ENVIRONMENTAL PROTECTION AGENCY

The Environmental Protection Agency (EPA) is responsible for protecting and improving the environment as a valuable asset for the people of Ireland. We are committed to protecting people and the environment from the harmful effects of radiation and pollution.

The work of the EPA can be divided into three main areas:

Regulation: We implement effective regulation and environmental compliance systems to deliver good environmental outcomes and target those who don’t comply.

Knowledge: We provide high quality, targeted and timely environmental data, information and assessment to inform decision making at all levels.

Advocacy: We work with others to advocate for a clean, productive and well protected environment and for sustainable environmental behaviour.

Our Responsibilities

Licensing
We regulate the following activities so that they 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, cement manufacturing, power plants);
- intensive agriculture (e.g. pigs, poultry);
- the contained use and controlled release of Genetically Modified Organisms (GMOs);
- sources of ionising radiation (e.g. x-ray and radiotherapy equipment, industrial sources);
- large petrol storage facilities;
- waste water discharges;
- dumping at sea activities.

National Environmental Enforcement

- Conducting an annual programme of audits and inspections of EPA licensed facilities.
- Overseeing local authorities’ environmental protection responsibilities.
- Supervising the supply of drinking water by public water suppliers.
- Working with local authorities and other agencies to tackle environmental crime by coordinating a national enforcement network, targeting offenders and overseeing remediation.
- Enforcing Regulations such as Waste Electrical and Electronic Equipment (WEEE), Restriction of Hazardous Substances (RoHS) and substances that deplete the ozone layer.
- Prosecuting those who flout environmental law and damage the environment.

Water Management

- Monitoring and reporting on the quality of rivers, lakes, transitional and coastal waters of Ireland and groundwaters; measuring water levels and river flows.
- Monitoring and reporting on Bathing Water Quality.

Monitoring, Analysing and Reporting on the Environment

- Monitoring air quality and implementing the EU Clean Air for Europe (CAFÉ) Directive.
- Independent reporting to inform decision making by national and local government (e.g. periodic reporting on the State of Ireland’s Environment and Indicator Reports).

Regulating Ireland’s Greenhouse Gas Emissions

- Preparing Ireland’s greenhouse gas inventories and projections.
- Implementing the Emissions Trading Directive, for over 100 of the largest producers of carbon dioxide in Ireland.

Environmental Research and Development

- Funding environmental research to identify pressures, inform policy and provide solutions in the areas of climate, water and sustainability.

Strategic Environmental Assessment

- Assessing the impact of proposed plans and programmes on the Irish environment (e.g. major development plans).

Radiological Protection

- Monitoring radiation levels, assessing exposure of people in Ireland to ionising radiation.
- Assisting in developing national plans for emergencies arising from nuclear accidents.
- Monitoring developments abroad relating to nuclear installations and radiological safety.
- Providing, or overseeing the provision of, specialist radiation protection services.

Guidance, Accessible Information and Education

- Providing advice and guidance to industry and the public on environmental and radiological protection topics.
- Providing timely and easily accessible environmental information to encourage public participation in environmental decision-making (e.g. My Local Environment, Radon Maps).
- Advising Government on matters relating to radiological safety and emergency response.
- Developing a National Hazardous Waste Management Plan to prevent and manage hazardous waste.

Awareness Raising and Behavioural Change

- Generating greater environmental awareness and influencing positive behavioural change by supporting businesses, communities and householders to become more resource efficient.
- Promoting radon testing in homes and workplaces and encouraging remediation where necessary.

Management and Structure of the EPA

The EPA is managed by a full time Board, consisting of a Director General and five Directors. The work is carried out across five Offices:

- Office of Environmental Sustainability
- Office of Environmental Enforcement
- Office of Evidence and Assessment
- Office of Radiological Protection and Environmental Monitoring
- Office of Communications and Corporate Services

The EPA is assisted by an Advisory Committee of twelve members who meet regularly to discuss issues of concern and provide advice to the Board.
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Environmental Protection Agency | Industrial and Waste Licence Enforcement 2016

1552

EPA site inspections were carried out

€178,630

Total fines, costs and charitable donations from EPA prosecutions

95%

95% of EPA site inspections were unannounced

66%

66% of all complaints received related to odour

Top 5

Top 5 sites visited in 2016 were from the Waste Sector

The Food and Drink sector were the least compliant sector
1. **Introduction**

This report focuses on the enforcement of Environmental Protection Agency (EPA) industrial and waste licensed facilities in 2016 by the EPA’s Office of Environmental Enforcement.

The EPA is the competent authority for granting and enforcing Industrial Emissions (IE), Integrated Pollution Control (IPC) and Waste licences for specified industrial, agriculture and waste activities.

In summary the categories of industry (and number of sites in brackets) coming within the scope of the EPA’s licensing regime are:

| Minerals and Other Materials (14). | Fossil Fuels (3). |
| Metals (20). | Waste (184) |
| Mineral Fibres and Glass (1). | Surface Coatings (54). |
| Chemicals (76). | Other Activities (includes testing of engines, timber treatment, manufacture of printed circuit boards, production of lime, the manufacture of ceramic products, the capture of CO\(_2\) streams and treatment of waste water) (29). |
| Intensive Agriculture (poultry and pigs) (217). | |
| Food and Drink (86). | |

Some of the classes are subject to thresholds. Any person carrying on an activity that is below a threshold must ensure that they do not exceed that threshold without first obtaining a licence.

Waste disposal and recovery activities in Ireland are required to hold an authorisation in accordance with the Waste Management Act 1996 as amended. Operators of larger waste facilities are required to hold a waste licence from the EPA.

This report outlines the EPA’s strategy for enforcement of these activities, reviews the 2016 enforcement year and considers EPA priority work areas.

Companion reports on enforcement of other categories of activities, including the drinking water and urban waste water treatment sectors, are available on the EPA website.

1.1 **The EPA’s regulation for environmental protection**

As part of our wider remit of environmental protection, stewardship and advocacy, the EPA is responsible for the environmental licensing and enforcement of the major industrial and waste management operations in Ireland, to ensure that their activities and emissions do not endanger human health or harm the environment. These are the operations that, because of the nature and scale of their activities, have the potential to cause environmental impact if they are not appropriately managed and controlled.
1.2 The EPA’s Enforcement Strategy

The EPA’s overall enforcement strategy is underpinned by the principles of:

- Proportionality in the application of environmental law and in securing compliance
- Consistency of approach
- Transparency about how the EPA operates
- Targeting of enforcement action where it is needed, and
- Implementation of the polluter pays principle.

In applying this strategy in respect of licensed activities, the EPA aims to ensure that operators deliver on their responsibilities to carry on their activities in accordance with their EPA licences. These objectives are advanced through a combination of promoting compliance through guidance and assistance, the monitoring of compliance and the taking of enforcement sanctions where necessary.

An EPA licence includes a range of conditions with which the operator must comply so as to ensure that the activity has no significant environmental impact. Licence conditions include requirements in relation to:

- Physical infrastructure
- Management systems and procedures
- Staff training
- Accident preparedness
- Financial provision
- Limiting and preventing emissions to surface waters, groundwaters and the atmosphere
- Minimising and managing waste
- Maintaining monitoring and performance records
- Reporting routine performance information, and
- Notifying the EPA about complaints received and incidents or non-compliant emissions that occur.

Licensees are required to put in place measures to address each of these aspects in the day-to-day business and in the longer term development of their operations; assessing the success of these measures is central to the EPA’s enforcement of the licences it issues.

1.3 Industrial and Waste Licence Enforcement

Industrial and Waste Licences are enforced by the EPA using a number of tools as highlighted later in this report. Licensees are required to comply with strict monitoring and reporting regimes as set out in the licenses.
2. LICENSED INDUSTRIAL AND WASTE MANAGEMENT ACTIVITIES IN 2016

The total number of Industrial and Waste Licences in force during 2016 was 806. There were 713 operational sites while the remainder had either ceased activities or had never commenced the planned activities. The location of all licensed sites in 2016 is shown in Map 1.
Key Facts 2016

45 new licences were issued by the EPA during 2016 with 46% of these being for Intensive Agriculture sites and 26% for waste sites.

There were EPA licensed sites in each county with Cork having the highest number of licensed sites, followed by Monaghan where the intensive agriculture sector makes up 84% of the “licensed community” compared with an average of 24% for all other counties.

- Monaghan and Cavan combined have 47% of the entire licensed Intensive Agriculture sector.
- The Intensive Agriculture sector (pig rearing/fattening units, poultry rearing/fattening units) represent 30% of all EPA licensed sites in Ireland.
- 36% of all EPA licensed sites are located in counties Cork, Monaghan and Dublin, with less than 10% of all licensed sites being located in Connaught.
- Cork has the highest number of licensed Industrial sites (51)\(^1\) with Dublin having the highest number of licensed waste sites (30)\(^1\)

1: Industrial sites refers to all sites in the Minerals and Other Materials, Energy, Metals, Mineral Fibres and Glass, Chemicals, Intensive Agriculture (poultry and pigs), Food and Drink, Wood, Paper, Textiles and Leather, Fossil Fuels, Cement, Lime and Magnesium Oxide, Surface Coatings, Other Activities (includes testing of engines, manufacture of printed circuit boards, production of lime, the manufacture of ceramic products, the capture of CO₂ streams and treatment of waste water).

Waste sites refers to waste transfer stations, incineration, dredging, composting, landfill and soil recovery sites.
Table 1 – Density of licensed sites per county by area.

<table>
<thead>
<tr>
<th>Top 5</th>
<th>Lowest 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dublin</td>
<td>Donegal</td>
</tr>
<tr>
<td>Monaghan</td>
<td>Leitrim</td>
</tr>
<tr>
<td>Cavan</td>
<td>Galway</td>
</tr>
<tr>
<td>Louth</td>
<td>Mayo</td>
</tr>
<tr>
<td>Kildare</td>
<td>Roscommon</td>
</tr>
</tbody>
</table>

Chart 1 – Licensed sites by county
3. LICENCE ASSESSMENT AND COMPLIANCE

3.1 EPA Visits & Inspections

A cornerstone of the EPA’s enforcement of Industrial and Waste licences is site inspection. The EPA carries out inspections of licensed facilities using a number of approaches and techniques.

Key Facts 2016

- A total of 1,552 site inspections were carried out at 539 licensed sites during 2016. 512 of these visits were at operational sites with the remaining 27 at sites where the licensable activity had ceased. Inspections are carried out at closed sites to ensure that the site has been managed and controlled appropriately during the cessation of activities.
- 203 of the sites were inspected once during the year and the remaining 336 sites were visited at least twice.
- 95% of all of the Industrial and Waste enforcement inspections carried out by the EPA during 2016 were unannounced.
- Most sites are inspected according to an annual plan and are not inspected more than twice per year. However, 12 sites required inspection more than 10 times during 2016, and these were:

<table>
<thead>
<tr>
<th>Site Name</th>
<th>County</th>
<th>No of Inspections 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Enva Ireland Limited</td>
<td>Laois</td>
<td>78</td>
</tr>
<tr>
<td>Knockharley Landfill</td>
<td>Meath</td>
<td>68</td>
</tr>
<tr>
<td>Ballynagran Residual Landfill</td>
<td>Wicklow</td>
<td>46</td>
</tr>
<tr>
<td>Oxigen Environmental (Coes Road)</td>
<td>Louth</td>
<td>36</td>
</tr>
<tr>
<td>Oxigen Environmental (Robinhood)</td>
<td>Dublin</td>
<td>32</td>
</tr>
<tr>
<td>Greyhound Recycling &amp; Recovery</td>
<td>Dublin</td>
<td>27</td>
</tr>
<tr>
<td>Oxigen Environmental (Merrywell)</td>
<td>Dublin</td>
<td>26</td>
</tr>
<tr>
<td>Thorntons Recycling Centre (Ballyfermot)</td>
<td>Dublin</td>
<td>23</td>
</tr>
<tr>
<td>Arrow Group</td>
<td>Kildare</td>
<td>19</td>
</tr>
<tr>
<td>Anglo Beef Processors Waterford</td>
<td>Waterford</td>
<td>13</td>
</tr>
<tr>
<td>College Proteins</td>
<td>Meath</td>
<td>13</td>
</tr>
<tr>
<td>Nutricia Infant Nutrition Limited</td>
<td>Cork</td>
<td>11</td>
</tr>
</tbody>
</table>
How does the EPA decide which licensed sites to inspect, and how often to inspect them?

In line with the requirements of the Industrial Emissions Directive (2010/75/EU) the EPA has, for a number of years, categorised each licensed facility in terms of the risk to the environment. Factors for the risk categorisation of each site include the complexity of the activity, the type, nature and quantity of emissions, the sensitivity of the receiving environment and its location. The highest ranked facilities receive the most planned visits from the EPA each year and may also receive EPA visits in response to complaints from the public or environmental incidents at the facilities. The various types of visits undertaken by the EPA on an annual basis are illustrated below.
Chart 2 – Types of site visits completed at licensed sites in 2016

Chart 3 – Sites visits per sector completed during 2016
3.2 Non Compliances

The holder of a licence issued by the EPA is obliged to comply with the full suite of conditions as set out in the licence. EPA inspectors assess compliance with the licence conditions, which require the operator to conduct the licensed activity without causing risk of harm to human health or the environment. Compliance issues may be detected by means of any of the metrics of environmental performance already discussed, for example, licensee communications (reports, returns and notifications), third party complaints, EPA site visits, and targeted campaigns.

### Key Facts 2016

- A total of **1546** non-compliances were recorded by the EPA during 2016 for **325** individual sites.
- **45%** of operational licensed sites had no non-compliance recorded during 2016.
- **30%** of all non-compliances recorded related to a breach of an emission limit value.
- **8%** of all non-compliances recorded related to the licensees failure to notify the EPA of an incident at the licensed site.
- **5%** of non-compliances recorded related to environmental nuisance issues (e.g. odour)
- **30%** of the nuisance non-compliance were linked to a Compliance Investigation.

### What happens when a non-compliance is recorded?

The detection and recording of a non-compliance with a licence condition is often the first step in escalation of enforcement action by the EPA. A non-compliance that is considered to be of environmental significance will be linked to a Compliance Investigation. In the case where the EPA takes legal action against a licensed site it is the non-compliance with the licence which is the offence being prosecuted. All non-compliances recorded form part of the Priority Site score for the licensed site (explained elsewhere in this report).
Chart 4 – Non-compliances recorded 2016

Non-Compliances - Top 5 Sectors 2016

Chart 5 – Sectors at which non-compliances were recorded during 2016
3.3 Compliance Investigations

A Compliance Investigation (CI) is opened by the EPA where it deems that further information and/or action is required in relation to a compliance related issue at a licensed site.

**Key Facts 2016**

- **402** CIs were open during 2016.
- **124** of these were opened during 2016, the remaining **278** were opened during previous years.
- **56%** of CI’s that were opened during 2016 were closed during 2016.
- **57%** of the open CI’s during 2016 referred to water quality issues and/or a risk to water quality, with waste issues being the next most significant area at **12%**.
- The majority of CI’s (**42%**) that were open during 2016 were opened based on the findings of a site inspection carried out by the EPA.

**When does a Compliance Investigation get opened/closed?**

When opening a CI the EPA inspector assigns a risk rating (High, Medium & Low) depending on the risk to the environment. The CI may contain a number of items for the licensee to address, e.g. further monitoring, carry out an investigation, provide clarification, carry out improvement works, etc.

A CI remains in effect until the causative compliance issue has been fully addressed by the licensee. While the EPA requires in each case a speedy conclusion to the causative issue, it is sometimes the case that the resolution of the problems involves substantial new infrastructure, additional investment or alternative production systems; in some instances, solutions may require new regulatory authorisations or processes. For these reasons, CIs may remain in place for extended periods. The EPA maintains oversight of the licensee's progress in resolving each CI, and unsatisfactory progress may itself result in the escalation of enforcement action by the Agency.
3.4 Complaints from the Public

Complaints from members of the public who feel that the operators of licensed sites are not fulfilling their responsibilities are an important component of the performance related information available to the EPA.

![Chart 6 – Reasons for opening a CI during 2016](chart-6.png)

Key Facts 2016

- The EPA received a similar number of complaints from the public in 2015 and 2016 (1097 v 1101)
- 3 of the Top 5 complained against licensees in 2015 remain in the Top 5 in 2016 and these are Arrow Group, Ballynagran Residual Landfill and Nutricia Infant Nutrician Ltd.

<table>
<thead>
<tr>
<th>Site Name</th>
<th>County</th>
<th>No of complaints 2016</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrow Group</td>
<td>Kildare</td>
<td>114</td>
</tr>
<tr>
<td>Ballynagran Residual Landfill</td>
<td>Wicklow</td>
<td>112</td>
</tr>
<tr>
<td>Knockharley Landfill</td>
<td>Meath</td>
<td>105</td>
</tr>
<tr>
<td>Oxigen Environmental (Coes Road)</td>
<td>Louth</td>
<td>97</td>
</tr>
<tr>
<td>Nutricia Infant Nutrition Limited</td>
<td>Cork</td>
<td>61</td>
</tr>
</tbody>
</table>

- Odour remains the most significant issue for the public – 66% of all complaints in 2016 related to odour, with next highest being noise - 18%
How does the EPA handle complaints from the public?

Each year, the EPA receives a significant number of complaints from the public about licensed facilities by various means – telephone, writing, email, web etc. Once a complaint against a licensed facility is received, it is recorded and directed to the licensee by the EPA for investigation. At this stage, the EPA may also decide that it requires further investigation and open a Compliance Investigation with a specific set of Actions or Instructions for the licensee to carry out. The EPA may separately carry out its own monitoring and additional enforcement work may be necessary. If the complaints continue and/or if the licensee has not carried out the works required to rectify the problem, the EPA may take legal action against the licensee.

Complaints received by the EPA by sector 2016

Chart 7– Complaints received 2016
Map 2 – Complaints per licensed site by county 2016
3.5 Environmental Reporting by Licensees

Licensees are required to submit information to the EPA in line with the obligations set out in their licences and using the EPA’s electronic document management system (EDEN).

**Key Facts 2016**

**Environmental Performance Reports**
- In 2016, the Agency received a total of 6147 electronic reports from licensees.
- Sites in the Waste Sector submitted the highest number of reports submitted by licensees in 2016.
- Monitoring returns accounted for 45% of reports in 2016.

**Environmental Incidents**
- The EPA received 1175 environmental incident reports in 2016, 97% were classified as ‘Minor’ by licensees with the remaining 3% being ‘Limited’ or Category 2.
- Of the 32 ‘Limited’ environmental incident reports, 53% of these were related to spillages/uncontrolled releases at sites.
- 23 incident reports were received in relation to Fires at sites in 2016.

**What are the key reports sent into the EPA by Licensees?**

**Environmental Performance reports**
- **Licensee Returns** - These cover a wide range of document types including monitoring reports, periodic reports and submissions specified in licences, as well as responses to EPA instructions and directions given during the course of the enforcement process.
- **Annual Environmental Reports** - The Annual Environmental Report (AER) is a key licence requirement for ensuring public access to information on the environmental performance of licensed facilities. The AER provides annual summary information on emissions from the facility to air, water, sewer and land, as well as quantities of wastes generated by the facility and their recovery or disposal. It also contains summaries of the operator’s monitoring, compliance, complaints and incident records and descriptive information about the site. All AERs submitted by licensees are published to the EPA website.

**Environmental Incident reports**
- Each licensee is required to report incidents at their installation to the EPA under the terms of their licence. An incident is typically defined as an Emission Limit Value breach, breakdown of key abatement plant or any indication that environmental pollution has or may have taken place. The licensees are required to report each incident in line with the EPAs incident classification scheme (Ranked 1-5) with ‘Category 1’ having a Minor impact on the environment and ‘Category 5’ being Catastrophic.
Chart 8 – Types of licence returns received during 2016

Licensee returns by type 2016

- Monitoring returns
- Site Updates
- Request for Approval / Site Reports
- Other
4. ENFORCEMENT TOOLS AND METHODS

4.1 Prosecutions

As a regulator, the EPA has a range of enforcement tools available to it and these range from the provision of advice and guidance, investigating the various issues through Compliance Investigations, the issuing of non-compliances to formal enforcement processes such as prosecution. As stated above, the Compliance Investigation drives licensees to deliver improvements in compliance. Where licensees have failed to effectively and in a timely manner address the requirements of Compliance Investigations and to complete the specified corrective actions and improvement measures, the EPA may determine that further enforcement action is required.

Key Facts 2016

- The EPA took 17 District Court Prosecutions in 2016, 11 were in relation to industrial/waste licensed facilities.
- The Waste (3), Surface Coating (2) and Food & Drink (2) Sectors had the highest number of summary prosecutions taken against them.
- The total fines, cost and donations imposed by the courts during 2016 was €178,630. All of the prosecutions brought by the EPA were for not complying with the conditions of a Waste or Industrial Licence.
- The issues to which the prosecutions related to included: breach of emission limit values for discharges to air, water and sewer, causing nuisance and impairment of the environment as a result of odour emissions, failure to control noise emissions, failure to notify the EPA of an incident, poor waste management and handling practices, inadequate management of a facility and failure to complete monitoring as required by the licence.

Why the need for Prosecutions?

Prosecution is a sanction against licensees where the conditions of their licence are not being complied with and/or other enforcement actions have not resulted in improved compliance. It is a means of bringing to justice those who commit offences and protecting the environment and the community. The EPA has a strong track record of prosecutions and has used all of the enforcement powers available to it against non-compliant licensees.
### Summary Prosecutions (District Court) - 2016

<table>
<thead>
<tr>
<th>Company Name</th>
<th>County</th>
<th>Fines / Costs/ Donations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vedanta Lisheen Mining</td>
<td>Tipperary</td>
<td>€5,000</td>
</tr>
<tr>
<td>Rilta Environmental Limited (W0192-03)</td>
<td>Dublin</td>
<td>€19,636</td>
</tr>
<tr>
<td>T&amp;J Standish (P0320-02)</td>
<td>Offaly</td>
<td>€2,288</td>
</tr>
<tr>
<td>Shell E&amp;P Ireland (P0738-03)</td>
<td>Mayo</td>
<td>€16,138</td>
</tr>
<tr>
<td>Nutricia Infant Nutrition Limited (P0792-02)</td>
<td>Cork</td>
<td>€34,182</td>
</tr>
<tr>
<td>Greyhound Recycling and Recovery (W0205-01)</td>
<td>Dublin</td>
<td>€34,500</td>
</tr>
<tr>
<td>Rosderra Irish Meats Group (P0181-01)</td>
<td>Tipperary</td>
<td>€9,085</td>
</tr>
</tbody>
</table>

Table 2 – List of prosecutions 2016

In addition to the cases listed above in Table 2, another 4 cases were concluded during 2016 (two were dismissed and two received the benefit of the Probation Act) securing an additional €27,802 in costs and €30,000 in charitable donations. The total costs, fines and donations secured from all the cases concluded during 2016 was €178,630.

#### 4.2 National Priority Sites

The EPA employs a system for the identification of licensed sites which are considered a national enforcement priority. The system provides a dynamic ranking of facilities based on their enforcement/compliance status and the scoring system is particularly affected by the level of enforcement activities for each licensed site. National Priority Sites are subject to additional scrutiny and attention from the EPA.
25 sites were considered to be a National Priority Site during 2016.

12 of the 25 National Priority Sites for 2016 were considered to be a National Priority Site for at least 2 quarters of 2016.

The Food & Drink and Waste Sectors had the largest proportion (8 each) of National Priority Sites in 2016 (Figure 1). 5 of the 8 National Priority Sites in the Food & Drink Sector undertake milk processing activities while 2 of the remaining 3 sites are involved in animal slaughtering with the third carrying out food manufacture activities.

The 8 Waste industry National Priority Sites consist of 3 Landfills sites and 5 Waste Transfer Station sites.

The predominant issue of concern to the EPA at the National Priority Sites was risk of Water Pollution.

63% of all complaints (industrial/waste) received by the Agency in 2016 were related to National Priority Sites.

50% of the National Priority Sites were found not to have reported incidents as required by their licence.

91% of Site Visits to National Priority Sites were in response to issues of concern to the EPA.

What are the key components of the National Priority Sites methodology?

The methodology has four key components –

- Compliance Investigations - CI’s are categorised into Low, Medium and High based on the severity and likelihood of the effect on the environment and whether they are still active or closed.

- Complaints - The methodology takes particular account of the number of complaints from the public which are linked to Medium or High CI’s for each licensed site as they are considered to be a higher priority.

- Incidents - Only ‘limited’ or higher incidents are scored in the methodology.

- Non-compliances - The number of non-compliances recorded by the EPA against each licensee is included in the methodology, with a greater weighting being applied to incidents which were not notified to the EPA.

How does a licensed site become a National Priority Site?

Each licensee receives a score based on the status of their enforcement against the 4 key criteria above. In order for a licensed site to make it onto the National Priority sites list, it must achieve a score of greater than 30 points against the 4 key components above. Licensees who have a score of <30 points will not be considered to be a national priority site at that time but the list is dynamic and it doesn’t preclude it from being a national priority site at another time. The roll out and communication of the National Priority Sites list has driven improvements in compliance and better engagement from licensees.
4.3 Financial provision

Financial provision is a priority under the EPA’s Strategic Plan (2016-2020) and the EPA has made a concerted effort to secure compliance with conditions related to environmental liabilities and financial provisions. Though good progress has been made, and, with over €800m in environmental costings agreed, the securing of financial provision remains a priority under the EPA’s Strategic Plan (2016-2020).

A number of guidance documents, (e.g. Guidance on Financial Provision for Environmental Liabilities in late 2015), and templates have been published by the EPA to assist operators in complying. These are available on the EPA website at http://www.epa.ie/enforcement/financialprovisionforenvironmentalliabilities/

Key Facts 2016

- There was €232 million in financial provisions secured during 2016, bringing the overall provision in place to €342 million at end of 2016 across 81 EPA licensed facilities.
- The majority of financial provision in place was by way of bonds (49%), with 23% agreed in the form of Parent Company Guarantee, 14% as Environmental Impairment Liability Insurance, 10% in secured funds and 4% as charges on property.
Why do we need financial provision at licensed sites?

The prevention and remediation of environmental damage and pollution from incidents and from the closure of licensed facilities is a strategic priority for the EPA. It is important to ensure that there is adequate financial provision in place to manage these environmental risks, protect the environment and minimise the exposure of the State to the cost of remediating environmental damage and pollution when persons carrying out licensed activities fail to do so.

The European legal framework for environmental liabilities is set out in several European Union ("EU") directives including:

- Industrial Emissions Directive (2010/75/EU);
- Waste Framework Directive (2008/98/EC);
- Mining Waste Directive (2006/21/EC);
- Environmental Liability Directive (2004/35/EC); and

In addition to the requirements of the directives above the conditions of the Industrial and Waste licences strengthen the requirements for operators to provide adequate financial provision. Ireland and Scotland are leading an EU IMPEL project called “Financial Provision: Protecting the Environment and the Public Purse”. Phase 1 which consisted of evidence gathering was completed in 2016. Phase 2 will be completed in 2017 and will produce practical guidance for regulators and other stakeholders to support implementation of financial provision for environmental liabilities.
ELRA - Environmental Liabilities Risk Assessment  CRAMP - Closure Restoration and Aftercare Plan

Chart 10 – ELRA, CRAMP & FP agreed during 2016

Types of Financial Provision Agreed

Chart 11 – Types of Financial Provision agreed
5. **SUMMARY AND KEY MESSAGES FROM 2016**

This report highlights that, in 2016, the main environmental issues were largely associated with a small number of industrial and waste sites and the EPA continued to focus its attention on these problematic sites. For example, a total of 12 sites were visited by the EPA on more than 10 occasions in 2016 and whilst the key issues were resolved at some sites, many of the licensees have been prosecuted for failure to address the main problems in a satisfactory manner.

The National Priority Sites system proved to be a key tool for highlighting those licensed sites which were considered to be a national enforcement priority in 2016. 25 sites were identified as being a National Priority Site during the year with the Food & Drink and Waste Sectors having the largest proportion (8 sites each) of National Priority Sites. Also, 63% of all complaints from the public received by the Agency in 2016 related to National Priority Sites. However, the overall number of National Priority Sites represented a very small percentage (3%) of the total number of licensed industrial and waste sites. The National Priority Sites system identifies the sites which are the least compliant and allows the EPA to focus on these sites.

The EPA received a significant number of complaints from members of the public in relation to industrial and waste sites. Odour was the most common issue and accounted for 66% of all complaints received. The resolution of odour problems at licensed sites continues to remain a key priority for the EPA. Where licensees fail to put in place measures to minimise odours emanating from installations, the EPA will take whatever enforcement actions it considers necessary to address this issue.

Securing Financial Provision at licensed sites is a key part of the EPA’s Strategic Plan (2016-2020) and all financial provisions secured must be ‘safe, secure and available when required’. The amount of Financial Provision secured by the EPA at licensed sites during 2016 increased by €232 million and brought the total amount of financial provision in place to €342 million at the end of the year. To date, the EPA has invested significant time and resources into this key area and will continue to do so in the years ahead.

17 District Court prosecutions were taken by the EPA in 2016, 11 of which were in relation to industrial/waste licensed site. A total of €178,630 in fines, costs and charitable donations was granted by the courts in these cases.

The EPA took further steps in 2016 to improve the accessibility of information to the public and a lot of information on the performance of industrial and waste licensees is available on the EPA website ([www.epa.ie](http://www.epa.ie)) under the licence search pages.

The EPA monitors licensed sites on a regular basis to assess and determine compliance with the licence conditions and, as part of the conditions of their industrial/waste licence, licensees have an ongoing requirement to monitor emissions from their installations. The EPA is collaborating with various international Agencies on looking at ways of enhanced monitoring and detection systems and has, in recent times, used new technology (e.g. e-noses) and methods (e.g. drones) to gather intelligence and information on key environmental issues associated with licensed sites.
AN GHNÍOMHAIREACHT UMA CHAOMHNU\nCOMHSHAOL

Tá an Gnìomhaireacht uma Chaoimhnu Comhsail (GCC) freagraigh as an gcomhsail a chaomhnu agus a theachnú mar shóchánaíluin luachmhar do mhuinhic na hÉireann. Táimid tionscanna do dhaoin agus don comhsail a chosaint ón éifeacht díobh láidh a chaomh nu a thraillte. 

Is fheidir obair na Gnìomhaireachta a roinnt ina trá phríomháireamh:

Rílóga: Déanaimid cáirde éifeachta rialaithe agus comhlianta comhsail a chur i bhfeidhm chun torthaí maithe comhsail a slóthar agus chun driúir outhí síud nach gcleonann leis na córais sin.

Eolas: Soladhraidim sonrai, faispínis agus meascán comhsail atá ar ardcaighdeáin, spriocdhírithe agus tráthnúil chun bonn eolas a chur faoin gníomhoireacht ag a gach leibhéal.

Tacaíocht: Bimid ag soithiú i gcomhar le grúpaí eile chun tacú le comhshaol ábhartha, agus le díonphobail a chur féin gníomheachtaí ar gach leibhéal.

Ár bhFreadhracht

Ceadúnú

- Déanaimd na gníomhárochtai seo a leanas a rialú ionsaí grá nádhradh do shliabhín a mheasair nó don comhsail:
- saoráidí dramhailola (m.sh. láithreán lionta talún, laoisceoirí, stáisiúin oístráth drámhaíola);
- gníomhárochtai tionscailocha ar scála móir (m.sh. déantaíocht cógaisiocht, déantaíocht stroighne, stáisiúin chumhachtach); an diantaimhachtaí (m.sh. muca, éanlaith);
- úsáid shrianta agus scoileadh rialaithe Erabhachtáin Géimhodhnaith na Gníomhaireachta (GGM);
- fiansi radicalócha ionúcháin (m.sh. trealamh x-gha agus raideirge, fiansi tionscailocha);
- áiseanna móra stórála peitril;
- scaradh drámhuise;
- gníomhárochtai dampaí a fharraigh.

Forfheidhmhú Náisiúnta i leith Cúrsaí Comhshaoil

- Clár náisiúnta imníochtaí agus cigireacht a dhéanamh gach bliain ar shaoradáidí a bhfuil ceadadúin ón ngníomhaireacht acu.
- Maoirseacht a dhéanamh ar fhreagrachtai cosanta comhsail na n-údarás a dtáilte.
- Caighdeán an uisce ól, arna slóthar ag sláthraiteas uisce phobail, a mhaoirsiú.
- Obair le húdaráis áitiúla agus gníomháireachtaí eile chun dul i ngileach do leir fhorbairt cisciúnais a bhfhorbairt ón ngníomhaireacht. Tá an ghníomhaireacht á fhorbairt le linn na hÉireann a bhfuil docheindóil a mheastar a thabhairt aici faoi dhaoine a bhaintear marcais air de na náisiúnta.

Bainistiúocht Uisce

- Monatóireacht agus tuairisciú ar chéiliocht a bhfhorbairt agus a bhfuil náisiúntach duais i láthair. Tá an ghníomhaireacht á fhorbairt a chomhshaoil leis an gceist a bhfuil earruithe.
- Tuairiscí naeseachtaí a bhfhorbairt agus an gceist a bhfuil ginearálta a bhfhorbairt.
- Tuairiscí na bhrasáide a bhfhorbairt agus an gceist a bhfuil eolaíochta a bhfhorbairt.

Monatóireacht, Anailís agus Tuairisciú ar gComhsail

- Monatóireacht a dhéanamh ar chéiliocht a bhfuil docheindóil a bhfuil mórnaí príomhaigh a bhfhorbairt.
- Tuairiscí na bhrasáide a bhfhorbairt.

Ríalú Astaíochtaí na nGáis Ceaptha Teasa in Éirinn

- Faraidí agus réamh-mheasachtacháin na hÉireann a bhféadfadh an phobal a mheasadh.
- An Treoir a chur i bhfeidhm chun bonn eolais a dhéanamh.

Taighde agus Forbairt Comhsail

- Taighde comhsail a chur a dhéanamh.
- An ghníomhaireacht a thabhairt.

Measúnacht Straitéiseach Timpeallachta

- Measúnacht a dhéanamh ar dhéanann dochar don chomhshaol.
- An Treoir maidir le hAer Glan don Eoraip (CAFÉ) a bhfuil aithne air as a thuilleadh.

Cosaint Raideolaíoch

- Monatóireacht a dhéanamh ar dhéanann cosaint raideolaíoch.
- An ghníomhaireacht a thabhairt.

Treoir, Faisnéis Inrochtana agus Oideachas

- Comhairle agus treoir a chur a dhéanamh.
- An ghníomhaireacht a thabhairt.

Múscaí Feasachta agus Aithrí Impróichohta

- Feasachta comhsail a bhfhorbairt.
- An ghníomhaireacht a bhfhorbairt.

Bainistiúocht agus struchtúr na Gníomhaireachta um Chaomhnu Comhsail

- Tá an ghníomhaireacht á fhorbhairt agus a bhfuil aithne ar a dtugtar na n-ábhair a bhfuil cuid víche a bhfuil dhuine a thugtar mar aonair.
- Tá an ghníomhaireacht á fhorbhairt agus a bhfuil aithne ar a dtugtar na n-ábhair a bhfuil dhuine a thugtar mar aonair.

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