

---

# 2022 NATIONAL ENFORCEMENT PRIORITIES (NEP) PROGRESS REPORT

---

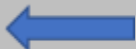


Comhairle Cathrach  
Bhaile Átha Cliath  
Dublin City Council

## Contents

Governance – RMCEI Review & Reporting .....	1
Governance – Environmental Complaint Handling .....	3
Water – Pressures from Agriculture (slurry/soiled water collection and storage) .....	6
Water – Pressures from Agriculture (slurry and fertiliser spreading) .....	7
Water – Domestic Waste Water Treatment Systems (DWWTS) and Septic Tanks .....	8
Water – Discharge Licences / Misconnections .....	9
Water – Local Priorities and Water Quality Monitoring .....	12
Air & Noise – Solid Fuel Inspections .....	15
Air & Noise – Air Quality Monitoring Activities and Data Use .....	16
Air & Noise – Environmental Noise Directive (END) Activities/Noise Plans .....	18
Air & Noise – Air & Noise Control (including Planning) .....	19
Air & Noise – Ongoing Air and Noise Enforcement Work .....	21
Waste – Tackling significant illegal waste activities & Multi-Agency Sites/Operators of Concern .....	23
Waste – Construction and Demolition Waste Activity .....	26
Waste – End-of-Life Vehicles (ELV) Directive & the Waste Metal Industry .....	29
Waste – Waste Collection: Household & Commercial .....	32
Waste – Producer Responsibility Initiatives and Local Priorities .....	35

## Governance – RMCEI Review & Reporting

National Enforcement Priority:	GOVERNANCE - RMCEI Review & Reporting
Local Authority:	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the ‘RMCEI data returns’ or your ‘RMCEI Plan’.</b></p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• The RMCEI Plan frequency of reviews should be bi-annual at a minimum. The review frequency and the outcomes should be included in the progress report.</li> <li>• RMCEI reviews should evaluate progress of NEPs and assess if planned inspection targets are on track.</li> <li>• RMCEI reviews should provide reasons for any deviation from targets, planned activities or objectives set out in the plan.</li> <li>• RMCEI reviews should be presented to the Director of Services/Senior Engineer/Senior Management/Environment Strategic Policy Committee at least once during the earlier part of the year, to facilitate plan review.</li> <li>• The RMCEI Plan, RMCEI Data Return and NEP Progress Report should be submitted to the EPA on schedule.</li> </ul>	<p>The RMCEI Plan, RMCEI Data Return and NEP Progress Report was submitted to the EPA in line with the submission dates of 14<sup>th</sup>/28<sup>th</sup> February. In DCC’s RMCEI Plan for 2022 we scheduled to “<i>have the first RMCEI/Enforcement Plan Implementation Review meeting and corresponding Report in Q1</i>” and maintained that “<i>DCC will then be better placed to decide if further quarterly Reviews are necessitated</i>”. Although, no meeting was held in Q1, there were three RMCEI Plan reviews conducted in 2022. The RMCEI Coordinator contacted each Section individually in June to gauge how their planned targets/inspections vs. completed targets/inspections were aligning with the Plan. No changes to the RMCEI plan were suggested by each Section and therefore no meeting was warranted. Any correspondence in relation to this interaction and/or similar is saved centrally.</p> <p>In August a meeting was held involving all Sections, Senior Management and the Executive Manager. Although, no changes were once again envisaged by each Section, the Meeting proved to be a very useful channel/forum for discussing other RMCEI related topics and potential outcomes, such as:</p> <ul style="list-style-type: none"> <li>• Reviewing the Local Authority Performance Framework (LAPF) grading for DCC and corresponding Assessment Methodology, and those thematic areas where DCC underperformed, which will require alignment with what is expected from the LAPF resulting in improved performance</li> <li>• Understanding the role of the new National Environmental Information Management System (NEMIS) and subsequent contribution of non-waste Sections resulting in consistent statistical reporting</li> <li>• Partaking in the RMCEI Coordinator’s Event in November 2022 and highlighting the importance of at least one representative from each Section attending, resulting in greater insight into the overall RMCEI process, whilst using the Event to provide and receive feedback.</li> </ul>

The meeting in August was 'minuted', signed off by the Executive Manager and circulated to all Sections for their records.


In December the RMCEI Coordinator contacted each Section again to determine overall Plan progress. A meeting involving all Sections was not justified, as only one Section suggested changes - Waste Enforcement - which are detailed hereunder:

- **6.1.11 Inspections in relation to the household and commercial kerbside waste collection regime (including brown bin) - 5 inspections reduced to 2 inspections.** The rationale for this change was discussed - and agreed at SEO level - during an internal Waste Enforcement meeting in November. The reason for the change in the RMCEI Plan was for the utilisation of increased resources for non-routine days/hours on the following pieces of work **1) R139 Monitoring & Checkpoints** (Highest priority), **2) Labre Park monitoring** and **increased focused inspections** (23 Business Audits & 24 Tyre Retailers) **in the lead up to Halloween** (Waste Enforcement are a vital cog in the Halloween Co-ordination Group).

This RMCEI Plan deviation was circulated in Memo format and agreed/signed off by the Executive Manager.

**Please note that although the first meeting was not held until Q2, each Section individually assesses their own figures in line with the RMCEI Plan on a monthly basis.**

## Governance – Environmental Complaint Handling

National Enforcement Priority:	GOVERNANCE - Environmental Complaint Handling
Local Authority:	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</b></p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• Assignment of a dedicated Environmental Complaints Co-ordinator.</li> <li>• Implementation of the National Environmental Complaints Procedure.</li> <li>• Appropriate systems in place for recording and tracking environmental complaints.</li> <li>• Adequate resources assigned to complaint investigation in the RMCEI Plan.</li> <li>• Appropriate handling of EPA referred complaints and Section 63 Notices received by the local authority.</li> <li>• Ensuring timely investigation of complaints and reporting of complaints outcomes. This should include progress on complaints outstanding from previous years and the timeframes for complaint investigation.</li> <li>• Analysis of complaints numbers and inspection intelligence that may have potential impacts on NEPs and other thematic areas.</li> <li>• Details of environmental complaint handling should be provided in the appropriate section of the NEP Progress Report.</li> </ul>	<p>Water complaints are managed in accordance with the Protection of Waterbodies Office procedures manual.</p> <p>The establishment of the dedicated water pollution email address in 2020 has streamlined the procedure of receiving, recording and responding to complaints received. The email address is readily available on the Dublin City Council website and is widely shared on DCC's social media platforms.</p> <p>The number of complaints received by the section fluctuates annually and is difficult to predict for any given year. The Water Pollution Control Section received 275 complaints in 2022, a 26% decrease in complaints received from 2021. This was not surprising, given the large surge in complaints received during 2021 when footfall during the pandemic increased at local waterbodies and amenities. Surface water pollution and bathing waters made up the majority of the complaints received in 2022.</p> <p>All queries received by phone and in writing were scribed (as required) into an email and forwarded to <u>dedicated email address</u> for action. An automatic response acknowledging correspondence was in place, where a complainant was advised of anticipated response times.</p> <p>The email address is managed via a shared inbox. This ensures that there is oversight on any complaint received and adequate cover is in place during periods of annual/sick leave. The inbox was continuously monitored by the section, where complaints were numbered upon receipt and added to a master complaints database.</p> <p>The database provided an overview of all complaints received by the section, where progress of the complaint was tracked. Complaints were assigned to appropriate members of staff for action, and categorised accordingly to ensure team members were aware of the complaint status. The database feeds into annual RMCEI returns which is reviewed on a quarterly basis.</p>

- Reporting of complaint numbers and investigation for each thematic area in the RMCEI Data Returns.

The section strived to acknowledge correspondence within one working day of receipt, investigate and respond within 3 working days. Where an investigation was ongoing, a holding response was provided to the complainant, and updates provided accordingly. 100% of complaints received in 2022 met the targets set out. In addition, a GIS layer was created using complaint and associated incident locations. This provided DCC with an overview of pollution hotspots and if the incident had occurred previously.

Dublin City Council's Waste Enforcement Unit have a dedicated Environmental Complaints Co-ordinator who receives complaints from Dublin City Councils Customer Service Department, WERLA, EPA and the members of public directly. The complaints are assessed on a severity basis and assigned to an available Waste Enforcement Officer as soon as they are received. The Environmental Complaints Co-ordinator inputs the details of the complaint on the SharePoint system while also referencing previous or active investigations at that address through the search function.

Throughout 2022 DCC logged/received 223 complaints in total. Similar to previous years the most reported complaint type was unauthorised waste storage accounting for 44% of all complaints received, up 10% on 2021. The second most reported complaint in 2022 was burning accounting for 20% of all complaints. 2022 saw a 7% reduction in burning complaints received on 2021 figures.

All pertinent information to each complaint received is disseminated to the assigned investigating Officer. Following first inspection of the complaint the investigating officer updates SharePoint and liaises with the Environmental Complaints Co-coordinator to make any necessary updates to interested parties e.g. Reporting body. This process and system ensures timely investigation and reporting of complaint outcomes.


Information is readily available if another investigating officer is required to take over an investigation due to unforeseen circumstances and ensures the Environmental Co-ordinator has the most up to date information and status of the investigation to hand for reporting.

SharePoint also ensures the appropriate capture of information against NEPs and allows for essential reporting of complaint numbers and key outcomes.

Dublin City Council's Waste Management section is endeavouring to improve complaint and service requests platforms for the public. This improvement will see an ease of access and speed of response benefits. Citizen Hub platform is replacing the CRM system, a phased approach service by service commenced in 2022 and will continue into 2023. A number of waste services transferred in 2022 and reported complaints are the combined quantities from both platforms.


NEP Assessment Criteria		
<b>A</b>	<b>For regulated / authorised sites, a compliance rate</b> documented and compared over the previous years, and analysed or explained;	CORE
<b>B</b>	Demonstrate <b>appropriate site selection</b> methodology and inspection implementation and/or early interventions;	
<b>C</b>	Demonstration <b>that non-compliances/unauthorised activities are being detected</b> and are being followed up – and some progress in the NEP is shown;	
<b>D</b>	Clear example(s) of a positive <b>environmental outcome(s)</b> – something was achieved to improve the environment (not simply reached a target of inspections);	
<b>E</b>	Clear <b>useful learning in a NEP area</b> (positive or negative e.g. what to do, or what not to do, or identification of illegal sites or unauthorised operators);	Complementary
<b>F</b>	<b>Collaborative work</b> with WERLA, NTFSO, RWMPO, LAWPRO, EPA, Catchment Care Projects, inter-departmental within the local authority or with other local authorities; cross cutting NEP collaboration;	
<b>G</b>	Demonstration of a <b>proactive approach</b> , or <b>innovation</b> in dealing with a problem or demonstration of an <b>enforcement curiosity</b> ;	
<b>H</b>	<b>Compliance promotion and awareness</b> raising activities;	
<b>I</b>	Activities on <b>data validation, data analysis, systems development, website development</b> ;	
<b>J</b>	<b>Significant enforcement actions/prosecutions</b> and the outcomes such as remediation, sharing of lessons learnt to aid national consistency of enforcement;	
<b>K</b>	<b>Case studies written up and shared</b> that encompass any of the above properties.	

## Water – Pressures from Agriculture (slurry/soiled water collection and storage)


National Enforcement Priority:	<b>WATER – Pressures from Agriculture (slurry/soiled water collection and storage)</b>
Local Authority:	<b>Activities</b>
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b><u>Describe what was carried out under this activity in the previous reporting year – e.g.</u></b></p> <ul style="list-style-type: none"> <li>• Inspections of farmyards in areas where agriculture is identified as a significant pressure, with a small percentage in other areas, as defined in the National Agricultural Inspection Programme for local authorities.</li> <li>• Undertake targeted agricultural inspections specific to the pollutants of concern (P, N and organics), using the EPA Pollution Impact Potential (PIP) maps and EPAs Targeting Agricultural Measures Map.</li> <li>• Take all necessary steps to ensure compliance, including follow up and close out of non-compliances.</li> <li>• Cross reporting of non-compliances to DAFM.</li> <li>• Document and report results for all farm inspections to the EPA.</li> </ul>	<p>This NEP is not applicable to Dublin City Council.</p>




## Water – Pressures from Agriculture (slurry and fertiliser spreading)

National Enforcement Priority:	WATER – Pressures from Agriculture (slurry and fertiliser spreading)
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• Inspections of farmlands in areas where agriculture is identified as a significant pressure, with a small percentage in other areas, as defined in the National Agricultural Inspection Programme for local authorities.</li> <li>• Undertake targeted agricultural inspections specific to the pollutants of concern (P, N and organics), using the EPA Pollution Impact Potential (PIP) maps and EPAs Targeting Agricultural Measures Map.</li> <li>• Take all necessary steps to ensure compliance, including follow up and close out of non-compliances.</li> <li>• Cross reporting of non-compliances to DAFM.</li> <li>• Document and report results for all farm inspections to the EPA.</li> </ul>	<p>This NEP is not applicable to Dublin City Council.</p>

## Water – Domestic Waste Water Treatment Systems (DWWTS) and Septic Tanks

National Enforcement Priority:	WATER – Domestic Waste Water Treatment Systems / Septic Tanks
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity in the previous reporting year – e.g.</b></p> <ul style="list-style-type: none"> <li>• Undertake the allocated number of DWWTS / Septic Tank inspections under the National Inspection Plan for Domestic Waste Water Treatment Systems 2022 - 2026.</li> <li>• Take all necessary steps to follow up and ensure advisory notices are closed out.</li> <li>• When selecting households for inspection, consider areas where LAWPRO have issued letters of grant eligibility and homeowners have not taken action.</li> </ul>	<p>This NEP is not applicable to Dublin City Council.</p>

## Water – Discharge Licences / Misconnections

National Enforcement Priority:	WATER – Discharge Licences / Misconnections
Local Authority:	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the ‘RMCEI data returns’ or your ‘RMCEI Plan’.</b></p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b><u>Describe what was carried out under this activity in the previous reporting year – e.g.</u></b></p> <ul style="list-style-type: none"> <li>• Ensure all Section 4 Discharge Licence conditions are consistent with the requirements of the Surface Waters and Groundwater regulations.</li> <li>• Undertake risk based inspections/monitoring of Section 4 Discharge Licences. Inspect all licences in areas where discharge licensing is a significant pressure.</li> <li>• Ensure that all licensable discharges are authorised by a Section 4 Discharge Licence.</li> <li>• Ensure compliance with discharge licence conditions and follow up and close out non-compliances and LAWPRO referrals on Section 4s and misconnections.</li> <li>• Follow up on misconnections that have been identified as impacting on water quality, to ensure that works are undertaken by property owners to remediate such misconnections.</li> </ul>	<p><b>Section 4 and 16 licences:</b></p> <p>The number of active discharge licences fluctuated during 2022, primarily due to the temporary and short duration of dewatering required at construction sites. At the start of 2022, Dublin City Council (DCC) had 9 active discharge licences, 6 of which were granted to the construction sector. 4 sites ceased discharging during 2022, while 2 new sites were licenced during this time frame.</p> <p>By the end of 2022, 7 active discharge licences were in force. 4 operating in the construction sector and the remaining 3 licences to long term discharges from a water sports club, golf club and national roads project. All sites were categorised utilising the Risk and Resource tool as “C” low risk. All sites were sampled as per licence frequency or as required. Increased sampling was conducted at sites where non-compliances occurred to monitor mitigation measures were successful at mitigating the non-compliance. This approach facilitated early detection of breaches and prompted early intervention and resolve.</p> <p>A total number of 156 trade effluent samples were taken at licenced sites during 2022. Furthermore, licenced sites were required to submit discharge reports. On receipt of results and reports (both DCC and licensee), compliance reviews were conducted by the competent engineer and actioned accordingly. Reoccurring minor non-compliances were recorded at 2 licenced sites (28%) during 2022 compared to 2 sites (22%) in 2021. There was no change in compliance rates, rather a decrease in number of licenced sites between 2021 and 2022.</p> <p>Where temporary deteriorations or non-compliances were identified, DCC promptly engaged with the licensee and agreed appropriate mitigation and corrective actions to adequately rectify the non-compliance. Improved compliance following these interventions was recorded on subsequent compliance reviews. 50 site visits were</p>

conducted at licenced sites in 2022 where compliance, inspect treatment infrastructure and outfall to downstream receptors was assessed.

All new applications received were processed on receipt by DCC. A site visit was conducted where particulars of the application were reviewed and validated. Proposed treatment options were assessed to ensure the discharge could be sufficiently treated to meet proposed licence conditions. If this could not be adequately demonstrated at the site visit, an RFI was issued. All sites were conditioned in order to comply with the Surface Water and Groundwater Regulations and were monitored as per licence frequency at a minimum.

Where the section was notified of an unauthorised discharge, an investigation would be promptly conducted. If upon inspection the discharge was found to be an unauthorised trade effluent, the responsible parties would receive formal notification to cease & apply for the appropriate licence from the relevant authority. DCC received two separate complaints relating to unauthorised car washes in 2022. Upon inspection, both premises were operating without the appropriate licence and discharging wash water to the Grange and Naniken catchments respectively. Both sites were instructed to cease washing and to apply to the sanitary authority for a trade effluent licence. Site visits were followed up by a written notice and no further intervention was required. The outcome was the cessation and removal of unauthorised trade effluent discharges to surface waters.

**Misconnections:**

The Santry\_20 WFD catchment was classified as Poor status and at risk of not meeting the EU WFD objective by the Environmental Protection Agency. Significant pressures identified on the waterbody include domestic and commercial misconnections. 1000 misconnection inspections were planned for 2022, where 1449 inspections were completed.


Findings from each misconnection inspection were recorded in the misconnection database and managed by a dedicated member of staff. A total of 49 misconnected appliances were found between domestic and commercial premises. Affected property owners were instructed in writing to remediate misconnected appliances found within 8 weeks from date of the letter. Follow up misconnection inspections were carried out after the specified timeframe, where findings were again recorded and added to the misconnection database. The outcome of the inspections resulted in the removal of discharge from 44 misconnected appliances from the storm water network and downstream waterbody. Net environmental change to water quality was monitored, but is impacted by other contributing factors such as combined sewer overflows and urban run-off.

Warning letters were sent to the outstanding addresses reminding them of their responsibilities under the Act. Other unplanned misconnection inspections were conducted in 2022 which were identified by staff conducting routine river monitoring or via pollution complaints received. These inspections were carried out on the Nutley Stream and Elm Park Stream Catchment. 3 large commercial premises were found to sources of misconnections

in the catchments. DCC has actively engaged with the responsible parties ensuring an acceptable plan and procedure was in place to investigate and resolve private misconnections.

There were no LAWPRO referrals received for Section 4/16 licences or misconnections in 2022.

## Water – Local Priorities and Water Quality Monitoring

National Enforcement Priority:	WATER – Local Priorities and Water Quality Monitoring
Local Authority:	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</b></p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b><u>Describe what was carried out under this activity in the previous reporting year – e.g.</u></b></p> <ul style="list-style-type: none"> <li>• Complete statutory monitoring for WFD surveillance and operational monitoring, investigative monitoring and bathing water monitoring.</li> <li>• Inspect and follow up any local issues (not covered by other NEPs), including non-compliances with water quality standards and LAWPRO referrals.</li> <li>• Address any climate related water quality issues, e.g. impacts due to extreme weather events.</li> <li>• Registration and monitoring of all private drinking water supplies. Investigate supplies that fail to meet drinking water quality standards and take necessary enforcement action.</li> <li>• Engage with LAWPRO and Regional Committees on the implementation of RBMP Actions.</li> </ul>	<p><b>WFD Monitoring:</b></p> <p>Dublin City Council carried out operational and surveillance sampling as part of the National Water Framework Directive Programme. Sampling was conducted on 5 priority rivers in the jurisdiction namely the Tolka, Dodder, Liffey, Santry and Camac. Samples were taken in accordance with the predetermined sampling schedule issued by the EPA.</p> <p>25 operational and 31 surveillance sampling events were carried out in 2022, which assisted the EPA in characterising the chemical status of the aforementioned waterbodies. Dublin City Council fulfilled 100% of its statutory WFD monitoring obligations.</p> <p><b>Investigative Monitoring:</b></p> <p>Dublin City Council carried out 573 additional WFD sampling events in 2022. This included routine river, grand canal basin and investigative sampling to assist the early detection of new contamination which may be entering a waterbody. The information was used to determine the right measures in the right place utilising existing resources. For example monitoring carried out on the Santry_20 catchment determined where misconnection inspections should be and were prioritised.</p> <p>Investigative monitoring was also carried out during pollution incidents where ambient monitoring was taken to determine impact of the discharge. In one case, the results were used to support the upgrade of a combined sewer overflow to a waterbody.</p>

**Engagement:**

DCC continues to engage with LAWPRO and Regional Committees on the implementation of RBMP actions. DCC attended quarterly Midlands and East Region ROC meetings in 2022. 18 public engagement events were conducted by the Protection of Waterbodies office in 2022. The events raised awareness of local water quality issues, projects proposed to improve water quality and how the public could engage via citizen science initiatives and feedback on proposals.

**Bathing Water Monitoring:**

In 2022, Dublin City Council managed 8 bathing water locations across Dublin Bay. The locations are made up of 2 designated waters, 4 other monitored waters and 2 waters of interest. In accordance with the regulations, Dublin City Council was required to take at least 4 scheduled bathing water samples per designated bathing water during the bathing season, equating to 8 samples. Dublin City Council exceeded this requirement and carried out 20 scheduled bathing water samples per location (regardless of designation) which equated to 160 planned samples during the bathing season.

Warnings were required where a risk or confirmed deterioration in bathing water quality occurred in accordance with the Bathing Regulations, Environmental Protection Agency and Health Service Executive guidance. 6 Prior warnings were issued during the 2022 season, in advance of forecasted weather warnings for high intensity rainfall and storm events. The warnings notified bathers of the impending risk of deterioration in water quality. 6 temporary bathing water prohibitions were raised following confirmed or suspected deterioration in bathing water quality.

All warnings raised required prior consultation and agreement with the Principal Environmental Health Officer in the Health Service Executive (HSE). Incident reports for each warning raised were submitted to the Environmental Protection Agency via the EDEN application. The information provided in the incident notification populated the warning sections of the National Bathing Water Website ([www.beaches.ie](http://www.beaches.ie)).

Results and warnings (as required) were posted in hardcopy format at entrances to bathing water locations. They were also uploaded in softcopy format to the Dublin City Council website, social media platforms and on the National Bathing Water Website ([www.beaches.ie](http://www.beaches.ie)).

Warnings remained in place until the quality of the water returned to acceptable levels in compliance with action tables defined in the HSE guidance document. This required investigative or additional monitoring to be conducted to verify the quality of the water. A total of 11 investigative samples were taken during the 2022 bathing season. Following receipt of satisfactory results, a further consultation with the HSE was required before the incidents were closed out and all notices (softcopy and hardcopy) removed.

Significant pressure was experienced by the local authority during the 2022 bathing season. There is great interest in bathing water quality, resulting in high volumes of queries and complaints during the season. This put strain on limited resources during a period where a large portion of annual leave was taken. Notwithstanding the challenges, obligations under the Bathing Water Regulations were met or exceeded.

In addition to statutory monitoring, Dublin City Council (DCC) continued to utilise other innovative methods of analysis to identify likely sources of faecal contamination at bathing waters. DCC took duplicate samples of all bathing waters during the 2022 season. Where elevated bacteria levels were found, the samples were sent to the Acclimatize team in University College Dublin for Microbial Source tracking (MST) analysis.

MST analysis compared bacteria found in poor bathing water samples with available faecal markers from human, dogs and gulls. The results assisted the council in identifying likely sources of the faecal contamination and determine the focus of subsequent investigations to ultimately improve bathing water quality. Dog fouling continues to remain a pressure at bathing locations in Dublin City Council. To combat this, DCC in collaboration with UCD and other stakeholders produced the leave only paw prints campaign to raise awareness of the impact not picking up dog foul has on bathing water quality.

DCC published a 2022 voluntary summary report to provide the public with an overview of bathing water management in that year. It is available to download from the website.

Dublin City Council continued to chair the Bathing Water taskforce, where it met with pertinent stakeholders from neighbouring local authorities, the Department of Local Government and Heritage and Irish Water on a monthly basis. Collaboration on catchment pressures was organised, knowledge shared and objectives to improve water quality actioned. Additionally, Dublin City Council continued to be a contributing member of the Bathing Water Expert Group in 2022 and support the Department with bathing water management topics.


Finally, Dublin City Council recognises sea swimming occurs all year round and is not limited to the bathing season. DCC continued to sample on a fortnightly basis outside of the bathing season where a total of 111 samples were taken outside of the designated season and analysed by Dublin City Council. Results were made available to the public via hardcopy notices at the entrance to each bathing water and online in softcopy format.

**Public supply:**

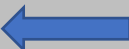
Dublin City Council does not manage any public supply schemes, thus review is not applicable.



## Air & Noise – Solid Fuel Inspections


National Enforcement Priority:	AIR & NOISE - Solid Fuel Inspections
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting though the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• Tackle the sale of non-compliant fuel and its use via compliance promotion, inspection and enforcement of fuel merchants and retailers.</li> <li>• Participate in multi-agency operations investigating the sale of non-compliant fuels.</li> <li>• Develop and implement a programme for the sampling and analysis of fuel types (this can be carried out per individual local authority or a joint approach can be adopted with other local authorities).</li> <li>• Carry out awareness programme to promote compliance by increasing the awareness of how the choices people make in heating their homes impacts on their air quality and health and legal obligations.</li> <li>• Establish and/or maintain a list, including the number and profile of solid-fuel merchants operating in each local authority area, including those using social medial platforms to market solids fuels.</li> <li>• Build capacity through engaging, collaborating and sharing with colleagues in other local authorities via networks and working groups and participating in training events.</li> </ul>	<p>Dublin City Council carried out its customary inspection programme during Quarter 1 during 2022.</p> <p>The delayed introduction of the new Solid Regulations in late 2022 caused considerable confusion in the solid fuel industry as well as for the primary enforcing agencies i.e. Local Authorities. Since the commencement of the new Regulations on 31 October 2022, Dublin City Council engaged with the main fuel depots (distributors) to explain is as far as possible the ramifications and requirements of the new Regulations.</p> <p>As there is a high level of compliance built up in Dublin City since the introduction of the Solid Fuel Regulations in 1990 there was no additional work required in respect of bituminous coal. This could change significantly in 2023 given the provisions of the new regulations that allow sale of bituminous coal in certain circumstances.</p> <p>There has been engagement with suppliers in Q4 in respect of wood fuel sales but this has been hampered by the fact that we await DECC approval for the types/specifications of moisture meters that can be used for enforcement purposes.</p>

## Air & Noise – Air Quality Monitoring Activities and Data Use

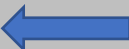
National Enforcement Priority:	AIR & NOISE - Air Quality Monitoring Activities and Data Use
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting though the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• Work with the EPA to complete the expansion of the <b>Ambient Air Monitoring Programme</b> network including:             <ol style="list-style-type: none"> <li>1. Assist EPA to determine viable locations for air quality monitoring stations.</li> <li>2. Assist EPA to progress the siting of air quality monitoring stations.</li> <li>3. Assist EPA to troubleshoot issues at existing air quality monitoring stations including the nomination and notification to the EPA of a primary and secondary contact person.</li> <li>4. Assist (where possible, to the best extent possible) EPA to maintain existing and new air quality monitoring stations.</li> </ol> </li> <li>• Review local air quality data to identify hotspots and to prioritise sites/areas for action.</li> <li>• Ensure local air quality data, including a map, is made available to the general public as soon as technically possible</li> </ul>	<p>During 2022 Dublin City Council continued to expand the local ambient air quality monitoring network in conjunction with maintaining the national air quality national stations under its remit.</p> <p>The included commissioning of two local area network stations at Cabra Community College and Ballsbridge, as well setting up two other local monitoring stations at Mountjoy Square and Kylemore Road.</p> <p>Dublin City Council continued to work with partners on a number of air quality projects including Google and DPD during 2022. An interim report for the Google/DCC Airview Project was issued in late 2022 following 13 months of monitoring. There were several months of data verification in the U.S. by the sensor providers with a view to launching the full data set in early 2023.</p>

for each local authority. As a minimum, a link to the relevant page(s) of the EPA site should be placed on each local authority website.

## Air & Noise – Environmental Noise Directive (END) Activities/Noise Plans


National Enforcement Priority:	AIR & NOISE - Environmental Noise Directive (END) Activities/ Noise Plans
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b><u>Describe what was carried out under this activity in the previous reporting year – e.g.</u></b></p> <ul style="list-style-type: none"> <li>• Deliver the Round 4 Noise Mapping requirements as set out in the Environmental Noise Regulations of 2018. This includes the timely submission of any relevant datasets and information in the required format as requested by the RMO/Urban Agglomeration Project Team and/or any other specified body.</li> <li>• Prepare and submit the Annual Noise Action Plan Progress Report to the EPA by 28<sup>th</sup> February.</li> <li>• Annual Noise Action Plan Progress Report should demonstrate progress on the key issues and priority areas for action.</li> </ul>	<p>Submission of the local authority Noise Action Plan (NAP) Progress Report by the 28th of February 2022:</p> <p>Yes <input checked="" type="checkbox"/></p> <p>Dublin City Council in conjunction with the other Local Authorities in the Dublin, Cork and Limerick Agglomerations issued a tender in Q1 2023 for noise mapping and preparation of a Noise Action Plan. Following appointment of consultants and the commencement of an intensive work programme, all the reference data required under the Environmental Noise Directive was submitted to the EPA by end 2022.</p> <p>With regard to the implementation of the current (Round 3) Noise Action Plan, the priority action during 2022 were to:</p> <ul style="list-style-type: none"> <li>• Ensure that noise actions were incorporated into the latest iteration of the City Development Plan</li> <li>• Expand and enhance the ambient noise monitoring network</li> </ul>

## Air & Noise – Air & Noise Control (including Planning)

National Enforcement Priority:	AIR & NOISE - Air & Noise Control (including Planning)
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity in the previous reporting year – e.g.</b></p> <ul style="list-style-type: none"> <li>• Pre-planning assessments of air and noise impacts.</li> <li>• Environment staff assist in follow up of air and noise issues including use of Section 107 and 108 of the EPA Act, the Air Pollution Act and liaising with planners where planning enforcement is more appropriate.</li> <li>• Increased public awareness of noise induced health impacts.</li> </ul>	<p>During 2022, there was a continuing pattern of an increasing volume of planning applications being dealt with by the Unit. The total number of planning applications dealt with in 2022 was 506, compared to 248 in 2021.</p> <p>The bulk of applications assessed by this Unit relate to large-scale housing developments and Part 8 development applications (i.e. developments where the local authority is a partial or primary partner in the development).</p> <p>There is a well-established framework and process within DCC (overseen by the Planning Department) to ensure input of all DCC work units fit into the Part 8 process. In general terms, all planning applications are lodged through <a href="https://www.dublincity.ie/citizen-portal-planning">Citizen Portal Planning (agileapplications.ie)</a>. DCC has a central Planning Referrals work unit who are tasked with referring applications for specialised input for assessment by various work units in DCC. In practice all industrial /major commercial developments as well as larger scale housing applications are referred to this Unit. Smaller individual private dwelling applications are not generally referred to this Unit. In respect of planning enforcement matters, the Planning Enforcement Unit may seek advice on any planning cases applications as required. This Unit maintains a data base of all planning application and compliance referrals sent by the Planning Department.</p> <p>The Good Practice Guide for Construction Management in respect of noise and air developed by this Unit continues to be the primary criteria for dealing with pre-application queries from developers as well as being the basis for setting planning conditions. See <a href="https://www.dublincity.ie/residential/environment/air-quality-monitoring-and-noise-control-unit/good-practice-guide-construction-and-demolition">https://www.dublincity.ie/residential/environment/air-quality-monitoring-and-noise-control-unit/good-practice-guide-construction-and-demolition</a></p>

Primary responsibility for monitoring air and noise emissions from construction sites lies with site developers and this is addressed in planning conditions. This Unit has an active role in assessing and interpreting this monitoring data, and advice Planning Enforcement on appropriate measures up to and including enforcement actions by them if appropriate.

## Air & Noise – Ongoing Air and Noise Enforcement Work

National Enforcement Priority:	AIR & NOISE – Ongoing Air and Noise Enforcement Work
Local Authority:	Activities
 Looking back at the year	<p>Tell the story of what your council did on this priority in the reporting year using the assessment criteria detailed in Table 2 of the guidance document. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting though the ‘RMCEI data returns’ or your ‘RMCEI Plan’.</p> <p><i>[Guideline of 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity in the <u>previous reporting year</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>Inspect and carry out any required enforcement actions of facilities/activities as specified in the RMCEI template and/or as otherwise determined by the local authority.</li> <li>Make available on their websites, the EPA vehicle refinishers video and use appropriate channels to promote it.</li> <li>Inspect and carry out any required enforcement actions under Sections 107 and 108 of the EPA Act 1992, in order to limit noise nuisance.</li> <li>Build capacity through engaging, collaborating and sharing with colleagues in other local authorities via networks and working groups and participating in training events.</li> </ul>	<p><b><u>Deco Paints Regulations:</u></b></p> <p>2022 has proved to be a very challenging year for operators in this sector. Many operators operate as one person business on a part time non-continuous basis. The emphasis in 2022 has been to identify new operators in the market and engage with them in order for them to achieve compliant status.</p> <p><b><u>Solvents Regulations:</u></b></p> <p>There has been a consolidation in the dry cleaning industry over the past year or more whereby operators are outsourcing business to larger operators. In a number of cases these larger operators are not necessarily located in the functional area of Dublin City Council, so one of the major actions during 2022 has been to liaise with other Local Authorities to verify which operators are dealing with dry cleaning dispatched across the city boundary.</p> <p><b><u>Petroleum Vapour Regulations:</u></b></p> <p>N/A, Dealt with by Fire Officer</p> <p><b><u>Licensed sites under the Air Pollution Act:</u></b></p> <p>Not applicable – no licenced sites in DCC functional area</p>

**Local air and noise issues:**

Local air and noise issues are predominately complaint based. The main initiative by Dublin City Council during 2022 has been the launching of Citizen Hub – see <https://citizenhub.dublincity.ie/>. This Hub allows citizens to directly self-refer requests for a whole range of service from Dublin City Council.

Both air and noise complaint requests feature on the self-referral section and citizens can track progress on requests lodged. While some bedding down of the system is ongoing, this is considered a step change in public engagement by Dublin City Council. The pattern of complaints received in relation to air and noise continue to be primarily from construction sites, entertainment and leisure industry premises and commercial heating/ventilation/cooling systems.



## Waste – Tackling significant illegal waste activities & Multi-Agency Sites/Operators of Concern

National Enforcement Priority (reporting year 2022): WASTE - Tackling Significant Illegal Waste Activity / Multi-Agency Sites of Inspection	
Local Authority: Dublin City Council	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</b></p> <p><i>[Guideline of up to 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>IN THE PREVIOUS REPORTING YEAR</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• For authorised sites, a compliance rate and context/analysis;</li> <li>• Appropriate site selection methodology, and/or early interventions;</li> <li>• Detection of non-compliances/unauthorised activities and follow up;</li> <li>• Progress in the NEP shown;</li> <li>• A positive environmental outcome – not simply reaching a target of inspections;</li> <li>• Collaborative work with WERLA, LAWPRO, EPA, Catchment Care Projects;</li> <li>• Data analysis/sharing for enforcement targeting – and other activities as described in Table 1 of the Guidance.</li> </ul>	<p>Following a successful collaborative operation carried out with other LAs and An Garda Síochána in 2021, Dublin City Council’s Waste Enforcement Unit used learnings and experience gained to develop and focus on the one of the largest licenced facilities in the country accepting high value waste metal.</p> <p>From intelligence and information from the previous operation in 2021 concerns were now raised that activity had switched jurisdictions due to tighter regulation at facilities previous used by a number of unauthorised collectors who were transporting metal waste to a metal recycling facility located in the functional area of Dublin City Council, a breach of Section 34 (1) (a) of the Waste Management Act, 1996.</p> <p>A monitoring operation was conducted close to the metal facility across three days in March 2023. This involved the recording of all vehicle registrations entering the facility believed to be carrying waste metals. Checks of all vehicle registrations were then carried out on the EDEN Portal to ascertain if the vehicle, transporting waste metals, was covered by a valid Waste Collection Permit.</p> <p>A synchronised operation was put in place with a number of stakeholders in the Dublin and Cork Region to simultaneously visit two licensed facilities operated by the same company. On the 14th of April, a multi-</p>

agency inspection was carried out at the metal recycling facility in both Dublin and Cork involving Authorised Officers of Dublin County Council's Waste Enforcement & Regulation Unit, Authorised Inspectors of the Environmental Protection Agency (EPA), Authorised Officers of Fingal County Council's Waste Enforcement & Regulation Unit, an Authorised Officer for the purposes of the Waste Management (Shipments of Waste) Regulations 2007 and the Waste Management (Brokers and Dealers) Regulations 2008 on behalf of the National Transfrontier Shipments Office (NTFSO) Dublin City Council and the Waste Enforcement Regional Lead Authority (EMWERLA & SRWERLA) and Authorised Officers of Cork County Council's Waste Enforcement Unit. During the inspection, EPA Inspectors seized documentation requested by investigating Officers from Dublin City Council including all weigh-bridge waste dockets and Proof of Purchase receipts for the dates of the monitoring operation.

Following this an electronic copy of the facility waste register, for the dates of the monitoring operation, was formally requested by the investigating Officers, to facilitate an investigation. The names associated with the vehicle registrations identified, which were not covered by valid Waste Collection Permits, were obtained from the facility waste register. Dublin City Council requested vehicle registration checks through the Motor Tax Office, this information was then cross referenced with the facility register to obtain the names and addresses of the vehicle owners. The investigating officers then requested the facility waste register for the year dated 23rd of March 2021 to the 26th of March 2022 from The Metal Recycling Facility, this was obtained to establish the frequency and volume of metal waste being brought to the facility by the individuals of interest.

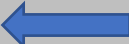
A total of 18 individuals identified were alleged to have collected and transported high value metal waste between March 2022 and March 2023 without a waste collection permit warranting further investigation

Between August and December 2022, 8 cautioned interviews were conducted with 10 files completed and sent forward to the DCC Law. Dept. for their consideration on breaches of Section 34(1) of the Waste Management Act, 1996. 7 other individuals under investigation were found to not warrant progression to legal and subsequently directed pursuant to Section 14 of the Waste Management Act 1996, to cease all collection and transportation of waste until they had obtained a valid waste collection permit. One further individual is still under investigation which will continue into 2023.

**Environmental Outcome:** 10 individuals were found to be in breach of Section 34(1) of the Waste Management Act, 1996 with court dates pending in Q1 2023.

- A key finding of this operation identified shortfalls in conditions of waste facility licences that have the potential to be exploited by unauthorised waste collectors. Recommendations will be made to the EPA on the amendment of all relevant waste licences providing a tighter control of high value metal waste and acting as a deterrent to unauthorised waste collection in the waste metal sector.
- This proved to be a highly successful use of the Multi-Agency network involving the EPA, Local Authorities, WERLA and the NTFSO from which all agencies were able to follow up on with enforcement actions and which all agencies gained learnings from. Follow on work on this operation and further areas for such collaboration will be followed up on in 2023.

## Waste – Construction and Demolition Waste Activity

National Enforcement Priority (reporting year 2022): WASTE - Construction and Demolition Activity	
Local Authority: Dublin City Council	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</b></p> <p><i>[Guideline of up to 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>IN THE PREVIOUS REPORTING YEAR</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• For authorised sites, a compliance rate and context/analysis;</li> <li>• Appropriate site selection methodology, and/or early interventions;</li> <li>• Detection of non-compliances/unauthorised activities and follow up;</li> <li>• Progress in the NEP shown;</li> <li>• A positive environmental outcome – not simply reaching a target of inspections;</li> <li>• Collaborative work with WERLA, LAWPRO, EPA, Catchment Care Projects;</li> <li>• Data analysis/sharing for enforcement targeting – and other activities as described in Table 1 of the Guidance.</li> </ul>	<p>Dublin City Council is one of the busiest regions for development nationally and as a result has one of the most concentrated levels of Construction and Demolition (C&amp;D) sites. The consequence of this is a significant amount of C&amp;D material moving daily from or through our functional area. The challenge for Dublin City Council's Waste Enforcement Unit is to implement an appropriate level of regulation to match the scale of activity. This is achieved through a risk based approach starting with the inspection and monitoring of C&amp;D Waste Management Plans at the planning application stage. A procedure has been put in place which identifies medium to high risk sites and includes authorised waste collectors (NWCPO waste collectors) that Waste Enforcement Officers (WEO's) have had previous issues of compliance with or where Fixed Payment Notices (FPN's) were issued. WEO's confirm information provided to Waste Regulations is correct and verified. Confirmation with the end destination on current capacity to accept waste material is also undertaken, this approach reduces the risk of unauthorised disposal of material.</p> <p>The Waste Regulation Unit reviews Construction Waste Management Plans (CWMP's) against a minimum set criteria set out below:</p> <ol style="list-style-type: none"> <li>1. Authorised waste collection permit NWCPO numbers.</li> <li>2. Confirmation of destination facilities.</li> <li>3. Letters from destination facilities confirming acceptance and tonnages agreed.</li> <li>4. Quantities of material to be removed offsite.</li> <li>5. Waste documentation from movement.</li> <li>6. Site Manager name and contact details.</li> </ol>

7. Acknowledgement that crushing material requires a waste facility permit & crushed material is not suitable for Article 27 notification.
8. Laboratory testing of soil and Haz. Online results.
9. Invasive species survey or declaration and evidence no survey is needed.
10. Asbestos survey and insurance indemnity cover.
11. Maintaining of digital waste logs for inspection.

In 2022 a total of 475 Construction Waste Management Plans (CWMP's) (497 2021) were reviewed with each one having to adhere to 11 conditions which were included to make a more robust process and minimise the potential for activity that has the potential to lead to environmental pollution. A target of 40 C&D site inspections were set of which 43 were subsequently achieved along with 73 Spot-checks on vehicles leaving sites or transporting material through DCC's functional area. There were also 12 Article 27 inspections which resulted in a significant amount of work conducted on the thematic area of Construction and Demolition Activity

DCC's Waste Enforcement Unit assisted the developers of the Irish Glass Bottle site in Ringsend (who are working in collaboration with Dublin City Council's Housing Development Section) on providing advice on environmental best practice to remove material from the site and also bring in material for landscaping. A number of measure were suggested which included applying for a Certificate of Registration and the utilisation of an Article 27 to bring product material suitable for landscaping. The success of this collaboration has led to more engagement throughout the organisation (DCC) on current projects and awareness of the Circular Economy.


In November 2022 Dublin City Council's Waste Regulation Unit were requested to meet with key stakeholders in relation to future permit arrangements for Mobile Crushers in the DCC region. This meeting was attended by Construction Industry Federation and a number of their members. It was a positive meeting where concerns from both sides were discussed and the reasoning behind the continued requirement to hold a WFP for Mobile Crushers were clearly set out. Clarity in the reasoning of requiring this and the willingness of working with industry members made the meeting a very worthwhile exercise and has opened up dialogue in helping the CIF communicate areas of concern to improve compliance with its members and future commitments under the Circular Economy and Miscellaneous Provisions Act 2022.

The Waste Enforcement Unit cross-reference CWMP's with the list of major projects received by WERLA to identify sites of concern. Having already reviewed a majority of the same sites through our targeted work we were confident that none of the sites warranted a further inspection.

**Environmental Outcome:**

- Through a significant amount of desktop work and field based monitoring we are confident DCC have made steps in reducing the amount of breaches of the Waste Management Act 1996 and non-compliance within the thematic area of Construction & Demolition activity. Conducting Waste Collection Permit spot-checks, and cradle to grave audits, we are able to confirm that waste being carried by C&D WCP holders reaches the correct destination and is disposed of in an environmentally sound manner This can be seen in the amount of FPN's issued in 2022 from 22 compared to 53 in 2021. The reduction in enforcement actions together with an increase in enforcement inspections is a clear indication of improved practice in the construction sector with regard to C&D waste activity.
- DCC Waste Enforcement plan to use our IT system to obtain data on time from when action is taken to achieving compliance with industry to drive greater efficiencies in this area.

## Waste – End-of-Life Vehicles (ELV) Directive & the Waste Metal Industry

National Enforcement Priority (reporting year 2022): WASTE - End-of Life Vehicles (ELV) & The Waste Metal Sector	
Local Authority: Dublin City Council	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the ‘RMCEI data returns’ or your ‘RMCEI Plan’.</b></p> <p><i>[Guideline of up to 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>IN THE PREVIOUS REPORTING YEAR</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• For authorised sites, a compliance rate and context/analysis;</li> <li>• Appropriate site selection methodology, and/or early interventions;</li> <li>• Detection of non-compliances/unauthorised activities and follow up;</li> <li>• Progress in the NEP shown;</li> <li>• A positive environmental outcome – not simply reaching a target of inspections;</li> <li>• Collaborative work with WERLA, LAWPRO, EPA, Catchment Care Projects;</li> <li>• Data analysis/sharing for enforcement targeting – and other activities as described in Table 1 of the Guidance.</li> </ul>	<p>In September 2021 Dublin City Council’s (DCC) Waste Enforcement Unit received significant evidence from An Garda Síochána and Fingal County Council, resulting in DCC assisting Fingal County Council and An Garda Síochána in an operation targeting waste facilities with a key focus on metal theft in particular on trade in catalytic convertors. Evidence of 50 individuals residing in DCCs functional area was obtained. Further investigation which included cautioned interviews identified 12 individuals alleged to have collected and transported high value metal waste, without a waste collection permit granted by the NWCPO or using vehicles not listed on a waste collection permit. On a number of dates between January 2020 and February 2021. Legal files were prepared and these individuals were brought before the courts throughout 2022. All 12 cases were heard in Dublin District court with DCC Waste Enforcement Officers giving evidence against the accused. DCC had positive results in all 12 cases with full costs being awarded and fines implemented. Of the 12 individuals before the court there were 6 convictions handed down and 6 individuals receiving the Probation Act, pending payment of the fine imposed and DCC costs, having appeared in court and pleading guilty to offences under Section 34(1) of the Waste Management Act, 1996. In total, fines of €13,050 were handed out by the District Court Judge, ranging from €200 to €3,000. Dublin City Council were awarded full costs in all cases amounting to €38,793. All individuals that attended court and pleaded guilty to the counts were given one year to pay the fine and costs and each matter was adjourned to 2023 for mention to ensure payment of both. Where individuals fail to pay their fine and costs, they may be issued a conviction from the district court. One individual was back before the courts in</p>

December 2022 where payment of the fine and costs was confirmed and the judge applied the Probation Act.

A key finding of this operation identified shortfalls in conditions of granted Waste Facility Permits that have the potential to be exploited by criminal elements. In order to improve traceability of waste received, and counter the trade in stolen metal, all Waste Facility Permits in Dublin City Council's area were subsequently reviewed and a technical amendment made with the purpose of regulating the collection, recovery or disposal of waste in order to protect the environment. This included much stricter conditions on verification and traceability for the facilities.

The result of these amendments gives Waste Enforcement Officers greater scope when inspecting waste facilities with a greater emphasis on the facility to put in place stronger processes which will act as a deterrent and close off channels of monetary gain for criminal activity i.e. decrease in catalytic converters stolen in the community.

**Environmental Outcome:** 12 individual breaches of Section 34(1) of the Waste Management Act, 1996 sent forth for consideration and possible legal action in Q1 2022. The amendment of all relevant Waste Facility Permits in the Dublin City Council area providing a tighter control of high value metal waste and acting as a deterrent to metal theft and improving traceability. Successful use of the Multi-Agency network involving Local Authorities, WERLA, NTFSO and An Garda Síochána.

- Without a coordinated response by other LA's and changes to current EPA licensed facilities conditions the issue will continue in other jurisdictions. Following the successful operation Dublin City Council have embarked on a training programme with An Garda Síochána delivering Powers of an authorised Officer training to 2 of Dublin's busiest Garda Stations whilst also arranging for over 20 serving members of An Garda Síochána to become authorised under the Waste Management Act 1996 specifically Section 14. DCC and Fingal County Council are already seeing an increase in illegal collection and transportation of waste detections as a result.
- Work in collaboration with Fingal County Council resulted in the seizure of a major amount of high value metals with a resultant high exposure in the media locally and nationally. The facility in Fingal County Council area has since ceased trading with members of the public in catalytic convertors



and other high value metals. An Garda Síochána has reported that the incidents of stolen catalytic converters has decreased dramatically as a result of tightening of conditions in waste facilities and the media exposure of the operation in Fingal by AGS.

## Waste – Waste Collection: Household & Commercial

National Enforcement Priority (reporting year 2022): WASTE – Waste Collection - Household & Commercial	
Local Authority: Dublin City Council	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the ‘RMCEI data returns’ or your ‘RMCEI Plan’.</b></p> <p><i>[Guideline of up to 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>IN THE PREVIOUS REPORTING YEAR</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• For authorised sites, a compliance rate and context/analysis;</li> <li>• Appropriate site selection methodology, and/or early interventions;</li> <li>• Detection of non-compliances/unauthorised activities and follow up;</li> <li>• Progress in the NEP shown;</li> <li>• A positive environmental outcome – not simply reaching a target of inspections;</li> <li>• Collaborative work with WERLA, LAWPRO, EPA, Catchment Care Projects;</li> <li>• Data analysis/sharing for enforcement targeting – and other activities as described in Table 1 of the Guidance.</li> </ul>	<p><b>Commercial:</b> As per WERLA advice, physical inspections of Commercial Food Waste producers were not carried out during COVID-19 restrictions. Post COVID-19 restrictions DCC placed a greater emphasis on physical inspections in 2022. Food service establishments for inspection were selected based on previously observed non-compliance with the Food Waste Regulations and those that had not been inspected previously. Of the 57 audits completed in this area there was a 60% compliance rate. There was a compliance rate of 91% noted in 2021. 40% of the audits completed were found to be non-compliant with detections noted for no or poor food waste segregation taking place. There was a number of establishments found to have access to a food waste bin but improper segregation practices were noted. This constitutes an offence under Section 7 and 9 of the Waste Management (Food Waste) Regulations 2009.</p> <p>All non-compliant businesses were issued direction letters under Section 14 of the Waste Management Act 1996, as amended, to rectify non-compliances such as the identification of contaminants in food waste receptacles during analysis or failure to have a 3 bin system in place.</p> <p>Subsequent follow up inspections were conducted on these establishments and where continued or further breaches were found DCC have scheduled these as a priority for Q1 2023 for follow on enforcement action, given the rate of non-compliance in this area DCC are increasing inspections in this area from 50 to 120 for 2023. Appropriate enforcement actions will be taken where warranted.</p>

**Household:** Throughout 2022 DCC held a number of consultations with the Law Dept. and DCC's GDPR representative around the use of the Regulation 10 Notice for inspections in relation to the household and commercial kerbside waste collections (including brown bin). On advice from DCC's Law Agent and DCC's GDPR representative Dublin City Council Waste Enforcement were advised not to proceed with the use of the Regulation 10 Notices as there were concerns from a legal standpoint. DCC will work in accordance with the finalised WERLA plan in this area and help develop a procedure which will satisfy legal concerns set out above.

In the absence of using Reg. 10 notices Waste Enforcement engaged directly with the waste collectors and requested information to ascertain 'brown bin' usage in the DCC's Functional area. This was done in cooperation with the collectors and under compliance assistance. DCC set a target of engaging with two waste providers in 2022 which was completed and relevant data received.

Analysis of the information provided, showed service providers were largely compliant and were offering customers an organic bin service as per their obligations;

- At the time of new accounts opening
- Through promotional emails and messages.

Records of correspondence between the waste collection provider and their customers were available, however, not all original communications that were requested by DCC were furnished due to the historical nature of accounts and length of time since customers engaged services of the provider (legacy accounts).


DCC are continuing to work with the providers to address gaps identified in the customer register and continue to work with waste providers to improve the quality of their records (maintain of a detailed register of households with/without a waste collection service) and target inspections in areas identified with low compliance. DCC will focus and monitor the resources and systems available for gathering and reporting of waste data at site audits at waste facilities/waste collectors.

In 2023 DCC Waste Enforcement will work stakeholders (Law Department, Waste Management Office WERLA and Waste Operators) to develop a plan to use information accordingly and work in conjunction with the Waste Management office on the implementation of household surveys and the implementation of Bye-Laws.

**Environmental Outcome:**

- Development of a plan and approach in conjunction with the Waste Management Office to carry out waste surveys on a broader cross-section of DCC’s Functional area.
- To promote awareness of Commercial and Householders obligations through engagement and education.
- To foster relationships with stakeholders (IBAL, Management Companies and Business representatives)
- Undertaking actions through bye-laws and the Waste Management Act 1996 to ensure compliance as a last resort following the engagement as detailed above.
- A robust plan developed by WERLA to achieve outcomes that can be adopted by other LAs for households and the key area of apartments 3 bin system usage).

## Waste – Producer Responsibility Initiatives and Local Priorities

National Enforcement Priority (reporting year 2022): Producer Responsibility Initiatives/Local Issues	
Local Authority: Dublin City Council	Activities
 Looking back at the year	<p><b>Tell the story of what your council did on this priority in the reporting year. This is an opportunity to capture the impacts of the work completed to drive compliance. You are not required to duplicate data that you are submitting through the 'RMCEI data returns' or your 'RMCEI Plan'.</b></p> <p><i>[Guideline of up to 500 words per priority area]</i></p>
<p><b>Describe what was carried out under this activity <u>IN THE PREVIOUS REPORTING YEAR</u> – e.g.</b></p> <ul style="list-style-type: none"> <li>• For authorised sites, a compliance rate and context/analysis;</li> <li>• Appropriate site selection methodology, and/or early interventions;</li> <li>• Detection of non-compliances/unauthorised activities and follow up;</li> <li>• Progress in the NEP shown;</li> <li>• A positive environmental outcome – not simply reaching a target of inspections;</li> <li>• Collaborative work with WERLA, LAWPRO, EPA, Catchment Care Projects;</li> <li>• Data analysis/sharing for enforcement targeting – and other activities as described in Table 1 of the Guidance.</li> </ul>	<p>As part of the 2022 Producer Responsibility Initiative (PRIs) targets Dublin City Council's (DCC), Waste Enforcement Unit used key data furnished by the Eastern-Midland Waste Enforcement Regional Lead Authority (EMWERLA) resulting in a more targeted approach to the Extended Producer Responsibility (EPR) schemes. This targeted approach led DCC to an increase in the number of businesses and premises previously classed as non-complaint achieving compliance under the respective regulations.</p> <p><b>Waste Tyres:</b> Originally DCC's Tyre Retailer inspection target for 2022 was 35 individual premises/businesses, however, this figure was exceeded with final number of 45 audits completed. Due to a significant number of medium to high risk locations identified by Waste Enforcement Officers a plan was put in place to prioritise tyre inspections in conjunction with Dublin City Council's annual Halloween Task Force involving DCC's Waste Management/Litter and Public Domain Office. This approach led to a significant reduction in tyres available which potentially could have ended up in bonfires thus reducing the risk to the environment.</p> <ul style="list-style-type: none"> <li>• 63% of the Tyre inspections targets achieved were undertaken in September, October, November with the remainder inspected in January, May and December leading to the original inspection target of 35 being exceeded.</li> </ul>

- DCC received 31 complaints relating to inadequate storage of tyres were resolved in a timely manner and the business made aware of the potential risk to the environment should these tyres fall into the wrong hands. All businesses cooperated with the direction of DCC Waste Enforcement Officers ensuring proper and safe storage/disposal of waste tyres. This was verified by either onsite at the time inspection or follow up inspection of premises.

An 87% compliance rate was observed from lists provided by WERLA/REPAK ELT with a key observation that a majority of retailers had stopped providing tyres or ceased trading. The key focus for 2023 will be on the non-compliant retailers in line with our 3 year strategy

**ELV Producer Audits:** DCC's Waste Enforcement Unit found that the impacts of COVID-19 and lasting effects of Brexit resulted in businesses not importing vehicles to the Irish market or ceasing trading. The target of 5 audits was achieved for 2022. It was found that 80% of the vehicle importers audited were not registered with DCC or with the approved body, ELVES CLG and therefore advised of their obligations as a producer under the European Union (End-of-Life Vehicles) Regulations 2014, as amended. Follow up inspections and appropriate enforcement actions, where necessary, will form part of the 2023 work plan.

**Packaging: Suspected Major Producers Inspections/Audits:**

A target of 5 Suspected Major Producers (SMP) of which 4 were completed and closed out resulting in 83% completed rate for 2022. The outstanding SMP engaged with REPAK in 2022 and have undertaken a commitment to join in 2023. The producer was unable to gather the necessary information and statistics by year end and as a result this inspection will now be carried out in Q1 2023. Two SMPs inspected in 2022 failed to comply with directions and the Reg. 25 notice issued by DCC Waste Enforcement. Legal files were put together and forwarded for action by the Law Department. There is a likely hearing date in Q1 2023.

**Packaging: Self-compliance Audits:** DCC have a total of 7 Self-Compliers which were all inspected in 2022 with a 100% compliance rate observed. Waste Regulations were liaised with to ensure recovery targets and data analysis of returns was carried out as set out by the WERLA calculation instrument for self-compliance.

**WEEE/Batteries: Retail Inspections:** Over 100% of 2022 (Actual 17 vs Target 15) inspections were achieved with a key focus on premises not previously visited in preceding years. In 2022 a focus was put on businesses supplying the automotive industry with batteries under the Waste Management (Batteries and Accumulators) Regulations 2008. DCC Waste Enforcement accepted an invitation from the EPA to attend WEEE audits at two large retailers in the DCC functional area. A collaborate approach with the EPA proved very beneficial and learnings were taken by both agencies which will lead to further collaborative approaches to sites of concern to both agencies.

**Environmental Outcomes:**

- The successful targeted application by DCC’s WEU on PRI inspections and preventative measures taken from these inspections and collaborating with other agencies resulted in a large reduction of waste tyres available for illegal use. The result of this was seen in a significant reduction in tyres collected in the run up to Halloween by DCC’s Public Domain Unit. Figures obtained from 2021 and 2022 showed a decrease in waste material collected and disposed of by DCC from 515 tonnes to 447 tonnes, more significantly the collection of waste tyres decreased from 19.58 tonnes in 2021 to 12.06 tonnes in 2022, The successful approach taken in this area will be used and built on in future years.
- Dublin City Council’s Waste Enforcement will for the first time be pursuing two suspected major producers through legal proceedings. Learnings from these cases will be communicated through WERLA to other local authorities who will hopefully be able to follow DCC’s approach to successful conclusions of their own under the Packaging Regulations.
- Awareness among other SMP’s resulting from a successful outcome from these hearings will also be invaluable in communicating the message and understanding of producer’s responsibilities to other SMPs.