

INSPECTOR'S REPORT

WASTE LICENCE REGISTER NUMBER 50-1

(1) Summary:

This application by Safeway Warehousing Ltd. is for a hazardous waste transfer facility accepting c. 32,000 tpa of hazardous waste and c.1,000 tpa of non-hazardous waste at Corrin, Fermoy Co. Cork. The hazardous waste transfer station will be sited at the existing transport facility operated by its sister company, South Coast Transport Ltd., for the past nine years. Strict materials acceptance criteria will be in place to ensure that there is a minimal risk of environmental pollution. The facility comprises an enclosed bunded warehouse and an open yard storage area with designated areas for compatible materials. Mixing and blending of compatible waste types will be undertaken subject to stringent controls. The storage of other non-waste raw materials is proposed.

An extensive surface water run-off control system including interceptors, grit and holding chambers, continuous monitors (pH, TOC, conductivity), retention and neutralisation tanks are proposed to ensure proper management of site run-off.

Wash waters from trucks may be discharged to surface water body, subject to stringent emission limit values. Other wastes generated on-site (e.g. container washings, sump oil etc.) will be disposed or recovered off-site by registered contractors or to the municipal waste water treatment plant in Fermoy if deemed suitable.

A site-specific tracking system will allow the Agency to audit the facility to ensure that accurate records of all material types and storage locations on site is available.

Name of Applicant	Safeway Warehousing Ltd
Facility Name (s)	Safeway Warehousing Ltd
Facility Address	Corrin, Fermoy, Co. Cork
Description of Principal Activity	Storage of hazardous waste prior to disposal
Quantity of waste (tpa)	33,150
Environmental Impact Statement Required	Yes
Number of Submissions Received by Inspector	1321
INSPECTOR'S RECOMMENDATION	The draft proposed decision as submitted to the Board be approved.

Notices	Issue Date(s)	Reminder(s)	Response Date(s)
Article 14 (2) (b) (i)			
Article 14 (2) (b) (ii)	7/9/98		5/10/98
Article 14 (2) (a)	24/11/98 ^(note 1)		
Article 16	1/3/99		30/4/99, 4/5/99, 5/7/99

Note 1: The waste licence application and the accompanying EIS were assessed as being compliant with the Regulations.

Applicant Address	Corrin, Fermoy, Co Cork
Is the facility an existing facility:	No
Confidential Information	No
Prescribed date for application:	1 st May 1997
Date Application received:	30 th June 1998
Location of EIS in Application	Stand alone document submitted

FACILITY VISITS:

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
17/7/98	Check Site Notice	B Donlon	Site Notice Compliant with Regs
26/8/98	Site Visit	B Donlon G Carty	Site inspection
9/2/00	Site Visit	B Donlon	Site Inspection

(2) Class/Classes of Activity

The class(es) of activities for which the applicant has applied are marked below. The principal activity is indicated by (P), other activities by (X).

Waste Management Act, 1996			
THIRD SCHEDULE Waste Disposal Activities		FOURTH SCHEDULE Waste Recovery Activities	
1. Deposit on, in or under land (including landfill).		1. Solvent reclamation or regeneration.	
2. Land treatment, including biodegradation of liquid or sludge discards in soils.		2. Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes).	
3. Deep injection of the soil, including injection of pumpable discards into wells, salt domes or naturally occurring repositories.		3. Recycling or reclamation of metals and metal compounds.	
4. Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons.		4. Recycling or reclamation of other inorganic materials.	
5. Specially engineered landfill, including placement into lined discrete cells which are capped and isolated from one another and the environment.		5. Regeneration of acids or bases.	
6. Biological treatment not referred to elsewhere in this Schedule which results in final compounds or mixtures which are disposed of by means of any activity referred to in paragraphs 1 to 10 of this Schedule.		6. Recovery of components used for pollution abatement.	
7. Physico-chemical treatment not referred to elsewhere in this Schedule (including evaporation, drying and calcination) which results in final compounds or mixtures which are disposed of by means of any activity referred to in paragraphs 1 to 10 of this Schedule.	X	7. Recovery of components from catalysts.	
8. Incineration on land or at sea.		8. Oil re-refining or other re-uses of oil.	
9. Permanent storage, including emplacement of containers in a mine.		9. Use of any waste principally as a fuel or other means to generate energy.	
10. Release of waste into a water body (including a seabed insertion).		10. The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system.	
11. Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule.	X	11. Use of waste obtained from any activity referred to in a preceding paragraph of this Schedule.	
12. Repackaging prior to submission to any activity referred to in a preceding paragraph of this Schedule.	X	12. Exchange of waste for submission to any activity referred to in a preceding paragraph of this Schedule.	
13. Storage prior to submission to any activity referred to in this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.	P	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.	X

The applicant described the classes as follows.

Waste Management Act, 1996: Third Schedule

Class 7. The washwater from vehicles washed at the facility will be neutralised prior to off-site discharge and the mixing and blending of waste streams ^(Note 1).

Class 11. The mixing / blending of waste streams (oils, acids, solvents). The wastes undergo compatibility checks before any blending occurs.

Class 12. This refers to the baling of waste industrial clothing wastes; repackaging of small containers of hazardous wastes into UN approved containers and drum crushing and shredding.

Class 13. This activity refers to storage of waste streams at the facility prior to onward movement of the waste materials where it will be subject to waste disposal activities (e.g. incineration). The wastes are generally stored in drums or bulk tanks prior to export. The wastes are then exported in containers/Trailers or Bulk Tankers. These wastes are all exported in accordance with the Transfrontier Shipment of Wastes Regulations. The licensee has indicated that this is the principal activity being applied for.

Waste Management Act, 1996: Fourth Schedule

Class 13. This activity refers to the storage of waste streams at the facility prior to onward transport of the waste materials where it will be subject to waste recovery activities (e.g. oil and solvent recovery processes).

Activities recommended for licensing:

Classes 7, 11, 12 and 13 of the Third Schedule.

Classes 13 of the Fourth Schedule.

All activities subject to the conditions of the proposed decision.

Note 1: Mixing and blending is best covered under Class 11 above.

(3) Facility Location

Appendix 1 contains a location drawing and a layout drawing showing the significant features of the facility.

The facility is located at Corrin near Fermoy in County Cork. The site comprises approximately 1.4 ha adjoining the N8 in an area dominated by intensive farming. The nearest dwelling to the facility belongs to the applicant which is c. 70m from the site boundary. Between 200 metres and 500 metres of the site boundary there are a further 27 occupied and four unoccupied residences.

A Holy Well (CO035-051) is located c.20m from the northeastern margin of the development but the applicant has stated that site activities will not interfere with this well. Monitoring is required on an annual basis to confirm this.

(4) Waste Types and Quantities

Total quantities and types of wastes accepted by the facility are shown below. See Table E.1.1 of application.

NON-HAZARDOUS WASTE (tpa)	HAZARDOUS WASTE (tpa)	TOTAL ANNUAL QUANTITY OF WASTE (tpa)
1000	32,150	33,150

The master list of anticipated EWC code waste loads (three year target) is set out in Attachment D3.

(5) Facility Design

Development;

The site is comprised of a warehouse drum storage area, an administration/laboratory building, outdoor waste storage areas, bulk tank storage areas, process buildings and waste water and sludge treatment facilities.

Infrastructure;

The warehouse drum storage area is partitioned into sections and consists of store no.1 (18 x 18 x 6.6m) and store no. 2 (18 x 10 x 6m). A separate decant room is located within Store No. 1. The lighting system within the storage area is intrinsically safe as are the forklift, pumps and tools used. The warehouse is completely bunded by an impermeable concrete wall.

All material is positioned on racking. The racking stands 300 mm over floor level to minimise the risk of material from a leaking container coming into contact with another.

The hazardous waste transfer station area is bunded and has designated storage areas where the different waste categories are separated from each other and stored in bunded areas. Details of the UN classification are included in Appendix 3. The remainder of the concreted area is divided into 4 catchments and each area drains to its own oil interceptor prior to outfall to the nearby stream. Continuous monitoring (pH, conductivity, TOC) of the outlet from the oil interceptors will be performed and an alarm is fitted near this point to ensure that no polluted waters can leave the facility.

Ancillary facilities include firefighting tanks, water retention tanks and isolation containers. A 60 ton capacity weighbridge is located to the north of the transfer station. Laboratory facilities are located adjacent to Store No 2 of the warehouse. Facilities will include general laboratory (wet chemical analysis) and a GCMS.

Fuel storage is provided within Bund K. Diesel dispensing facilities are located outside Bund K. The yard area surrounding the diesel dispensers and diesel storage bund drain through chamber 3 of the oil interceptor facilities.

(6) Facility Operation/Management

Operation:

Waste materials are managed on site via two separate pathways. Pathway 1 is storage in specified banded areas. Pathway 2 is subdivided into the following operations: 2(a) mixing and blending of small drums of hazardous waste; 2(b) mixing and blending of large containers of hazardous materials; 2(c) baling of waste industrial clothing; 2(d) repackaging of small containers of hazardous wastes into UN approved containers; 2(e) drum crushing and shredding.

The proposal also includes the handling of non-waste materials. Materials frequently stored overnight include inorganic and organic acids, bases, organic solvents, ferrous and aluminium chlorides. The applicant also proposes to bulk up ferrous and aluminium chlorides. The storage and bulking up of these chemicals would not require a licence from the EPA. However, the proposed decision caters for the control and the avoidance of environmental pollution by these materials (i.e. specified substances) as required under Section 41(2)(a)(iv) of the Waste Management Act, 1996.

Waste Acceptance Procedures

Only pre-notified and pre-classified waste is accepted at the facility subject to availability of a designated storage area and sufficient quarantine space. Raw materials will also be accepted at the facility subject to the restrictions above.

Materials Handling

Waste and raw materials are handled in a number of ways as described under Operation above. Further details on the mixing and blending operations are outlined below.

A number of waste types are proposed to be mixed and blended in order to bulk up at the facility prior to disposal/recovery off-site. These include waste acids, waste solvents and waste oils. The applicant also proposes to store aluminium chloride and ferrous chloride (8-12% solutions) in dedicated tanks on site. Stringent conditions relating to the blending and mixing of hazardous materials are outlined in Condition 5. These include the provision of scrubbers for all mixing and blending operations. All the materials subject to mixing and blending will be transported off-site for re-use or recovery. Only waste solvents individually destined for recovery may be mixed and

blended at this facility for the purposes of further recovery at another facility (Condition 5.13.b). This is to ensure that no dilution and dispersion of contaminated materials which could be incorporated with lesser-contaminated materials, thereby effectively using dilution to disperse contaminants. The applicants have indicated that outside assistance will be used on start-up for technical assistance for a period of 3 months upon the granting of the waste licence.

A computerised secure stock control system will be used to ensure that all materials can be securely stored in a designated area. This tracking system will allow the Agency to audit this system and ensure that materials for which no storage area and/or treatment process has been pre-notified to the Agency are not accepted at the facility. Access to prescribed sections of the applicants IT Server will be considered for real time waste tracking (Condition 3.10).

Site inspections are recommended at an initial frequency of 6 times per year and detailed on-site audits at a frequency of 2 times per year.

Hours for Waste Acceptance

The hours for waste acceptance and operation of the facility are to be from 08:00hrs to 19:00hrs (Monday to Saturday).

(7) Decommissioning and Aftercare

Condition 8 of the recommended Proposed Decision deals with the decommissioning and landscaping at the facility.

Safeway Warehousing Ltd. have stated that all waste in the hazardous waste transfer station will be removed for disposal or recovery to appropriate alternative facility and that they will carry out a facility closure assessment to ensure that no contamination has occurred from the operation of the facility. The applicant wishes to utilise the storage facilities for non-hazardous activities if the operation of a hazardous waste transfer station ceases. An changes of a significant nature to the transfer station would require an application for a review to be submitted to the Agency.

The applicant stated that they will set up a financial provision in agreement with the Agency to ensure that funds will be available should there be a requirement for decontamination of the facility and the area adjoining the facility. The applicant is required to make appropriate financial provisions as required under *Condition 11*.

(8) Emissions to Groundwater

The facility is located on sedimentary rocks of the Upper Devonian period (Ballytrasna Formation, GSI 1995). Boreholes in the vicinity of the facility indicate an overburden of muddy sand, followed by thin gravels on top of Old Red Sandstone that contains an aquifer of local importance (1.25l/s).

The majority of local residences are linked to the local authority mains supply on the main Cork-Dublin road and the Fermoy-Castlelyons roads. This supply will be used for truck-washing and firefighting purposes. The nearest receptor is the O'Flynn farm borehole 150m from the centre of the site.

There is no evidence to suggest that any of the present activities at the facility are impacting on the groundwaters of neighbours or their own domestic supplies.

All surfaces within the facility will be of concrete construction. This will provide an impermeable barrier for isolated spillages which may occur on the facility.

The applicant has proposed to include two on-site monitoring groundwater wells and also to include seven off-site groundwater locations within 500m of the site boundary. An additional on-site monitoring well and monitoring of the Holy Well is required in the draft proposed decision. Groundwater monitoring is to be undertaken as specified in Schedule F. An alternative potable water supply must be provided if there is evidence of pollution under Condition 10.

(9) Emissions to Air

Air quality in the vicinity of the facility was assessed on three occasions and VOC levels were in the typical range for rural sites (0.2-40µg/m³).

The only point source emissions at the facility are from the bulking up of salts, acid and organic compounds. Localised containment in the form of scrubbers are provided. Fugitive emissions arise from both inorganic and organic materials handling at the facility. Both point source and fugitive emissions were assessed during the application and predicted ambient levels are within acceptable guidelines. Based on these assessments it is not considered necessary to fix emission limit values.

However, monitoring of the effectiveness of the scrubber operation will be required (Schedule F). In addition, Condition 7.2 caters for the maintenance of abatement control equipment and Condition 7.3.2 provides for the monitoring of facility-wide fugitive emissions which the applicant has indicated that they are proposing to undertake (Article 16 information received 30/4/99).

(10) Noise Emissions

Background noise levels on the boundary are elevated due to the close proximity of the N7 (main Dublin to Cork road). Traffic using the facility and the operation of plant and machinery (e.g. drum shredder) are the main sources of noise associated with the facility. Noise associated with external traffic is outside the scope of the licence. Noise monitoring at the facility is required by Condition 9.1. Condition 7.1 sets noise emissions limits for the facility.

(11) Emissions to Sewer

There are no emissions to sewer.

(12) Emissions to Surface Water

The surface water drainage from the site flows in the direction of the Shanowenadrimina stream. The stream then flows a further five kilometres to join the main channel of the River Bride near Castlelyons at Bride Bridge. The abstraction point for the Conna Regional Water Supply is taken from the main channel of the River Bride, 200 metres upstream of the confluence of the Shanowenadrimina stream with the Bride.

There are two potential emissions to this stream from this facility. These include (i) surface water run-off from the concreted open storage area and (ii) wastewater generated from truck washing on site.

12.1 Surface Water Run-Off

The facility will be divided into four catchments to allow for containment and diversion of each individual catchment area in the event of a spillage occurring at the site. Each area discharges to its own full retention Class I oil interceptor which has a bypass facility to the fire-water retention pond. The provision of a continuous pH meter was proposed by the applicant to assess the run-off and to divert the run-off in the event of contamination. Due to the variety of materials being stored on site that continuous conductivity and TOC meters should be installed on the surface water drainage system (after the oil interceptor) and an alarm fitted in the event of contamination.

12.2 Lorry Washwater

Wastewater is also generated from the lorry washing operation. This wastewater is directed to a dedicated holding tank and its contents are analysed and then treated on-site to neutral pH. The applicant gave an estimation of the expected constituents in the application and emission limit values are set taking these into consideration (see Table 13.1 below).

Flow Control Measures

The treated lorry washwater will discharge to the adjoining stream. This is an ungauged stream and the licensee has provided indicative dry weather flow and 95% ile flow figures. The 95% ile flow in the receiving water is 5.6 l/sec - and the dry weather flow is 2.8 l/sec.

By taking a precautionary approach there shall only be discharge of treated wash water when the flow is greater than 6 l/sec. Further, a maximum discharge rate of 0.11 l/sec (400 litres per hour) complying also with the stringent BOD and ammonia emission limits is permitted (Schedule G.4). This corresponds to there being a minimum of 50 dilutions available in the receiving water prior to treated washwater discharge.

In the event of low flows the wash water will be held in a storage tank for a maximum of two weeks and either sent off-site for treatment at a nearby wastewater treatment plant or discharged when the flow in the receiving water has increased.

A dedicated continuous flow monitoring station shall be installed on the stream at a location to be agreed with the Agency within three months from the date of grant of licence. A backup manual flow monitoring device (staff gauge) shall also be installed. The recommended PD stipulates that there shall be no discharge of this waste stream until the flow control measures are agreed (Condition 7.7.2).

Emission Limit Values

The following table compares the emission limit values set in the recommended PD with those for UWWT discharges and the BATNEEC Note for the Chemical Sector. In addition, the concentrations of various parameters in the receiving waters at the one to fifty dilution are compared with the Salmonid Water Quality Standards.

Table 12.1

Parameter	UWWT Discharge Limits (All units in mg/l except pH)	Batneec Note for the Chemical Sector	Draft PD Limit (All units in mg/l except pH)	Concentrations post dilution (50 : 1) (mg/l)	Salmonid Water Quality Standards (mg/l)
PH	6-9	6-9	6-9	-	6-9
BOD	25		10	0.2	<5
SS	35-60	-	50	1	<25
Total P (as P)	2	2	0.1	0.002	-
Total Ammonia (as N)	-	10	0.5	0.01	<0.82
Mineral Oils (interceptors)		20	5	0.1	-

The recommended PD ensures that the discharge of neutralised washwater to the Shanowenadrimina stream will not result in a breach of the Salmonid Water Quality Standards.

12.3 Biological Assessment

A biological assessment of the receiving water body in the immediate vicinity of the facility is requested on an annual basis.

Other wastewaters are dealt with in Section 14.

(13) Other Significant Environmental Impacts of the Development

Drainage from the drum treatment operations and washings from the internal washing of containers and refrigerated vehicles will drain to dedicated storage tanks. These will be sent off site for treatment. Enumeration of the microbiological content of the

internal washings of food containers is required in Condition 9.10. A written record shall be kept of each consignment of wastewater (internal container washings, scrubber wastewater, or other contaminated water) removed from the facility by tanker is required under Condition 3.11.

Following submissions relating to nasal discharges from animals on nearby farms, the Agency referred to the Regional Veterinary Laboratory in Cork in line with the Protocol for the Investigative Approach to Serious Animal/Human Health Problems. Correspondence was received from that Regional Veterinary office in Cork on the 18/12/98. Mr Buckley (Veterinary Inspector) made two site visits and noted that the applicant's sister company (Southcoast Transport Ltd.) transports fresh and frozen meat for local food companies on a regular basis. The company informed them that loaded re Fridgerated containers are rarely kept on site except in the event of shipping delays, industrial disputes. Conditions relating to the proper management of foodstuffs at the facility, which also cover his recommendations, are required in Conditions 3.10, 3.11, 5.23 and 9.10 of the draft proposed decision.

(14) Waste Management, Air Quality and Water Quality Plans

The Waste Management Plan for Cork County published in May 1999 addresses the present position regarding waste management including waste generation, collection, prevention and minimisation, recovery and waste management facilities in the County. In total there are 70 action plans listed in the document. In addition to non-hazardous waste management some of the individual items relate to hazardous waste management. The Council state that they will discharge all of its responsibilities under the Waste Management (Movement of Hazardous Waste) Regulations (S.I. 147 of 1998). They further state that they will assess the best method of collecting Hazardous waste from small producers. The plan states that when the Agency's National Hazardous Waste Management Plan is published that Cork County Council will review and amend their plan accordingly. There is no air quality plan for the area. The Blackwater Draft Water Quality Management Plan was prepared in 1989 but is not yet adopted.

(15) Submissions/Complaints

These are dealt with in Appendix 4.

Signed: _____

Dated: _____

Dr. Brian Donlon
Inspector I

Appendix 3. Bunded Storage Areas

The applicant has indicated that the following materials will be held in dedicated bunds as follows.

Bund Type	Comment on material being held in each bund
Bund A	Store horizontal ISO box containers or ISO tank containers for Material Class 3, 6, 8, 4.1 and 2.2 as per HS(G) 71 Guidance
Bund B	Store horizontal ISO box containers or ISO tank containers for Material Class 6, 8, 4.3 and 5.1 as per HS(G) 71 Guidance
Bund C	Tanker Parking for Material Class 3, 6, 8, 4.1 and 2.2 as per HS(G) 71 Guidance
Bund D	Tanker Parking – Area assigned for mixing / blending of compatible substances
Bund E	Tanker Parking for Material Class 6, 8, 4.3 and 5.1 as per HS(G) 71 Guidance
Bund F	Tanker Parking Material Class 3, 6, 8, 4.1 and 2.2 as per HS(G) 71 Guidance
Bund G	Contains two water tanks (2 x 24,000L) which take internal washings pumped from lorry wash bays
Bund H	Contains 2 (100,000 litre) chemical storage tanks with a wet based caustic scrubber
Bund J	Contains 1 Waste oil tank (3,000) – handles waste oil from the service facility in the existing workshop
Bund K	Contains two (50,000 litre and 20,000 litre) diesel tanks.
Bund L (97037-1 Rev A)	Asbestos in Article 16 info (p 40) – Class 9 substances (p 15)
Bund M (97037-1 Rev A)	Dedicated for Prime peroxides only (Class 5.2) (p 15 of Art 16 info)
Bund N (97037-1 Rev A)	Diesel Tank (600 gallon) for Boiler

UN classes of Hazardous Materials

Class 1: Explosives

Class 2: Gases (flammable, non-flammable non toxic gases, toxic gases)

Class 3: Flammable Liquids

Class 4: Flammable solids; substances liable to spontaneous combustion; substances which, in contact with water, emit flammable gases.

Class 5: Oxidising substances; organic peroxides

Class 6: Toxic and infectious substances

Class 7: Radioactive material

Class 8: Corrosive substances

Class 9: Miscellaneous dangerous substances and articles

Hazardous materials for all classes outlined above except Class 1 and Class 7 will be accepted at the facility.

Appendix 4. Submissions

(15) Submissions/Complaints

1321 submissions were received by the Inspector in relation to the facility. I have had regard to the submissions in making my recommendation to the Board.

Below I have summarised the main concerns raised in the submissions. The specific details in some submissions are highlighted to give an overview of the concerns raised. The date shown in brackets refers to the date on which the correspondence was received by the Agency.

1. Submission Type A

1197 submissions of this type were received. The submission contained the following text:

- Location of proposed facility is an area where the primary use is in agriculture and food production.
- Location of the proposed facility adjacent to the National N8 road is a potential for serious accident due to traffic movements in and out of the premises.
- In the event of an accident involving the spillage of hazardous waste or emissions from the site this could have a serious effect on the health of residents

Others: A comment box was left blank for submitters to include their personal objections to the development. The following items were highlighted: (children, health, food, farm produce, amenity, environmental, wildlife)

Response

Matters relating to the location of the facility were addressed by the Planning Authority. The National Authority for Occupational Safety and Health (generally known as the Health and Safety Authority) are the central competent authority for the relevant on-site health and safety matters relating to the proposal. Nonetheless, the relevant conditions of this recommended Proposed Decision will ensure that there is a high level of protection for people and the environment. Accordingly, conditions are set which cover the management and infrastructure at the facility, the acceptance and handling of wastes, environmental monitoring and emission limits, which are designed to prevent pollution and nuisance being generated at the facility.

The items highlighted by submitters in the comments box were enumerated and included under the relevant heading below.

2. Submission Type B

There were 18 submissions of this type. The main issues were as follows:

- The proposed plant is being built primarily for the needs of the Chemical industry located Cork Harbour. It will involve the movement by road of thousands of tonnes of hazardous waste through Fermoy. This waste should be assembled at source and transported by sea or rail from Cork Harbour.
- The scope of the licence would allow for the storage and transfer of asbestos dust which is one of the most potent cancer-causing substances known to man and could cover the storage of infectious waste.
- The granting of a licence would be detrimental to food production in the area and could lead to delisting of food produced or processed in the area.

Response

Some of the issues raised relate to Planning matters and as such are not a matter for this recommended PD. Each application for a waste licence submitted to the Agency is assessed in accordance with the regulations and a proposed decision whether to grant or refuse a licence is made by the Agency. The application on hand is for a hazardous waste facility in Corrin, Fermoy, Co. Cork. The ADR (Accord Dangereux duRute) Regulations relate to the transport of dangerous goods and are under the control of the Dept of Transport.

Storage of asbestos in doubled wrapped sealed plastic bags in sealed containers is permitted under conditions of the draft proposed decision subject to a limit of two sealed containers on site at any one time. There will be no storage of infectious waste at the facility.

The transfer station operated in accordance with the conditions of the recommended PD will not impact adversely on food production in the area.

3. Submission Type C

There were 24 submissions of type C. The contents of these submissions include:

- Proximity to Fermoy Town and 6 schools within 2.5 mile radius.
- Entrance on a double white line on the N8.
- The land on the site is sandy and unsuitable for the purpose of a hazardous transfer station.
- The site is in a limestone area.
- The site is located on the Ballytrasna Aquifer.
- The site is not sustainable.
- No scoping was done in the town of Fermoy.
- No soil sampling has been done in the area.
- Food and hazardous chemicals are stored in the one site.
- RPS Cairns determined that the ideal path for the bypass to be routed through the Southcoast/Safeway site and two years later they did the EIS.

Response

Compliance with the proposed decision will ensure that there is a high level of protection for people and the environment.

The site will be completely concreted and extensive groundwater monitoring will provide on-going monitoring information on the quality of groundwater.

The EIS was assessed as being compliant with the Regulations.

The applicant made reference in the Article 16 response to the measures that are in place to ensure that there is no cross contamination of foodstuffs and chemicals.

This is covered in Condition 5.24.

4. Health/Safety

Of the standard submissions, 219 highlighted or indicated health and safety concerns relating to the operation of the facility. Many of the separately written submissions dealt with these issues also. The main items of concern are listed below.

- Concerns for human health and health of children.
- Baseline studies on human health in the vicinity of the facility
- Fears for the community in relation to the potential spillages or leakages.
- Opposition to the proposal on grounds of health and environmental hazards.
- The health and safety aspects of the proposal.
- Location proposed is described as “a time bomb” and that the life or health of one person should not be put at risk.
- The proposed facility will fall under the ambit of the Seveso Directive and that, should a licence be granted, that conditions be imposed which fully implement all regulations pertaining to the “Seveso Directive”.
- Proposed facility represents a fire risk with the potential to form dioxins.
- Lack of adequate firefighting equipment to provide for an emergency situation at the facility
- Complaints of smells in the area.
- Information in the company flyer is at variance with the application to the EPA with respect to emissions.
- Concerns expressed relating to the release of toxic airborne release in the event of a major accident or fire.
- Continuous monitoring of emissions from the abatement equipment requested when in operation and a comprehensive fugitive emissions study.

Response

The transfer station operated in accordance with the conditions of the recommended PD will not impact adversely on human health. The Agency wrote to the Health Board (11/3/99) and enclosed the relevant Article 16 information. In addition, it should be noted that the Health Board was one of the public bodies notified under Article 18 of the Waste Management (Licensing) Regulations, 1997 (S.I. No.133 of 1997). The applicant stated in their Article 16 response that an annual medical

examination for all employees at the site is proposed. This is outside the remit of this proposed decision.

The relevant conditions of this proposed decision will ensure that there is a high level of protection for people and the environment and Condition 1.4 covers the applicants statutory obligations or requirements under other enactments or regulations. The National Authority for Occupational Safety and Health (generally known as the Health and Safety Authority) are the central competent authority for application of the Seveso 2 Directive. However, the applicant stated in their Article 16 response (received 30/4/99) that an emergency plan and safety statement would be submitted to the Health and Safety Authority and accepted by their insurers prior to start-up.

The issuing of a fire safety certificate for the facility is dealt with by the Cork County Council Fire Officer. Further, conditions relating to fire fighting and associated infrastructure are covered in various conditions in Condition 4 and 10. The control of environmental nuisances are provided for in Condition 6. The operation of the facility in accordance with the conditions of the PD will ensure that air quality is not adversely affected. There are no significant point source emissions. Monitoring of emissions to air is required on a monthly basis when maximum emissions are occurring (i.e. when blending is on-going). Condition 7.3.2 requires monitoring of fugitive emissions from the facility.

5. Road Accidents

Of the standard submissions, 32 highlighted or indicated road accidents concerns relating to the operation of the facility. Many of the separately written submissions dealt with these issues and these are summarised below.

- Request that the facility be relocated in a more “secure” position.
- Unsuitability of the proposed facility.
- Concerns regarding road safety adjacent to the facility.
- Concerns expressed in relation to thousands of vehicles travelling past the facility.
- Allegations that South Coast Transport have a poor accident record in road transportation of hazardous materials.

Response

The complaints in relation to South Coast Transport relate to the sister company of the applicant. The issue of traffic accidents was dealt with in the planning process by the relevant body (Cork Co Council). See response to Submission Type A.

6. Food Chain / Farm Produce

Of the standard submissions, 66 highlighted or indicated threats to farm produce as a concern relating to the operation of the facility. Of the standard submissions, 33 highlighted or indicated threats to wildlife as a concern. Many of the separately written submissions dealt with these issues also. The issues raised included.

- The threat to the food chain, farm produce and to wildlife
- The Blackwater Valley should be ring-fenced and developed as an area of quality food production and food processing area.
- Cross-contamination is an obvious possibility when food produce is stored in re-fridgerated vehicles nearby pharmaceutical waste tankers.
- Nasal discharges from cattle grazing in nearby fields.
- While the FSA have no enforcement powers or jurisdiction in this area, it appreciates the citizens concerns that there may be public and animal health risk associated with the activities onsite.
- That operations at the facility ceased for a three month period in order to complete baseline studies into the health status of farm animals, wild animals and birds. This should be performed by an independent body or in conjunction with the local veterinary authorities and regional veterinary lab.
- Fears relating to the horse breeding production.
- Request for immediate monitoring of horse production and listed stud farms in the vicinity (Mrs S O' Riordan, Mr R Verling, Mr S Patterson and Mr D McAuliffe) that could potentially be affected.

Response

The applicant has stated that they will investigate the health of cattle and thoroughbreds grazing in closed proximity to the site on an annual basis. It is considered that this can best be carried out by way of local agreement. The results of the investigations are to be included in the Annual Environmental Report.

The matter of nasal discharges from animals on nearby farms was referred to the Regional Veterinary Laboratory in Cork in line with the Protocol for the Investigative Approach to Serious Animal/Human Health Problems. (see also Section 13 of this report).

The recommended proposed decision requires that all loads moving into and out of the facility will be recorded (Condition 3.10 and 3.11) and that measures are in place to ensure that there is no cross contamination between foodstuffs stored in re-fridgerated vehicles and hazardous waste being stored on site (Condition 5.23). The applicant included in their Article 16 response (30/4/99) system approval records from some of their customers (AIBP, Dawn Meats, Kepak). It should be noted that the washings of internal containers are held in secure tanks on site

pending off-site treatment. Bacteriological examination of all internal washings of food containers and tankers at the facility is required (Condition 9.10).

7. EIS/Planning Issues

The unsuitable location of the proposed facility was raised in a number of submissions which the submitters state is a breach of the Cork Development Plan and should be rejected by the planning department. The past record of the owners of the facility in relation to the activities at the facility is highlighted in a number of submissions.

- Concerns relating to the content of the EIS and questions its compliance with EPA guidance notes.
- Scoping for the proposal was a breach of EIS regulations
- The fact that the company are now applying for planning for a lab, weighbridge and shed for lorry washing indicates that the previous EIS was inadequate.
- Three main factors that the EIS did not address (proximity to major population centre, topography which will trap emissions, drainage from the area of the site).
- Biological surveys were inadequate citing the absence of a lichen survey, limited recording of birds and vegetative species.
- In-depth risk assessment for storage of hazardous materials and the combination of various categories of hazardous material could result in dioxin formation in the event of fire or explosion.
- The listing of only 3 bird species and of only 2 lichen species was highlighted in a number of submissions.
- The absence of information on soil conditions and the effect of the proposed facility on land was raised in a number of submissions
- The EIS did not describe the aspects of the environment likely to be significantly affected.
- The EIS failed to contain a summary in non-technical language.
- That Article 7 of the EIA requires a Member State to make another Member state aware of a project likely to have significant effects on the environment in another Member State.
- As the applicant published a notice on the 6th August 1999 stating that further additional information contains significant data in relation to the effects on the environment means that they submitted an inadequate EIS in June 1998 at the time of the first public notice.
- The EPA is operating double standards concerning the implementing and enforcement of Community Environmental Laws, via the EPA Act 1992.
- The rights of the public to interact in the decision-making process is questioned as neither the EIS nor the licence application contains an adequate non-technical summary
- That the public was excluded from participation.
- The EPA claims that the application received comprises or is for the purposes of a waste disposal and waste recovery activities whereas the applicant in a printed notice claims that there will be no recovery but just a storage facility.

Response

An application for the construction of a transfer station and ancillary services which included an EIS were submitted to Cork County Council.

Details regarding the location of the facility, modifications to the infrastructure and the past record of the sister company in relation to planning matters are a matter for the Planning Authority.

The EIS was assessed as part of the application. Scoping was not mandatory under the legislation at the time of the application but would be considered best practice. The nearest designated area to the facility are woodlands and wetlands (callows) associated with the valley of the Blackwater immediately upstream and downstream of the Blackwater Bridge crossing Fermoy approximately 2 miles distant. The applicant undertook a supplementary ecological assessment of the lands adjoining the proposed development. None of the species recorded were rare or protected. A number of mammal species, other than those noted as occurring at the development site were recorded in the lands adjoining the development site and included the Badger and Otter which are protected under the Wildlife Act, 1976. The recommended proposed decision caters for an annual ecological survey of the site and adjoining habitats with special emphasis placed on protected species. (Condition 9.6) Biological monitoring of the Shanowenadrimina stream is required on an annual basis (Condition 9.8).

The applicant has made reference to the site geology in the EIS and waste licence application. Supplementary information indicated that lichens were only recorded at four sites. It should be noted that lichens are indicators of air pollution from sulphur oxides and the only point source emission at the facility will contain minor quantities of hydrogen chloride gas.

The waste licensing regulations require that all applicants publish a newspaper notice when they are applying for a waste licence to the EPA. The waste licensing regulations differ from the IPC licensing regulations in that there is a further requirement in the former regulations whereby all waste licence applications with an accompanying EIS publish a further newspaper notice where the Agency considers that additional significant environmental information has been submitted. Such a notice was requested to be published in this case with the specific objective of alerting the public to its submission to the Agency.

The proposed decision will be sent to those that made written submissions to the Agency on the application. All information, relating to the applicants and where a licence has been granted to EPA monitoring and inspections, will be available for public inspection at the Headquarters of the Agency. A programme for communication with the public is to be agreed with the Agency under Condition 2.7 to ensure that members of the public can obtain information concerning the environmental performance of the facility at all reasonable times.

8. Management

Many of the hand-written submissions made reference to their concerns relating to the management of the site. The main issues highlighted were as follows:

- The company stated that they were regularising (storing chemicals on-site) what they have been doing at the facility by applying for a licence.
- The management were unsuited to holding a waste licence.
- The alleged irresponsible nature of the management is highlighted in a number of submissions
- Allegations that some people were requested to withdraw their submissions and questions whether the Agency condones this practice of intimidation.
- Some conditions of the planning permission were ignored by the applicant and were not complied with until they were brought to their attention.
- The yards are in poor condition and any licence granted should be postponed until all development work is complete.
- During the initial 2 years that extensive monitoring be undertaken particularly on start-up of the facility.
- The licensee should develop an EMS.
- The fact that a UK company has been selected to provide start-up is welcome, provision for external expertise should be made until the applicant has demonstrated the necessary competence to manage the facility.
- The Agency's only recourse is to refuse the licence or to alternatively grant a licence with the appropriate and necessary conditions.
- The applicants acknowledge their lack of experience or training by accepting the necessity of subcontracting a temporary manager for 3 months from the UK. This should be increased to a 3-5 year period.
- Most disasters are caused by failures in corporate governance and the lack of effective management control.
- The location of the financial provisions response by the application and query whether a further month would be available to examine the information when it was made available.
- Concerns expressed relating the supervision of the facility and questioned who will supervise it at night.
- The company's accounts be inspected by an appropriate auditor and that an inflation linked bond of a minimum of £10,000,000 be held by a bank or independent institution in the event of explosion or pollution incident.
- A bond required to the value of £5,000,000 to compensate in the event of any damage done to property, livestock and human health if a licence is granted.
- A bond to the value of £2,500,000 to compensate in the event of any damage done to property, stock or reputation of the Fermoy racehorses.
- £5,000,000 is not adequate cover in the event of an accident at the site.
- Queries the grant aid given by the Dept of the Environment.

- All records of communication by phone, meeting or letters with the applicant and the EPA should be on public file and queries whether all correspondences with the Dept of the Environment are now on public file.
- The budget and financial plans are incorrect and need to be recalculated.
- A bond of £10,000,000 is required for submitters premises and an additional £30,000,000 to cover other residences, premises, businesses and farms in the vicinity.
- That insurance cover and the performance bond are made out to South Coast Transport Ltd.

Response

The storage of chemicals (raw materials) listed in the application does not require either an IPC licence or a waste licence. The applicant proposes to store raw materials and hazardous waste materials at the facility. However, the proposed decision will provide for the protection of the environment from all materials held on site.

The requirements in Condition 2.1 to 2.10 inclusive make provision for the management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment. These conditions require the appointment of an external manager for the first twelve months of the operation of the waste licence.

Inspections of the facility are required on a daily basis even in the event that no waste material is being accepted at the facility. Continuous monitors (pH, conductivity, TOC) will be alarm activated to ensure that there is no risk of spillages from the facility outside normal hours of operation.

Confidential information relating to the audited accounts of the sister company South Coast Transport Ltd was submitted and returned to the applicant as it was deemed not necessary for the assessment of this application. Other information originally submitted as confidential but not deemed so by the Agency was placed on the public file and a further month period was made available for public inspection.

A comprehensive and fully costed environmental liabilities risk assessment is to be carried out and a proposal for financial provisions are required to be submitted by the licensee to the Agency for its agreement which will provide for adequate financing for any liabilities incurred by the licensee in carrying on the activities or in the event of cessation of such activities monitoring and financial provisions for measures to protect the environment. (see Condition 11.2).

9. Emissions to Waters

The threat of emissions to waters was raised in a number of submissions. The main issues highlighted were as follows:

- The suitability of Fermoy UDC Wastewater treatment plant to accept the washings from the facility.
- That a permit to discharge to it by Cork County Council is “ultra-vires”.
- The quantities and destination of this effluent be sent to submitter.
- Ambiguity in relation to the strength and the ultimate destination of wash waters and internal washings of containers. Questioned the monitoring measures and containment measures proposed in the application regarding emissions to surface waters.
- In the event of fire flow that flow be automatically diverted to the retention tanks. The threat to the Conna Regional Water Supply was highlighted in a number of submissions.
- A number of submissions expressed concern relating to threat of spillages and rinse wash waters to waters.
- The emissions from the facility should be monitored for pollutants (HCl, NaOCl).
- The 500m boundary was carefully drawn to exclude objectors and that monitoring information should be of six wells picked at random within 1km of the facility and that independent soil analysis be performed by William Martin, 16 Patricks Hill Cork.
- Monitoring of washwater and the stream is insufficient.
- All intended mixing and blending should be classified prior to the approval of the waste licence so EPA personnel can classify the risk attached.
- A maximum blend of 15% of turnover to be included in the licence.
- The EPA is requested to monitor fugitive emissions.
- The control of firewater retention integrity be verified in advance of project commencement.
- The contamination of local wells was raised in a number of submissions.
- The south-east of the site (downstream) is one of the most vulnerable and the submitter queries the numbering of the boreholes in the EIS.
- No drawing (Q3 from C9/H9) was issued from the EPA to a submitter who requested the Article 16 information.
- The files in Inniscarra office and the County Council Office in Mallow were incomplete files and that the files should be made available for public viewing in Fermoy Library.

Response

There will be no discharge of the internal washings of food vehicles or of containers to the treatment plant. They will be held on site pending examination and treatment off-site. Treatment off-site will be subject to the consent of the relevant receiving waste water treatment plant.

Discharge of neutralised washwater effluent to the Shanowenadrimina stream will be permitted subject to stringent ELVs. The stream then flows a further five kilometres to join the main channel of the River Bride. The abstraction point for the

Conna Regional Water Supply is taken from the main channel of the River Bride, 200 metres upstream of the confluence of the Shanowenadrimina stream with the Bride.

All surface water run-off drains to oil interceptors and prior to discharge is continuously monitored for pH, conductivity and TOC. In the event that polluted waters are detected, the discharge will cease and the contaminated water diverted to a retention tank. The recommended PD provides for the provision of a firewater retention facility (Condition 10.8).

The integrity of the fire retention facility shall be tested and submitted to the Agency prior to the acceptance of waste at the facility. A review of the fire fighting requirements is to be submitted. This will cover any modifications to the yard storage area in the event that additional bunded areas are added.

In a spillage situation it is evident that an on-site assessment of the spillage would be necessary and that for certain spillage types (e.g. oil spills), the manual operation of valves could ensure that abatement. The requirement for automatic valves could in fact be counter-productive. In a fire situation there is a possibility that oil will be flushed from the interceptors into the retention tank but the retention of the spillage will not be compromised. However, the applicant is required to examine the provision of remote diversion of firewater to the retention tanks (Condition 4.17).

Limits on the actual quantity of waste oils, solvents and acids to be blended are set in Condition 5.14.

All monitoring undertaken by both the licensee and the Agency will be available for public inspection.

There are two on-site groundwater monitoring locations (one upstream and one downstream). There is a requirement for an additional on-site downstream groundwater monitoring location and the backfilling of the existing borehole 3 (Condition 9.8).

The Agency wrote to the competent authority (Cork County Council) on the 14/4/99 about concerns that had been expressed regarding water supplies in the area. The County Council commissioned O'Callaghan, Moran and Associates to carry out a hydrogeological assessment of the catchment within which the submitter's well lies. They state in their report (p 14 of 20) that it is virtually impossible that the Safeway Warehousing Waste Transfer facility (1.5km downstream) could impact on groundwater quality at the submitter's farm.

The Agency is required to maintain the complete file at the Headquarters of the Agency only. To facilitate local communities and without prejudice to its statutory responsibilities the Agency provides copies of the file, at the nearest EPA regional

inspectorate and the local authority. There is a clear warning statement on the files held in the Regional Offices that the copies are a specific point in time.

10. Tourism / Environment

Of the standard submissions, 153 highlighted or indicated tourism/environment concerns relating to the operation of the facility. Many of the separately written submissions dealt with these issues also.

A number of the hand-written submissions dealt with the threat to the environment. The main issues raised were as follows:

- The proposed transfer station is to be located in an area described in many of the submissions as one of scenic beauty.
- “It is totally unacceptable to locate this dump containing hundreds of tonnes of hazardous toxic and infectious waste near a place of pilgrimage”.
- The proposed facility as it will devalue property nearby.
- The potential threat to the environment of the proposed facility was raised in a number of submissions

Response

The application is for a waste transfer station. There will be no storage of infectious waste at the facility. The facility if operated in accordance with the requirements of the licence will not result in the contravention of any of the requirements of Section 40(4) of the Waste Management Act, 1996.

11. Waste Transfer Station Operation

Submissions relating to the operation of the facility were also made. These included the following:

- that this facility will add 16,000 tonnes of chemical waste to the hazardous waste mountain.
- The US have been spending billions of dollars in rehabilitating old land and suggested that in Ireland that we may be replacing them with even greater hazards.
- Big factories which produce hazardous waste should be responsible for storing their own waste and there would be no need for a holding facility in any other area.
- Reference material was submitted including articles on the subject of toxic dumps in Britain and hazardous waste dump in Michigan, USA and a reference to a school built on a radioactive site in France and a poisoned national park mine in Spain.
- The traceability of all materials being stored and treated at the facility was queried as were the amount of analysis and audits to be performed.
- The facility is currently operational due to the number of new vehicles and increase in vehicle movements and that Fermoy was becoming a waste centre with 2 waste management schemes.

Response

The application is for a transfer station for the onward transport to recycling and transport facilities. The applicant has stated that 16,000 tonnes of the waste to be transferred through the facility will be of pharmaceutical nature. The maximum period for the storage of hazardous materials in drums and in tanks is 3 and 6 months, respectively.

The Agency will monitor and audit the facility on a regular basis. The applicant is required to have a computerised stock control system in place prior to waste acceptance. Further, the provision of access to the system by the Agency may be required (Condition 3.10).

The applicant has stated and the Agency are satisfied, that there is no on-going storage of hazardous waste at the facility. All applications to hold a waste licence are assessed in accordance with the waste management regulations.

12. Positive Submissions

Three letters of support of the proposed development were submitted.

1. One submitter who breeds thoroughbred horses on his farm noted that his name was mentioned in an earlier submission as possibly opposed to or affected by the development. He stated that this is not the case as he is aware of the necessity of a Hazardous Transfer Station in the area and the importance of environmental protection. A standard form signed relating to the positive environmental benefits of operating such a facility was signed by 716 people. The form contained a comments section and it was evident that the signatories included many nearby residents and members of the farming community.
2. Submission supported Safeways application and any proposals which help in recycling and cleaning our environment.
3. This submission cited examples of inaccurate accusations in some of the submissions and stated that the Transfer Station would be of enormous benefit to small and medium sized enterprises.

Response

The applicant stated in Section C5/H5 of the Article 16 information received on the 30th April 1999 that 16 (57%) households are supportive of the development, while 8 households (29%) have no view on the proposal. Four (14%) households have expressed their concerns in submissions to the Agency. Twenty letters of support from people living in the houses nearby were submitted with this information.

Compliance with the conditions of this recommended PD will ensure that any emissions from the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Act, 1996.