



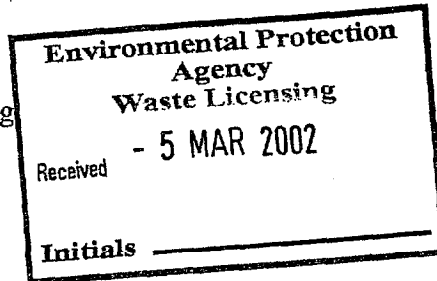
AN TAISCE

THE NATIONAL TRUST FOR IRELAND

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Ms. Karen O'Brien,
Programme Officer,
Waste Management Licensing
EPA,
PO Box 3000,
Johnstown Castle Estate,
Co. Wexford.

MARCH 4th 2002.

Re.: Your Ref. 167/1 Licence Application from Indaver Ireland in relation to facility/premises located at Indaver Ireland Waste Management Facility, Carranstown, Duleek, Co. Meath.

Dear Ms. O'Brien,

Thank you for your letter of the 6th December 2001, enclosing EIS and requesting comment.

Legal Status of Waste Licence Application.

We wish to advise you that the current procedures for waste facilities and processing facilities subject to environmental impact assessment thresholds are currently separated between the relevant Planning Authority and the EPA. We wish to advise you that in the course of a Reasoned Opinion from the European Commission dated 25th July, 2001, addressed to Ireland under Article 226 of the Treaty establishing the European Community on account of its failure to fulfil obligations under Council Directive 85/337 EEC of 27th June, 1985, on the assessment of the effects of certain public and private projects on the environment and Council Directive 97/11/EC of the 3rd March, 1997, amending Directive 85/337 EEC found that Irish implementing legislation for the Impact Assessment Directive fails to comply with the terms of the Directive in respect of projects requiring an IPC Licence (Section 324). This was because, as stated in Section 325, there is no provision which ensures that the environmental impact assessment covers the interaction between the factors mentioned in the first and second incidence of Article 3 of Directive 85/337 EEC before Amendment by Directive 97/11/EC or the interaction between the factors in the first, second and third indents of Article 3 of Directive 85/337 EEC after Amendment by Directive 97/11/EC.

We would submit that similar concerns apply to applications subject to the Waste Management (Licensing) Regulations 2000, SI 185 of 2000.

Current Proposal.

This is a proposal which has three elements.

1. A community recycling park with an estimated through put of 2,000 tonnes per annum.

2. A recycling plant for non hazardous waste with an anticipated throughput of 20,000 tonnes per annum.
3. A "waste energy plant" for non hazardous waste with a capacity of 150,000 tonnes per annum.

Community Recycling Park. We are unable to reconcile the proposed 2,000 tonnes per annum target for the community recycling park with the 150,000 tonnes per annum projection for the proposed waste incinerator. No catchment area comparison has been provided for the community recycling park in order for a comparison to be drawn for the catchment area for the proposed incinerator.

Recycling Plant for Non Hazardous Waste. Information on this is contained in Section 2.3 of the EIS referring to unsorted dry, recyclable industrial and commercial waste. No comparison is provided for the catchment area for this waste and its source and the proposed catchment area for the incinerated waste.

Waste to Heat, Ash and Gas Plant. We would submit that the appropriate description of the incineration element of this proposal is waste to heat ash and combustion gas plant, rather than waste to energy plant. It is noted in the statement made that the plant will produce 11 megawatts of electricity, however, no information has been supplied as to what energy is required to power the combustion for the plant, and as to whether or not this figure has been included or excluded from the 11 megawatt figure. In addition to the actual electricity generation consumption, the energy consumed from the transport of waste material and disposal of ash also needs to be addressed. It is noted that it is stated in Section 2.5.6a that the incineration plant will convert the thermal energy produced by the combustion of the waste into electricity and while some of which will be used by the plant itself, the remainder (11 megawatt nominal) being supported to the National Grid. However, 2.5.6b states that "natural gas may also be occasionally required as a supplementary fuel to maintain the temperature if waste of an exceptionally low calorific value is received". No information is supplied as to the power generation content of this proposed gas use.

Disposal of Wastes.

Section 2.4.7 refers to the ash recovered from the incineration plant in the form of

1. bottom ash from the grate of furnace;
2. boiler ash from the boiler;
3. gypsum and flue gas cleaning residues from the baghouse filter located after the waste heat boiler.

Bottom Ash Waste

The bulk of the waste input at about 20% of waste or 30,000 tonnes of dry material is bottom ash, comprising silicates, minerals, metal pieces, glass compounds as well as incompletely burned carbon compounds. It is stated in Section 2.5.4 that this material will be "non hazardous and is often used as a road filling following treatment in an ash recycling plant". We submit that this application is premature and invalid, because it does not address the location of the necessary reuse or disposal of the 30,000 tonnes per annum bottom ash. It is stated under Section 2.5.4 subsection b, that "it is the intention of Indaver Ireland to proactively identify potential uses for the bottom ash". It is also stated that "if no market can be found for the bottom ash, it will be disposed of to a suitably licensed non hazardous landfill site".

We would submit that this application, as presented, constitutes project splitting in leaving a major of the development with environmental impacts left to an unresolved future planning application, both to resolve the method and either the processing or disposal site for the waste ash created. We would furthermore state our concern that it is incorrect to state that this bottom ash is "non hazardous", because of its heavy metal content.

Section 2.5.6b states that bottom ash is not suitable for use as construction material and that "these metals and dioxins will be contained in the landfill and will not have any impact on the

environment". We do not consider that this statement has been justified, because the section continues to state "to reduce the leachability of the ash, it will be solidified using cement. This will further reduce the potential impacts of disposal by landfill". It is quite clear that there is considerable uncertainty as to whether or not this waste qualifies as hazardous or non hazardous. We would submit that this uncertainty should be resolved at application stage, rather than leaving the matter to be determined by future leachate tests as described in Section 2.5.4.

Boiler Ash

It is stated that approximately 15,300 tonnes per annum will be collected as boiler ash. It is stated that leakage tests will be carried out "to determine whether the boiler ash should be disposed of to hazardous landfill or non hazardous landfill". We would submit that this insufficient information at this juncture and that the application should determine whether or not a major waste element being produced is hazardous or non hazardous. The failure to provide this information at application stage impugns the entire technical competence of the application.

Flue Gas Cleaning Residue.

It is stated that 4,500-6,000 tonnes per annum of the waste input would be collected in the baghouse filter. This residue "will be classified as hazardous waste and as such must be disposed of in a hazardous waste landfill. Prior to disposal this residue will be solidified with cement". It is noted that there is no hazardous waste landfill capacity in Ireland. Given this fact and our existing difficulties in meeting EU Directives with regard to hazardous wastes, we would submit that it is ill advised to initiate a waste processing facility which generates additional hazardous waste. Particularly to the level of 4,500-6,000 tonnes per annum proposed.

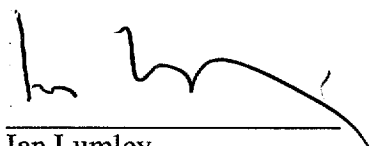
Gypsum

It is stated that about 1,000 tonnes of gypsum will be collected from the wet flue gas cleaning prior its ejection into the evaporative spray tower. It is stated that this gypsum can be used in the construction industry, if a market exists and is suitable for disposal to non hazardous landfill. We would submit that it is unacceptable that the treatment of this gypsum waste is not being specified at application stage.

Consideration of Alternatives.

Section 2.9 considers alternative options such as prevention of waste, maximum recycling use of material and safe disposal of any waste which cannot be recycled or reused in the following ranking order - combustion as fuel, incineration and landfill. We do not consider that the adoption of alternative strategies on prevention of waste and recycling and reuse of waste have been adequately addressed.

Yours sincerely,



Ian Lumley,
Heritage Officer, An Taisce.