



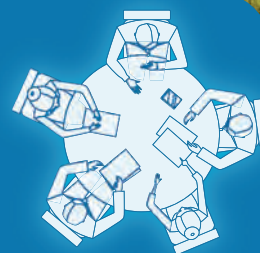
WATER



AIR



WASTE  
& PRI



ENFORCEMENT  
SYSTEMS

## Focus on Local Authority Environmental Enforcement

### Baseline Enforcement Report

## 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.

National coordination and oversight of the Water Framework Directive.

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 (CAFE) 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 Climate, Licensing and Resource Use
- Office of Environmental Enforcement
- Office of Environmental Assessment
- Office of Radiological Protection
- 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.



# FOCUS ON LOCAL AUTHORITY ENVIRONMENTAL ENFORCEMENT BASELINE PERFORMANCE REPORT

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## Preface

The environment, health and the economy are intrinsically linked and stand at the core of sustainable development. People, along with key growth sectors of our economy such as tourism, agriculture and food depend on a clean environment. Enforcement of environmental laws is key to ensuring a clean environment.

The 31 local authorities in Ireland are collectively responsible for the enforcement of over 100 pieces of environmental legislation intended to protect public health and the environment.

Over the past decades Ireland has introduced a broad range of European Union environmental legislation. As a result of these new standards our air, water and soil pollution has been reduced. However, while Ireland has a good quality environment, eighteen per cent of our river bodies remain at poor status; there is a risk that the State will miss some recycling targets, and we need to improve air quality in our small towns around the country. These and other environmental challenges need to be tackled in a structured and coordinated way.

In 2005, Ireland's past administrative approach to environmental enforcement was heavily criticised by the European Court of Justice. To comply with the adverse ruling, Ireland implemented a major reform of its waste sector, closed illegal landfills, and financed the necessary clean-up and remediation works. The cost of compliance was around 300 million euros. In closing the case in 2015 Mr. Karmenu Vella, European Commissioner for Environment, Maritime Affairs and Fisheries said:

*"The Irish authorities showed us that with some organisation and determination, it is possible to come back from the brink to a successful outcome."*

A key objective of the European Union's 7th Environmental Action Programme is to safeguard the Union's citizens from environment-related pressures and risks to health and wellbeing. Better implementation of existing legislation is identified as one of the critical factors to achieve this objective.

Work is now underway to further strengthen governance structures in local authorities for the implementation and enforcement of the Water Framework and Waste Framework Directives. By working together, local authorities will be in a better position to bring the full weight of the State's resources to bear on the most pressing environmental problems.

This report sets out a baseline of environmental performance at local authority level. The information will act as a basis to build a system-wide culture of continuous improvement in environmental protection, avoid a return to the poor practices of the past, and help Ireland to better implement EU legislation. The information contained in this report will also facilitate sharing of best practice and encourage solutions to common administrative challenges.



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## Key Findings for the Baseline Report

### Overall

There is significant potential to enhance the environmental enforcement performance of local authorities.

By using local and national level data in this report, individual local authorities can facilitate continuous improvement.

### Context

#### In 2014

Local Authorities enforced over 3,700 licences.

There were over 110,00 inspections undertaken.

Councils dealt with 63,000 complaints.

7,000 enforcement actions were taken.

There has been a 28% reduction in staff since 2008.

### Indicator Results

Note:  
Individual local  
authority results can  
be seen in Section 2

The EPA has examined the national performance data for five indicator areas. In summary, the assessment shows that for the overall national evaluation;

- ▲ The Enforcement Planning indicator meets the '**Target**' standard.
- ▲ The Waste Enforcement indicator is '**Below Target**'.
- ▲ The Water Enforcement indicator standard is '**Below Target**'.
- ▲ The Producer Responsibility and Food Waste indicator is meeting the '**Minimum**' standard.
- ▲ The Air Enforcement indicator standard is '**Unsatisfactory**'.

### Priorities

Action is now required by local authorities to ensure all enforcement standards are at or above the targets set in this report, as specifically outlined below.

- ▲ Enhance the planning and execution of **inspections** across air, water, waste and recycling schemes.
- ▲ Ensure that all enforcement activities target solutions to key environmental problems.
- ▲ Improve performance for **farm inspections** and cross-reporting.
- ▲ Focus on improving **smoky coal enforcement** to maximise health benefits.



## 1. INTRODUCTION

### 1.1 The Role of Local Authorities in Environmental Enforcement

Local authorities are at the forefront of environmental law enforcement nationally. Staff in local authorities enforce over **500** environmental protection obligations arising from more than 100 pieces of legislation. This includes:

- ▲ **Compliance with Water quality** – such as impact from agricultural activities, effluent discharges from small factories or hotels, septic tanks discharges.
- ▲ **Compliance of Waste management** – permitted waste facilities such as recycling and waste soil and stones as well as the litter laws.
- ▲ **Waste recycling & Producer Responsibility Initiative (PRI) schemes** – e.g. tyre recycling, batteries, packaging and electrical/electronic equipment, and food waste.
- ▲ **Air quality** - e.g. smoky coal ban, use of solvents and dry cleaning activities.

Local authorities enforce **3,700** licences and in 2014 their staff conducted **110,000** inspections, handled **63,000** complaints, and undertook **7,000** enforcement actions and **500** prosecutions.

### 1.2 What is the purpose of this report?

The Environmental Protection Agency (EPA) has designed a framework to measure the environmental enforcement performance of local authorities. This summary report presents the outcome of an analysis of the performance of enforcement activities compared against expected standards. It uses the most recent data available (2014) to set a baseline. The aim of the report is to provide local and national-level data to assist authorities to plan and implement a programme of continuous improvement.

By providing local and national comparative data, this allows each authority to benchmark their own enforcement processes and plan for making performance improvements. Following the review of local and national data in this report the EPA will encourage the use of the National Environmental Enforcement Network (NIECE) to facilitate local authorities discussing and sharing approaches. It is expected that periodic public reporting will lead to the adoption of best practice right across the community of local authority enforcement staff. From this starting point, trends in performance will be measured in future years.

### 1.3 What is included in this report?

This report presents summary results for each individual local authority and combined results to give a picture of local government enforcement. The performance results are generated from 26 environmental enforcement indicators. These indicators are selected from existing data that is provided voluntarily by local authorities to the EPA on an annual basis. The report also seeks to set these results within the operational context of each authority by including other key data such as staffing levels and population served.

For each indicator, a specific performance standard was defined by the EPA in conjunction with local authorities. The performance assessment is based on 38 individual datasets voluntarily submitted to the EPA under the existing process for collection of data on Recommended Minimum Criteria for Environmental Inspections (RMCEI). These datasets contribute to the 26 activity indicators (see **Table 1**). These activity indicators are grouped into five environmental areas and are aggregated into a composite assessment for each area.

**Table 1** Datasets used in each of the assessment areas

Overall Performance Assessment	Area Assessment	Indicator	No. of Datasets Used
<b>National &amp; County Level Performance Assessment</b>	<b>Enforcement Systems</b>	1. Complaints – Contact assigned 2. RMCEI – Contact assigned 3. RMCEI – 2015 Enforcement plan evaluation 4. RMCEI- plan submission date 5. RMCEI- Annual statistical return submission date 6. No. of Section 63 Notices issued by EPA 7. No. of Section 63 Directions issued by the EPA	8
	<b>Waste Enforcement</b>	8. Waste – % completion of target Inspections 9. Litter – % completion of target Inspections per 5,000 10. EPA Waste Licences Compliance Score 11. National Waste Collection Permit Office (NWCPO) Audit – % target completion 12. EPA National Waste Returns – timeliness & responsiveness	9
	<b>Water Enforcement</b>	13. Water Framework Directive (WFD) Investigative mon. % completion of target Inspections 14. Good Agricultural Practice (GAP) - % completion of target Inspections, 15. GAP - % Cross-reports 16. Septic Tanks/Domestic Water Treatment Systems (DWWTS)-% completion of target Inspections assigned in the National Inspection Plan (NIP) 17. Section 4 Discharge Licences- 18. % completion of target Inspections 19. Groundwater & Hydrometric Monitoring Activities	11
	<b>Producer Responsibility Initiatives (PRI)</b>	20. Waste Electrical and Electronic Equipment (WEEE) % completion of target Inspections, 21. Tyres -% completion of target Inspections 22. Food Waste - % completion of target Inspections 23. Batteries - % completion of target Inspections	4
	<b>Air Enforcement</b>	24. Petroleum Vapour Regulations % completion of target Inspections, 25. Solvents Regulations – % completion of target Inspections 26. Deco Paints Regulations - % target completion, 27. Solid Fuels Regulations (Smoky coal) - % target completion	4

The calculation of the performance assessment is determined by comparing activity data against performance criteria (see Guidance Booklets A 'How It Works' and B 'Practitioner's Guide to Indicators' for more details). The overall assessment for each local authority is adjusted for weightings attributed to each of the enforcement areas and then adjusted for staff capacity for 2014, (as reported to the EPA by each local authority). The calculated score is compared against an overall composite scoring range.

The composite national assessments are defined as follows in Table 2;

**Table 2 – Assessment of performance**

<b>Exceptional</b>	This indicates exceptional performance achieving the highest possible assessment.
<b>Outstanding</b>	This indicates outstanding performance achieving performance well above the target standard.
<b>Excellent</b>	This indicates excellent performance, exceeding the target in all areas of performance.
<b>Above Target</b>	This indicates generally very good performance in all areas and exceeding the target in particular areas of strength.
<b>Target</b>	This indicates good performance and is considered to represent the standard that is to be reached by all local authorities.
<b>Below Target</b>	This indicates some room for improvement to reach 'Target'.
<b>Minimum</b>	This indicates a mixed performance, with significant room for improvement.
<b>Unsatisfactory</b>	This indicates failings in a number of the areas examined.
<b>Unacceptable</b>	This indicates significant failings in a number of the areas examined.

## 2. ENFORCEMENT PERFORMANCE EVALUATION

This section presents the results of the EPA's evaluation of the national environmental activities. The EPA's evaluation is based on the ranking of activities against agreed targets, taking account of the capacity of the local authority.

Many local authorities received better assessments in water, waste, or enforcement systems. On the other hand, performance assessments in the PRI and air enforcement areas were generally lower.

Interpretation of a local authority's overall assessment must be done with care and should take account of the underlying realities. By presenting this assessment along with the operational context and the environmental outcomes, the EPA is striving to put the data within its context and to avoid cursory interpretations of the results.

Meaningful conclusions about a local authorities' environmental enforcement performance can only be drawn from comparisons with 'like' local authorities and observing the performance of individual authorities over time. As such, the Framework has been designed to facilitate reporting of individual trend data.

### Summary of Actions Required

This baseline assessment shows that there is a potential to improve the environmental enforcement activities carried out by local authorities. A comparison of national and local datasets has shown that improvements are necessary in the following areas in order to enhance the environmental enforcement system and bring activity levels up to the required standard:

- ▲ Better planning and execution of environmental **inspections** across all areas.
- ▲ All enforcement activity must be conducted with a purpose and be targeted at solving environmental problems and environmental **outcomes** rather than just large numbers of inspections.
- ▲ In particular, there is a pressing need to improve performance for **farm inspections** and in cross-reporting in order to protect and improve water quality as well as maintain current nitrate derogation levels agreed at EU level.
- ▲ Improvement is needed in the implementation of the **smoky coal enforcement** requirements, in particular, given the proven and widespread environmental/health benefits.

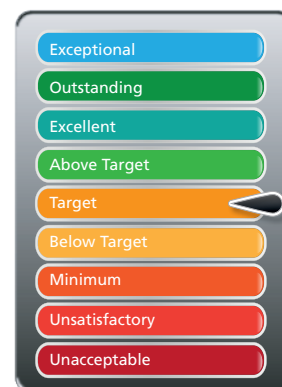
## Enforcement Systems

### What this assessment measures

An assessment of the quality of enforcement planning in local authorities and the management of environmental complaints.

### Why it is important?

The enforcement plan defines the approach of the local authority to ensuring compliance with environmental rules. Designated enforcement contacts for planning and complaints ensure enforcement issues are dealt with quickly and adequately.



### Result

Nationally, performance for this aspect meets the **'Target'** set. The quality of enforcement plans was assessed as being above target, though some local authorities are not adequately addressing environmental outcomes in their plans. The focus of every enforcement effort should be on solving specific problems rather than just aiming to meet inspection numbers. The number of EPA statutory enforcement notices and directions issued to local authorities by the EPA remains low.

### Actions required

Local authorities must focus on matching activities to plans and focusing on solving problems above inspection numbers. Improvements in the management of enforcement data are also necessary.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
Cavan, Cork County, Fingal, Louth, Kerry, Sligo, Limerick City & County, Galway County and Galway City Councils	Carlow, Clare, Donegal, Dublin City, Cork City, Kildare, Kilkenny, Laois, Mayo, Meath, Monaghan, Offaly, Tipperary, Waterford City & County Councils	Dun Laoghaire Rathdown, Leitrim, Longford, Roscommon, South Dublin, Wicklow, Westmeath and Wexford County Councils

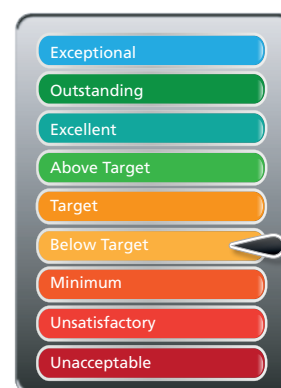
## Waste enforcement

### What this assessment measures

This area examines the completion of various waste inspections (e.g. waste permitted facilities, waste collectors, litter, hazardous waste, vehicle checkpoints amongst others), submission of waste data and performance of licenced sites.

### Why it is important?

Local authorities play a vital role in the enforcement of waste legislation in this country. As a group they are the single largest 'waste enforcer', and therefore good enforcement by local authorities can have a significant impact on waste management in the country as a whole. Poor enforcement can lead to undermining good waste management practices undertaken by the majority of waste handlers. Likewise it could encourage illegal activity by the few.



### Result

Overall national performance for this indicator is **'Below Target'**. Specific areas making up this assessment are analysed as follows:

One third of local authorities did not reach their target for waste inspections. Two thirds of local authorities did not reach the target of litter inspections/patrols per head of population.

However, activity levels in waste enforcement have increased over the past four years, when the full range of inspection types is taken into account.

Local authorities generally performed to the expected standard for auditing waste facility permit data, submission of waste data to the EPA, and the enforcement of EPA waste licensed sites.

### Actions required

Local authorities must examine the level of waste and litter inspections planned and carried out. It is important that these are commensurate with the environmental risk observed – and that targets set in enforcement plans are carried out.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
Clare and Laois County Councils	Carlow, Cork City, Dublin City, Dun Laoghaire Rathdown, Galway County, Kilkenny, Monaghan, Leitrim, Louth, Sligo, South Dublin, and Wexford County Councils	Cavan, Cork County, Donegal, Fingal, Galway City, Kerry, Kildare, Limerick City & County, Longford, Mayo, Meath, Offaly, Roscommon, Tipperary, Waterford City & County, Westmeath and Wicklow County Councils

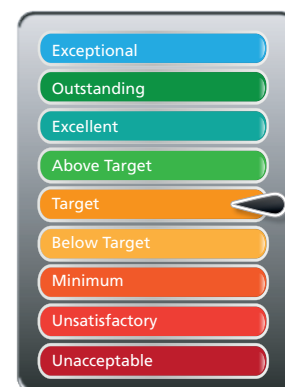
## Water enforcement

### What this assessment measures

Implementation of the Water Framework Directive, farm and septic tank inspections including cross-reporting to the Department of Agriculture, Food and the Marine, along with groundwater and hydrometric (river flow) monitoring performance.

### Why it is important?

Diffuse pollution and agricultural impacts as well as smaller point sources such as septic tanks and water pollution licences (e.g. hotels or small factories) are of importance and can have significant impacts in some water catchments. These inspections are a key measure to protect surface and ground waters from excess nutrients.



### Result

Overall national performance in this area is **'Target'**. Specific areas making up this assessment are analysed as follows:

Almost two thirds of local authorities did not reach the target for farm inspections completed and cross-reporting of non-compliances.

One third of local authorities did not complete their planned inspections of discharge licenses to water.

Performance was at the **'Below Target'** standard for completing Water Framework Directive (WFD) investigative monitoring and **'Target'** for domestic waste water treatment system (septic tank) inspections, and groundwater and hydrometric activities.

In groundwater and hydrometric activities specifically, one-third of individual local authorities failed to reach the 'Target' standard. This will undermine activities to prevent environmental and health impacts from discharges to rivers, lakes and bathing waters.

### Actions required

Reduced farm inspections and cross compliance reporting requires corrective action. Local authorities must significantly improve how farm inspections and cross-reporting of non-compliances to the Department of Agriculture, Food and the Marine (DAFM) are planned and/or carried out. The enforcement of discharge licenses should also be examined by some local authorities.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
Clare, Donegal, Galway County, Kildare, Limerick City & County, Longford, Meath, Monaghan, Roscommon, Tipperary, Wicklow County Councils and Dublin City Council.	Cavan, Cork City, Dun Laoghaire-Rathdown, Fingal, Kilkenny, Louth, and Sligo County Councils	Carlow, Kerry, Laois, Leitrim, Mayo, Offaly, South Dublin, Waterford City & County, Westmeath, Wexford and Cork County Councils

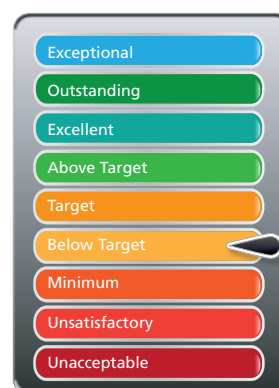
## Producer Responsibility and Food Waste:

### What this assessment measures

Waste enforcement inspections in the area of waste electronic and electrical equipment (WEEE), waste tyres, waste batteries, and food waste.

### Why it is important?

Local authorities ensure that producers make provision for recycling of finite natural resource-based materials and recovery of potentially environmentally harmful materials under various recycling initiatives. Enforcement in this area is aimed at ensuring participation and compliance with the recycling schemes to ensure Ireland meets our national recycling targets.



### Result

The overall national performance in this indicator is just at the **'Below Target'**. The enforcement of both the WEEE and Battery Regulations was assessed as 'unsatisfactory', while the enforcement of tyre facilities was assessed as 'below target'. The completion of food waste inspections was assessed as having a 'minimum' standard.

### Actions required

Local authorities must plan and undertake adequate inspections commensurate with the environmental risk in these areas. Given more stringent recycling/diversion targets in the future, EU targets may not be met unless performance improves.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
Cork County, Galway City, Louth, Leitrim, Mayo, Offaly and Wexford Councils	Carlow, Clare, Dublin City, Dun Laoghaire-Rathdown, Galway County, South Dublin, Tipperary, and Wicklow Councils	Cavan, Donegal, Kerry, Kilkenny, Laois, Limerick City & County, Longford, Meath, Cork City, Fingal, Kildare, Monaghan, Roscommon, Sligo, Waterford City & County and Westmeath County Councils.



## Air enforcement

### What this assessment measures

The enforcement of the ban on the selling of solid fuels such as 'smoky coal' as well as controls on paints, solvent and petroleum vapours. It measures the completion of planned inspections across these areas. Inspections are directed at solid fuel merchants, motor factors, vehicle refinishers, paints suppliers and dry cleaners.

### Why it is important?

The health impacts from the smoky coal particulates, and the potential health, environmental and nuisance impacts from solvents, is well established. The enforcement effort reduces particulates and other pollutants in the air and reduces adverse impacts on health and the environment.

### Result

The overall national performance in this indicator was assessed as **'Unsatisfactory'**. Specific areas making up this assessment are analysed as follows:

Only five local authorities were assessed as having reached the 'Target' standard set for smoky coal inspections.

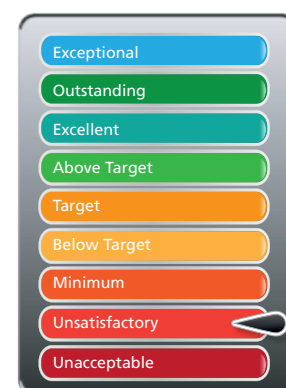
Local authorities failed to reach the target standard set for the areas of decorative paints, solvents and petroleum vapours ranging from 50-90% in number, depending on the area under examination.

Enforcement of the air indicators examined appeared inconsistent nationwide – with some local authorities completing all planned inspections and others having a very low completion rate. There has been a declining number of enforcement actions in the decorative paints and solvent area and a significant drop off in actions taken regarding solid fuels (smoky coal) seen nationally.

### Actions required

Given the significant public health benefits of good local air quality in towns and cities, increased enforcement in this area is required to protect public health – in particular smoky coal. Local authorities should examine the enforcement efforts assigned and increase efforts, where justified.

'Excellent' and above assessments:	'Above target' & 'Target' assessments:	'Below target', 'Minimum' and 'Unsatisfactory' assessments:
None	Dublin City Council and Cork City	Carlow, Cavan, Clare, Cork County, Donegal, Dun Laoghaire-Rathdown, Fingal, Galway County, Galway City, South Dublin, Offaly, Roscommon, Tipperary, Wicklow, Waterford City & County, Kerry, Kilkenny, Laois, Limerick City & County, Leitrim, Louth, Mayo, Longford, Meath, Kildare, Monaghan, Sligo, Wexford and Westmeath Councils.

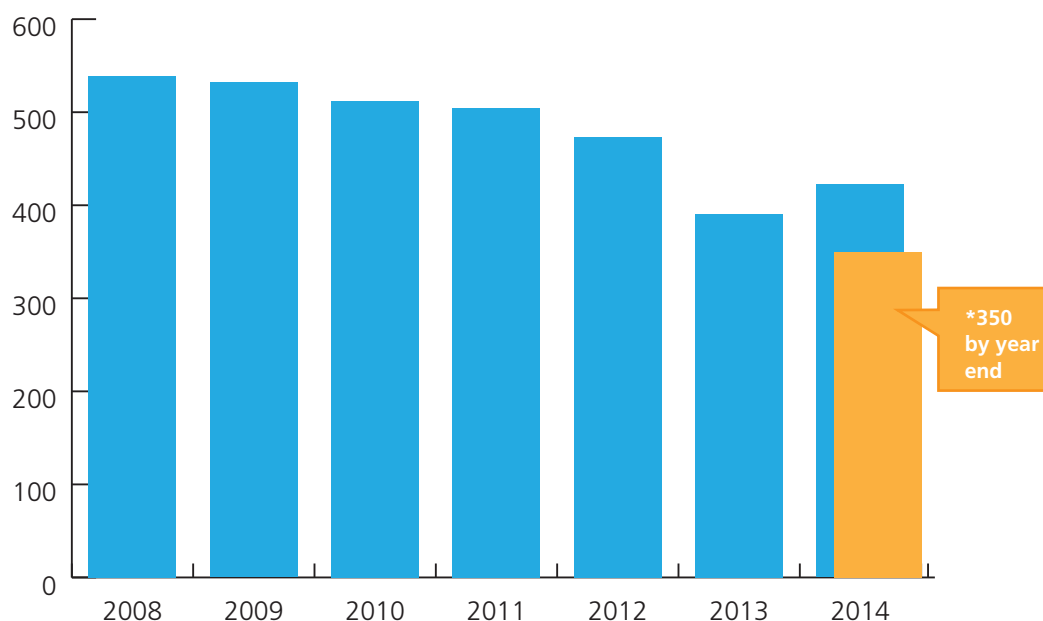


### 3. CONTEXT OF ENVIRONMENTAL ACTIVITY

The following table gives a broad outline of the context in which local authorities operate. It gives an idea of the volume of the workload included in the enforcement of the many environmental regulations and permits required of a local authority and the resources available to carry out such work.

**Table 3 Key Environmental Enforcement Numbers**

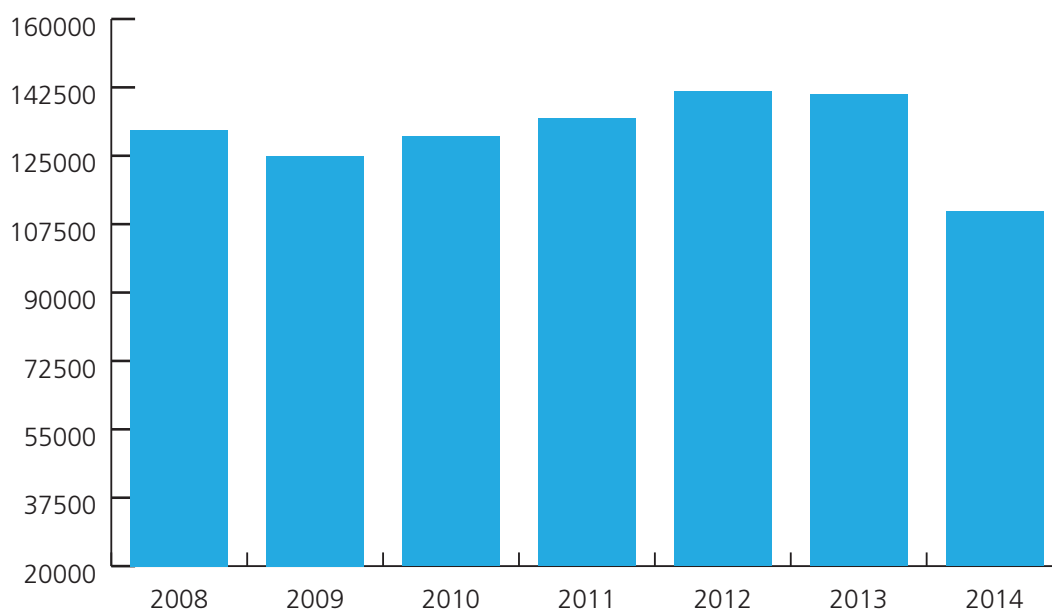
<b>Average of planned vs. completed across all inspections examined</b>	<b>121%</b>	On average, local authorities completed inspections planned but the performance varies considerably
<b>Complaints received</b>	<b>63,000</b>	This level of activity is within the normal range seen by local authorities over the past number of years.
<b>Total inspections</b>	<b>110,000</b>	Of which approximately 15% are reactive, such as responding to complaints or incidents
<b>Total No. Licences/ Permits/Certs</b>	<b>3,700</b>	Section 16s (discharge to sewer licences) now regulated by Irish water.
<b>Enforcement Actions Taken</b>	<b>7,000</b>	Reduced from previous years (approximately 20% reduction from 2012)
<b>Total No. Prosecutions</b>	<b>500</b>	This number has been steady since 2011. Approx. 90% of these prosecutions are in the waste area.
<b>Staff capacity through 2014</b>	<b>82%</b>	Local authorities reported that their average staff capacity during 2014 was 82% of their expected staffing levels. Capacity includes both the experience and expertise of staff members and their availability. This varied considerably, e.g. 7 local authorities reported between 90- 100% of expected capacity. On the other hand, 7 other local authorities reported as low as 50-75% available capacity during 2014.
<b>Staff per population</b>	<b>0.5/5,000</b>	Average enforcement staff per/5,000 population reported in 2014 was 0.5. The range reported was 0.2/5,000 at its lowest, and 1.3 at the highest (total reported enforcement staff Approximately 415 FTE)
<b>Total enforcement staff</b>	<b>415</b>	The current staff resources as reported by local authorities (415 FTE) is a 28% reduction of staffing levels in 2008.



**Figure 1** Local Authority Environmental Enforcement Staff numbers 2008-2014.

It is apparent from Figure 1 there has been a steady decline in staff capacity available for environmental enforcement over the past number of years. In addition, the people available at the beginning of the year's planning process were not always available later in the year (e.g. staff movements, statutory leave, re-assignments etc.).

The levels of environmental inspections have remained largely similar numbers over the seven year period, notwithstanding a reduction in 2014.



**Figure 2:** Environmental Inspections carried out annually by Local Authorities 2008-2014.

## 4. IMPACT INDICATORS: INTERMEDIATE OUTCOMES

This chapter presents selected case studies of notable projects and good practice from among the many environmental enforcement projects run by local authorities. The intention of this section is to give further context to the activity data presented earlier but also, and more importantly, it highlights good practice. By showing innovative approaches across the range and scope of actions by local authorities, the aim is to foster new ideas and foster greater inter-authority cooperation.

### 4.1 Good Practices in Enforcement Planning:

The following authorities displayed good practices in enforcement planning. Planning of activities in particular has been highlighted in this report as an area that requires improvement generally.

**Table 5** Examples of Environmental Enforcement Planning

Authority Name	Good practice example
<b>Fingal County Council:</b>	Writing concise plans that integrate all sections/ departments of the local authority that are involved in environmental inspections.
<b>Clare County Council</b>	Clear statement of priorities in the opening section of the plan that are linked to previous achievements.
<b>Waterford City &amp; County Council, Kerry County Council, Donegal County Council</b>	Making use of standardised outcomes table.
<b>Cork City Council and Cavan County Council's Water Plan</b>	Providing detailed resource availability and allocation information that is clearly linked to priorities identified, outcomes and risk allocation.
<b>Limerick City &amp; County Council</b>	An assurance statement that the local authority has sufficient resources available to complete the identified inspection plan.

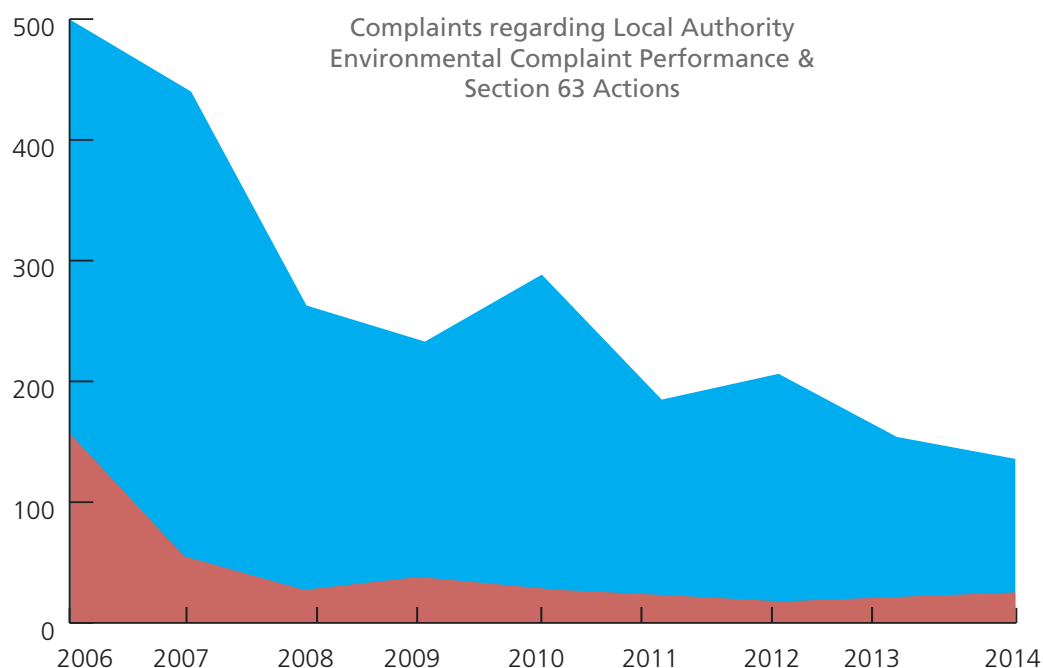
### 4.2 Shared Services

Local authorities share expertise to tackle environmental implementation problems with the following recent examples highlighting how 'lead authorities' facilitate the national enforcement effort in specific areas.

<b>Offaly County Council</b> - Operation of National Waste Collection Permit Office <b>Mayo County, Limerick City &amp; County and Dublin City Council</b> - Lead authorities in Regional Waste Office	<b>Carlow County Council</b> - Chair of the Water Quality and Agriculture Working Group <b>Clare County Council</b> – Chair of the Solid Fuels Working Group
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### 4.3 Local Authority Environmental Complaints Handling

Handling of environmental complaints by local authorities has significantly improved over the period of the implementation of the National Environmental Complaints Procedure and enforcement planning. The number of cases where the EPA has received complaints in relation to local authority handling of environmental issues has reduced and significantly the number of cases where the EPA has decided to initiate a formal, statutory investigation has also reduced – from 30% in 2006 to 12% in 2014.



**Figure 3** Environmental Complaints received by the EPA regarding Local Authority environmental statutory performance.

All local authorities use the FixYourStreet web based system of public interaction which allows the public to make environmental complaints online. The technology allows for better location of issues (through GPS coordinates), submission of pictures and facilitates two-way communication.

In addition to the FixYourStreet system, the “See it? Say it!” smartphone app is seamlessly integrated allowing submission of complaints with a smartphone directly to FixYourStreet.



## 4.4 Achieving Results through Waste Initiatives

### Laois County Council – Clean-up and Remediation of Special Area of Conservation



In late 2011, Laois County Council was alerted to the illegal disposal of waste in the River Barrow-Nore Special Area of Conservation (SAC). More than **6,500 tonnes of waste** was used to construct a roadway over 1.5km next to the River Barrow. Waste characterisation confirmed the material as European Waste Catalogue 19 12 - wastes from the mechanical treatment of waste (sorting, crushing, compacting etc.) and not suitable for use in the construction of access roads due to the high % of unsuitable material (plastics, timber, metal, organic fines). The waste was also identified as non-inert, generating leachate and had not been approved for such use by the EPA. The illegal disposal of waste resulted in significant impacts affecting 'ecological quality status'.

In 2013, Laois County Council sought orders (in the High Court under the Waste Management Act 1996 - Section 58, as amended, compelling the registered owners to remove the material from the site, dispose of it at a suitable licensed facility and restore the habitats to their original state. The total costs to the Council were over **€180,000**. All waste was removed and properly disposed of and the site was returned to its former state.

### Wicklow/Dun Laoghaire Rathdown/South Dublin County Councils – PURE Project



Protecting Uplands & Rural Environments (PURE) is a unique partnership in Ireland established to combat illegal dumping in the Wicklow/Dublin uplands. The project partners are Wicklow, Dun Laoghaire Rathdown and South Dublin County Councils, as well as Coillte, National Parks and Wildlife Service and the Wicklow Uplands Council, with funding from the Department of Environment Community and

Local Government. Since beginning in 2006, PURE has collected and disposed of over **2,500 tonnes of illegally dumped waste** and established almost **130km of "PURE Mile"** roadways in County Wicklow and South County Dublin, with around 2,400 rural residents engaged in working together to enhance and improve their roadway and community environment and heritage. In addition, the PURE education programmes offer school information packs, music competitions and short film production to primary schools throughout the region.



## Mayo County Council – “Money for Old Scrap”



Mayo County Council employed the “polluter pays principle” in using the value of scrap metal at illegal waste sites to offset the costs involved in regulation. In one case, **4.2 tonnes of illegally held waste metal** was removed from a site under Section 56 of the Waste Management Act. This included significant items of WEEE which were recycled at one of their Civic Amenity sites. The site clean-up was cost neutral after the value of the

scrap metal was recouped and the Council’s objective of cleaning up troublesome scrap metal sites and hitting the illegal operators in the pocket was achieved.

## Monaghan County Council – Dealing with Waste from Diesel Laundering



The illegal dumping of diesel laundering waste (diesel wash) has been a serious environmental problem in County Monaghan since 2003. Diesel wash is the waste material that is left-over after the dye is removed from “green diesel” and contains hazardous chemicals used in the process. In 2014 there were **103 incidences of diesel wash residue dumped illegally** in County Monaghan. Given the average is 2 incidences a week, the time and resources needed to deal

with this problem are considerable. Huge costs are incurred as the hazardous waste material must be sent abroad for disposal. Since 2003, the cost of dealing with this problem in County Monaghan alone was approximately **€2.5 million**.

## Leitrim County Council – Piloting Pay-by-Weight Refuse Collection



The Leitrim waste collection Bye Laws require that every householder in the County is signed up to a waste collection service while also requiring waste collectors to provide a 3-bin pay-by-weight service to their customers. The introduction of the 3-bin pay-by-weight service has made waste refuse charges costs significantly less (20%) in Leitrim than waste disposal costs in adjoining counties with the result that the majority of householders had moved over from the 2-bin tag system to the Pay-by-Weight system before the mandatory deadline of the 1st December 2014. In turn, this has helped drive a better uptake of domestic waste collection in general.

**Sligo County Council** has had similar success with the introduction of the three-bin system resulting in a reduction of organic waste to landfill by 110 tonnes in 2014.

## Longford County Council – Tackling Illegal Waste Oil Burning



The burning of waste oil falls under the scope of the European Waste Incineration Directive (Directive 2000/76/EC), which states “no incineration or co-incineration plant shall operate without a permit to carry out these activities”. Longford County Council devised a targeted survey of 65 businesses that could potentially use waste oil generated on-site in used-oil burners. The survey questioned the possible use or disposal of waste oil by the businesses and the Council put considerable

effort into following-up on survey responses. When the Council subsequently completed their waste survey they found that there was an increase of 50% in waste oil accepted at civic amenity sites, a positive indicator of the impact of the survey on waste oil generators in the County.

## Fingal County Council and Galway City Council – Tackling dog fouling with technology

Almost 4,000 people use the Baldoyle Promenade each week for walking and cycling with on average 48 dogs walked per day along the promenade. Dog fouling was a serious environmental and health issue so Fingal County Council piloted an anti-dog fouling audio warning system and hotline. The results were an impressive 82% reduction in dog fouling with sustained results over the summer months and into the autumn.

**Galway City Council** has similarly made use of audio warning devices at two popular tourist areas in their ‘Take the Lead’ responsible dog ownership campaign aimed at countering dog fouling in the City. The Council have also tackled Food Waste through targeted inspection of casual traders/markets and by producing a recipe booklet that was distributed at the Galway Food Festival.

## South Dublin County Council – Tackling littering at bring banks and car parks with technology

South Dublin County Council has used audio warning devices to tackle littering at three sites with reduction from between 65% -100% of littering during the testing period.

**Dublin City Council** has commenced a significant programme to control the discharge of fat, oil and grease (FOG) to the public sewer system. FOG causes a problem when it is washed down the drains, either during food preparation or in the washing up operation. When it cools it will congeal and accumulate in pipelines, thus eventually blocking pipes.





## 4.5 Improving water quality through enforcement initiatives



**A quarter of a tonne of rubbish was removed** from the River Blackwater in one single morning. It involved the combined initiative of Cork County Council, Civil Defence, Mallow Search and Rescue, Inland Fisheries Ireland, An Garda Síochána, Mallow Trout Anglers Association and Avondhu Blackwater Ltd. The IFA assisted with the provision of “landing sites” along the river bank for the collected rubbish, from where it was removed for recycling free of charge by Munster Waste Management. Cork County Council investigated the waste to identify individuals for potential prosecution under the Litter Act.

### Limerick City & County Council – Community Involvement in High Status Water Quality



StreamScapes Loobagh is Limerick City & County Council’s pilot environmental education initiative. It focuses on the aquatic and biodiversity resources of the River Loobagh catchment in south County Limerick. The StreamScapes programme enables communities of the River Loobagh to learn about the important links between high status local water quality and human health, thriving socio-economy, higher value agricultural produce and biodiversity. The initiative involves

field studies and theory sessions with seven local schools and three community groups. It is also backed up by a dedicated local environmental booklet which was widely and freely distributed throughout Loobagh communities. The Council’s goal is to have flourishing agriculture, forestry, and industry and still conserve local water quality and a rich biodiversity, which also drives tourism and other economic engines. Coomhola Salmon Trust of Bantry, Co Cork are working with Limerick City and County Council to produce the programme.

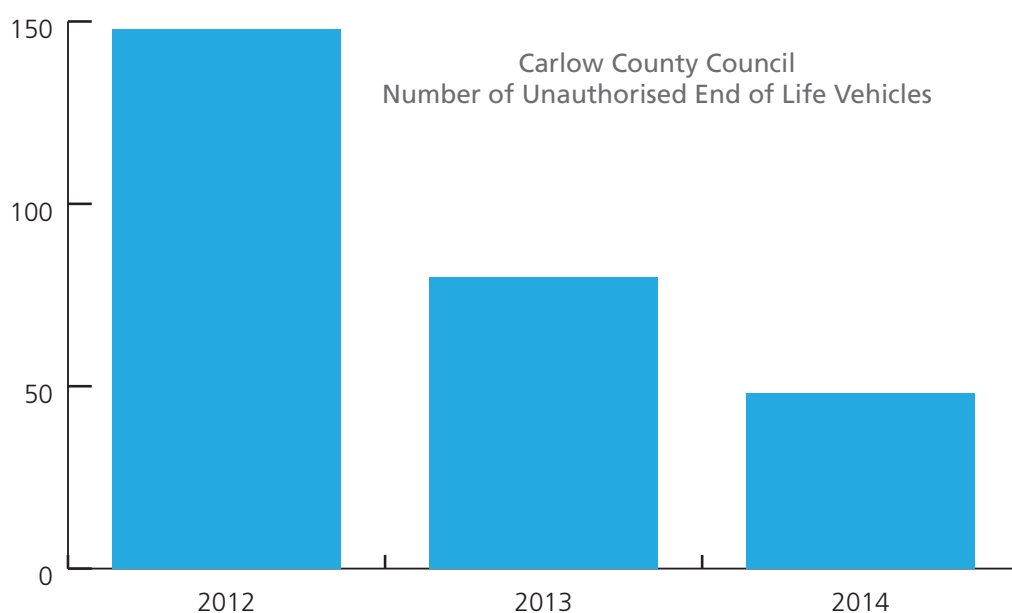
### Galway City Council – Pioneering Work on Water Safety Plans

A drinking water supply is deemed 'safe' if it meets the relevant drinking water quality standards at the tap and 'secure' if a risk management system, a Drinking Water Safety Plan (DWSP), is in place. A DWSP identifies all potential risks to the water supply, from catchment to consumer, and mitigation measures and procedures are put in place to manage these risks. Prior to the establishment of Irish Water, local authorities were responsible for the development and implementation of water safety plans (WSP) for public supplies. Galway City Council was the first water services authority (WSA) in Ireland to fully implement the Water Safety Plan approach to manage the Galway City public water supply.

## 4.6 Producer Responsibility Initiatives & Waste Diversion

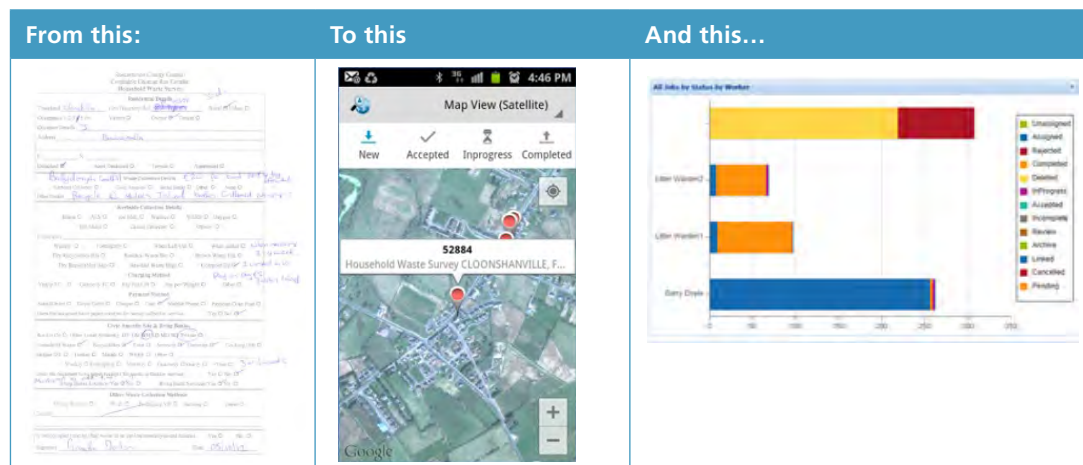
### Carlow County Council – Regulating Unauthorised End of Life Vehicle Sites

Regulating or closing unauthorised sites for end of life (ELV) vehicles has been a national enforcement priority since 2010. Carlow County Council undertook significant inspections of the sector and has reduced the number of unauthorised end of life vehicles within its functional area from 138 in 2012 to 46 in 2014. The Council is continuing to pursue unauthorised sites with the aim of either regulating or closing them as appropriate.



**Figure 5** Reduction in number of unauthorised End of Life vehicle sites in Carlow 2012-2014.

**Roscommon & Cork County Councils:** Use of smartphone app with GIS mapping for Food Waste Prevention Programme. Roscommon County Council has successfully completed a pilot project using smartphones to improve efficiencies in the completion of household waste surveys. The advantages include real-time update of databases, elimination of paper, increased productivity, ease of task management and integrated GPS and photo data.



**Galway County Council:** Pilot project using GeoPal and mobile communications platforms for setting baseline inspection data for PRI and subsequent enforcement planning.

Local community engagement through targeted information sessions – resource efficiency integrated into Tidy Towns facilitation, green business programme, Green Festivals programme, Food Waste & Hazardous Household waste prevention, water & energy conservation programmes.

**Cavan County Council:** Chambers Ireland Sustainable Environment Award Winner 2014 & Finalist Local Authority Members Association Community and Council Awards 2015 (Most Significant Contribution to Water Quality).

## 4.7 Interventions to Improve Air Quality

### Donegal County Council – Improving Letterkenny’s Air Quality

The link between public health improvements and the reduction in particular matter in air is well established. Donegal County Council commenced enforcement of the Smoky Coal Regulations in July 2013. By taking a comprehensive enforcement approach the Council has achieved impressive and measurable improvements in air quality. The Council’s approach included interaction with all types of media outlets (social, print, broadcast etc.); inspections of all known fuel retailers; vehicle check points; and follow up on complaints from the public. This resulted in a remarkable and sustained decline in the Black Smoke measured in the air in Letterkenny, generating **a 9 times improvement in air quality** as shown on Figure 6 below.

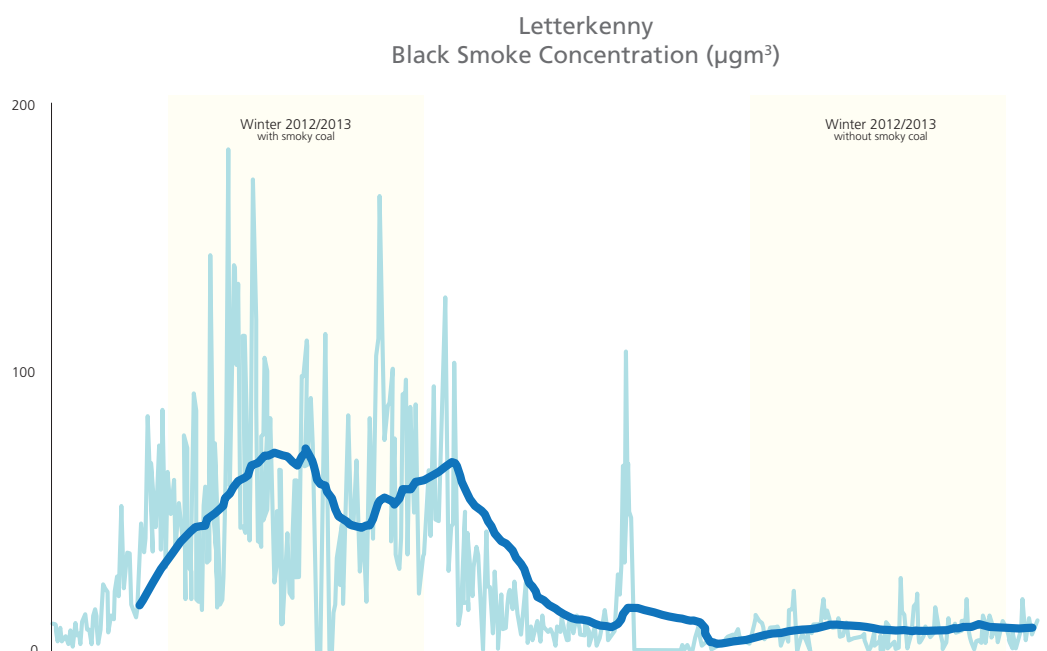


Figure 6 Summary of Black Smoke concentrations before and after a smoky coal ban in Letterkenny.

**Clare County Council** had similar success following enforcement of the smoky coal ban in Ennis with improvements in air quality from 34 exceedances of PM10 (particulate matter of 10 micrometres or less) in 2010 down to eight exceedances in 2014.





# AN GHNÍOMHAIREACHT UM CHAOMHNÚ COMHSHAOIL

Tá an Gníomhaireacht um Chaomhnú Comhshaoil (GCC) freagrach as an gcomhshaoil a chaomhnú agus a fheabhsú mar shócmhainn luachmhar do mhuintir na hÉireann. Táimid tiomanta do dhaoine agus don chomhshaoil a chosaint ó éifeachtaí díobhálacha na radaíochta agus an truaillithe.

## Is féidir obair na Gníomhaireachta a roinnt ina trí phríomhréimse:

**Rialú:** Déanaimid córais éifeachtacha rialaithe agus comhlíonta comhshaoil a chur i bhfeidhm chun torthaí maíthe comhshaoil a sholáthar agus chun díriú orthu siúd nach gcloíonn leis na córais sin.

**Eolas:** Soláthraímid sonraí, faisnéis agus measúnú comhshaoil atá ar ardchaighdeán, spriocdhírithé agus tráthúil chun bonn eolais a chur faoin gcinnteoireacht ar gach leibhéal.

**Tacaíocht:** Bímid ag saothrú i gcomhar le grúpaí eile chun tacú le comhshaoil atá glan, táirgiúil agus cosanta go maith, agus le hiompar a chuirfidh le comhshaoil inbhuanaithe.

## Ár bhFreagrachtaí

### Ceadúnú

- Déanaimid na gníomhaíochtaí seo a leanas a rialú ionas nach ndéanann siad dochar do shláinte an phobail ná don chomhshaoil:
- saoráidí dramhaíola (*m.sh. láithreáin líonta talún, loisceoirí, stáisiúin aistrithe dramhaíola*);
- gníomhaíochtaí tionsclaíocha ar scála mór (*m.sh. déantúsaíocht cógaisíochta, déantúsaíocht stroighne, stáisiúin chumhachta*);
- an diantalmhaíocht (*m.sh. muca, éanlaith*);
- úsáid shrianta agus scaoileadh rialaithe Orgánach Géinmhodhnaithe (*OGM*);
- foinsí radaíochta ianúcháin (*m.sh. trealamh x-gha agus radaiteiripe, foinsí tionsclaíocha*);
- áiseanna móra stórála peitril;
- scardadh dramhuisce;
- gníomhaíochtaí dumpála ar farraige.

### Forfheidhmiú Náisiúnta i leith Cúrsaí Comhshaoil

- Clár náisiúnta iniúchtaí agus cigireachtaí a dhéanamh gach bliain ar shaoráidí a bhfuil ceadúnas ón nGníomhaireacht acu.
- Maoirseacht a dhéanamh ar fhreagrachtaí cosanta comhshaoil na n-údarás áitiúil.
- Caighdeán an uisce óil, arna sholáthar ag soláthraithe uisce phoiblí, a mhaoirsiú.
- Obair le húdaráis áitiúla agus le gníomhaireachtaí eile chun dul i ngleic le coireanna comhshaoil trí chomhordú a dhéanamh ar líonra forfheidhmiúcháin náisiúnta, trí dhíriú ar chiontóirí, agus trí mhaoirsiú a dhéanamh ar leasúchán.
- Cur i bhfeidhm rialachán ar nós na Rialachán um Dhramhthrealamh Leictreach agus Leictreonach (DTLL), um Shrian ar Shubstaintí Guaiseacha agus na Rialachán um rialú ar shubstaintí a ídíonn an císeal ózón.
- An dlí a chur orthu siúd a bhriseann dlí an chomhshaoil agus a dhéanann dochar don chomhshaoil.

### Bainistíocht Uisce

- Monatóireacht agus tuairisciú a dhéanamh ar cháilíocht aibhneacha, lochanna, uiscí idirchriosacha agus cósta na hÉireann, agus screamhuiscí; leibhéil uisce agus sruthanna aibhneacha a thomhas.
- Comhordú náisiúnta agus maoirsiú a dhéanamh ar an gCreat-Treoir Uisce.
- Monatóireacht agus tuairisciú a dhéanamh ar Cháilíocht an Uisce Snámha.

## Monatóireacht, Anailís agus Tuairisciú ar an gComhshaoil

- Monatóireacht a dhéanamh ar cháilíocht an aeir agus Treoir an AE maidir le hAer Glan don Eoraip (CAFÉ) a chur chun feidhme.
- Tuairisciú neamhspleách le cabhrú le cinnteoireacht an rialtais náisiúnta agus na n-údarás áitiúil (*m.sh. tuairisciú tréimhsiúil ar staid Chomhshaoil na hÉireann agus Tuarascálacha ar Tháscairí*).

## Rialú Astaíochtaí na nGás Ceaptha Teasa in Éirinn

- Fardail agus réamh-mheastacháin na hÉireann maidir le gáis cheaptha teasa a ullmhú.
- An Treoir maidir le Trádáil Astaíochtaí a chur chun feidhme i gcomhair breis agus 100 de na táirgeoirí dé-ocsaíde carbóin is mó in Éirinn

## Taighde agus Forbairt Comhshaoil

- Taighde comhshaoil a chistiú chun brúnna a shainaitheint, bonn eolais a chur faoi bheartais, agus réitigh a sholáthar i réimsí na haeráide, an uisce agus na hinbhuanaitheachta.

## Measúnacht Straitéiseach Timpeallachta

- Measúnacht a dhéanamh ar thionchar pleananna agus clár beartaithe ar an gcomhshaoil in Éirinn (*m.sh. mórphleananna forbartha*).

## Cosaint Raideolaíoch

- Monatóireacht a dhéanamh ar leibhéil radaíochta, measúnacht a dhéanamh ar nochtadh mhuintir na hÉireann don radaíocht ianúcháin.
- Cabhrú le pleananna náisiúnta a fhorbairt le haghaidh éigeandálaí ag eascairt as taismí núicléacha.
- Monatóireacht a dhéanamh ar fhorbairtí thar lear a bhaineann le saoráidí núicléacha agus leis an tsábháilteacht raideolaíochta.
- Sainseirbhísí cosanta ar an radaíocht a sholáthar, nó maoirsiú a dhéanamh ar sholáthar na seirbhísí sin.

## Treoir, Faisnéis Inrochtana agus Oideachas

- Comhairle agus treoir a chur ar fáil d'earnáil na tionsclaíochta agus don phobal maidir le hábhair a bhaineann le caomhnú an chomhshaoil agus leis an gcosaint raideolaíoch.
- Faisnéis thráthúil ar an gcomhshaoil ar a bhfuil fáil éasca a chur ar fáil chun rannpháirtíocht an phobail a spreagadh sa chinnteoireacht i ndáil leis an gcomhshaoil (*m.sh. Timpeall an Tí, léarscáileanna radóin*).
- Comhairle a chur ar fáil don Rialtas maidir le hábhair a bhaineann leis an tsábháilteacht raideolaíoch agus le cúrsaí práinnfhreagartha.
- Plean Náisiúnta Bainistíochta Dramhaíola Guaisí a fhorbairt chun dramhaíl ghuaiseach a chosc agus a bhainistiú.

## Múscailt Feasachta agus Athrú Iompraíochta

- Feasacht chomhshaoil níos fearr a ghiniúint agus dul i bhfeidhm ar athrú iompraíochta dearfach trí thacú le gnóthais, le pobail agus le teaghlaigh a bheith níos éifeachtúla ar acmhainní.
- Tástáil le haghaidh radóin a chur chun cinn i dtithe agus in ionaid oibre, agus gníomhartha leasúcháin a spreagadh nuair is gá.

## Bainistíocht agus struchtúr na Gníomhaireachta um Chaomhnú Comhshaoil

Tá an ghníomhaíocht á bainistiú ag Bord lánaimseartha, ar a bhfuil Ard-Stiúrthóir agus cúigear Stiúrthóirí. Déantar an obair ar fud cúig cinn d'Oifigí:

- An Oifig Aeráide, Ceadúnaithe agus Úsáide Acmhainní
- An Oifig Forfheidhmithe i leith cúrsaí Comhshaoil
- An Oifig um Measúnú Comhshaoil
- An Oifig um Cosaint Raideolaíoch
- An Oifig Cumarsáide agus Seirbhísí Corparáideacha

Tá Coiste Comhairleach ag an nGníomhaireacht le cabhrú léi. Tá dáréag comhaltaí air agus tagann siad le chéile go rialta le plé a dhéanamh ar ábhair inné agus le comhairle a chur ar an mBord.

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