



Local Authority Enforcement Audit Report

Limerick City & County Council

Date of audit 29 04 2025 Audit report Ref: LAET 2025/05/28

PURPOSE OF AUDIT

This audit was carried out in accordance with **Section 63(2)** of the **Environmental Protection Agency (EPA) Acts 1992 & 2003** and aims to assess the performance by the local authority of its statutory functions in relation to environmental protection. This report contains advice and recommendations for the local authority in accordance with **Section 63(3)(a) of the EPA Acts 1992 & 2003**.

1. SUMMARY OF FINDINGS

Observations were raised in relation to:

- Environmental Complaints Handling; and
- Progress with the National Enforcement Priorities (NEPs) 2022-2024 in the areas of waste, water, and air/noise.

The work carried out under the Environmental Noise Directive (ENDs) is commended. The audit identified good practices, such as a range of public engagement and awareness activities, implementation of the Noise Action Plan and the use of CCTV in relation to illegal dumping. However, issues were also identified, particularly around management of Section 4 discharge licences and monitoring of private water supplies.

The report outlines specific actions that must be taken in response to these observations.

Limerick City and County Council achieved a Strong or Excellent rating for 80% of the NEPs in 2023. The EPA is currently assessing the 2024 NEP progress reports, which were submitted at the end of February 2025. Local authorities are expected to meet the required standard in 100% of the NEPs by the end of the 2022 – 2024 three-year cycle.

2. SCOPE OF AUDIT & ATTENDEES

The scope of the audit included a review of Limerick City and County Council's enforcement plan under Recommendation 2001/331/EC providing for minimum criteria for environmental inspections (RMCEI), environmental complaint handling, progress in relation to the National Enforcement Priorities (NEPs) under the Local Authority Performance Framework, and resources. During the audit a number of local authority staff were interviewed in relation to statutory environmental functions, NEPs, complaints and RMCEI inspection plans.

Representing the Council:

<u>Name</u>	<u>Position</u>
Kieran Lehane	Director of Service
Arlene Mellett	RMCEI Co-Ordinator
Aidan Finn	Senior Engineer
Michael McDonagh	Executive Scientist
Colette Shannon O Shea	Assistant Staff Officer
Yvonne Rowland	Staff Officer
Andrew Holme	Assistant Scientist
Sinead Hourgan	Administrative Officer
Cathal Brodie	Senior Executive Scientist
Claire Linehan	Senior Executive Scientist
Paul O'Grady	Executive Engineer
Dermot Lambe	Executive Engineer
Tina Riordan	Clerical Officer
Gerard Hayes	Executive Engineer
Laura D'Arcy	Clerical Officer
David France	Executive Engineer

Representing the Environmental Protection Agency:

Maria Lenihan	Inspector I
Anne Laffan	Inspector II
Michael Martin	Inspector I

3. AUDIT OBSERVATIONS & RECOMMENDATIONS

3.1 Environmental Complaints Handling

Observations:

- Limerick City and County Council informed the EPA that a Customer Services Unit (CSU) is in place for the handling of complaints and that they had moved from a CRM based SUGAR system to a MS Dynamics 365 system in July 2024.
- Environmental complaints are received via phone call or email and an option to make an on-line environmental complaint is not currently available. Complaints are logged as cases on the system.
- In line with their Customer Charter a complaint has to be acknowledged within two days and an update to a complainant is required to be made within 14 days. A public log is available for each case on the system and the CSU can update the complainant based on details provided on the public log.
- The percentage of complaints investigated in 2024, reported on the National Environmental Management Information System (NEMIS) was low for a number of categories e.g. water & wastewater complaints (51.5%), noise complaints (50.81%) and air and odour complaints (60.95%). This was discussed with Limerick City and County Council who believe that those reported figures are incorrect. The local authority committed to work with their ICT team to establish the correct figures for complaints.

Table 1: Sample complaints reviewed				
	Reference	Subject	Finding	Action
1.	Case No. 1029465	Water pollution	Complaint received on the 31/03/25 regarding run-off of contaminated material to a nearby drain. The complaint was investigated and it was confirmed that run-off from a farm passage way was not going to a nearby drain. The complaint was closed and referred to the farm inspection team for further review.	Farm inspection team to review the matter.
2.	Case No. 1022778	Illegal dumping	Complaint received on the 29/01/25 regarding illegal dumping by a neighbour. The property was visited a number of times, a waste collection service is in place and payments were up to date.	No further action required.
3.	Case No. 1031541	Illegal dumping	Complaint received on the 23/03/25 regarding illegal dumping of four black bags. The waste was checked, no evidence was found and the waste was removed.	No further action required.
4.	Case No.1023455	Odour	Complaint received on the 05/02/25 regarding odour in an area in Limerick. The local authority informed the EPA that the complainant had been contacted, that they drove around the area but no evidence of odour was found. There was no record of the contact with the complainant or the visit to the area.	Refer to Actions Required below.
5.	Case No.1018747	Kerosene odour	Complaint received on the 30/12/24 regarding odour in an area in Limerick. The source of the kerosene was identified and addressed.	No further action required.
6.	Case No.547866/ EPA Ref. No. COM018487	Dust and noise	Mitigation measures put in place to address the issues raised. The complaint was closed in December 2024 but reactivated on the 07/02/25 to attach an inspection report.	Refer to Actions Required below.
7.	Case No.5264515/ EPA Ref. No. COM018120	Suspected oil spill/pollution of river	Referred to the local authority on the 18/10/23. A number of complaints were received and in extensive investigation was undertaken. An industrial estate was identified as a possible source. The management company of the estate was issued a Section 12 Notice, a potential offender has been identified and a joint inspection with the WERLA is planned shortly.	Ongoing investigation.

Actions Required:

1. Review Limerick City and County Council's website with a view to facilitating a member of the public to make a complaint on-line. A clear link, that allows a person to make a complaint on-line is recommended.
2. Ensure that the complaints investigated are recorded correctly on the NEMIS going forward.
3. Ensure all the details of a complaint are recorded including any contact with the complainant and investigations undertaken.
4. Ensure that all complaints are closed when the issue has been resolved.

3.2 Waste National Enforcement Priorities**Observations:**

- Limerick City and County Council met the required standard in four of the five Waste NEPs in 2023; Tackling illegal waste activities and Multi-Agency Sites/Operators of Concern, Construction & Demolition Waste, Household & Commercial Waste and Producer Responsibility Initiatives and additional local priorities. The Council failed to demonstrate the required standard in one Waste NEP; ELVs and Metals.

Illegal Waste

- Limerick City and County Council gave an overview of the unauthorised sites of interest that they have on-going enforcement action at and/or that have been remediated. An update was given on a number of prosecutions that were taken with unauthorised collectors in 2024. CCTV surveillance has been used in an illegal dumping hotspot in Coonagh this year. CCTV is also being used at six bring bank locations. WERLA have assisted in taking ariel photography at a number of sites where multi agency inspections are planned. Funding has been acquired through the ADI for drones.
- Limerick City and County Council have not kept the Waste Convictions Register up to date. There are entries missing from 2018 to present, there is a plan in place to get the register up to date in the coming weeks.

Construction & Demolition Waste

- Limerick City and County Council carried out 111 C&D site inspections in 2024. Sample inspections, as well as supporting documentation, were reviewed at the audit for inspections carried out in November 2024 and February 2025. The WERLA inspection template was not used.
- Limerick City and County Council review all Resource and Waste Management Plans submitted for developments greater than five houses in collaboration with the planning department.
- Limerick City and County Council gave an overview of the Regulation 27 inspection process. Two notifications were withdrawn in 2024 due to invasive species issues on site. The inspection of A273772 on 25/11/2024 was reviewed.

Household & Commercial Waste

- Limerick City and County Council have not developed a Section 34C register of households with or without a waste collection service. The process of creating the register has begun and a Data Protection Impact Assessment is being created in conjunction with the Councils Data Protection Officer.
- Limerick City and County Council carried out 1,369 household surveys in 2024. The surveys are carried out by issuing letters to households in select areas and requesting evidence of a 3-bin waste collection service within a two-week period. The householder's information is cross referenced with information from bin collectors. Reminder letters are issued and in instances of no response this has been escalated to the issuing of a Fixed Payment Notice (FPN) under the waste presentation Bye-Laws. In some instances, the non-payment of the FPN, following reminders, has resulted in the preparation of prosecution files. A sample survey was reviewed from 08/04/2025.

- A high level of compliance was reported from the commercial food waste inspections in 2024 with a focus on the nursing home sector. A sample inspection, as well as supporting documentation, was reviewed at the audit for an inspection carried out in 13/03/2024. The WERLA inspection template was not used.
- Limerick City and County Council carried out a joint inspection with WERLA at the largest household and commercial waste collector in 2024.

ELV and Metal Waste

- Limerick City and County Council stated that they have 16 permitted ELV Authorised Treatment Facilities (ATFs) within their functional area. Inspections were carried out at four of the ATFs in 2024. Limerick City and County Council are reminded that at least one inspection per annum of permitted ATFs and other ELV sites using inspection templates was required under this NEP for the 2021 – 2024 cycle. A sample inspection, as well as supporting documentation, was reviewed at the audit for WFP-L-2021-147A on 31/10/2024, the WERLA inspection template was not used.

Producer Responsibility Initiatives and additional local priorities

- Limerick City and County Council outlined the non-compliances found at Deposit Return Scheme inspections. A sample inspection, as well as supporting documentation, was reviewed at the audit for 11/06/2024.
- Samples of battery, tyre, farm plastic and suspected major producer inspections, as well as supporting documentation, was reviewed at the audit for 2024. All suspected major producers, farm plastic sites and battery sites were found to be compliant. Non-compliant tyre sites were brought in to compliance by the end of the year following enforcement actions.
- A number of WEEE inspections from 2024, as well as supporting documentation, were reviewed. Non-compliances relating to registration were identified during two inspections on 14/05/2024. Follow-up direction letters were not sent to the companies.

Actions Required:

1. Update and maintain the Waste Convictions Register.
2. Sent follow-up direction letters to the two non-compliant WEEE retailers from inspections carried out on 14/05/2024 without further delay.
3. Use WERLA inspection templates for inspections where available.

3.3 Water National Enforcement Priorities

Observations:

- Limerick City and County Council met the required standard in three Water NEPs in 2023; Pressures from Agriculture (Farm Yards), Pressures from Agriculture (Farmland), and Local Priorities and Water Quality Monitoring. The Council failed to demonstrate the required standard in two Water NEPs; Discharge Licensing/Misconnections and Domestic Waste Water Treatment Systems (Septic Tanks).

Pressures from Agriculture - Farmyards and Farmland

- The EPA thanks Limerick City and County Council for the engagement of their Senior Executive Scientist on the NAIP Working Group.
- There have been good promotion and awareness activities undertaken by the local authority especially around potential issues from the inappropriate spreading of slurry and poor management of silage effluent.
- Limerick City and County Council informed the EPA that all agricultural related complaints received from the public were investigated and follow up actions were taken as necessary.
- Assessments and farm inspections undertaken by the local authority are comprehensive in their methodology and approach.

- Limerick City and County Council undertook 39 initial farm inspections out of the 161 required under the NAIP for 2024. The EPA acknowledges that there were also 152 follow up inspections with the vast majority being carried over from previous years. Limerick City and County Council informed the EPA that one extra inspector has now been recruited and another is expected to be recruited in Q3 2025, and that the local authority should achieve the NAIP target for initial inspections on 194 farms in 2025.
- Limerick City and County Council has been focussing on addressing a large number of legacy farm inspection files and has made very good progress in closing out non-compliance issues. It should continue to seek resolutions from farmers for on-going non-compliances and when necessary, apply dissuasive sanctions.

Domestic Waste Water Treatment Systems (Septic Tanks)

- Limerick City and County Council were required to carry out 64 inspections under the National Inspection Plan (NIP) for Domestic Waste Water Treatment Systems in 2024 and had a shortfall of 14. This is in addition to a shortfall of 47 from 2023. The EPA requires Limerick City and County Council to take the following measures in respect of the implementation of the NIP:
 1. Develop and implement a plan to make up the 2023/24 shortfall (61) by 30th June 2025.
 2. Develop and implement a plan to ensure that the 2025 allocation (64) is completed by 31st December 2025.
- Limerick City and County Council informed the EPA that they have three registered inspectors and have developed a comprehensive plan for 2025, which includes 76 inspections scheduled up to June 25th, 2025. 26 inspections have been completed to date in 2025 and 16 of those failed inspection. Limerick City and County Council plan to carry out six inspections a week.
- Limerick City and County Council had an 81% closure rate of Advisory Notices between 2012 and 2024. In relation to 2024 failed inspections, 20 warning letters were issued in April 2025 and the responses to those warning letters are being tracked.

Discharge Licensing / Misconnections

- Limerick City and County Council currently has 37 Section 4 discharge licences.
- 10 Section 4 discharge licence inspections were planned for 2024, however seven were completed due to workload in other areas. A high compliance rate was reported for these inspections. The compliance rate for self monitoring returns was not clear as an overall tracker is not kept for the monitoring returns submitted.
- It was acknowledged that a number of Section 4 discharge licences had not been visited for a number of years but that a focus was being kept on a number of Section 4 discharge licences based on knowledge and risk from the site.
- A Section 4 discharge licence, identified as a significant pressure in a waterbody, was issued a Section 23 Notice in September 2023 that required the submission of a detailed report by March 2024 and the submission of quarterly monitoring returns. This report was not submitted and quarterly monitoring returns were not submitted in 2024. Further follow-up with this site was not undertaken in 2024, however an inspection is planned in 2025.
- A barrier in addressing a number of misconnections were outlined to the EPA during the audit in relation to which organisation is responsible for carrying out the remedial measures required. At present no organisation is taking responsibility for this work.

Local Priorities and Water Quality Monitoring

- Limerick City and County Council delivered 98.8 % of the WFD sampling programme and successfully completed the bathing water sampling programme in 2024.
- There are two Private Water Supplies Registers, one for Small Private Supplies (SPS) and one for Group Water Schemes (GWS). Limerick City and County Council acknowledged that the registers are incomplete and that they plan on combining the two registers. On the day of the audit, the *Scheme Code* was absent and a small number of entries were missing under *Volume Supplied*, *Population Served*, *Treatment* and *Source* on the registers.

- The Compliance Monitoring Programme breaks down the sampling into sampling runs as opposed to a monthly breakdown and specifics on group A and group B sampling frequencies, as recommended by the EPA.
- Limerick City and County Council informed the EPA that a number of group water schemes were monitored once for group B parameters and that none of the small private water supplies were monitored for group B parameters in 2024. The EPA was informed on the day of the audit that Limerick City and County Council are committed to monitoring private water supplies in compliance with European Union (Drinking Water) Regulations 2023.
- Limerick City and County Council informed the EPA that they obtained a list of nursing homes within their functional area in 2024 and plan to write to the nursing homes in 2025 to ascertain if they have a private water supply.

Actions Required:

1. As required under the NAIP, undertake initial inspections on a minimum of 194 farms in 2025.
2. In relation to legacy farm inspection files, continue to seek resolutions from farmers for on-going non-compliances and when necessary, apply dissuasive sanctions.
3. Carry out 125 septic tank inspections in 2025 in order to meet the requirements of the National Inspection Plan (NIP) for Domestic Waste Water Treatment Systems (DWWTS) and to make up the inspection shortfall from 2023 and 2024.
4. Ensure that there is a focused effort on closing out Advisory Notices for DWWTS failures open more than two years.
5. Ensure that non-compliant Section 4 discharges are followed up with enforcement actions where necessary, in particular the licensed discharge identified as a significant pressure on a waterbody.
6. Consider putting in place a master tracker to track self-monitoring returns and to track warning letters and any enforcement actions undertaken for each Section 4 discharge.
5. Ensure that all regulated private water supplies are monitoring for compliance with Group A and B parameters at the required frequencies in accordance with the *European Union (Drinking Water) Regulations 2023*.
6. Put in place a Compliance Monitoring Programme as recommended by the EPA and fill in the missing information in relation to the Private Water Supplies Register.
7. The barriers to remediate misconnections discussed during the audit need to continue to be raised to the Department of the Environment, Climate and Communications. All measures must be taken to address this issue.

3.4 Air and Noise National Enforcement Priorities

Observations:

- In 2023, Limerick City and County Council met the required standard in the Solid Fuel, Air Quality Monitoring Activities and Data Use, Air and Noise Control (including Planning) and the Environmental Noise Directive NEPs. The local authority did not meet the required standard for work carried out under on-going Air and Noise Work NEP.

Solid Fuel

- The leading of the sulphur testing of coal products in collaboration with other local authorities is commended.
- A proactive initiative was undertaken where posters were distributed to GP practices concerning the public health benefits of using low-smoke fuel.
- 10 solid fuel inspections, two multi-agency checkpoints and two sampling events are planned for the heating season in quarter 4 2025.
- A Solid Fuel Register has not been put in place to date. Limerick City and County Council informed the EPA that they intend to apply to DECC for funding to engage a contractor to complete this work, including putting in place a Solid Fuel Distributor Register.

Air Quality Monitoring Activities and Data Use

- The local authority website provides good information to the public on air quality and human health and includes monthly air quality reports.
- Limerick City and County Council collaborated with the EPA in the running of the “Clean Air Together Limerick City”.

Environmental Noise Directive (ENDs)

- Limerick City and County Council have been the best performing local authority under this NEP to date and is commended for the work carried out in this area.
- The 2024 – 2028 Noise Action Plan and associated noise maps for the agglomeration of Limerick are available on the local authority website.
- The EPA was informed that there is no budget to progress the noise mitigation measures identified in the Noise Action Plan and that this is a national issue.
- The EPA was informed that a report on the forecast extents of Round 5 noise mapping to the EPA is being progressed and will be submitted by 31st May 25.
- Limerick City and County Council in collaboration with Transport Infrastructure Ireland put Stone Mastic Asphalt (SMA) on a section of the M20 motorway in 2024 as a noise mitigation measure. The local authority also implemented a 30 kilometre per hour speed limit across the city, in 2024 a reduction from a 50 kilometre per hour speed limit.

Air & Noise Controls (including Planning)

- A set of standardised conditions was put in place in 2024 to condition planning applications related to control air and noise impacts from different developments.

Ongoing Air & Noise Enforcement Work

- Clarification was provided on the work carried out to identify unauthorised operators which includes web searches for crash repairs, drive through industrial estates and intelligence provided by litter wardens while carrying out their work.
- Limerick City and County Council informed the EPA that the Fire Service carries out Petroleum Vapour inspections.
- A number of inspection reports under the Solvents and Deco Paints Regulations were reviewed.
- The Solvents and DECO paints Registers are available on the local authority website.
- A link for the EPA’s Guidance Document on Best Practice for Dry Cleaning Establishments is provided on the local authority website but the link is broken. A link for the *Best Practice Guidelines for Vehicle Refinishing* is not available, however a link to a *Vehicle Refinishing – What you need to know* leaflet is provided.

Actions Required:

1. Establish a Register of solid fuel retailers and distributors operating in the functional area.
2. Limerick City and County Council should repair the link to the EPA’s Guidance Document on Best Practice for Dry Cleaning Establishments on the local authority’s website and provide a link to *Best Practice Guidelines for Vehicle Refinishing*.
3. Continue work undertaken to identify unauthorised operators under the Solvents, Deco Paints and Petroleum Vapours Regulations.

4.0 FOLLOW-UP ACTIONS

Limerick City and County Council shall take action to address the observations raised in this report and submit a report to the EPA within **2 months** from the date of issue of this report. The report should provide details of the actions taken (or planned) to address the various recommendations, including timeframes where appropriate. These actions may be checked and verified by the EPA during future audits/inspections. This report is issued without prejudice to the right of the EPA to take any further action which it may in future decide is appropriate, whether under Section 63 of the EPA Acts 1992 and 2003 or otherwise.

Report prepared by:


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Reviewed by:


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Date:

28/05/25

Date:

28/05/25