

Summary Instructions for Completion of Methodology for Determining Enforcement Category of Licences¹

Please address all queries to: rbme@epa.ie

This guidance provides a summary and quick-guide on completing the methodology. Additional and more detailed guidance is provided in the Agency's guidance document "Guidance on Completion of Methodology for Determining Enforcement Category of Licences" which can also be downloaded at: <http://www.epa.ie/whatwedo/enforce/lic/how/categories/>

Once you have successfully downloaded the methodology and guidance note we recommend that you take some time to read the guidance note to familiarise yourself with the purpose and requirements of the methodology. Please note that the appendices to the guidance documents have changed owing to binding statutory instruments and a recent EPA publication on Water Quality in Ireland.

General

- All questions / areas should be completed.
- It is recommended that you save a blank copy of the methodology, as this may be useful to have if you wish to re-start at the beginning of the methodology.
- The comments box on each sheet should be used to highlight areas where difficulties were encountered entering data and/or where the information provided in the spreadsheet needs explanation.
- The most recent AER/AER-PRTR for the facility should be used as a source of data with regard to emission, waste and compliance data.
- A number of activities will automatically be assigned a high enforcement category and these are outlined in table 2-1 of the guidance document.
- In certain circumstances the enforcement category may default to a higher/lower category and this is also outlined in the guidance document.
- Any questions in relation to the completion of the methodology should be submitted to rbme@epa.ie.
- The final enforcement category determination is subject to review by the EPA post submission and will contribute to the enforcement charges for your facility in the forthcoming year.

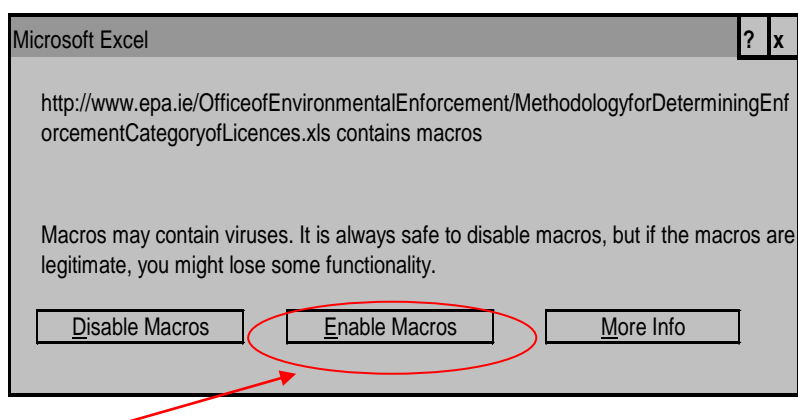
¹ Rev. 2 - June 2010. Main changes in Rev 2 of this guidance relate to deadline for completion of RBME methodology, change from EPER to AER-PRTR reporting, changes to OEE contact information and updates to Appendices to incorporate more recent Statutory Instruments and data.

Completing the Methodology

Part 1

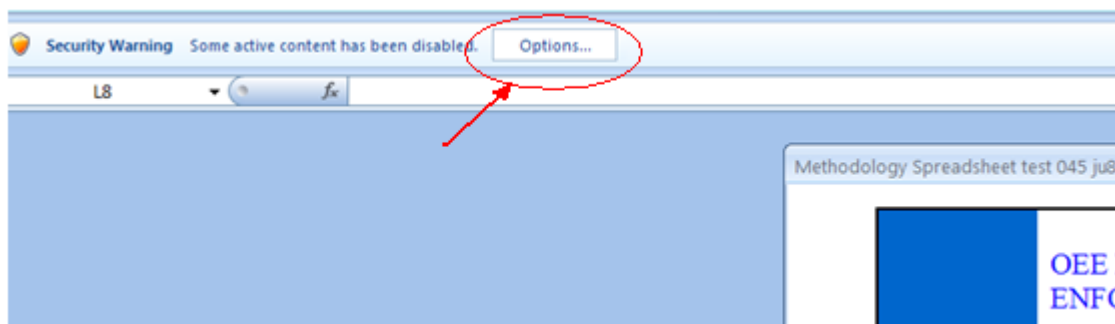
Opening the Methodology

- When opening the methodology excel file a dialogue box will appear as illustrated in one of the two figures below (depending upon the version of Microsoft Excel utilised):



- Click on 'Enable Macros' to continue.
- You should now be brought directly to the OEE welcome message and the **“Introduction”** tab on the methodology.
- Close the welcome message.
- The macro security settings must be set to 'low or 'medium', you can go to tools-macro-security to check this.
- From the “Introduction” tab you can click on the links to bring you through the other tabs in the methodology.
- The methodology should be filled in starting at the **“Complexity Attributes”** tab then the **“Emissions to Air”** tab and so on.

Or



- Click on “Options” below the toolbar at top of screen.
- You should now be brought directly to a screen indicating **Microsoft Office Security Options**; click on Enable this content. The OEE welcome message and the “Introduction” tab on the methodology should now appear.
- Close the welcome message.
- The macro security settings must be set to ‘low or ‘medium’, you can go to tools-macro-security to check this.
- From the “Introduction” tab you can click on the links to bring you through the other tabs in the methodology.
- The methodology should be filled in starting at the “**Complexity Attributes**” tab then the “**Emissions to Air**” tab and so on.

Part 2

Inputting Data

Step 1 - General Information

- Each tab should be completed in the sequence in which they appear in the methodology, following the order of questions where possible.
- Actual emission data are not requested; there is a selection of answers available for each question.

Step 2 - Complexity

- Each scheduled activity has been assessed and assigned one of five complexity grades, G1 (the least complex) to G5 (the most complex).
- Compile a list of all scheduled activities for the facility as set out in the IPPC or waste licence where more than one activity is specified in the IPPC/Waste Licence;
- Identify the complexity grade of each activity using the look-up table provided in Appendix 2 of the guidance document;
- Having identified the two activities of the highest complexity grade, select the ‘Add/Delete 1’ button on the complexity spreadsheet, and the Complexity Attribute Form will appear (see Figure 2-1 in guidance document);
- Select the Schedule Reference from the dropdown menu and the description of the activity will appear.
- For a number of activities a quantity (production quantity, waste quantity etc.) may then have to be selected. In this case the Complexity Band Form with the list of quantities will appear. The quantity must be selected from the list and ‘Ok’ selected. The Complexity Grade will automatically be assigned.
- To insert the information onto the spreadsheet select ‘Add’ and then ‘Finished’
- If applicable, enter a second activity using the ‘Add/Delete 2’ button and follow the procedure described above. Activities can be amended where necessary.

- If **activities have not yet commenced on-site**, tick the box beside the statement: “Licensed activities have not commenced on site.” The assessment outcome will automatically default to one grade lower than otherwise would be obtained by completing the assessment. For example, if the assessment results in a facility being assigned an enforcement category outcome of A1, it will obtain a B1 where activities have not yet commenced on site. (Note that where there may be more than one licensed activity taking place on site this statement applies to all on site activities i.e. No licensed activities have commenced on site).
- If licensed **activities have ceased on-site**, tick the box beside the statement: “Licensed activities have ceased on site.” This will not impact on the complexity score or the assessment outcome, but will provide information to the user. (Note that where there may have been more than one licensed activity taking place on site this statement applies to all on site activities i.e. All licensed activities have ceased on site).

Step 3 - Emissions to Air

- The **most recent AER/AER-PRTR** should be used as the data source for this section.
- **All** parts of the sheet should be completed, either the appropriate threshold is selected or “Not Applicable” option should be used.
- The licensee should input any other significant (where monitoring is required in the IPPC licence) emissions to air into the “Other Compounds” section.
- **Odours** – Where the facility has odorous emissions, select the distance from the facility boundary at which odours are detected. This is assessed by odour impact assessments/patrols carried out by the EPA or licensee. Detailed odour monitoring (e.g. olfactometric) is not necessary to confirm the presence/absence of odours.
- **Noise** - With regard to noise emissions, if the daytime or night time licensed noise levels were exceeded at any sensitive location due to on site activities, or if there is any clearly audible tonal or impulsive component in noise emissions from activities on site, the facility scores 3 points. The time scale to which this question relates is the 12 month period for which the assessment applies.

Step 4 - Emissions to Water

- This refers to all emissions being discharges to a surface water body, such as treated and/or untreated process effluent.
- The **most recent AER/AER-PRTR** should be used as the data source for this section.
- **All** parts of the sheet should be completed, either the appropriate threshold is selected or “Not Applicable” option should be used.
- The licensee should input any other significant (where monitoring is required in the IPPC licence) emissions to water into the “Other Compounds” section.

Step 5 - Emissions to Sewer

- This refers to all process water emissions from the licensed facility to a sewer line that is under the control of a sanitary authority.
- The **most recent AER/AER-PRTR** should be used as the data source for this section.
- **All** parts of the sheet should be completed, either the appropriate threshold is selected or “Not Applicable” option should be used.

- The licensee should input any other significant (where monitoring is required in the IPPC licence or required by the relevant sanitary authority) emissions to sewer into the “Other Compounds” section.

Step 6 - Waste Management

- This refers to all waste generated and processed at a facility.
- The **most recent AER/AER-PRTR** should be used as the data source for this section.

At the end of each emissions form the following questions have been included:

Air Emissions:	In the last 12 months, have there been > 3 non-compliances with emission limit values for emissions to air?
Discharges to Water:	In the last 12 months, have there been > 3 non-compliances with emission limit values for discharges to water?
Discharges to Sewer:	In the last 12 months, have there been > 3 non-compliances with emission limit values for discharges to sewer?
Waste Management:	In the last 12 months, have there been > 3 non-compliances with regard to waste management?

If, for example, there have been more than 3 non-compliances with emission limit values (ELV's) for emissions to air, then this form automatically defaults to high, regardless of the score obtained for the quantity of AER/PRTR (was EPER) substances emitted, noise and odour emissions. The same rule applies to discharges to water, discharges to sewer and waste management.

Step 7 - Emissions Summary

- The scores for emission to air, discharges to water and sewer and waste management are displayed in the emissions summary spreadsheet. The scores for each are multiplied together to obtain a total emissions score. This result will feed into the enforcement category summary spreadsheet.

Step 8 - Location

- Much of the information for this attribute should be readily accessible and available to the licensee.
- Measure the distance of the nearest sensitive receptor from the boundary of the licensed facility.
- A sensitive receptor is defined as any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity.
- Facilities are scored on the basis of the quality and therefore sensitivity of receiving waters. The biotic index (Q-value) of receiving waters can be obtained from the EPA website <http://www.epa.ie/OurEnvironment/Water/Rivers/RiverWaterQualityReports/> or <http://maps.epa.ie/internetmapviewer/mapviewer.aspx> and this is converted to the EPA water quality classification system as outlined in Table 2. The more sensitive (and the higher the Q value), the higher the score.

Biotic Index	Quality Status	Quality Class	Score
Q 5, 4-5, 4	Unpolluted	Class A	3
Q 3-4	Slightly polluted	Class B	2
Q3, 2-3	Moderately polluted	Class C	1
Q2, 1-2, 1	Seriously polluted	Class D	0

Table 2. Water Quality Classification

- Regard should be given to the receiving waters to which the facility is discharging and whether such waters are designated coastal, estuarine, shellfish and bathing waters or if they are potentially eutrophic coastal and estuarine waters.
- Designated coastal and estuarine waters are areas designated as sensitive in the First Schedule of S.I. No. 48 of 2010 - Urban Waste Water Treatment (Amendment) Regulations, 2010. (Appendix 4 of guidance document).
- Designated shellfish waters are those listed in Schedule 3 of the S.I. No. 268/2006 — European Communities (Quality of Shellfish Waters) Regulations 2006, as amended by S.I. No. 464/2009 — European Communities (Quality of Shellfish Waters)(Amendment) (No. 2) Regulations 2009 and S.I. No. 55/2009 — European Communities (Quality of Shellfish Waters) (Amendment) Regulations 2009 (Appendix 4 of guidance document).
- Designated bathing waters are those Bathing Areas listed in the First Schedule of S.I. 177/1998 - Quality of Bathing Waters (Amendment) Regulations, 1998 (Appendix 4 of guidance document).
- Potentially eutrophic coastal and estuarine waters are as detailed in the EPA report on Water Quality in Ireland: Key Indicators of the Aquatic Environment 2007-2008 (2009). (Appendix 5 of guidance document).
- An aquifer classification can be obtained for any site located within the 26 counties by accessing the GSI Website (www.gsi.ie).
- If more than one aquifer class underlies the subject site, the rating should be based on the higher aquifer resource classification. However, if only a very small area of the subject site is underlain by a Regionally Important Aquifer, but the majority of the site including the area of the development, is underlain by a Locally Important Aquifer, it would be more appropriate to base the rating on the Locally Important Aquifer classification.
- Site-specific vulnerability information should be used if available. The GSI Vulnerability Mapping Guidelines should be used to assign a site-specific vulnerability rating. (www.gsi.ie).

Step 9 - Operator Management

- Details of the current EMS system (if any) should be provided.
- Where there is an environmental training plan being implemented at the facility or an environmental committee which meets regularly, these questions should be answered as 'yes' to score negative points.
- Incidents information refers to incidents reported to the Agency under the requirements of the IPPC/Waste Licence for the facility.

Step 10 - Enforcement Record

- The number of complaints refers to the number of complaints received by the Agency during the calendar year.
- The number of non-compliances refers to the number of actual items included in Agency correspondence (e.g. site inspection report, audit report, etc) during the calendar year (i.e. 1 notification of non-compliance might included a number of individual non-compliances. You should refer to any notification of non-compliance issued by the agency for the year in question. If for example the Agency issued one notification of non compliance which contained 3 non-compliances with the IPPC/Waste Licence then the total number of non-compliances in this case is 3).
- The issue of groundwater or land contamination should be answered as “Yes” if any work is ongoing at the facility (monitored natural attenuation, treatment, remediation, etc) with regard to groundwater or contaminated land issues that have been caused by the licensed activities at the facility.
- Also, a tick box is included at the end of the sheet that is ticked if the facility has been convicted in the last 12 months by the EPA. If yes, the outcome of the methodology will automatically default to one grade higher than otherwise obtained.

Step 11 - Enforcement Category Summary

- The enforcement category summary spreadsheet displays the enforcement category that the facility has attained for each attribute.
- The overall enforcement category is determined by the combination of enforcement categories obtained for each parameter. There are three principal enforcement categories into which facilities may fall:
 - A – High
 - B – Medium
 - C – Low

} - Each of these categories is further divided from A1 – C2
- An Assessment Outcome that has defaulted to a higher/lower value will be displayed in red below the ‘Overall Enforcement Category’ and this value (in red) will be taken for use by the OEE as the overall enforcement category. This overall enforcement category will then be reviewed by the OEE and either confirmed (in the majority of cases) or adjusted as appropriate.