

MEMO			
TO:	Board of Directors	FROM:	Breege Rooney
CC:		DATE:	11 December 2000
SUBJECT: Reduce, Reuse and Recycle Limited - Technical Committee Report on Objections to Proposed Decision – Reg. No. 95-1			

Application Details	
Applicant:	Reduce, Re-Use, Recycle Ltd.
Location of Activity:	Waste Management Centre, Knockmitten Lane, Western Ind. Est. Dublin 12.
Reg. No.:	95-1
Proposed Decision issued on:	26/09/00
Objections received:	23/10/00
Circulation of objections:	31/10/00
Inspector:	Kealan Reynolds

Objections Received	Date Received
Objection by Applicant: Reduce, Re-Use & Recycle Ltd. Waste Management Centre, Knockmitten Lane, Western Ind. Est., Dublin 12.	23/10/00

Consideration of the Objections.

The Technical Committee (Breege Rooney, Chairperson, Donal Howley and Regina Campbell, 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.

Objection No.1: Reduce, Re-Use & Recycle Ltd. (23/10/00)

Condition 5 Waste Acceptance and Handling

Condition 5.14

Waste shall only be accepted at the facility between the hours of 7:30am and 5:30pm, Monday to Friday, unless otherwise agreed in advance by the Agency.

Ground 1 – Condition 5

In the commercial environment in which Reduce, Reuse and Recycle Ltd. (RRR) currently operate it is essential that we can supply a service to our customers on a Saturday. Many of the clients serviced by RRR are commercial/retail properties who have their busiest times on Saturday and subsequently produce a high proportion of their waste materials on this day. Many of these customers are small commercial operators and do not have the capacity to store waste materials and thus require an on the spot pickup of their wastes on a Saturday.

Reduce, Reuse and Recycle Ltd. object to the fact that they cannot operate on a full scale on Saturday which deems them uncompetative in the market place. RRR request that the waste acceptance times be extended to include Saturday 7:30 – 17:30.

The industrial estate in which the RRR facility is sited is zoned for commercial businesses. In the immediate vicinity of the RRR site are two 24 hour operations, see Plate 1. RRR feel that waste management in Ireland is moving towards parity with other countries who have advanced in the waste management area (e.g. Germany, USA etc.). Many of these countries have reached a stage whereby waste collection vehicles are not allowed to enter city areas during the day and therefore have to operate during the night. RRR feel that when this situation arises in Ireland that it will be necessary to operate a 24 hour facility. At present RRR will not require these hours of operation but request that when the necessity arises that the EPA will allow them to operate a 24 hour facility as in Licence 39-2.

However, RRR do request that opening of the facility in the event of an emergency situation (e.g. traffic restrictions etc.) which will not allow for the collection of wastes from our clients during the set working day be included as part of the licence condition (See Licence 82-1). RRR will gladly co-operate with the Agency in whatever way they deem fit to allow for these situation to be dealt with at the facility.

Technical Committee's evaluation

RRR Ltd stated in their Licence application, Attachment D.3 Materials Management, that 'the facility is open for approximately 300 days a year'. This suggests that the facility is open on a Saturday.

Similar licenced facilities (non hazardous waste transfer stations) in the Dublin area e.g. Reg. No. 44-1 Padraig Thornton Waste Disposal Ltd., Ballyfermot, Dublin can operate and handle waste between the hours of 8.00 a.m. to 7.00 p.m. Monday to Saturday and Reg. No. 3-1 Ballymount Bailing Station can operate and accept waste between the hours of 7.30 a.m. to 6.30 p.m. Monday to Saturday.

Hence, the Technical Committee recommend that this facility should also be allowed to handle waste on a Saturday for the hours requested i.e. between the hours of 7.30 a.m. to 5.30 p.m. Monday to Saturday.

RRR Ltd requested, in their objection, to be allowed operate a 24 hour facility. A 24 hour operation is not specifically dealt with in their Licence application and the environmental implications of a 24 hour operation would have to be assessed before the Agency could consider it. Hence, the Technical Committee do not recommend allowing a 24 hour operation.

RRR Ltd also requested opening in the event of an emergency situation. Condition 5.14, of the PD, details the waste acceptance hours and also states *unless otherwise agreed in advance by the Agency*. The licensee would be required to notify the Agency under Condition 3.3 if an emergency

has taken place. The Licensee can request, if necessary, at the time of notification of an emergency to handle waste outside the normal hours of operation. Once the Agency has all the necessary details in relation to an emergency it would be in a better position to decide whether the facility could extend it's opening hours for a short period to deal with a specific emergency. Hence, the Technical do not recommend a general condition specifically allowing opening in the event of an emergency situation.

Recommendation

The Technical Committee recommend allowing Saturday opening, hence amend as per the following:

INTERPRETATION

Working Day 7.30 a.m. to 5.30 Monday to **Saturday**.

Condition 5.14

Waste shall only be accepted at the facility between the hours of 7:30am and 5:30pm, Monday to **Saturday**, unless otherwise agreed in advance by the Agency.

Ground 2

Condition 5.15

No waste shall be placed, or allowed to accumulate outside the Transfer Building, other than baled cardboard in fully enclosed trailers/containers pending removal from the site, unless agreed in advance by the Agency.

RRR's facility works on a system whereby trailers are constantly moved into and out of the site. These movements require one trailer to be stored for a brief period of time in the yard to be hitched to a vehicle and then ultimately transferred from the site. All trailers which are full or partially full will be stored inside the facility during night time hours. RRR request than an appropriate amendment to this condition be made by the Agency.

Technical Committee's evaluation

Condition 5.1 of the PD does not *allow hazardous wastes, liquid wastes or wastes liable to spill to be accepted at the facility.* In addition Condition 6.1 requires that *all waste for disposal held overnight, shall be stored in suitably covered and sealed containers within the Waste Transfer Building, and shall be removed from the facility within 72 hours of its arrival on-site.*

Given the fact that the facility can not accept hazardous or liquid wastes and that all waste for disposal must be removed from the facility within 72 hours the Technical Committee accept RRR Ltd's argument. The Technical Committee recommend that the reference to *baled cardboard* should be removed from the condition and it should be replaced with the word *unless*. In addition the words *on the same day* should be included in order to clarify that the storage of waste outside the transfer building is for a limited period on the day of removal of the waste from the site. The words *unless agreed in advance by the Agency* should be deleted as the Technical Committee are of the opinion that there is already enough flexibility in the Condition.

Condition 5.16

Full or partially full trailers loaded for waste for disposal shall be stored within the Transfer Building or Loading Bay prior to dispatch.

It is also recommended to delete Condition 5.16 as it would be in conflict with Condition 5.15.

Recommendation

The Technical Committee recommend amending Condition 5.15 as per the following:

No waste shall be placed, or allowed to accumulate outside the Transfer Building **unless** in fully enclosed trailers/containers pending removal **on the same day** from the site.

and deleting Condition 5.16

Ground 3 Condition 7 – Emission and Environmental Impacts

Condition 7.4

There shall be no clearly audible tonal or impulsive component in the noise emissions from the activity at the facility boundary.

In the day to day workings of the RRR site an integral part of the operations include the use of mobile plant and refuse vehicles, see Plate 3. The operation of these vehicles require, from a safety perspective, an audible tone to be projected to warn personnel of imminent dangers, particularly when vehicles and plant are reversing or tipping. RRR object to this condition on the basis of health and safety in relation to the operations ongoing at the site. The industrial nature of the surrounding area is such that impacts from RRR's vehicles will not significantly impact on the environmental noise conditions in the area.

Technical Committee's evaluation

The audible tone from mobile plant, refuse trucks and forklift trucks would be of a impulsive rather than a tonal nature.

The facility is located the Western Industrial Estate, Dublin in an industrial zoned area surrounded by light industry. The nearest noise sensitive location is a house, at one end of Knockmitten Lane, approximately 30m from the boundary of the facility.

The PD requires noise monitoring at four location, including the nearest noise sensitive location, under Condition 9.6.1 and Schedule E.4. annually. In addition Condition 7.3 requires *that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the facility boundary.*

In order to ensure the requirements of Condition 7.3 of the PD and taking into consideration the arguments made by the applicant the Technical Committee recommend replacing the words in Condition 7.4 from *at the facility boundary* to *at any noise sensitive location*.

Recommendation

The Technical Committee recommend the following amendment to Condition 7.4:

There shall be no clearly audible tonal or impulsive component in the noise emissions from the activity at **any noise sensitive location**.

Ground 4

Condition 7.7.9

The licensee shall maintain a log detailing the usage of all cooling water and boiler water treatment chemicals. This log shall be submitted to South Dublin County Council on an Annual basis.

Reduce, Reuse and Recycle Ltd. do not utilise any cooling water or boiler water on site. Subsequently there are no water treatment chemicals used on site and as such we would request that the Agency omit this condition from the licence.

Technical Committee's evaluation

Section 52 of the Waste Management Act, 1996 and Section 97 of the Environmental Protection Agency Act, 1992 requires that where the Agency proposes to grant a licence which involves a discharge of any trade effluent to a sewer it has to obtain the consent of the relevant Sanitary Authority. The Sanitary Authority may attach such conditions as it considers appropriate and the Agency has to include such conditions or stricter conditions in the Licence.

The Sanitary Authority, South Dublin County Council specified Condition 7.7.9 in their Section 52 response. However, the Applicant has now detailed that there is no cooling water or boiler water on-site and that there are no water treatment chemicals on site. As such, there would be no discharge of cooling water, boiler water or boiler water treatment chemicals to the sewer from the site. Hence this Condition is not relevant to a Section 52 Consent and to the PD. Hence the Technical Committee recommend deleting this Condition.

Recommendation

Delete Condition 7.7.9 and renumber remaining Conditions.

Ground 5 Condition 9 Environmental Monitoring

Condition 9.3.1

The licensee shall provide, install and maintain within six months of the date of grant of this licence, a system for monitoring and recording the discharge volume/flow to foul sewer subject to agreed alteration by the Sanitary Authority.

Reduce, Reuse and Recycle feel that ongoing daily logging of output to the sewer is excessive. We will liaise with the local Sanitary Authority (South Dublin Co. Co.) as per the recommendation of the licence to assess their requirements. Upon agreement with the Sanitary Authority on a measurement regimen for assessing volume output from the site.

We would request that the Agency alters this condition with appropriate wording and, also Table E.1.2 of Schedule E if required.

Technical Committee's evaluation

The PD, Table E.1.2, requires that the flow of effluent to the sewer should be estimated fortnightly until, in accordance with Condition 9.3.1, a system is installed to monitor the flow on a daily basis. The Sanitary Authority, South Dublin County Council, did not specify a monitoring frequency for the flow of effluent to the sewer in their Section 52 Consent.

The PD allows 10 m³ of effluent to be discharged to the sewer on a daily basis. The Technical Committee consider that it is essential to know how much effluent is being discharged to the sewers to determine the effluent load from this facility. The monitoring will also aid the company in determining ways to reduce this load.

However, the frequency of monitoring could be reduced at such time when there is sufficient data to show the trend in the frequency and volume of effluent being discharged to the sewer. Condition 9.3.1 allows for an amended frequency however the Technical Committee recommend that this alteration should be subject to the agreement of the Agency. In addition, Condition 9.10 allows for an amended frequency in monitoring.

Recommendation

Amend Condition 9.3.1 as follows:

The licensee shall provide, install and maintain within six months of the date of grant of this licence, a system for monitoring and recording the discharge volume/flow to foul sewer subject to agreed alteration by the **Agency**.

Ground 6

Condition 9.5

Dust deposition monitoring shall be carried out as specified in Schedule E Monitoring. The first such monitoring shall be undertaken during the first relevant period occurring after the date of grant of this licence.

Extensive engineering works have been carried out at the RRR site to mitigate against environmental impacts on the surrounding environment. One of the main improvements has been the laying of a hardstanding material on the yard surface, see Plate 2. RRR feel that the request by the Agency for dust sampling 3 times per year is excessive given the low baseline dust concentrations which were recorded for the licence application. The levels recorded for the licence application were taken when the yard comprised of loose fill material which was susceptible to producing airborne particulates. These levels will now be expected to be at an even lower level due to the hardstanding surface of the yard which is cleaned on a regular basis using a road sweeper bought specifically for the job and the on-going cleaning of all vehicles leaving the site, see Plate 4. RRR request that the dust monitoring for the yard be reduced to one annual dust sample which will be taken between May and September. Please see Plates 2 and 4 for evidence of resurfaced concrete yard area and in situ cleaning.

Technical Committee's evaluation

Condition 9.10 of the PD allows for frequency of monitoring to be amended subject to the agreement of the Agency. If after a period of time the Agency is satisfied, following evaluation of test results, that the Licensee is not breaching the dust limits, set in Schedule F.2 of the PD, it may consider reducing the frequency of monitoring.

As the PD allows for an amendment in the frequency of monitoring and as the applicant has yet to demonstrate, via test results, the dust levels after alterations at the site the Technical Committee recommend no change to this Condition.

Recommendation

No Change.

Ground 7 Condition 11 Charges and Financial Provisions

Condition 11.1

The licensee shall pay to the Agency an annual contribution of £7,389 or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2001 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2000, the licensee shall pay a pro rata amount from the date of this licence to 31st December 2000. This amount shall be paid to the Agency within one month of the date of grant of this licence.

RRR feel that the annual contribution requested by the Agency is excessive for the size and nature of the site. We feel that the throughput of the site does not warrant a contribution of £7,389 for a company striving to achieve government policy targets for recycling and feel that we are being penalised as a small business. RRR understand that a fee for Agency monitoring and administration is required, but consider that in comparison to other licenced sites that the fee is excessive. Taking into account the large investment in the improvements in the yard infrastructure for environmental protection and the relatively small volume of waste throughput at the facility (17,000 tonnes), RRR feel that a fee in the Range of £4,500 to £5,000 would be more appropriate. We base this figure on the inspection of other waste licences which have been granted, their annual contributions and their throughput.

<i>Licence No.</i>	<i>Tonnage/Volume</i>	<i>Site (Transfer Station/Landfill)</i>	<i>Fee (IR£)</i>
<i>53-1</i>	<i>55,000</i>	<i>Transfer Station/Landfill</i>	<i>£12,200</i>
<i>39-2</i>	<i>150,000</i>	<i>Transfer Station</i>	<i>£8,614</i>
<i>44-1</i>	<i>150,000</i>	<i>Transfer Station</i>	<i>£9,162</i>
<i>97-1</i>	<i>50,000</i>	<i>Transfer Station</i>	<i>£7,591</i>
<i>79-1</i>	<i>75,000</i>	<i>Transfer Station</i>	<i>£7,841</i>

Upon inspection of the licences listed above, RRR feel that given the throughput of material at the facility, the fee contribution is very high in particular when compared with licence no. 97-1 and 79-1. These licensees are expected to pay a contribution similar to RRR but have a capacity of material passing through their facility of 3 and 4.5 times respectively that of RRR. The relatively high throughput of these facilities results in more revenue for the company which makes it easier for them to pay the annual fee contributions.

Technical Committee's evaluation –

The PD allows RRR, Condition 5.3, to accept 17,000 tonnes per annum. However, it must be pointed out that the monitoring charge is not based on the actual tonnages of waste that a facility can accept but on the cost of carrying out Agency monitoring of the facility including site inspections and audits and assessing reports and monitoring results in relation to the facility.

The Technical Committee thoroughly examined the charges in relation to this facility and recommend reducing the charges for auditing the facility and for including the regional laboratory travel to the facility for sampling in line with charges for other licences. This would have the overall effect of reducing the charge to £7,072.

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

Recommendation

Amend Condition 11.1 as per the following:

The licensee shall pay to the Agency an annual contribution of **£7,072** or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2001 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2000, the licensee shall pay a pro rata amount from the date of this licence to 31st December 2000. This amount shall be paid to the Agency within one month of the date of grant of this licence.

Signed:

Breege Rooney
Technical Committee Chairperson