

WASTE ENFORCEMENT
REGIONAL LEAD AUTHORITY

ANNUAL REPORT 2021



Rialtas Áitiúil Éireann
Local Government Ireland



southern
waste region



connacht-ulster
waste region



eastern-midlands
waste region

TO THE DEPARTMENT OF ENVIRONMENT,
CLIMATE AND COMMUNICATIONS.

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Introduction from the WERLAs

Three WERLAs, covering the Connacht-Ulster, Eastern Midlands, and Southern Regions, were established in 2015 with responsibility for coordinating the waste enforcement activities of local authorities, setting priorities and common objectives for waste enforcement, and ensuring consistency of enforcement of waste legislation while still leaving local authority personnel as first responders on the ground.

The enhanced role for the WERLAs, envisioned by the post implementation review carried out in 2018, will position the local authority sector to better respond to emerging and priority enforcement challenges and ultimately result in a more effective and efficient enforcement system in the Local Government Sector.

The Service Level Agreements were signed between the DECC and the three WERLAs in 2021.

This annual report presents activities and achievements from 2021.

Foreword

Environmental Regulators in Ireland are responsible for more than 500 environmental protection functions contained within some 100 pieces of legislation.

Waste Enforcement Officers will need little convincing that compliance is not always given the attention that it merits, particularly by those not directly involved with monitoring waste activity. But as much as press coverage of high-profile enforcement can be useful for deterrence, we are not in the headlines business – our mission is to ensure that the credibility of our systems of waste management is not undermined.

The Waste Action Plan for a Circular Economy acknowledged that “Over the past two decades Ireland has made significant progress in driving our performance up the waste hierarchy and moving away from disposal as our primary treatment option. Having been found by the European Court of Justice in 2005 to be “generally and persistently” failing to meet the requirements of the Waste Framework Directive, we are either fully achieving or are on track to achieve all our EU waste targets”.

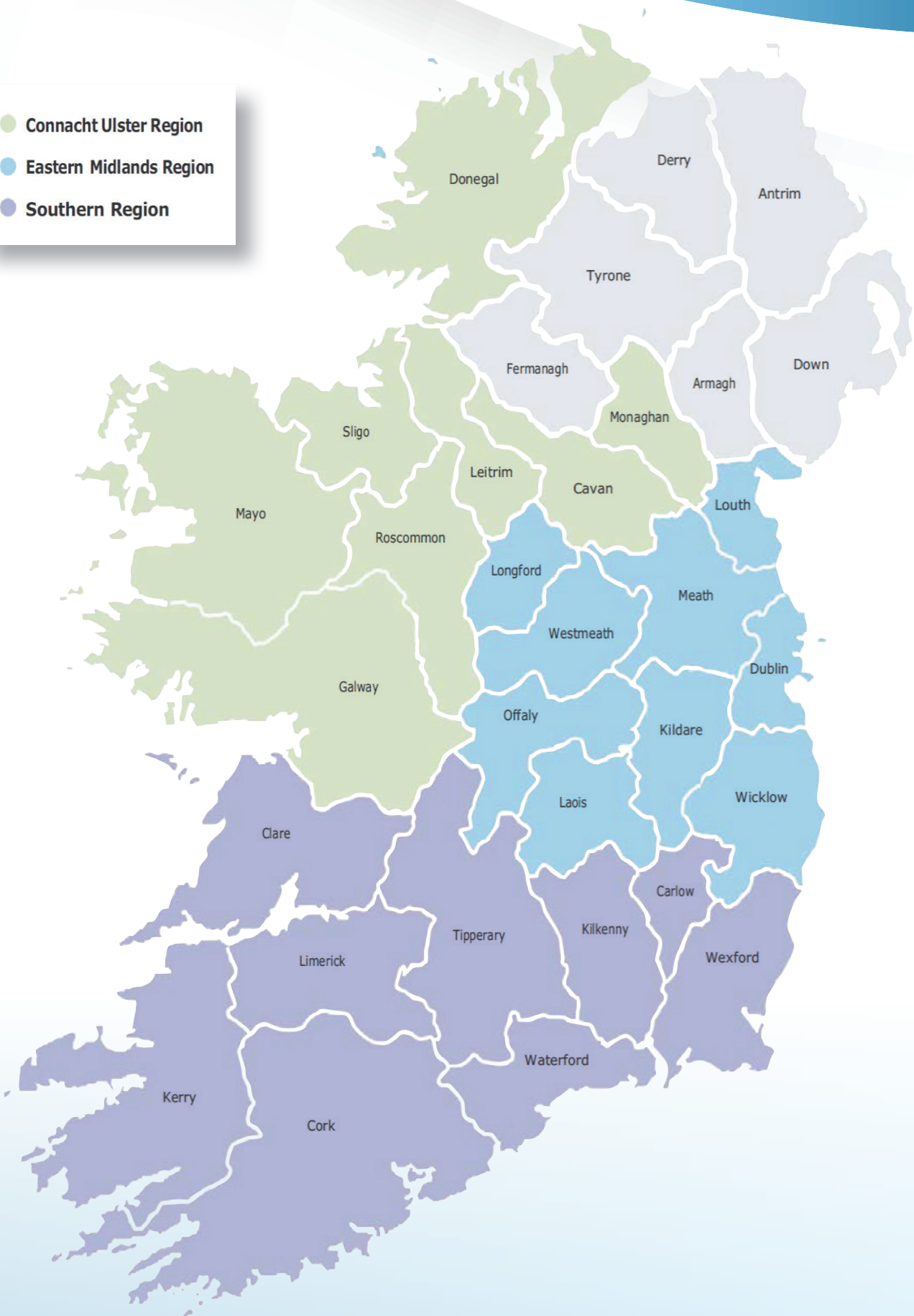
The local Government Sector, assisted by three Waste Enforcement Regional Lead Authorities (WERLAs), have endeavoured to move away from the traditional approach to regulatory enforcement of reacting to failures and have, instead, sought to identify opportunities for intervention and prevention and seek to balance traditional enforcement with compliance and awareness work.

The more we can raise awareness of the obligations under the various acts & regulations and promote a culture of compliance amongst the waste industry and the general population, the more we will be able to demonstrate that those who do not comply merit the serious punishments that we are empowered to impose.

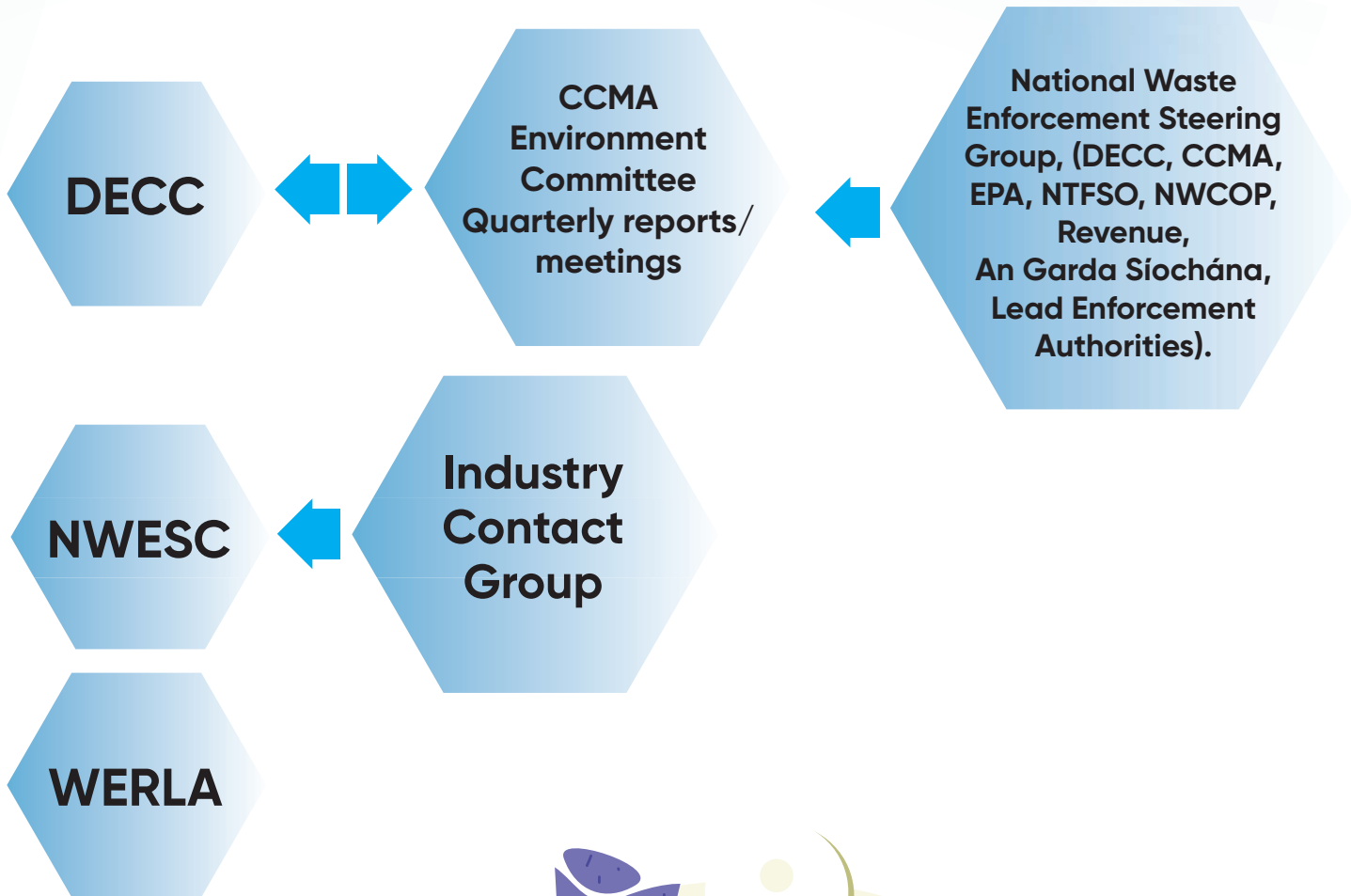
Glossary

CCMA	County and City Managers Association	NIECE	Network for Ireland's Environmental Compliance and Enforcement
AA	Appropriate Assessment	NTFSO	National Transfrontier Shipment Office
AER	Annual Environmental Return	NWCPO	National Waste Collection Permit Office
AGS	An Garda Siochana	PRO	Producer Responsibility Officer
ATF	Authorised Treatment Facility	RC	Regional Coordinator
C&D	Construction & Demolition	SEE	Senior Executive Engineer
CEO	Chief Executive Officer	SEO	Senior Executive Officer
CAED	Criteria for Assessment of Environmental Damage	SMP	Suspected Major Producers
DECC	Department of Environment, Climate and Communications	SOP's	Standard Operation Procedures
EEA	European Economic Area	TFS	Transfrontier Shipment
EFTA	European Free Trade Association	UAV	Unmanned Aerial Vehicle - Drone Technology
ELV	End of Life	WEO	Waste Enforcement Officer
ELVES	End of Life Vehicle Environmental Services	WFP	Waste Facility Permit
EPA	Environmental Protection Agency	WMA	Waste Management Act
ESTG	Environmental Services Training Group	ADI	Anti-Dumping Initiative
ENPE	European Network of Prosecutors for the Environment	EUFJE	European Network Forum of Judges for the Environment
EnviCrimeNet	Network of Police Officers focusing on tackling environmental crime.	DCCAE	Department of Communications, Climate Action and Environment
EWC	European Waste Catalogue	IDC	Industry Contact Group
FPN	Fixed Payment Notice	NWESC	National Waste Enforcement Steering Committee
HH	Household	WERLA	Waste Enforcement Regional Lead Authority
ICG	Industry Contact Group	WERLA CUR	Waste Enforcement Regional Lead Authority in the Connaught Ulster Region
ICT	Information Communication Technology	WERLA EMR	Waste Enforcement Regional Lead Authority in the Eastern Midlands Region
IMVRA	Irish Motor Vehicle Recyclers Association	WERLA SR	Waste Enforcement Regional Lead Authority in the Southern Region
IMPEL	European Network for the Implementation and Enforcement of European Law	local authority / LA	includes the corporation of a borough of any kind and the council of an urban district
IWMA	Irish Waste Management Association	PRI	Producer Responsibility Initiative
LASNTG	Local Authority Services National Training Group	RMCEI	Recommended Minimum Criteria for Environmental inspections
LGMA	Local Government Management Agency	MIS	Management Information System
LoW	List of Waste		

- Connacht Ulster Region
- Eastern Midlands Region
- Southern Region



WERLA Governance Structure



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 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 overseen by the National Waste Enforcement Steering Committee (NWESC) and is co-chaired by the Department of Environment, Climate & Communications (DECC) & the EPA. The NWESC determine National Waste Enforcement Priorities (NWEPS) and drive consistency at a central level. The NWEPS 2021 were set at the NWESC meeting on the 18th of November 2020.

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, Environmental Protection Agency (EPA), An Garda Síochána (AGS), 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 (LAW PC).

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 Local Authority Waste Programme Co Ordinator LAW PC 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 (WERLA) National Transfrontier Shipment Office (NTFSO), and National Waste Collection Permit Office (NWCPO) to ensure consistency of approach.

Stakeholder Engagement

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

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 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, 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 structural, personal, and frequent contact 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 with, and participating in international regulatory networks such as IMPEL, EnviCrimeNet, ENPE & EUFJE.

Policies/Objectives 2021

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 2019 as agreed by the National Waste Enforcement Steering Committee (NWESC).

A2 Policy:

Support and monitor implementation of PRI schemes in 2019 as agreed by the NWESC.

A3 Policy:

Support and monitor implementation of Mercury Regulations in 2019 as agreed by the 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.

Objective C:

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:

To communicate effectively amongst stakeholders.

Objective D:

D1 Policy:

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

Objective E:

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 2021

TACKLING SIGNIFICANT ILLEGAL WASTE ACTIVITY

Tackling significant illegal waste activity

- Tackling significant illegal waste activity, focussing on illegal dumping and on unauthorised collectors (including collectors not authorised for specific wastes).
- Monitoring compliance by the authorised industry to ensure that they do not support the activities of unauthorised collectors.
- Utilising the Anti-Dumping Toolkit material which is hosted on mywaste.ie to combat such activities and to raise awareness.

Over the past 20 years, changes in legislation, waste policy, economic initiatives, infrastructure, and the consolidation of the regulatory structure have all impacted waste management

practices in Ireland. There are multiple methods for household and commercial premises to dispose of their waste in an environmentally sound manner, for instance having it collected through kerbside waste collection (76% of all household waste), bringing it to the network of 120 civic amenity sites or 1850 bring bank centres, scheduled bulky waste collections or by using the services of an authorised waste collector.

Key Statistics

- Investigative inspections of fly tipping or illegal dumping, excluding unauthorised C&D, ELVs & Tyres – **22655**
- Inspection in relation to unauthorised waste collectors **633**.
- Inspections in relation to other unauthorised waste sites **469**.

National Waste Enforcement Priorities 2021

CONSTRUCTION & DEMOLITION WASTE

Construction and Demolition waste (C&D) is the largest waste stream in the EU, representing one third of all waste generated. It is the largest waste stream produced in Ireland and it is expected to increase from 7.29M tonnes in 2021 to 12.6M tonnes in 2029, in line with the delivery of housing and infrastructure projects set out in Project Ireland 2040.

This poses challenges for the management of C&D waste resulting in the WERLAs and Local Authorities focusing on

- Unauthorised disposal of C&D waste, including the management, movement, and disposal of C&D waste by monitoring a specific number of LoW codes.

Annual Return (AR) data from waste collectors and waste facilities was analysed and used to identify large collectors and facilities for a particular List of Waste (LoW) codes. The appropriate WERLA guidance was used by waste enforcement officers to carry out cradle to grave inspections remotely.

- Ensuring the appropriate management and controls are in place at source on construction sites to confirm appropriate management of materials arising.

The proper management of C&D waste and resources can have significant benefits in terms of sustainability. The Waste Action Plan (WAP) for a Circular Economy identifies that under certain circumstances

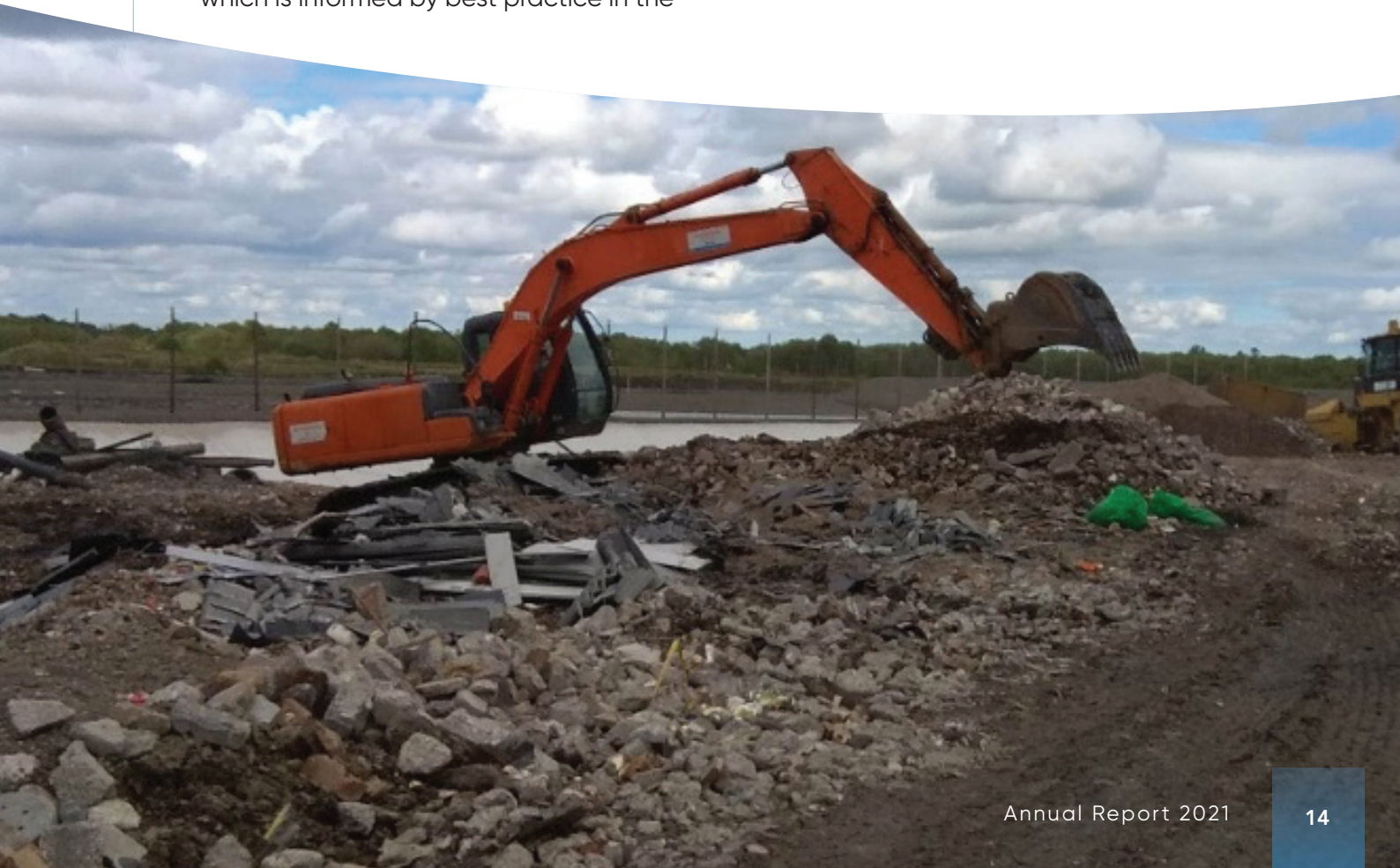


substances may be considered a by-product rather than a waste. This has circular economy benefits by ensuring that the productive life of resources is enhanced and extended. It also minimises the requirement for the extraction of additional natural resources.

The 2006 guidelines “Best Practice on the Preparation of Waste Management Plans for Construction and Demolition Projects” were replaced by “Best Practice Guidelines for the Preparation of Resource & Waste Management Plans for Construction & Demolition Projects” on the 30th of November 2021 to consider new regulations and up to date best practice. These guidelines provide a practical approach which is informed by best practice in the

prevention and management of C&D wastes and resources from design through to construction and deconstruction. The guidelines provide clients, developers, designers, practitioners, contractors, sub-contractors, and competent authorities with a common approach to preparing Resource and Waste Management Plans.

Despite the Covid 19 lockdown there was an increase in notifications under Article 27 compared to pre-covid times. 485 by-product notifications under Article 27 (458 in 2019) were made, of which 454 (94%) are awaiting determinations. 15 have been determined as by-product, 1 determined as waste and 15 notifications were withdrawn.



National Waste Enforcement Priorities 2021

CONSTRUCTION & DEMOLITION WASTE

C & D Inspections 2021

1491

Inspections in relation to segregation, recovery, and disposal of C&D waste

952

Investigative Inspections in relation to unauthorised C&D sites
(Sites with no permit)

425

Inspections of sites notified under Article 27



National Waste Enforcement Priorities 2021

END OF LIFE VEHICLE (ELV) DIRECTIVE & THE WASTE METAL INDUSTRY

Every year, millions of vehicles in Europe reach the end of their life. When end-of-life vehicles (ELVs) are not properly managed, they can cause environmental problems and the European economy loses millions of tonnes of materials.

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 and this remained the case in 2021 and focussed on

1. A targeted inspection programme of authorised ELV sites and ELV operators and co-ordinated action against unauthorised ELV sites and ELV operators will be undertaken.
2. Ensure appropriate record keeping and reporting is being undertaken to provide evidence for Ireland's overall recovery rates for ELV fractions, including the recording of evidence of shredder residue recovery.

The intervention strategy developed by the WERLAs has, in general, been directed at monitoring the authorised industry to ensure that they are not facilitating unauthorised vehicle dismantlers and closing down unauthorised ELV sites as outlined below

3. Monitoring the leakage of WEEE to metal recycling facilities, to determine if action is required and to ensure that WEEE is appropriately segregated for treatment and recovery.

A WEEE leakage strategy was devised. This strategy sought to improve the recovery and recycling of WEEE by all permitted waste collectors and waste facilities. The strategy led to the adjustment of existing inspection forms for Authorised Treatment Facilities (ATFs) and permitted waste skip collectors and to incentivisation by the payment of a rebate by the WEEE compliance schemes to support the segregation of WEEE at these sites.

National Waste Enforcement Priorities 2021

END OF LIFE VEHICLE (ELV) DIRECTIVE & THE WASTE METAL INDUSTRY

ATF Inspections 2021

449

Investigative Inspections in relation to unauthorised ELV sites and suspected sites of origin as notified by the NTFSO (sites with no permit)

283

Inspections in relation to authorised ELV facilities with an emphasis on traceability requirements (SI 320 of 2014)



National Waste Enforcement Priorities 2021

END OF LIFE VEHICLE (ELV) DIRECTIVE & THE WASTE METAL INDUSTRY & HIGH VALUE WASTE STREAMS PROJECT (HVWS).

ELVs and their components can have a significant monetary value (e.g., catalytic converters and lead acid batteries). This value can encourage the illegal dismantling of ELVs in the community which can result in significant environmental pollution. ATFs authorised under the Waste Management Act either by the Local authority or the EPA can potentially facilitate this illegal activity by accepting high value waste streams arising from unauthorised dismantling or criminal activity. High Value Waste Streams are the wastes associated with LoW codes namely 16 01 04* - polluted vehicles, 16 0106 - depolluted vehicles, 16 01 03 end of life tyres, 16 06 01* lead batteries and 16 08 01 - spent catalytic convertors. These high value waste streams enter the ATFs under the guise of 'public' and are subsequently processed. This activity can undermine compliant operators and foster the growth of illegal dismantling and the theft of high value car components.

To bring additional focus to the enforcement effort, the HVWS project analysed 2019 reporting of data by ATFs to the NWCPO for annual returns and to DTTAS for the issuing of Certificate

of Destruction (CODs) and the WERLAs completed the examination of this data in early 2021. This analysis was made possible by developing a data validation tool that converted tonnes into units and vice versa. ATFs with the most significant anomalies were identified and selected for These investigations have now been completed and some of the early findings include

- Waste accepted and processed without CODs being issued.
- Poor data capture.
- Lack of uniform conversion rates used by facilities
- Variations in List of Waste codes being used.
- Continued prevalence of public users
- Intermingling of site reporting

The findings will result in a further programme of follow up investigations and enforcement actions where required going into 2022.

National Waste Enforcement Priorities 2021

WASTE COLLECTION - HOUSEHOLD AND COMMERCIAL

Ireland generates 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. The European Union (Household Food Waste and Bio- waste) Regulations 2015, as amended place obligations on both householders and waste collectors. Householders are required to segregate their food waste and make it available for separate collection. Waste collectors are required to provide and/or provision for a separate collection of food waste from households in agglomerations >500 persons.

- Ensure compliance with waste collection permits, including the continued roll-out of the Brown Bin in designated areas and monitoring of compliance in the skip hire sector.
- Awareness raising and inspection to drive improved household waste segregation practices.
- The Commercial Food Waste Regulations (S.I. No. 508 of 2009 - Waste Management (Food Waste) Regulations 2009) are in place since 2009. The regulations require producers of food waste to place same in a dedicated bin, not mix with other waste streams and have a brown bin collection service to facilitate the recycling of the waste.
- Compliance and improved segregation in commercial waste with a particular focus on food retailer's restaurants, and hotels to improve the segregation of organic matter, the separation of dry recyclables (including plastics) and the provision of evidence of food waste minimisation.

National Waste Enforcement Priorities 2021

HOUSEHOLD AND COMMERCIAL WASTE COLLECTION INSPECTIONS 2021

887

Commercial Food Waste Inspections (original waste producers, e.g., hotels, nursing homes, restaurants, etc.)

6343

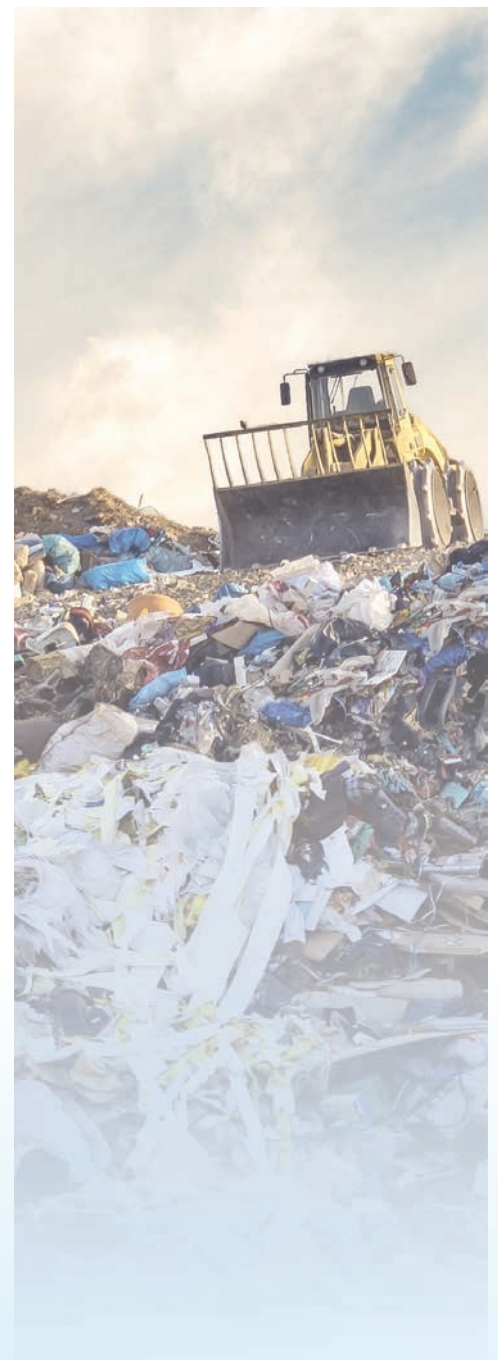
Household Waste Surveys (including monitoring of compliance with segregation requirements)

2089

Inspections in relation to the household and commercial kerbside waste collection regime (including brown bin)

2597

Household Waste/ waste presentation Inspections arising from complaints, including backyard burning



National Waste Enforcement Priorities 2021

MULTI-AGENCY SITES OF INTEREST

Sites which may contain waste that has been deposited without authorisation and where there are reasonable grounds to believe that there is ongoing illegal activity should be identified by local authorities and the relevant WERLA office informed,

so that multi-agency responses can be initiated in a timely manner.

During 2021 there were 239 multi-agency operations, including vehicle checkpoints and multi-agency site inspections.



National Waste Enforcement Priorities 2021

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TRACKING OF WASTE FLOWS

The NWESC recognised that the tracking of waste flows is critical to the effective enforcement of the waste code in the State. In this respect, A Waste Action Plan for a Circular Economy Ireland's National Waste Policy 2020-2025 identified several measures to improve the quality and timeliness of data and to ensure that data can be shared by all relevant agencies – these were coordinated by the WERLAs as outlined below: -

Multi Agency Operations

The WERLAs continue to coordinate multi-agency operations across the regions to target unauthorised activities using intelligence and the coordination of enforcement action between enforcement agencies to tackle serious waste crime. The Covid-19 pandemic presented challenges in terms of multi-agency activities across the State. The WERLAs modified enforcement strategies to facilitate and support multi-agencies operations, resulting in successful outcomes. The re-establishment of the regional multi-agency groups across the three regions is anticipated in 2022, with the lifting of Covid-19 restrictions..

Joint Validations

WERLAs continued with joint Annual Return (AR) validations with the RWMPO for the most significant permit holders identified in the State. This work will continue in 2022. As members of the Data validation working group WERLA team members were nominated as mentors to assist local authorities during AR validations.

RMCEI Planning

RMCEI continues to underpin environmental enforcement in Ireland and in 2021 waste enforcement planning for the incoming year was relayed to constituent Local Authorities under DECC Circular WP 08/20.

This circular directed Local Authorities as to their National Waste Enforcement Priorities or the incoming year – should read “for the incoming year using the RMCEI planning process. Throughout 2021 the progress of individual RMCEI plans, specifically regarding NWEPS, was monitored and adjusted through the WERLA governance structure.

This was further enhanced by the LGMA monthly returns which collated the data for local authorities and was reported to the various WERLA governance structures throughout the year.

National Waste Enforcement Priorities 2021

EXTENDED PRODUCER RESPONSIBILITY (EPR) WASTE STREAM

Automotive batteries

New Batteries regulations are due for issue by the European Commission. Once these regulations are issued, they will become law in each member State. These regulations propose the introduction of a battery passport for each battery. Different batteries will also be identified including electric vehicle batteries.

The WERLAs made a submission to the DECC as part of the consultation process for the proposed new battery regulations.

Packaging

The packaging enforcement programme for 2021 is ongoing. Suspected Major Producers (SMPs) identified by the compliance scheme were agreed with Local Authorities and uploaded to the packaging portal in April.

In identifying SMPs for inspection, the WERLAs were cognisant of the impact of Covid 19 and the trading status of SMPs was a determining factor in whether an

inspection was merited, particularly in the hospitality sector.

Training was provided, online through MS Teams due to the Covid restrictions, to new local authority staff using the guidance document, developed by the WERLAs, for the enforcement of the packaging regulations.

Packaging inspections took place remotely rather than in person as part of the packaging pilot.

WEEE

The capture and treatment of WEEE 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.

The WERLAs coordinated a programme of Local authority inspections in 2021 specifically focusing on the handling, storage, and collection arrangements of

WEEE at ATFs and Skip Hire Facilities. To increase the convenience and visibility of WEEE recycling, the approved bodies (WEEE Ireland and ERP) commenced providing rebates for authorised scrap metal facilities and skip facilities through financial measures, to direct WEEE into the formal recycling system.

The WERLAs receive from the compliance schemes a list of permit holders who either have not signed up for the WEEE rebate or are availing of the rebate but release limited quantities of WEEE to the schemes. The WERLAs circulate these reports for investigation to the relevant local authority for investigations.

The WEEE leakage strategy has led to a greater cooperation among stakeholders.

TYRES

Local authorities continue to focus their tyre inspections on retailers who have not joined or whose membership was revoked due to their failure to satisfy conditions of membership with the approved body.

Repak ELT as provided under the Waste Management Tyres and Waste Tyres regulations 2017 as amended (S.I. 400 2017). This national priority is co-ordinated by the WERLA offices. The compliance rate for

retailer membership stands at 87% nationally. FPNs are viewed as cost effective mechanisms for improving compliance with the regulations for offences that were previously prosecuted in court. The WERLAs made a submission to DECC proposing the inclusion of 15 FPNs for tyres – this will free up the resources of the courts and local authorities and act as an incentive for retailers to meet their obligation and avoiding a financial penalty. 2904 premises registered in total at year end 2021.

End of Life Vehicles (ELV) Pilot Compliance Project

The European Union (End-of-Life Vehicles) Regulations 2014, as amended place specific obligations on vehicle owners, producers and authorised treatment facilities regarding the deposit, treatment, and disposal of ELVs.

The regulations encourage the reuse, recycling and recovery of ELVs.

Producers of specified vehicles (importers of new and used cars) have an obligation to register with each Local authority within the State or with the approved body. ELVES is the approved (ELV) compliance scheme for Ireland. ELVES is funded by its Producer members, new and used vehicle importers.

Producers who fail to register with each

Local authority or join the approved body are not fulfilling their obligations under the Regulations.

The ELV pilot compliance enforcement project continued in 2021 with inspections limited due to the Covid-19 pandemic. Targeted inspections of specified vehicle producers continue to be carried out by local authorities.

The withdrawal of the United Kingdom (UK) from the European Union (EU) impacted on producers importing used vehicles into the State. From the 1st of January 2021, producers importing used vehicles from the UK are subject to additional costs in terms of import tariffs.



Funding for remediation of EPR waste stream stockpiles posing an environmental threat

Unfortunately, the very same properties that make farm film plastics and tyre 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.




In 2021 the DECC was able to secure funding to proceed with the remediation of a few sites of concern containing tyres and farm film plastic put forward by local authorities through the WERLA's. 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).

The programme for remediating sites of Extended Producer Responsibility waste stream stockpiles gained momentum in 2021. There are currently 5 sites across the State under the programmes remit. Two each in the Eastern Midlands and Southern region and one in the Connacht Ulster region. All sites have completed the tender process in accordance with public expenditure procedure. Two sites based in the Connacht Ulster and one site in the Eastern Midlands regions have had all waste tyres removed. Two sites located in the Southern region storing waste tyres and waste farm plastics are in the process of having their waste removed and this will be completed in 2022. It is anticipated that another site based in the Eastern Midlands region will also be completed in 2022.

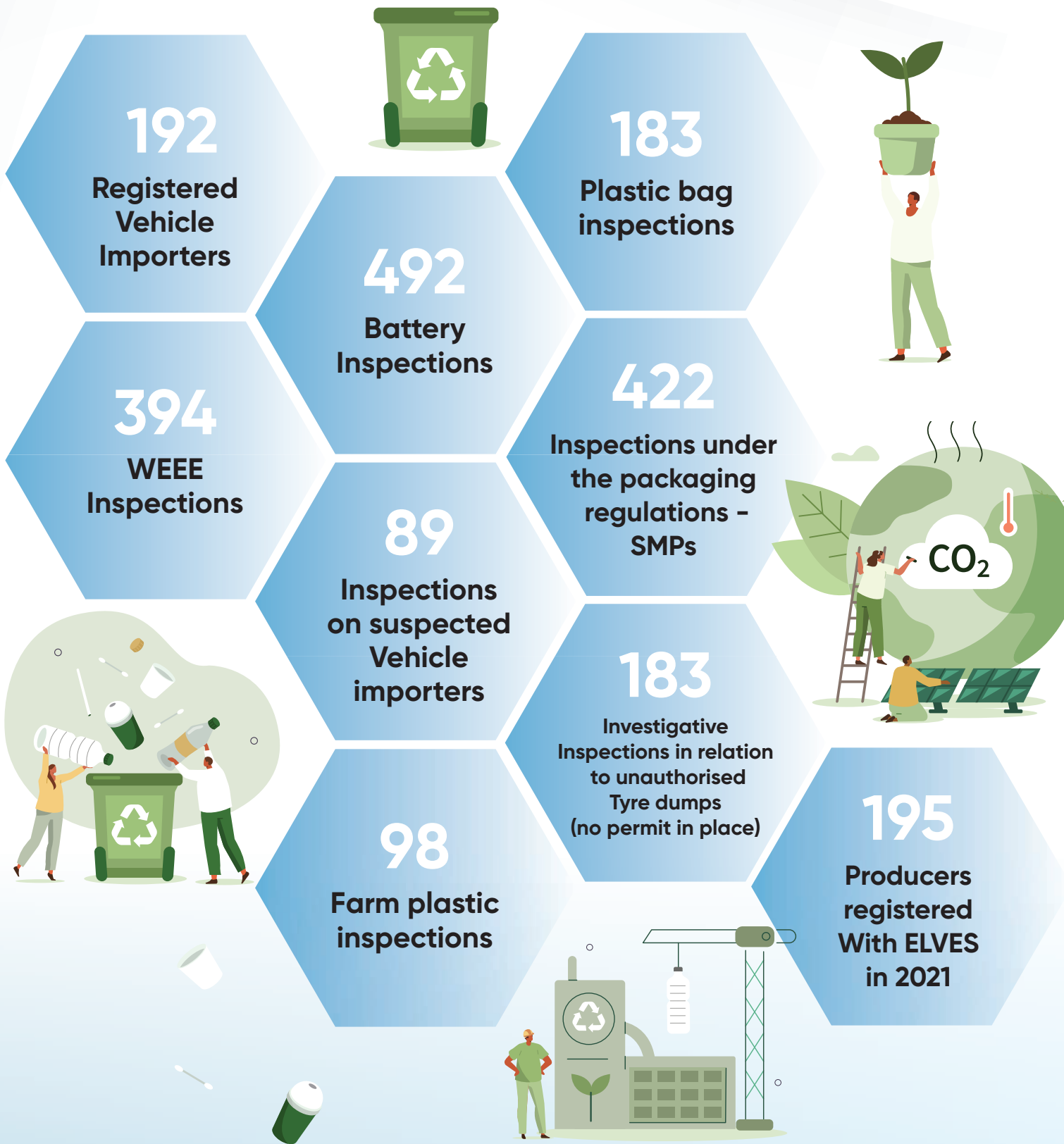
The respective WERLAs are coordinating progress on these sites with the local authorities and the DECC. Funding for these sites has been approved by the DECC if works are completed, and payments made within a set timeframe

SITES needing 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	Tyres	Commenced
	Waterford County Council	Farm Plastics	Commenced



KEY STATISTICS – EPR





Tyre site

THE EUROPEAN UNION (MERCURY) REGULATIONS SI 533/2018

Mercury, a naturally occurring element that can be found in the earth's crust, is a highly toxic metal that is liquid at room temperature.

Humans have mined and used mercury for thousands of years and this has significantly increased the levels of mercury present in our air, water, and soils.

Mercury exposure even in small amounts may cause serious health effects, such as:

- It may affect a child's brain development in utero and into their developmental years.
- it may cause toxic effects on the digestive, nervous and immune systems and on lung, kidney, skin, and eyes through prolonged or repeated exposure.

Mercury in the environment has a significant impact on wildlife, including reducing the fertility of affected animals and changing their behaviour; it bioaccumulates in fish. Dental amalgam is a dental filling material used to fill cavities caused by tooth decay. Dental amalgam is a mixture of metals, consisting of liquid (elemental) mercury and

a powdered alloy composed of silver, tin, and copper. Approximately half (50%) of dental amalgam is elemental mercury by weight.

The phasing out of the use of mercury in dental fillings commenced in Ireland in July 2018 and concurrently relevant dental practices are 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.

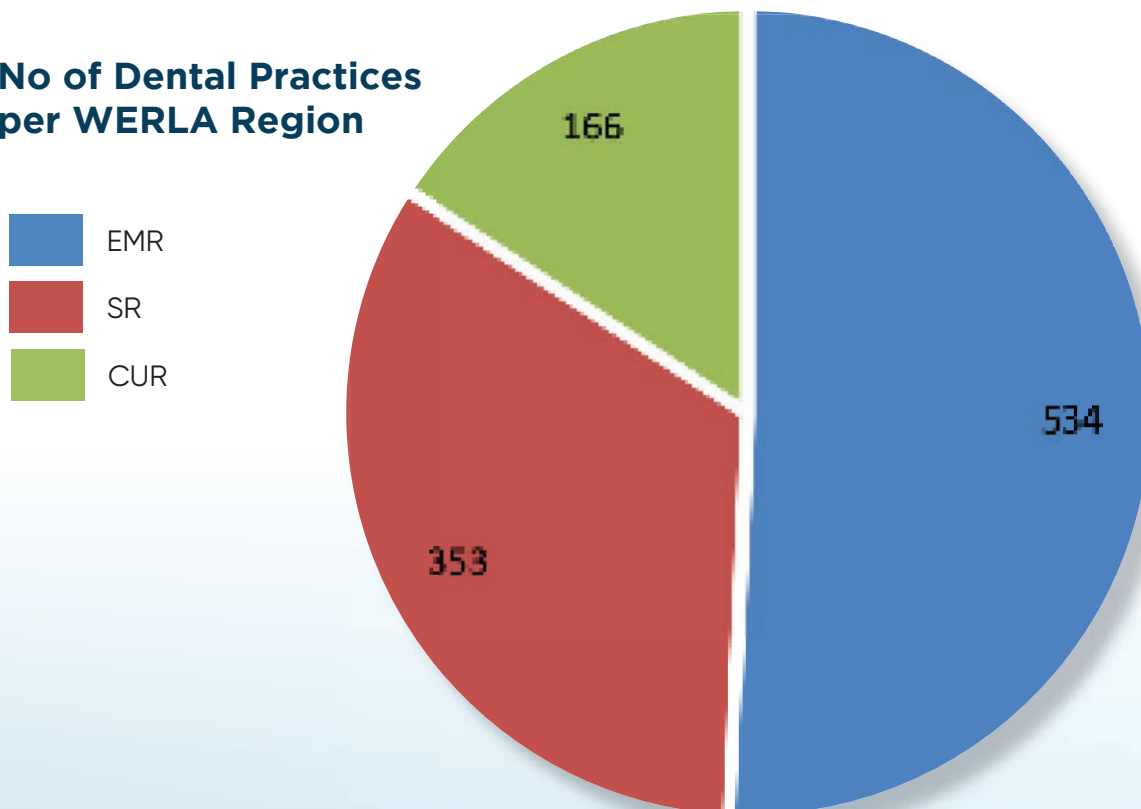
Over 1000 dental practices were identified nationally who have a potential requirement to have these amalgam separators installed and to reduce the requirement for physical inspections during a period of restricted movements, a self- declaration form to be completed by dental practices was developed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

This has proven to be very successful and checks of the accuracy of the responses will be conducted in 2022.



Insert Photo Caption Here

No of Dental Practices per WERLA Region



KEY STATISTICS

748
Waste Facility
Permits

348 COR's

207 ATF's

105
Packaging
self-compliance
registered sites

Prosecutions

55 Noncompliance with direction
under Section 14 WMA

16 Noncompliance with direction
under Section 18 WMA

214 Offence under section 32

53 Offence under section 34

72 Offence under Section 39

56 Noncompliance
with Section 55

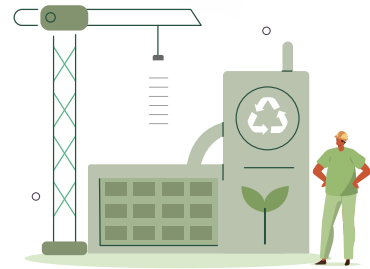
Enforcement

5 Measures
under Section 56

22 Applications
to the High Court
under Section 57 & 58

Waste Complaints Investigated

31670



ADI 2021

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 & 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, 1274 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.

ADI 2021 was launched on the 13th of April by the DECC. €3 million was made available and allocated to local authorities. (Breakdown of the 263 projects and funding is outlined in Appendix II).

In 2021, the focus of the ADI remained on four key areas as listed hereunder and project proposals were assessed based on their potential impact in these areas.

- (i) prevention,**
- (ii) abatement,**
- (iii) education and**
- (iv) enforcement.**

Funding of 2.92 million for 263 projects covered under the ADI 2021.



TRAINING

Staff training and development includes any activity that helps employees acquire new, or improve existing, knowledge or skills. Employee training and development can help our waste enforcement staff become better at their jobs and overcome possible gaps that are based on lack of knowledge or skills.

The ESTG – Environmental Services Training group 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 Stranolar, Castlebar, Dublin, Roscrea, and Ballincollig. The following training courses were held in 2021.

- 1) Powers of an authorised officer – online course.

This course looked at the following items below.

Section 14 of Waste Management Act 1996, as amended

- Duty of authorised officers to
- Contemporaneous notes
- Powers exercisable for the purpose of limiting or preventing environmental pollution
- Potential criminal offences – failure to comply with direction pursuant to Section 14

- Gathering and retention of evidence, to include chain of evidence requirements
- Preparing witness statements and golden rules when giving evidence (if required)

- 2) Open-source training Internet Investigations 2-day online course December 2021 – La Touché

This is an essential course for anyone that uses the internet as part of an investigation or intelligence gathering exercise.

- 3) Courtroom Skills Course – HT Training in person course in Roscrea TC September 2021.

To provide attendees with the knowledge, training, and instruction on what is required to prepare for and fulfil the witness's role in a courtroom setting.

- 4) Inspection skills course – 2-day online course.

This course is designed to provide environmental inspectors with a clear insight into the regulatory and legal framework in which they work. Attendees will learn about their powers, gain an understanding of governing legislation, collect evidence, document findings, how to present evidence in court and how to carry out an investigation from start to finish.



SPECIAL PURPOSE AWARD (15 CREDITS) FOR THE REGULATION OF WASTE ACTIVITY

In order to ensure consistency in the regulation of waste activities – the WERLAs & the ESTG developed a course on the Regulation of Waste Activity in collaboration with Sligo IT/ATU.

The online course commenced in January 2021 with 25 students and ran until May. The course had 3 modules:

**Subject 1 -
Introduction to Legal Systems for
Environmental Studies**

**Subject 2 -
Introduction to Waste Management**

**Subject 3-
Environmental Legislation Waste.**

The course was assessed through 100% continuous assessment.



WORKSHOP SHARING OUR EXPERIENCES IN WASTE ENFORCEMENT

The NIECE Network in conjunction with the WERLAs organised an online workshop for local authorities and other public authorities directly involved in waste enforcement. This took place on 13th October 2021. The programme included a diverse range of case studies presented mainly by local authority inspectors who shared their specific experiences along with presentations by EPA staff.

There were three sessions which examined:

- Enforcement Actions against a significant activity
- Waste Flows and their Tracking
- Tackling Significant Waste Activity

Presentations included:

- waste flows and tracking of waste
- current trends in waste crime
- investigations
- Multi-agency operations re unauthorised collection of waste
- Legal proceedings
- Audits in the areas of C&D operations
- Unauthorised landfills
- Waste tyres
- Packaging waste

Engagement & Feedback

113 people attended the event and delegates included representatives from all the local authorities, DECC, LGMA and EPA staff. Feedback received through the survey on the event has been very positive and delegates advised that learnings from the event would help them with their enforcement work and that they liked the format of the event and would be interested in similar events in the future. Delegates liked the useful, practical, and open sharing of experiences, success stories as well as challenges faced.

Suggestions for topics that could be addressed at future events were also received including:

- waste facilities permit inspections
- back yard burning
- interview skills (cautioning etc.)
- closing out noise complaints
- illegal scrap yards
- the escalating cost of waste crime
- advancing technology to support enforcement work

IMAGES FROM THE WASTE CASE STUDIES EVENT



**WASTE ENFORCEMENT & PROSECUTION
OF THE (“MAN IN THE VAN”)**





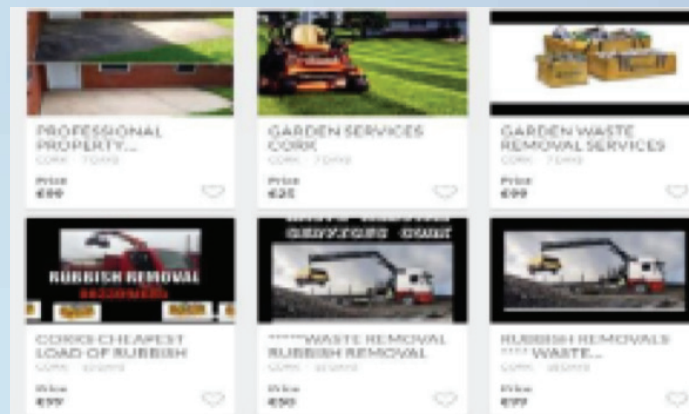
Comhairle Cathrach Chorcaí
Cork City Council

Actions re illegal collectors Tony O'Sullivan

13th October 2021

Why the Need for Operation?

- Illegally dumped waste in areas around the city
- Gardai highlighted issues with individuals
- Legitimate operators complaining about being undercut and being put out of business
- Impact on our reputation if left on challenged
- Without operations like this more illegal activity would continue



Comhairle Cathrach Chorcaí
Cork City Council

PUBLICATIONS 2021

Advice	4
Guidance Manuals	1
Inspection Forms	6
Standard letters.....	4
Standard notices & Orders	8
Submissions	5
Workflow Diagrams	1

