



What to expect at an EPA Audit

Guidance for B2B Producers and Self-Complying Battery Producers

This document is for guidance only. It does not purport to be and should not be considered a legal interpretation of the legislation referred to herein. Producers are advised to refer to the relevant legislation for comprehensive information on requirements.

Introduction

This guidance provides a brief summary of what to expect if your business is audited by the Environmental Protection Agency (EPA) under the Waste Electrical and Electronic Equipment (WEEE) and/or Batteries Regulations. This is essentially a brief guide to inform businesses as to why they are being audited and what the EPA will look at during an audit.

Why does the EPA carry out these audits?

Electrical and Electronic Equipment (EEE) and batteries can contain hazardous materials such as heavy metals (e.g. mercury and lead etc.). These materials are dangerous to human health and the environment. EEE can also contain valuable materials such as copper and gold. There is a system in place in Ireland (known as a Producer Responsibility Initiative) to help collect and recycle these products in an environmentally sound manner when they become waste and to ensure that the valuable components and materials can be used again in new products. The EPA and local authorities are tasked with the enforcement of the WEEE and Batteries Regulations. In general, the EPA enforces producer obligations while local authorities are mostly responsible for the distributor (e.g. retailer or wholesaler) obligations.

In order to demonstrate that they are managing WEEE and waste batteries in an environmentally sound manner, self-complying B2B EEE and battery producers are legally required to submit waste management plans (every 3 years) and annual waste management reports to the EPA. Information and data collated from the annual reports are used by Irish authorities to meet its reporting obligations to the EU. Therefore, audits of self-complying producers (EEE and/or batteries) are used to verify the information that is submitted to the EPA in the reports. General compliance with the WEEE and Batteries Regulations is also checked.

Why is your business being audited?

The audit also assesses your organisation's compliance with the WEEE and/or Batteries Regulations as a self-complying producer. The WEEE regulations (SI No 149 of 2014) govern the sustainable production, reuse, recycling and appropriate disposal of WEEE while the Batteries Regulations (SI No. 283 of 2014) include provisions and relevant targets for the collection, treatment and recycling of waste batteries. The audits will focus mostly on compliance with these regulations.

The primary objectives of an audit are to:

- (i) Verify the information that has been submitted to the EPA in the waste management plans and reports for management of WEEE and/or waste batteries.
- (ii) Gather information on the systems that are used by self-complying producers for the take back, storage and management of WEEE and/or waste batteries as well as any other relevant information related to best practice. Any issues that are being experienced by self-compliers can also be discussed. The EPA may be able to provide some advice.
- (iii) Assess general compliance with the WEEE and Batteries Regulations.

What will happen during the Audit?

Audits generally follow the same agenda. A general outline of what to expect is provided below:

- (i) **Opening Meeting:** This part of the audit will take approximately 10 -15 minutes. The EPA will ask general questions regarding the WEEE and waste battery management systems that are in place, such as:
 - a. What types of EEE and/or batteries are placed on the market?
 - b. Do the EEE products you supply to the Irish market contain batteries (where relevant)?
 - c. What is the process for take-back and environmentally sound management of WEEE and/or batteries?
- (ii) **Data Validation:** After the opening meeting, the EPA will want to validate the information submitted in the most recent waste management plan and report(s). If recycling certificates

have not been submitted in support of a report these will be requested by inspectors on the day of the audit. If a physical audit is being carried out, the inspectors may seek to conduct a tour of your premises to inspect where WEEE and/or waste batteries are stored/distributed. If the audit is being carried out virtually, inspectors will require photographs of WEEE and/or waste battery storage areas where necessary. In summary, inspectors will seek:

- a. Information on the system(s) that are used to account for WEEE and waste battery take back, WEEE reuse (as spare parts and/or whole appliances) and WEEE and waste battery management off site.
 - b. Information regarding compliance status, such as whether you as a producer are validly registered with the Producer Register Limited on the day of the audit for all applicable years.
- (iii) Closing Meeting: During the closing meeting, the EPA will briefly outline the findings of the audit to the producer. If there are any outstanding issues which could not be confirmed during the audit, the EPA may request the producer to confirm such details subsequent to the audit (e.g. in the response to the audit report). Where this is required, this will be outlined and agreed during the closing meeting. Where non-compliances have been identified and/or confirmed, the EPA will outline these to the producer and will also outline the actions to be undertaken by the producer in order to comply with the regulations.

How can your business prepare for the audit?

In preparation for an audit, it is advisable to consider the following:

- (i) The availability of a senior manager, who is responsible for legal compliance within your company, to provide the inspectors with information and to assist during the audit. This is one of the most important aspects of preparing for the audit. You must ensure that someone is available on the day who understands the obligations in the WEEE and/or Batteries Regulations.
- (ii) Collate all available records related to the WEEE/waste battery take-back and management systems that are utilised at your premises. Ensure also that copies of any destruction/recycling certificates, reuse records or records relating to the movement of WEEE/waste batteries outside of Ireland are available for inspection.

How long does an audit take?

The length of time that an audit takes will vary depending on the business being audited and the levels of non-compliance found, if any. In general, the audit time is between 1-1.5 hours.