

Dr. John MacNamara
Bedminister International (Ireland) Limited
Oyster Point
Temple Road
Blackrock
County Dublin

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
Ceannteathrú, Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire
T: +353 53 60600
F: +353 53 60699
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

01/03/2005

212-1

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations, 2004

Dear Dr. MacNamara,

I am to refer to the above referenced application for a waste licence relating to a facility at Advanced Environmental Solutions (Ireland) Limited, Killowen, Portlaw, County Waterford. Having examined the documentation submitted, I am to advise that the Agency requires clarification with regard to the existing IPC licence which regulates this site and the remediation requirements considered necessary to restore the site to a satisfactory state. I am also to advise that the documentation does not comply with Article 12 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to take the steps and supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

- (i) Groundwater issues are presented only in terms of 1991 data as per Appendix 3.5 of the Environmental Impact Statement (EIS) and Section E.4 of the application documentation. In order to comply with Article 12(1)(t) of the Regulations, you are requested to provide a groundwater risk assessment of the impact of the previous activities on the facility with particular emphasis on possible chromium contamination of the soil and groundwater. Further to this provide the Agency with a groundwater protection response matrix for the site in terms of vulnerability and aquifer category.
- (ii) The Agency notes that there is an additional proposal for a Waste Water Treatment Plant (WWTP) with a throughput of 60,000m³ per annum as well as the compost facility for the handling of 40,000 tonnes per annum. Please advise the Agency of the Principal Activity in light of this information and state the classes of activity for the WWTP. The Agency further notes that you have not



applied for Classes 7 and 10 of the Third Schedule of the Waste Management Acts 1996 to 2003.

Given the significance of the activities at the WWTP the Agency will require further information to determine the emissions to the River Suir. It is noted in Section 3.10 of the EIS that only historical aspects are dealt with under Emissions to Waters (for IPC Licence Reg No. 238, Michell Ireland). The application does not deal with the particulars required under Article 12(1)(k) of the Regulations. Significant further information will be required to meet the terms of other Article conditions; particularly Article 12(1)(i),(j),(l),(m),(p) and (u). Please amend table H(1)(a) and Section 2.2.2 of the EIS regarding quantities of waste as no indication of waste water is listed. Furthermore it should be noted that the application documentation does not present the technology as complying with BAT for the WWTP activities, as per the Agency *Waste Water Treatment Manual for Primary, Secondary and Tertiary Treatment*.

- (iii) Flora and fauna issues are presented only in terms of 1991 data as per Appendix 3.3 of the EIS and as per Attachment E.2 of the application documentation. In order to comply with Article 12(1)(l) of the regulations, provide information regarding the status of surrounding lands and water bodies with regard to areas of special interest (i.e. SAC, NHA and SPA's).
- (iv) The issue of raw and ancillary materials, substances, preparations, fuels and energy is not sufficiently dealt with in Section A.9 of the application. In order to comply with Article 12(1)(i) and (p) of the Regulations, you are requested to provide details of all proposed areas for the storage and bunding of materials, substances, fuels and energy used during the construction and operation of the facility, as per the Agency guidance note on the *Storage and Transfer of Materials for Scheduled Activities, 2004*. Furthermore details of the projected energy consumption for the on-site activities should be outlined in the additional information.
- (v) In order to comply with Article 12(1) (l) of the Regulations, provide information on the capacity of the plant to deal with bioaerosol release to the environment. The information shall refer to the *Standardised Protocol for the Sampling and Enumeration of Airbourne Micro-organisms at Composting Facilities, The Composting Association, 1999*.

It has been noted that the Principal Activity may have to be amended and that various classes of disposal activity have not been applied for, furthermore you are required to submit significant further information regarding the Waste Water Treatment Plant. Therefore, the Agency wishes to inform you that the site notice and newspaper notice may have to be amended and republished under the terms of Article 8 and Article 16(2)(a) in the future. You will be advised accordingly on receipt of a satisfactory response to this notice.

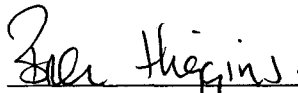
Your reply to this notice should include a revised non-technical summary (Application Form and Environmental Impact Statement) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the additional information in the form of a one original plus four copies within **eight weeks** of the date of this notice. In addition submit one hard copy and fifteen CD-ROM copies of the updated EIS to the Agency. The e-file should be saved as a 'pdf' file, read only status.

Please note that the application's register number is **212-1**. Please direct all correspondence in relation to this matter to the *Licensing Unit, Office of Licensing & Guidance, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Mr Breen Higgins
Inspector
Office of Licensing & Guidance