

**Comhairle Contae
Fhine Gall**
Fingal County
Council



National Enforcement Priorities Progress Report for 2022

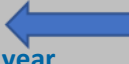
20th February 2023

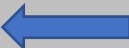
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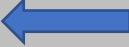
NEP Assessment Criteria		
A	For regulated / authorised sites, a compliance rate documented and compared over the previous years, and analysed or explained;	CORE
B	Demonstrate appropriate site selection methodology and inspection implementation and/or early interventions;	
C	Demonstration that non-compliances/unauthorised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

2022 National Enforcement Priorities Progress Report

National Enforcement Priority: GOVERNANCE - RMCEI Review & Reporting	
Local Authority: Fingal County Council	Activities
 Looking back at the year	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'.
<p>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> 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. RMCEI reviews should evaluate progress of NEPs and assess if planned inspection targets are on track. RMCEI reviews should provide reasons for any deviation from targets, planned activities or objectives set out in the plan. <p>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</p>	<p>The RMCEI Plan 2022 was presented to Fingal County Council Environment Strategic Policy Committee on 29th March 2022, where the objectives of the plan, the national environmental enforcement priorities, the planned inspections and the resources allocated to the implementation of the plan were discussed with the SPC members. Topics raised for discussion by members included the End of Life Vehicles project, traceability of catalytic converters, noise issues from gun clubs and quarries (blasting), enforcement of the household and commercial waste presentation bye-laws and inspection regime for septic tanks.</p> <p>Throughout the year, each section had regular meetings where progress towards the objectives of the RMCEI plan were reviewed and discussed.</p> <p>In the Waste Enforcement Section meetings were held on a bi-monthly basis where progress towards targets were presented by each officer along with any issues encountered. The meetings were documented in a progress report spreadsheet filled in for each meeting. A progress management tracker (PMT) spreadsheet was also used where inspection targets from the RMCEI plan were listed and allocated to the relevant officers. The PMT was filled in on a monthly basis to record inspections completed which allowed officers to keep track of progress towards inspection targets as set out within the RMCEI plan. The Water Protection Section has a similar recording and tracking system in place for inspections and internal reviews are undertaken regularly.</p> <p>In July 2022 each of the contributing Sections to the plan (Water Pollution, Environmental Health, Litter Management) were requested to provide an update of inspections carried out at mid-year and to indicate whether inspection targets needed to be amended up or down due to unforeseen circumstances (resource constraints, staff changes, focus on particular projects, additional legal cases). Inspections numbers were revised down in 12 categories, upwards in 10 categories and remain unchanged in the other 75 categories. The revised inspections numbers were submitted to the Senior Engineer and Director of Services who signed off on the changes and a record kept on file.</p> <p>A similar exercise was carried out in December 2022 for the end of year review which resulted in 17 inspection targets amended upwards and 16 inspection targets amended downwards with review and sign off by the Senior Engineer and the Director of Services.</p>

National Enforcement Priority: GOVERNANCE - Environmental Complaint Handling	
Local Authority: Fingal County Council	Activities
 Looking back at the year	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 though the 'RMCEI data returns' or your 'RMCEI Plan'.
<p>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Assignment of a dedicated Environmental Complaints Co-ordinator. • Implementation of the National Environmental Complaints Procedure. • Appropriate systems in place for recording and tracking environmental complaints. • Adequate resources assigned to complaint investigation in the RMCEI Plan. • Appropriate handling of EPA referred complaints and Section 63 Notices received by the local authority. • 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. • Analysis of complaints numbers and inspection intelligence that may have 	<p>Complaints are received through phone calls, emails, or through web applications such as “Fix Your Street” or the “See It Say It” app. Complaints can also be referred to Fingal County Council by the EPA.</p> <p>Complaints received by phone arrive to the Customer Care Unit (CCU), who then direct the complaint to the relevant Department/Section for investigation. If the person reporting the issue can be connected directly to a staff member the call is connected to the appropriate Section, if not the CCU takes details of the complaint and logs it into the CRM system and assigns it to the relevant Section and/or individual for action.</p> <p>Complaints reported on the “See It Say It” app are channelled through Fix Your Street. Complaints received through the “Fix Your Street” app and received by email are dealt with by the Administration Section of the Environment Department. All complaints are reviewed upon receipt, acknowledged and then logged onto the CRM system. When a complaint is logged onto CRM, it is allocated to a staff member who is then responsible for investigating the complaint and updating the complainant with the investigation outcome. A response to the complainant must be provided within 15 working days of receipt of the complaint.</p> <p>The Administration Section in the Environment Department identifies whether the complaint should be assigned to the litter wardens, the environmental health officers (air and noise complaints), the water pollution section or the waste enforcement section.</p> <p>The CRM system then tracks the complaint up to the point where the complaint is fully investigated and closed off. The CRM system ensures all complaints are addressed as deadlines are set within the system and reminders issued to the officer who has been allocated the complaint. The complaint stays active until it has been dealt with and de-activated. If an officer upon investigating the complaint finds that the issue has been wrongly allocated, he/she can re-assign the complaint to another officer/department as appropriate.</p> <p>Resources allocated to complaint investigations during 2022 included 6 litter wardens, 8 waste enforcement officers (increase from 2 in 2021, reflecting staff turnover and complaints allocated to more staff), 1 environmental health officer, 1 executive scientist and 1 water pollution officer, with additional resources available from each team as required.</p>

<p>potential impacts on NEPs and other thematic areas.</p> <ul style="list-style-type: none"> • Details of environmental complaint handling should be provided in the appropriate section of the NEP Progress Report. • Reporting of complaint numbers and investigation for each thematic area in the RMCEI Data Returns. 	<p>Significant resources were allocated to complaint investigations during 2022 to ensure that all complaints received from Councillors and the general public were addressed in a timely manner and any reports of environmental pollution were investigated.</p> <p><u>Waste Complaints</u></p> <p>173 (63%) of 274 waste complaints related to backyard storage of household waste / waste presentation. 60 complaints related to illegal dumping (22%). The remaining 41 inspections (15%) related to unauthorised, sites, illegal collectors and illegal waste activities.</p> <p>Complaints referred to by the EPA are fully investigated and an update on outcome provided to the EPA.</p>
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National Enforcement Priority: WATER – Pressures from Agriculture (slurry/soiled water collection and storage)	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • 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. • 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. • Take all necessary steps to ensure compliance, including follow up and close out of non-compliances. • Cross reporting of non-compliances to DAFM. • Document and report results for all farm inspections to the EPA. 	<p>NATIONAL PRIORITY (Pressures from Agriculture - FARM YARDS)</p> <p>Fingal County Council planned 10 Good Agricultural Practice (GAP) farm inspections (farmyard and farmland inspections) in waterbodies associated with the Delvin and Matt/Bracken Rivers.</p> <p>These waterbodies were identified using the Environmental Protection Agency (EPA) Pollution Impact Potential (PIP-P) Maps, list of waterbodies at risk provided by the EPA, local knowledge and avoidance of Local Authority Waters Programme (LAWPRO) led Priority Areas for Action (PAA). The expectation that The Delvin Catchment will become a Local Authority led Priority Area for Action during the 3rd Cycle River Basin Management Plan (RBMP) was a factor in focusing on this catchment. Also, a commitment to conducting farm inspections in the Matt/Bracken catchment was given in the 2022 Balbriggan Beach Management Plan.</p> <p>Additionally, 10 GAP desk top inspections were carried out for these farms through review of Nutrient Management Plans (NMPs) – or calculation of livestock stocking rates in the case of smaller holdings.</p> <p>These, full GAP inspections took place mostly during Q3 & Q4.</p> <p>Where appropriate, i.e., in the case of livestock farming – slurry/soiled water/farmyard manure collection and storage calculations were undertaken / or reported in Nutrient Management Plans and annual reports by Teagasc or private agricultural advisors to the farmers.</p> <p>Strict compliance with the GAP regulations was very high. Results for all inspections undertaken are provided in a separate reporting spreadsheet “<i>Reporting on Farm Inspections 2023 v1.3</i>”, submitted to the EPA. Closure letters were sent to each farmer where an inspection was undertaken. Where appropriate advice was provided on good practice with regard to the storage of hazardous substances, positioning of drinking water facilities away from streams and livestock access to streams.</p>

Two non-derogation farms were reported to LAWPRO where livestock had access to streams for onward referral to the ASSAP team for further advice and information, where appropriate.

Furthermore, three desk top GAP inspections were carried out through review and comment on Biosolids Nutrient Management Plans in waterbodies of the Ballyboghil and Ward Rivers, and approval letters with conditions relating to GAP were issued.

Also three re-inspections of farms which were inspected in previous years 2020 & 2021 were undertaken in waterbodies of the Ward, Mayne and Delvin Rivers. Two of these had been cross-reported to DAFM and update reports were sent to DAFM, during 2022, on foot of these inspections. Improvements in farmyard management were recorded in these follow-up inspections.


By way of additional activity Fingal County Council were invited by TEAGASC to speak on Local Authority lead farm inspections at an open-day on an arable farm on a waterbody of the Ward River. A presentation was also given by a staff member from the Agricultural Sustainability Support and Advisory Programme (ASSAP) on that bodies activities in LAWPRO PAAs.

A follow up meeting on the demonstration farm was organised with staff of the property section of Fingal County Council, having responsibility for conacre lets, to learn about the value of catch and cover crops in the control of nutrient and sediment loss – conacre agreements were revised during 2022 to ensure compliance with environmental regulations.

During 2022 Fingal County Council have created a GIS geodatabase, with feature classes which illustrate the distribution of GAP inspected farms for the period 2019-2022. This layer was created in ARC-Pro and shared on Fingal County Council's Arc Enterprise platform.

Finally, we attended a farm in County Meath, with our counterparts in Meath Council to learn of the approach taken by Meath County Council in GAP inspections.

OUTPUT: 10 Full GAP inspections, 3 re-inspections and 3 desktop reviews of Nutrient Management Plans.

National Enforcement Priority: WATER – Pressures from Agriculture (slurry and fertiliser spreading)	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <p>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.</p> <p>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.</p> <p>Take all necessary steps to ensure compliance, including follow up and close out of non-compliances.</p> <p>Cross reporting of non-compliances to DAFM.</p> <p>Document and report results for all farm inspections to the EPA.</p>	<p>NATIONAL PRIORITY (Pressures from Agriculture - FARMLANDS)</p> <p>An approach to inspections was developed by Fingal County Council during 2022 to the survey of Slurry and fertiliser spreading activities.</p> <p>Fingal County Council focused their activities in this National Enforcement Priority in waterbodies associated with the Delvin and Matt/Bracken Rivers.</p> <p>These waterbodies were identified using the EPA PIP Maps, list of waterbodies at risk provided by the EPA, local knowledge and avoidance of LAWPRO led Priority Areas for Action. The expectation that The Delvin Catchment will become a Local Authority led Priority Area for Action during the 3rd Cycle River Basin Management Plan was a factor in focusing on this catchment. Also, a commitment to conducting farm inspections in the Matt/Bracken catchment was given in the <i>2022 Balbriggan Beach Management Plan</i>.</p> <p>Rather than scheduling/announcing inspections on a limited number of farms to observe slurry and fertiliser spreading practices it was decided that a rapid or reconnaissance approach might be more beneficial in developing an understanding of slurry and fertiliser spreading activities at the landscape or catchment level.</p> <p>The systematic approach involved taking observations on activities relating to slurry / fertiliser spreading from nearly all the bridges on public roads in the Delvin and Matt/Bracken Catchments. Observations were made of fields adjacent to the left and right banks looking upstream and downstream from these bridges. It was felt that this approach would focus on fields most vulnerable to the effects of non-compliance with the GAP regulations in this thematic area.</p> <p>Field Maps and Checklists were developed as the survey method evolved.</p> <p>The Delvin was surveyed three times (11/01/2022, 20/01/2022 and 25/10/2022) covering periods when application of fertilisers to land is prohibited and the early “open period”.</p>

During each Delvin reconnaissance survey observations were made from approx. 39 individual fields across approximately 25 Herd Numbers – relating to evidence in the practice of slurry spreading and stockpiling of farmyard manure and field condition.


The Matt was surveyed two times (17/02/2022 and 02/06/2022) covering the early “open period” and a later period after silage cutting and during the bathing water season.

During each Matt reconnaissance survey observations were made from approx. 36 individual fields across approximately 26 Herd Numbers - relating to evidence in the practice of slurry spreading and stockpiling of farmyard manure and field condition.

Strict compliance with the GAP regulations, in this thematic area, was very high in 2022. Results for all inspections undertaken are provided in a separate reporting spreadsheet “*Reporting on Farm Inspections 2023 v1.3*”, submitted to the EPA.

During 2022 Fingal County Council have created a GIS geodatabase with feature classes which illustrate the distribution of Reconnaissance inspected farms during 2022. This layer was created in ARC-Pro and shared on Fingal County Council’s Arc Enterprise platform.

Fingal County Council will continue this approach during 2023 and have already identified non-compliance with the GAP Regs in the manner of slurry and fertiliser spreading which will be the subject of a cross report to DAFM. Fingal County Council will select some farms for full GAP Inspections (Farmyard / Farmland; GAP 1 & GAP 2) from observations made during reconnaissance survey, as a development of the farm selection process.

National Enforcement Priority: WATER – Domestic Waste Water Treatment Systems / Septic Tanks	
Local Authority: Fingal County Council	Activities
 Looking back at the year	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <p>Undertake the allocated number of DWWTS / Septic Tank inspections under the National Inspection Plan for Domestic Waste Water Treatment Systems 2022 - 2026.</p> <p>Take all necessary steps to follow up and ensure advisory notices are closed out.</p> <p>When selecting households for inspection, consider areas where LAWPRO have issued letters of grant eligibility and homeowners have not taken action.</p>	<p>SEPTIC TANK INSPECTIONS (NATIONAL PRIORITY)</p> <p>In 2022 domestic wastewater treatment system (DWWTS) inspections (including septic tanks) were undertaken as advised under the Environmental Protection Agency's National Inspection Plan (NIP) 2022-2026. Fingal County Council has an allocation of 53 (Zone 1/high risk) and 10 (Zone 3/low risk sites) over the five years.</p> <p>Before inspections took place a review of website was undertaken, and text updated and links to new 2021 Code of Practice and NIP were made. In addition, social media was used for awareness raising for the new NIP. Following review of the sites available it was proposed to target upstream clusters of older houses along tributaries feeding to the Broadmeadow River (poor 2013-2018) with the parameter Ammonia considered 'poor' from potentially sewage related sources. This area chosen as no known plans for public sewer connection during the period of the Plan and to reduce/eliminate any discharges from DWWTS systems relating to poorly maintained DWWTS found to waters to improve water quality. Houses were chosen at random but closest to surface waters; close to monitoring stations and older properties in clusters. This produced good engagement with homeowners talking to each other. Inspection times were facilitated at lunchtime for those working from home when required.</p> <p>There were 11 no. Sites (Zone 1) inspected (no shared septic tanks, no wells on-site) with two inspectors and re-inspections were required. A list of 15 sites were identified (desktop) and reconnaissance survey visits (2 no.) were carried out ahead of issuing letters to ensure site was occupied and confirm eircode. When dates were planned for inspections the letters were sent by registered post to homeowner with a leaflet to explain the documentation requirements to be viewed by the inspector and the type of inspection. Two reminder letters issued and no answer at two houses (locked gate and vacant property suspected).</p> <p>It is proposed to review wording of letter in 2023 to ask for homeowner to confirm attendance on date of inspection by telephone. As older properties were targeted there were additional engagements with family members of older homeowners and one site inspection deferred on compassionate grounds due to illness of homeowner so it was good we could swap in a site from the initial list. In addition, 'Protect our Water' the</p>

registration service was not contactable by phone for queries during Q1-Q2 due to Covid19 remote working and as Fingal's Age Friendly initiatives contact was made with Older Persons Support Officer to assist if homeowner needed help with emailing. The telephone system was upgraded to facilitate the transfer of calls to remote workers in Q3.

During the inspection, the information required (e.g. disposal receipts) was photographed while outside to enable low-contact inspection. The site where the DWWT system was located was then inspected with the householder. Compliance levels were high (10 of 11 passed on first inspection (90%) compared with 6 of 9 (67%) in 2021). Only one site was non-compliant (damaged cover on septic tank and advised at time of inspection) and an advisory notice issued and complied with in 2022 (confirmed replaced when photos received). A follow up phone call was made to homeowner following the Advisory Notice to ensure the requirements of the Notice and timeline were understood for addressing the issue. The letter is triggering homeowner reviews of last desludging receipts and prompting a desludging activity ahead of the inspection. One failure required the issuing of a notice under Section 70(H) of the Water Services Act and issue was addressed by the homeowner and case closed in 2022. The reasons for failures over the last four years were;

2019 (2 failed out of 9)	2020 (3 failed out of 9)	2021 (3 failed out of 9)	2022	Compliance nationally
	2, 3a	1	1 (manhole cover damaged)	Not maintained (30%)
2	1a, 3b	2		Not desludged (25%)
	1a	3		Discharging illegally to ditches/streams (17%)
				Leaking (13%)
1				Rainwater ingress (10%)
				Effluent Ponding (9%)


Allocation remaining at end of year from Plan; 42 Zone 1 inspections (11 of 53 complete) and 10 Zone 3 inspections. (1ST YEAR OF NIP 2022-2026). No outstanding issues open from previous DWWTS inspections.

Two new Inspectors have registered with the EPA having undertaken training on 24th/25th October, 2022. Timely return of reports is required for non-compliant sites, which can turn into a legal file, and engagement after the issue of a Notice is seen as necessary to assist closing out any issues. A measuring wheel was purchased

in 2022 which improved the recording of measurements of any DWWTS tank and distance measurements to the house's central collection manhole. A second person at the inspection can assist with taking measurements and record taking as separate tasks and aids reducing the time spent at a site with the homeowner.

No letters of eligibility issued to homeowner in Fingal was received from LAWPRO in 2022. The Broadmeadow_40 is now at reporting a 'moderate' status (2016-2021) from the latest risk assessment. Future inspections in this area when targeted will be to maintain this new improved status however, plans for 2023 inspections will be targeted to 'poor' status waterbodies in Fingal. 13 no. (zone 1 locations first choice) inspections required in 2023 as per NIP.

OUTPUT: 11 no. (Zone 1) DWWTS inspections undertaken in 2022, 1 Advisory Notice issued and closed (issue resolved) and no re-inspections required to close out actions undertaken by householders from previous years.

National Enforcement Priority: WATER – Discharge Licences / Misconnections	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Ensure all Section 4 Discharge Licence conditions are consistent with the requirements of the Surface Waters and Groundwater regulations. • Undertake risk based inspections/monitoring of Section 4 Discharge Licences. Inspect all licences in areas where discharge licensing is a significant pressure. • Ensure that all licensable discharges are authorised by a Section 4 Discharge Licence. • Ensure compliance with discharge licence conditions and follow up and close out non-compliances and LAWPRO referrals on Section 4s and misconnections. • 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. 	<p>NATIONAL PRIORITY (Discharge Licences/Misconnections)</p> <p>Discharge Licences:</p> <p>During 2022 there were 20 active trade effluent discharge licences operating in the Fingal County Council area. Throughout the year, monitoring was carried out and water samples were taken at each of the licence locations. In total 130 water samples/monitoring of Section 4 discharges were carried out in 2022. All water samples taken were delivered to and analysed by the Central Laboratory. The frequency of monitoring was 4, 6 or 12 times depending on the nature of the discharge and the location of the licence. Any exceedances of limit values for parameters set down in the Section 4 licences were relayed to the Licensees as soon as results were received back from the laboratory. During 2022, 5 licences did not have any exceedances recorded for any of the parameters analysed. The remaining 15 licences recorded exceedances of one or more parameter limit value. On each occasion that an exceedance was recorded the Licensee was contacted and requested to provide an explanation as to the reason for the exceedance(s) and outline measures to be put in place to prevent further exceedances. During 2022, 32 initial emails were sent to Licence Holders highlighting exceedances of the limit values set down in their licence. Follow-up emails and phone calls were then made to discuss these exceedances and the corrective action that the Licensee intended to take. Corrective measures put in place by the Licensees ranged from servicing/maintenance of the system, alterations to ferric dosing, sludge removal and in the case of 3 Licensees, a complete upgrade to the existing wastewater treatment system was undertaken or is currently in progress. Good communication exists between the Water Pollution Section and each of the Licensees and updates on reasons for non-compliances and corrective action taken was supplied upon request. 2 of the locations that hold a licence are at sites that are providing accommodation for Ukrainian refugees and other asylum seekers. Non-compliances with effluent limit values were recorded on several occasions at these sites</p>

during 2022, which could not have been foreseen. Maintenance works are currently being planned and carried out on the WWTP at the 2 locations to account for the major increase in people living at the sites.

Risk evaluation was carried out at each of the sites prior to the issue of the licence and an assessment was undertaken by the Central Laboratory to determine the limit values for each of the water parameters set. These limit values have not been required to be altered at any of the locations in the years following the issue of the licence.

There were no LAWPRO referrals on Section 4's received during 2022. There were also no new applications for a Section 4 discharge licence received. 3 Section 4 licence reviews were initiated in 2022. As a result of these reviews 1 licence will be revoked as the discharge is now covered by an EPA licence.

OUTPUT: 20 compliant licences active at end of year, 130 inspections/monitoring and 3 reviews of Section 4 licences initiated. No new application for discharge licence received.

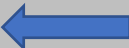
Misconnections:

No misconnection surveys were planned however, 4 locations in Fingal (involving numerous houses and one industrial estate) were surveyed on foot of complaints and one resulting from an investigation of a bathing water incident - (poor result) at Balbriggan's Front Strand Beach. The latter investigation found a misconnected pipe which was rectified.

These were resource intensive activities involving collaboration with Water Pollution staff and Drainage staff and also Irish Water (who undertook CCTV investigations of pipes) in order to find the misconnected source(s). Notices were issued when source identified, and owner occupiers were instructed to correct the misconnection. These sources when all rectified will result in a reduction of sewage related emissions to waterbodies; River Bracken/Matt (Balbriggan) and River Tolka (Blanchardstown, Coolmine Industrial Estate (3 mobile food retail outlets where grey water misconnected to surface water network; 5 S.12 Notices to the owners of the retail outlets issued as well as to the Company Director who sublet the land to retailers and Clonsilla (17 houses; 2 sources misconnected).

A Presentation to members of the Regional Operational Committee was made by Fingal on the bathing water incident at Balbriggan beach and resulting extensive misconnection investigation to share learnings.

OUTPUT: 4 Locations where misconnection surveys took place.

National Enforcement Priority: WATER – Local Priorities and Water Quality Monitoring	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Complete statutory monitoring for WFD surveillance and operational monitoring, investigative monitoring and bathing water monitoring. • Inspect and follow up any local issues (not covered by other NEPs), including non-compliances with water quality standards and LAWPRO referrals. • Address any climate related water quality issues, e.g. impacts due to extreme weather events. • Registration and monitoring of all private drinking water supplies. Investigate supplies that fail to meet drinking water quality standards and take necessary enforcement action. 	<p>WFD Monitoring:</p> <p>15 locations sampled on 5 occasions in 2022. Co-ordinated with Meath County Council to collect their samples from the combined sampling of 2 rivers and transport to EPA laboratory Clonskeagh. A referral was made to LAWPRO in relation to cattle access at the Powerstown Stream sampling point, for appropriate action by ASSAP. The data is used for assessment purposes by the Environmental Protection Agency for publication on www.catchments.ie</p> <p>Output: A total of 75 no. operational monitoring samples were undertaken.</p> <p>Investigative Monitoring:</p> <p>Planned investigative WFD monitoring (non-statutory) was impacted due to a bathing water investigation for Front Strand beach, Balbriggan where resources were required for additional intensive river monitoring to identify a point source(s) on the River Bracken as this discharges to Balbriggan Harbour adjacent to the bathing area. An All Season Advisory is currently in place and the incident has meant that it will also be in place for 2023 even though the issue was fixed. Targeted investigations associated with 4 locations were planned (Loughshinny, River Bracken, Delvin and Tankardstown stream). An additional 101 investigative samples were taken associated with the bathing water incident and targeted sampling was reduced to 165 (from 224) and routine non-statutory increased to 259 (213 planned) - additional sample locations added. The investigation at the River Bracken identified the entry point of a sewage discharge to the river (not from Irish Water infrastructure) and later confirmed that remedial action undertaken was effective. Monitoring assists in carrying out catchment assessment desktop exercises and this year's data will inform field work in the River Delvin and River Bracken in 2023. They are both proposed areas of action in the draft 3rd cycle River Basin Management Plan. Phosphorus is the pollutant of concern in the rivers arising from sources such as run-off from lands in the catchment.</p> <p>OUTPUT: A total of 503 no. Investigative monitoring samples were undertaken (430 targeted and non-statutory rivers plus 101 investigative samples)</p>

- Engage with LAWPRO and Regional Committees on the implementation of RBMP Actions.

All operational and management meetings organised by LAWPRO staff were attended by relevant staff and progress reports/presentation on our work/projects shared at the Committee meetings. Requests for information (e.g. Santry River monitoring data) and engagements on water quality issues raised were responded to and addressed as a priority.

Bathing Water Monitoring

During 2022 all scheduled bathing water sampling under the Bathing Water Regulation took place. A pre-season sample for Claremont beach was replaced with a sample taken on 27th May and all results met “excellent” at the start of the bathing season. In 2022 the Front Strand Beach at Balbriggan had an “All Season” bathing restriction (advice do not swim) for the second year during the bathing season (107 days) and a beach management plan was prepared (involving Environment, Drainage Departments and Irish Water) to address pollution pressures to that bathing water in order to improve water quality. Investigative testing was planned at local rivers near Balbriggan (Poor) and Loughshinny (Sufficient) beaches in 2022 (see above) to ensure water quality issues can be addressed prior to and during the bathing season.

86% of samples tested met ‘Excellent’ status at our ten identified bathing areas (86% in 2021 also and 83% excellent in 2020). The Brook beach, Portrane (2023 First Year since losing Blue Flag status in 2016) will be promoted to ‘excellent’ status following EPA assessment (2019-2022) returning five beaches in Fingal at ‘excellent’ status. There was one beach which dropped to “Sufficient” status from “Good” following the statistical EPA assessment however, all individual samples tested “good” or “excellent” in 2022. The Green Coast Flag was raised at Balcarrick beach, Donabate – a pilot project for litter picking by hand was undertaken at this beach. Three Blue Flag applications have been applied for (Velvet Strand, Portmarnock, Balcarrick beach, Donabate and Rush South beach). Rush will have two beaches meeting “excellent” status (South and North beaches).

Prohibitions were issued on 6 occasions at identified bathing areas. Two of the notices were issued at Portmarnock as a precaution due to stormwater overflows nearby. The remaining four notices were issued due to ‘poor’ or ‘sufficient’ bacterial results from sampling. Eleven Prior Warning notices (ten identified bathing waters and Malahide beach) were issued on Saturday 3rd September due to forecast heavy rainfall (yellow warning). This is a bathing water management measure used for short term pressure events (<72 hours) in the environment. All resampling results following a ‘poor’ result have shown an immediate return to ‘excellent’ water quality, indicating no persistent pollution event. Increased rainfall in September contributed to agricultural and urban runoff impacting the coastal environments and resulting in an increase in stormwater overflows.

53 Bathing water visual inspections were carried out in 2022 which was a significant increase mainly due to a bathing water incident at Front Strand beach, Balbriggan which ran from the initial “poor” sample result (25th July) to 15th September. The result was not attributed to any wastewater network leaks or stormwater discharges but found to be associated with a misconnected pipe to surface water network following extensive investigations and additional monitoring at the nearby River Bracken. In addition, samples were tested for faecal indicator bacteria by UCD/Acclimatize. The PCR used markers for gull, ruminant, human, dog and horse and identified a “human source” for first time at this beach from the sample collected on 25th

July. This intelligence assisted the investigation for a “sewage” related source which led to an in-channel river walk being conducted (Presentation to Regional Operational Committee in October 2022). Misconnection surveys were resource intensive and carried out over a number of weeks in collaboration with Drainage Inspectors and Irish Water. Following good engagements with the local community and owner of the misconnected pipe an effective remediation was carried out. A return to “excellent” results at the bathing water was achieved. Regular updates to website, social media and newspapers were provided to Communications Department to ensure the public (bathers) were updated during the summer. At the end of the bathing season a public meeting took place on 2nd November following a request from local public representatives and there was good engagement at that meeting and an additional meeting is proposed in 2023. Two digital signs are now installed at Front Strand, Balbriggan and Velvet Strand, Portmarnock as a two year pilot project to aid communications with bathers and increase Fingal’s information channels to the public.

In relation to other monitored waters in Fingal; Balscadden and Ireland’s eye were tested twice this season with all results meeting ‘excellent’ status. Malahide beach has seen 9 ‘excellent’ and 1 ‘good’ results this season. A new sampling point at Malahide Estuary was tested for the 1st time this season. Three full sample results were received, 2 ‘excellent’ and 1 ‘sufficient’. The one sufficient result of the 5th September can be associated with heavy rainfall (yellow warning) the previous day.

Private Water Supplies:

The monitoring programme conducted was in line with The European Union Drinking Water Regulations 2014 and in accordance with the EPA’s policy for sampling and monitoring of Private Wells / Supplies.

The purpose of the monitoring is to detect non-compliances and investigate and resolve issues to ensure quality drinking water. There are four private drinking wells in the Fingal area including three industrial sites and one residential site. In 2021 there were five however, the fifth site has connected to a mains supply. These are identified by reviewing applications made to the Fingal County Council metering database. All sites monitored receive two Check Samples throughout the year (8 check samples in total) and one audit sample (4 in total). A third Investigative check sample was completed at K & K Produce as the laboratory identified an Iron Exceedance in the supply in January. The full Check parameters were carried out on the revisit and were compliant.

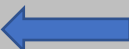
The compliance rate was 100% in 2022. Prior to sampling the Fingal County Samplers advise the customer of their attendance via a phone call. The testing proved quality drinking water is maintained and compliant at all four sites.

Water Quality Complaints and Incidents

At the start of 2022 there were 23 open complaints from 2021. During 2022 62 no. new complaints were received (76 no. in 2021, 68 no. in 2020 and 48 no. in 2019 – falling since 2021 (Covid year)) resulting in 171 inspections by staff in the Water Pollution Control Section of Fingal County Council (150 inspections in 2021). 39 of 171 site inspections were re-inspections

relating to ongoing enforcement. The fall in reporting may be related to reduction reported by locals/local authority staff as a new collaborative reporting protocol developed in 2021 with Drainage Inspectors is in place and/or local water pollution issues being resolved since 2021 reports. Also people are no longer confined to local environment since Covid restrictions were lifted and normal working patterns have returned. Water pollution complaints were dealt with as high priority (54 no. Resolved/closed of the new complaints received and 15 no. Closed historic complaints were closed). Addressing complaints as high priority reduced the time polluted water entered watercourses allowing them recover or preventing larger impacts. At year end 16 no. (8 no. Historic ongoing) compared with 23 complaints in 2021 remain open (a decrease of 7 in 2021). Enforcement actions undertaken under the Water Pollution Acts 1977-2007 included warning letters (7 no.), Section 12 notices (15 no.) and no Section 3 summons were carried out in 2022. A legal case from 2020 was in court in 2022 and a successful guilty verdict brought on one party (Company) however, the case is not closed (2nd party). Complaints were received by members of the public or other Fingal staff by phone (01890500), by email (environment@fingal.ie) or from the Environmental Protection Agency or found during riverwalks/monitoring by Water Pollution Control staff.


OUTPUT: All complaints received were investigated resulting in 171 inspections (150 in 2021). A total of 62 no. new complaints were investigated along with the 23 open complaints from the 2021 workload. 16 remain open for investigation in 2023 and 69 were closed/resolved during 2022. No unauthorised discharge resulted in a new application for a Section 4 Licence.

National Enforcement Priority: WASTE - Tackling Significant Illegal Waste Activities & Multi-Agency Sites/Operators of Concern	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> Targeted inspections and follow up enforcement actions of unauthorised collectors and site operators using intelligence from waste data flows, complaints and other available data. Co-ordination with, and input from Revenue/Social Protection/An Garda Síochána in relation to unauthorised activity and identified sites of concern. Multi-agency investigations for sites of concern. Roadside check points. Relevant Anti-Dumping Initiatives implemented. 	<p><u>Illegal Waste Activity</u></p> <p>Multi Agency Approach – During 2022, Waste Enforcement Officers (WEO's) continued their investigative work using a multi-agency approach for larger sites where illegal waste activities were taking place. Sites were identified using local knowledge, waste enforcement intel, complaints from the general public and intelligence from An Garda Síochána (AGS). FCC worked collaboratively with AGS, DSPCA, Social Protection, WERLA, Customs, Revenue, the Roads Safety Authority and the NTFSO to tackle a number of more difficult illegal End-of-Life Vehicle (ELV) sites. In addition, representatives from several different Fingal County Council Departments were also enlisted including Planning, Housing, Traveller Housing, Property, Litter, Water Pollution and the FCC local Dog Wardens. Vehicle assessor(s) were utilised to assess vehicles/ELV's and to provide in-depth reports and certification of vehicle categories.</p> <p>Surveillance & Patrols – Aerial photographic maps, officer surveillance and patrols were utilised to assess identified sites and to provide up to date status of the situation on the ground prior to inspections and clearance operations. This approach identified accurately the scale of the illegal activity and highlighted any potential health or safety concerns early on. This real time information was invaluable when drawing up briefing documents and preparing risk assessments and method statements for multi-agency operations.</p> <p>Checkpoints – In 2022 a checkpoint strategy was drawn up in consultation with FCC and AGS. This process identified the most appropriate locations, most effective days/times and potential suspect vehicles/individuals to target. Checkpoints were conducted on Saturdays for a period of four weeks with a view increasing visibility and deterring illegal collectors. Officers conducted these checkpoints with members of AGS who were appointed Authorised Persons under the Waste Management Act 1996, as amended with a view to providing a more detailed understanding of our powers to the Gardai. The sharing of intelligence allowed officers to target waste related traffic and suspect illegal waste collectors. A total of 32 checkpoints were undertaken in 2022 with 3 warning letters issued and a Fixed Payment Notice issued to a waste collector for depositing waste at a facility not listed on the waste collection permit.</p> <p><u>Sites of Interest</u></p> <ul style="list-style-type: none"> Dunsink Lane (Observatory side) – Issues with lines of sight and overgrown trees identified early in year. Tree felling/hedge cutting carried out before 1st March deadline. It made a huge difference and really opened up the lane with a significant decrease in dumping incidents and anti-social behaviour (burning cars) once improvements were completed. Additional signage such as No Dumping – Offenders will be Prosecuted/No Illegal Dumping/CCTV in Operation erected to deter illegal activity in the area. Dunsink Lane (Ratoath Road) – Joint patrols & checkpoints with AGS resulted in less frequent dumping incidents and greater engagement with local residents to build relationships and listen to concerns.

<ul style="list-style-type: none"> • Traceability requirements to be enforced at Permitted/Licensed sites. • Focus on those who are facilitating the unauthorised treatment of waste. 	<ul style="list-style-type: none"> • Moyne Park Halting Site – A major multi-agency operation was undertaken involving AGS, Revenue, Social Protection, NTFSO, ESB Networks, DSPCA, FCC Planning Enforcement/ Property Services and Dog Wardens. Waste Enforcement Officers (WEOs) conducted a site walkover with support from AGS. Officers then shadowed Social Welfare Inspectors who interviewed all 34 occupants of the site. WEOs inspected all vans and trucks on site. A verbal direction was given to one resident to dispose of a pile of metal waste. During a follow-up inspection WEO’s delivered S32 advisory letters regarding illegal dumping to all residents of Moyne Park with assistance from Gardaí. Illegal dumping and burning of waste was observed on FCC lands opposite Moyne Park with works completed post operation removing the waste and erecting steel palisade fencing to secure the lands. Press release issued to highlight the operation and illegal dumping/illegal waste collection issues:- https://www.independent.ie/news/gardai-seize-drugs-worth-30000-following-multi-agency-operation-in-dublin-42095307.html. WEO’s carried out a number of checkpoints in the area post operation to monitor activities. • Silloge Green – A multi-agency operation was carried out at Silloge Green with AGS, Revenue, FCC Property Services, Planning Enforcement, Dog Wardens and WEO’s. The main issues highlighted were storage of ELVs, illegal dumping, and an unregistered tyre business. A site walkover was carried out and all residents were interviewed. An assessment of vehicles was also carried out. Follow-up investigations with assistance from Revenue are ongoing to establish who is operating the tyre business with a view to bringing the business into compliance and to get registered with Circol ELT. • Barnlodge – Officers visited the ELV site several times to ensure it was fully cleared involving AGS and motor vehicle assessors. WEO’s carried out joint patrols with AGS throughout the year to ensure the site was kept clear of waste & ELVs. In collaboration with other FCC departments and AGS double yellow lines were installed along the lane to restrict illegal parking of ELVs/trucks and to deter illegal dumping/burning of waste. This presented AGS with an opportunity to enforce Road Traffic legislation and restrict illegal activity in the area with increased engagement with the local community. • Anti-Dumping Initiative – 1/ WEO’s collaborated with Finglas Community Gardaí to target key blackspot areas across Finglas and Blanchardstown areas where illegal dumping and illegal waste collection was an issue. Increased checkpoints, patrols and inspections were undertaken over a 4 month period (June – Sept). 40 Gardaí were appointed as authorised officers under the Waste Management Act 1996 as amended with WEO’s sharing knowledge on S14 (powers of an authorised officer) and key issues relating to waste (illegal dumping, illegal operators, waste collection permits). Increased visibility and awareness raising proved very effective. 2/ Illegal dumping awareness cinema campaign highlighting the issues of illegal dumping and illegal waste collectors (no WCP) to the general public. Campaign was run across 5 cinemas (Odeon Blanchardstown, Omniplex Balbriggan, IMC Santry, Odeon Charlestown, Movies @ Swords) over a 4 month period with a targeted audience of 300,000 people. 3/ Major waste clearance operation where 80 tonnes of illegally dumped waste was removed from a field adjacent to St Joseph’s halting (household and bulky items). Joint Gardaí and WEO patrols and engagement with the residence resulted in fewer incidents of dumping thereafter and a better knowledge of local issues on the ground. 4/ Anti-dumping materials available on the www.mywaste.ie site were used throughout the year and pushed out on FCC social media sites, the FCC intranet, the Chief Executive’s monthly report and within FCC buildings to help raise awareness on the issue of illegal dumping and illegal waste collectors.
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Proactive Approach

- ATF's/Metal Recycling Facilities – WEO's focused efforts on ATF's and metal operators (MO's) to examine general public entries and metal traceability requirements. Particular attention was placed on the acceptance of ELV's and high value waste streams such as catalytic converters, batteries and alloy wheels from members of the public. Permit conditions restricting general public entry were enforced including better record keeping to improve metal traceability i.e. ID, address info, signature on waste dockets to facilitate further investigations/enforcement action. Permitted facilities and individuals transporting large volumes of high value wastes were investigated and legal action taken to send out a strong message within the metal recycling sector. Detailed findings were circulated to WERLA, the Garda Divisional Crime Task Force, the EPA and National Waste Enforcement Steering Committee and DCCAE highlighting key legislative changes required to effect real change within the Sector and limit opportunities for illegal collectors.
- Meetings were held with a number of different Garda District Superintendents to establish key contacts, to explain the type of work that WEO's do and to highlight key waste issues within Fingal. Projects like the ELV Project and the Blancomet investigation were discussed along with the benefits from specific waste investigations (metal theft and traceability) and several legal cases i.e. illegal ELV trade stopped and theft of catalytic converters greatly reduced. Significant Garda support is now available to WEO's for a variety of multi-agency operations, checkpoints, patrols and waste investigations.
- Legal Action – Blancomet Investigation. A total of 11 legal cases for S34 offences (illegal collection and transportation of high value waste streams) and S39 offences (breach of permit conditions) regarding the handling of catalytic converters. Detailed legal files were prepared for hearing in the District Court whereby all 11 defendants pleaded guilty. 5 individuals were convicted and a further 5 individuals were given the Probation Act including the facility itself with costs awarded to FCC. The cases were publicised to send a clear message to the waste sector that illegal waste activities and breach of permit conditions would not be accepted and that enforcement action would be taken by Local Authorities to tackle the issue.
- WEO's carried out bi-weekly patrols at several key sites in Finglas, Ballymun & Baldoyle areas accompanied by AGS to deter further illegal waste activity and to monitor Man in the Van activities. Sites included Barnlodge, Cappagh, Dunsink Lane, Silloge Green, Moyne Park, Bay Lane and Stockhole Lane. Enforcement action was taken where evidence of illegal activity was found. The patrols were used to engage with locals and residents which garnered greater awareness, co-operation and intelligence on illegal waste activities.

National Enforcement Priority: WASTE - Construction and Demolition Activity	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Risk based inspections of construction sites using WERLA intelligence and inspection templates. • Inspection of Article 27 sites of origin and destination to include material notified under Article 27 being accepted at WFP/Licensed sites. • Inspection of soil recovery sites to ensure only appropriate materials accepted. • Validation and inspection of WCP/WFP and licensed sites dealing with C&D waste. • Take all necessary steps to resolve non-compliant issues including the selling of crushed concrete from WFPs/Licensed sites without EoW decision. • Incorporate proposed improvements to the Article 27 notification system. • Tracking of waste delivered to Licensed sites. • Based on researched data and local knowledge, identify authorised operators 	<p>A reduced number of C & D type inspections were undertaken in 2022 due to resource constraints as a result of additional time needed for the ELV Project plus several legal cases (Blancomet Investigation, ELV investigations, Metal Recycling Companies). In 2022 FCC dealt with 16 legal files which took up a considerable amount of officer's time however it did result in several very positive outcomes (16 x Guilty Pleas, 9 x Probation Act, 7 x Convictions and €30,000 in costs awarded to FCC). Legal cases take considerable time to prepare and process through the district court with the Blancomet investigation taking 1 ½ years and the JB ELV investigation taking over 2 years. Increased inspections are planned for 2023 to address this shortfall in C & D activities.</p> <p><u>Risk Based Inspections - Construction Sites</u></p> <p>Inspections were carried out at a combination of Major Public Projects and Strategic Housing Development sites. All sites inspected were found to be compliant with no further enforcement action required.</p> <p>The 10 Major Public Projects and Strategic Housing Development sites were selected from the list provided by WERLA along with commencement notices and inspector's knowledge of active sites. The sites included several schools, James Conolly Hospital and several housing developments, including a housing development undertaken by FCC under Part XI.</p> <p>Compliance inspections were carried out at an additional 20 construction sites, which were assessed for compliance with submitted Resource and Waste Management Plans or the management of waste streams where no Resource & Waste Management Plan was required. 15 of the 20 sites were found to be compliant, with 4 needing to submit waste dockets to demonstrate their compliance. These sites were followed up with in early 2023 (3 were deemed compliant). 1 site was non-compliant with a warning letter sent to the site operator and waste collectors and subsequent Fixed Payment Notices issued for breaches of waste collection permit conditions. The site operator was found to be using unauthorised waste collectors to remove waste soil and stone from the site.</p> <p>The 20 C&D sites were targeted based on commencement notices, inspector's knowledge of active sites and intelligence received from industry sources with all inspections carried out following the C & D inspection template provided by WERLA.</p> <p><u>Validation and inspection of Waste Collection Permit (WCP)/Waste Facility Permit (WFP) (including Soil Recovery Sites)</u></p> <p>3 Certificates of Registration (COR) and 5 Waste Facility Permits (WFP) had a valid authorisation in 2022 dealing with C&D Waste. All the facilities had a desktop validation of their 2021 Annual Return, with only 1 returned as inconclusive due to an incompatibility issue between waste in records and an unsuitable permit condition which has now been rectified.</p>

<p>for further investigation and/or enforcement action.</p> <ul style="list-style-type: none"> • Focused monitoring of the resources and systems available for gathering and reporting waste data to be carried out as part of site audits at waste facilities/waste collectors. 	<p>Two soil recovery sites were active in 2022 (1 under COR and 1 under WFP), one of which was given a direction to remediate an area overfilled (vs the submitted planning and permit drawings) which will take place next year (2023). No issues were detected at the other active soil recovery facility. A third soil recovery facility was inactive with no soil intake during the year, while another site had stopped taking in waste as directed by Fingal (lifetime permitted quantity reached in 2021) and instead continued filling operations with Article 27 material (see below).</p> <p>The other 2 COR were transfer stations for C&D Waste, one of which had not started activity in 2022. The other facility was inspected in May 2022. During the inspection it appeared that the facility was using a digger to screen soils from other wastes such as tarmac, contrary to the authorisation and dispatching the screened material as a 17xx code instead of 19 xx codes. The operator was directed to cease this operation and to stop operating until they confirmed the tonnage accepted to date, as they appeared to already have reached the annual tonnage limit. FCC contacted enforcement officers for Local Authority where the screened material had been transported to using a 17xx code. FCC also contacted the Local Authority where the operator had another similar facility to highlight this issue.</p> <p>The other two permitted facilities dealing with C&D waste are Material Recovery Facilities for C&D and Bulky Waste (skip waste). Both facilities involve a degree of mechanical separation and inspections on site confirmed that both facilities were using 19 12 xx codes as appropriate where material has undergone mechanical treatment.</p> <p>5 cradle to grave inspections were completed of WCP holders transporting/collecting List of Waste Code 17 05 04, 17 01 01 and 20 03 07 in the Fingal area were carried out in 2022. The WCP holders were selected based on total tonnage transported/collected in addition to information provided by WERLA. 5 on-site inspections were completed to verify that the WCP holder has adequate waste recording systems in place. Paperwork was inspected to ensure that all the information required to be included on the waste collection docket was present. The sites detailed on the disposal dockets were contacted and the disposal dockets were inspected.</p> <p>For Waste Code 17 05 04, 17 01 01 three permit holders inspected were compliant and no further enforcement action was required. For Waste Code 20 03 07 one permit holder inspected was found to be in breach of their permit. A full review of the permit holders docket system is required to ensure compliance with Conditions 4.4 - 4.6 of the permit. A S34 warning letter was issued to the permit holder. Re-inspections are planned in 2023 to ensure compliance and improvement in their record keeping.</p> <p>Waste Enforcement Officers from FCC were also present at the WCP Annual Return Validations carried out by the RWMPO on one of the largest waste collection permit holders in Fingal. Enforcement action was not required following this joint inspection with the RWMPO.</p> <p>Inspections were carried out on 4 skip operators of interest in the FCC region in line with the WERLA Work programme and local knowledge. 3 operators were found to be non-compliant. 2 x S34 warning letters issued in relation to poor record keeping and 2 x fixed payment notices for depositing waste at a facility not listed on the WCP. A legal file has been prepared for a skip operator who was found to have collected and transported bulky and C&D waste to an unauthorised site in Lusk which will be dealt with in the District Court during 2023.</p>
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Article 27 Notifications Activity (Sites of Origin and destination)

40 Article 27 Notifications were submitted in 2022 with Fingal as the source or destination site or both.


Ten of the notifications related to Road Plannings with desktop reviews undertaken. The remaining 30 notifications related to soil and stone, 11 had both the source and destination site in Fingal, 16 notifications had the source site in Fingal and 3 notifications had the destination site in Fingal.

13 notifications where the destination site was in Fingal corresponded to 8 different sites, with 1 site (Bay Lane) listed in 6 notifications. The Bay Lane site was inspected and found to be compliant. It previously operated under a Waste Facility Permit but reached its lifetime capacity for waste intake in 2021. The site was granted an EPA Licence W0301-01 on 30th Nov 2022 – but has not notified the Agency of an intended date of commencement of the Scheduled Activity yet. The site has been accepting by-product soil and stones in the interim. All other receiving sites underwent an inspection with the exception of 1 where material was not moved under Article 27 however the site was inspected for waste acceptance compliance under its Waste Facility Permit.

27 notifications had a source site in Fingal, corresponding to 15 distinct sites, 12 of which were inspected during the year at least once with some having more than 1 inspection.

A total of 26 inspections were carried out during the year and no non-compliances were detected. 90% of the sites notified for soil and stone by-products were inspected.

FCC made a submission to the EPA in 2022 in respect of an Article 27 notification received in 2021 for the Metro Link Project. FCC had concerns over the lack of detail provided for materials to be used and the potential for excavation from brownfield/ contaminated sites. FCC's submission resulted in a meeting between FCC and Transport Infrastructure Ireland to discuss the concerns which were address through the provision of additional information and technical reports demonstrating that the materials in question would be suitable as By-product and any contaminated materials would be managed and disposed of at a suitably authorised waste facility.

National Enforcement Priority: WASTE - End-of Life Vehicles (ELV) & the Waste Metal sector	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Risk based inspections of Authorised Treatment Facilities and other ELV sites using WERLA intelligence and inspection templates (at least one inspection per annum of permitted sites). • Validation and inspection of records for WCP/WFP and licensed operators dealing with ELV and metal waste. • Take all necessary steps to resolve non-compliant issues. 	<p><u>Unauthorised ELV Sites</u></p> <p>A total of 63 potential illegal ELV sites were initially identified within FCC which increased to 87 sites in 2022 (low and high risk). A site identification process was carried out utilising local knowledge, aerial maps, intelligence and fact-finding patrols to establish and classify potential sites. The 87 sites were classified as follows:</p> <ul style="list-style-type: none"> • 25 High Risk sites • 62 Low Risk sites <p>Significant progress has been made with 81 illegal sites closed resulting in over 1000s ELVs being brought to ATFs for recovery and disposal. A multi-agency approach was utilised especially at high-risk sites with agencies such as Customs, Revenue, Social Protection, NTFSO, WERLA, and the Road Safety Authority involved. The Waste Enforcement Unit also engaged the services of other FCC departments such as Planning, Water Pollution, Planning Enforcement and Property Management as required in a collaborative approach to achieve the best outcomes.</p> <p><u>High Risk ELV Sites</u></p> <ul style="list-style-type: none"> • 34 inspections undertaken during 2022 • 20 sites cleared of ELV's (8 in 2022) • Remaining 5 sites in process of clearing all ELV's • 25 x Section 14 direction letters and 2 x Section 55 Notices issued • Legal proceedings initiated against a site operator in Swords – guilty pleas secured (S39 & S55 offences) • Reinspection of cleared sites ongoing to ensure compliance <p><u>Low Risk Sites</u></p> <ul style="list-style-type: none"> • 26 inspections undertaken in 2022 • 34 x Section 14 direction letters issued • 61 sites now cleared of ELV's (10 in 2022) • 1 site remains – enforcement action ongoing

Two legal cases were dealt with in 2022 (1 case ongoing from 2021) against site operators in Swords and Lusk. Pleas of guilty were entered in both matters and they now stand adjourned pending full site clearance. The cases were closely followed by other ELV site operators who are now complying with FCC on enforcement notices issued. All 6 remaining ELV sites are at various stages of clearance and enforcement with significant progress made during 2022. These sites will be reinspected during 2023 to ensure they are cleared/closed down.

Permitted Facilities

There are 6 permitted facilities in Fingal dealing with metal waste / ELVs. Three Authorised Treatment Facilities and three Metal Recycling Facilities. One of the three metal recycling facilities obtained an EPA waste licence on 4th May 2022.

Fingal County Council undertook significant inspections and enforcement actions during 2022 at these permitted facilities. Legal proceedings against 2 facilities (1 ATF and 1 Metal Operator) were dealt with in the District Court during 2022. Both companies pleaded guilty to breaches of permit conditions, an offence under Section 39 of the Waste Management Act 1996, with the Probation Act applied by the Court to both operators. Noticeable improvements were observed on site thereafter with permit conditions being adhered to more strictly and less non-compliances noted. Bringing the cases to court sent out a strong message to the industry that compliance with permit conditions is vital and that any breaches will result in enforcement action being taken by a Local Authority to rectify the situation.

AR Validations were undertaken at 5 of the 6 facilities. Based on legal advice, one facility was not contacted for AR validation, due to records having been seized by An Garda Síochána and a pending court case. Three of the other facilities had an AR validation assessment with the Regional Waste Management Plan Office and the other 2 facilities assessed by Fingal staff. Two of the facilities were found inconclusive (40%) however these facilities were noted to have carried out improvements on their record keeping and waste register compared to the previous year. Continued focus will be given to these facilities in 2023 to ensure that improvements continue to help enhance waste data flows.

Inspections at facilities during 2022 had a particular focus on traceability of waste metal purchased and the acceptance of metal from Waste Collection Permit (WCP) holders or companies exempt from having a WCP (i.e. waste ancillary to their business). A large part of the work undertaken during inspections was to raise awareness with operators regarding their obligations and how to operate in compliance with a waste permit. Non-compliance letters were issued to 3 of the 5 facilities and followed up with additional inspections, which saw facilities waste acceptance criteria and waste registers greatly improve. Further progress is needed however, which will be followed up on during 2023.

Two legal cases were initiated against a metal recycling company which exceeded its permitted annual tonnage limit in 2021 and 2022, following similar non-compliances in previous years. Guilty pleas were entered for both cases and the Probation Act applied plus costs to FCC. The metal recycling facility will be closely monitored in 2023 (quarterly inspections) to ensure that the permitted tonnage limit is adhered to with monthly tonnages to be provided to FCC. A number of measures have also been introduced by the operator to ensure that waste intake doesn't exceed the permitted tonnage allowance.

National Enforcement Priority: WASTE - Waste Collection - Household & Commercial	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Inspection of WCP operators for provision of 3 bin system. • Surveys of retail, hospitality and industrial sectors to ensure proper use of 3 bin system, segregation and use of authorised collectors. • Sampling/analysis of treated waste outputs • AER Validations on WCP and WFP priority lists. • Maintenance of register of households with/without a waste collection service and targeted inspections in areas with low compliance. • Focused monitoring of the resources and systems available for gathering and reporting waste data to be carried out as part of site audits at waste facilities/waste collectors. • Monitoring of waste acceptance criteria at authorised sites e.g. WFP, Waste Transfer Sites, Landfills and Waste to Energy Plant. 	<p><u>Waste Collectors</u></p> <p>Reminder letters were issued in March to permit holders who had not submitted an annual return by 28th Feb 2022. All permit holders submitted annual returns and no further enforcement action was required. Desktop AR validations of 108 Waste Collection Permits (WCP) were carried out. Of the 108 WCP's, 85 were validated and the remaining 23 marked inconclusive. These will be prioritised for on-site compliance with permit condition inspections and on-site AR validations during 2023.</p> <p>10 waste collection permits were inspected for compliance with permit conditions. Some non-compliances were detected in relation to record keeping with S34 advisory letters, S34 non-compliances letters and fixed payment notices issued for breaches of their waste collection permit. Noticeable improvements were noted thereafter with non-compliances rectified.</p> <p>The RWMPO carried out an AR validation on one of the top 20 household waste collectors within the country. The company is not based in the Fingal area however their largest customer base is in Fingal. There were no waste enforcement actions required by FCC following this inspection.</p> <p>A project to complete a reverse register of households not contracted to a 3 bin system (using Eircodes) was considered in 2022 whereby it was proposed to carry out enforcement action in areas with high levels of non-compliance. Unfortunately, the Data Protection Impact Assessment (DPIA) and Code of Practice for creating a reverse register under the Circular Economy Bill wasn't developed in time to allow the project to be started in 2022 and as a result the project was postponed. FCC intends to proceed with the project in 2023 once the DPIA and the CoP has been approved by the Data Protection Commissioner and the Minister.</p> <p><u>Commercial Waste</u></p> <p>To ensure compliance with the improved segregation of commercial waste WERLA analysed the AR data for 2021 to assist LA's in identifying Commercial Waste Collectors for back-office inspections. WERLA supplied a list of Commercial Waste Collectors based in Fingal. A WEO from FCC contacted each of these companies. All collectors identified in the Fingal area do not provide a food waste collection service and did not require a back-office inspection.</p> <p>In 2022 WEO's completed 11 commercial food waste inspections under the Waste Management (Food Waste) Regulations 2009. Additional inspections could not be undertaken due to resource constraints e.g. ELV Project requirements and the significant number of legal cases (16) FCC took on during 2022. Additional resources were required to prepare legal files and to attend court on multiple</p>

occasions, so a decision was made to cut back on the commercial waste and apartment brown bin tasks to address this need. Significant resources were needed to see each case through to a successful outcome which resulted in 16 guilty pleas with the Probation Act applied in 9 cases and a criminal conviction secured for the remaining 7 cases. Inspection numbers will be increased in 2023 to fully address the issue of commercial waste segregation for food waste and dry recyclables and the Apartment Brown Bin Project.

Inspections undertaken (11) covered a range of premises – supermarkets, cafes, restaurants, fast food chains and deli canteens. Inspections focused on the management of food waste, food waste segregation and the collection of food waste (by an authorised collector). 10 of the premises were compliant on the first inspection. 1 premises was non-compliant with a warning letter issued for inadequate separation of food waste from residual waste. A follow-up inspection will take place early in 2023 to ensure the required measures are put in place so the premises is complaint with the Regulations.

Provision of Brown Bins


In 2020 it was identified that the provision of a brown bin service at individual dwellings in Fingal was very high at 99% therefore no further work was planned for 2022 as other national priorities were deemed more important in terms of resource allocation. The main gap identified was the provision of brown bins at apartments which requires further assessment.

In September 2022 a project was commenced relating to the provision of food waste bins at apartment complexes. Regulation 10 Notices under the European Union (Household Food Waste and Bio-Waste) Regulations 2015 were issued to 12 waste companies operating in FCC. The notices requested information on apartment complexes not availing of a food waste bin service. A register of apartment complexes in FCC not availing of a food waste bin service has now been compiled.

Management companies for apartment complexes not serviced by a brown bin have been contacted to inform them of their obligation to provide a food waste bin under the European Union (Household Food Waste and Bio-Waste) Regulations 2015 and under Fingal County Council's Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2020. This work will continue in 2023 to ensure compliance with the regulations including on site inspections.

Focused Monitoring

In 2022 large volumes of bags of household waste were dumped along Stockhole Lane and at the entrance to Baskin Court/Park. WEO's increased patrols in the area and searched the bags for evidence of names and addresses. A total of 10 residents were noted not to have a bin collection service in place. WEO's enforced FCC's Segregation, Storage and Presentation of Household and Commercial Waste Bye-Laws 2020 which resulted in all residents of Baskin Court/Park activating a bin account and managing their waste. One of the residents of Stockhole Lane refused to engage with FCC which resulted in an FPN being issued. The resident refused to pay the fine with legal proceedings initiated for breaches of FCC's Waste Presentation Bye-Laws 2020 (due in District court in Feb 2023). This will act as a test case in advance of FCC undertaking a Waste Presentation Bye-Law Project which will look to identify all households within Fingal that currently don't have a bin collection service in place for follow on enforcement action (FPN's and legal action as required).

National Enforcement Priority: WASTE - Producer Responsibility Initiatives and additional local priorities	
Local Authority: Fingal County Council	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.</p>
<p>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • Identification and inspection of all suspected producers who require registration. • Examination of potential for information exchange between Local Government Sector and other Agencies, where appropriate. • Relevant PRIs with local impact and local priorities, not covered by the other waste NEPS, should be reported (e.g. where suspected producers are not registered or are non-compliant). • (RMECI PRIs: WEEE Regs, Battery Regs, Suspected 	<p>A reduced number of PRI inspections were undertaken in 2022 due to resource constraints as a result of additional time needed for the ELV Project plus several legal cases (Blancomet Investigation, ELV investigations, Metal Recycling Companies). In 2022 FCC dealt with 16 legal files which took up a considerable amount of officer's time however it did result in several very positive outcomes (16 x Guilty Pleas, 9 x Probation Act, 7 x Convictions and €30,000 in costs awarded to FCC). Legal cases take considerable time to prepare and process through the court with the Blancomet investigation taking 1 ½ years and JB ELV investigation taking over 2 years. Increased inspections are planned for 2023 to address this shortfall.</p> <p><u>Waste Tyres</u></p> <p>10 waste tyre inspections were carried out in 2022 at tyre retailers. Premises were identified from the Repak ELT/Circol ELT list of revoked/potential retailers.</p> <ul style="list-style-type: none"> • 5 retailers were confirmed closed, • 1 was determined as not obligated, • 2 were determined to be compliant and • 2 were determined to be non-compliant. <p>1 non-compliant retailer agreed to rejoin Repak/Circol ELT and has been in contact. Enforcement actions are ongoing with the other unregistered retailer which was identified on foot of a multi-agency site inspection. The cooperation of An Garda Siochana and Revenue was sought to carry out enforcement action at this site.</p> <p>All updates were added to the Repak/Circol ELT local authority enforcement portal. 18 retailers were removed from the list as they were not based in the Fingal County Council local authority area.</p> <p><u>Vehicle Importers</u></p> <p>10 vehicle producer/importer inspections were carried out in 2022 on suspected vehicle producers/importers to ensure compliance with the European Union End of Life Vehicle Regulations 2014, as amended. WERLA/ELVES collated and circulated a list of suspected vehicle producers/importers for inspection. Fingal County Council selected premises to inspect from this list as well as local knowledge.</p> <ul style="list-style-type: none"> • 1 premise was compliant on the first inspection. • 2 premises registered with ELVES following the inspection • 3 premises were determined as not obligated under the regulations. • 3 premises were not compliant and had follow up site inspections – 2 of these premises have committed to join ELVES and the remaining 1 has not responded to the warning letter issued. Follow up action will be taken in 2023.

Vehicle Importers (ELV Regulations 2016), Farm Plastics, Plastic Bag Levy, Packaging Regs – Suspected Major Producers and Registered Self Compliers, Tyre Regs – Tyre Retailers).

Packaging

Packaging inspections began again after the recruitment of a WEO to fill the role. Of the 7 2021 suspected major producers 1 has joined Repak, 1 are in the process of joining Repak, 2 are still engaging with Fingal County Council, 2 were found to be not obligated and 1 was issued a Section 25 notice in late 2022 which will be followed up on in early 2023. From the 4 2022 suspected major producers 1 has joined Repak, 2 are engaging with Fingal County Council and 1 has failed to engage with Fingal County Council and will be issued a section 25 notice in early 2023. Compliance checks were carried out on 15 packaging self-compliers in conjunction with review of quarterly reports. 10 onsite inspections were carried out on these self-compliers. 14 are in the process of joining Repak for 2023 as they are now required to do under new packaging regulations.

WEEE and Batteries Producers


A total of 21 WEEE Inspections and 20 battery inspections were carried out in 2022. 5 of the WEE inspected were non-compliant, 4 for having no signage up in the store and 1 for not maintaining records/receipts. These retailers have since rectified any non-compliances. All the retailers were compliant for their battery obligations.


Hazardous Waste Producers

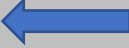
10 hazardous waste retailer inspections were carried out in 2022 consisting of garages in the Fingal area to determine compliance with Section 32 of the Waste Management Act 1996 and the European Communities (Shipments of Hazardous Waste exclusively within Ireland) Regulations 2011. FCC visited a number of premises including garages, repair shops and requested waste dockets for the authorised disposal of hazardous waste i.e., oils, batteries, or filters. 7 premises were compliant and provided waste dockets/waste transfer forms. It was noticeable that producers have a good understanding, not only of storage of hazardous waste but the importance of engaging an authorised collector to remove waste. 3 premises were non-compliant and warning letters were issued advising producers of their obligations under Section 32 of the Waste Management Act 1996, as amended. Follow up inspections will take place in 2023 to ensure improvements are implemented.


Mercury Producers


Local Authorities were appointed to ensure the safe storage, handling and environmentally sound disposal of mercury waste under Regulation 4. (1) and (2) of the European Union (Mercury) Regulations, 2018. Under these regulations, dental practices must ensure amalgam separators are installed and maintained in accordance with the guidance. WERLA aided Local Authorities by developing a self-declaration form, a cover letter and a list of dental practices which was obtained by the Irish Dental Association. In 2022, FCC issued 10 enforcement letters to outstanding dental practices who had not returned the self-declaration forms. Those 10 practices returned the self-declaration forms as requested in the enforcement letter. A total of 9 dental practices are either no longer operational, temporarily, or permanently closed. Follow-up inspections at dental practices are to be conducted in 2023 to ensure amalgam separators are installed and maintained in accordance with the Regulations. Officers also participated in Mercury Regulations Training in 2022.

National Enforcement Priority: AIR - Solid Fuel Inspections	
Local Authority: Fingal County Council	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.</p>
<p>Describe what was carried out under this activity in the previous reporting year –</p> <ul style="list-style-type: none"> • Tackle the sale of non-compliant fuel and its use via compliance promotion, inspection and enforcement of fuel merchants and retailers. • Participate in multi-agency operations investigating the sale of non-compliant fuels. • 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). • 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. • 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. • Build capacity through engaging, collaborating and sharing with colleagues in other local authorities via networks and working groups and participating in training events. 	<p>8 complaints were received by FCC in relation to the burning of solid fuel. Zero complaints were received in relation to the sale of solid fuel. Of the 8 complaints received 6/8 were in relation to the burning of wood. One was in relation to the burning of turf (gifted) the resident was advised re excessive smoke emissions. Other complaint was in relation to an elderly couple who had received smoky coal from a relative, they were not aware of the SFR regulations.</p> <p>Following on from last year's inspections which related to the sale of solid fuels retailers in urban areas it was decided that a comparative study would be carried out in rural areas of Fingal. 10 rural retailers were chosen due to their location i.e., small town, Garristown, Ballyboughal, The Naul, Rush and Lusk were inspected for compliance with the SFR regulations. (prior to the commencement of the new regulations) 100% compliance was found. It appears that there is a high level of awareness of the solid fuel regulations among the retailers in the Fingal area. No complaints were received in 2022 regarding the sale of non-permitted solid fuels. A follow up inspection was carried out in relation to a complaint about a retailer selling non permitted fuel in 2021 (which had not been upheld at the time) was carried out and was found to be in compliance.</p> <p>2022 saw the introduction of the new solid fuel regulations, the resource allocation had already been utilised earlier in the year when carrying out the comparative study survey on retailers in the rural areas because time and resources were limited it was decided to carry out an online investigation of solid fuel retailers in the Fingal area. A total of 10 online premises were assessed prior to the commencement of the new SFR legislation. 2 online premises were identified as selling turf prior to the introduction of the regulations. A follow up after the regulations came into force identified that the products were no longer available for sale. 15 SFR advisory inspections of retailers were carried out prior to the commencement of the regulations. Advisory leaflets were sent to all solid fuel retailers in the Fingal area advising them of the requirements of the new legislation.</p> <p>Householders were part of the focus of the new SFR regulations, with limited time and resources it was decided to issue the FAQ for householders to resident's associations in Fingal for dissemination among their members. Lack of resources has curtailed the amount of proactive work that can be carried out i.e., the sampling of coal products for sulphur content and the roadside check for coal trucks. An end of year review of the solid fuel complaints received and the inspections to date of the retail premises has identified that FCC do not receive many complaints relating to the sale/burning of smoky coal products and the inspection of retailers in the area have been 100% compliant to date.</p>

National Enforcement Priority: AIR - Air Quality Monitoring Activities and Data Use	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity <u>in the previous reporting year</u> – e.g.</p> <ul style="list-style-type: none"> • Work with the EPA to complete the expansion of the Ambient Air Monitoring Programme network including: <ul style="list-style-type: none"> • Assist EPA to determine viable locations for air quality monitoring stations. • Assist EPA to progress the siting of air quality monitoring stations. • 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. • Assist (where possible, to the best extent possible) EPA to maintain existing and new air quality monitoring stations. • Review local air quality data to identify hotspots and to prioritise sites/areas for action. • Ensure local air quality data, including a map, is made available to the general public as soon as technically possible 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. 	<p>The AAMP is outsourced, 12 site visits and calibrations are carried out per year on a monthly basis.</p> <p>Fingal County Council participated in the 2022 Local Authority NO2 diffusion tube study in collaboration with the EPA. Ten locations were carefully chosen across the county. Areas were chosen where there is high public use and the potential for elevated NO2 in the air from road transportation is present. Diffusion tubes were replaced monthly and sent to the lab for testing.</p> <p>Results of the 2022 monitoring will be available in April 2023 following annualisation and bias correction of the data by the EPA. Results can then be made available to the public and reviewed to identify hotspots.</p>

National Enforcement Priority: AIR - Environmental Noise Directive (END) Activities/ Noise Plans	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the previous reporting year – e.g.</p> <ul style="list-style-type: none"> • 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. • Prepare and submit the Annual Noise Action Plan Progress Report to the EPA by 28th February. • Annual Noise Action Plan Progress Report should demonstrate progress on the key issues and priority areas for action. 	<p>Submission of the local authority Noise Action Plan (NAP) Progress Report by the 28th of February 2022:</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes, two reports were issued, one for Dublin Airport, and One for the Road Noise element of the Dublin Agglomeration in Fingal. Dublin Airport noise regulation are covered by a ring-fenced unit in Fingal i.e. Airport Noise Competent Authority which process planning applications for the noise element of relevant applications. Road noise impacts are largely from national roads under the control and management of Transport Infrastructure Ireland and their contractor, TII have withdrawn from addressing noise impacts from the roads they control and manage so it is unlikely that any mitigation of noise will occur on the noisiest roads in Fingal.</p>

National Enforcement Priority: AIR - Air & Noise Controls in Planning Assessments	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the <u>previous reporting year</u> – e.g.</p> <ul style="list-style-type: none"> • Pre-planning assessments of air and noise impacts. • 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. • Increased public awareness of noise induced health impacts. 	<p>A proactive approach is taken by Environmental Health in relation to noise and air in order to minimise complaints after a development has been given planning permission. Planning applications with a commercial entity are assessed by Environmental Health at the submission stage. Environmental Health assess the planning application to determine if the necessary mitigation measures have been applied by the applicant in relation to air, odour, and noise pollution.</p> <p>The demolition, construction and operational phases of commercial developments are assessed. Appropriate air, odour and noise conditions are applied where necessary. These conditions are based on current available guidance for air, odour, and noise. In 2022, 163 Planning applications were assessed, i.e., data centres, housing developments, wastewater treatment plants, schools, gymnasiums, shopping centres, restaurants and garages are some of the applications received for assessment. EH are currently liaising with planning enforcement in relation to noise nuisance from a gymnasium. A planning enforcement notice was issued at the end of 2022 which related to a condition re the sound proofing of the building. EH are engaging with the planning department and will advise in relation to the acoustic report submitted once the sound proofing has been carried out. EH provides an advisory service to members of the public regarding neighbour-to-neighbour noise in relation to construction work. Noise and air complaints that relate to a planning condition are referred to planning enforcement.</p>

National Enforcement Priority: AIR – Local Enforcement Issues	
Local Authority: Fingal County Council	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>Describe what was carried out under this activity in the <u>previous reporting year</u> – e.g.</p> <ul style="list-style-type: none"> 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. Make available on their websites, the EPA vehicle refinishers video and use appropriate channels to promote it. Inspect and carry out any required enforcement actions under Sections 107 and 108 of the EPA Act 1992, in order to limit noise nuisance. Build capacity through engaging, collaborating and sharing with colleagues in other local authorities via networks and working groups and participating in training events. 	<p><u>Deco Paints Regulations and Solvents Regulations:</u></p> <p>Environmental Health issue a certificate of compliance in relation to air quality emissions from vehicle refinishers and dry cleaners that use products that contain volatile organic compounds. The applicant must submit a report from Enviroguide when applying for the certificate. The report is evaluated and based on the recommendations from Enviroguide a certificate of compliance is issued for a period of up to 3 years. Non compliances identified during the inspection from Enviroguide are attached to the certificate and should be completed within 6 months of the issuing of the certificate. Non compliances are followed up where appropriate.</p> <p>All known dry cleaners (6) and deco operators (17) have certificate of compliance or are in the process of obtaining a certificate. A total of three warning letters were issued at the end of 2022 regarding expiry of certifications. Three operator have inspections booked with Enviroguide for January & February 2023. A total of 4 certificates of compliance were issued in 2022. Two had a major non-compliance which related to the lapsing of the certificate of compliance.</p> <p>There were no fixed penalty notices issued in 2022. Lack of resources has restricted proactive work in this area i.e., searching for unregistered VOC operators. Collaboration with Meath County Council has identified a dry-cleaning operator in the Fingal area that is allegedly carrying out dry cleaning, we are currently trying to establish if a dry-cleaning process is taking place on the premises, there was no dry-cleaning taking place at the time of the initial inspection in December. The dry cleaners had ceased the dry-cleaning process and had commenced a wet cleaning service.</p>

Petroleum Vapour Regulations:

(Fire Officers – Dublin city)

Licensed Sites under the Air Pollution Act:

(Not Environmental Health)

Local Air and Noise Issues:

Noise complaints are investigated on a complaint basis. The focus of the complaint investigation is to ensure that regulatory compliance is achieved and that the nuisance is abated. In 2022 all complaints (145) were investigated, 79 warning letters were issued, follow up inspections took place and 143 received a satisfactory outcome. Two complaints are still in progress from 2022. A review of complaints received in 2022 identified that there was an increase in complaints relating to bird scaring devices, outdoor music from pubs and gymnasiums. A proactive approach in relation to noise and air is considered at the planning stage. EH provide an advisory role to the planning department recommending air and noise conditions where appropriate for planning applications related to commercial entities, schools, gyms, and large housing developments. EH liaise with planning enforcement and waste enforcement sections when complaints relate to a specific planning condition or waste enforcement legislation. EH provide an advisory service to members of the public regarding neighbour-to-neighbour noise.

21 Air pollution complaints were received by Fingal County Council. All complaints were investigated, 10 were in relation to commercial entities, 2 resulted in warning letters being issued, all complaints were resolved to a satisfactory outcome. 8 were related to domestic premises and solid fuel use. Advisory letters were issued to the complaints that were related to barbeques/outdoor pizza ovens to raise awareness on air pollution and nuisance (3). Backyard burning complaints received were referred to waste enforcement. Construction complaints were referred to planning enforcement.