



WERLA ANNUAL REPORT

to the Department of Environment,
Climate & Communications

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2022

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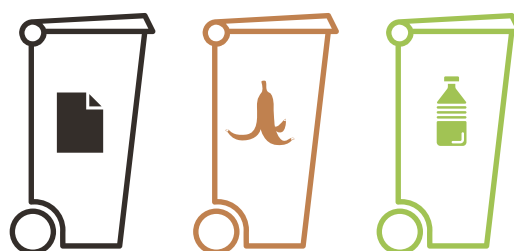
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Contents

Introduction from the WERLAs	4
Forward/Executive Summary	5
Governance	7
WERLA Mission Statement	9
Stakeholder Engagement	10
Policies and Objectives 2022	12
National Waste Enforcement Priorities 2022	14
Tackling Illegal Waste Activities	15
Multi-agency Sites of Concern	16
Construction & Demolition Waste	18
End of Life Vehicle (ELV) Directive & the Waste Metal Industry	20
Waste Collection – household and commercial Mixed Municipal Waste (MMW) NWEF	22
Extended Producer Responsibility (EPR) Waste Stream	25
Waste Action Plan (Tracking of waste flows)	30
Key Statistics	31
The European Union (Mercury Regulations)	34
Key Statistics – Source EPA	35
Anti-Dumping Initiative (ADI) 2022	36
Training	37
Case Study 1	40
Case Study 2	42
Case Study 3	45
Appendices	48
Publications 2022	49
Glossary	50
Bibliography	52



Introduction from the WERLAs

The three Waste Enforcement Regional Lead Authorities (WERLAs) were established in 2015 and represent their constituent local authorities in waste management regions as set out in the Regional Waste Management Plans 2015 to 2021.

Their roles include coordinating the waste enforcement activities of their constituent local authorities, setting waste enforcement priorities and common objectives and ensuring consistency of waste enforcement activities, while still leaving local authority personnel as first responders.

Subsequently an enhanced WERLA role has been approved, and in 2021 the WERLAs have coordinated the establishment of Service Level Agreements (SLAs) between Department of Environment, Climate and Communications (DECC) and the WERLAs, and then in 2022 the drafting of an equivalent SLA between the WERLAs and their constituent local authorities has been undertaken, with a view to having this completed in 2023.



The role of the enhanced WERLAs will include their previous responsibilities, but with the addition of taking on specific cases that might be particularly difficult for an individual local authority to pursue, along with the enforcement of the household kerbside collection sector in conjunction with the local authorities.

This report outlines the activities of the WERLAs in 2022.

Foreword/Executive summary

This report outlines the waste enforcement activities undertaken by the WERLAs in 2022 and looks at their achievements under the National Waste Enforcement Priorities.

Additionally, the WERLAs are tasked to take on other aspects of waste management in Ireland, such as providing a mechanism to roll out the annual Anti-Dumping Initiatives¹.

Another significant portion of the WERLAs workload is to provide assistance to the national government as they develop waste policy and legislation, where required.

In 2022, the WERLAs put in place the process to deliver the enhancement of their offices, which included the recruitment of additional staff and the drafting of Service Level Agreements between the WERLAs and DECC and between the WERLAs and their constituent local authorities.

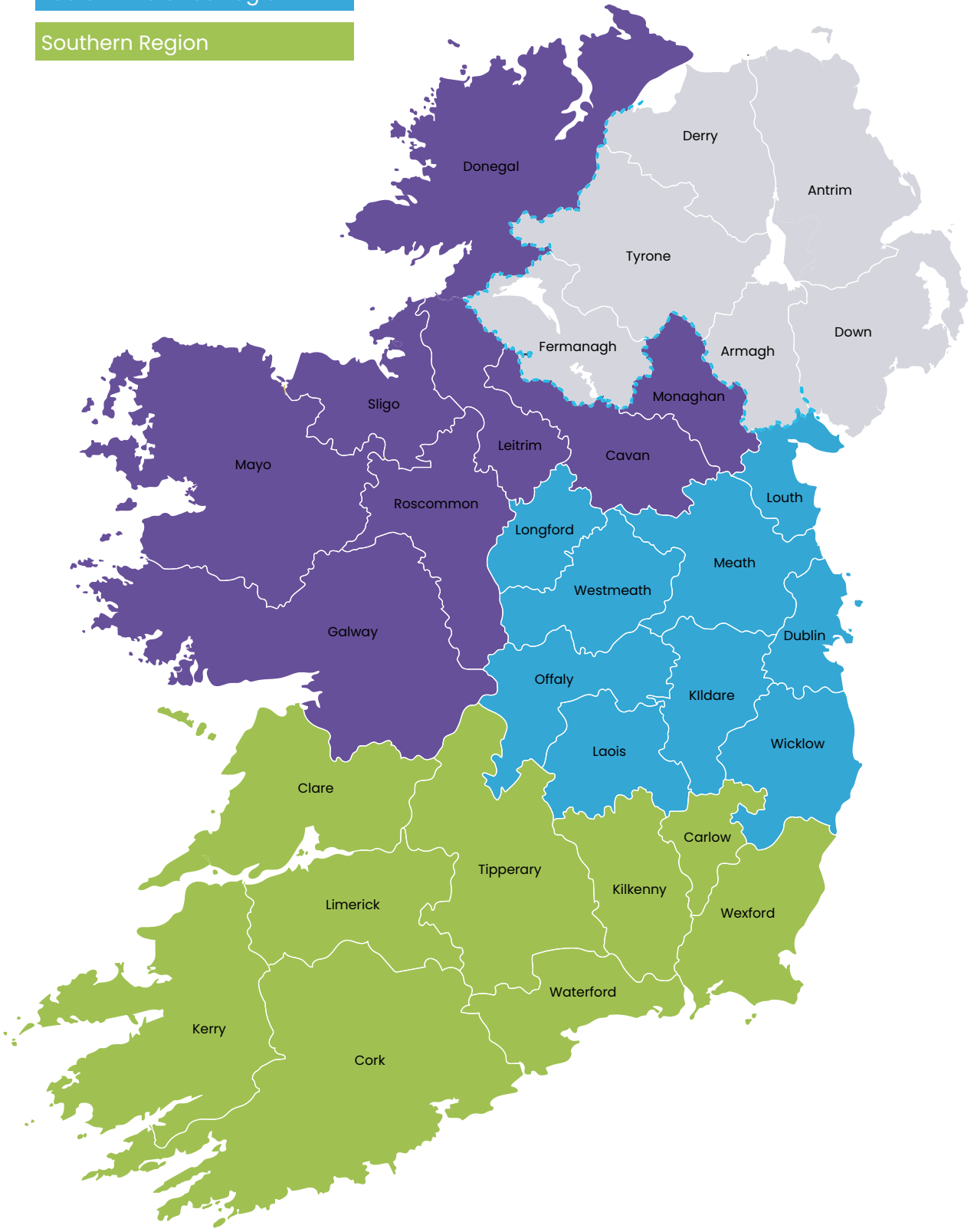
Throughout the year, the WERLAs continued to provide an essential two-way line of communication between the policy and legislators on one hand, and the local authority waste enforcement officers on the other hand.

The WERLAs are committed to assisting their constituent local authorities in any way necessary, should that be in the form of providing contemporary guidance, training, or practical help on the ground.

¹Further information on ADI is provided later in this report, and a separate ADI Annual Report for 2022 is also available.

WERLA regions

- Connacht Ulster Region
- Eastern Midlands Region
- Southern Region



Governance



The overall focus of the WERLA's organisational structure in 2022 was to deliver the enhanced WERLA that had been envisaged in The Business Case for Waste Enforcement Regional Lead Authorities Model in 2018.

To give effect to this enhanced organisational structure, the WERLAs, through their lead local authorities, commenced the recruitment of additional technical and administration personnel, utilising both the Public Appointments Service and the individual lead authorities' Human Resources Departments.

By the end of 2022, the permanent posts of Coordinators and Senior Waste Enforcement Officers (SWEO) had been filled in all three WERLAs, along with the contract SWEO posts in CUR and SR WERLAs, while the Executive Scientist posts and a number of administration posts were in the process of being filled.

The enhanced WERLA organisation needed the support of its own Governance structure, which envisaged the establishment of the WERLA Management Group. The WERLA Management Group have the benefit of a WERLA Management Oversight Group, which has direct access to the City and County Managers Association (CCMA) via the Chairman of the Climate Action Transport Circular Economy, and Networks Committee (CATCEN)

This ensures that the WERLAs are directly reportable to the local authority sector via the CCMA, while remaining active members of the National Waste Economy Steering Committee (NWESC), and the WERLA Regional Governance structures, such as the Joint Steering Committee, Joint Operational Groups, and in the case of the Connacht Ulster (CU) WERLA, the Waste Enforcement Officers meetings.

Also, the WERLAs will continue to interact with Department of Environment Climate and Communications (DECC) via the Local Government Agency (LGMA) on waste policy and legislation matters and directly in operational matters, while there will also be no change in the WERLA communication arrangements with the Extended Producer Responsibility (EPR) stakeholders.

The enhanced WERLA will be given effect to by a Service Level Agreement (SLA) between all the local authorities and the WERLAs, which will be given legal status through a supporting Chief Executive Order.

This will allow the WERLAs to engage directly in the investigation and enforcement of serious waste crime in Ireland at the request of a relevant local authority, whilst also taking on a greater role in the enforcement of household waste collectors in Ireland, again in conjunction with their constituent local authorities.



WERLA Mission statement

To protect and improve our high-quality natural environment by ensuring waste activities in Ireland are monitored and waste legislation is enforced, in a consistent, coordinated, and efficient manner in accordance with European Union (EU) and national legislation and policy through a process of continuous improvements.



Stakeholder engagement

Local Authorities in Ireland operate in complex legislative, political and local contexts, and they are both regulators and regulating bodies, with significant legal and government policy obligations.

Local government is expected to play an active leadership role, and this leadership role must be exercised through good corporate governance structures and principles, which will further inspire trust in the local government sector and strengthen the relationship that must exist between local authorities and the communities they serve.

The work of the WERLAs is communicated to the National Waste Enforcement Steering Committee (NWESC) which is co-chaired by the Department of Environment, Climate & Communications (DECC) & the Environment Protection Agency (EPA). The NWESC determine national waste enforcement priorities and drive consistency at a central level. The national waste enforcement priorities for 2022 were set at the NWESC meeting on the 3rd November 2021.

This governance arrangement enables the WERLAs to meet their responsibilities and be accountable for their decisions and actions.

The NWESC includes representatives from a wide range of regulatory authorities including the WERLAs, EPA, An Garda Síochána, National Transfrontier Shipment Office (NTFSO), National Waste Collection Permit Office (NWCPO), Department of Social Protection, Regional Waste Management Planning Offices, Office of Revenue Commissioners, City and County Managers Association (CCMA) and the Local Authority Waste Programme Co-Ordinator (LAWPC).

The interactions during these governance meetings engender trust and understanding between parties by facilitating information exchange and feedback and support the WERLAs in dealing with issues of serious waste crime.

A programme coordinator for Local Authority Waste Operations was appointed in 2021. The programme coordinator reports directly to the Chief Executive Officer of the Local Government Management Agency and the Chair of the CCMA Water, Waste, Environment & Emergency Planning (WWEPP) committee.

The programme coordinator coordinates the existing shared waste services programmes (Regional Waste Management Planning Offices (RWMPOs), Waste Enforcement Lead Authorities (WERLAs), National Transfrontier Shipment Office (NTFSO), and National Waste Collection Permit Office (NWCPO) to ensure consistency of approach.

Regular formal meetings between a regulator and key stakeholders provide the opportunity for an open exchange of information, opinions, and feedback on regulatory matters.



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It is important that the participants in a formal consultative arrangement be diverse and include relevant stakeholders. The Industry Contact Group (ICG) is a standing consultative group that reflects the interests, experiences and organisational characteristics of private sector and regulatory body stakeholders and provides a forum for information exchange between key stakeholders. It is chaired by the Irish Waste Management Association (IWMA) and consists of members from the DECC, EPA, WERLAs, Chartered Institute of Waste Management (CIWM), NTFSO, NWCPO and all the Producer Responsibility Compliance Schemes.

Each WERLA also has its own network of Local Authority groups, which include Regional Steering Groups, Regional Operations Groups and Regional Waste Enforcement Officer Groups which meet regularly to identify, analyse and prioritise regulatory risk; design and implement strategic and operational plans; make well-informed, reliable and consistent regulatory decisions; and provide assurance to stakeholders that regulatory objectives are met.

Ad hoc meetings, seminars and discussion groups enable the WERLAs to interact with selected stakeholders on specific regulatory issues when information exchange is most useful for the regulator and stakeholders.

International cooperation and alignment are very important when it comes to enforcement of EU environmental law. To improve the collaboration and alignment of enforcement, the WERLAs have developed structural and personal contacts with European networks where they can strengthen their network, exchange experiences and best practices, discuss ongoing cases and align their enforcement activities together. Emerging regulatory risks are identified by ongoing liaison and participation with international regulatory networks such as EU Network for the Implementation and Enforcement of Environmental Law (IMPEL), Network of Police Officers focused on tackling environmental crime (EnviCrimeNet), European Network of Prosecutors for the Environment (ENPE) & European Union Forum of Judges for the Environment (EUFJE).

Policies and objectives 2022

Objective A

Implement EU and national legislation and policy to ensure a consistent approach to waste enforcement.

- A.1 Policy:** Support and monitor implementation of the national waste enforcement priorities for 2022 as agreed by the National Waste Enforcement Steering Committee (NWESC).
- A2 Policy:** Support and monitor implementation of PRI schemes in 2022 as agreed by the National Waste Enforcement Steering Committee (NWESC).
- A3 Policy:** Support and monitor implementation of Mercury Regulations in 2022 as agreed by the National Waste Enforcement Steering Committee (NWESC).

Objective B:

Identify and manage national waste enforcement issues through a clearly defined strategy.

- B1 Policy:** Review and maintain Annual Work Plan.
- B2 Policy:** Continue working relationships with stakeholders and utilise the data gathered to identify enforcement challenges.
- B3 Policy:** Deliver an integrated approach to drive consistent enforcement of legislation.

Objective C:

Communicate and coordinate waste enforcement strategies and activities, and work with relevant stakeholders to drive improved levels of compliance.

- C1 Policy:** Ensure all guidance issued is accurate, consistent and takes account of relevant legislation.
- C2 Policy:** Provide the structure to facilitate greater cooperation between enforcement authorities, allow for increased peer-to-peer learning and allow for the creation of forums for knowledge sharing of best practice.
- C3 Policy:** Communicate effectively amongst stakeholders.

Objective D:

Drive improved performance and consistency of waste enforcement through clearly defined structures and procedures.

D1 Policy: Provide standard waste enforcement guidance to ensure best practices and efficiencies are adopted.

D2 Policy: Work with stakeholders on structures required to develop knowledge

Objective E:

Work with Local Authorities and other stakeholders to deal with serious environmental waste crime

E1 Policy: Develop measures to assist Local Authorities with the prevention, reduction, and cessation of unauthorised waste activities

E2 Policy: Identify serious national waste enforcement issues and liaise with stakeholders in formulating appropriate responses.





National Waste Enforcement Priorities 2022

Tackling illegal waste activities

Department of Environment Climate and Communications (DECC) Circular WP 06.21 set out the National Waste Enforcement Priorities (NWEPs) for 2022, stated that the objective of this NWEP was the detection and cessation of unauthorised collection and dumping activities and remediation of polluted sites.

Specifically, this was to produce the following outcomes.

- Unauthorized collectors detected and closed down.
- Active list of unauthorised sites/operators in place.
- Consistent policy agreed and implemented for dealing with illegal waste deposits in the ground.
- Authorised (permitted & licensed) facilities should not facilitate the unauthorised treatment of waste.

To give effect to this NWEP in 2022, the WERLAs continued to provide both practical on the ground assistance to their constituent local authorities, as well as technical advice on various waste enforcement matters as they arose.



Multi-agency sites of concern

Multi-agency operations continue on major sites of illegal waste activity and the WERLAs, in conjunction with their constituent local authorities, act in cooperation with other enforcement agencies in the state including An Garda Síochána (AGS), Revenue, Customs, and Department of Social Protection.

At a local level in 2022, the local authority waste enforcement offices continued to liaise closely with AGS, and when the opportunity arose, WERLA personnel attended AGS vehicle checkpoints during the year.

Multi-Agency Operation to identify potential Destinations of Stolen Cables

The AGS Metal Theft Forum continues to meet and the WERLAs have been able to advise that meeting of the importance of the Waste Facility Register in operation in local authority authorised Scrap Metal and Authorised Treatment Facilities, where cash is paid for scrap metal.

In 2022, at the request of AGS, a Multi-Agency operation involving Cavan County Council, Monaghan County Council, NTFSO, the Police Service of Northern Ireland (PSNI), the Northern Ireland Environment Agency (NIEA) and the CUR WERLA was carried out to inspect authorized metal facilities in a number of counties, both north and south of the border in relation to stolen cables.

As a result of the WERLAs coordinated simulated inspection of local authority authorised treatment facilities (ATF's) in Cavan and Monaghan, AGS were able to detect persons of interest to them with regard to their investigation.

Success from this operation was acknowledged by AGS at the April 2022 AGS Metal Theft Forum.

Multi Agency Operation Catalytic Convertors

In 2022, an extensive national approach involving 15 local authorities, the WERLAs and An Garda Síochána continued with investigations into this operation which originated in Fingal County Council. By the end of the year, there were several successful convictions in court, and further cases will be progressed in due course.

As a result of this Multi-Agency operation, AGS have reported to the WERLAs that incidences of theft of catalytic converters have dramatically reduced and are now almost negligible. This has been a success for the local authority sector who have worked nationally with AGS and Fingal County Council.

Following this investigation into metal theft and traceability, Fingal County Council secured 10 guilty pleas in the District Court (15th February and 31st May 2022) from individuals involved in the illegal transportation of high value waste streams (catalytic converters) to a facility in the County.



Five cases of the Probation Act were applied in Feb 2022 and legal costs also awarded to the sum of €1,500 per case. Five further individuals were convicted in May 2022 under S34 of the Waste Management Act 1996. Legal costs were awarded ranging from €2,000 to €3,000 per case in conjunction with a €200 fine each.

Additionally, Fingal County Council secured a guilty plea from the facility in the District Court in October 2022. The Council were awarded €9,000 in legal costs. The facility was also ordered to pay a €500 fine. The outcomes of the cases and the significant costs and fines awarded are as a result of extensive investigations by Fingal County Council into metal theft and traceability within the Waste Sector.

Dublin City Council also brought 12 successful prosecutions against individuals involved in the same metal theft and traceability investigation.

In Donegal County Council a significant unauthorised End of Life Vehicle (ELV) site was identified through this Catalytic Converter operation, which identified significant environmental pollution arising. Enforcement action was ongoing by Donegal County Council by the end of 2022, with prosecutions pending under S32 and S39 of the Waste Management Act. The site is closed with all vehicles removed from the site.

Galway County Council also identified two unauthorised waste collectors through this operation with a prosecution case listing for hearing for breaches under S34 of the Waste Management Act. Cases were still ongoing at the end of 2022.

On a separate matter in 2022, the WERLAs provided assistance to Donegal County Council in an investigation into the burning of a Waste Transfer Station holding household waste, that had been stockpiled by a kerbside household collector, who had previously been ordered by the Courts to clear the premises. Although the WCP operator no longer collects household waste and their risk to environment in this regard is mitigated, the site must be cleared to ensure full remediation of all issues. This matter was due to go back before the Courts in 2023 to ensure full compliance.

Elsewhere in 2022, the WERLAs provided both operational and technical assistance regarding legacy stockpiles of Farm Plastic wastes and end-of-life tyres that had been detected by local authorities. The overall objective in these situations is to ensure full remediation of the sites.



Construction & Demolition waste

The objective of the National Waste Enforcement Priority (NWE) for Construction and Demolition (C&D) Waste aims to ensure the effective and authorised management, movement and disposal of C&D waste.

The WERLA work programme for C&D waste has developed over a number of years as C&D waste has been an ongoing NWE. In 2022 the work programme continued to focus on a number of different aspects of C&D waste as outlined below.

Coordinated Inspections at Soil Recovery Sites

The EPA guidance on waste acceptance criteria at licensed and authorised soil recovery facilities (January 2020) applies to all authorised soil recovery facilities. Poor levels of implementation of the guidance and license conditions across EPA licensed sites was found. The EPA subsequently sought assistance from the WERLAs to coordinate multi-agency inspections at licensed and permitted soil recovery facilities to develop a consistent implementation approach. Joint EPA/WERLA/local authority inspections were undertaken in the Eastern Midlands and Southern Region in 2022.

- **Monitor Construction & Demolition Waste Activities**
‘Cradle to Grave’ inspections of Waste Collection Permit holders using the previously developed WERLA toolkit continues to be a key part of the work programme.
- **Article 27 of the European Communities (Waste Directive) Regulations 2011**
Local authority inspections of Article 27 sites including sites of origin and destination using the WERLAs toolkit

continued in 2022 with local authorities reporting any findings to the EPA to assist them in their determinations. Local authorities continued to investigate any notifications determined waste and examine what follow-up actions are required. Discussions are ongoing between the WERLAs and EPA to determine a pathway for legacy Article 27 sites.

- **Construction Sites and Major Public Projects.**
Local authorities continued to inspect construction sites using the WERLA toolkits including sites identified locally through commencement notices and sites identified in the list of major public projects compiled by the WERLAs.
- **C&D Strategy ‘Targeted Investigation of Skip Hire and Unauthorised C&D Activity**
The local authorities continued to progress through the phases of the C&D Strategy in 2022 looking at operators of concern within the sector. Local authorities were advised that the existing work programme should be conducted in conjunction with the C&D strategy for the ‘Targeted Investigation of Skip Hire and Unauthorised C&D Activity’. An example of a successful coordinated outcome achieved by Local Authorities under the C&D strategy is detailed below as a case study.

Consultation with the EPA

The WERLAs have engaged with the EPA in the development of national decisions on the following C&D waste streams:

- **Article 28 – End of Waste Criteria for Recycled Aggregates; and**
- **Article 27 – By-Product Criteria for Soil & Stone.**



The WERLAs coordinated submissions to the EPA on behalf of the Local Government Sector and the LGMA for the Article 27 – By-Product Criteria for Soil & Stone draft decision and attended meetings with the EPA regarding the Article 28- End of Waste Criteria for Recycled Aggregates.

The WERLAs engagement has led to the EPA drafting robust criteria that will be used by enforcement teams in the EPA and local authorities, diverting these waste streams for reuse in the circular economy.



Case Study

Successful court case outcomes under the C&D Strategy .

A case was concluded whereby a company were found guilty under Sec 32, 34 and 39 of the WM Act 1996 for the illegal disposal of circa 2,000t of soil and stone material near Virginia, Co Cavan. The case was heard across two separate dates, with evidence being provided by Cavan and Meath County Council. Fines totalling €4,500 were imposed against the company.

The operator was also convicted in Carrickmacross District Court. The operator was ordered to pay fine of €2000 for each summons under S32 & S34 of the Waste Management Act (WMA) and to pay full costs (€12,455.33) within 6 months. An appeal to the Monaghan conviction was withdrawn in October 2022.

The operator was also convicted in Drogheda District Court. The operator pleaded guilty to charges relating to Articles 3 & 4 of Regulation (EC) No. 1013/2006 of European Parliament and of the Council of 14th June 2006 on shipments of waste (the “TFS Regulations”) being an offence under Regulation 9(1) of the Waste Management (Shipments of Waste) Regulations 2007 and Regulation 15 of the Waste Management (Registration of Brokers and Dealers) Regulations 2007 being an offence under Regulation 16(1) of the Waste Management (Registration of Brokers and Dealers) Regulations. The Judge sentenced the accused to a fine of €1,000 for charge 1, €1,000 for charge 2 and costs of €11,897.32 were awarded to the Council with 6 months to pay. The company had other related convictions in Meath in 2018 and Kildare in 2017.

End of Life Vehicle (ELV) Directive & the Waste Metal Industry

The objective under this National Waste Enforcement Priority 2022–2024 is to ensure that all relevant ELV & Metal Industry Facilities are authorised and maintain a high level of compliance for acceptance, classification, segregation, recycling, and disposal of ELVs and Metal and that unauthorised activities are closed down to ensure certainty of investment potential for the authorized industry.

The ELV Journey – a workshop for ATF operators – Wednesday 23rd March 2022

As part of the development of Ireland's new Circular Economy Strategy and with a specific focus on End-of-Life Vehicles (ELVs), the Department of Environment, Climate and Communications, in conjunction with the Waste Enforcement Regional Lead Authority for the Southern Region, hosted a workshop in the Midlands Park Hotel, Portlaoise, on Wednesday 23rd March 2022 from 09:30 to 13:30.

There were 60 attendees at the workshop and the EPR schemes (Repak ELT/WEEE Ireland/ELVES) were represented and contributed on the day.

Although Ireland has achieved the ELV targets, the continued maintenance of high reuse, recovery and recycling rates presents a challenge to both ATF operators and regulatory authorities. This challenge has ensured that compliance with the ELV Directive and monitoring of the Metal Industry has been deemed a National Waste Enforcement Priority year on year since 2016.

The primary purpose of this workshop, entitled "The ELV Journey", was to assist ATF operators in managing ELVs and metal within their facilities.

Speakers on the day provided a summary of relevant legislation & national waste policy on the matter and advice on record keeping and completion of annual returns. There were a number of issues raised by

the ATF operators during the course of the presentations particularly in relation to the issuing of Certificates of Destruction/ traceability requirements/ record keeping etc. These issues will be followed up with the Dept of Transport (DTTAS) through the ELV working group.

High Value Waste Streams at ATFs

To further strengthen compliance within the ATF sector and to examine data anomalies identified by the WERLAs in relation to High Value Waste streams arising at ATFs, remote audits at several facilities across the State were conducted during 2021. During these audits further information was requested by the Local Authority from the permit holder, including the name and address of the top 20 repeat users/operators transporting 16 01 04*, 16 01 06, 16 06 01* and 16 08 01 to the facility.

Local Authorities (and as appropriate the EPA) with support from WERLA subsequently commenced Phase 2 of the High Value Waste Streams project. Phase 2 builds on the work undertaken in 2021 allowing for additional data analysis and verification of the repeat users/operators identified. To assist Local Authorities in the process, the following documents were generated by the WERLA:

- Data verification letters to facilities, NWCPO, motor tax, rates department
- Chain of custody form to facilitate data transfers.
- General Data Protection Regulation (GDPR) compliant data exchange template letters (Local Authorities / outside agencies (AGS, Revenue))

As part of the High Value Waste stream project the WERLAs developed a data analytics anomaly tool which facilitates the rapid assessment of high value wastes based on Certificate of Destruction and Annual Return data.

The WERLAs are working with the NWCPO



to incorporate this analytics tool into the NWCPO portal to further strengthen and assist Local Authority AR validations of the ATF and metal sector. Prior to this taking place, the WERLAs and the NWCPO developed an interim version of the tool for 2022 which was distributed to Local Authorities to allow for targeted inspections. Feedback was sought on this analytics tool and this feedback was used to carry out further improvements. It is anticipated that this analytics tool will be incorporated into the NWCPO portal in 2023.

STATISTICS

- 326 inspections in relation to authorised ELV facilities (ATFs) with an emphasis on traceability requirements (SI 320 of 2014) were conducted in 2022.
- 333 investigative inspections in relation to unauthorised ELV sites and suspected sites of origin as notified by the NTFSO (sites with no permit) were conducted in 2022

The significant effort by local authorities, both in time & resources, in closing down unauthorised ELV sites was illustrated in the presentation by Cork County Council to the EPA Case Studies workshop held on the 06th October 2022.

This case study entitled “Closing of a Significant Unauthorised ELV Site” outlined the intensification of activity on the site, over an 8-year period, from a small garage to an unauthorised site accepting approx. 2000 vehicles annually. Enforcement action commenced in 2019 involving assistance from other agencies. The site was eventually cleared in 2022.

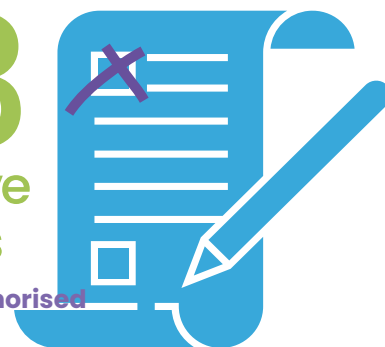
326
inspections

in relation to **authorised ELV facilities** was conducted in 2022.



333
investigative inspections

in relation to **unauthorised ELV facilities** was conducted in 2022.



Waste Collection – Household and Commercial Mixed Municipal Waste (MMW) NWEP

As reported in previous years, Ireland continues to generate over 1 million tonnes of food waste per annum with 60% of this waste coming from the household and commercial sector. Food waste is identified as a priority waste stream with a drive to segregate, capture and recycle this valuable resource.

In 2022, the WERLAs have looked to develop waste enforcement strategies that would assist local authorities in their Recommended Minimum Criteria for Environmental Inspections (RMCEI) work programs to maximize the source segregation of mixed municipal waste List of Waste Code (LoW) 20 03 01 in both the household and commercial waste sectors.

The WERLA’s objective in this 2022 NWEP was to maximise segregation, and recycling of municipal waste, with specific outcomes regarding the following:

- 3 bin systems are in place and being utilised i.e., separation of dry recyclables and organic materials at all commercial sites
- Accurate waste classification and quantification of waste data in Annual Environment Returns) AERs from WCP and WFP operators of municipal waste
- High level of compliance amongst households availing of a door-to-door waste collection service or a suitable alternative

In this regard the following was achieved.

Work completed in 2022

The overall objective of this NWEP is to divert as much waste from landfill as possible and producing the best quality recyclates possible, and by November 2022, this had been consolidated into the 2023 NWEP’s, in anticipation of the year ahead.

These anticipated 2023 NWEPs were communicated to local authorities by DECC Circular WP 07.22 to aid the RMCEI planning for the year ahead and thereby closing the WERLA circle of work completed in 2022, which as mentioned previously had started with DECC WP 05–21.

Household Segregation

In 2022, there were over 1.6m households provided with a kerbside collection service out of a total of over 1.84m private occupied dwellings in Ireland that were recorded in the 2022 Census, this represents an 87% provision of the service in Ireland.

Specifically, 246,967 tonnes of source segregation Household Food Waste was collected, which represented an increase of over 45% since 2012, collected from 1.13m households that had a 3-bin service, which represented 70% of all serviced households.



At an operational level in 2022, the WERLAs continued to work with their constituent local authorities to follow up on household waste collectors who either had poor levels of food waste bin roll out or have a high level of recorded refusals of the service from their customers.

This included assisting in back-office inspections both online and in-person, as well as disseminating intelligence to assist local authorities in targeting operational matters during the year.

The Circular Economy and Miscellaneous Provisions Act 2022 was enacted on the 21st of July 2022 and amongst other provision it allows for the amendment of section 34C of the waste Management Act 1996, which enables a local authority to use a reverse register of Eircode's regarding addresses in its functional area to target household and commercial premises who don't manage their waste properly.

The Presentation of Waste By-Laws is a key element to compliance, and the enactment of the Circular Economy Act 2022 to provide for Reverse Register of postcode is critical to effective enforcement and allow for targeted inspections.

The WERLAs chaired a working group that developed Data Protection Impact Studies and supporting operational documentation to give effect to the Reverse Register element of the Circular Economy Act, and we are well-positioned to have this work utilized once the relevant Commencement Orders have been signed into effect.

This allows all local authorities to ensure proper enforcement of the Presentation of Waste By-Laws and Food Waste Regulations.

Commercial Segregation

Concerns have been expressed previously in relation to the source segregation

of mixed municipal waste LOW 20 03 01 Commercial and the WERLAs had a previous plan to inspect the nursing home/ hospitality sectors to assess compliance with the commercial food waste regulations.

Contamination of bins in the commercial sector is a problem encountered nationwide. It is estimated that up to 70% of the material in the general waste bins from the commercial sector contains recycling or organic waste.

In 2022, the WERLAs proceeded in identifying the WCP collectors with the poorest source segregation of LOW 20 03 01 Commercial from the 2021 WCP AR's. This information will be disseminated to local authorities to enable them to target inspections effectively in 2023.

The main strategy of this enforcement action is for the WERLAs to identify the collectors with the poorest diversion from landfill and once identified will be requested to provide a list of customers not source segregating, which constituent local authorities can then follow up with enforcement actions.

Unlike the household sector there is legal obligation on listed commercial food waste producers to source segregate food waste under the Waste management (Food Waste) Regs 2009 SI 508 and a failure to comply is an offence.

Inspections of Household and Commercial Collectors:

The WERLAs provided both operational intelligence and back-office inspections assistance to their constituent local authorities in 2022.

The Regional Waste Management Offices (RWMPO) have led joint Annual Return (AR) validations for some years and WERLAs attend these inspections whenever requested.

This provides both support to the local authorities and the RWMPO, but also provides contemporary intelligence to the WERLAs as to the current situation regarding the collection of wastes - both the household and commercial waste sectors in Ireland.

Separately the WERLAs were invited in 2022 by constituent local authorities to inspections of both waste facilities and waste collectors' offices on matters relating to non-compliance of Waste Facility Permit (WFP) or Waste Collection Permit (WCP) conditions.

Pay To Use (PTU's)

The enforcement of Pay to Use compactors for the collection of household waste was a sectoral area that the WERLAs completed a work program in 2022 and disseminated the resulting intelligence to their constituent local authorities as a result.

This was to ensure that the PTU sector operated under the conditions of the Waste Management Act 1996 and did not present a risk to the environment, nor undermine the established kerbside collection service currently operational in Ireland.

2022 Highlights/successful outcomes (to include WERLA and local authority successes)

At an operational level the WERLAs were involved in the enforcement of a household WCP operator who had been enforced by their local authority to cease collection but subsequently their premises went on fire.

This WERLA assistance included both on-the-ground and Court room appearances, which moved the emphasis of the action clearly on the non-compliant collector to remove the waste residue to a lawful place.

Separately the WERLA continued to provide a similar type of assistance to a constituent local authority into a long-term investigation into the illegal dumping of waste from a commercial waste collector.

The WERLAs conducted operational on-the ground assistance with regard to PTU's, which had positive outcomes. At a Policy and Legislative level, the WERLAs continued to work with DECC and the LGMA to draft and deliver such matters as the Circular Economy Act 2022, and specific amendments to the Waste Collection Permit Regulations.

By the close of 2022, what was of particular note in this regard was the successful development of a Data Protection Impact Assessment (DPIA) for Reverse Register of Eircode's, which paves the way for the deployment of this waste enforcement option in the year ahead.



Extended Producer Responsibility (EPR) Waste Stream

National Waste Enforcement Priorities 2022 – 2024

PRODUCER RESPONSIBILITY INITIATIVES

The Extended Producer Responsibility (EPR) model for dealing with a number of waste streams has operated very successfully in Ireland over the last number of years.

Producer Responsibility Initiatives (PRIs) are based on the ‘producer pays’ principle. This is where producers have responsibility to finance the collection and environmentally sound waste management of their products at end of life.

The objectives under this National Waste Enforcement Priority 2022-2024 are to ensure that all operators subject to producer responsibility initiatives are registered with appropriate organisation(s) and that there is good regulatory compliance at all waste facilities including those owned by local authorities.

Multi-Agency sites of interest: remediation of Extended Producer Responsibility (EPR) waste stream stockpiles posing an environmental threat.

The WERLAs worked with the DECC to develop a scheme to remediate EPR waste stream stockpiles posing an environmental threat. This scheme is a recognition of the financial burden on Local Authorities in carrying out essential enforcement action and remediation of illegal stockpiles. The remediation works are 100% funded by the DECC and it was originally intended that all projects be completed, and the funding spent in 2021.

This did not prove possible due to the nature & complexity of the sites and the projects were carried over into 2022 as outlined (see page 32). Additional funding

has, in some cases, been provided by DECC.

Funding was made available for 6 sites across the State under the programmes remit. Two each in the Eastern Midlands, Southern, and Connacht Ulster regions. All sites completed the tender process in accordance with public expenditure procedure.

The respective WERLAs coordinated progress on these sites with the LAs and the DECC. Funding for these sites has been approved by the DECC if works are completed, and payments made within a set timeframe.

The two sites located in the Southern region storing waste tyres and waste farm plastics commenced removing the waste in 2021 and the removal was completed, and the sites remediated in 2022.

The two sites in the Eastern Midlands region were completed in 2022.

It is anticipated that the remaining site in the Connacht Ulster region will be fully remediated in 2023.





Packaging

The Government announced in June 2020, in the Programme for Government its intention to “end self-compliance as an option under Extended Producer Responsibility (EPR), to ensure that all producers are equitably treated and to remove potential loopholes.” This decision was also reconfirmed in October 2020, by the Minister in the National Policy document, a Waste Action Plan for a Circular Economy.

Repak continue to provide a consultancy services for Suspected Major Producers (SMPs). Packaging obligation assessments will be offered free of charge on a no obligation basis for manufacturers, contract packers, brand-holders, importers, distributors, and retailers. Where businesses retail directly to the consumer and do not import or are not brand holders, e.g., independent retailers, pubs, off licenses, pharmacies etc. obligation assessment will be carried out using a ready reckoner or an industry specific rule of thumb which Repak can assist with. The WERLAs circulated this update to constituent Local Authorities in June.

Repak launched a revamped packaging enforcement portal in November. The revised portal is more user friendly and has additional functionality to facilitate better data management. The WERLAs worked with Repak to facilitate a communication strategy with an interactive webinar on the new portal held on the 23rd of November for all local authority waste enforcement officers.

The WERLAs worked closely, throughout 2022 with the DECC & the compliance scheme, Repak, to develop a strategy to aid in the transition of businesses, who had previously self-complied, to Repak membership and to ensure continued compliance with the Packaging Regulations.

The first quarter of 2023 was set as a transition period.

S.I. No. 659 of 2022 EUROPEAN UNION (PACKAGING) (AMENDMENT) REGULATIONS 2022 was signed on the 14th of December 2022 and came in to effect on the 01st January 2023. These regulations removed self-compliance as an option under the Packaging regulations.

In 2022 there was 189 new Repak sign ups nationally an increase on 2021's 168 sign ups.

It should be noted that only two of the 189 new Repak Sign ups were referred by Repak and that the remaining 187 have been sign ups following local authority inspections and engagement.

Waste Electrical and Electronic Equipment (WEEE) / Batteries

There are two compliance schemes in Ireland:

1. European Recycling Platform (ERP) Ireland (www.erp-recycling.org)
2. WEEE Ireland (www.weeeireland.ie)



The compliance schemes, through collection of fees from retailers, ensure the financing of the environmentally sound management of WEEE and waste



batteries. The compliance schemes also organise the collection, recovery, and recycling of WEEE and waste batteries on behalf of its members. Registration/administration fees apply.

The WERLAs liaised with both compliance schemes to ensure consistency in the enforcement effort by local authorities.

Scrap metal facilities and skip facilities, particularly during home renovations and domestic renewal activities, have been identified as potential sources of WEEE leakage. In order to limit the misappropriation of WEEE, proper segregation including quarantine and storage arrangements in accordance with permit conditions, are vital in advance of the material being transferred to a facility authorised to process WEEE.

To increase the convenience and visibility of WEEE recycling, the approved bodies (WEEE Ireland and ERP) are incentivising authorised scrap metal facilities and skip facilities through financial measures, to direct WEEE into the formal recycling system.

Throughout the course of 2022, a coordinated programme of Local Authority inspections was carried out. These inspections, specifically aimed at authorised scrap metal and skip facilities, focused on the handling, storage and

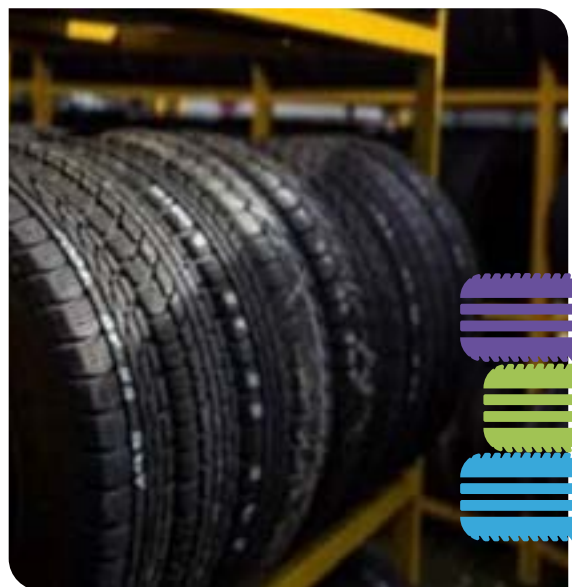
collection arrangements of WEEE. The capture and treatment of this waste stream is vital in assisting with the protection of the environment and achieving the ambitious collection targets set by the recast Waste Electrical and Electronic Equipment (WEEE) Directive (2012/19/EU).

TYRES

Circol ELT operate Ireland's tyre compliance scheme, under approval from the Department of Environment, Climate Action and Communications.

The Environmental Enforcement Agency (EPA) are responsible for the enforcement of regulations in regard to the Producers and the WERLAs coordinate Local Authorities to undertake enforcement on the ground for tyre outlets and facilities. The WERLAs continued to engage with Circol ELT throughout 2022 to facilitate the provision of up-to-date national and regional compliance statistics on the interactive tyre portal. The compliance rate stands at 88% nationally.

In 2022 over 4 million tyres were managed through 2906 Circol ELT Registered Sites (Tyre Retailers & Producers).



End of Life Vehicles (ELV) Pilot Compliance Project

ELV Environmental Services CLG (ELVES) is the compliance scheme for End-of-Life Vehicles (ELVs) in Ireland.

A motor dealer who supplies new or used cars or light commercial vehicles, previously un-registered, to drivers in the Republic of Ireland, has obligations under the ELV Regulations.

The WERLAs liaised with ELVES and other state agencies throughout 2022 in relation to ensuring that all motor dealers are in compliance with their obligations. A number of enforcement actions have been initiated by Local Authorities and it is anticipated that these will be finalised in 2023.

200 Registered Motor companies registered with ELVES in 2022, with 21 motor companies not renewing their memberships from previous years and 8 new sign ups in 2022.

ELVES are currently providing free training to all ATFs in the state to include

- Safe handling of electric and hybrid vehicles and F gas training for ATF air conditioning systems.

ELVES are also providing training to their members on F Gas recovery



Waste Action Plan – Tracking of Waste Flows

The tracking of waste flows is critical to the effective enforcement of waste movement within the State.

Waste data provided in Annual Returns (AR) submitted by permit holders to the NWCPO is used for local, regional and national enforcement and reporting, and to produce national statistics on the generation, recovery and disposal of waste within the State.

AR Validations conducted by local authorities or through joint validations with the Regional Waste Management Planning Offices (RWMPOs), which include the largest waste collectors (Household, commercial & C&D) and local authority permitted waste facilities as identified by the RWMPOs and the EPA, are undertaken annually to ensure that the data reported by permit holders is accurate and complete.

The considerable efforts expended by Local Authorities over the last number of years to monitor the activities of the authorised sector and to ensure submission of ARs by authorised waste collectors and waste facilities/certificates of authorisation is reflected in the high percentage of ARs that have been submitted through the National Waste Collection Permit Office (NWCPO) portal for 2022. Currently national waste collection permit (WCP) ARs, validated by local authorities, is recorded at 90% and

waste facility permit (WFP)/certificates of registration (COR), ARs validated by local authorities, stands at 87%.

National Environmental Management Information System (NEMIS)

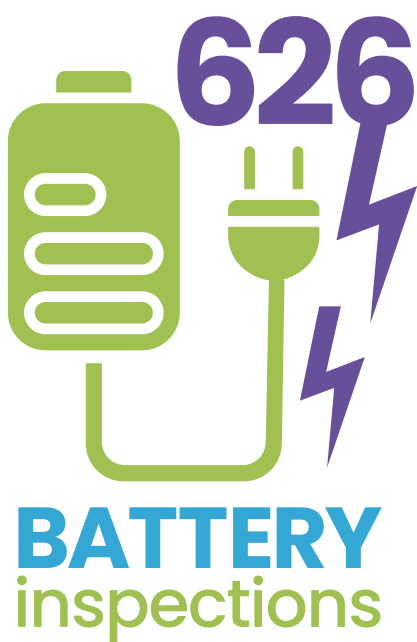
NEMIS is an on-line system for entering data by way of a return to the EPA. Annually local authorities make a return known as the Recommended Minimum Criteria for Environmental Inspection (RMCEI) return which consists of the numbers of complaints and investigations recorded by the Local Authority across a wide range of environmental headings

- Waste;
- Water & Wastewater;
- Air;
- Noise; and
- Planning

The WERLA have been working closely with the Local Government Management Association (LGMA) on the phased release of this system. With NEMIS, the data will be returned by local authorities which will facilitate the annual RMCEI return.



Key Statistics



Remediation of EPR Waste Stream Stockpiles Posing an Environmental Threat

Unfortunately, the very same properties that make Farm Film Plastics and Tyres plastics so useful also present a disposal challenge at the end of their intended life.

Fires in stockpiles of old tyres and used Farm Film Plastic are very hard to control and generate hazardous smoke that can cause a health risk to the community, through the inhalation of particles and chemicals.

Funding was secured in 2021 from DECC and a number of remediation projects completed in 2022 as per the Table below. This funding, administered through the EPR waste stream stockpile remediation grant scheme, is the allocation of capital grants, in recognition of the financial burden on Local Authorities in carrying out essential enforcement action and remediation of these illegal stockpiles.

The remediation works are 100% funded by the Department of the Environment, Climate and Communications (DECC).

Details of EPR waste stockpile remediation projects

WERLAs	Local Authority	Site Reference	Type of Remediation
 connacht-ulster waste region	Galway County Council	Site 1	Tyres
	Donegal County Council	Tawnawully Mountains	Tyres
 eastern-midlands waste region	Westmeath County Council	Site 1	Tyres
	Westmeath County Council	Site 2	Tyres
 southern waste region	Clare County Council	Site 1	Tyres
	Waterford County Council	Site 1	Farm Plastics



The European Union (Mercury) Regulations SI 533/2018

The phasing out of the use of mercury in dental fillings commenced in Ireland in July 2018 and concurrently relevant dental practices were required to fit Amalgam separators to suction systems to filter dental amalgam so that all wastewater going into the main wastewater system has at least 95% of the waste dental amalgam particles removed and thus minimise the impact on the environment.

Over 1000 dental practices were identified nationally with a potential requirement to have these amalgam separators installed and in order to reduce the requirement for physical inspections during a period of restricted movements, a self-declaration form to be completed by dental practices was developed by the WERLAs and

circulated to the relevant dental practices by Local Authorities in 2021.

This proved to be very successful and checks to ascertain the accuracy of the responses were scheduled for 2022.

To ensure consistency in the inspection process, a course was developed to provide basic skills and knowledge for Local Authority personnel and others engaged in the enforcement of the European Union (Mercury) Regulations SI 533 of 2018.

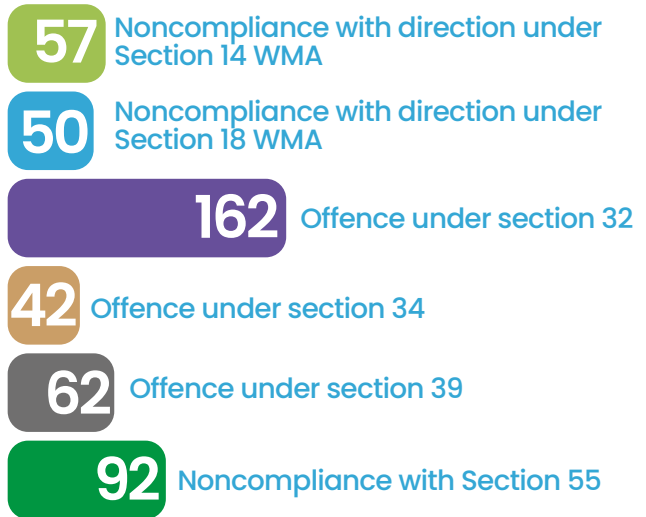
Almost 200 inspections in relation to Mercury Regulation (S.I. No. 533/2018) were carried out by local authorities in 2022.

...all wastewater going into the main wastewater system has at least 95% of the waste dental amalgam particles removed and thus minimise the impact on the environment.

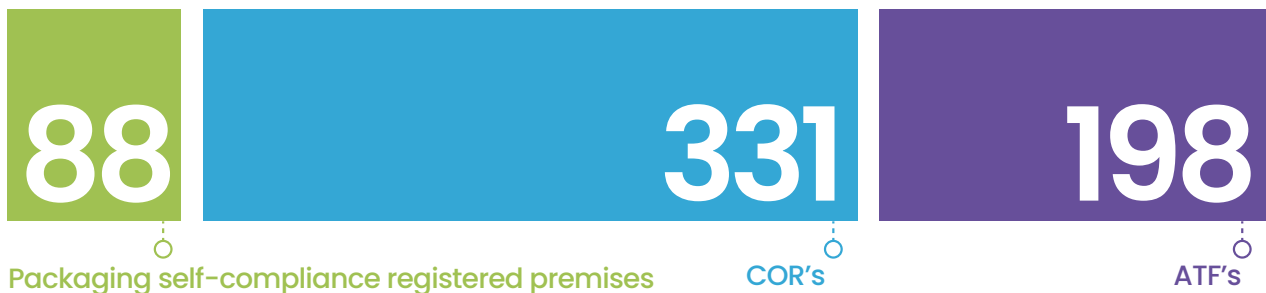
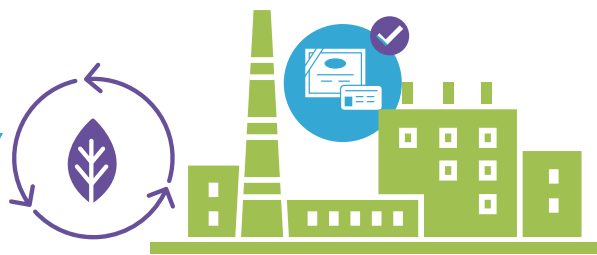


Key Statistics – Source EPA

PROSECUTIONS



733 WASTE FACILITY PERMITS



ENFORCEMENT



WASTE COMPLAINTS



Anti-Dumping Initiative (ADI) 2022

The regulation and monitoring of waste collection, transportation, processing, and disposal lessens the environmental impact of waste generation on the environment and Ireland has developed advanced waste management systems driven by demands for resource recovery, public health, and environmental well-being.

Yet the problem of illegal dumping persists and the DECC, therefore made funding available, through the Waste Enforcement Regional Lead Authorities (WERLAS) to support an Anti-Dumping Initiative (ADI).

Since the launch of this initiative in 2017, over 1,500 projects have been successfully delivered across all 31 local authority areas, which have served to ensure that illegal dumping remains high on the agenda for communities across the country and that the appropriate supports and interventions are available to combat the problem.

Anti-Dumping Initiative 2022.

A key component in tackling illegal waste activities and sites of concern has been availability of funding under the Anti-Dumping Initiative, which in 2022 was in its seventh year.

DECC via Circular Letter WP 03.22 of the 29th March 2022, allocated a total of €3m to local authorities under the 2022 ADI. This included an amount of €100k to be specifically provided for education and awareness, to be used by the Regional Waste Management Planning Offices. As in previous years the WERLAs managed the application process and determined the allocation of funding for projects which adhered to the criteria set out by the DECC.

A full Report on this available separately, but the following is the number of projects and funding allocated by the three WERLAs.

Region	No of Projects	Total Amount Allocated
CUR	83	€945,343
EMR	56	€866,245
SR	112	€1,017,933
RWMPO	1	€33,000

Training

Training Attended/ Provided in 2022	
1	Drone Training
2	La Touche Open-Source Investigation Training
3	Manual Handling Training.
4	NWCPO AR Validation Training
5	Repak Portal Training
6	Sligo IT Waste Policy and Legislation
7	Managing Difficult & Aggressive Behaviour Courses
8	Inspection skills courses
9	Courtroom skills courses
10	Enforcement of the European Union (Mercury) Regulations

To execute their environmental protection responsibilities, Local Authorities require an effective regulatory framework and a well-trained and efficient enforcement workforce.

Individuals working in statutory regulation must understand their governing legislation, relevant legal updates, and their procedures. They also need to have the required skills and competencies to fulfil their role in accordance with current best practice.

However, regulations are constantly being changed, updated, and added to, which means it's difficult to keep training up to-date.

The Environmental Services Training Group (ESTG) was setup to meet the developing requirements of the Environment services sector through the provision of courses at the five regional training centres.

There are five training centres Stranorlar, Castlebar, Dublin, Roscrea, and Ballincollig.

The WERLAs are represented on the board of the ESTG.

Training courses, as outlined above, were held on demand, in 2022. Below we outline further detail on a selection of these courses.



1. Managing Difficult & Aggressive Behaviour Courses – 1-day course

This one-day informative course is tailored for Local Authority waste management inspection staff who interact with the public on a regular basis, and who will on occasion encounter difficult or aggressive members of the public. The course gives participants an insight into what can cause anger or aggression, how to recognise and avoid escalating a situation, and techniques that can be applied to de-escalate potentially aggressive situations.

The following topics were covered on the courses:

- Identifying the signs of rising anger levels.
- The phases of an aggressive incident – how incidents play-out.
- Identifying and avoiding ‘provocative’ behaviour.
- Identifying different types of ‘conflict situations’ and applying appropriate ‘tactics’.
- Defusing tactics, techniques and skills.
- Using everyday negotiation skills to manage difficult situations.
- The aftermath of an incident – typical response and feelings.
- Customised case studies to practice waste inspectors applying the theories covered.

2. Inspection skills courses – 2-day course.

Environmental Inspectors are endowed with a broad range of powers when carrying out the work of monitoring and enforcing legislation.

The training was aimed at local authority staff, engineers and technicians working under waste management and environmental legislation. It was designed to provide environmental inspectors with a clear insight into the regulatory and legal framework in which they work. Attendees learned about their powers, gained an understanding of governing legislation,

how to collect evidence, document findings, how to present evidence in court and how to set up and run an investigation from start to finish.

3. Courtroom skills courses.

The courtroom skills course is a highly practical and experiential training course designed for Environmental Inspectors who may be called upon to give evidence in court.

The course was designed to provide learners with the knowledge, training, and instruction on what is required to prepare for and fulfil the witness’s role in a courtroom setting.

4. Enforcement of the European Union (Mercury) Regulations.

This course was developed in-house by the Local Authority Services National Training Group (LASNTG), in conjunction with the Department of Environment, Climate & Communications (DECC) and the Waste Enforcement Regional Lead Authorities (WERLA).

The aim of this course was to provide basic skills and knowledge for Local Authority personnel and others engaged in the enforcement of the European Union (Mercury) Regulations SI 533 of 2018, to ensure compliance with current guidance and legislation, and to minimise the risk of environmental pollution.

ESTG CONFERENCE 2022

The 2022 Annual Environment Services Training Group (ESTG) conference was held online on the mornings of Wednesday 27th & Thursday 28th April 2022. The conference addressed some of the current issues in Local Authorities around the following areas of Waste, Water Source Protection, Energy & Climate Action and showcased best practice examples of work taking place transforming the sector.



کاشت

Case
Study

1.

Cork County Council and SR WERLA: Significant Breaches at ATF Facility

1.



Photograph 1: ELVs on Site

In 2022 Cork County Council (CCC) waste enforcement team in conjunction with SR WERLA successfully took action to shut down an unauthorised ELV-treatment site which was accepting in the region of 2,000 vehicles annually.

The facility was originally granted a treatment facility (ATF) permit in 2014. The permit allowed for the processing of 75 tonnes per annum, equating to an intake of approximately 60 cars annually.

CCC, as part of their regular monitoring program, noted that intake of ELV's on site had increased to 1,000 t within a few years, over 10 times the allowed permit limit. In 2019 CCC initiated enforcement actions against the operator for exceeding permit tonnage limits.

In August 2020, the WFP permit lapsed and was not renewed as the operator had added significant additional infrastructure without appropriate planning in place. The site continued to operate without a permit with annual returns showing approximately 2,400 tonnes of vehicles were processed, over 30 times the quantity permitted.

Following site inspections in August and October 2021 and the issuing of a direction under Section 14 of the Waste Management Act to cease activity, CCC took the decision to prosecute the company and operator. In April 2022, a multi-agency site inspection was carried out, with WERLA, Motor Assessors and Dept of Social Protection. It was noted that there were 35 intact and an additional 20-30 crushed ELVs on site. SR WERLA continued to liaise with CCC in relation to the site.



Photograph 2: Waste accumulation on site

In conjunction with the SR WERLA, it was agreed that a notice should be issued under Section 55 of the Waste Management Act instructing the operators to cease and clear the premises. Following this the site was cleared of all ELVs, metal waste, tyres and an environmental consultant appointed.

The case was heard in court with the defendants entering a guilty plea. Ultimately the notice under Section 55 was deemed to be complied with. The

Court applied the Probation Act with costs awarded to CCC.

Through successful collaborative action between the CCC waste enforcement team and the SR WERLA the premises ceased activity, and the site ultimately cleaned and restored.

Cork County Council continues to monitor the site to ensure activity does not recommence.

Through successful collaborative action between the CCC waste enforcement team and the SR WERLA the premises ceased activity, and the site ultimately cleaned and restored.



Photograph 3: Site restored and clean



Case Study **2.**

2.

Operation Kanban, Cable Theft: Site Inspections

17th February 2022.

The reason for these site inspections was to follow up on a request from An Garda Síochána to assist in their investigation as to the potential destination in Co. Monaghan for the sale of stolen cables.

At the request of AGS the CUR WERLA office coordinated a Multi-Agency operation involving Monaghan County Council, Cavan County Council, NTFSO, the PSNI, the NIEA and the CUR WERLA to simultaneously inspect authorized scrap yards in Counties, Cavan, Monaghan and Armagh.

After an initial meeting and brief at AGS station in Castleblaney Co. Monaghan, WERLA personnel followed Monaghan County Council, NTFSO and AGS to two locations, both at authorised waste facilities in Co. Monaghan.

WERLA personnel arrived at the first authorized site at 10.00am, where we met the owner.

Monaghan County Council waste enforcement personnel asked to view the premises' General Public Register but the person who manages the Register was unfortunately sick, consequently the operator was not available to provide access to the document but agreed to make it available to Monaghan County Council at the earliest time and date of



Photograph 1 Site 1, Co. Monaghan.

mutual convenience.

We viewed the yard and the waste on site. See attached photographs number 1, 2 and 3.

The site was congested and muddy underfoot in places – there were two significant piles of waste cabling, but these were the wiring looms from end-of-life vehicles and not what was being looked for by AGS.

We left the first site at 10.30am.

We arrived at the second authorized site at 11.00am and met the owner.

We asked for and were given access to the premises Waste Facility Register, which was reported to be in order by Monaghan County Council.

We viewed the yard, which was clean, well ordered and not congested, see photographs 4 and 5.

There were no cables observed on site.

We left the site at 11.30am.



Photograph 2. Site 1 – waste wiring looms.



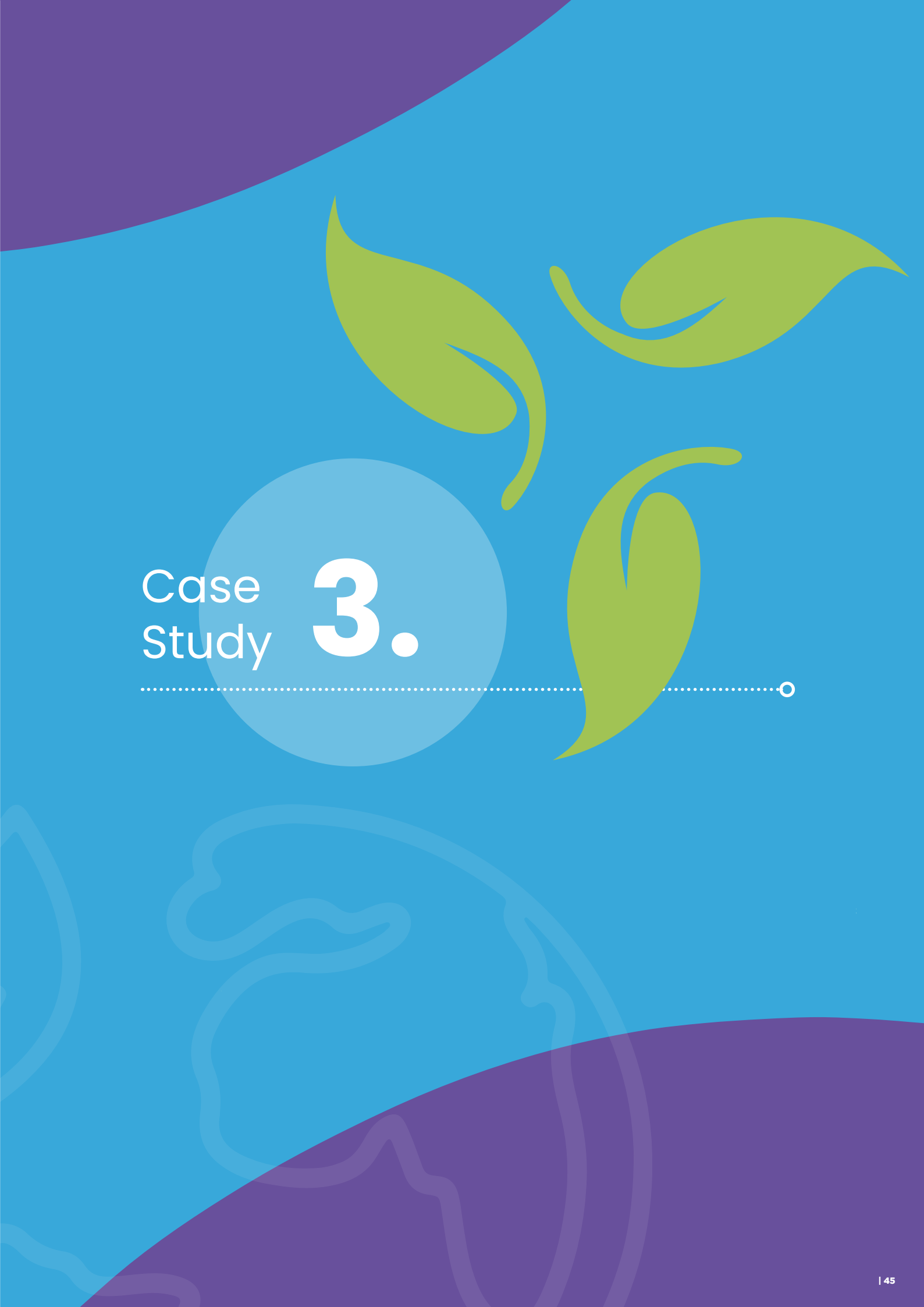
Photograph 3. Site 1 – waste wiring looms.



Photograph 4 Site 2. ELV depollution building.



Photograph 5 Site ELV storage yard.



Case
Study **3.**

3.

Unauthorised C&D Waste Disposal

In 2022, three prosecution cases were successfully presented involving a number of local authorities and national authorities arising from investigations into a waste collection permit holder. The outcome of these cases display the benefits of collaborative work between authorities in tackling illegal waste operations.

Cavan County Council & Meath County Council

On the 11th of January 2021 Ireland was in a level 5 Covid-19 lockdown. Only essential construction projects were permitted during this lockdown phase, resulting in many waste facilities authorised for soil and stone (17 05 04) not in operation. As a result when Meath County Council (MCC) observed two HGVs transporting waste suspected as soil and stone, there was cause for concern and further action was deemed warranted.

The two suspected vehicles were followed by MCC to a location outside Virginia, Co. Cavan. Cavan County Council (CCC) were informed of the suspected waste movements and potential unauthorised disposal. The Garda Síochána were subsequently contacted and assistance was requested. While awaiting the arrival of CCC, MCC flew a drone over the site to determine the exact location, current activities and to gather potential evidence. Aerial images were obtained detailing the scale of the activities.

After entering the site, 5 vehicles listed on the same waste collection permit holder were witnessed, 3 were empty and 2 contained waste on board. There were approximately 9-12 freshly deposited loads of C&D waste, primarily soil and stone visible on the lands. All 5 drivers were interviewed, dockets were examined and photographed.

Section 14 directions were issued to both the land owner and to the waste collection permit holder. Following a number of site visits by CCC and meetings with an

environmental consultant, the land owner was subsequently issued with a section 55 notice.



Following additional site inspections and interviews with the landowner, witness statements were taken by MCC waste enforcement officers, all of which resulted in a file being prepared and a summons issued on the waste collection permit holder.

On October 18th 2022 and on November 24th 2022 Cavan County Council presented evidence against the accused waste collection permit holder for offences under section 32(1)(a)(b), Section 32(2), Section 34(1)(c) and Section 39 of the waste management act. Following a two day hearing where waste enforcement officers were strenuously cross-examined, clarification sought on waste v's topsoil and drone registration, the judge imposed fines of €4,500 and awarded costs and expenses of €14,000.

Dublin City Council & NTFSO

Dublin City Council (DCC) received intelligence on the unauthorised disposal of C&D waste. The suspected illegal activity was occurring on waste originating in the Dublin region to multiple sites in proximity to the M1 motorway and the border with Northern Ireland. As a result DCC in conjunction with the National Transfrontier Shipment Office (NTFSO) established a monitoring project on the M1 motorway in July 2019.



A waste collection permit holder was identified as part of this monitoring project as carrying out unauthorised disposal of waste soil and stone (17 05 04) at two separate locations in July 2019. Cradle to grave investigations were the primary focus of the investigation. The unauthorised sites identified were in Co. Monaghan and Co. Armagh Northern Ireland while the site of origin was identified in Dublin.

Monaghan CC, the NIEA and the PSNI were all engaged in relation to the unauthorised sites of disposal.

An investigation was subsequently launched into waste soil and stone removed from the site in Dublin. DCC officers carried out a full C&D waste audit and seized all waste documentation including the waste register and waste collection dockets, as evidence. Statements were taken from the project developers and the primary contractor, who sub-contracted the waste removal works. An interview under caution was subsequently carried out by waste enforcement officer of the NTFSO and DCC with waste collection permit holder. Both DCC and the NTFSO prepared files on the respective unauthorised locations and depended on witness statements from Monaghan CC and the NIEA to prove no waste authorisations were in place.


On the 19th of September 2022 DCC presented evidence at Carrickmacross District Court which resulted in the waste collection permit holder being convicted and fined €4,000 for offences under section 34(1)(c) and section 34(6)(a) of the Waste Management Act as amended. DCC were also awarded €12,455.33 costs.

The NTFSO were the lead investigators against the unauthorised disposal at the site in Co. Armagh and on the 7th of October 2022 the NTFSO presented evidence that subsequently resulted in the conviction of the waste collection permit holder and fined €2,000 with costs awarded to DCC of €11,897.32



Appendices

Publications 2022

	
Inspection Forms	02
Standard letters	07
Standard notices & Orders	01
Submissions	03
Workflow diagrams	02
Internal Standard Operation Procedure (SOP's)	01
Reports	07

Glossary

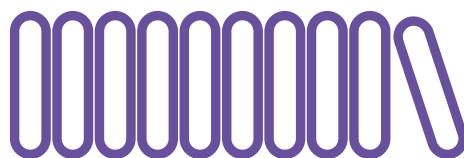
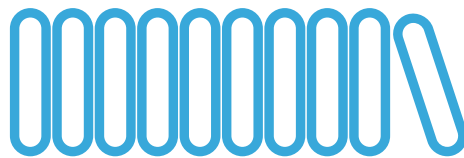
AR	Annual Returns	IWMA	Irish Waste Management Association
AER	Annual Environmental Returns	LA	Local Authority
ADI	Anti-Dumping Initiative	LoW	List of Waste Code
AGS	An Garda Siochana	MMW	Mixed Municipal Waste
ASDP	Annual Services Delivery Plan	LGMA	Local Government Management Agency
ATF	Authorised Treatment Facility	NBCI	National Bureau of Criminal Investigations
CCMA	City and County Managers Association	NEMIS	National Environmental Management Information System
COR	Certificate of Registration	NIECE	Network for Ireland's Environmental Compliance and Enforcement
CoDs	Certificates of Destruction	NIEA	Northern Ireland Environment Agency
C&D	Construction and Demolition	NTFSO	National Transfrontier Shipment Office
CATCEN	Climate Action, Transport, Circular Economy, and Networks Committee	NWCPO	National Waste Collection Permit Office
DECC	Department of Environment, Climate and Communications	NWEP	National Waste Enforcement Priorities
DPIA	Data Protection Impact Assessment	NWESC	National Waste Enforcement Steering Committee
DTTAS	Department of Transport, Tourism and Sport	PSNI	Police Service of Northern Ireland
ELV	End-of-Life Vehicle	PRI	Producer Responsibility Initiative
EEA	European Economic Area	PTU	Pay To Use
EPA	Environment Protection Agency	RMCEI	Recommended Minimum Criteria for Environmental inspections
ERP	European Recycling Platform	WEO/ SWEO	Waste Enforcement Officers/Senior Waste Enforcement Officers
EU	European Union	SLA	Service Level Agreement
EnviCrime Net	Network of Police Officers focused on tackling environmental crime	TFS	Transfrontier Shipment
ENPE	European Network of Prosecutors for the Environment	WFP	Waste Facilities Permit

ESTG	Environmental Services Training Group	WCP	Waste Collection Permit
EUFJE	European Union Forum of Judges for the Environment	WMA	Waste Management Act
FPN	Fixed Payment Notice	WERLA	Waste Enforcement Regional Lead Authority
GDPR	Global Data Protection Regulation	WEEE	Waste Electrical and Electronic Equipment
ICG	Industry Contact Group	WERLA CUR/EMR/SR	Waste Enforcement Regional Lead Authority Connacht Ulster Region/East Midlands Region/ Southern Region
IE	Industrial Emissions licensing	WMPLA	Waste Management Planning Lead Authority
IPC	Industrial Pollution Control licence	WWEPP	Water, Waste, Environment & Emergency Planning (Committee)



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