

INSPECTORS REPORT

WASTE LICENCE REGISTER NUMBER: 104-1

Applicant: Advanced Environmental Solutions (Ireland) Ltd.

Facility: Cappincur, Tullamore, Co. Offaly

Inspector: Pernille Hermansen

Inspector's recommendation: The licence be granted subject to conditions.

(1) Introduction:

The application is for a waste transfer station and a proposed new civic waste facility on site. The PD limits the facility to acceptance of 24,000 tonnes of waste per annum.

The application was submitted 16/7/99 by Mr. Seamus Dolan, Alina Rentabin (prescribed date 1/3/99). The quality of the original application was poor, however in March 2002 additional information to supplement the original application was submitted. In July 2002 the facility was bought by Advanced Environmental Solutions (Ireland) Limited (AES). The process to ensure compliance with Article 12 has been very slow due to the applicant not adhering to the deadlines for submittal stated in the notices. The last Article 14 reply was received on 13/08/03 of which some information was submitted as confidential. While some issues raised in the Article 16 notice remain outstanding I consider that we have sufficient information on which to make a recommendation having regard to the recent licences issued for waste transfer stations as well as the more recent submittals from the applicant.

A facility for waste collection and recycling has been operated at the site since 1994. Offaly County Council has confirmed that the facility has never applied for or obtained a waste permit from the council. Planning permission was granted by the County Council in 1994 for a building where waste paper was to be baled and recycled. The site (about 2.75 acres) is located about 3 km east of Tullamore town centre and comprises of an office building, a weighbridge office and a transfer station building (about 1215 m²). A proposed extension to the transfer building will increase the building to about 2700 m².

The immediate land uses surrounding the site are a mixture of industrial and agricultural. On the eastern boundary of the site are some industrial units including a sawmill. On the southern boundary of the site is a council dog pound. The closest residential dwellings are approximately 200m to the north east of the site.

Classes 11, 12 and 13 of the Third Schedule and Classes 2, 3, 4, 12 and 13 of the Fourth Schedule were applied for in the application. Class 13 of the Fourth Schedule is the principal activity.

The applicant applied for Class 9 of the Fourth Schedule in the original application but has since decided not to proceed with this activity at the site as stated in the Art. 14 reply submitted 27/01/03.

Quantity of waste (tpa)	24,000
Environmental Impact Statement Required	No
Prescribed date	01/03/99
Date Application Received	16/07/99
Number of Submissions Received	4

Facility visits:

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
20/04/00	Site Notice Inspection	M. Keegan	Compliant
21/02/02	To carry out a site visit and obtain outstanding Art. 14 and Art. 16 information	P. Hermansen	The outstanding information was not forthcoming at the time of the site visit
21/08/03	Site Notice Inspection	P. Hermansen	New applicant details. Compliant
30/09/03	Site visit to clarify submitted Art. 14 information and assess recent development on site	M. Doak P. Hermansen	Work on extension had started and new baler had been installed.

(2) Facility Development

The installation of infrastructure at the facility is controlled by [Condition 3](#) of the recommended PD.

Since the facility was bought by AES several developments have been carried out at the site. These include upgrading of the drainage system, installation of a new septic tank and raised percolation area as well as installation and removal of various waste processing plants inside the transfer building.

In addition to the infrastructure already installed at the site, the applicant proposes several new works at the site. Planning permission was granted 21/04/03 for the following works: a new extension (1485m²) to the existing building, a new amenities building (53 m²), new septic tank and associated site development works.

Another planning permission was granted on 12/06/03 for installation of a civic amenity centre and the retention of the administration unit and toilet. [Condition 3.13](#) of the PD requires the applicant to submit a proposal with details of the layout and design of the civic waste facility as the applicant has supplied very few details in relation to this. The PD specifies that the household hazardous waste shall be stored in a secure, appropriately seized area bunded and surfaced to deal with spillages.

Other main infrastructure proposed by the applicant and required by the recommended PD includes security fencing, impervious concrete surfaces in all areas of the facility and installation of a waste quarantine area,

Potential nuisances at the facility are controlled by [Condition 7](#) of the PD.

(3) Waste Types and Quantities

The applicant proposes to accept 22,060 tonnes per annum the first year after the licence is granted increasing to 24,060 tonnes per annum five years later. The PD allows the facility to accept up to 24,000 tonnes per annum consisting of household waste (6500 tonnes), commercial and industrial waste (14,100 tonnes), C&D waste (3300 tonnes) and household hazardous waste (100 tonnes) (Schedule A). The tonnage of the various waste types can be changed with the agreement of the Agency as long as the total annual tonnage accepted remains the same. The PD specifies that the commercial and industrial waste shall only consist of dry recyclables and not contain any putrescible waste. The municipal solid waste accepted at the site currently consists of primarily kerbside collected recyclable waste but the applicant states that this might change to include putrescible household waste.

All waste excluding waste accepted at the civic waste facility will be tipped inside the waste transfer building. All waste processing will be carried out inside the transfer building ([Condition 5](#)). Since the facility was bought by AES, a picking line and a new baler have been installed. In addition, the applicant proposes to install a conveyor belt and a trommel.

Commercial and industrial waste and municipal solid waste will be segregated by use of the processing plant described above. The segregated recyclables (predominantly cardboard, paper and plastics) are then baled and sent for recovery off site. Residual waste is stored in articulated trailers and transferred for disposal.

C&D waste is segregated by a mechanical grab and stored in dedicated skips for timber, metals etc. The applicant states that the residual waste is disposed of at authorised landfill sites.

At the civic waste facility, containers will be provided for collection of recyclable waste. The civic waste facility shall only be used by private vehicles. Schedule A of the PD specifies the hazardous waste types that can be accepted at the site.

The applicant no longer proposes to carry out composting at the facility.

Waste acceptance hours: 08:00 to 19:00 Monday to Saturday inclusive. Hours of operation: 07:00 to 20:00 Monday to Saturday inclusive. Waste shall not be accepted at the facility on Sundays or on Bank Holidays. These hours are as applied for by the applicant.

(4) Emissions to Air

[Condition 8](#) and Schedule D set the requirements for noise monitoring. The noise emission limit values to be measured at any noise sensitive location are set in Schedule C.

Dust monitoring is required under [Condition 8](#) and Schedule D of the PD. Dust emission limit values are set out in Schedule C. [Condition 7](#) of the recommended PD ensures the dust control measures are carried out.

[Condition 7.4](#) of the PD requires removal of putrescible waste for disposal within forty-eight hours of its arrival (for Bank Holiday weekends seventy-two hours) to avoid odour nuisances.

(5) Emissions to Groundwater

The applicant states that the underlying rock consists of carboniferous limestone rocks. The soil type at the facility is classified as peaty soil.

The facility is located over a regionally important aquifer that has a moderate to high vulnerability status. Currently four large public supplies and one group scheme draw water from this aquifer. The facility is connected to the mains water supply, an on site well serves the toilet facilities. Information from the GSI shows that there are three wells within 1km of the site located south west of the facility. There are no details on the type of well or the usage.

In the Article 16 reply submitted 27/01/03 the applicant supplied details regarding a diesel spillage occurring at the facility some time in the spring of 2000. In November 2001, two samples were taken from a batch of soil extracted at the location where the diesel spill was reported to have occurred approximately eighteen months earlier. The analyses showed that diesel contamination of the soil had occurred. The concentration of mineral oil and PAHs was above the Dutch target value indicating that the batch of soil was slightly contaminated. The soil batch (2.32 tonnes) removed from site was sent for treatment at Atlas Oil Laboratories Ltd. Reg. No. 472. No testing has been carried out to assess whether the soil contamination has been contained. In the report 'Soil Contamination Report', December 2001 to Offaly County Council (part of Art. 16 reply received 27/01/03), the consultant states that some historical contamination of the soil has occurred. However, the spill was an isolated incident and not in keeping with the on-going site operations.

Monitoring of the groundwater from the well on site indicate that all parameters measured are within the requirements for the Drinking Water Directive (98/83/EC) except for the parameter manganese. The elevated manganese levels can be due to natural sources such as soil and rock in the surrounding area. Furthermore the applicant states that the results show no evidence of historical contamination.

There is currently an unbunded fuel tank at the facility. The recommended PD requires that all tank and drum storage areas shall be banded ([Condition 3.11](#)) Furthermore all areas of the facility are required to be on impervious concrete surfaces ([Condition 3.5](#)). [Condition 6.4](#) specifies that there shall be no direct emission to groundwater. Given the above issues regarding the diesel spill and regionally important aquifer status I consider it essential three boreholes are installed at the facility ([Condition 3.14](#)), their location to be agreed by the Agency as specified in Schedule D. The existing well on site may be suitable for groundwater monitoring and can be included as one of the three boreholes to be installed following assessment for suitability. Groundwater monitoring requirements are established under Schedule D.

(6) Emissions to Waters

The applicant has installed a new septic tank and a percolation area. The PD specifies that only wastewater from toilets and canteen can be discharged to the wastewater treatment system on site ([Condition 3.10](#)).

The recommended PD requires that wastewater from floorwashing and leachate from waste storage and waste processing carried out inside the transfer building shall be collected in a storage tank and tankered off site for disposal at a Wastewater Treatment Plant agreed in advance by the Agency ([Condition 3.12](#)). Records shall be kept of wastewater tankered off site ([Condition 10.5](#)). Wastewater monitoring requirements for wastewater tankered off-site are established under Schedule D.

Emissions to Surface Waters

Surface water monitoring carried out by the applicant at the surface water run-off discharge point shows a high level of Ammoniacal Nitrogen (1.7 mg/l N) and the presence of Faecal and Total Coliforms (71 and 11,530 respectively). This would indicate that contaminated surface water run-off is currently being discharged to the stream (from waste processing on site).

The applicant proposes to discharge all surface water run-off from roof buildings and areas covered with concrete to a piped drainage ditch at the western boundary that discharges to a stream at the southern boundary of the site. This stream discharges to Tullamore River, which is a tributary of the River Brosna.

The recommended PD requires that a distinction be made between uncontaminated and contaminated surface water run-off. The uncontaminated surface water run-off shall be discharged to the piped drainage ditch and the discharge excluding run-off from roof buildings shall pass via a silt trap and oil interceptor.

The surface water run-off from all areas with waste storage/handling such as the civic waste facility shall be discharged to the piped drainage ditch via a dedicated oil interceptor located upstream of the oil interceptor for uncontaminated surface water run-off. The applicant is required to assess whether any leachate treatment might be required ([Condition 3.12](#)). The contaminated surface water run-off shall be monitored

for COD, Ammoniacal Nitrogen, Chloride, Conductivity and pH (Schedule D). If the emission limit values for surface water are exceeded the contaminated surface water run-off shall be tankered off-site to an agreed wastewater treatment plant ([Condition 3.12](#)). The dedicated oil interceptor shall have the capacity to hold 1/100 of the annual average rainfall from the outdoors waste storage/handling area(s) ([Condition 3.12](#)).

Quarterly surface water monitoring shall be carried out at an upstream (AES S01) and a downstream (AES S03) location on the stream as proposed by the applicant and at the outfall of the two oil interceptors. Monitoring requirements are established under Schedule D. Emission limit values are set under Schedule C. [Condition 6.3](#) of the PD set trigger levels for surface water discharges from the facility.

(7) Other Significant Environmental Impacts of the Development

None

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

The Waste Management Plan for the Midlands Region was adopted in 2001 by Offaly County Council. Alina Rentabin is mentioned as a private sector waste collection company which has established facilities for waste transfer, incorporating some facilities for waste sorting/recovery and that a waste licence from the Agency is pending.

The Water Quality Management Plan for the Upper Shannon Catchment was adopted in March 1990 by Offaly County Council. The plan contains specific recommendations on water quality standards which were considered when setting surface water emission limit values (Schedule C).

(9) Submissions

Three submissions were received in relation to this application.

- Two submission from Patrick Mangan, Cappincur, Tullamore, Co. Offaly dated 31/9/99 and 8/12/03. In the first submission Mr. Mangan states he lives 200 yards from the site and would like to know more about the application. He also requests that Agency staff visit the site, as it appears to be in an unfinished state with no site boundary fence. He also questions what class 14 of the WMA, 1996 is as well as whether he can object to the granting of the licence. In the second submission Mr. Mangan requests that a full environmental impact study should be completed for two reasons: the facility is in close proximity to a residential area and the facility has been granted planning permission for a significant expansion which could increase the risk of a detrimental effect on the environment and local community. Furthermore he states that the application requires close scrutiny and would entail the Agency visiting the area to see the recent development at the facility.*

Comment

The Agency acknowledgement of Mr. Mangan's first letter was sent, in error, to the wrong person and Mr. Mangan was not informed before 1/12/03 that his letter would be treated as a submission. The second submission was acknowledged on 15/12/03. The concerns stated above have been taken into consideration when drafting the Proposed Decision. **Condition 3** of the PD ensures that security fencing is installed around the facility boundary. An EIS is not required in accordance with Paragraphs 11(b) and 13(a) of Part II of the First Schedule of the European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1999 (SI 93/1999) as the applicant has proposed an annual intake of waste at the facility which is less than 25,000 tonnes. The proximity of any residential dwellings surrounding the facility has been taken into consideration when drafting the recommended Proposed Decision. The Agency has carried out two site visits to the facility on 21/02/02 and 30/09/03 to assess the developments at the facility.

2. *Two submissions from Michael Brennan, The Beeches, Cappincur, Tullamore, Co. Offaly dated 22/10/99 and 16/03/00. Mr. Brennan states that the facility is located ½ mile from Tullamore not two miles as stated by the applicant. The second submission contains photographs of the facility surroundings showing pools of surface water in field adjacent to the facility, wetlands across the road of the facility and roadside view of the facility showing large amounts of waste outside the facility. Furthermore Mr. Brennan requests information in relation to what stage the application is at, what date will/did the old licence expire and has any Agency visits been carried out.*

Comment

The Agency responded to Mr. Brennan on 14/12/00 and 28/03/00 acknowledging the two letters as submissions. The location of the facility and the distance to the residential dwellings surrounding the facility has been taken into consideration when drafting the recommended Proposed Decision. **Condition 3** of the recommended PD ensures separate drainage systems are installed for wastewater and surface water discharges. **Condition 5** of the PD requires that the applicant has waste acceptance procedures in place, that all waste is processed indoors and that the storage of waste takes place inside the transfer station on impervious concrete. **Condition 7** ensures that nuisances including litter are controlled at the site.

(11) Recommendation

I recommend that a licence be granted for Classes 11, 12 and 13 of the Third Schedule and Classes 2, 3, 4, 12 and 13 of the Fourth Schedule as applied for in the application. I am satisfied, on the basis of the information available, that the waste activity, or activities, licensed hereunder will comply with the requirements of Section 40(4) of the Waste Management Act, 1996.

Signed _____

Dated:

Name Pernille Hermansen, Inspector
Office of Licensing and Guidance

APPENDIX 1

Correspondence and meetings

DATE	CORRESPONDENCE/ MEETINGS	PERSONNEL	OBSERVATIONS/ ISSUES
16/7/99	Application submitted		
19/7/99	Additional information submitted; not requested		Waste to energy utilisation plant, activity has now been abandoned.
27/07/99	Additional information submitted; not requested		Site layout plan
29/07/00	Additional information submitted; not requested		Newspaper notice; Non-compliant
19/08/99	Art. 14 notice issued	M. Keegan	
15/09/99	Art. 14 reminder issued	J. Longworth	
24/09/99	Art. 14 reply submitted		Non-compliant
15/10/99	Additional information submitted; not requested		Newspaper notice; Non compliant
22/10/99	Art. 8 notice issued	M. Keegan	
29/10/99	Additional information submitted		Consultants F. J Coyle can act on applicant's behalf.
15/11/99	Art. 8 reply submitted		Amended site notice & newspaper notice. Non compliant
23/12/99	Art. 8 notice issued	M. Keegan	
28/01/00	Art. 8 reminder issued	Y. Clooney	
29/02/00	Art. 8 reply submitted		Non compliant
31/03/00	Art. 8 notice issued	M. Keegan	
31/03/00	Letter to Offaly County Council	M. Keegan	Complaint regarding facility forwarded
11/04/00	Art. 8 reply submitted		Compliant
11/04/00	Additional information submitted; not requested		F. Coyle no longer consultants
11/04/00	Additional information submitted; not requested		Wrong name for company used in application
20/04/00	Site Notice Inspection	M. Keegan	Compliant
4/05/00	Letter from Offaly County Council received		Reply to forwarded complaint
22/01/02	Additional information submitted; not requested		Applicant has engaged Enviroco Management Ltd. to act on their behalf.
4/02/02	Additional information submitted; not requested		Enviroco inquiring to application's non-compliance with Art. 12 & 14
25/02/02	Additional Information submitted		Enviroco stating they have carried out gap analysis of the application and additional info will be submitted

28/03/02	Additional Information submitted		Report to supplement original application received. Non-compliant
15/08/02	Art. 14 & 16 notice issued	P. Carey, P. Hermansen	
25/09/02	Telephone conversation with J. MacNamara, AES	P. Hermansen	Agency notified of the sale of the facility to AES
9/10/02	Meeting with J. MacNamara, AES.	B. Rooney, P. Hermansen	Agenda: Outstanding Art. 14 & 16 reply
17/10/02	Art. 14 reminder issued	E. O'Sullivan	
18/12/02	Second Art. 14 reminder issued	A. Bosley	
27/01/03	Art. 14 & 16 reply submitted		Non compliant
21/02/03	Site Visit	P. Hermansen	To obtain outstanding Art. 14 and Art. 16 information. The information was not forthcoming at the time of the site visit
6/03/03	General letter issued	P. Hermansen	Stating disappointment that outstanding Art. 14& 16 reply not received at site visit.
25/03/03	Art 14 + 16 reply as well as new site notice and newspaper notice. submitted		Non compliant
11/04/03	Art. 8 notice issued	P. Hermansen	
11/04/03	Art. 14 notice issued	P. Hermansen	
13/08/03	Art. 14 reply submitted. Financial Provisions submitted as confidential.	P. Hermansen	Compliant
13/08/03	Art. 8 reply submitted		Compliant
21/08/03	Site Notice Inspection	P. Hermansen	Compliant
18/09/03	Additional Information submitted		Copies of planning permissions
19/09/03	Additional Information submitted; not requested		Map of proposed Civic Waste Facility
30/09/03	Site visit	M. Doak, P. Hermansen	
6/10/03	Letter to Offaly County Council issued	P. Hermansen	Requesting information on permit status of facility
15/10/03	Letter from Offaly County Council received		Stating the facility does not have a waste permit and has never applied for one
27/11/03	Article 14(2)(a) Acknowledgement notice issued	K. Vaughey	
9/12/03	Article 16(4) notice issued	P. Hermansen	

