

Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

WASTE LICENCE APPLICATION

DECISION AND REASONS FOR DECISION

**Application for Waste
Licence Register**

Number: 96-1

Applicant: Advanced Environmental Solutions (Ireland)
Limited trading as Erwin Cobbe Waste
Disposal

Location of Facility: Deer Park Cross, Ballymorris, Kilbride,
Portarlinton, County Laois.

DECISION & REASONS FOR THE DECISION

Decision

On the basis of the information before it, the Agency, pursuant to its powers under Section 40(1) of the Waste Management Act, 1996, hereby refuses to grant a waste licence to Advanced Environmental Solutions (Ireland) Limited trading as Erwin Cobbe Waste Disposal to carry on the waste activities that are the subject of Waste Licence Application Register Number 96-1 at Deer Park Cross, Ballymorris, Kilbride, Portarlinton, County Laois.

In reaching this decision the Agency has considered the application and supporting documentation received from the applicant, all submissions and objections received, the report of its inspector and the report and recommendation of the chairperson of the oral hearing.

Reasons for the Decision

On the basis of the information before it, the Agency is not satisfied, for the reasons set out in the following Schedule of Activities Refused, that the continued operation of the facility would comply with and not contravene the requirements of Section 40(4) of the Waste Management Act, 1996:

Schedule of Activities Refused

Refused waste disposal activities, in accordance with the Third Schedule of the Waste Management Act, 1996

Class 11	Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule Described in the application as blending and mixing of metals, glass, drink cans, cardboard, paper and fines (compost) (see Appendix L for the description as given in the application) and described by the applicant at the Oral Hearing, as the bulking up of waste to be transported to landfill. Reasons <ul style="list-style-type: none">• The carrying on of the waste activity outdoors is not considered BATNEEC (best available technology not entailing excessive cost).• The drainage at the facility is not adequate and the existing building is in a poor state of repair. No proposals were put forward by the applicant in relation to these matters.• Waste blending and mixing as carried on at the facility has given rise to environmental nuisances and the proposed activity has the potential to continue to give rise to environmental nuisances.• There is a risk of environmental pollution from the carrying on of waste activities outdoors without proper infrastructure.
Class 13	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced Described in the application as the principal activity and refers to the handling of domestic, commercial and industrial waste (see Appendix L for further details) and described by the applicant at the Oral Hearing, as the storage of bulked waste prior to the submission to authorised landfill. Reasons <ul style="list-style-type: none">• As per the reasons given for Class 11 above.

*Refused waste recovery activities, in accordance with the Fourth Schedule
of the Waste Management Act 1996*

Class 2	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes) Described in the application as the production of fines for composting from the trommel and described by the applicant at the Oral Hearing, as the recovery of cardboard. Reasons <ul style="list-style-type: none">• This activity is related to the processing of mixed waste accepted at the facility outdoors. The activity cannot be carried on due to the refusal of Class 11 of the Third Schedule.
Class 3	Recycling or reclamation of metals and metal compounds Described in the application as the reclamation of metals and described by the applicant at the Oral Hearing, as the recovery of metals and compounds (a magnet takes out the ferrous material). Reasons <ul style="list-style-type: none">• Insufficient information has been submitted in the application to allow an assessment of this waste activity.• This activity is related to the processing of mixed waste accepted at the facility outdoors. The activity cannot be carried on due to the refusal of Class 11 of the Third Schedule.
Class 4	Recycling or reclamation of other inorganic materials Described in the application as the recovery of 'glass' and described by Dr. Mc Namara at the Oral Hearing, as the recovery of construction and demolition waste including glass. Reasons <ul style="list-style-type: none">• Insufficient information has been submitted in the application to allow an assessment of this waste activity• This activity is related to the processing of mixed waste accepted at the facility outdoors. The activity cannot be carried on due to the refusal of Class 11 of the Third Schedule.
Class 8	Oil re-refining or other re-uses of oil Described in the application as ' <i>engine oil for space heating</i> ' and for which the applicant stated there was no description given in the application and that they did not wish to carry on the activity. Reason <ul style="list-style-type: none">• The applicant has withdrawn this activity.
Class 9	Use of any waste principally as a fuel or other means to generate energy Described in the application as ' <i>shredding of timber, wood off cuts, cardboard, paper and forestry waste for waste heat burner</i> ' and described by the applicant at the Oral Hearing as related to the burner and that they did not wish to carry on the activity. Reason <ul style="list-style-type: none">• The applicant has withdrawn this activity.
Class 11	Use of waste obtained from any activity referred to in a preceding paragraph of this Schedule

Described in the application as the recycling of metal, glass, wood, cardboard and paper and described by the applicant at the Oral Hearing as the use of waste involving the recovery of cardboard.

Reasons

- Insufficient information has been submitted in the application to allow an assessment of this waste activity.
- This activity is related to the processing of mixed waste accepted at the facility outdoors. The activity cannot be carried on due to the refusal of Class 11 of the Third Schedule.

Class 12 Exchange of waste for submission to any activity referred to in a preceding paragraph of this Schedule

Described in the application as waste for recycling, waste for composting, waste for energy generation, waste for re-use (oil) and described by the applicant at the Oral Hearing as the exchange of waste from one activity to another.

Reasons

- All the classes of waste activities referred in the proceeding paragraphs have been recommended for refusal.
- Insufficient information has been submitted in the application to allow an assessment of this waste activity.

Class 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

Described in the application as the '*storage of end line waste and subsequent disposal at landfill site at Kyletalesha*' and described by the applicant at the Oral Hearing as the storage of waste prior to submission to another waste recovery activity.

Reasons

- The description of this waste activity given in the application relates to waste disposal and hence it cannot be licensed under the Fourth Schedule of the Waste Management Act.
- Insufficient information has been submitted in the application to allow an assessment of this waste activity.

Sealed by the seal of the Agency on this 26th day of March, 2003

**PRESENT when the seal of the Agency
was affixed hereto:**

Anne Butler, **Director/Authorised Person**