

MEMO			
TO:	Board of Directors	FROM:	Breege Rooney
CC:		DATE:	8 September 2003
SUBJECT: IPODEC (Ireland) Ltd., Dock Road, Limerick. Technical Committee Report on Objections to Proposed Decision – Reg. No. 82-2			

Application Details	
Applicant:	IPODEC Ireland Ltd.
Location of Activity:	Ballykeefe Townland Dock Road, Limerick.
Reg. No.:	82-2
Proposed Decision issued on:	24/06/03
Inspector:	Maeve McHugh

Objections Received	Date Received
Ms. Mary Dwane, Environmental Officer on behalf of the applicant.	21 July 2003

Consideration of the Objections.

The Technical Committee (Breege Rooney, Chairperson and Olivia Cunningham and Brendan Foley (committee members) have considered all of the issues raised and this report details the Committee's comments and recommendations following the examination of the objection on this facility.

OBJECTION No. 1:

Ms. Mary Dwane, on behalf of the Applicant.

GENERAL

IPODEC compliments the Agency on a practical licence but feels there are some inappropriate conditions and objects to these as follows:-

GROUND 1

Condition 1.2

For the purposes of this licence, the facility is the area of land outlined in orange on Drawing No. C98-101-B2-01 Rev 2 of the application and the area outlined in green in Drawing No C98-101-B2-01, until decontaminated as agreed by the Agency. Any

reference in this licence to “facility” shall mean the area thus outlined unless otherwise agreed with the Agency.

IPODEC request that 'the area outlined in green in Drawing No. C98-101-B2-01' be deleted as they have no control over this area. It is occupied by Cussens Crane Hire Ltd. who store fuel there and it is not concreted. The Agency has not requested that this area be remediated and the original hydrogeological investigation just recommended continuous monitoring. IPODEC have continuously monitored this area and the results do not 'seem' to indicate an increase in the contamination. Hydrocarbon levels were not detected in the June monitoring event.

Technical Committee's Evaluation

The facility in the current licence, i.e. 82-1, is defined in Condition 1.2 as:

'Within one month of the date of grant of this licence, the licensee shall submit to the Agency for its agreement, a Site Plan, showing the facility boundary outlined in red, incorporating (i) the areas outlined in red and green and blue shading on Drawing No. C98-101-B2-01 Rev1 received by the Agency on 1st September 1999 and (ii) the facility offices indicated in black on Drawing No. C98-101-D1-01 received by the Agency on 11th November 1998. Any reference in this licence to “facility” shall mean the area thus outlined in blue'.

Attached in Appendix 1 is the map submitted by Cussen & Company (Crane Hire) Ltd., on 14 March 2001, of the above areas outlining the facility boundary in red.

IPODEC Ireland Ltd. purchased the business from Cussen & Company (Crane Hire) Ltd and assumed management of the facility on 1 January 2001. The Agency approved the transfer of the licence from Cussen & Company (Crane Hire) Ltd to IPODEC Ireland Ltd. on 4 April 2002. As such IPODEC Ireland Ltd. accepted the requirements of section 47(6) of the Waste Management Act, 1996 i.e. that 'a person to whom a licence is transferred under this section shall be deemed to have assumed and accepted all liabilities, requirements and obligations provided for or arising under the licence, regardless of how and in what period, including a period prior to the licence, they may arise'.

On 12 November 2002 IPODEC applied for a review of 82-1 licence. The review contained a revised site boundary which included: a new wedge-shaped area of land to the Northeast of the facility, a new area to the south east of the facility that contained new site offices that were already in use, excluded some office space now used solely by Cussen & Co. (Crane Hire)Ltd. and it also excluded an area of contaminated land. This map C98-101-B2-01 Rev.2 is included in Appendix 2.

The PD for the review of 82-1 has defined the boundary as:

'For the purposes of this licence, the facility is the area of land outlined in orange on Drawing No. C98-101-B2-01 Rev 2 of the application and the area outlined in green in Drawing No C98-101-B2-01, until decontaminated as agreed by the Agency. Any reference in this licence to “facility” shall mean the area thus outlined unless otherwise agreed with the Agency.'

A copy of and the area outlined in green in Drawing No C98-101-B2-01 is included in Appendix 3.

IPODEC have not demonstrated satisfactorily in their Objection that the area of contaminated land is no longer contaminated. Hence, the TC recommend that this area must still be included in the site boundary. It is noted that the Condition allows for a change in the site boundary to be agreed once the Agency is satisfied that the area in question is decontaminated.

Recommendation

No Change

GROUND 2

Conditions 3.8 and 4.8.3

The requirement to install a wheel wash/dry wheel shake is considered excessive and unnecessary. The reasons being that:-

- *It is proposed to have a vehicle washing system on site.*
- *With the redevelopment there will be no areas of the site where vehicles are moving that will not be hardstanding.*
- *The travel distance from the point of discharge of the waste in the transfer building (where vehicle wheels may come in contact with the waste) to the weighbridge is such that no waste will be left on the wheels to be carried on to the main road.*
- *The wording in 4.8.3 referring to silt and stones seems to be more appropriate for a landfill facility.*

IPODEC requests that the words “and wheel wash/dry wheel shake” be removed from condition 3.8 and that condition 4.8.3 be deleted.

Technical Committee’s Evaluation

The Technical Committee is of the opinion that a wheel cleaner is essential in order to ensure that waste is not carried onto the public road from the facility. Hence, it is recommended that the conditions should be amended so as to specify the requirement for a wheel cleaner.'

Recommendation

Amend Conditions as follows:

Condition 3.8

The licensee shall provide and maintain a weighbridge and a **wheel cleaner** at the facility.

Condition 4.8.3

The **wheel cleaner** shall be inspected on a daily basis and drained as required. Silt, stones and other accumulated material shall be removed as required from the **wheel cleaner** and disposed of appropriately.

GROUND 3

Condition 3.11.6

The licensee shall install and maintain silt traps and oil interceptors at the facility to ensure that all surface water discharges from the facility pass through a silt trap and oil interceptor prior to discharge. The interceptors shall be Class I full retention interceptors and the silt traps and interceptors shall be in accordance with European Standard prEN 858 (installations for the separation of light liquids).

IPODEC detail that currently all surface water from the facility is passing through two Class I interceptors prior to discharge. The interceptors are cleaned and serviced on a monthly basis. Suspended solids results from the most recent monitoring event in March 2003, recorded results of 4.2 (WS6) and 20 mg/l (WS7) and the emission limit in the PD is 60mg/l for discharges from interceptors. IPODEC propose that wastewater from the waste handling area and vehicle wash system shall pass through a grit trap and interceptor prior to discharging to the waste water treatment plant. It is requested that the words 'silt trap' and the requirement to install a silt trap for all surface water discharges from the facility be deleted.

Technical Committee's Evaluation

Given the fact that all surface water from the site currently pass through two interceptors prior to discharge from the site and that monitoring of the discharge at 4.2 and 20mg/l was well below the emission limit vale of 60mg/l in the PD for discharges from oil interceptors the TC recommend deleting the requirement to have a silt trap in this condition.

Recommendation

Amend Condition 3.11.6 as follows:

The licensee shall install and maintain oil interceptors at the facility to ensure that all surface water discharges from the facility pass through **an** oil interceptor prior to discharge. The interceptors shall be Class I full retention interceptors and shall be in accordance with European Standard prEN 858 (installations for the separation of light liquids).

GROUND 4

Condition 4.2.3

A record of all inspections of incoming loads shall be maintained.

About 40 loads are received each day at the facility and to log each load is considered excessive and overly time consuming. Currently all loads are inspected by the loading shovel operator and any unacceptable or hazardous waste is removed to the quarantine area. The environmental officer is then notified and they log the details in the unacceptable waste record file. IPODEC request that this condition be deleted from the licence.

Technical Committee's Evaluation

The TC notes that Condition 4.2.1 only allows waste to be processed for disposal or recovery after it has been inspected and Condition 9.2 requires written details, including a description of the waste, to be maintained of all waste arriving at the facility. Hence the TC recommends deleting Condition 4.2.3.

Recommendation

Delete Condition 4.2.3.

GROUND 5

Condition 4.2.4

Waste shall only be accepted at the facility, from customers who are holders of a waste permit under the Waste Management (Collection Permit) Regulations 2001 or from other licensed/permitted facilities.

It is IPODECs understanding that customers who deliver their own waste to the site themselves in trucks and vans are not required to have waste collection permits. Hence, IPODEC request that the condition be reworded to take account of this and so as not to lose business.

Technical Committee's Evaluation

The Technical Committee notes that there are a small number of exemptions from the general provision that all waste hauliers require collection permits under Article 22 of the Waste Management (Collection Permit) Regulations, 2001. It is recommended that the condition be amended to reflect these exemptions.

Recommendation

Amend Condition 4.2.4 as follows:-

Waste shall only be accepted at the facility, from customers who are holders of a waste permit, **unless exempted**, under the Waste Management (Collection Permit) Regulations 2001 or from other licensed/permitted facilities.

GROUND 6

Condition 4.8.4

The licensee shall maintain the compactor in accordance with the manufacturers instructions.

IPODEC do not operate a compactor and there is no mention made of a compactor in the waste licence review application. However, IPODEC do operate a bailing machine. It is requested that the Agency remove this condition from the licence.

Technical Committee's Evaluation

The Technical Committee notes the applicants comment and recommends that all waste processing machinery be maintained. This requirement can be amalgamated into Condition 4.8.1 and Condition 4.8.4 can be deleted.

Recommendation

Amend Condition 4.8.1 as follows:-

All **processing**, 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.

Delete Condition 4.8.4.

GROUND 7

Condition 8.4.4

In the event that monitoring of local wells indicates that the facility is having a significant adverse effect on the quantity and/or quality of the water supply this shall be treated as an emergency and the licensee shall provide an alternative supply of water to those affected.

IPODEC detail that all the water supplied to the facility is mains supply water and that there are no wells situated locally. It is requested that this condition be deleted, as it is not relevant.

Technical Committee's Evaluation

The Technical Committee agree that this condition should be deleted, as it is not relevant.

Recommendation

Delete Condition 8.4.4.

GROUND 8

Condition 11.1.1

IPODEC believes that the fee at €18,172.52 is excessive given that their facility in Dublin 39-2 has paid approximately €13,500 for 2003. Hence, IPODEC request that the Agency reduce the fee to at least the same amount if not less.

Technical Committee's Evaluation

It should be pointed out that the monitoring charge is based on the cost of carrying out Agency monitoring of the facility including site inspections, audits and assessing reports and laboratory analysis of samples taken at the facility.

The Technical Committee examined the charges in relation to this facility and a number of other facilities including IPODEC 173-1 at €16,885.34 (Revised), Mr. Binman at €13,374, Dean Waste 42-1 at €17,639 and Aherns 136-1 at €17,835. The following changes are recommended: delete the requirement for the waste mobile unit to visit the site, delete the requirement for noise monitoring at three location, reduce number of surface water monitoring locations to two and reduce regional laboratory subsistence to 5-10hr. This has the overall effect of reducing the charges to €17,401.84.

It should be noted that the charge will be updated on an annual basis. This charge will be reduced or increased, taking into consideration the Public Sector Average Earnings Index and the number of reports and monitoring returns due to be assessed and site visits and audits. Compliance with the Licence and a good environmental performance by the Licensee will help to reduce the annual charge.

The Technical Committee recommends reducing the annual contribution to the Agency from €18,172.52 to €17,401.84.

Recommendation

Amend annual contribution in Condition 11.1.1 to €17,401.84
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Signed: _____
Breege Rooney
Technical Committee Chairperson

Dated: _____