

MEMO			
TO:	Board of Directors	FROM:	Michael Henry
CC:		DATE:	17 April 2000
SUBJECT : Kerry County Council - Technical Committee Report on Objection to Proposed Decision - Reg. No. 69-1			

Application Details	
Applicant:	Kerry County Council
Location of Activity:	Ballyvirrane, Milltown, Co. Kerry.
Reg. No.:	69-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 12 and 13 Fourth Schedule: Classes 1, 2, 3, 4 and 13
Application received:	30/09/98
Article 14 (2)(b)(ii) issued:	27/04/99; 03/06/99; 06/10/99
Article 14 (2)(b)(ii) received:	30/06/99; 12/08/99; 28/10/99
Article 14 (2)(a) issued:	25/11/99
Article 16 issued:	Not Applicable
Proposed Decision issued on:	03/03/00
Objection received:	30/03/00
Inspector:	Mr. Tadhg O'Mahony

Consideration of the Objections

The Technical Committee (Michael Henry, Chairperson, Sara Kennelly and Maeve McHugh committee members) has considered all of the issues raised and this report details the Committee's comments and recommendations following the examination of the objections on 13th April 2000.

Objections received

One objection to the proposed decision was received from the applicant, Kerry County Council.

Objection by Kerry County Council

Ground 1 (Condition 4.9.9)

This objection states that Condition 4.9.9 is not relevant as there is no vehicle maintenance area proposed.

Technical Committee's evaluation

Since there is no vehicle maintenance area proposed or required for the site, the technical committee consider that Condition 4.9.9 should be deleted.

Recommendation

Delete Condition 4.9.9

Ground's 2 & 3 (Condition's 4.10.1 & 4.10.2)

The requirement for a waste inspection area and a waste quarantine area is inappropriate while the requirement for a banded pallet is considered appropriate.

Technical Committee's evaluation

Condition's 4.10.1 and 4.10.2 of the proposed decision require (i) proposals for a waste inspection and waste quarantine area to be submitted to the Agency for its agreement and (ii) the agreed infrastructure to be constructed within six months of date of agreement of the proposals. The waste inspection area is necessary to facilitate adequate inspection of waste loads arriving at the facility while the waste quarantine area will allow further examination and classification of suspect loads. The provision of this infrastructure will ensure adequate control over the acceptance and handling of wastes arriving at the facility and the technical committee consider this to be a basic infrastructural requirement of the waste transfer station.

Recommendation

No change.

Ground 4 (Condition 4.13.2)

This objection contends that as surface water which is likely to be contaminated will discharge to the on-site wastewater treatment plant via an oil interceptor, it is not considered appropriate that the uncontaminated surface water discharge be equipped with an oil interceptor.

Technical Committee's evaluation

The provision of surface water drainage plans required by Condition 4.13.3 will clearly highlight the potential for contamination of surface water arising at the site and also the need for oil interceptors. Following receipt of this information, the requirement for oil interceptors can be agreed under Condition 4.13.2.

Recommendation

No change.

Ground 5 (Condition 4.15.1)

The applicant cannot envisage the need for a wheelwash facility.

Technical Committee's evaluation

While Condition 4.15.1 requires proposals for a wheelwash facility to be submitted to the Agency for agreement, the technical committee consider that a dedicated wheelwash is not required.

Vehicle cleaning can be accommodated by other means (e.g. use of power hose washing) and this will minimise the risk of debris/materials being carried onto the public roads. The technical committee consider that Condition's 4.15 and 4.15.1 should be amended to reflect this.

Recommendation

Amend Condition's 4.15 and 4.15.1 as follows:

4.15 Vehicle Cleaning facilities

4.15.1 The licensee shall submit proposals for **vehicle cleaning** facilities including container cleaning to the Agency for its agreement within three months of the date of grant of this licence. These proposals shall include arrangements for the management of surface water run off associated with the vehicle cleaning facilities.

Ground 6 (Condition 5.4)

The applicant requests that Condition 5.4 is amended to include 'beverage cans' instead of 'aluminium cans' and also 'other metals'.

Technical Committee's evaluation

As a matter of clarification, the technical committee consider that Condition 5.4 should be amended to include 'beverage' cans and also other metals. The technical committee note that the applicant applied for non-hazardous ferrous and non-ferrous metal wastes in Table E1.3 of the application.

Recommendation

Amend Condition 5.4 as follows:

Waste for recycling/recovery to be accepted at the civic waste facility shall be limited to cardboard, paper, plastic, glass bottles, **beverage** cans, batteries, waste oils, solvent based paints and varnishes, fluorescent tubes, white goods and **other metals** unless otherwise agreed by the Agency. These waste types shall be stored in separate appropriate containers within the civic waste facility.

Ground's 7 & 8 (Condition's 5.9 & 5.10)

This objection relates to the proposed Waste Inspection/Quarantine Areas and also makes reference to the handling of unacceptable wastes delivered to the facility.

Technical Committee's evaluation

This issue is dealt with under Grounds 2 and 3 above.

Recommendation

No change

Ground 9 (Condition 5.12)

The applicant requests that the winter waste acceptance hours for collection vehicles serving the Dingle area are extended from 17.00 hrs to 19.00 hrs.

Technical Committee's evaluation

The technical committee notes the applicant's concerns in relation to the hours of opening for the council's refuse collection vehicles serving the Dingle area. The technical committee consider

that this can be dealt with as an enforcement issue by the inspector and Condition 5.12 allows for the extension of the waste acceptance hours subject to the Agency's agreement.

Recommendation

No change

Ground 10 (Condition 5.16)

The applicant requests that the words 'waste contractor' in Condition 5.16 are replaced with 'an approved licenced facility'.

Technical Committee's evaluation

The technical committee consider that Condition 5.16 should include 'an approved licensed facility' for all those wastes sent off-site for landfilling at an approved facility.

Recommendation

Amend Condition 5.16 as follows:

Waste sent off-site for recovery or disposal shall only be conveyed to a waste contractor or an **approved licensed facility**, as agreed with the Agency. The recovery or disposal facilities for all wastes shall be agreed in advance with the Agency. 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.

Ground 11 (Condition 6.1)

This objection contends that the forty-eight hour restriction on the residence time for waste at the facility during bank holiday weekends is too onerous and requests that this is amended to seventy-two hours.

Technical Committee's evaluation

It is considered that the forty-eight hour restriction on waste stored at the site for disposal is likely to cause difficulties for the applicant during bank holiday weekends. Therefore, it is recommended that Condition 6.1 is amended to extend the residence time to 72 hours at bank holiday weekends.

Recommendation

Amend Condition 6.1 as follows:

Subject to Conditions 5.11 and 5.17 and unless subject to the prior agreement of the Agency, all waste for disposal shall be removed from the facility within forty-eight hours of its arrival on site at all times **except during bank holiday weekends. For bank holiday weekends, all waste for disposal shall be removed from the facility within seventy-two hours of its arrival on site.**

Ground 12 (Condition 7.3)

This objection contends that, as part of the surface water will not be subject to contamination, an oil receptor for this fraction of surface water is not necessary.

Technical Committee's evaluation

The issue of the requirement for oil interceptors on the surface water discharge(s) is dealt with under Ground 4 above. However, Condition 7.3 should be amended to allow for the proposals required under Condition 4.13.2 to be agreed with the Agency.

Recommendation

Amend Condition 7.3 as follows:

Subject to Condition 4.13.2, surface run-off shall not be discharged to the surface water drains without first having passed through an oil interceptor.

Ground 13 (Condition 8.1.1)

The decommissioning and aftercare plan should be submitted six months prior to the closure of the transfer station rather than six months from the date of grant of the licence.

Technical Committee's evaluation

To allow the applicant the time to prepare a detailed decommissioning and aftercare plan, the technical committee consider that the timeframe for submission of this report should be extended to twelve months from the date of grant of the licence.

Recommendation

Amend Condition 8.1.1 as follows:

A proposal for a Decommissioning and Aftercare Plan for the waste transfer station shall be submitted to the Agency within **twelve** months of the date of grant of the licence. The licensee shall update these schemes when required in writing by the Agency and submit any proposed amendments to the Agency for its agreement.

Signed:

Michael Henry
Technical Committee Chairperson