



Headquarters,
P.O. Box 3000,
Johnstown Castle Estate
County Wexford, Ireland

WASTE LICENCE
PROPOSED DECISION

Waste Licence

Register Number: 113-1

Applicant: KMK Metals Recycling Limited

Location of Facility: Cappincur Industrial Estate,
Daingean Road, Tullamore, Co. Offaly

INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

This waste licence is for the recovery of metallic waste at the facility of KMK Metals Recycling Limited. The facility will be permitted to accept up to 5,000 tonnes of wastes per annum for processing and recovery. Both hazardous and non-hazardous waste can be accepted at the facility. The waste activities permitted to be carried out at the facility include:

- the sorting and processing of metallic wastes for recovery; and
- the storage of metallic wastes for recovery.

The company has to keep records of waste intake and recovery, carry out regular environmental monitoring and submit all monitoring results and a number of reports on the operation and management of the facility to the Agency.

The conditions of this licence set out in detail the legal constraints under which KMK Metals Recycling Limited is allowed to operate and manage this facility.

Table of Contents

Page No.

| | |
|--|-----------|
| DECISION & REASONS FOR THE DECISION | 1 |
| <i>PART I ACTIVITIES LICENSED</i> | 1 |
| INTERPRETATION | 2 |
| <i>PART II CONDITIONS</i> | 4 |
| CONDITION 1 SCOPE OF THE LICENCE | 4 |
| CONDITION 2 MANAGEMENT OF THE FACILITY | 5 |
| CONDITION 3 FACILITY INFRASTRUCTURE | 6 |
| CONDITION 4 DECOMMISSIONING AND AFTERCARE | 9 |
| CONDITION 5 FACILITY OPERATIONS | 9 |
| CONDITION 6 EMISSIONS | 11 |
| CONDITION 7 NUISANCE CONTROL | 12 |
| CONDITION 8 MONITORING | 12 |
| CONDITION 9 CONTINGENCY ARRANGEMENTS | 13 |
| CONDITION 10 RECORDS | 14 |
| CONDITION 11 REPORTS AND NOTIFICATIONS | 15 |
| CONDITION 12 CHARGES AND FINANCIAL PROVISIONS | 16 |
| SCHEDULE A : Waste Acceptance | 18 |
| SCHEDULE B : Content of the Environmental Management Plan | 18 |
| SCHEDULE C : Specified Engineering Works | 19 |
| SCHEDULE D : Emission Limits | 19 |
| SCHEDULE E : Monitoring | 19 |
| SCHEDULE F : Recording and Reporting to the Agency | 22 |
| SCHEDULE G : Content of the Annual Environmental Report | 22 |

DECISION & REASONS FOR THE DECISION

The Environmental Protection Agency (the Agency) is satisfied, on the basis of the information available, that the waste activities, licensed hereunder will comply with the requirements of Section 40(4) of the Waste Management Act, 1996.

In reaching this decision the Agency has considered the application and supporting documentation received from the applicant, a submission from a third party and the report of its inspector.

Part I Activities Licensed

In pursuance of the powers conferred on it by the Waste Management Act, 1996, the Environmental Protection Agency proposes, under Section 40(1) of the said Act to grant this Waste Licence to KMK Metals Recycling Limited to carry on the waste activities listed below at KMK Metals Recycling Limited, Cappincur Industrial Estate, Daingean Road, Tullamore, County Offaly subject to twelve conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence.

Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Act 1996

| | |
|------------------|---|
| Class 3. | Recycling or reclamation of metals and metal compounds. This activity is limited to the recycling and reclamation of metals and metal compounds. |
| Class 4 | Recycling or reclamation of other inorganic materials. This activity is limited to the recovery of inorganic waste materials used in industry and non-hazardous and hazardous metal and metals compounds from inorganic waste materials. |
| Class 6 | Recovery of compounds used for pollution abatement. This activity is limited to the recovery of non-hazardous and hazardous metals from compounds used for pollution abatement for example filter and filter media. |
| Class 7 | Recovery of compounds from catalysts. This activity is limited to the recovery of non-hazardous and hazardous metals from catalytic material including automotive catalysts. |
| Class 11 | Use of waste obtained from any activity referred to in a preceding paragraph of this schedule. This activity is limited to the reuse of materials supplied under previous categories such as electronic components and equipment. |
| Class 12 | Exchange of waste for submission to any activity referred to in a preceding paragraph of this Schedule This activity is limited to the trading in metal commodities. |
| Class 13. | Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced. This is the principal activity and is limited to the storage of non-hazardous and hazardous metal, metal compounds and associated by-products intended for submission to activities such as described in the Fourth Schedule. |

INTERPRETATION

All terms in this licence should be interpreted in accordance with the definitions in the Waste Management Act, (the Act), unless otherwise defined in this section.

| | |
|---------------------------------------|--|
| Act | The Waste Management Act, 1996 (No. 10 of 1996) |
| Adequate lighting | 20 lux measured at ground level. |
| Aerosol | A suspension of solid or liquid particles in a gaseous medium. |
| Agreement | Agreement in writing. |
| Annually | At approximately twelve monthly intervals. |
| Application | The application by the licensee for this waste licence. |
| Appropriate facility | A waste management facility, duly authorised under relevant law and technically suitable. |
| Attachment | Any reference to Attachments in this licence refers to attachments submitted as part of the waste licence application. |
| Condition | A condition of this licence. |
| Containment boom | A boom which can contain spillages and prevent them from entering drains or watercourses. |
| Daytime | 8.00 a.m. to 10.00 p.m. |
| Documentation | Any report, record, result, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence. |
| Drawing | Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence. |
| Emergency | Those occurrences defined in Condition 9.4 |
| Emission Limits | Those limits, including concentration limits and deposition levels established in Schedule D: <i>Emission Limits</i> of this licence. |
| Environmental Pollution | As defined in Section 5(1) of the Act. |
| EPA Working Day | Refers to the following hours; 9.00 a.m. to 5.30 p.m. Monday to Friday inclusive. |
| European Waste Catalogue (EWC) | A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 94/3/EC and any subsequent amendment published in the Official Journal of the European Community. |
| Facility | That area or areas defined under Condition 1.2 of this licence. |

| | |
|------------------------------------|--|
| Hazardous Waste | As defined in Section 4(2) of the Act. |
| Hours of Operation | The hours during which the facility is authorised to be operational. The hours of operation of a facility are usually longer than the hours of waste acceptance to facilitate the processing of waste. |
| Hours of Waste Acceptance | The hours during which the facility is authorised to accept waste. |
| LEL (Lower Explosive Limit) | The lowest percentage concentration by volume of a mixture of flammable gas with air which will propagate a flame at 25°C and atmospheric pressure. |
| Licence | A Waste Licence issued in accordance with the Act. |
| Licensee | KMK Metals Recycling Limited |
| Liquid Waste | Any waste in liquid form and containing less than 2% dry matter. Any waste tankered to the facility. |
| List I/II Organics | Substances classified pursuant to EC Directives 76/464/EEC and 80/68/EEC. |
| Maintain | Keep in a fit state, including such regular inspection, servicing and repair as may be necessary to adequately perform its function. |
| Mobile Plant | Self-propelled machinery used for the emplacement of wastes or for the construction of specified engineering works. |
| Monthly | A minimum of 12 times per year, at approximately monthly intervals. |
| Night-time | 10.00 p.m. to 8.00 a.m. |
| Non-Hazardous Waste | Non-hazardous waste is any waste which is not a hazardous waste as defined in the Act. |
| Quarterly | At approximately three monthly intervals. |
| Recovery | As defined in Section 4(4) of the Act. |
| Sample(s) | Unless the context of this licence indicates to the contrary, samples shall include measurements by electronic instruments. |
| Specified Emissions | Those emissions listed in Schedule D: <i>Emission Limits</i> of this licence. |
| Specified Engineering Works | Those engineering works listed in Schedule C: <i>Specified Engineering Works</i> of this licence. |
| Trigger Level | A parameter value specified in the licence, the achievement or exceedance of which requires certain actions to be taken by the licensee. |
| United Nations Publication | “Recommendations on the Transport of Hazardous Goods: Model Regulations”, tenth revised edition, United Nations, 1997. |
| Waste | As defined in Section 4(1) of the Act. |

PART II CONDITIONS

CONDITION 1 SCOPE OF THE LICENCE

- 1.1. Waste activities at the facility shall be restricted to those listed and described in *Part I: Activities Licensed* and authorised by this licence.
- 1.2. For the purposes of this licence, the facility is the area of land outlined in red on the “Site Plan –Application to the EPA” (Drawing No. 9711/30 dated Feb 2000, submitted to the Agency with the covering letter dated the 1st March 2000) of the application. Any reference in this licence to “facility” shall mean the area thus outlined in red.
- 1.3. This licence is for the purposes of waste licensing under the Waste Management Act 1996 only and nothing in this licence shall be construed as negating the licensee’s statutory obligations or requirements under any other enactments or regulations.
- 1.4. Only those waste types and quantities listed in *Schedule A: Waste Acceptance* of this licence shall be recovered at the facility.
- 1.5. Waste Acceptance Hours and Hours of Operation
 - 1.5.1 Waste may only be accepted at the facility between the hours of 08:00 and 17:00, Monday to Friday (excluding bank holidays), and between the hours of 08.00 and 13.00 on a Saturday. In exceptional circumstances to facilitate transport arrangements and with prior notification to and agreement of the Agency, these hours can be extended to 07.00 to 19.00 Monday to Friday (excluding bank holidays).
- 1.6. The following shall constitute an incident for the purposes of this licence:
 - a) an emergency;
 - b) any emission which does not comply with the requirements of this licence; and,
 - c) any indication that environmental pollution has, or may have, taken place.
- 1.7. Where the Agency considers that a non-compliance with any condition of this licence has occurred, it may serve a notice on the licensee specifying:
 - 1.7.1 That only those wastes as specified, if any, in the notice are to be accepted / or not accepted at the facility after the date set down in the notice;
 - 1.7.2 That the licensee shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within the time-scale contained in the notice; and
 - 1.7.3 That the licensee shall carry out any other requirement specified in the notice.

When the notice has been complied with, the licensee shall provide written confirmation that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written permission is received from the Agency.
- 1.8. Every plan, programme or proposal submitted to the Agency for its agreement pursuant to any Condition of this licence shall include a proposed timescale for its implementation. The Agency may modify or alter any such plan, programme or proposal in so far as it considers such modification or alteration to be necessary and shall notify the licensee in writing of any such

modification or alteration. Every such plan, programme or proposal shall be carried out within the timescale fixed by the Agency but shall not be undertaken without the agreement of the Agency. Every such plan, programme or proposal agreed by the Agency shall be covered by the conditions of this licence.

REASON: To clarify the scope of this licence.

CONDITION 2 MANAGEMENT OF THE FACILITY

2.1 Facility Management

- 2.1.1 The licensee shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced, deputy shall be present on the facility at all times during its operation.
- 2.1.2 Both the facility manager and deputy, and any replacement manager or deputy, shall successfully complete both the FÁS waste management training programme (or equivalent agreed with the Agency) and associated on site assessment appraisal within twelve months of the date of grant of this licence, or within twelve months of their appointment if subsequent to the date of grant of this licence.
- 2.1.3 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience, as required and shall be aware of the requirements of this licence.

2.2 Management Structure

- 2.2.1 Within three months of the date of grant of this licence, the licensee shall submit written details of the management structure of the facility to the Agency. Any proposed replacement in the management structure shall be notified in advance in writing to the Agency. Written details of the management structure shall include the following information
 - a) the names of all persons who are to provide the management and supervision of the waste activities authorised by the licence, in particular the name of the facility manager and any nominated deputies;
 - b) details of the responsibilities for each individual named under a) above; and
 - c) details of the relevant education, training and experience held by each of the persons nominated under a) above.

2.3 Environmental Management System (EMS)

- 2.3.1 The licensee shall establish and maintain an EMS. Within twelve months from the date of grant of this licence, the licensee shall submit to the Agency for its agreement a proposal for a documented Environmental Management System (EMS) for the facility. Following the agreement of the Agency, the licensee shall establish and maintain such a system. The EMS shall be updated on an annual basis with amendments being submitted to the Agency for its agreement.
- 2.3.2 The EMS shall include as a minimum the following elements:

2.3.2.1 Schedule of Environmental Objectives and Targets

The objectives should be specific and the targets measurable. The Schedule shall address a five-year period as a minimum. The Schedule shall include a time-scale for achieving the objectives and targets and shall comply with any other written guidance issued by the Agency.

2.3.2.2 Environmental Management Plan (EMP)

The EMP shall include, as a minimum, the following:

(i) the items specified in Schedule B: *Content of the Environmental Management Plan* of this licence;

(ii) methods by which the objectives and targets will be achieved and the identification of those responsible for achieving those objectives and targets;

(iii) any other items required by written guidance issued by the Agency.

2.3.2.3 Corrective Action Procedures

The Corrective Action Procedures shall detail the corrective actions to be taken should any of the procedures detailed in the EMS not be followed.

2.3.2.4 Awareness and Training Programme

The Awareness and Training Programme shall identify training needs, for personnel who work in or have responsibility for the licensed facility.

2.4 Communications Programme

2.4.1 The licensee shall establish and maintain a Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility. This shall be established within six months of granting of the licence.

REASON: To make provision for the proper management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.

CONDITION 3 FACILITY INFRASTRUCTURE

3.1 The licensee shall establish all infrastructure referred to in this licence prior to the commencement of the licensed activities or as required by the conditions of this licence.

3.2 Specified Engineering Works

3.2.1 The licensee shall submit proposals for all Specified Engineering Works, as defined in Schedule C: *Specified Engineering Works* of this licence, to the Agency for its agreement at least two months prior to the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.

3.2.2 All specified engineering works shall be supervised by a competent person(s) and that person, or persons, shall be present at all times during which relevant works are being undertaken.

- 3.2.3 Following the completion of all specified engineering works, the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall include the following information;
- a) a description of the works;
 - b) as-built drawings of the works;
 - c) records and results of all tests carried out (including failures);
 - d) drawings and sections showing the location of all samples and tests carried out;
 - e) daily record sheets/diary;
 - f) name(s) of contractor(s)/individual(s) responsible for undertaking the specified engineering works;
 - g) name(s) of individual(s) responsible for supervision of works and for quality assurance validation of works;
 - h) records of any problems and the remedial works carried out to resolve those problems; and
 - i) any other information requested in writing by the Agency.

3.3 Facility Notice Board

3.3.1 Within three months of the date of grant of this licence, the licensee shall provide and maintain a Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm.

3.3.2 The board shall clearly show:

- a) the name and telephone number of the facility;
- b) the normal hours of opening;
- c) the name of the licence holder;
- d) an emergency out of hours contact telephone number;
- e) the licence reference number; and
- f) where environmental information relating to the facility can be obtained.

3.4 Facility Security

3.4.1 Security fencing and gates shall be maintained as described in Attachment D.1a of the application.

3.4.2 The licensee shall remedy any defect in the gates and/or fencing as follows:

- a) a temporary repair shall be made by the end of the working day; and,
- b) a repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

3.4.3 Gates shall be locked shut when the facility is unsupervised.

3.5 Facility Office

3.5.1 The licensee shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.

- 3.5.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.
- 3.6 Waste Storage and Quarantine Areas
- 3.6.1 Waste Storage Areas, Waste Inspection and Quarantine Areas shall be provided and maintained at the facility as described in Attachment D.1 of the application. These areas shall be maintained in a manner suitable, and be of a size appropriate, for the storage and quarantine of waste. The Waste Storage Areas and Waste Quarantine Area shall be clearly identified and segregated from each other.
- 3.6.2 Appropriate infrastructure shall be provided and maintained for the storage of incompatible substances. The infrastructure shall be provided and maintained such that no mixing of incompatible substances, as a result of spillages or otherwise, shall take place.
- 3.7 Oil Interceptor
- 3.7.1 The licensee shall maintain a silt trap and oil interceptor on the surface water drainage system to ensure that all surface water discharges from the forecourt passes through a silt trap and oil interceptor prior to discharge. The silt trap and oil interceptor shall be as described in attachment D.1(1)(a) of the application, and upgraded as appropriate to meet the Class 1 full retention interceptor standard specified in the European Standard prEN 858 (installations for the separation of light liquids).
- 3.7.2 The oil interceptor shall be maintained in accordance with the instructions supplied by the manufacturer/supplier or installer. All records shall be kept on site of the maintenance of the interceptor.
- 3.8 All foul sewer gullies drainage grids and manhole covers shall be painted with red squares. All surface water discharge gullies drainage grids and manhole covers shall be painted with blue triangles. These colour codes shall be maintained so as to be visible at all times, and any identification designated in this licence shall be inscribed on these manholes.
- 3.9 The electric drying equipment may be installed in the wet process area of warehouse B (equipment as described in the Article 14 information submitted to the Agency on the 1st March 2000 (Item No. 1 – Electric Drying Equipment e.g. Harter type drier). Only two such dryers shall be installed, unless the licensee receives prior agreement from the Agency. No sludges or wastes containing oils or solvents shall be processed using the dryers and all condensate shall be collected for disposal off-site.
- 3.10 Tank and Drum Storage Areas
- 3.10.1 All tank and drum storage areas shall be rendered impervious to the materials stored therein.
- 3.10.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
- (a) 110% of the capacity of the largest tank or drum within the bunded area; or
 - (b) 25% of the total volume of substance which could be stored within the bunded area.
- 3.10.3 All drainage from bunded areas shall be diverted for collection and safe disposal.
- 3.10.4 All inlets, outlets, vent pipes, valves and gauges and wet processes must be within the bunded area.
- 3.10.5 The integrity and water tightness of all the bunds and their resistance to penetration by water or other materials stored therein shall be confirmed by the licensee and shall be

reported to the Agency within twelve months of the date of grant of this licence. This confirmation shall be repeated at least once every three years thereafter and reported to the Agency on each occasion.

3.10.6 The two storage tanks for diesel and heating oil as described in Attachment D.1(g) of the application shall be located in Bay C12 of the warehouse, unless otherwise agreed with the Agency.

3.10.7 All tanks and containers shall be labelled to clearly indicate their contents.

REASON: To provide appropriate infrastructure for the protection of the environment.

CONDITION 4 DECOMMISSIONING AND AFTERCARE

4.1 A Decommissioning and Aftercare Plan for the facility shall be as submitted to the Agency within six months of the date of grant of this licence. This plan shall form part of the Environmental Liabilities Risk Assessment Report required under Condition 12.2.1. The licensee shall update this plan when required in writing by the Agency and submit proposed amendments to the Agency for its agreement.

REASON: To provide for decommissioning of the facility and aftercare of the site on which the facility is located.

CONDITION 5 FACILITY OPERATIONS

5.1 Only those waste types listed in Schedule A: *Waste Acceptance* of this licence shall be accepted for recovery at the facility. Unsegregated household, municipal, commercial or industrial waste, potentially infectious healthcare risk waste, sewage waste including sewage sludge, asbestos, inorganic waste from thermal processes, liquid waste, solvents or pesticide waste (other than metallic waste for recovery which may contain trace or low level of solvents), explosive waste or waste for disposal shall not be accepted at the facility.

5.2 The quantity of waste to be accepted at the facility shall not exceed 5,000 tonnes per annum. The total quantity of waste stored at the facility shall not exceed 500 tonnes at any one time, unless otherwise agreed with the Agency.

5.3 No waste shall be accepted at the facility except where:

5.3.1 Information on the characteristics of the waste in terms of its nature, constituents and contaminants has been pre-notified to the licensee prior to the arrival of waste at the facility;

5.3.2 The waste has been classified in accordance with the UN publication (Recommendations on the Transport of Hazardous Goods: Model Regulations, tenth revised edition, United Nations 1997) and fully characterised and, where necessary and particularly in the case of new customers or waste types, its characteristics and hazardous properties confirmed by the licensee by sampling and analysis in advance and upon arrival at the facility.

5.3.3 The content of individual waste shipments have been verified by the licensee by inspection and where appropriate by sampling and analysis of the waste upon its arrival at the facility;

- 5.3.4 A designated and suitable Waste Storage Area is available at the facility, and a designated waste quarantine area is immediately available at the facility for any waste which does not conform to the pre-notification requirements of this licence and which cannot otherwise be accepted at the facility in accordance with this licence;
 - 5.3.5 The waste is capable of being recovered in accordance with the conditions of the licence and licensee has identified an outlet for the recovery of the waste; and,
 - 5.3.6 The Agency has agreed the processing procedure for any new hazardous waste types not already accepted at the facility.
- 5.4 Storage of waste
- 5.4.1 Waste accepted at the facility shall only be stored in the designated Waste Storage Areas.
 - 5.4.2 All waste processing shall be carried out inside the warehouse building and only large pieces of machinery awaiting dismantling may be stored outside the warehouse building.
 - 5.4.3 No hazardous waste shall be stored outside the warehouse building.
 - 5.4.4 Any waste which is deemed (i) unsuitable for such treatment or processing and/or (ii) to contravene any condition of this licence shall be immediately separated, stored in the Waste Quarantine Area and, at the earliest possible time removed from the facility to an appropriate facility.
 - 5.4.5 No waste shall be stored at the facility for longer than six months, unless otherwise agreed with the Agency.
 - 5.4.6 The licensee shall take precautions to prevent accidental ignition or reaction of ignitable or reactive waste. The waste shall be separated and protected from sources of ignition or reaction including but not limited to: open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (static, electrical or mechanical), spontaneous ignition (e.g. from heat-producing chemical reactions) and radiant heat.
- 5.5 Labelling of containers, drums and tanks
- 5.5.1 No container (including drums and tanks) shall be accepted at the facility whose contents are unknown and whose contents are not clearly displayed on a label.
 - 5.5.2 All containers, including waste and fuel storage drums and tanks, shall be labelled to clearly indicate their contents. During storage, each container shall be accessible to allow for the reading of the label.
- 5.6 All containers accepted or handled at the facility shall be whole and sound. Any leaking or otherwise ruptured containers shall immediately be overdrummed or the contents transferred to a sound container in a manner, which will not adversely affect the environment. During storage each drum or container shall be accessible for identification purposes. Waste shall be stored only in racked shelving so as not to impede access.
- 5.7 Waste acceptance, analysis and handling
- 5.7.1 Waste acceptance, analysis and handling shall be as described in Attachment D.2 (Facility Operation), Attachment D.3 (Materials Management) and Attachment E.2 (Waste Acceptance Procedures) of the application, unless otherwise agreed with the Agency. The Agency shall be informed of any changes to the processes or procedures specified in the application. The procedures shall take into account the requirements of the conditions of this licence and shall be developed as part of the EMS.

5.8 Waste treatment and processing

- 5.8.1 Waste treatment and processing shall be as outlined in Attachment D.3 (Materials Management) of the application. The Agency shall be informed of any changes to the waste treatment and treatment processing specified in the application.
- 5.8.2 The handling and processing of hazardous waste types that are presently not accepted at the facility shall be as detailed in Item No. 2. of the Article 14 information submitted to the Agency on the 1st March 2001 (*Handling and processing of hazardous waste types that are presently not received at the facility*).
- 5.8.3 Prior to the acceptance of any new category of hazardous waste at the facility (i.e. any of the new waste types identified in the application) written procedures for the treatment and processing of such wastes shall be submitted to the Agency for its agreement.
- 5.8.4 Written procedures shall be maintained and developed to ensure that incompatible substances are not mixed.

5.9 Off-site Disposal and Recovery

- 5.9.1 Waste sent off-site for recovery or disposal shall only be conveyed by a waste contractor agreed by the Agency;
- 5.9.2 All waste transferred from the facility shall only be transferred to an authorised and appropriate facility agreed by the Agency.
- 5.9.3 All wastes removed off-site for recovery or disposal shall be transported from the facility to the consignee in a manner which will not adversely affect the environment.

5.10 Maintenance

- 5.10.1 All treatment/abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer. Written records of the calibrations and maintenance shall be made and kept by the licensee.
- 5.10.2 The licensee shall maintain and clearly label and name all sampling and monitoring locations.

REASON: To provide for appropriate operation of the facility to ensure protection of the environment.

CONDITION 6 EMISSIONS

- 6.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule D: Emission Limits* of this licence. There shall be no other emissions of environmental significance.
- 6.2 The licensee shall ensure that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the facility boundary.
- 6.3 There shall be no clearly audible tonal component or impulsive component in the noise emissions from the facility at noise sensitive locations.

- 6.4 There shall be no direct emissions to atmosphere other than those from the heating boiler outlet.
- 6.5 There shall be no direct emissions to groundwater. No potentially polluting substance or matter shall be permitted to discharge to ground or groundwater.
- 6.6 Only surface water runoff from the roof and forecourt shall be allowed to discharge to the surface water drainage system. No potentially polluting substance or matter shall be permitted to discharge to on-site or off-site surface waters or to storm drains.
- 6.7 Non-trade effluent wastewater (e.g. fire water, accidental spillage) which occurs on site shall not be discharged to the surface water without the prior authorisation of the Agency. The Agency shall be notified of such an event.

REASON: To control emissions from the facility and provide for the protection of the environment.

CONDITION 7 NUISANCE CONTROL

- 7.1 The licensee shall ensure that, noise, dust litter and odours do not give rise to nuisance at the facility or in the immediate area of the facility. Any method used by the licensee to control any such nuisance shall not cause environmental pollution.
- 7.2 Any loose litter accumulated within the facility and its environs shall be removed and appropriately disposed of on a daily basis.
- 7.3 The licensee shall ensure that all vehicles delivering waste to and removing waste from the facility are appropriately covered.
- 7.4 Dust Emission Control
- 7.4.1 The warehouse floor and forecourt shall be cleaned on a regular basis.
- 7.4.2 Dust that is created during the processing of waste shall be swept up and returned to the repackaged waste.
- 7.4.3 Operation specific extraction equipment shall be used when processing dusty waste.
- 7.4.4 All potentially dusty waste shall be kept in sealed container or bags and shall be stored and processed away from the main entrance to the warehouse.
- 7.4.5 The external doorway to the warehouse shall be fitted with heavy-duty strip curtain doors internally. Strip curtain doors shall be properly maintained and kept in place when the doors are open.

REASON: To provide for the control of nuisances.

CONDITION 8 MONITORING

- 8.1 The licensee shall carry out such monitoring and at such locations and frequencies as set out in *Schedule E: Monitoring* and as specified in this licence. Unless otherwise specified by this licence, all environmental monitoring shall commence no later than two months after the date of grant of this licence.

- 8.2 The licensee shall amend the frequency, locations, methods and scope of monitoring as required by this licence only upon the written instruction of the Agency and shall provide such information concerning such amendments as may be requested in writing by the Agency. Such alterations shall be carried out within any timescale nominated by the Agency.
- 8.3 Monitoring and analysis equipment shall be operated and maintained in accordance with the manufacturers' instructions (if any) so that all monitoring results accurately reflect any emission, discharge or environmental parameter.
- 8.4 The licensee shall provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.
- 8.5 Nuisance Monitoring
- 8.5.1 The licensee shall, at a minimum of one week intervals, inspect the facility and its immediate surrounds for nuisances caused by litter, dust and odours.

REASON: To ensure compliance with the conditions of this licence by provision of a satisfactory system of monitoring of emissions.

CONDITION 9 CONTINGENCY ARRANGEMENTS

- 9.1 In the event of an incident the licensee shall immediately:
- a) identify the date, time and place of the incident;
 - b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
 - c) isolate the source of any such emission;
 - d) evaluate the environmental pollution, if any, caused by the incident;
 - e) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
 - f) provide a proposal to the Agency for its agreement within one month of the incident occurring to:
 - (i) identify and put in place measures to avoid reoccurrence of the incident; and
 - (ii) identify and put in place any other appropriate remedial action.
- 9.2 The licensee shall, within six months of the date of grant of this licence, submit a written Emergency Response Procedure (ERP) to the Agency for its agreement. The ERP shall address any emergency situations, which may originate on the facility and shall include provision for minimising the effects of any emergency on the environment. This shall include a risk assessment to determine the requirements at the facility for fire fighting and firewater retention facilities. This risk assessment shall have regard to published EPA guidance on requirements for firewater retention facilities. The Fire Authority shall be consulted by the licensee during this assessment.
- 9.3 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be disposed of at an appropriate facility.

9.4 Emergencies

- 9.4.1 All significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.
- 9.4.2 No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.

REASON: To ensure compliance with the conditions of this licence by provision of a satisfactory system of monitoring of emissions.

CONDITION 10 RECORDS

- 10.1 The licensee shall keep the following documents at the facility office.
- the current waste licence relating to the facility;
 - the current EMS for the facility;
 - the previous year's AER for the facility;
 - all written procedures produced by the licensee, which relate to the licensed activities.
- 10.2 The licensee shall maintain a written record for each load of waste arriving and leaving the facility. These records shall be kept for a period of not less than three years. The licensee shall record the following:
- the time and date;
 - the name of the carrier (including if appropriate, the waste carrier registration or collection permit details);
 - the vehicle registration number;
 - the name of the producer(s)/collector(s) of the waste as appropriate;
 - a description of the waste including the associated EWC codes;
 - a pre-notification form number;
 - a consignment note number (including C1, transfrontier shipment notification and movement/tracking form numbers, as appropriate);
 - the quantity of the waste, recorded tonnes and the number and type of containers;
 - the name of the person checking the load;
 - the methods of dealing with the waste (e.g. procedure reference), sampling and testing results where applicable;
 - the destination of the outgoing waste (including facility name and waste licence or permit number as appropriate);
 - where loads or wastes are removed or rejected, details of the date of occurrence, the types of waste and the facility to which they were removed; and,
 - written confirmation that consigned waste has reached its destination and/or has been subjected to recovery processes for which it was destined, as appropriate.

10.3 Written Records

The following written records shall be maintained by the licensee:

- a) the types and quantities of waste recovered at the facility each year and the details required by Condition 10.2 above. These records shall include the relevant EWC Codes;
- b) all training undertaken by facility staff;
- c) results from all integrity tests of bunds and other structures and any maintenance or remedial work arising from them;
- d) details of all nuisance inspections; and
- e) the names and qualifications of all persons who carry out all sampling and monitoring as required by this licence and who carry out the interpretation of the results of such sampling and monitoring.

10.4 The licensee shall maintain a written record of all complaints relating to the operation of the activity. Each such record shall give details of the following:

- a) date and time of the complaint;
- b) the name of the complainant;
- c) details of the nature of the complaint;
- d) actions taken on foot of the complaint and the results of such actions; and,
- e) the response made to each complainant.

REASON: To provide for the keeping of proper records of the operation of the facility.

CONDITION 11 REPORTS AND NOTIFICATIONS

11.1 Unless otherwise agreed by the Agency, all reports, monitoring results and notifications submitted to the Agency shall:

- a) be sent to the Agency's headquarters;
- b) comprise one original and three copies unless additional copies are required;
- c) be formatted in accordance with any written instruction or guidance issued by the Agency;
- d) include whatever information as is specified in writing by the Agency;
- e) be identified by a unique code, indicate any modification or amendment, and be correctly dated to reflect any such modification or amendment;
- f) be submitted in accordance to the relevant reporting frequencies specified by this licence, such as in Schedule F: *Recording and Reporting to the Agency* of this licence;
- g) be accompanied by a written interpretation setting out their significance in the case of all monitoring data; and
- h) be transferred electronically to the Agency's computer system if required by the Agency.

11.2 In the event of an incident occurring on the facility, the licensee shall:

- a) notify the Agency as soon as practicable and in any case not later than 10.00 am the following working day after the occurrence of any incident;

- b) submit a written record of the incident, including all aspects described in Condition 9.1(a-e), to the Agency as soon as practicable and in any case within five working days after the occurrence of any incident; and
- c) in the event of any incident which relates to discharges to surface/sewer water, notify Offaly County Council and the Eastern Regional Fisheries Board as soon as practicable and in any case not later than 10:00am on the following working day after such an incident.
- d) Should any further actions be taken as a result of an incident occurring, the licensee shall forward a written report of those actions to the Agency as soon as practicable and no later than ten days after the initiation of those actions.

11.3 Annual Environmental Report

11.3.1 The licensee shall submit to the Agency for its agreement, within thirteen months from the date of grant of this licence, and within one month of the end of each year thereafter, an Annual Environmental Report (AER).

11.3.2 The AER shall include as a minimum the information specified in Schedule G: *Content of the Annual Environmental Report* and shall be prepared in accordance with any relevant written guidance issued by the Agency.

REASON: To provide for proper report to and notification of the Agency.

CONDITION 12 CHARGES AND FINANCIAL PROVISIONS

12.1 Agency Charges

12.1.1 The licensee shall pay to the Agency an annual contribution of **£4,523 (€5,744)** or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2002 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2001, the licensee shall pay a pro rata amount from the date of this licence to 31st December. This amount shall be paid to the Agency within one month of the date of grant of this licence.

12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased the licensee shall contribute such sums as determined by the Agency to defraying its costs.

12.2 Financial Provision for Closure, Restoration and Aftercare

12.2.1 The licensee shall arrange for the completion of a comprehensive and fully costed Environmental Liabilities Risk Assessment for the facility which will address liabilities arising from the carrying on of the activities to which this licence relates. A report on this assessment shall be submitted to the Agency for its agreement within six months of date of grant of this licence.

- 12.2.2 Within nine months of the date of grant of this licence, the licensee shall make a Proposal for Financial Provision to the Agency for its agreement to cover any liabilities incurred by the licensee in carrying on the activities to which this licence relates. Such provision shall be maintained by the licensee unless otherwise agreed by the Agency.
- 12.2.3 The amount of financial provision, held under condition 12.2.2 shall be reviewed and revised as necessary, but at least annually. Any proposal for such a revision shall be submitted to the Agency for its agreement.
- 12.2.4 The licensee shall within two weeks of purchase, renewal or revision of the financial provision required under condition 12.2.2, forward to the Agency written proof of such indemnity.

REASON: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.

SCHEDULE A : Waste Acceptance

A.1 Waste Acceptance

Table A.1 Waste Categories and Quantities

| WASTE TYPE | MAXIMUM (TONNES PER ANNUM) |
|---|----------------------------|
| <p>Subject to any specific condition of this licence, only the Hazardous and Non-Hazardous metals, metals compounds and associated by-products listed in the following sections of the waste licence application shall be accepted for recovery at the facility;</p> <p>Table E.1.1 (Waste Categories and Quantities); Table E.1.2 (Hazardous Waste Types and Quantities); Table E.1.3 (Non-Hazardous Waste Types); and, Attachment E.1 (Waste Types).</p> | 5,000 |

SCHEDULE B : Content of the Environmental Management Plan

| Environmental Management Programme |
|---|
| <p>Details of Operator Name and Address of operator and site. Included should be contact names in respect of persons with managerial responsibility for site operations, including the facility manager. Relevant telephone numbers should also be given. All relevant drawings should be included in the EMP.</p> <p>Types of Waste Accepted A detailed description of the types of waste that can be accepted at the facility.</p> <p>Quantity of Wastes Accepted Details should be given on the annual quantity of waste taken into the facility.</p> <p>Engineering Details Details of all significant site engineering works should be included. Where applicable the information should cover:</p> <ul style="list-style-type: none"> • fencing, gates and other security. • offices, fuel stores etc. • site infrastructure etc. • designated Waste Storage Areas, Waste Quarantine Areas and product storage areas. <p>Operational Matters These should include:</p> <ul style="list-style-type: none"> • description of the operations. • measures for the control of environmental nuisances. • measures for the control of emissions. • site opening and operating times. • access control. • waste acceptance procedures. • procedures for dealing with unacceptable wastes. • procedure for the handling of leaking or otherwise ruptured containers. • procedure for ensuring that no mixing of incompatible substances, as a result of spillages or otherwise, shall take place. • equipment to be utilised. • site personnel, including qualifications, duties and responsibilities. • monitoring and maintenance procedures. • trigger levels for emissions. • operational and safety rules (including safety statement). • emergency procedures. |

- energy efficiency measures.

Objectives and Targets

Timescale for achieving the objectives and targets listed in the Schedule of Objectives and Targets.
 Designation of Responsibility for Achieving Targets and Objectives.
 Reduction in fugitive emissions including, in particular, the use of closed loop systems where appropriate.

Other items specified by the Agency

SCHEDULE C : Specified Engineering Works

| Specified Engineering Works |
|--|
| Development of Waste Storage Areas and Waste Quarantine Areas. |
| Development of waste processing capacity. |
| Installation of waste processing or other equipment. |
| Installation of sumps, bunds or other drainage controls. |
| Installation of emissions control and/or monitoring systems. |
| Any other works notified in writing by the Agency. |

SCHEDULE D : Emission Limits

D.1 Dust Deposition Limits:

| Level (mg/m ² /day) ^{Note 1} |
|--|
| 350 |

Note 1: 30 day composite sample with the results expressed as mg/m² /day.

SCHEDULE E : Monitoring

Monitoring to be carried out as specified below.

E.1 Dust

Dust monitoring locations shall be those shown on the drawing in Attachment J: Environmental Monitoring Points of the application, and as set out in Table E.1.1 for the parameters and frequencies outlined in Table E.1.2.

Table E.1.1 Dust Monitoring Locations

| STATIONS | |
|----------|----|
| D1 | D4 |
| D2 | D5 |

Table E.1.2 Dust Monitoring Frequency and Technique

| Parameter (mg/m ² /day) | Monitoring Frequency | Analysis Method/Technique |
|------------------------------------|-------------------------------|-----------------------------------|
| Dust ^{Note 3} | Once a year ^{Note 1} | Standard Method ^{Note 2} |

Note 1: During the period May to September, or as otherwise specified in writing by the Agency using the Bergerhoff Method.

Note 2: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute). A modification (not included in the standard) which 2 methoxy ethanol may be employed to eliminate interference due to algae growth in the gauge.

Note 3: Deposited dust shall be analysed for the metal content (Al, As, Cd, Cr, Cu, Fe, Hg, Ni, Pb and Zn).

E.2: Surface water

Monitoring Locations: Surface water monitoring locations shall be those as set out in Table E.2.1 and as shown on the drawing in Attachment J: Environmental Monitoring Points of the application.

Monitoring Frequency: The parameters and frequency of monitoring is outlined in Table E.4.

Table E.2.1 Surface Water Monitoring Locations

| STATION | EASTING | NORTHING |
|---|---------|----------|
| RO (Run-off water sampling point – inspection manhole) | Note 1 | Note 1 |
| SW u/s (land drain sampling point 4m upstream of KMK discharge point) | Note 1 | Note 1 |
| SW d/s (land drain sampling point 1m downstream of KMK discharge point) | Note 1 | Note 1 |

Note 1: Grid references to be confirmed and supplied with the first set of monitoring results.

E.3: Monitoring of Groundwater Quality

Monitoring Locations: Groundwater water monitoring locations shall be those as set out in Table E.3.1 and as shown on the drawing in Attachment J: Environmental Monitoring Points of the application.

Monitoring Frequency: The parameters and frequency of monitoring is outlined in Table E.4.

Table E.3.1 Groundwater Monitoring Locations

| STATION | EASTING | NORTHING |
|-------------------|--|----------|
| GW (Well on site) | Grid reference to be submitted along with the first set of monitoring results. | |

Table E.4 Surface Water and Groundwater - Parameters / Frequency

| Parameter (Note 1) | SURFACE WATER | GROUNDWATER |
|--|----------------------|----------------------|
| | Monitoring Frequency | Monitoring Frequency |
| Visual Inspection / Odour | Monthly | Annually |
| Groundwater Level | N/A* | Annually |
| Ammoniacal Nitrogen | Twice Yearly | Annually |
| BOD | Twice Yearly | N/A |
| Suspended Solids | Twice Yearly | N/A |
| Dissolved Oxygen | Annually | N/A |
| Chloride | Annually | Annually |
| Electrical Conductivity | Twice Yearly | Annually |
| pH | Twice Yearly | Annually |
| Metals (Al, As, Cr, Cu, Fe, Hg, Ni, Pb and Zn) | Twice Yearly | Annually |
| Potassium | N/A | Annually |
| Total / Faecal Coliforms | N/A | Annually |

* N/A means not applicable

Note 1. A competent laboratory using standard and internationally accepted procedures shall carry out all the analysis. The testing laboratory and the testing procedures shall be agreed in writing with the Agency in advance.

E.5: Monitoring of noise

Noise Monitoring Points shall be those as set out in Table E.5.1 and as shown and as shown on the drawing in Attachment J: Environmental Monitoring Points of the application

Table E.5.1 Noise Monitoring Locations

| STATION | EASTING | NORTHING |
|------------------------------|---|----------|
| Noise monitoring location N1 | Grid references to be submitted along with the first set of monitoring results. | |
| Noise monitoring location N2 | | |
| Noise monitoring location N3 | | |
| Noise monitoring location N4 | | |

Table E.5.2 Noise monitoring

| Parameter | Monitoring frequency | Analysis method or technique |
|--|----------------------|------------------------------|
| L(A)_{EQ} [30 minutes] | Annually | Standard ^{Note 1} |
| L(A)₁₀ [30 minutes] | Annually | Standard ^{Note 1} |
| L(A)₉₀ [30 minutes] | Annually | Standard ^{Note 1} |
| Frequency analysis (1/3 octave band analysis) | Annually | Standard ^{Note 1} |

Note 1: International Standards Organisation. ISO 1996. Acoustics - Description and Measurement of Environmental Noise. Parts 1, 2 and 3.

SCHEDULE F : Recording and Reporting to the Agency

| Report | Reporting Frequency^{Note 1} | Report Submission Date |
|--|---|--|
| Environmental Management System Updates | Annually | One month after the end of the year reported on. |
| Annual Environment Report (AER) | Annually | Thirteen months from the date of grant of licence and one month after the end of each year thereafter. |
| Record of incidents | As they occur | Within five days of the incident. |
| Bund, tank and container integrity assessment | Every three years | Six months from the date of grant of licence and one month after end of the three year period being reported on. |
| Specified Engineering Works reports | As they arise | Prior to the works commencing. |
| Environmental Monitoring (Dust, Surface Water, Groundwater and Noise) | Annually | One month after end of the year being reported on. |
| Any other monitoring | As they occur | Within ten days of obtaining results. |

Note 1: Unless altered at the request of the Agency

SCHEDULE G : Content of the Annual Environmental Report

| Annual Environmental Report Content |
|--|
| Reporting Period. |
| Waste activities carried out at the facility. |
| Quantity and Composition of waste received, disposed of and recovered during the reporting period and each previous year. |
| Quantity and nature of wastes dispatched from the facility for recovery or disposal. |
| Summary report on emissions. |
| Summary of results and interpretation of environmental monitoring. |
| Resource and energy consumption summary. |
| Proposed development of the facility and timescale of such development. |
| Report on development works undertaken during the reporting period and a timescale for those proposed during the coming year. |
| Estimated annual and cumulative quantity of indirect emissions to groundwater. |
| Report on the progress towards achievement of the Environmental Objectives and Targets contained in previous year's report. |
| Schedule of Environmental Objectives and Targets for the forthcoming year. |
| Full title and a written summary of any procedures developed by the licensee in the year, which relates to the facility operation. |
| Tank, pipeline and bund testing and inspection report. |
| Reported incidents and complaints summaries. |
| Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information. |
| Report on training of staff. |
| Any other items specified by the Agency. |

Signed on behalf of the said Agency _____

on the 31 August 2001

Larry Kavanagh Authorised Person