

<b>MEMO</b>			
<b>TO:</b>	Board of Directors	<b>FROM:</b>	Technical Committee
<b>CC:</b>		<b>DATE:</b>	6/2/03
<b>SUBJECT :</b> Technical Committee Report on Objections to Proposed Decision – Reg. No. 148-1.			

Application Details	
Applicant:	Dean Waste Company Limited
Location of Activity:	Townlands of Carrowmoneash, Oranmore, Co. Galway
Proposed Decision issued:	23 <sup>rd</sup> August 2002
Objections received:	1 received
Submissions on objections received:	None
Inspector:	Cormac MacGearailt

**Objections Received:**

One objection was received by the Agency. The objection received was submitted by Geoff Parker c/o Environment and Resource Management Ltd. on behalf of the applicant, Dean Waste Company Limited.

**Consideration of the objections**

The Technical Committee (Brian Donlon, Chairperson, Kealan Reynolds and John Gibbons, committee members) has considered all of the issues raised and this report details the Committee's recommendations following the examination of the objections and submissions on objections.

**Objection from Environment and Resource Management Ltd. on behalf of Dean Waste Company Ltd.**

**Ground 1 (Condition 1.6)**

*The objector states that the processing of waste at the facility should be allowed from 7.00am to 10.00pm unlike the hours set out in the Proposed Decision which are 1 hour less at 8.00am to 10.00pm. The objector states that such a change should be made as (i) night time noise levels were assessed in the waste licence application (ii) the facility is located in an industrial area, (iii) The waste processing will occur within the waste transfer building that will include sound insulation as per the Proposed Decision and that (iv) the Proposed Decision allows the movement of waste vehicles onto the facility from 5.00am to 8.00am and therefore there should be no reason why waste vehicles could not remove waste from the facility between 7.00am and 8.00am*

**Technical Committees Evaluation:**

The PD as issued caters for the hours applied for by Dean Waste Co. Ltd in the application and accompanying EIS. They proposed to accept waste at the facility between 5:00 am and 9:30p.m. (Mon-Sat) but not to commence waste processing or waste removals before 8:00 a.m.

**Recommendation:**

No Change.
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**Ground 2 (Condition 3.10)**

*The objector considers that the requirement of the Proposed Decision to treat any exceedance in daily waste intake over the daily duty capacity at the facility to be too onerous. The objector considers that there may be days when the daily duty capacity will be exceeded but the balance of waste could be processed on the following day(s) when the intake is likely to be below the daily duty capacity of the facility. The objector proposes that the licence should be amended so that any exceedance of the daily duty capacity of up to 10% should be noted but not treated as an incident.*

**Technical Committees Evaluation:**

The Technical Committee considers that the wording proposed by the objector is appropriate and that the condition be amended accordingly.

**Recommendation:**

Amend Condition 3.10.3 (2<sup>nd</sup> sentence)

Any exceedance of this intake **by greater than 10%** shall be treated as an incident.

**Ground 3 (Condition 5.2)**

*Condition 5.2 of the Proposed Decision requires the applicant to implement the recommendations of a risk assessment report prior to the construction of the facility. The report relates to the presence of contaminated soils at the facility. The objector considers that Condition 5.2 is similar to a condition of the planning permission for the facility and thus would appear to be redundant. The objector states that the construction of boundary walls and concrete slabs in areas where the where the soil criteria have been met should be allowed.*

**Technical Committees Evaluation:**

The Technical Committee considers that the recommendations of the risk assessment report should be implemented prior to the construction of the main infrastructural components of the facility. However, the Committee does agree that some minor infrastructural works may be commenced subject to the prior agreement of the Agency.

**Recommendation:**

**Amend Condition 5.2 to read:**

**Unless otherwise agreed with the Agency,** the licensee shall implement the recommendations of the Risk Assessment Report (RAP), as submitted to the Agency on 16/4/02, prior to the commencement of construction of the waste transfer facility. A report on the implementation of the Risk Assessment recommendations shall be submitted to the Agency including all sampling and monitoring information carried out to confirm that remaining soils conform to the remediation criteria defined **in the RAP.**

**Ground 4 (Condition 5.5)**

*The objector considers that the requirement to inspect all waste loads at the point of entry to the facility is unclear and that it will not be possible to visually inspect all waste loads at the point of entry as a lot of the waste shall be contained within fully enclosed containers. The objector states that a visual inspection of all loads will occur upon tipping in the waste transfer building.*

**Technical Committees Evaluation:**

The Technical Committee considers this condition may be impractical to implement on a daily basis as many incoming loads may be in enclosed receptacles therefore the condition should be amended.

**Recommendation:**

**Amend Condition 5.5.2 to read:**

**Waste arriving at the facility shall be weighed , documented and directed to the Waste Transfer Building for inspection. Each load of waste arriving at the Waste Transfer Building shall be inspected upon tipping within the building. Only after such inspections shall the waste be processed for disposal or recovery.**

**Ground 5 (Condition 5.6)**

*The objector states that it is not practice in the waste industry to clean all wastes from a transfer station floor at the end of each working day. The objector states that some wastes may be held in the building for further recovery, wastes may be accepted later in the working day and may not always be processed prior to the end of the working day. The objector also states that Condition 7.1 (TC: this should read 7.5?) of the Proposed Decision allows waste to be stored within the waste transfer station for up to 72 hours. The objector does not see any environmental reason for the daily removal off all wastes from the transfer building floor on a daily basis as the waste transfer building has been designed to contain wastes in a nuisance free manner.*

**Technical Committees Evaluation:**

The Technical Committee considers that the Condition 5.6.1 as proposed is unduly restrictive and may cause operational difficulties at the facility. Such an amendment to Condition 5.6.1 will also require an amendment and addition to Condition 10.3 (i.e. the recording of such washings).

**Recommendation:**

**Amend Condition 5.6.1 to read:**

The floor of the waste transfer building shall be washed down and cleaned **on a daily basis**. The floor of the storage bays for recovered waste shall be washed down and cleaned as required.

**Amend Condition 10.3 with the addition of a section (f) to read:**

**(f) details of daily floor washing and cleaning**

**Ground 6 (Condition 5.9)**

*The objector states that it would not be possible to plant a suitable tree/plant mix outside the southern perimeter wall of the facility as the wall will adjoin a stone wall that borders CIE lands. Consents for planting would be required and the objector considers that the condition should be removed.*

**Technical Committees Evaluation:**

The Technical Committee considers that there are difficulties in landscaping outside the perimeter wall. Further, we consider that there is little benefit in planting trees/plants within the site boundary due to the space constraints of the site and the nature of the waste operations. We consider that the landscaping requirement should be removed.

**Recommendation:**

**Delete Condition 5.9**

**Ground 7 (Condition 6.4)**

*The objector considers that the trigger values as set by the Proposed Decision on surface water discharges are stringent given the condition and nature of the receiving water body which is an ephemeral drain adjoining industrial and agricultural lands. The objector states that the trigger levels should be amended upwards.*

**Technical Committees Evaluation:**

The TC considers that the suspended solids trigger level set in the PD is stringent. The TC notes that the suspended solids ELV in the UWWT Directive is set higher and considers that the trigger level could be revised in this condition to 60mg/l. The trigger level for BOD should remain as stated in the PD.

**Recommendation:**

**Amend Condition 6.4.1 to read:**

The trigger levels for surface water discharges from the facility measured at monitoring point(s) SE1 are:

- (a) BOD 25 mg/l
- (b) Suspended Solids **60** mg/l

**Ground 8 (Condition 7.5)**

*The objector states that the requirement to remove all wastes off-site within 72 hours of their acceptance on-site should be amended. The objector states that there may be a number of waste streams that the applicant intends to store on-site for periods in excess of 72 hours in a manner that does not cause environmental nuisance. The applicant also proposes to store separated waste streams at the facility (e.g. metals, stones, concrete, etc.) outside of the waste transfer building. The objector requests that Condition 7.5.1 be amended to reflect the above items.*

**Technical Committees Evaluation:**

The TC considers that the requirement to remove all wastes off site within 72 hours is not necessary. The proposal to store separated waste streams, which are destined for recovery (e.g. metals, stones, concrete, baled waste etc.) outside of the waste transfer building, should be catered for in the licence. However, the TC considers that in accordance with best practice that waste destined for disposal should be removed within 48 hours. This is a requirement of other waste transfer stations in the region (106-1, 143-1). The facilities (42-1, 45-1) operated by the objector in Dublin have a 12 hour waste retention period (Mon-Fri) and 48 hours on most Saturdays.

**Recommendation:**

Amend Condition 7.5.1

All waste **for disposal** stored overnight at the facility, shall be stored in suitably covered and enclosed containers within the waste transfer building, and shall be removed from the facility within **forty eight** hours of its arrival at the facility **except at Bank Holiday weekends. At Bank Holiday weekends, waste for disposal shall be removed from site within seventy two hours of its arrival on site.**

Add Condition 7.5.2 – Re number subsequent sub-conditions.

**No waste shall be stored external to the waste transfer building with the exception of separated materials and baled material destined for recovery.**

**Ground 9 (Condition 7.5.3.3)**

*The objection considers that it is unnecessary for the Proposed Decision to require the applicant to install and maintain integrity and negative pressure throughout the building. The objector considers that the technologies to be used in odour and dust control shall be left up to the applicant and regardless Condition 7.1 requires that odours and dust do not give rise to nuisance at or around the facility.*

**Technical Committees Evaluation:**

The TC note that the use of extraction fans (rated at 27.5m<sup>3</sup>/sec) with filters were proposed in Section 2.6.6 of the EIS as part of the odour control measures. The TC consider that daily washing of the transfer building, a shorter waste retention period and an effective dust extraction system should also be effective odour control techniques. There is a further requirement for the assessment of additional odour abatement measures within 12 months of commencement of waste activities, which will take into consideration the need to control odour nuisance at that stage.

**Recommendation:**

Reword Condition 7.5.3.3

Installation and maintenance **of odour abatement equipment listed in Section 2.6.6 of the EIS** to ensure that odours and dust do not give rise to environmental pollution

**Ground 10 (Condition 8.1)**

The applicant objects to three locations (1 dust and 2 noise sensitive locations) for reasons of potential difficulty of access and suggests alternative locations.

**Technical Committees Evaluation:**

The TC notes that the locations listed in the PD were as proposed in the waste licence application form. It now appears from the objection that there may be a difficulty in gaining access to a number of these locations. The requirement should be maintained although there should be the option of agreeing alternative locations in the event that it is fact not possible to gain access to these locations.

**Recommendation:**

Add superscript Note 2 to D3, NSL6, NSL7 in Table D.1

Add Footnote 2 to Table D.1: Alternative locations may be agreed with the Agency.

**Ground 11 (Condition 9.4)**

*The objector states that in the situation where there is a breakdown of equipment at the facility the wastes in the waste transfer building may not be able to be removed from the facility until the equipment is removed and therefore the clause "or already collected at the facility" shall be removed from Condition 9.4.1.*

**Technical Committees Evaluation:**

The TC considers that there is a requirement for the removal of previously collected waste that is awaiting treatment to alternative appropriate facilities until the transfer station is returned to a fully operational status. The licensee should remove waste previously collected that may be stuck in equipment that has broken down as soon as practicable.

**Recommendation:**

No Change

**Ground 12 (Condition 9.4.4)**

*The objector states that there are no local wells either on or close to the facility and so no monitoring is required. The objector claims that it is not possible for the activities at the facility to pollute the public water supply in the vicinity of the facility and that the requirement to monitor local wells should be removed.*

**Technical Committees Evaluation:**

The TC notes that the objector states that there are no local wells nearby the facility. The TC considers that in the event that wells are bored in proximity to the facility that the requirement to monitor such wells should remain.

**Recommendation:**

No Change

**Ground 13 (Condition 11.3)**

*The objector states that as CFC's are hazardous they are not to be accepted at the facility and therefore the requirement to report on the options for the degassing of refrigerators at the facility as required by part (d) of Condition 11.3 should be deleted.*

**Technical Committees Evaluation:**

The TC agrees that the requirement for degassing of CFCs from refridgerators may not be necessary. However, the TC considers that a report on recovery of non-hazardous inorganic waste at the facility would be useful in demonstrating a minimum recovery rate of 25% of waste accepted at the facility.

**Recommendation:**

Reword Condition 11.3.d

(d) the recovery of non-hazardous inorganic waste,

**Ground 14 (Condition 12.1)**

*The objector considers that the annual Agency charges for the facility do not appear to be commensurate with the size of the facility. The objector states that the applicant would not have a problem with the charges if the phasing as per Schedule A of the Proposed Decision omitted the first stage and if the total tonnage were to be accepted at the facility from the commencement of waste activities.*

**Technical Committees Evaluation:**

The TC considers that the charges for the facility are commensurate with the size of the facility. It is recognised that lesser quantities of waste allowed in the first two years of operation although this is the time in which the majority of the once-off reports and proposals need to be assessed by the Agency.

**Recommendation:**

No Change.

**Ground 15 (Schedule A)**

*The objector considers that the annual waste tonnage and the phasing provided in Schedule A of the Proposed Decision was developed a number of years ago and that the market place has varied. The objector suggests that there is more construction and demolition wastes that require handling and the applicant will increase the waste recovery rate in Galway by accepting more wastes. The objector suggested a replacement phasing structure for waste intake.*

**Technical Committees Evaluation:**

*The TC considers that the enforcement of licences where the waste intake tonnage is phased (as proposed in the application and in the objection) can lead to on-going reporting and agreements with the Agency. The TC consider that it is preferable to set a maximum waste tonnage intake in the licence and to place the onus on the licensee to provide the necessary infrastructure to deal with the expected waste tonnage. The TC notes that prior to commencement of waste activities that the licensee is required under Condition 3.10 to submit a report to the Agency for agreement detailing the duty and standby capacity of all waste handling/processing equipment.*

**Recommendation:**  
**Amend Table A.1.**

<b>Waste Type</b>	<b>Maximum Tonnage Per Annum</b>
<i>Household waste</i>	<i>20,000</i>
<i>Commercial waste</i>	<i>20,000</i>
<i>Construction and Demolition waste</i>	<i>80,000</i>
<i>Industrial non-hazardous wastes</i>	<i>10,000</i>
<b>Total</b>	<b>130,000</b>