

MEMO			
TO:	Board of Directors	FROM:	Breege Rooney
CC:		DATE:	19 August 2003
SUBJECT: IPODEC Ireland Ltd., Forge Hill, Kinsale Road, Cork. Technical Committee Report on Objections to Proposed Decision – Reg. No. 173-1			

Application Details	
Applicant:	IPODEC Ireland Ltd.
Location of Activity:	Forge Hill, Kinsale Road, Cork.
Reg. No.:	173-1
Proposed Decision issued on:	19/05/03
Inspector:	Brendan Foley

Objections Received	Date Received
Mr. Kieran Mullins, Group Environmental Manager on behalf of the applicant.	09/06/03

Consideration of the Objections.

The Technical Committee (Breege Rooney, Chairperson and Maeve McHugh and Regina Campbell (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:

Mr. Kieran Mullins, 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 1.7.3 Waste shall not be accepted at the facility on Sundays or on Bank Holidays

IPODEC Ireland Ltd. are requesting to be allowed to accept waste on Bank Holidays in order to retain their customers. While some customers survive not having waste services on

Sundays some do demand waste services on a bank holiday due to volumes of waste generated, health and safety grounds or hygiene grounds.

While the “licence” does not detail whether the facility can operate on bank holidays the applicant requests the Agency to clarify this point and to allow the operation of the facility on bank holidays.

Technical Committee’s Evaluation

The Technical Committee (TC) notes that all waste activities are currently undertaken externally in a temporary transfer structure. The proposed decision requires that all waste processing must take place indoors within 12 months of the date of grant of the licence or planning permission whichever is the later. However, the planning permission for the provision of a new waste transfer building is currently under appeal with An Bord Pleanala. In addition, it is noted that the nearest residential property is located approximately 90m to the Northwest of the entrance of the facility and noise monitoring at the Northwest boundary of the facility exceeded the noise emission limits of 55dBC(A) L_{Aeq} (day time) and 45dB(A) L_{Aeq} (night time) on occasions. Hence, the Technical Committee do not recommend allowing the facility to operate or accept waste on bank holidays currently. However, the TC recommends allowing the facility to accept waste on a bank holiday between 9 – 18:00 when the new transfer building has been constructed.

It is also recommended that Condition 1.7.2 be amended to stipulate the operational hours for a Bank holiday and that Condition 1.7.3 be amended to clarify that the facility shall not be operated on bank holidays currently.

Recommendation

Amend Condition 1.7.2 as follows:
The facility shall only be operated during the hours of 06:00 - 22:00 Monday to Saturday **and 08:30 - 18:30 on a Bank Holiday subject to compliance with Condition 1.7.4.**

Amend Condition 1.7.3 as follows:-
Waste shall not be accepted at the facility and the facility shall not be operated on Sundays or on Bank Holidays except in accordance with Condition 1.7.4

Include a new Condition 1.7.4
Waste may be accepted at the facility between the hours of 9:00 to 18:00 on Bank Holidays when the new transfer building has been constructed in accordance with Condition 5.1.

GROUND 2

Condition 3.4.1

The Applicant requests that this condition be deleted. It is felt that it is superfluous as it is intended to renovate this building as part of the overall redevelopment of the site which includes replacement of the asbestos sheeting with metal cladding.

Technical Committee’s Evaluation

The redevelopment of the site includes the replacement of the asbestos sheeting on the existing waste transfer building with metal cladding. The proposed redevelopment was the subject of a planning application that was approved by Cork County Council. The planning permission is currently under appeal to An Bord Pleannala. As the redevelopment is currently being considered by An Bord Pleanala the Technical Committee recommend that

this condition be deleted. It is also recommended that the “construction of a new transfer building and associated works” should be included as a Specified Engineering Works under Schedule B. It should be noted that the removal of asbestos clad roofing from the facility to a waste disposal will have to be agreed in advance under Condition 5.4.

Recommendation

Delete Condition 3.4.1
Include “Construction of a new transfer building and associated works” in Schedule B.

GROUND 3

Condition 3.6.1

A one way traffic system is objected to on the basis that it would be impossible to comply with given the design and layout of the facility and the location of the weighbridge.

Technical Committee’s Evaluation

The Technical Committee acknowledges that the licensee may have a difficulty complying with a one way traffic system at the facility. The Technical Committee are of the opinion that an effective traffic management system can be operated without having a one way system. In addition, it is noted that Condition 3.6.2 also controls traffic management by prohibiting access vehicles queuing along the public road. Hence, the Technical Committee recommend deleting “one way” from the condition.

Recommendation

Amend Condition 3.6.1 as follows: by deleting “one way”
Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility. A traffic system with appropriate signage will be operated at the facility and sufficient car parking areas will be provided and maintained.

GROUND 4

Condition 3.6.3

IPODEC object to the condition on the basis that the only area that does not comply with the condition i.e. the vehicle movement area will have to be ripped up, in potentially six months, to accommodate the redevelopment of the site. As such it is requested that this requirement be deferred to until the overall site redevelopment is being carried out.

Technical Committee’s Evaluation

The Technical Committee notes that areas under hardstanding may change with the proposed development of the site. Hence, it is recommended that IPODEC be allowed 12 months to comply with the condition.

Recommendation

Amend Condition 3.6.3 as follows:
The licensee shall provide and maintain impermeable hardstanding at the facility entrance area, at the car parking area, where vehicle movement takes place and at the waste handling and storage area within **twelve** months from the date of grant of this licence. All concreted areas at the facility shall be constructed to British Standard 8110.

GROUND 5

Conditions 3.9.1, 5.7.3 & 7.7

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 5.7.3 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 3.9.1 and that conditions 5.7.3 and 7.7 be removed from the licence.

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 3.9.1

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

Condition 5.7.3

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.

Condition 7.7

Prior to exiting the facility, all waste vehicles shall use the **wheel cleaner**.

GROUND 6

Condition 3.11.1

It is argued that the requirement to install a screen prior to discharge to sewer is an unnecessary cost as all foul water from the site, with the exception of sanitary waste, will pass through a grit trap and/or interceptor. IPODEC requests that the requirement to install a screen be removed from this condition.

Technical Committee’s Evaluation

The Technical Committee are of the opinion that the foul water passing through a grit-trap and/or interceptor will be sufficient to remove solids. Hence, it is recommended that the condition be amended to reflect this.

Recommendation

Amend Condition 3.11.1 as follows:-

The licensee shall collect all wastewater at the facility for further treatment at an agreed waste water treatment plant until such time as the licensee is in a position to discharge wastewater to the Cork County Council sewer (via a private sewer) as per Drawing No. 2002-115-04-D.1.3. Rev. A (September 2002) subject to any alterations agreed in advance by the Agency. Wastewater shall pass through **a grit trap and/or interceptor** prior to discharge to the sewer.

GROUND 7

Condition 5.2.6

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 5.2.6 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 8

Condition 5.3.1

IPODEC are objecting to washing down the floor of the transfer building on a daily basis. It is detailed that they handle a predominantly dry waste. It is contended that daily washing only increases volume of water being discharged to the foul sewer. IPODEC detail that they operate other successful odour control measures, other than washing the floor, at their Dublin facility as an example. They would be happy to clean the floor on a weekly basis to satisfy the Agency's concerns.

Technical Committee's Evaluation

The Technical Committee is of the opinion that the floor of the transfer building should be cleaned on a daily basis when putrescible waste is handled and weekly otherwise. It is recommended that the condition be amended accordingly.

Recommendation

Amend Condition 5.3.1 as follows:-

The floor of the waste transfer building shall be **cleaned on a weekly basis and on a daily basis when putrescible waste is handled**. The floor of the storage bays for recovered wastes shall be washed down and cleaned on each occasion such bays are emptied.

GROUND 9

Conditions 5.5.1, 5.5.2 & 5.5.3

The above three conditions are repeats of all or parts of conditions 5.4.1, 5.4.2 and 5.4.3 and should be removed from the licence.

Technical Committee's Evaluation

The Technical Committee agree that these are repeat conditions and should be deleted from the licence.

Recommendation

Delete Conditions 5.5, 5.5.1, 5.5.2 and 5.5.3 and re-number remaining conditions.

GROUND 10

Condition 5.7.4

There is no reference made to a compactor and shredder in the licence application or EIS as it is not intended to have them on-site. IPODEC requests 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.

Recommendation

Amend Condition 5.7.4 as follows:-

The licensee shall maintain all waste processing machinery in accordance with the manufacturers instructions.
--

GROUND 11

Condition 7.4.2

IPODEC contend that it is standard practice in the waste industry to load transfer trailers the night before they leave the relevant facility and then these trailers are covered and stored outdoors. The main reason being fire prevention. This may be explained as follows:-

- 1) If the building went on fire the trucks would not also go on fire if they were outside*
- 2) If an individual truck went on fire then the building and the other trucks would not go on fire.*

IPODEC requests to be allowed to store waste outdoors in covered trailers overnight.

Technical Committee's Evaluation

The Technical Committee recommend that waste may be stored outdoors in fully enclosed trailers/containers.

Recommendation

Amend Condition 7.4.2 as follows:

Once the new transfer building has been completed waste may be stored outdoors provided it is stored in fully enclosed trailers/containers. Separated materials and baled material destined for recovery may be stored outdoors provided they are adequately covered.

GROUND 12

Condition 7.4.4

Firstly, it is noted that the numbering system in the licence is incorrect.

IPODEC request that the Agency remove the requirement to install an air abatement system, at least until an odour assessment has been carried out of the new facility. If it is established that such a system is required then IPODEC would be happy to install such as system.

Technical Committee's Evaluation

The TC notes that the bulk of the waste to be accepted at the facility, of 70,000 tonnes, is commercial waste. IPODEC have stated, in the EIS, that 80-85% of this waste is non-putrescible. There are a number of conditions controlling potential odour nuisances from the facility. These include Condition 5 - requiring all waste processing to be carried out indoors within twelve months or when planning permission is granted, - cleaning the floor of the transfer building when putrescible waste is handled. Condition 7 requires waste to be removed from the facility within 48 hours and seventy-two hours at bank holidays. In view of the fact that the bulk of the waste to be handled will be non-putrescible and that there are a number of odour control measures stipulated in the PD the TC recommend that an odour management system e.g. odour neutralising system, should be required within twelve months or whenever planning permission is granted. It is recommended that Condition 7.4.4 is amended so as to require the measures when the new transfer building is built. It is noted that Condition 7.5 requires that a report on the effectiveness of the odour abatement measures has to be submitted to the Agency within eighteen months. It is recommended that this condition be amended to include the requirement of a full odour assessment including modelling within the same time frame. Then, having regard to the findings and recommendations of the report additional odour abatement can be installed at that stage if required. It is also recommended that Condition 7.4.3.2 be amended removing the requirement for negative pressure but requiring that the integrity of the building be maintained so as to avoid the escape of odours. Condition 7.4.3.3 should be amended to delete requirements covered elsewhere in the licence.

Recommendation

Amend Conditions as follows:

Condition 7.4.4 Within **twelve** months of the date of grant of this licence, the licensee shall install and provide adequate measures for the control of odours and dust emissions, including fugitive dust emissions, from the facility. Such measures shall at a minimum include the following:-

Condition 7.4.3.1 amend numbering to 7.4.4.1

Condition 7.4.3.2 amend to 7.4.4.2 **Maintenance of integrity throughout the building to ensure no significant escape of odours.**

Condition 7.4.3.3 amend to 7.4.4.3 Installation of an odour management system. **This shall include as a minimum: when not in use, the doors of the building shall remain closed and the use of odour neutralising agents as required based on the findings of daily odour inspections.**

Condition 7.5: Within eighteen months of the date of grant of this licence the licensee shall provide **an odour assessment** report to the Agency **to include the following:**

a) the effectiveness of the current odour management system,

- b) **examination of any odour complaints received,**
- c) **source and quantity of putrescible waste handled,**
- d) **full odour assessment to include modelling to be agreed in advance with the Agency and**
- e) **recommendations including** the identification of further odour abatement measures, if required, and the timescales for the introduction of same.

The licensee shall carry out any odour abatement measures that the Agency considers necessary based on the findings of the odour assessment report, within a timescale to be agreed with the Agency.

GROUND 13

Conditions 10.2 & 10.6

The reference to “Civic Amenity” in condition 10.2 and all of condition 10.6 should be removed from the licence as there will not be a Civic Amenity facility on site.

Technical Committee’s Evaluation

The Technical Committee notes that the facility will not have a Civic Waste facility and recommends that Condition 10.2 should be amended and Condition 10.6 should be deleted.

Recommendation

Condition 10.2 delete the words “**excluding those arriving at the Civic Waste Facility**”.
Delete Condition 10.6 Re-number remaining condition.

GROUND 14

Condition 12.1.1

IPODEC believes that the fee at €18,831.34 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 82-1 at €12,841, Mr. Binman at €13,374, Dean Waste 42-1 at €17,639 and Aherns 136-1 at €17,835. It is recommended that the requirement for two simple air analysis be deleted, that the foul water effluent monitoring be changed so as not to require List 1 Organics but that List 1 Organic analysis be included for Groundwater. This has the overall effect of reducing the charges to €16,885.34.

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 €18,831.34 to €16,885.34.

Recommendation

Amend annual contribution in Condition 12.1.1 to €16,885.34

Signed: _____
Breege Rooney
Technical Committee Chairperson

Dated: _____