



European Union Network for the Implementation
and Enforcement of Environmental Law



IRI open workshop

How to play a role in the Impel review initiative

Date of report: 8th of January 2025

Report number: 2022(VIII)WG1



Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the European Union (EU) Member States, and of other European authorities, namely from acceding and candidate countries of the EU and European Economic Area (EEA). The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 8th Environment Action Programme that guide European environmental policy until 2030, the EU Action Plan: "Towards a Zero Pollution for Air, Water and Soil" on Flagship 5 and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu



Title of the report: IRI Open workshop	Number report: 2022(VIII)WG1
Project Manager/Authors: Patricia Weenink (NL) Will Fawcett (Impel)	Report adopted at IMPEL General Assembly Meeting: Adopted by written procedure on 20/03/2025
	Total number of pages: 20 Report: 6 Annexes: 14
Executive Summary The IRI ambassadors organized an IRI workshop for those interested to play a role within the Impel review initiative on the 11 th of December 2024 in Prague. 30 participants from 19 member states attended the workshop.	
Disclaimer This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the Commission.	
Quotation It shall be permissible to make quotations from an IMPEL Document which has already been available to the public on the IMPEL website, provided that their making is compatible with fair practice, and their extent does not exceed that justified by the purpose. Where use is made of works in accordance with Berne Convention, mention should be made of related IMPEL Document Name with giving publication link of the document on IMPEL Website. IMPEL has all rights under the Berne Convention.	





TABLE OF CONTENTS

THE WORKSHOP DAY	6
ANNEX I. SLIDO RESULTS	7
ANNEX II. WHAT IS AN IRI?	8
ANNEX III. EXPERIENCES FROM RECENT IRI'S	10



The workshop day

On the 11th of December 2024 in the city of Prague, the IRI ambassadors organized an open workshop for all Impel members wishing to learn more and perhaps join in some way, the Impel review initiative. 30 Impel colleagues attended the workshop both in person and online.

The workshop started with an online quiz (Slido) to find out how much the participants already knew about the IRI (see annex 1) and continued with several presentations:

1. What is an IRI? Annex 2.
2. IRI in Ireland (annex 3). Brian White and David Keating from the UK gave a presentation on their experience with an IRI on transfrontier shipment of waste.
3. IRI in Iceland (annex 4). Sverrir Jónsson gave a presentation on the experience of Iceland in the IRI on permitting and inspection within the Icelandic Environmental agency.
4. IRI for (not *in*!) Ukraine. Andrii Moroz from Ukraine presented his experience with an IRI that was hosted in The Hague, The Netherlands.

The afternoon was set up in groups to discuss in-depth what it means to participate in an IRI, either as a team leader, a rapporteur, an expert or as a host.

At the closing of the day, the chair (Tony Liebrechts) summarized the results of the discussion groups and encouraged all to actively join the Impel review initiative.

Results

Some of the key points to take away from the workshop were:

- Those members that have had an IRI found it an extremely valuable experience
- Hosting an IRI involves a lot of commitment and preparation from the host, but the results are worth it.
- It is important to include senior management in an IRI to help implement the changes in the organisation.
- The IRI is an informal review, not an audit and it can help an authority improve their activities
- Participants really benefit from taking part in an IRI, and it helps them evaluate their own work in their authority
- Growing the pool of candidates to be team leaders, team members and rapporteurs will strengthen the IRI further.
- Candidates for IRI's in 2025 and beyond are welcome now.

The IRI Ambassadors group will analyse the results of the workshop and areas for follow up.



Annex I. Slido results

Participants in the workshop were asked a series of questions at the beginning, focussed on barriers and benefits of participation in an IRI and how participation could be made easier. These themes and results were investigated further during the event. These results of the questions were as follows.

1. What do you think are the benefits of having an IRI?

Learning, opportunities, sharing, support, improvement, knowledge, evaluation, improving the organisation, optimisation, communication, opportunities of development, access, informal, good practice, contribute, improve, empower, better organisation, broader view

2. What do you feel are the main barriers to having an IRI?

- a. Support of senior management in my organisation – 85 %
- b. Time involved in hosting - 80%
- c. Hard to get staff involved – 75 %
- d. Costs – 50%
- e. Too many topics to cover - 25%

3. What would make it easier for you to join an IRI?

- a. Better knowledge of what is involved – 80%
- b. Information on what my organisation will get out of it – 75 %
- c. Help persuading my manager to let me do it – 50 %
- d. Specific training for one of the roles 40 %



Annex II. What is an IRI?

Basics of an IRI

- IRI is a **peer review** not an audit
- Focus on: Industry, **Nature**, **Waste** or **Water**
- Host organisation decides on the exact topic(s)
- IRI team consists of:
 - Team leader
 - Rapporteur
 - Between 4 to 6 specialists (depending on the focus areas)



Steps in an IRI

1. Pre meeting (host, team leader, rapporteur)
2. Set date, focus and expertise needed
3. Form a team
4. Travel and other arrangements
5. IRI week
 - a. Questionnaire
 - b. Indicate good practice and opportunities for development
 - c. Presentation to host (and higher management)
 - d. Draft report
6. Final report



The questionnaire

Part A - Regulatory framework

We look at the the environmental authority, the relevant legislation and relationships with the public, stakeholders, government and other countries.
Also looks at how policy, goals and objectives are translated to the workplans of staff (strategic alignment).

Part B - Permitting activities

Part C - Inspection and enforcement activities

For part B and C we review the strategic steps and the operational steps according to the Environmental permitting and inspection cycle

Part D - Site inspection

Demonstration on how inspections take place



Time / capacity needed

	Preparation (in days)	Pre meeting (in days)	Review (in days)	Report (in days)	Total (in days)
Host	2 to 6	1	4	1	8 to 12
Team leader	1	2 (incl travel)	5 (incl travel)	2	10
Rapporteur	1	2 (incl travel)	5 (incl travel)	2	10
Team member	1	-	5 (incl travel)	½	6 ½

Why do an IRI?

- Shows commitment to EU law
- Benchmarks own system
- Exports own good & best practices
- Imports good & best practice of others
- External validation, not influenced by historical or cultural issues
- Get help from Impel experts to implement opportunities for development



IRI and NPRI

IRI

- promotes consistent implementation and enforcement of environmental legislation across Europe
- compares national practices with those of other countries
- provides recommendations with an international dimension
- leads to knowledge sharing at European level

NPRI

- focuses on national context, aims to improve implementation and enforcement of environmental legislation by authorities within the country
- focuses on collaboration and consistency among authorities in a single country
- offers recommendations tailored to national or regional needs
- focuses on improving collaboration and consistency within the country





Annex III. Experiences from recent IRI's

The following experiences were presented in the workshop from recent hosts of the IRI. Results from Ukraine were presented verbally during the conference.

IRI IRELAND

IRI The Beginning

- ▶ 2017-18
 - ▶ Are we doing well? How do we know?
 - ▶ Legitimate question for all stakeholders to ask - Customers, Central Government, Chief Executive and Elected members of Dublin City Council, other Competent Authorities, Media, and Ourselves
 - ▶ Single Competent Authority so not easily accessible comparator - used Irish consultant but not a satisfactory outcome

Commencement

- ▶ 2019
 - ▶ Made initial contact with Simon
 - ▶ Arranged first face to face meeting late 2019
 - ▶ Agreed on plan to commence 2020
 - ▶ COVID!
 - ▶ Plan deferred, however we used time to ask further questions of Simon and agree what we wanted from an IRI
 - ▶ Time also to better understand processes

Commencement

- ▶ 2020 - 2023
 - ▶ Further meetings with Simon remote via email and eventually in person 2022
 - ▶ Agreed on:
 - ▶ When? - December 2023
 - ▶ Format
 - ▶ Evaluation Team
 - ▶ Gained better understanding of importance of involving Senior Management at highest level possible



What We Wanted from the Process

- ▶ Expert peer evaluation of all work processes
- ▶ To be evaluated against best practice in other IMPEL CAs
- ▶ Highlight areas for improvement
- ▶ Highlight areas where we were doing well
- ▶ Get staff involved in the process - morale, gaining knowledge, experience, build confidence
- ▶ Confidence that we are working well or have a path to working well
- ▶ Tool to influence Senior Management to support recommended areas of improvement - there is a cost to some improvements

The Process - Tue Dec 5th to Fri Dec 8th

- ▶ IRI Evaluation Team
 - ▶ Simon Bingham, Murray Simpson (Rapporteur) Katie Olley SEPA, Jens Anderson Horman Sweden, Enes Srndic Netherlands, Allison Townley Northern Ireland, Christian Gesek Austria.
- ▶ Agreed on what we would present on - decision up to us - Agree presenters - staff involvement
- ▶ Ensure suitable venue and appropriate IT facilities
- ▶ Agreed Agenda and sent in advance
- ▶ Secured presence and support of Chief Executive Dublin City Council and Assistant CE with responsibility for Environment for introduction and presentation of findings

Day 1

- ▶ Welcome and introduction of the IRI Team to Senior Management Team - explained procedure
- ▶ Overview of NTFSO - history, Irish context etc
- ▶ TFS Statistics and reports for Irish Gov
- ▶ Admin Overview
- ▶ Waste Recovery Levy on exports of specified classes of recovery activity
- ▶ Q and A



Day 2

- ▶ Admin - TFS applications and movements - workflows and process
- ▶ Brokers and Dealers Regs
- ▶ Green List Waste - Process and invoicing
- ▶ Project Collaborations - IMPEL (Plastics, SWEAP etc) - MOU countries - Ireland cross border
- ▶ Enforcement Team Lead- examples
- ▶ Q and A

Day 3

- ▶ Enforcement examples
- ▶ Enforcement at Port of Cork and initiatives
- ▶ Preparation of Legal Files - procedures - File compilation - use of in-house Law Department - Chief Executive Orders to initiate proceedings
- ▶ Q and A time
- ▶ Evening Dinner hosted by NTFSO

December 4

- ▶ Feedback from evaluation team to Senior Management Team
- ▶ Presentation by Simon and synopsis of findings
- ▶ Timeline for approval of report and when report to be ready
- ▶ Q and A from Senior Management Team
- ▶ Lunch and Farewells



The Report

- ▶ Comprehensive
- ▶ A lot of work by the IRI team
- ▶ Identified 78 areas of good practice
- ▶ Contained 41 Opportunities for Development
 - ▶ We carried out our own in-house analysis of the report and identified:
 - ▶ 14 High - 19 Medium - 8 Low Priority areas
 - ▶ Not all opportunities suitable for our organisation
- ▶ Circulated to Senior Management and other Environmental Agencies

Conclusions

- ▶ Great process carried out by peer experts
- ▶ Opportunity for staff to be involved and display their knowledge
- ▶ Better learning and understanding for staff
- ▶ Opportunities for development for the Office
- ▶ Requires plenty of preparation
- ▶ Know what you want to get out of the process
- ▶ Excellent tool to assist with Senior Management support and justification for additional resources
- ▶ Learnings can be shared with other IMPEL members
- ▶ An informal process with a formal outcome



Actions Arising

- ▶ All 14 High Priority areas commenced
- ▶ All 19 Medium Priority Areas under review
- ▶ Regular Reviews undertaken and targets included in annual work plan
- ▶ SOME EARLY SUCCESSES
- ▶ New post of Scientific Officer created. Post filled in September
- ▶ New Motor Assessor panel set up
- ▶ Review of MOU with Customs
- ▶ Review of service charges commenced
- ▶ TFS knowledge sharing with AGS (Irish Police Force) forums in place

Advice

- ▶ Be open and honest with all processes, good and bad
- ▶ Remember this is an opportunity for you to learn and get better at what you do
- ▶ Involve your staff
- ▶ Get support from your Senior Management Team
- ▶ Use report to gain leverage for extra resources and assistance
- ▶ See the process as an exciting opportunity and commit to it fully
- ▶ Strike while the 'Iron is Hot' - the earlier the better - your organisation's priorities change - don't become yesterday's issue

Thank You

brian.white@dublincity.ie

david.keating@dublincity.ie

brian.heffernan@dublincity.ie



IRI ICELAND

Sverrir Jónsson

IRI in Iceland 2023

Prague 2024



Main results

Opportunities for development highlights:

1. Ask the ministry to order a “State of the Environment” (all agencies involved) and use this to set more specific goals for the EAI
2. Set priorities within Permitting and Inspection (using a risk assessment tools)
3. Define SMART targets on the issues that have been prioritised so it is possible to monitor performance.
4. Be well prepared for new upcoming activities like CarbFix



Opportunities for development - Closing the regulatory cycle

- Ask the ministry to order a “State of the Environment” (all agencies involved)
- Use State of the Environment to set more specific goals for the Authority (EAI)
- Use these goals to align the organisation - allocate the resources where they are most needed to achieve the goals.
- Set priorities within Permitting and Inspection (using a risk assessment tools)
- Define SMART targets on the issues that have been prioritised so its possible to monitor performance
- Evaluate the performance and report to the ministry.
- Set up a formal mechanism to give and receive feedback

Conditions:

- Focus on becoming a more data driven organisation
- EAI needs to be a more flexible and learning organisation
- Develop roadmaps for new upcoming projects (e.g. Carbfix and other climate related projects), learn what happened with other emerging projects, e.g. aquaculture.
Legislation and plans first in place.



Opportunities for Development – Legal Framework

Revision of the 1998 Hygiene and pollution prevention act is needed;

- Make it possible to:
 - Revoke permits
 - Differentiate in the lifetime of permits (by sector)
 - Simplify permitting by introducing GBR (e.g. fish farms and other non IED)
 - Refuse a permit based on environmental impacts
- Changing of the roles and competences. Some sites now fall under the LHI while knowledge and expertise is really needed to regulate these sites. In some cases clarification of the roles are needed

EIA: Permitting procedure starts directly after the EIA is issued (without a decision). EIA could therefore be the reason of appeals against permits.

Fish farms

- Both the EAI and IFVA issue permits for fish farms and there may be some overlap of scope, even if the focus is different.
- There is good cooperation but not an integrated approach
- Joint inspections have been conducted up to some extent after legal changes were made. That process was not successful.

Other sectors

- Large Thermo and hydropower plants fall under LHI, considering the impact to the environment the competence should be under EAI

Opportunities for development – Capacity building

- Develop a national training programme for permitting and inspection for civil servants
- Training programme should be based on a training needs assessment and linked to the priorities of the ministry
- Develop a train the trainer programme so EAI staff can actively contribute to this programme
- Ask the ministry to support with resources and to coordinate this process
- Facilitate the mobilisation of staff
- Define the risks for EAI when LHI doesn't do their work in a proper way. Use trainings to eliminate these risks.
- Publish documents on stakeholders meetings



Opportunities for development – Permitting

- Performance indicators are on output, Outcome targets are missing?
- For permit template the newest permit is used. There is a risk in this procedure. Working on standard text blocks per activity could take out this risk. Small committee of permitting, lawyer and inspectors review regular bases.
- Use an administrative officer to check the formal part of the application (complete etc). Communication with the operator can also be done by the adm. officer.
- Use timelines when asking for additional information.
- Norway and Scotland are using dilution zones for fish farms (100 mtr and more) this information should be further exchanged to Iceland
- The types of procedure for applications should be defined more clearer .
- Software GoPro doesn't store data on emissions etc or environment.
- Draft permit – specify the conditions that are standard so the inspector (and other experts) do not have to review these conditions.
- Joint first inspection with permitting officer and inspectors in case of difficult installations and or permits.
- There should be a link between IED installations and BAT conclusions in the software so EAI is notified when permits needs to be reviewed.



Opportunities for development – Inspections

- Use of inspection strategies:
 - Make more use of compliance promotion
 - Differentiate between announced and unannounced inspections
 - Inspect in weekend or in the evenings
 - Explore new innovations to inspect (cooperation with IMPEL members)
- In some cases the authority is too dependent on the assistance of the operator to inspect: explore new ways to become less dependent (e.g. boats, drones)
- Data storage – develop software that will support the inspection and enforcement process and also stores inspection, compliance and environmental data
- Explore a common platform for inspectorates to exchange information
- Risk Assessment tool doesn't give the correct outcome and needs to be designed differently
- Include the human factor in your intervention strategy
- There is an inspection programme but not an inspection plan for 2023
- Sharing the compliance data with permitting is not yet done.
- Assure the authority is notified when a measurement (monitoring) is going to take place to check if this is done during normal process conditions. This could be arranged in the permit or the monitoring plan.
- Use of apps to receive complaints from public?
- Categorise the complaints by urgency?
- SEVESO sites – no combined inspections are taken place

2.6 Further Cooperation

There were a number of areas identified during the review where further cooperation with IMPEL and other organisations/ programmes could be beneficial to the EAI. These include:

- Cooperation with IMPEL members, for example cooperation with Norway and Scotland on Aquaculture
- IRI gives the opportunity for further support and follow up
- Participation in relevant IMPEL projects
- Access to EU funded programmes
- Continue/ strengthen Nordic collaboration



Tips and tricks

- Be honest
- The preparation is the key
- Try to highlight the main challenges in your work
- Get the high management or the minister to attend results meeting
- Use the report again and again and again
- Try not to be intimidated by the process or feel everything you do is unprofessional