

INSPECTORS REPORT

WASTE LICENCE REGISTER NUMBER 171-1

Celtic Waste Ltd. (Celtic Waste), Burton Court, Burton Hall Road, Sandyford, Dublin 8

Recommendation: That a licence be granted subject to conditions.

(1) Introduction:

Celtic Waste Ltd. have applied to operate a new materials recovery and transfer station at Forge Hill, Kinsale Road, Ballycurreen, Co. Cork, approximately 3km south of Cork city centre. Cork County Council granted planning permission for the proposed development on the 25/08/02. The planning permission is currently under appeal and a decision is anticipated from An Bord Pleanala before April 2003.

The site of the proposed development (1.7 ha) is in a predominantly industrial/commercial area, light industrial units borders to the north west, north east and south east and of the proposed development. The area to the south west is agricultural land. There are two residential houses on Forge Hill; the nearest private residence is located 125 m to the north west of the site.

A plan showing the location of the facility to which the application relates is provided in Appendix 1.

The applicant has applied to accept 99,800 per annum as of year 1 of their operations. The waste will consist primarily of non-hazardous commercial (50%) and household (50%) waste.

Quantity of waste (tpa)	99,800 tonnes (max.)
Environmental Impact Statement Required	Yes
Number of Submissions Received	5

SITE VISITS:

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
24/04/02	Check Site Notice and facility surrounds	Brian Donlon	Compliant
04/06/02	Check facility surrounds	T.O'Mahony, Brendan Foley, Mary O'Hara	

(2) Facility Development

The area of the site is 16,470 m² and the floor area of the materials recovery building is 2,980m². The main infrastructure proposed by the applicant includes security fence, CCTV, two weighbridges, wheelwash, waste quarantine area. The following items of waste processing plant are proposed: 2 front-end loaders, 1 grab, 1 wood shredder, 2 balers, 2 conveyors, 1 forklift, and 1-yard sweeper. The proposed plant and equipment list includes for 100% duty and 50% standby of all key items i.e. balers and front loading shovels.

Wastewater (from the canteen and the unloading and loading areas) will be generated on site. Discharge from these areas will be connected to the Cork County Council sewer via a private sewer, which then discharges to Cork Harbour at Rochestown. This sewer will be connected to the wastewater treatment plant at Little Island when it is completed. The consent conditions outlined in Cork County Council's Section 52 response have been included in the recommended proposed decision (PD).

A balancing tank will regulate the rate of storm water discharge and will prevent excessive hydraulic loading on the receiving stream. In the event of fire the system will provide on site retention for firewater runoff.

An impervious concrete area will be provided for vehicle access to the transfer building and vehicle parking. The applicant applied for hours of waste acceptance from 6.30-20.00 and waste operation from 7.00-19.00. The recommended PD states the hours of opening will be from 07.00 – 20.00 Monday to Saturday, and hours of acceptance will be from 08.00 – 19.00 Monday to Saturday. This is explained further in Section 4 'Emissions to Air' – Noise (see below).

The activities applied for include Classes 11, 12 and 13 of the Third Schedule (WMA 1996) and Classes 2, 3, 4, 11, 12 and 13 of the Fourth Schedule (WMA 1996).

(3) Waste Types and Quantities

The principal activity will be Class 2 of the 4th Schedule (WMA 1996). The maximum annual tonnage of waste to be accepted at the facility will be 99,800 tonnes from year 1 of operation.

Initially household waste and mixed commercial waste will be brought to the transfer facility and removed off-site for disposal at a licensed landfill. The licensee expects that adoption of the Cork City Waste management Plan and various recycling initiatives will result in greater segregation of waste before acceptance at the facility.

Once segregated, the waste streams will either be compacted and stored indoors pending removal off-site for recycling or diverted directly to an offsite treatment recovery operation.

As per Conditions 5.2.1 and 11.3 of the recommended PD, procedures for acceptance and handling of waste will have to be in place prior to commencement of waste activities

(4) Emissions to Air

Dust: The primary source of dust will be from the wood-shredding machine. This equipment is indoors and will have dust suppression (a high-pressure fog system). Emission limits and monitoring requirements for dust deposition as part of the control of any fugitive dust emissions from the activity. Site roads will be swept regularly to keep them clean and reduce potential problems with dust.

Odour: Waste accepted is expected to be the primary source of odours on-site. The odour management system will include the following at a minimum:

- All waste handling activities will be carried out indoors ,
- The floor of the facility building shall be routinely swept and washed down,
- The doors of the building shall remain closed, when not in use,
- An air extraction system ,
- Storage of waste indoors and in sealed containers-

Removal of waste off-site must occur within forty-eight hours of its acceptance at the facility and seventy-two hours during Bank Holiday weekends.

Noise: Noise emission limits of 45L_{eq} dBA and 55 L_{eq} dBA will be applied for nighttime and daytime, respectively. I have restricted waste acceptance and processing hours to daytime hours as site plant items (including forklift, sweeper, shredder, loaders, grabs, balers) exceeded the 45dB noise emission limit but is within the 55dB noise emission limit. A 2m high solid acoustic barrier will be placed opposite the loading and unloading bay doors as proposed by the applicant.

(5) Emissions to Groundwater

There will be no emissions to groundwater. As stated above, the site will be concreted and all fuel tanks will be banded as specified in the recommended PD.

(6) Emissions to Surface Waters

All surface water discharges from concrete impervious areas pass through a silt trap and oil interceptor prior to discharge into the balancing tank and subsequently to the stream (which forms a boundary on the western side of the site). Roof water will discharge via the balancing tank to the stream.

The applicant is required to carry out surface water monitoring in three locations, one upstream and downstream of the facility and one at the surface water discharge point.

(7) Other Significant Environmental Impacts of the Development

None.

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

The Cork Waste Management Plan, which was adopted in May 1999, makes reference to the provision of 'a network of solid waste transfer stations in Co. Cork, which will allow for the efficient and economic transport of waste'. The proposed development is in line with the plan.

(9) Submissions

Appendix 2 contains a list of all submissions received relating to the application to date. A summary of the issues raised in the submissions is provided. I have had regard to the five submissions received in making my recommendation to the Board.

1. Air Quality

Noise

- Concern over increase in noise due to increased traffic & the use of the timber shredder. Any increase in noise level in these areas is not deemed acceptable.
- Cork County Council fails to condition the installation of appropriate noise barriers/attenuators around machinery.
- Noise nuisances and deterioration of air quality from the proposed development have not been addressed satisfactorily with the EIS and planning application
- The tonal component of noise was not taken into consideration in the noise report which results in an exceedance of BATNEEC night time level of 45dB
- At noise monitoring location 4 the tonal component of waste vehicles was not accounted for. The frequencies from such vehicles are low and have a high nuisance factor.

- 1/3-octave band frequency analysis data of the 3 main items of plant has not been incorporated into the combined noise level of 107dB L_{wa} supplied. Impulsive noise from short-term events has not been documented. Some plant will operate on a 24 hour basis

Pollutants:

- Concern over pollutants (odour, dust, noise) spreading downwind from the site to occupied premises represent a danger to staff and customers. Damage to nearby car dealerships. Increased amounts of cleaning will be required with associated costs.
- Concern over direction of prevailing winds spreading odours to a nearby office park.
- Increased HGV traffic will lead to higher levels of Benzene and Nitrogen Dioxide.

Response: *Under Condition 1.7.2 waste acceptance and processing is only permitted during daytime hours. Condition 6 'Emissions', no clearly audible tonal component or impulsive component is allowed in the noise emissions from the activity at the noise sensitive locations. Under Schedule B of the recommended PD strict noise emission limits are in place. Under Condition 7.7.1 provision and maintenance of 2 acoustic barriers is specified. Condition 7.4 provides for control of dust and odour is specified. Compliance with these conditions will control any impacts associated with noise or dust from this activity.*

2. Groundwater:

- A study of the groundwater to assure that it is not endangered in any respect prior to any handling of waste products by this proposed facility should be undertaken.
- the depth to groundwater was not determined on site during the site investigation.
- The assumption that groundwater is located at approximately the same elevation, as the nearby stream is not based on a good hydrogeological understanding.
- Potential waste arising from 'wet loads' would represent leachate and should be retained by a suitable bunding facility.
- The effectiveness of mitigation measures for dust; noise and other potential emissions to ground or surface water cannot be validated because of the absence of site-specific data.

Response: *Under Condition 6 'Emissions', no direct emission to groundwater is allowed. Under Condition 3 'Facility Infrastructure' all tank and drum storage areas shall be bunded. An impermeable hardstanding surface is provided at the facility entrance, parking area, areas of vehicle movements and the waste handling and storage area.*

3. Nuisances:

Birds

- This proposed MRF is a neglected dumping ground near the city with an appallingly poor environment even for a light industrial area. Concern was raised that birds will pose a risk to aircraft, particularly those that are jet/turbine powered.

Dust

- Concern over dust levels during periods of dry weather and control measures will not reduce the PM₁₀ fraction. Increased amounts of dust due to excavation and construction work and HGV traffic. No detail on the treatment efficiency of the dust suppression system is provided.

Fire

- Planning permission granted has made no reference to the potential fire hazard arising from this development.

Odours

- Concern over odours due to number of entry & exit doors. Storage of unacceptable materials and Prevailing winds.
- No air filter is proposed to be installed.
- The report for assessing odours is inadequate, no mitigation measures included in the application for this facility.

Road Cleaning

- The maintenance and cleaning of roadways in the area not addressed

Visual

- Concern over the building being a visual nuisance – 17metres in height and that landscaping will not mitigate this.
- The visual impact assessment is not adequate.

Response: *Odour, dust, and birds are controlled under Condition 7 ‘Nuisance Control’ of the recommended PD.*

Under Condition 7 measures for control of dust emissions including fugitive dust emissions (e.g. woodshredder) is controlled. Composting is not permitted on site.

Matters relating to planning permission are under the jurisdiction of the planning authority and shall not be dealt with in this inspector’s report.

Under Condition 7 of the recommended PD it is necessary that doors of the MRF will be closed where possible.

4. Operation:

Opening Hours:

- Opening hours are too long 0630-2000hrs Mon.- Sat and considered an unreasonable length of time during which HGV should travel the local distributor road.

Quarantine Area

- Concern over quarantine area – uncontrolled use

Storage

- Storage will occur – unless ‘just in time’ process is continually in operation.

Site Infrastructure

- No room for turning circle for trucks within the site.
- Inadequate parking facilities for this size of development

Response: *The recommended PD under Condition 1 ‘Scope of the licence’ dictates opening and closing hours, which must be adhered to. Condition 3’ Facility operation’ controls the use of the Quarantine Area and refers to traffic system on site and parking areas. Condition 7 ‘Nuisance Control’ storage of waste is controlled.*

5. Traffic and Inadequate Infrastructure:

Traffic:

- Traffic on Forge Hill is chaotic. The EIS states that 12 extra HGV will result per hour, which will result in gridlock, no mention of staff or visitor vehicles are mentioned. Also ref. to road widening or improvements of the road by Cork County Council is questioned. Concern over increased dangers for pedestrians and cyclists.

- Nature of the hill below the site together with the narrow bridge is unsuitable for heavy traffic due to the steep gradient. Increased danger will result. Unaware of the plans of the re – widening of the road and questions the validity of the statement.
- Possible delay in emergency services being able to access the area.
- County Cork waste management plan states that the mechanical separation plant will be located within 20km of the city which implies the facility could be located outside the general speed limit and not impact on traffic flows.
- Pouladuff Cross junction is too narrow to allow a proper left-hand lane. The traffic assessment in the EIS does not include any traffic counting or analysis for Pouladuff Cross
- Traffic growth on Pouladuff Road is also set to increase as housing developments at Lehanaghmore progress

Inadequate Infrastructure

- Spillover into Kinsale Road is inevitable. Road widening will not help – completion of the flyover at Kinsale road roundabout is likely to exacerbate the problem.
- Access to / from Kinsale Road at Ballycurreen must be regarded as one of the most hazardous in the county- prior to recent rebuilding of the road 11 deaths in road accidents between Ballycurreen Cross and the Airport in the preceding years.
- Forge hill should be realigned and widened to an acceptable standard with a continuous footpath for pedestrians. Junction improvements are necessary at the Pouladuff Cross and the Ballycurreen Crossroads and such road works should be undertaken in advance of the developments proposed.
- Cork County Council has agreed to update the Forge Hill Road but no timescales for work has been furnished as to when these works will be undertaken
- A facility of this nature is more appropriately located outside the 30mph zone.
- Some of the stretches of the Forge hill are no more than 4m wide.
- There are no footpaths for pedestrians at either end of Forge Hill and no bus service or public lighting.

Response: While it is acknowledged that the proposed MRF will result in an increase in traffic on local roads in the vicinity of the development, the Agency is not the relevant authority in relation to roads. Roads and road development are outside the jurisdiction of the Agency. Condition 3.5.1 controls movement of traffic through the facility ensuring that a one way traffic system is maintained.

6. Waste acceptance, Segregation, tonnage's and final destination of waste

- Unsatisfactory protocol for identifying unknown potentially hazardous industrial or chemical waste – specific acceptance criteria is needed.
- Segregation of waste is unlikely.
- Rate of increase of waste quantity accepted by the facility from 40,000 to 100,000 tonnes over a 5-year period is not stated specifically.
- Licensing the facility should not occur without satisfactory evidence being furnished with regard to final destination of waste & associated contracts.

Response: Condition 1 of the recommended PD 'Scope of the License' waste tonnage's permissible are specified. Under Condition 5 'Facility Operations' waste acceptance, segregation and off site disposal and recovery is controlled and provides for the appropriate operation of the facility to ensure protection of the environment.

7. Development Plans, devaluation of property and location:

Planning

- The facility would contravene the ideals outlined in the Draft Development Plan for this area regarding tonnages, refusal for similar facilities in the locality, land zoning, topography of the site, traffic congestion, distance from other treatment facilities, pollution of the aquifer and landscaping.

Property devaluation:

- A MRF in the immediate vicinity of the area will reduce capital values of the building & reduce rental values too.
- A housing development is underway 300 m to the south & other new and older established housing areas are within 700 m - illustrating the sites value. The airport road is also very close – which is highly valuable.

Location

- IPODEC transfer station operates in the proposed area and will result in waste sorting facilities being concentrated on the south side of the city whereas residual landfill is situated on the north side of the city resulting in increase mileage.
- The proposed development of this site will have an adverse impact on patterns of employment, land use and economic activity.

Response: *The local authority is the competent authority in relation to planning (land use zoning, planning permission etc). The process of waste licensing is independent of the planning process. Compliance with the conditions of this recommended PD will control impacts associated with the activities licensed.*

The waste management plan for Cork was adopted in May 1999 makes reference to the provision of ‘a network of solid waste transfer stations in County Cork, which may allow for the efficient and economic transport of waste’. The PD is in line with such a provision.

8. Miscellaneous:

Archaeological:

- Cork County Council failed to address this the issue of unrecorded monuments, which may be uncovered during the development of the site.
- The archaeologist should be empowered to halt the development if buried archaeological features are uncovered.
- **Response:** *Condition 8 of the recommended PD ‘Monitoring’ controls Archaeological works on site. Public consultation did not take place with associated persons.*

Response: *The applicant provided a notice of intention to apply to the Agency for a waste licence, published a notice in a newspaper and erected a site notice. in Compliance to Article 5, 6, and 7 of the Waste Management (Licensing) Regulations 1997,*

- There is nothing in the EIS that would rule out the use of facility by private vehicles.

Response: *Condition 7.3.2 of the recommended PD controls the manner in which waste is delivered to the facility. Attachment D2 of the application ‘Waste Acceptance’ states ‘that the majority of waste will be delivered to the facility by third party waste collectors’. Table E.2.1 ‘Waste types and quantities’, states that 49,900 T per annum of household waste will be collected by or on behalf of the local authority.*

Signed: _____

Date: _____