

South Tipperary County Council  
County Hall, Clonmel, Ireland.

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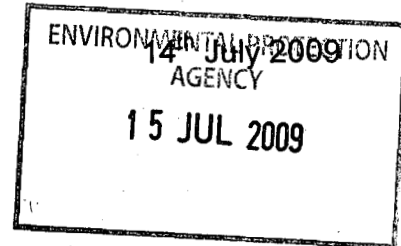
E-mail secretary@southtippcoco.ie  
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Submission No 1  
Comhairle Contae Thiobraid Árann Theas  
Aras an Chontae, Cluain Meala, Eire.

Teileafon 052-6126152/6126149/1800 202627  
Fax 052-6134391

Ms. Ann Kehoe  
Programme Officer  
Office of Climate, Licensing and Resource Use,  
Environmental Protection Agency,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford



Re: ~~Waste License Application W0270-01 by Milltown Composting Systems Ltd, Milltownmore, Fethard, Co. Tipperary~~

Dear Ms Kehoe,

Further to your letter to Mr. Michael McCarthy, Senior Executive Engineer, South Tipperary County Council I confirm that Mr McCarthy is currently engaged in the Waster Services Section of the Council.

In relation to the Waste License application W0270-01 by Milltown Composting Systems Ltd I wish to confirm the following:

1. A planning application (08/838) for permission for (A) change of use of existing Agricultural Stores 2 and 3 to commercial storage, (B) construction of a new intake extension and a new screening and outloading extension by Milltown Composting Systems Ltd, was refused permission on appeal to An Bord Pleanala under Planning Reference PL23.231 182 on 28<sup>th</sup> April 2009. This relates to the use of Shed 2 and Shed 3 for commercial activity and a copy of the refusal reasons is enclosed.
2. We also enclose a copy of our latest audit findings of the Waste Permit Facility on the site (ref WP/019-02), dated 23<sup>rd</sup> March 2009 and 30<sup>th</sup> June 2009, for your information.

We have no objection to the principle of a Waste Licensed Facility as described by the applicants in their application W0270-01.

Yours sincerely,

Jim Dillon,  
Administrative Officer.

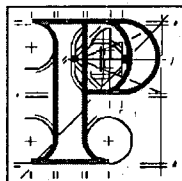


Enquiries to Environment Section



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# An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2007

South Tipperary County

Planning Register Reference Number: 08/838

An Bord Pleanála Reference Number: PL 23.231182

**APPEAL** by Milltown Composting Systems Limited care of NRG Limited of Mooresfort, Lattin, County Tipperary against the decision made on the 5<sup>th</sup> day of September, 2008 by South Tipperary County Council to refuse permission.

**PROPOSED DEVELOPMENT:** (a) Change of use of existing agricultural stores 2 and 3 to commercial storage and (b) construction of a new intake extension and new screening and outloading extension at Milltownmore, Fethard, County Tipperary.

## DECISION

**REFUSE** permission for the above proposed development based on the reasons and considerations set out below.

## MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## REASONS AND CONSIDERATIONS

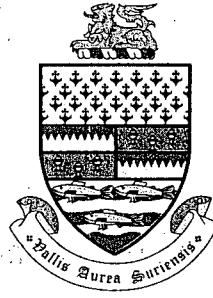
1. The Board is not satisfied on the basis of the information submitted in connection with the application and the appeal that the existing buildings are authorised and the proposed change of use from existing agricultural use to composting would constitute an intensification of use on the site. Furthermore having regard to the lack of information regarding emissions from the proposed development the Board is not satisfied that the proposed development would not be prejudicial to public health and would not constitute an unacceptable risk of environmental pollution in the locality. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
2. Having regard to the substandard nature of the local road network serving the site, it is considered that the proposed change of use would result in an intensification of use of the site resulting in additional traffic hazard on the local road network. The proposed development would, therefore, endanger public safety by reason of traffic hazard.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2009.**



Mr Jim O'Callaghan,  
O'Callaghan Moran and Associates,  
Granary House,  
Rutland Street,  
Cork

15<sup>th</sup> May 2009

CC: Mr Neil Barry, Facility Manager, Miltown Composting Systems,

Re: Site inspection of Miltown composting Systems, in response to complaint of flies from the facility

Dear Mr O'Callaghan,

Please find attached an audit report following site visit conducted by Mr Kieran McKenna (Executive Engineer, Environment Section, South Tipperary County Council) and myself on the 23<sup>rd</sup> March 2009. This audit was in response to a complaint received of flies from the facility. The present of flies was confirmed during the site visit.

In the report I have highlighted a number of breaches to the conditions attached to the waste permit WP/019-02.

The conditions I have highlighted below will need to be addressed urgently.

**Condition 2.7 Environmental Management System (EMS)**

An EMS shall be in place within 6 months of grant of permit (28<sup>th</sup> November 2008)

Please ensure that this is implemented without delay.

Condition 2.7.1 Management and Reporting Structure

Condition 2.7.2 Environmental management Programme (EMP).

**Condition 3.10 Odour Control**

The permit holder shall manage/maintain the odour abatement system as outlined in the waste permit application. The odour control system provided shall be of sufficient design capacity to meet the requirements of Condition 3.20.2 and also Condition 7.4

All emissions shall be treated by the biofilter. There shall be no breach of emission limits set out under Schedule E3 of the Waste permit WP/019-02.

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**Please note that there shall be no fugitive emissions as observed on the day of visit through open doors.**

**Condition 3.20.2**

To provide for aerobic composting (indoor or outdoor), the Permit holder shall provide the composting material with:

a 5% minimum concentration of oxygen within the pore spaces,  
appropriate moisture levels,



pH 6.0-9.0

and appropriate C:N ratio.

***The next site visit will examine in detail that the above monitoring records are kept and that the facility can demonstrate compliance to Condition 3.20.2.***

***Condition 7-Emissions***

Condition 7.4 The Permit holder shall ensure that all operations on-site shall be carried out in a manner such that air emissions including dust and/or odours and/or noise do not result in significant impairment of or significant interference with amenities or the environment beyond the site boundary.

***Condition 9 -Monitoring***

Condition 9.2 Compost qualities shall be monitored at frequencies set out in *Schedule C: Compost Quality* of this permit.

I would like to remind you that this is a warning and should Miltown Composting Systems not address the breaches as outlined then the facility would be liable to prosecution under Section 39 (9) of the Waste Management Act, 1996 as amended.

***All of the above highlighted conditions shall be implemented by the 14<sup>th</sup> June 2009. Failure to do so could let to prosecution under the Waste Management Act, 1996 as amended.***

***Take note that*** under Section 39 (1) of Waste Management Act, 1996 as amended a person shall not dispose of or undertake the recovery of waste at a facility on or after such date as may be prescribed save under and in accordance with a licence under this Part (in this Act referred to as "waste licence") that is in force in relation to the carrying on of the activity concerned at that facility

Please note that you could be liable for prosecution under Section 39(9) of the Waste management Act 1996, as amended for contravention of Section 39 (1) of the Waste Management Act 1996 as amended,

***Take note that*** under Section 10 (1) a person guilty of an offence under this Act shall be liable-

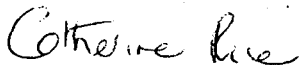
(a) on summary conviction, to a fine not exceeding €3,000 or to imprisonment for a term not exceeding 12 months or to both such fine and such imprisonment,

*or*

(b) on conviction on indictment to a fine not exceeding €15,000,000 or to imprisonment for a term not exceeding 10 years or to both such fine and such imprisonment.

Should you have any queries please contact me,

Regards,



Catherine Rice  
Environment

**Site Inspection Report**  
**Miltown Composting Systems**  
**Waste Permit number WP/019-02**

**Date of Visit:** 30<sup>th</sup> June 2009

**Time:** 11:20-12:30

**Auditor:** Catherine Rice

**Auditee:** Neil Barry (Facility Manager)

**Introduction:**

This inspection was to examine progress regarding installation of the biofilter and also the expansion of the compost bays at back of Shed 1.

**Observations:**

The public notice for the Waste Licence application with the EPA is damaged and needs to be replaced.

I experienced odour on driving from site entrance up to the facility. The wind was from the easterly direction. Strong odour present outside the facility.

**Process controls**

Temperature control panels for bay 1-14 have been wired and are recording temperature within bays. Fans are used to control the temperature.

The temperature control panel for the additional double bays at the back will need to be commissioned.

- Please have the calibration certificate for the temperature bays available at the next audit.
- Obtain and keep moisture meter on site.

**Records**

*Process records/Batch history*

Reviewed batch history of 150509.

There were 15 deliveries of waste material to fill this batch.

It took 4 days to fill a bay.

Temperature records were available 60C for achieved for 48 hours in twice.

- Carbon Dioxide records will need to be submitted.
- Obtain the C:N ratio of incoming materials
- Obtain results of last sample sent to Bord na Mona for analysis.

*Waste removed records*

96 consignments of material removed off site and also some brown bin compost sent to farm belonging to Cummins in Thurles.

- Please obtain details of quantities and also a nutrient management plan for this material.

- Delivery of erratics by CTO Greenclean delivery reference 775 – please obtain destination of the waste.
- Loads as of the 1<sup>st</sup> July 2009 will also have to be accompanied by Department of Agriculture form to demonstrate compliance with (Good Agricultural Practice) Regulations

In general good traceability of records for stabilised biowaste and erratics.

- Need to improve the records for loads sent for land spreading. All material sent for land spreading should received **prior** approval from South Tipperary County Council.

#### *In the processing sheds*

Shed 1 material being tipped over wall to double bay at back of shed.

Batch windrows were in use.

Worksheet is prepared at start of week indicating the batches and what requires turning.

I would suggest incorporating this into process control procedure

Shed 2 numerous flies present at finished compost.

- Contact pest Control Company and review operational process.

Process validation – need to take a number of samples from both single and double bays to demonstrate that the process is effective.

#### *Surface water drainage*

Discussed the location of the oil interceptor.

Location should be as required in Condition 3b of planning permission 08/834

- b) The applicant shall install and maintain silt traps and oil separator at the facility to ensure that **all** storm water discharges from the facility pass through a silt trap and oil separator in advance of discharge. The separator shall be a Class I full retention separator and the silt traps and separator shall be in accordance with I.S. EN 858-2:2003 (separator systems for light liquids).

Note planning permission required the silt trap and separator shall be installed within 4 weeks. Permission was granted on the 3<sup>rd</sup> March 2009

#### *Odour Control.*

The completion of the biofilter has been delayed due to price increase of the woodchips. The biofilter and associated air extraction system will need to be completed within 10 days of visit.

At present the odour control system as required under Condition 3.10 and the provision of silt trap and oil separators as required under Condition 3.15 will need to be addressed urgently.

I intend to revisit the site mid July 2009.

*Signed: Catherine Rice*

*Date 1<sup>st</sup> July 2009*