

Guidance Note

LEAP Online: enforcement information accessible on the EPA's website



For the information of EPA Licensees and Registrants who are holders of a Radiation Protection Authorisation

Guidance Note V. 1.0, May 2023

Background

The EPA's [Compliance and Enforcement Policy](#) includes a commitment to conduct our regulatory work in an open and transparent manner, and to make information on our enforcement activities available and accessible to the public. Central to this is the provision of public access to inspection reports and related correspondence arising in the course of enforcement and monitoring of radiation protection compliance of authorised entities.

This open and transparent access to information is in line with the [UN Aarhus Convention](#) of June 1998 and with associated European and national law, principally the [Access to Information on the Environment Regulations 2014](#) as amended, which enacted Aarhus in Irish law. The [Freedom of Information Act 2014](#) is also relevant to public accessibility of environmental records.

Environmental information and the scope of public access

LEAP Online is the latest in this series of advances in public access to enforcement information, and directly address the obligation per Article 5.3 of Aarhus to *“ensure that environmental information progressively becomes available in electronic databases which are easily accessible to the public through public telecommunications networks”*. Under Article 2.3 of Aarhus, “Environmental Information is defined thus:

“Environmental information” means any information in written, visual, aural, electronic or any other material form on:

(a) The state of elements of the environment, such as air and atmosphere, water, soil, land, landscape and natural sites, biological diversity and its components, including genetically modified organisms, and the interaction among these elements;

(b) Factors, such as substances, energy, noise and **radiation**, and **activities or measures, including administrative measures, environmental agreements, policies, legislation, plans and programmes, affecting or likely to affect** the elements of the environment within the scope of subparagraph (a) above, and cost-benefit and other economic analyses and assumptions used in environmental decision-making;

(c) The state of human health and safety, conditions of human life, cultural sites and built structures, inasmuch as they are or may be affected by the state of the elements of the environment or, through these elements, by the factors, activities or measures referred to in subparagraph (b) above.

This definition, and in particular the highlighted portion, establishes a clear legal basis for making information arising in the course of radiation protection regulation publicly available.

This obligation is not absolute, and public authorities are obliged to protect, among others, legal confidentiality, commercial and trade secrecy, security-sensitive information (based on definition of IAEA NSS No. 23-G (2015)), and the privacy of personal information. Beyond these identified constraints, information arising in the course of radiation protection regulation is in the public record.

Format of LEAP Online

LEAP Online will be hosted on the “Our Services” domain of the EPA website www.epa.ie. There is a dedicated main page for each authorised entity which provides basic information about the authorisation. The Landing Page will contain a list of Latest Compliance Records and will allow users to search for specific categories of record. For radiological authorisations, **only** Site Visits records will be available.

Further “drilldown” pages will be provided for each Record Type, which will allow users to browse by type, subject matter, detail, date, status etc., and will provide links to associated documents such as reports.

XYZ Company - P9999
Industrial Emissions Licence



Licence Dashboard Licence Versions Compliance Records

Licence Details		Active Licence Details		Site Details	
Organisation	XYZ Company	Version	P9999-03	Address 1	
Licence Name	XYZ Company (Sligo)	Issued	31/03/2019	Address 2	
Licence Number	P9999	Type	Radiological Protection	Address 3	
County	Sligo	Status	Authorised	Town/City	
		Sub-status	N/A	County	
		Sector	N/A	Eircode	
		Major Activity	N/A	NACE Code	
		IED Activity	n/a	NUTS Code	

Latest Compliance Records

Type	Reference No.	Subject	Status	Date
Site Visit	SV2087	ORP Annual Site Visit Plan 2021	Closed	15/10/2021
Site Visit	SV1914	ORP Annual Site Visit Plan 2020	Closed	02/12/2020
Site Visit	SV1790	ORP Site Visit 2019 Security Additional	Closed	08/05/2019
Site Visit	SV1659	ORP Annual Site Visit 2018 Additional	Closed	11/10/2018
Site Visit	SV10163	ORP Annual Site Visit Plan 2017	Closed	02/11/2017

[View all Compliance Records](#)

XYZ Company - P9999

Licence Dashboard Licence Versions **Compliance**

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Reference No.	Open Date	Closed Date	Status	Active Licence	
Site Visit: SV999999	SV999999	01 Jul 2021	11 Jul 2021	Closed	P9999-03

Site Visit Title	Enforcement Plan Visit	Site visit date	01 Jul 2021
Instigated by	Enforcement Plan Visit	Report issued date	11 Jul 2021
Category	Planned	Site visit compliant?	Yes

Summary

The Agency carried out a remote compliance assessment (RCA) as part of the OEE annual inspection programme to evaluate the licensee's compliance with the requirements of the licence. The licensee was found to be compliant with its licence at the time of the Agency's assessment.

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Related Compliance Records

Ref. No.	Date	Type	Category	Status	Observation
A112349	24/11/2021	SV Finding	Practical Radiation Protection Arrangements	Closed	It was noted during the tour of the radiology department that the procedures attached to the Fuji mobile X-ray unit in the emergency department made reference to keys and a log book which does not apply to this model of X-ray unit.
A112252	24/11/2021	SV Finding	Practical Radiation Protection Arrangements	Closed	There was no radiation warning sign on the entrance door to CT2 to indicate that this is a controlled area when the yellow warning light is on. Please be advised that Regulation 37(1)(g) of the Radiological Protection (Licensing Factors) Regulations 2019 hereafter referred to as RRL19 requires that a controlled area must have suitable and sufficient signs to indicate that it is a controlled area and that the nature of the radiological and their inherent risks are displayed.
A112253	24/11/2021	SV Finding	Practical Radiation Protection Arrangements	Closed	It was noted that the warning light at the entrance to the lithotripsy room was not functioning and that lead aprons were stored in a folded position on a window sill.
A112254	24/11/2021	SV Finding	Maintenance and Operational Controls	Closed	Schedule 3 of the licence has designated a number of persons who carry out the functions of the RPO, however it is unclear how the overall RPO function within the hospital is carried out in practice. Please be advised Regulation 24(2) of RRL19 details the basis carried out by the RPO and Regulation 24(4) of RRL19 states that "the task of the radiological protection officer may be carried out by a radiation protection unit established or by a radiation protection adviser."

Information which will be published

- PDF version of the Site Visit reports (note: findings or recommendations containing security-sensitive information will be redacted);
- Individual findings and recommendations which do not contain security-sensitive information;
- The text of your response(s) to these findings and the EPA's response(s) to you.

Information which will NOT be published

- Anything issued, submitted and responded to prior to LEAP Online launch date;
- Radiological licences or registrations;
- Documents submitted as part of an application for a radiological licence or registration, or subsequently as an amendment to an existing authorisation;
- Documents submitted with a response to an inspection finding;
- Site details (addresses, including those of the premises inspected) will be blanked out;
- Any other information deemed security-sensitive by the EPA.

What it means for you

- As before, your Site Visit report (containing all findings and recommendations) will be issued to you via the EDEN portal within 28 working days of the inspection date, and you will have 28 calendar days to respond to the findings, also via the EDEN portal.
- The Site Visit report, findings and recommendations **will be published to LEAP Online 30 calendar days after the report is issued to you.**
- **Your responses to the findings will be published simultaneously on that date, provided they have been received by the EPA in time to allow review prior to publication.**
 - EPA commits to simultaneous publication where your responses are submitted within 21 calendar days of the issue of your Site Visit report.
 - Responses to findings received by the EPA after 21 calendar days cannot be guaranteed to be reviewed in time for simultaneous publication with the Site Visit report.

- Subsequent updates to findings that you send to the EPA via the EDEN portal will be published to LEAP Online on the following calendar day after they have been reviewed by EPA.
- You should make arrangements to **maintain close review of your EDEN Portal**, to ensure that you can respond in a timely way to EPA notifications. By doing so, the gap between your receiving a Site Visit Report or notification and your response to it can be minimised. The EPA is committed to meeting the same standard of timeliness.
- **Keep all your contact details on EDEN up-to-date**, especially for those people responsible for communicating with the EPA on compliance and enforcement matters i.e. RPO, Contacts for Correspondence and Senior Management Contacts.
- **When responding to Site Visit Findings in EDEN**, make sure the appropriate finding is selected in the available list on EDEN ('Compliance' section on EDEN) before writing the response. A response received for the wrong finding will be rejected by the EPA (even if the response is appropriate). We will inform you and require that you resubmit the response to the appropriate finding.

Finally, you are reminded that, in making a submission to the EPA, you are making a legal declaration that the content of the submission is complete, accurate and truthful. As such, you may be held accountable, including in the courts, for any breaches of this declaration.

GDPR

The General Data Protection Regulation, [Regulation \(EU\)2016/679](#), provides for the full protection of the personal data of individuals where it is held by public bodies. It is important that you implement measures to comply with GDPR in your submissions to the EPA, by ensuring that names, addresses, contact details and other information relating to private citizens are not included in any correspondence.

Professional details of individuals employed by or acting on behalf of the EPA, authorised entities and their service providers are not considered to be subject to GDPR where they appear or are contained in regulatory correspondence.

Suitability for publication

EPA wishes to ensure that content on its website is appropriate for this public arena, and we therefore retain the right to apply limited and stated grounds for a decision not to publish any specific submission. These grounds are:

- **Discrepancy between content of the record and other licensee submissions**
- **Defamatory, vexatious or misleading content**

In the event that the EPA decides not to publish a submission for reasons of suitability, we will inform you of the decision, we will reject the submission and require that you resubmit the item.

Concluding remarks

The EPA's online publication of inspection reports and related correspondence is in line with our ongoing commitment to improve our services to the licensed community and the wider public, using the capabilities of new information and communications technologies.

We are confident that this initiative will improve the accessibility of relevant information to the public and contribute to their understanding of radiation protection regulation. It will at the same time provide an opportunity to authorised entities to communicate directly with the public and to demonstrate good compliance performance in the communities in which they operate.

The EPA is confident that this initiative will be welcomed by the authorised community and by the wider public as a positive development in open and transparent regulation, and will serve to further promote similar improvements in the information services of other parts of the public administration in Ireland and beyond.

