply you with as much detail as possible. Make your request as specific as possible.
- Details of any prosecutions that have been taken, including the fine imposed and court costs.
- Results of independent water testing.
- Pen portrait of the company owner and/or directors.
- Copies of correspondence.
- Maps.
- Photographs.
- Victim/neighbour testimony: you could include testimony of local people who have been affected by the pollution, for example a farmer whose land has become contaminated, a mother whose children are frequently sick, an angler who witnessed a fish kill or a hotelier whose business is damaged by sewage on a local beach.
- An index to help the reader make sense of it all.
- A short narrative summarising the story.

Once you have produced your report, don't leave it to gather dust on a shelf. Issue a press release and organise a stunt to launch the report. Perhaps you could invite the media to visit the site and witness the pollution for themselves. Remember, your dossier/report is the evidence base for your campaign to tackle pollution locally and win an Environmental Protection Agency for Northern Ireland. Use it to lobby your MP and Assembly members (more information at 7.7) and submit it to the Review of Environmental Governance (more information at 12.0).

7.4 Opinion polls

Surveys and opinion polls are another very good way of demonstrating popular support or highlighting the failure of the system to protect health and the environment. Limit yourself to 4 or 5 questions and keep them simple, for example:

- Did you know that x landfill site has no waste management licence?
- Did you know that all of Bangor's sewage is discharged raw into the sea?

Conduct the opinion poll at a time and place where you will get plenty of people responding. Busy shopping days in town centres usually work well.

Press release the results in your local paper. This isn't a scientific exercise, just a vox-pop, so don't worry about statistical significance or other technicalities.

7.5 Independent testing

Water monitoring results are held by EHS on public registers. The results are for a limited set of parameters and often the testing is carried out by the polluter rather than EHS.

Any independent laboratory should be able to test water samples but it might be difficult to find a lab that will test small samples. Monitor Laboratories in Portadown are able to test small samples. They can be contacted on sales@esqlabs.co.uk or 028 3835 0342. They recommend collecting samples in 1 litre plastic bottles which they can then pick up.

Test	Cost per sample
Coliforms and E coli	£3.00
Faecal streptococci	£3.00
BOD (Biochemical Oxygen Demand)	£12.00
COD (Chemical Oxygen Demand)	£12.00
Suspended solids	£12.00
Ammonia	£4.00
Nitrate	£4.00
Phosphate	£4.00

7.6 Use the law

The law can be a very powerful tool. It can, however, be slow, and expensive if you lose. Also, victory is by no means certain. Think carefully before embarking on this course of action.

The main actions open to you are:

- Injunctions: used to stop something from happening, for example a landfill site accepting waste it isn't licensed to take.
- Criminal prosecutions: used where an offence has been committed, for example a discharge consent limit has been breached.
- Judicial review: used to review a decision by a public body to ensure it has been made properly.

There are likely to be three things against you, besides the law's in-built preference for property rights over environmental rights. They are time, cost and restricted resources. There are a few things you can do to overcome these problems.

- Move quickly: legal procedures are riven with time limits ranging from days to years. With a judicial review, for example, you must apply promptly and certainly within 3 months of the decision you wish to challenge.
- Minimise your costs: consider preparing the case yourself or ask a friendly lawyer to help. Alternatively, contact the Environmental Law Foundation which can put you in touch with a local member.
- Apply for legal aid. This will protect you from having to pay court costs if you lose. The Legal Aid Board tends not to fund environmental cases though, so you may need to be creative with your application.
- Be prepared for costs. Consider taking out insurance but remember that insurers are also reluctant to support environmental cases. Your only viable costs protection may be to establish a fighting fund with support from the community or a benefactor.
- Do your research and spread the workload: before you meet your solicitor for the first time, put all your papers in order so that they tell a story. If the facts are complicated, prepare a short note setting out the background.
- Organise your paperwork. Make and keep clear, detailed and dated notes of all conversations with officials or others which might be relevant to the case.
- Have a main point of contact. If you are working in a group make sure that one of you acts as the solicitor's point of contact.
- Gather evidence: much of a solicitor's time is taken up gathering evidence and information. Often this work can be done far cheaper and just as well by you. Photographic or video evidence is vital if you think that the physical situation is liable to change or where there is no other way of keeping the evidence intact.
- Use publicly available information resources. The internet is a fantastic way of gathering information and finding other people who have been involved in similar cases. Good local records are kept at libraries or can be viewed at town halls and Government offices.
- Use your right to know: remember that public bodies are obliged to give you environmental information if you ask for it but they won't volunteer to give it to you! There is more information on your Right to Know at 3.5.

7.7 Political context

At the time of writing, Northern Ireland is under direct rule: we are being governed directly from Westminster by Labour ministers. The fall-out from the Northern Bank raid means that we are unlikely to see the restoration of a devolved administration at Stormont for many months, years even. Nonetheless, it is important that Assembly members (MLAs) hear the concerns of their constituents about pollution if we are to see EHS abolished and replaced with an independent Environmental Protection Agency. That's why we are asking you to 'adopt a polluter' and use this local example to illustrate the wider malaise in Northern Ireland's system of environmental protection. There is more information on the campaign for an Environmental Protection Agency at 12.0.

7.71 Lobby your elected representative

Lobbying your elected representative is one of the most effective ways to achieve your campaign goals. Whether they are a member of the UK Parliament (MP), the Northern Ireland Assembly (MLA), your local council or the European Parliament (MEP), they can be a powerful ally. MPs and MLAs are the most useful.

If they are prepared to give you active support they can help you locally by:

- Making a statement in support of your campaign.
- Using their influence with the local authority, or the Assembly when devolution is restored.
- Speaking at public meetings.

7.72 Knowing me knowing you

Get to know about your MP or MLAs before approaching them. What issues are they interested in? Are they on the board of any companies or charities? Have they been involved in this or a similar issue before? This information should help you pitch your campaign more effectively. Attend constituency surgeries, get to know them and make yourself known to them. It is easier for them to ignore a letter from an unknown individual than from someone they can put a face to.

7.73 Keep them informed

Send your MP and MLAs the essential information they need to understand the issues - a copy of your dossier/report or a summary of it. This will enable them to keep 'on message' and, if they're wavering, could tip the scales in your favour. A word of warning though: if they're really not interested in your campaign it will probably just infuriate them so it's best to sound them out first.

7.74 People power

Politicians rely on votes. If they think that supporting your campaign will help to get them re-elected, then they are more likely to pitch in. Organise mass lobbies at their constituency surgeries or start a postcard campaign. If they aren't willing to take up your issue, hand out leaflets saying so. Your MP or MLAs will be very concerned that so many people are finding out they aren't prepared to help clean up that illegal landfill site.

7.75 Postcard campaigns

Postcard and letter writing campaigns can be a very effective way to make sure your message is heard by your elected representatives. MPs and MLAs really take notice when hundreds of postcards arrive on their desks. Keep them short and punchy. Postcards are good because you can add a striking image. Their small size and format also forces you to hone your message. They can be left in libraries, shops, cafés and church halls and are quick and easy for people to fill in. Your allies can also help distribute them to their members and networks.

7.76 The power of the media

Politicians work hard at maintaining a high profile in the local media. They read local papers avidly as they have to be on top of local issues. If you generate a series of letters in the local press, or there are a number of reports on your campaign, they will begin to take notice. And if it is reported that they aren't backing your campaign, you may find that they begin to shift their position. Never underestimate just how influential local papers can be. Make good use of them!

7.77 Leverage

Once you have your MP and MLAs on board it's time to use their influence. There are a number of things they can do for your campaign:

- Ask questions - they can ask questions of the Minister in Parliament (during periods of direct rule) or at the Assembly (when we have a devolved administration at Stormont). As well as extracting useful information, this helps to raise the profile of your campaign with the Minister and other MPs/MLAs. Written questions are best as it could take months to have an oral question asked. It is also useful to conclude your question with, 'and if the Minister will make a statement' to get a more personal response.
- Write to ministers - you can write to ministers yourself but if you want to be sure your issue will reach them, and not simply some junior civil servant, it is best to get your MP or MLA to write on your behalf.
- Meet ministers - your MP or MLAs can organise a meeting with the Minister and invite a delegation to attend. This is a very good way of raising your concerns directly. Ministers are very busy, though, so you may have to wait some time.
- Debates - these are a good way of drawing support from the whole of Parliament or the Assembly. It's a good idea for your MP/MLA to send a summary of their points to the Minister in advance. This means the Minister will be well briefed and the debate will be more useful.

7.8 Using the media

If you want to campaign, then media coverage is one of the most effective ways to reach the people you want to hear your message. A local paper is read by thousands. A national TV news programme is watched by millions. The most ardent door-to-door leafleter cannot reach so many in so short a time.

7.81 Local angle

Getting your story into the media is one of the most important aspects of local campaigning. Media coverage can raise the profile of your campaign and help put pressure on decision makers. The owner of that polluting factory or landfill site probably reads the local papers too. Don't forget local radio and the regional media.

Find out which papers and radio stations cover your area. Get to know the journalists, editors and producers. When is their publication date? When is their print deadline? Try to get your story or press release to them several days, or even a week, before the deadline.

7.82 Keep them interested

Journalists want news stories and many of them are too lazy to go looking. Your story, with a local angle and of real public interest, will be like manna from heaven to them. You just have to attract their attention.

It isn't easy to describe what makes a good news story but a vital element must be that it is new! Other elements include local personalities and places, controversy, previously unpublished facts and visual appeal - everything your story has! A good way of generating controversy and interest is to 'name and shame' the polluters.

Your story also needs a 'hook'. This could be a report you've just published, a stunt you've organised or an external event, such as the Minister visiting your area. Hooking old news onto a fresh story is a good way of getting extra coverage.

7.83 The press release

An important source of information for journalists is the press release. They will receive hundreds or even thousands every day so it is important that your press release attracts their attention. There are a few simple rules which will ensure it doesn't end up in the bin:

- Clearly mark it - it must say 'press release' in large type at the top. Your campaign's name and logo, if you have one, should also be clearly visible. Journalists will come to recognise and trust your group.
- Include key details - don't forget the date when you want it published. Mark it either 'for immediate release' or 'embargoed until (time and date)'.
- Pictures speak a thousand words - think about photo opportunities. If you're planning a stunt, put 'picture opportunity' clearly on the press release and include some details such as the time and place as well as a brief description of the event.
- Contact details - remember to include your name and contact details.
- Catchy headline - make your headline interesting and clever. Use alliteration, rhyming or references to popular culture such as TV, films, books and music. Your issue is serious but don't take yourselves too seriously. Tabloid-style headlines work well because they are attention grabbers.
- Attention deficit - editors and producers will look at a lot of press releases every day and they don't have time to read the whole thing. Put all the vital information in the first line. Think who, what, where, when - the why and how can be covered in the body of the press release. Keep sentences short and avoid jargon.
- Quote, unquote - always include a quote. It gives your story some human interest and makes it seem more real. Make the quote conversational and snappy. What is the one thing you want people to remember about your campaign?
- Keep it short - your press release should be no longer than two sides of A4 but one side is better.
- Extra information - save very technical or complex information for the notes to editors. You can also include references, links to related websites and detailed explanations.
- Sending it out - fax and email are the best methods of sending out your press release. Alternatively, consider delivering it by hand.
- Follow-up - it's easy for your press release to get lost in a busy newsroom so ring the key journalists, editors and producers. Make sure they've seen your press release and send it again if you have to. This is your opportunity to sell your story, provide more information and try to extract a promise to cover it.
- If someone breaks an embargo, claims that you've said something you haven't or otherwise misrepresents your story, it is perfectly acceptable to complain. Similarly if your story gets good coverage there is no harm in saying thank you. Give the journalist a call and suggest you meet to discuss the issue in more detail. They could prove to be a very useful ally!

8.0 Success!

Well done! You managed to get that polluting landfill site to clean up its act. Or Water Service has starting building a new sewage treatment works. It's time to celebrate your victory! Press release your success and throw a party.

Quick summary

- Please join our campaign!
- Adopt a Polluter: we can visit your group to help you chose one.
- Develop a dossier of evidence: more information at 7.3.
- Your dossier should contain evidence of one local source of pollution and EHS performance in regulating it.
- When your dossier is complete, bring the issue to the attention of local people, local media and local politicians - your MP and Assembly members.
- You can also present your dossier evidence to the Review of Environmental Governance: more information at 12.0.
- Your example can illustrate the wider malaise in our system of environmental protection, like a straw showing how the wind blows. You can help create the public pressure necessary to have the responsibilities of EHS transferred to a new Environmental Protection Agency.

10.0 Contacts

<p>The Minister of the Environment The Department of the Environment Clarence Court 10-18 Adelaide Street Belfast BT2 8GB Tel: 028 9054 0540</p>	<p>The Minister for Regional Development The Department for Regional Development Clarence Court 10-18 Adelaide Street Belfast BT2 8GB Tel: 028 9054 0540</p>
<p>Environment and Heritage Service Calvert House 23 Castle Place Belfast BT1 1FY Tel: 028 9054 3076 Email: ep@doeni.gov.uk</p> <ul style="list-style-type: none"> • Water Management Unit Tel: 028 9025 4735 • Industrial Pollution and Radiochemical Inspectorate Tel: 028 9025 4733 • Waste Management and Contaminated Land Unit Tel: 028 9054 6425 • Air and Environmental Quality Unit Tel: 028 9054 6425 • Drinking Water Inspectorate Tel: 028 9054 6474 	<p>The Stationery Office (TSO) 16 Arthur Street Belfast BT1 4GD Tel: 028 9023 8451 Website: www.northernireland-legislation.hmsso.gov.uk/</p> <p>European Commission 9-15 Bedford Street Belfast BT2 7EG Tel: 028 9024 0708 Website: http://europa.eu.int/eur-lex/en/lif/index.html</p> <p>Planning Service Department of the Environment Clarence Court 10-18 Adelaide Street Belfast BT2 8GB Tel: 028 9054 0540 Email: planning.service.hq@doeni.gov.uk</p>

11.0 Appendix: sewage supplement

This appendix provides useful information for any group or individual campaigning to accelerate the construction or upgrading of a sewage treatment works.

11.1 Sewage hotspots: the Nesbitt decision

On 7 October 2002, Dermot Nesbitt MLA, then Minister for the Environment in the devolved Assembly, announced that his officials in DOE Environment and Heritage Service (EHS) would no longer object to new housing applications in 56 'sewage hotspots'. Prior to this date EHS officials had objected to new housing being added to failing sewage infrastructure on the grounds of its environmental impact but Mr Nesbitt forbade them to object, in order to facilitate the granting of planning permission. His decision was based on legal advice which the Department has not made public.

Following the suspension of the Northern Ireland Assembly on 14 October 2002 and the reintroduction of direct rule from Westminster, Angela Smith MP became Minister for the Environment. She has resisted Friends of the Earth's calls to review the Nesbitt policy.

Mr Nesbitt had the power to gag EHS because, as officials in his Department, they were directly under his control. He would not have felt able to gag an independent Environmental Protection Agency (structured as a non departmental public body), and any attempt to do so would have provoked a public row. As it was, EHS accepted the ministerial decree: being part of DOE, EHS could not obtain its own separate legal advice. Nor could they brief the media against their own Minister, and since they don't have a board of non-executive directors, there was no possibility of a mass resignation from the board in protest. The Nesbitt decision is therefore one of the most powerful arguments in favour of an independent EPA.

Friends of the Earth is campaigning to have a housing moratorium introduced in the 56 sewage hotspots. In December 2004, we obtained and published a legal opinion on the legality of the Nesbitt decision. Robert McCracken QC, a leading London barrister, found that the Nesbitt decision was unlawful, irrational and erroneous. He stated that the Department has been acting illegally in allowing houses to be built in areas where the sewage systems are below European standards. This legal opinion is published on Friends of the Earth's website at www.foe.co.uk/ni

Another element of the campaign was to make a complaint to the European Commission about breaches of the Urban Waste Water Treatment Directive in which we included the Nesbitt decision because new housing is exacerbating the problem. In January 2005, we were delighted to learn that the European Commission had issued a Reasoned Opinion, essentially a final written warning. This means that the UK may be referred to the European Court of Justice which can impose a fine, estimated to be in the region of £100,000 per day. At the time of writing, it is not known how the Department will respond to the Commission but the early indications are that it will not review/reverse the policy, preferring instead to defend its position despite the risk of being fined.

So it seems that the Department has been unmoved by Friends of the Earth's legal opinion and the European Commission's Reasoned Opinion.

The list of sewage hotspots is copied below.

11.11 Sewage hotspots [as at Oct 2004]

WWTW	Environmental impact	Timetable for remedial works completion
Annahilt	High	On target for completion by Oct 2005
Annalong	Low	On target for completion by Apr 2007
Antrim [1]	Medium	Programmed completion by Dec 2005
Ardglass	High	Programmed completion by Feb 2006
Armagh	High	PPP - Jan 2007 start envisaged
Ballycastle [1]	Low	On target for completion by Oct 2005
Ballyclare	High	On target for completion by Dec 2005
Ballygowan	Medium	New works due for completion by Apr 2006
Ballyhalbert	Low	On target for completion by Oct 2007
Ballymena [2]	High	Substantially complete
Ballymoney/ Glenstall	Low	On target for completion by Oct 2005
Ballystrudder	Medium	Substantially complete
Ballywalter	Medium	On target for completion for Oct 2007
Banbridge	High	Complete
Bangor/ Groomsport	Medium	PPP - Jan 2007 start envisaged
Bessbrook [3]	High	Flow being transferred to new Newry waste water treatment works
Carrickfergus	Medium	PPP - Jan 2007 start envisaged
Carrowdore	High	On target for completion by Oct 2007
Castledearg	High	Contract awarded for completion by Jun 2005
Castlerock [4]	Medium	On target for completion by Mar 2007
Castlewellan	High	On target for completion by Oct 2006
Cloughy	Low	On target for completion by Oct 2007
Coleraine [4]	Low	On target for completion by Mar 2007
Cookstown	High	At construction, completion by Oct 2005
Crossgar	High	Complete
Culmore	High	At construction - completion by Dec 2005

Donaghadee	Medium	PPP - Jan 2007 start envisaged
Dunloy	Low	At construction, completion by Dec 2005
Fivemiletown	High	At construction, completion by Mar 2005
Glenavy	Medium	Substantially complete
Greyabbey	Medium	Complete
Irvinestown	High	On target for completion by Sept 2005
Kircubbin	High	Complete
Larne/ Ballygalley	High	At construction, completion by Dec 2005
Lisbarnet	High	On target for completion by Oct 2005
Loughries	High	On target for completion by Jul 2006
Millisle [5]	Low	PPP - Jan 2007 start envisaged
Moneyreagh	Medium	On target for completion by Dec 2005
Newry	Medium	Complete
N'abbey	Medium	PPP - Jan 2007 start envisaged
Newtownards/ Comber	Low	PPP - Jan 2007 start envisaged
Omagh	High	At construction, for completion by Oct 2005
Portaferry	Medium	On target for completion by Oct 2007
Portavogie	Low	On target for completion by Oct 2007
Portrush [4]	Medium	On target for complete by Mar 2007
Portstewart [4]	High	On target for completion by Mar 2007
Raholp	Medium	On target for completion by Feb 2006
Rathfriland	High	At construction, completion by May 2005
Ravarnette	Low	On target for completion by Jun 2006
Seagoe [6]	Medium	PPP - Jan 2007 start envisaged
Stewartstown	Medium	On target for completion by Dec 2005
Strabane	Low	Substantially complete
Strangford [7]	Low	On target for completion by Jul 2006
Tandragee	High	On target for completion by Oct 2005
Tullaghgarley	Medium	Substantially complete
Whitehead [8]	Low	PPP - Jan 2007 start envisaged
Whiterock	Low	Contract awarded for completion by Oct 2005

Notes

PPP Public Private Partnership

[1] No WWTW project required - network issue to be resolved

[2] Included in Tullagharley scheme

[3] Included in Newry scheme

[4] North coast scheme

[5] Included in Bangor scheme

[6] Included in Ballynacor PPP scheme

[7] Included in Ardglass scheme

[8] Included in Islandmagee scheme

11.2 Speeding up your sewage scheme: what you need to know

Water Service, an Executive Agency of the Department for Regional Development, is responsible for building and upgrading sewage works, known as Waste Water Treatment Works (WWTWs). If your city, town or village requires a new or upgraded sewage treatment works, it's important to ask Water Service the following questions:

- What level of treatment is currently provided: none, preliminary, primary, secondary or tertiary? These are explained at 11.21.
- What level of treatment is required?
- How many people is the current works designed to cope with?
- How many people will the new works be designed to cope with? See paragraph at 11.3 explaining Population Equivalent (PE).
- When is the work due to commence?
- When is the work due to be completed?
- How will the proposed scheme be funded?
- Where will the new works be sited?
- Has the site been acquired?
- Has planning permission been sought and obtained?

11.21 Types of treatment

- None: the sewage receives no treatment and is raw when it enters the receiving waters (a river, lough or sea).

- Preliminary: the sewage is macerated (minced up) before entering the receiving waters.
- Primary: a physical process involving filtration and settling, resulting in the removal of solids.
- Secondary: a biological process involving aeration and the addition of bacteria, resulting in the removal of dissolved organic matter, viruses and bacteria.
- Tertiary: involves the use of ultra violet light, resulting in the removal of nutrients, namely nitrates and phosphates.

11.22 Funding sources for sewage investment

Water Service has a timetable for building and upgrading sewage works, known as its Capital Works Programme (CWP). Three sources of funding are identified: DEL, RRI and PPP. These terms are explained below.

- Departmental Expenditure Limit (DEL) is the agreed capital expenditure allocated to Government departments in the annual budget and for a number of years ahead. This is committed finance derived from the public purse.
- Reinvestment and Reform Initiative (RRI) is an initiative of the Chancellor Gordon Brown. He agreed that Northern Ireland would be allowed to borrow money from the Treasury to upgrade its infrastructure, on condition the debt was serviced by an increase in local rates.
- Public Private Partnership (PPP) is a means of funding whereby the private sector provides the capital investment and in exchange Government pays an annual fee for the service provided. Many infrastructure projects are DBFO (Design, Build, Finance and Operate) schemes in which the private sector is responsible for the design, building, financing and operation of the works for a period of 25-30 years typically. PPP is often criticised as representing poor value for money because the tax-payer has to foot the bill for private sector profits, besides which it is more expensive for companies to borrow money than it is for Government. Already the Kinnegar works at Holywood has been funded in this way. PPP schemes are vulnerable to delay because a consortium has to be found to make the investment. Investment at some of the most polluting outfalls is planned to be made via PPP schemes, for example the North Down works will be funded in this way.
- The Strategic Investment Board (SIB) was created to advise on how to target capital investment and it is likely to play a key role in decisions on sewage investment.

11.3 Regulation of sewage

In Northern Ireland, water and sewerage services are provided by Water Service, an Executive Agency of the Department for Regional Development, while responsibility for pollution control falls to Environment and Heritage Service (EHS), an Executive Agency of the Department of the Environment: EHS is the environmental regulator and Water Service the biggest polluter.

Adopt a Polluter

There are five relevant pieces of European law:

- Urban Waste Water Treatment Directive
- Bathing Water Directive
- Freshwater Fish Directive
- Shellfish Waters Directive
- Water Framework Directive

The Water Framework Directive will replace all but the Bathing Water Directive.

There are four relevant pieces of domestic law:

- Water (NI) Order 1999
- Urban Waste Water Treatment Regulations (NI) 1995
- Public Health (Quality of Bathing Water) Regulations(NI) 1993
- Water and Sewerage Services (Amendment) (NI) Order 1993

Water Service is not regulated like other polluters: instead of being granted a 'discharge consent' under the Water Order, EHS issues 'registered standards' for each sewage works, essentially the maximum permitted pollution levels. The effluent is then collected for testing at regular intervals to ensure the permitted levels have not been exceeded. Failure to comply with the registered standards does not, however, result in any sanction being imposed on Water Service because it enjoys Crown Immunity from prosecution.

Typically a registered standard will be 25mg/l (milligrams per litre) for BOD and 160mg/l for COD. BOD and COD are explained at 11.41 and 11.42 below. These figures are known as 95 percentile standards, meaning that the works must be compliant for 95 per cent of the time. In practice, EHS use a look-up table (below) to work out the maximum number of permitted breaches. Under the Urban Waste Water Treatment (UWWT) Directive there is also an upper tier standard. Any breach of the upper tier is a failure.

Look-up tables for compliance levels

Number of samples taken in any year	Maximum permitted number of samples which may exceed the 95 percentile standard
4-7	1
8-16	2
17-28	3
29-40	4
41-53	5
54-67	6

EHS publishes a report on the regulation of Water Service discharges. The first report covers 2001 and the second 2002/3. The reports are available on the EHS website at www.ehsni.gov.uk

EHS acknowledge that most registered standards are not 'environmental needs standards', in other words they do not define the limits necessary to protect the receiving waters from pollution. Many are in fact 'relaxed standards' which, instead of being set high enough to protect the receiving waters from pollution, have been set low enough that Water Service can achieve them despite there not being adequate sewage treatment infrastructure in place!

The Water Reform process currently underway means that Water Service will be 'externalised' to become a Government-owned company (GoCo) in 2006, at which point registered standards can no longer be used and the GoCo will be regulated under the Water Order. In preparation for this, EHS is in the process of determining an environmental needs standard for each works and issuing a discharge consent accordingly. Further information is provided at 2.1.

Under the UWWT Directive, the Lough Neagh catchment, Lough Erne catchment, inner Belfast Lough, the tidal Lagan and the Quoile Pondage have all been designated, by EHS, as sensitive to eutrophication. This means that all WWTWs discharging into these areas must have tertiary treatment.

The European Commission has recommended that Lough Foyle, Carlingford Lough and the Bann estuary also be designated as sensitive. Furthermore it has recommended that all bathing waters and shellfish waters be designated. This would mean that Larne Lough, much of Strangford Lough and Dundrum Bay should be designated, together with most of the Antrim coast and north coast.

The Urban Waste Water Treatment Directive also introduces a measure known as Population Equivalent (PE). 1 PE is equivalent to 60 grams of BOD per person per day. PE allows the loadings from both domestic and industrial inputs to be added together. A settlement without a factory will often have a PE equal to the local population whereas the PE for Ardglass, for example, is much greater than the number of people served by the works because the figure is inflated by the effluent from a fish processing factory.

The Urban Waste Water Treatment Directive sets out a series of deadlines for the introduction of the necessary sewage treatment infrastructure, summarised in the table below.

PE	Sensitive areas	Normal areas
Up to 2000	Appropriate treatment by 31 December 2005	Appropriate treatment by 31 December 2005
2000-10,000	Secondary treatment by 31 December 2005	Secondary treatment by 31 December 2005
10,000-15,000	Tertiary treatment by 31 December 1998	Secondary treatment by 31 December 2005
15,000-150,000	Tertiary treatment by 31 December 1998	Secondary treatment by 31 December 2000
Over 150,000	Tertiary treatment by 31 December 1998	Secondary treatment by 31 December 2000

11.4 The science of sewage!

11.41 Biochemical Oxygen Demand

Biochemical Oxygen Demand (BOD) is a measure of the pollution impact of a particular organic pollutant: the higher its BOD, the more oxygen that will be consumed by its decomposition in water. Examples of organic material include human/animal excrement and urine, blood, milk, silage effluent and animal carcasses. During decomposition, organic material is broken down by bacteria and in the process the bacteria consume oxygen dissolved in the water. This in turn reduces the amount of dissolved oxygen available for aquatic life, making the body of water less able to support life and, in the worst cases, resulting in fish kills.

11.42 Chemical Oxygen Demand

Chemical Oxygen Demand (COD) is a measure of water quality: the higher the COD, the greater the pollution impact. Specifically it is a measure of the amount of oxygen consumed by the decomposition of organic materials (biological oxidation) *and* by the chemical (non-biological) oxidation of materials in water. An example of non-biological oxidation would be the rusting of a piece of metal. Since BOD is a measure of the amount of oxygen consumed only by biological oxidation, and COD is a measure of the amount of oxygen consumed by biological and non-biological oxidation, COD is always higher than BOD.

11.43 Ammonia

Ammonia is a water soluble chemical compound produced by the decomposition of organic material and is used to characterise water quality. Ammonia affects the quality of fisheries and the suitability of abstractions for drinking water.

11.44 Suspended solids

Suspended solids are particles of solid material which are so small that instead of settling in water, they remain suspended. In the context of sewage pollution, suspended solids are composed of small pieces of faeces, skin and other debris.

11.45 Bacteria and viruses

The human gut contains a vast array of bacteria and viruses. Most are harmless but others, called pathogens, can cause illness. Bacteria and viruses make their way from the human gut into human faeces and, from there, into sewage. Unless the sewage is properly treated it enters water courses where the pathogens cause infection and illness in water users: bathers, sailors and surfers etc. Most enter the body orally (ingestion), through the eyes, ears and nose or through an open wound.

EHS only monitors coliform and streptococci bacteria, even though the Bathing Water Directive allows for testing water for enteric viruses and salmonella. There are many other disease causing agents such as hepatitis A which also go unmonitored.

A new Bathing Water Directive is being developed which includes more stringent standards that should help improve the quality of bathing and recreational waters.

12.0 Appendix: EPA extra

This appendix provides useful information about the campaign for an Environmental Protection Agency in Northern Ireland. You should read this section before lobbying your elected representatives for an EPA. You should also read the section at 11.1.

12.1 Background

Northern Ireland is the only part of the UK and Ireland not to have an independent Environmental Protection Agency. Here the job is left to an agency of the DOE called Environment and Heritage Service (EHS), however there have been criticisms of EHS performance across all three areas of its work: pollution control, nature conservation and built heritage.

Environmental organisations have long been calling for the creation of an Environmental Protection Agency, however these calls have so far fallen on deaf ears. Since 1984 there have been four official investigations into the need for an EPA here: these reports are called the Halcrow report, Balfour report, Rossi report and Prior Options study. For more information on the history of the campaign, please contact the Friends of the Earth office.

12.2 EPA coalition

The current campaign began in March 2003 when nine organisations came together to campaign for better environmental governance arrangements. They are:

- Conservation Volunteers Northern Ireland
- Friends of the Earth
- National Trust
- Northern Ireland Environment Link
- Royal Society for the Protection of Birds
- Ulster Wildlife Trust
- Wildfowl and Wetlands Trust
- Woodland Trust
- WWF Northern Ireland

12.3 Macrory report

The nine began by commissioning a piece of research carried out by Professor Richard Macrory of University College London. Richard Macrory is an eminent scholar in the field of environmental law. His evidence base underpins the campaign and was published in April 2004. In his report entitled *Transparency and Trust: Reshaping Environmental Governance in Northern Ireland* he evaluates a range of options for managing and protecting the environment. His options for the reform of EHS are summarised below:

1. No change of existing status as an Executive Agency within the Department of the Environment.
2. Abandon Executive Agency status and incorporate functions of EHS fully within Department of the Environment.
3. Create a new Environment Authority structured as a non-departmental public body.
4. Create a new Environment Authority structured as a non-ministerial government department.
5. Give local authorities prime responsibility for implementing environmental regulation with EHS (or its replacement body) having enhanced supervisory powers.

Macrory also evaluated a series of options for ensuring accountability and providing policy advice to Government. For further information, visit the coalition website at www.epconsultni.org.uk

12.4 Consultation exercise

On 1 April 2004, the coalition published the Macrory report (in full and in summary) and launched a three-month consultation exercise. A consultation questionnaire was mailed to more than 1000 addresses across the public, private and voluntary sectors: industry and farmers' representatives; trades unions; MPs, Assembly members and local authorities; public bodies; environmental charities; and residents/community groups. Media coverage also pointed people towards the coalition website where the questionnaire could be completed online.

During the consultation period, the coalition held a series of bilateral meetings with stakeholders such as the Ulster Farmers' Union (UFU) and Confederation of British Industry (CBI), and with the local political parties, to encourage their participation in the debate. A successful consultation conference was also held in May, attended by more than 100 delegates.

By the end of the consultation exercise, 107 responses had been received. They were analysed independently of the coalition by Dr Liz Fawcett of Liz Fawcett Consulting. Her report, published on 19 October 2004, found widespread dissatisfaction with the way in which our environment is being managed and protected, and majority support for the creation of an independent Environmental Protection Agency structured as a non-department public body (NDPB) - option 3 in the Macrory report.

Having considered the outcome of the consultation exercise, the coalition decided to support the creation of an independent EPA structured as an NDPB. Likewise, that is now the view of Professor Richard Macrory.

12.5 Review of Environmental Governance

On 2 November the coalition of NGOs (non-government organisations) met the Environment Minister Angela Smith MP to ask her to initiate a Review of Environmental Governance. At the time of writing we are awaiting her response to our request but the indications are that it will be granted. Meantime, we are liaising with the Permanent Secretary and other senior officials in the DOE regarding the nature and scope of the review.

We have asked that the review have the following characteristics:

- Independent of Government: the Chair should be appointed by the Minister but would be drawn from outside Government.
- The Chair should be assisted by a panel of experts.
- The Review should be participative.
- The Review should be deliberative.
- The Review should be open and transparent.

We don't yet know what shape the review will take but it is likely that you will be invited to submit evidence in writing, perhaps supported by oral testimony at a hearing. There may also be public meetings and smaller focus groups, as well as bilaterals with interested parties.

12.6 How you can get involved: a quick summary

- Please join our campaign!
- Adopt a Polluter.
- Develop a dossier of evidence: more information at 7.3.
- Your dossier should contain evidence of one local source of pollution and EHS performance in regulating it
- When your dossier is complete, bring the issue to the attention of local people, local media and local politicians - your MP and Assembly members.
- You can also present your dossier of evidence to the Review of Environmental Governance.
- Your example can illustrate the wider malaise in our system of environmental protection, like a straw showing how the wind blows. You can help create the public pressure necessary to reform a failing environmental protection system and help secure an Environmental Protection Agency.

Lisa Fagan

2 March 2005