

CPL. FUELS IRELAND

Clean Air Strategy Public Consultation
Air Quality Division
Department of the Environment, Climate and Communications
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29th April 2022

Re: Draft Clean Air Strategy Public Consultation

To Whom It May Concern,

As Managing Director of CPL Fuels, part of CPL Industries, the European leader in smokeless domestic fuels, I am very happy to participate in this consultation process by the Department of the Environment, Climate and Communications (DECC). We welcome the opportunity to respond to this consultation and provide responses to the sections of relevance to our activity and expertise.

CPL Fuels, as one of the largest solid fuel manufacturers in the country has invested over €17 million in a low smoke fuel production plant in Foynes, Co. Limerick and supplies the majority of low smoke fuel to the Irish consumer. That investment was made on the basis of commitments made as early as 2013 to introduce a nationwide smoky coal ban.

CPL Fuels Ireland is committed to a greener Irish economy and to playing our part in the de-carbonisation of Ireland. In recent years, CPL has been a strong supporter of clean air objectives and has worked extensively with the Department of the Environment, Climate and Communications (DECC), various Ministers and members of the Oireachtas, to help deliver policy which better regulates harmful emissions resulting from solid fuels burning, in support of the development of clean air strategies for Ireland.

The European Environment Agency report, Air Quality in Europe 2020 indicates that in 2018, there were 1,300 premature mortalities linked to pollution from fine particulate matter (PM2.5) in Ireland. The same report specifies 16,200 Years of Life Lost, showing significantly earlier mortality for those deaths.

Very significant air quality improvements can be made with a robust clean air strategy because residential solid fuel heating is the single largest contributor to PM 2.5 levels in Ireland. The removal of smoky coal and measures to address the smoke content of other fuels will dramatically improve air quality in Ireland.

The key recommendations from CPL set out in this submission are:

- The need for a co-ordinated approach from Local Authorities, Government Departments and State agencies when enforcing current and future domestic solid fuel regulations.
- Harsher penalties for those in breach of current or future domestic solid fuel regulations.
- Public awareness campaigns highlighting the negative impact poor air quality is having on public health.
- Educate consumers on the requirements set out for solid fuel producers, retailers and distributors under new domestic solid fuel regulations, so they can distinguish between approved and non-approved solid fuels.

Yours faithfully,

A redacted signature consisting of several horizontal black bars obscuring the name and any handwritten notes.

CPL Fuels Ireland

Submission to Clean Air Strategy Public Consultation

Do you agree with the five strategic priorities outlined in the draft strategy?

Yes, CPL welcomes these priorities and in addition, it should be noted, that CPL also welcome the Air Pollution Act 1987 (Solid Fuels) Regulations 2022 which will replace all Statutory Instruments in relation to The Air Pollution Act (Marketing, Sale, Distribution and Burning of Specified Fuels) Regulations. Which will introduce new technical standards for solid fuels placed on the market, sold, or distributed across the State. The new regulations also provide specific requirements regarding the labeling, advertising, selling, and distributing of solid fuels which will help to tackle the illicit trading of smoky solid fuels nationwide.

Furthermore, CPL fully supports the commitment in the Programme for Government with the intention to develop a multi-agency approach to clamping down on the sale of high-sulphur content fuel imported from the UK, with local authorities and the Revenue Commissioners involved.

The new draft regulations currently being finalised by the Department of Environment, Climate and Communications indicates a new systematic approach ensuring the sale and distribution of illegal smoky solid fuels will be curtailed and allow for a more direct approach to enforcement of new measures for domestic solid fuel nationwide.

According to the new draft regulations, enforcement of new measures will remain under the remit of Local Authorities, who will be able to inspect premises and vehicles connected with the placing on the market, distribution and retailing of solid fuel to examine documentation and take samples for lab testing. It is vital that additional resources and funding is provided to Local Authorities to ensure the strong enforcement of these new regulations. CPL are also suggesting that EPA be mandated to publish testing by authority/region bi-monthly, with quarterly reports indicating the need for additional inspections and testing to be carried out in areas experiencing a significant drop in air quality.

Do you feel there are additional strategic priorities which should be included?

Tackling the illicit smuggling of smoky coal from Northern Ireland must be included as a strategic priority under the Clean Air Strategy, with an emphasis on developing robust enforcement mechanisms and harsher penalties to eradicate this

Healthy air in Ireland will only be fully realise once the Government clamp down on the sale of high-sulphur content fuel imported from the UK, with local authorities and the Revenue Commissioners involved.

A recent RTE Investigates programme from 7 April 2022, on cross border smuggling of illicit solid fuel products interviewed a range of expert stakeholders and medical experts on the negative impacts the burning of smoky coal is having on both public health and the environment.

100,000 tonnes of smoky coal smuggled from Northern Ireland which is not subject to Carbon Tax is costing the exchequer €8.7 million, if this continues by 2025 a total of €77 million will be lost to the State through Carbon Tax evasion alone.

With regard to this, a cluster approach to enforcement should be considered and it should go without saying that additional resources must be afforded to local councils along the border with Northern Ireland, not least once the smoky coal ban is in place. High-profile and highly advertised seizures are critical to

ensure that the Air Pollution Act is regarded as a true disincentive to smuggling, as well as harsher penalties for those who are caught in breach of these regulations.

To be clear, the current situation with respect to smuggling is grave, with high profits from smuggling primarily due to a VAT differential, carbon tax and the lower price of high sulphur coal. Even with a ban of smoky solid fuels in place, this profit will continue to be attractive unless there is blanket compliance with the smoky solid fuel ban in Ireland which will need to be underpinned by robust and consistent enforcement.

The Government should also ban the sale of unseasoned wood at retail outlets. While it is difficult to regulate the use of wood as a home heating option, regulation at retail level would go some way to controlling the wood that is burned in Irish homes. There is strong market evidence that sale of wood at retail level is growing and includes imported, unregulated wood from Eastern Europe.

A tightening up of retailer and distributor obligations with respect to fuels sold would go some way to addressing the availability of wet wood for home heating. In terms of whether a standard should be applied to wood, we are fully supportive of the same as a means of achieving better air quality in Ireland.

How can pollutant emissions data be better used to inform actions at local and national levels?

- Daily data collected by the EPA with respect to air quality throughout the country is vital to track the effectiveness of clean air measures, the information should be collated regularly by the Department of Environment, Climate and Communications and brought to public attention through bi-monthly reporting along with recommendations on how to improve air quality through everyday activities.
- The number of inspections and fixed penalty notices issued by Local Authorities with respect to enforcement of measures should be carefully monitored by the DECC as a collective and cross-referenced with EPA air quality data on a quarterly basis to indicate the effectiveness of domestic solid fuel measures.
- With respect to the quarterly reports mentioned above the EPA should be given special responsibility to ensure each Local Authority is enforcing air quality measures. For example, if there is a consistent and noticeable drop in air quality over a period of 10 to 12 weeks in a particular area the EPA should notify the Local Authority to carry out additional inspections of local solid fuel retailers and distributors.

What do you feel are the most important current and emerging air quality issues in Ireland that requires further research?

- Assuming that new domestic solid fuel measures are implemented in September 2022 the rise in burning of unseasoned wood is a specific issue that must be monitored with respect to air quality, along with industrial emissions and traffic emissions.
- Unless additional resourcing and responsibility is given to both Local Authorities and the EPA to enforce new domestic solid fuel regulations the illicit trade of high sulphur fuels will be an issue.
- Government grants and funding initiatives for companies developing low smoke fuel products, with an emphasis on encouraging further research and development of low smoke and low carbon solid fuels.

How can we better increase awareness of the health impacts of air pollution?

The level of compliance with the current domestic solid fuel regulations is directly correlated with the health impacts of air pollution, this needs to be brought to the attention of consumers.

New emissions standards, labelling and advertising requirements due to come into effect in September 2022 across a range of fuels will go some way in ensuring that polluting Irish fuels will no longer be available for sale on the Irish market, however more work is required to ensure these standards are adhered to by raising awareness of the impact smoky coal is having on the environment and public health.

- National public awareness campaigns highlighting the negative impact the burning of smoky solid fuels is having on public health. These campaigns must specifically emphasize that breaches to domestic solid fuel regulations can have a devastating effect on those suffering from respiratory and heart conditions as well as contributing to increasing cases of auto-immune diseases in Ireland.
- Informing consumers on the requirements set out in new domestic solid fuel regulations and the benefits of using low smoke or smokeless solid fuels over smoky solid fuels when it comes to public health. For example, with respect to draft solid fuel measures consumers should be aware that all solid fuel producers should have a fuel registration number displayed on their labelling and advertising, and state that they are fully compliant with current regulations.
- High-profile and highly advertised seizures and harsher penalties are critical to ensure that members of the public are aware that breaches to clean air regulations are considered a serious crime.

What issues might a national clean air awareness campaign encompass and how could its impact be measured?

- Air quality readings taken daily by the EPA need to be brought to public attention through both local and national media.
- Regional 'task forces' with coordinated action from State agencies (EPA and Revenue) and Government at both local and national level to help tackle the illegal distribution of smoky coal nationwide. The work of these task force groups should be published regionally with details of high profile and highly advertised seizures, along with penalty and prosecution details.
- A public awareness campaign around new regulations coming into effect in September 2022, making consumers aware of labelling and advertising requirements for solid fuel producers, distributors, and retailers.

What particular metrics or benchmarks do you think should be considered in tracking the progress of a Clean Air Strategy?

- Highlighting the effectiveness of clean air measures and domestic solid fuel regulations through bi-monthly reporting and public awareness campaigns is key to improving air quality long term.
- Continuous tracking of enforcement activities carried out by Local Authorities, cross referenced with EPA air quality data will allow for a targeted approach to improving air quality regionally. Localised air quality reports should be issued on a quarterly basis and the EPA should be mandated to instruct

Local Authorities to carry out additional inspections in areas experiencing a consistent drop in air quality over a period of 10 to 12 weeks.

Are there any other comments you have in relation to the draft national Clean Air Strategy?

The residential sector currently contributes over 28% of overall CO₂ emissions, and coal represents 12% of residential heating and hot water carbon emissions. If tackled correctly through policy intervention, a transition to low carbon solid fuels could deliver a considerable portion of the overall carbon savings being sought in the Climate Action Plan (2019) and the Climate Action and Low Carbon Development (Amendment) Bill 2020. Indeed, transitioning to low carbon solid fuels can deliver a 9.3% reduction in total residential CO₂ emissions annually.

While the Government has increased by 82% the allocation in capital investment for residential and community retrofit programmes (Budget 2021 provided €221.5 million), greater innovation will be required to help generate greater energy efficiency measures and to achieve significant savings in CO₂ emissions. Noting the relatively low uptake of these retrofit programmes, CO₂ savings can be achieved more quickly as Ireland moves to smokeless solid fuel, following the implementation of new domestic solid fuel standards later this year.

Acting now will reduce our long-term transition costs and bring additional benefits such as better air quality and reduced fuel poverty. A viable alternative to achieving emissions reductions in the residential sector, at no cost to the state, is mandating a switch to low carbon solid fuels in homes, coupled with the long-awaited smoky coal ban. The potential savings are set out in the table below.

Tonnes of coal and biomass percentage

	Ovoids 30% Biomass	Ovoids 50% Biomass
Tonnes of coal (all types)	380,000	380,000
Smoky coal tonnes	212,325	212,325
Carbon emissions tonnes	693,061	693,061
Ovoids tonnes	145,825	145,825
Carbon emissions tonnes	398,350	398,350
Total carbon emissions	1,091,411	1,091,411
Total carbon emissions if all ovoids at each biomass %	747,745	554,211
Reduction in emissions	343,666	537,200
Reduction in emissions %	31.5%	49.2%
Reduction as % in heating and hot water emissions (4.64MtCO ₂)	7.4%	11.6%
Reduction as % of total residential emissions (5.8MtCO₂)	5.9%	9.3%