

# Dumping at Sea

EPA Enforcement and Permitting Booklet



## Environmental Protection Agency

The Environmental Protection Agency (EPA) is a statutory body responsible for protecting the environment in Ireland. We regulate and police activities that might otherwise cause pollution. We ensure there is solid information on environmental trends so that necessary actions are taken. Our priorities are protecting the Irish environment and ensuring that development is sustainable.

The EPA is an independent public body established in July 1993 under the Environmental Protection Agency Act, 1992. Its sponsor in Government is the Department of the Environment, Heritage and Local Government.

## OUR RESPONSIBILITIES

### LICENSING

We license the following to ensure that their emissions do not endanger human health or harm the environment:

- waste facilities (e.g., landfills, incinerators, waste transfer stations);
- large scale industrial activities (e.g., pharmaceutical manufacturing, cement manufacturing, power plants);
- intensive agriculture;
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- large petrol storage facilities;
- Waste water discharges.

### NATIONAL ENVIRONMENTAL ENFORCEMENT

- Conducting over 2,000 audits and inspections of EPA licensed facilities every year.
- Overseeing local authorities' environmental protection responsibilities in the areas of – air, noise, waste, waste-water and water quality.
- Working with local authorities and the Gardaí to stamp out illegal waste activity by co-ordinating a national enforcement network, targeting offenders, conducting investigations and overseeing remediation.
- Prosecuting those who flout environmental law and damage the environment as a result of their actions.

### MONITORING, ANALYSING AND REPORTING ON THE ENVIRONMENT

- Monitoring air quality and the quality of rivers, lakes, tidal waters and ground waters; measuring water levels and river flows.
- Independent reporting to inform decision making by national and local government.

## REGULATING IRELAND'S GREENHOUSE GAS EMISSIONS

- Quantifying Ireland's emissions of greenhouse gases in the context of our Kyoto commitments.
- Implementing the Emissions Trading Directive, involving over 100 companies who are major generators of carbon dioxide in Ireland.

## ENVIRONMENTAL RESEARCH AND DEVELOPMENT

- Co-ordinating research on environmental issues (including air and water quality, climate change, biodiversity, environmental technologies).

## STRATEGIC ENVIRONMENTAL ASSESSMENT

- Assessing the impact of plans and programmes on the Irish environment (such as waste management and development plans).

## ENVIRONMENTAL PLANNING, EDUCATION AND GUIDANCE

- Providing guidance to the public and to industry on various environmental topics (including licence applications, waste prevention and environmental regulations).
- Generating greater environmental awareness (through environmental television programmes and primary and secondary schools' resource packs).

## PROACTIVE WASTE MANAGEMENT

- Promoting waste prevention and minimisation projects through the co-ordination of the National Waste Prevention Programme, including input into the implementation of Producer Responsibility Initiatives.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE) and Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

## MANAGEMENT AND STRUCTURE OF THE EPA

The organisation is managed by a full time Board, consisting of a Director General and four Directors. The work of the EPA is carried out across four offices:

- Office of Climate, Licensing and Resource Use
- Office of Environmental Enforcement
- Office of Environmental Assessment
- Office of Communications and Corporate Services.



## **DUMPING AT SEA**

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Email: [info@epa.ie](mailto:info@epa.ie) Website: [www.epa.ie](http://www.epa.ie)  
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# Permitting & Enforcement Information Booklet.

## *Preface*

This booklet has been prepared by the Environmental Protection Agency (EPA) and seeks to inform stakeholders of recent changes to the Dumping at Sea Acts. As of February 2010, the responsibility for permitting and enforcement for Dumping at Sea has transferred from the Department of Agriculture, Fisheries and Food (DAFF) to the EPA.

The application process for a Dumping at Sea Permit is now similar to other EPA authorisations. In line with EPA licensing systems, it is a fully transparent process with all application documents, correspondence, submissions etc. uploaded on to the EPA website. Dumping at Sea permits now include requirements for monitoring, reporting and incident management. This booklet also deals with the changes to the application fees for a Dumping at Sea permit.

Enforcement of the Dumping at Sea Act is now the responsibility of the EPA's Office of Environmental Enforcement (OEE). The OEE is a dedicated branch of the EPA whose remit is the enforcement of environmental legislation. We plan to use a risk based approach to the enforcement of the Dumping at Sea Act.

I hope you find the information contained in this booklet useful.

Gerard O'Leary.

DIRECTOR, OFFICE OF ENVIRONMENTAL ENFORCEMENT



### **Please note...**

This document does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the Dumping at Sea Acts, and supporting regulations.

ISBN 978-1-84095-480-7

12/2012/100

*For more information please contact :*  
*www.epa.ie • das@epa.ie • 053 - 9160600*

# Background to Dumping at Sea Permitting



The London Convention 1972 (and subsequent Protocol of 1996)<sup>1</sup>, is one of the first global conventions to protect the marine environment from human activities and has been in force since 1975. Its objective is to promote the effective control of all sources of marine pollution and to take all practicable steps to prevent pollution of the sea by dumping of wastes and other matter.

The OSPAR Convention 1992<sup>2</sup> requires Contracting Parties to protect the marine environment of the North-East Atlantic from pollution and regulate dumping at sea.

## **BOTH CONVENTIONS HAVE PUBLISHED GUIDELINES ON MANAGEMENT OF DREDGED MATERIAL, COVERING:**

- evaluating alternative disposal, treatment and beneficial re-use options
- offshore dump site selection
- sediment sampling and analysis
- assessment of potential effects
- best environmental practice
- monitoring and reporting

**Member countries MUST report to OSPAR annually with details of all substances dumped at sea. In Ireland Dumping at Sea permit holders are obliged to include their OSPAR return as part of their Annual Environmental Report to the EPA.**



<sup>1</sup> Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter 1972 and 1996 Protocol thereto

<sup>2</sup> The Convention for the Protection of the Marine Environment of the North-East Atlantic 1992

## Dumping at Sea in Ireland



**In Ireland, OSPAR and London Convention requirements are implemented via the Dumping at Sea (DAS) Acts 1996 to 2012**

- A DAS Permit is required for disposal of dredged material and inert material of natural origin (in the absence of suitable alternative reuse and disposal methods).
- Dumping of vessels, aircraft, sewage sludge, animal carcasses/parts/products and industrial fish waste is not permitted.
- Until 2010, Dept. of Agriculture Food and the Marine (DAFM) was responsible for issuing DAS Permits and Foreshore Licences.
- Applications were assessed by the Marine Licensing Vetting Committee.

### **Foreshore and Dumping at Sea (Amendment) Act, 2009:**

- From 15 December 2009 the Dept. of Environment Community and Local Government is responsible for majority of foreshore functions.
- DAFM retains responsibility for foreshore functions relating to fishery harbour centres, aquaculture and sea-fishing.
- From 15 February 2010, EPA is responsible for DAS permitting.
- From 23 July 2012, new application fees were introduced for DAS.

## Dumping at sea, so what's new?

- New permit application form and guidance note is available on the EPA website: [www.epa.ie](http://www.epa.ie)
- All permit application documents, correspondence, submissions etc. are available on the EPA website.
- Inspector's report and recommended permit are approved by the EPA.
- A Dumping at Sea Advisory Committee has been established whose role is to assist the EPA and to provide advice on technical issues.

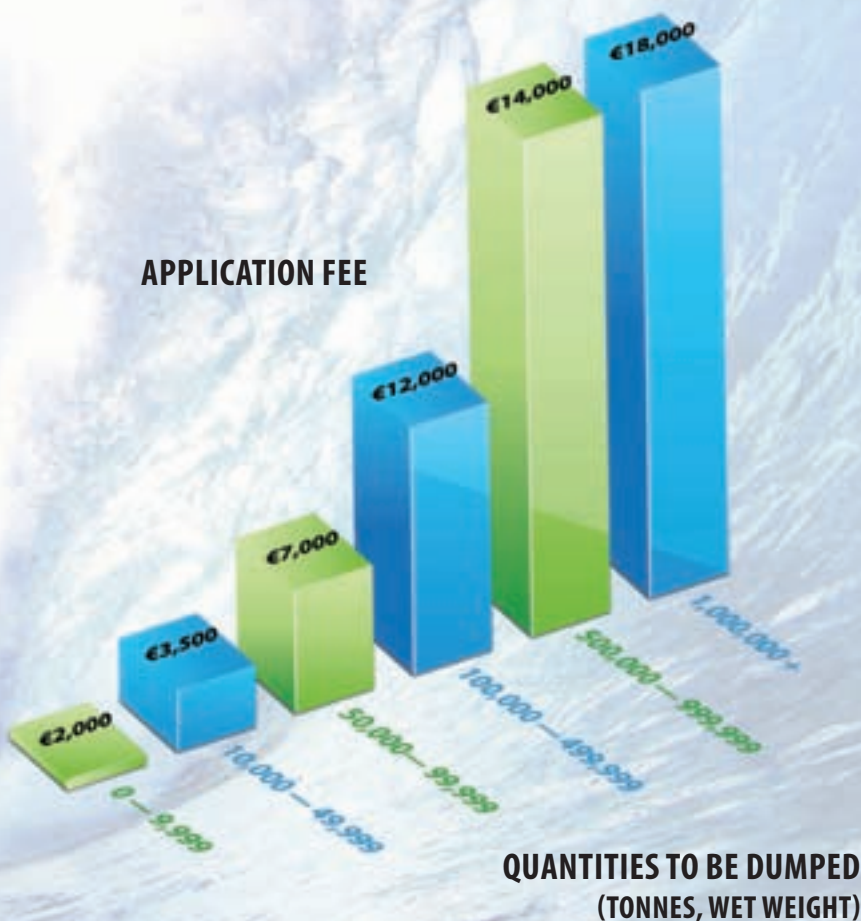
### Please note...

- Beneficial re-use or disposal on land is not regulated by a DAS permit.
- Permits now include requirements for monitoring.
- Permit holders must submit an Annual Environmental Report (AER).
- Permits no longer specify the name of vessels.



## Dumping at Sea (Fees) Regulations 2012

Under the Dumping at Sea (Fees) Regulations 2012 (S.I. No. 270 of 2012), the application fees for a Dumping at Sea Permit have changed (see chart below). Application fees are now graded depending on the amount of material to be dumped at sea.



For more information please contact :  
[www.epa.ie](http://www.epa.ie) • [das@epa.ie](mailto:das@epa.ie) • 053 - 9160600



# Applying for a Dumping at Sea Permit

**The application process consists of the following stages:**



## The Office of Environmental Enforcement: OEE



- OEE established in 2003 within EPA.
- The OEE's remit is the enforcement of environmental legislation.
- The OEE utilises a structured approach to enforcement.
- The OEE is dedicated to the implementation and enforcement of environmental legislation in Ireland.
- Our aim is to improve compliance with environmental legislation in Ireland and ensure that those who flout the law and cause environmental pollution are held to account.

### Enforcement Policy

- Proportionality in application of environmental law and in securing compliance.
- Consistency of approach.
- Transparency regarding operation.
- Targeting of enforcement action.
- Implementation of 'polluter pays principle'.

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*[www.epa.ie](http://www.epa.ie) • [das@epa.ie](mailto:das@epa.ie) • 053 - 9160600*

## The Office of Environmental Enforcement

### Enforcement of Permits

- The Permit Holder must comply with each condition of their permit, unless a change has been agreed in writing by the OEE.
- If an applicant wishes to make any changes to the permitted operations, they should contact the Office of Environmental Enforcement in the first instance to ascertain whether the proposed changes can be accommodated under the existing conditions of their permit. If the changes cannot be accommodated under the existing permit, the permit holder will be advised to apply to the EPA's Environmental Licensing Programme in writing for a technical amendment or a new permit.
- Certain conditions will require the permit holder to actively engage with the EPA.
- The OEE will enforce the permits through inspections both on land and at sea.

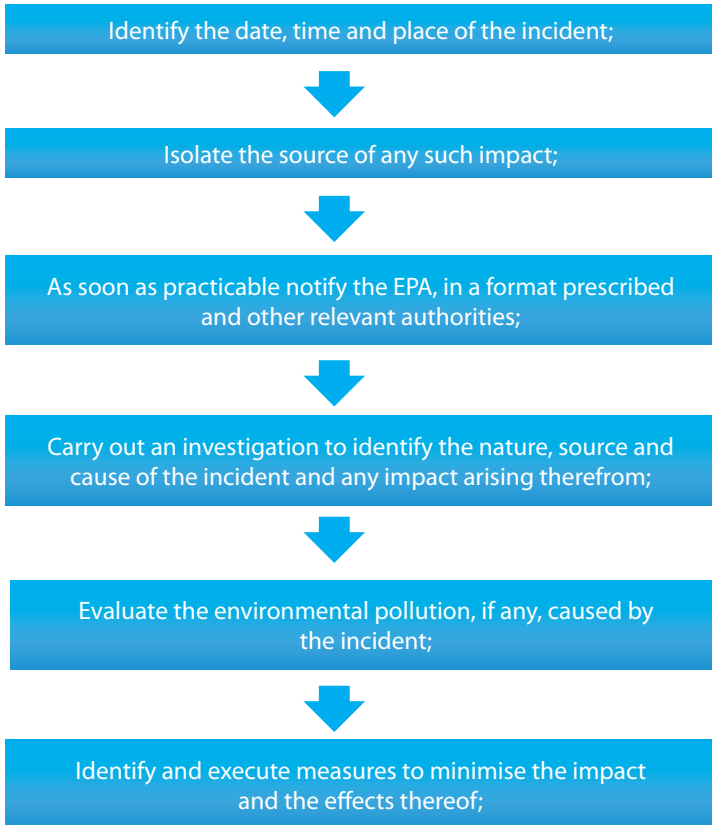
#### Please note...

- No change to the loading and dumping activities authorised under a permit can be carried out or commenced without the agreement of the Agency.
- The permit holder must notify the Agency at least two weeks prior to the commencement of each loading and dumping campaign.
- Corrective Action: the Permit Holder must follow up an investigation and corrective action in the event of a report of non-compliance with a permit condition to the satisfaction of the Agency.



## Incident Reporting

**In the event of an incident the permit holder shall immediately:**



### Please note...

The following shall constitute as an incident:

(i) an emergency; (ii) any loading or dumping at sea activity which does not comply with the requirements of a permit; (iii) any indication that environmental pollution has, or may have, taken place; (iv) a complaint of an environmental nature.

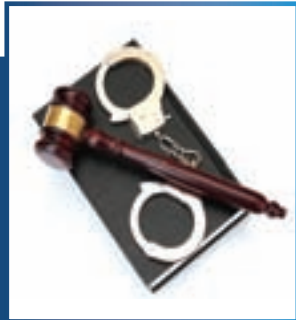
## AERs - Annual Environmental Reports

- Dumping at Sea permits will require reporting of all key environmental data each year through the Annual Environmental Report (AER).
- The AER includes the OSPAR dumping report.
- Permit holders are required to submit electronically their AER via the DAS specified email address: [das@epa.ie](mailto:das@epa.ie)
- Online Guidance Manual available:  
[www.epa.ie/downloads/advice/dumping%20at%20sea/name,31683,en.html](http://www.epa.ie/downloads/advice/dumping%20at%20sea/name,31683,en.html)

## Unauthorised Activities

The EPA will always:

- Investigate complaints.
- Follow up on complaints.
- Investigate and take enforcement actions which may include prosecution. For more on the EPA's Enforcement Policy visit: [www.epa.ie/whatwedo/enforce/](http://www.epa.ie/whatwedo/enforce/)
- Publish prosecutions on our website: [www.epa.ie/whatwedo/enforce/prosecute/](http://www.epa.ie/whatwedo/enforce/prosecute/)



Online Guidance Manual



List of Prosecutions

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### Online Resources



EPA  
[www.epa.ie](http://www.epa.ie)



Department of Agriculture Food and the Marine  
[www.agriculture.gov.ie](http://www.agriculture.gov.ie)



Department of Environment Community and Local Government  
[www.environ.ie](http://www.environ.ie)



Search for a Dumping at Sea (DaS) application, permit or Annual Environment Report  
[www.epa.ie/terminalfour/DaS/index.jsp](http://www.epa.ie/terminalfour/DaS/index.jsp)



Guidance for the preparation and submission of the AER for Dumping at Sea Permit Holders  
<http://www.epa.ie/downloads/advice/dumping%20at%20sea/name,31683,en.html>



List of all prosecutions by the EPA  
[www.epa.ie/whatwedo/enforce/prosecute/](http://www.epa.ie/whatwedo/enforce/prosecute/)

## An Ghníomhaireacht um Chaomhnú Comhshaoil

Is í an Ghníomhaireacht um Chaomhnú Comhshaoil (EPA) comhlachta reachtúil a chosnaíonn an comhshaoil do mhuintir na tíre go léir. Rialaímid agus déanaimid maoirsiú ar ghníomhaíochtaí a d'fhéadfadh truailliú a chruthú murach sin. Cinntímid go bhfuil eolas cruinn ann ar threochtaí comhshaoil ionas go nglactar aon chéim is gá. Is iad na príomh-nithe a bhfuilimid gníomhach leo ná comhshaoil na hÉireann a chosaint agus cinntiú go bhfuil forbairt inbhuanaithe.

Is comhlacht poiblí neamhspleách í an Ghníomhaireacht um Chaomhnú Comhshaoil (EPA) a bunaíodh i mí Iúil 1993 faoin Acht fán nGníomhaireacht um Chaomhnú Comhshaoil 1992. Ó thaobh an Rialtais, is í an Roinn Comhshaoil, Pobal agus Rialtais Áitiúil.

## ÁR bhFREAGRACHTAÍ

### CEADÚNÚ

Bíonn ceadúnais á n-eisiúint againn i gcomhair na nithe seo a leanas chun a chinntiú nach mbíonn astuithe uathu ag cur sláinte an phobail ná an comhshaoil i mbaoil:

- áiseanna dramhaíola (m.sh., líonadh talún, loisceoirí, stáisiúin aistrithe dramhaíola);
- gníomhaíochtaí tionsclaíocha ar scála mór (m.sh., déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta);
- diantalmhaíocht;
- úsáid faoi shrian agus scaoileadh smachtaithe Orgánach Géinathraithe (GMO);
- mór-áiseanna stórais peitrealí;
- scardadh dramhuisce.

### FEIDHMÍU COMHSHAOIL NÁISIÚNTA

- Stiúradh os cionn 2,000 iniúchadh agus cigireacht de áiseanna a fuair ceadúnas ón nGníomhaireacht gach bliain.
- Maoirsiú freagrachtaí cosanta comhshaoil údarás áitiúla thar sé earnáil - aer, fuaim, dramhaíl, dramhuisce agus caighdeán uisce.
- Obair le húdaráis áitiúla agus leis na Gardaí chun stop a chur le gníomhaíocht mhídhleathach dramhaíola trí chomhordú a dhéanamh ar líonra forfheidhmithe náisiúnta, díriú isteach ar chiontóirí, stiúradh fiosrúcháin agus maoirsiú leigheas na bhfadhbanna.
- An dlí a chur orthu siúd a bhriseann dlí comhshaoil agus a dhéanann dochar don chomhshaoil mar thoradh ar a ngníomhaíochtaí.

## MONATÓIREACHT, ANAILÍS AGUS TUAIRISCIÚ AR AN GCOMHSHAOIL

- Monatóireacht ar chaighdeán aeir agus caighdeán aibhneacha, locha, uisce taoide agus uisce talaimh; leibhéil agus sruth aibhneacha a thomhas.
- Tuairisciú neamhspleách chun cabhrú le rialtais náisiúnta agus áitiúla cinntí a dhéanamh.

## RIALÚ ASTUITHE GÁIS CEAPTHA TEASA NA HÉIREANN

- Cainníochtú astuithe gáis ceaptha teasa na hÉireann i gcomhthéacs ár dtiomantas Kyoto.
- Cur i bhfeidhm na Treorach um Thrádáil Astuithe, a bhfuil baint aige le hos cionn 100 cuideachta atá ina mór-ghineadóirí dé-ocsaíd charbóin in Éirinn.

## TAIGHDE AGUS FORBAIRT COMHSHAOIL

- Taighde ar shaincheisteanna comhshaoil a chomhordú (cosúil le caighdeán aeir agus uisce, athrú aeráide, bithéagsúlacht, teicneolaíochtaí comhshaoil).

## MEASÚNÚ STRAITÉISEACH COMHSHAOIL

- Ag déanamh measúnú ar thionchar phleananna agus chláracha ar chomhshaoil na hÉireann (cosúil le pleananna bainistíochta dramhaíola agus forbartha).

## PLEANÁIL, OIDEACHAS AGUS TREOIR CHOMHSHAOIL

- Treoir a thabhairt don phobal agus do thionscal ar cheisteanna comhshaoil éagsúla (m.sh., iarratais ar cheadúnais, seachaint dramhaíola agus rialacháin chomhshaoil).
- Eolas níos fearr ar an gcomhshaoil a scaipeadh (trí cláracha teilifíse comhshaoil agus pacáistí acmhainne do bhunscoileanna agus do mheánscoileanna).

## BAINISTÍOCHT DRAMHAÍOLA FHORGHNÍOMHACH

- Cur chun cinn seachaint agus laghdú dramhaíola trí chomhordú An Chláir Náisiúnta um Chosc Dramhaíola, lena n-áirítear cur i bhfeidhm na dTionscnamh Freagrachta Táirgeoirí.
- Cur i bhfeidhm Rialachán ar nós na treoracha maidir le Trealamh Leictreach agus Leictreonach Caite agus le Srianadh Substaintí Guaiseacha agus substaintí a dhéanann ídiú ar an gcrios ózón.
- Plean Náisiúnta Bainistíochta um Dramhaíl Ghuaiseach a fhorbairt chun dramhaíl ghuaiseach a sheachaint agus a bhainistiú.

## STRUCTÚR NA GNÍOMHAIREACHTA

Bunaíodh an Ghníomhaireacht i 1993 chun comhshaoil na hÉireann a chosaint. Tá an eagraíocht á bhainistiú ag Bord lánaimseartha, ar a bhfuil Príomhstíúrthóir agus ceithre Stíúrthóir. Tá obair na Gníomhaireachta ar siúl trí ceithre Oifig:

- An Oifig Aeráide, Ceadúnaithe agus Úsáide Acmhainní
- An Oifig um Fhorfheidhmiúchán Comhshaoil
- An Oifig um Measúnacht Comhshaoil
- An Oifig Cumarsáide agus Seirbhísí Corparáide



