

MEMO

TO: Board of Directors **FROM:** Peter Carey
CC: **DATE:** 06/10/2003

**SUBJECT : Technical Committee Report on Objections to Proposed Decision -
Kildare County Council, Athy Civic Amenity Centre Reg. No. 175-
1**

Application details

Application Details	
Applicant:	Kildare County Council
Location of Activity:	Athy Civic Amenity Centre, Gallowshill, Athy, County Kildare
Reg. No.:	175-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 11, 12, 13 Fourth Schedule: Classes 2, 3, 4, 11, 12, 13
Activities Refused under Waste Management Act 1996:	Fourth Schedule: Class 1
Proposed Decision (PD) issued on:	10 June 2003
Objection received:	07 July 2003 (Applicant)
Inspector that drafted PD:	Helen Maher

A Technical Committee (TC) was established to consider the objections.

The Technical Committee comprised;

Peter Carey, Chairperson
Dave Shannon, Inspector
Pernille Hermansen, Inspector

This is the Technical Committee's report on the objections.

1. Objection prepared by Fehily Timoney & Co. (consultants) on behalf of Kildare County Council

The Objector notes that the facility will have an annual waste intake of 5,500 tonnes. The Objectors' main area of concern with the proposed decision relate to its' complexity and onerous obligations, specifically the requirements for additional infrastructure, the establishment of a communication program, development of an Environmental Management System and environmental monitoring/reporting which the Objector states will significantly increase operational costs.

The Objector provides reasons for objecting to certain Conditions and these are dealt with by the TC under the Grounds below.

Ground 1: Condition 2.4.1 (Communications Programme): *The Objector considers that Condition 2.4.1 will add significant costs to the operation of the facility and suggests the Condition be reworded to ‘‘Kildare County Council shall ensure that the public has free access to all records regarding environmental performance of the site’’.*

Technical Committee’s Evaluation

The TC considers that the Communications Programme is necessary to inform the public of waste recovery operations at the civic waste facility. The scale and extent of the Communications Programme should reflect the waste activities being carried out at the facility.

Recommendation

Amend Condition 2.4.1 to read:

The licensee shall establish and maintain a Communications Programme to inform the local community and to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility. This shall be established within six months of the date of grant of this licence.

Ground 2: Condition 3.2 (Specified Engineering Works): *The Objector notes that drawings have been submitted as part of the application and does not consider it necessary to re-submit these for additional approval by the Agency. The Objector also considers it inappropriate to generate and retain as built drawings and construction quality assurance validation reports for all of the elements set down in Schedule B. The Objector states that this would require as built drawings to be made of such items as silt traps, interceptors, compactors (which are usually standard, modular units supplied by specialised providers), and concrete inspection areas etc. The Objector requests the removal of Condition 3.2.1 and 3.2.3.*

Technical Committee’s Evaluation

The TC notes that additional Specified Engineering Works other than those proposed in the application are required by the PD, for example Schedule B requires the installation of a waste quarantine area. In relation to drawings already submitted in the application the licensee may refer to these drawings, if they do not require revising, without resubmitting the drawings. The TC considers it good practice that as built drawings be retained so that they can be referenced to guide any future works or developments at the facility. If standard modular units are to be used the drawing of these units can be made by reference to drawings available directly from the manufacturer.

Recommendation

No change to Conditions 3.2.1 and 3.2.3.

Ground 3: Condition 3.7 (Waste Quarantine Areas): *The applicant objects to the requirement for a waste quarantine area. Appropriately trained site staff will supervise the deposition of waste at the facility and will be available to advise members of the public of the waste types accepted at the facility. The site staff will check the waste delivered to the facility and in the event of a member of the public depositing unsuitable waste, then that person will be requested to take the waste offsite for safe disposal. Based on the type and quantity of waste to be accepted at the facility the objector does not consider that there is a need for a waste quarantine area. The objector proposes that a more practical alternative to Condition 3.7.1, 3.7.2 & 3.7.3. would be the provision of a sealed container for the inspection and storage of unsuitable waste arriving at the facility.*

Technical Committee's Evaluation

The TC considers that a waste quarantine area is required, as it is possible that some waste may be accepted at the facility, which may need to be quarantined for examination and testing or for storage prior to removal offsite to an appropriate facility. The TC also notes that a sealed container, as proposed by the Objector, may be appropriate as a waste quarantine area provided it is of an appropriate size, clearly labelled, impervious, secured and appropriately drained.

Recommendation

Correct typo in Condition 3.7 to read as follows:

Waste Quarantine Area

Delete Conditions 3.7.1, 3.7.2 and 3.7.3 and insert the following as Condition 3.7.1:

A Waste Quarantine Area shall be provided and maintained at the facility. This area shall be of an appropriate size, secure, clearly identified and banded to deal with spillage of liquids.

Ground 4: Condition 5.1.2 (Waste Acceptance): *The Objector notes that the wording used in Condition 5.1.2 in the PD precludes the storage of electronics and white goods on hardstanding areas and the applicant requests that the condition be reworded to allow for the storage of white goods, electronics etc on a hardstanding area.*

Technical Committee's Evaluation

The TC notes that the acceptance of waste refrigeration equipment is covered by Condition 5.1.3 and considers that electrical goods should be deposited into receptacles for recovery as covered by Condition 5.1.2. For clarity the TC recommends that an additional bullet point be added to cover other storage arrangements on acceptance of waste.

Recommendation

Amend Conditions 5.1.2 to read:

All waste accepted at the facility shall be either deposited:-

- (a) into a skip;
- (b) into the hopper of the compactor for disposal;
- (c) into a receptacle for recovery;

(d) in the case where inspection is required, into a designated inspection area; or
(e) stored in an area of the facility agreed with the Agency.

Ground 5: Condition 5.1.5 (Waste Acceptance): *The applicant requests the removal of Condition 5.1.5 because it is not practical to inspect each load of waste at the point of entry to the facility. The Objector notes that signs will be provided to direct users of the facility to the correct areas for waste deposition. Appropriately trained site staff will be on-site during normal operating hours to supervise the deposition of waste at the facility and to advise members of the public of the waste types accepted at the facility.*

Technical Committee's Evaluation

The TC considers it necessary to inspect all waste arriving at the facility in order to determine if the wastes are suitable for acceptance at the facility. The applicant indicated that site staff will supervise the deposition of waste at the facility and it is considered that such supervision should include an inspection of the waste. The TC note that it may not always be practical to inspect each load of waste at the point of entry to the facility and considers that the inspection may be carried out elsewhere within the facility.

Recommendation

Amend Condition 5.1.5 to read as follows:

Waste arriving at the facility shall be inspected prior to deposition on-site.

Ground 6: Condition 5.1.6 (Waste Acceptance): *The Objector notes that only members of the public will deliver waste to the facility. It is considered unreasonable, overly time consuming and serves no benefit to require site staff to record details of every load of waste entering the facility.*

Technical Committee's Evaluation

The TC considers, based on the type of facility (civic waste facility), the users of the facility (no disposal by commercial waste disposal contractors or local authority waste collection vehicles, Condition 5.1) and the scale of waste activities being carried out, that it is not necessary to maintain records of inspections of incoming waste loads. The incoming waste should however be inspected, as set out in Condition 5.1.5, to ensure it complies with the requirements of the waste licence.

Recommendation

Delete Condition 5.1.6.

Renumber Condition 5.1.7 and 5.1.8 to take account of this deletion.

Ground 7: Condition 6.7 (Emissions to Sewer): *The Objector notes that effluent generated at the facility will comprise domestic wastewater and runoff from hardstanding areas. Based on the small volume of waste entering the facility the objector considers that continual monitoring of the flow discharge to sewer is excessive. The monitoring also has a significant cost implication and the objector considers that there is no advantage in collecting flow and physiochemical data. Condition 6.7.a) and 6.7.b) refer*

to a specified limit and an emission limit value but these values are not specified in the waste licence. Due to the size and nature of the facility, effluent will not create a significant emission to the sewerage system and the applicant requests the removal of Condition 6.7 from the licence.

Technical Committee's Evaluation

The TC notes that Schedule C.4 Emission Limits to Sewer sets out the maximum volume that may be emitted to sewer. The TC also notes that parameters to be monitored are set out in Schedule D.5 Emissions to Sewer. The monitoring frequency is set as bi-annually for all listed parameters, including flow, which is to be measured by a flow meter/recorder, to sewer. The TC notes that the Sanitary Authority has requested a charge for trade effluent emitted. The TC considers that provision should be made to measure flow to sewer and that it should be on a continual basis to satisfy the requirements specified by the Sanitary Authority. The requirements of Condition 6.7, relate to the interpretation of emission limit values (ELV) for emissions to sewer. As Schedule C.4 Emissions to Sewer, only contains an ELV for flow and Condition 6.1 ('No specified emission from the facility shall exceed the emission limit values set out in *Schedule C: Emission Limits* of this licence') provides an interpretation, the TC recommends that Condition 6.7 be deleted. The TC also recommends that the monitoring frequency of flow to sewer in Schedule D.5 Emissions to Sewer, be amended from biannual monitoring to continuous monitoring.

Recommendation

Delete Condition 6.7.

In Table D.5.1 Emissions to Sewer Monitoring Frequency and Techniques, Amend monitoring frequency for flow to sewer from:

Bi-annually **to** Continuous

Ground 8: Condition 7.3.3 (Litter Control): *The objector notes that the local authority cannot force members of the public to source segregate their waste and consequently Condition 7.3.3, as worded in the PD, would require the facility operator to extract all paper and cardboard from mixed household waste delivered to the facility, so that it could then be baled and stored in enclosed containers. It may also not be possible to bale wet or contaminated paper/cardboard. The objector requests the removal of this condition.*

Technical Committee's Evaluation

The TC notes the objectors concerns. The TC considers that the other litter control measures specified in Condition 7.3, together with the procedures required by Condition 5.1.4 for the acceptance and handling of wastes, will ensure that litter does not give rise to nuisance at the facility.

Recommendation

Delete Condition 7.3.3.

Ground 9: Condition 7.4.1 (Dust/Odour Control): *The Objector states that this Condition requires any waste delivered for disposal to the facility to be removed within twenty four hours and therefore would require the recording of the time that every load of waste for disposal entered the facility. The objector suggest rewording the Condition to ‘Upon reaching capacity, a container of compacted waste for disposal, may be stored on site for no longer than twenty four hours except on a Bank Holiday weekend. At Bank holiday weekends, full containers of compacted waste for disposal shall be removed the next working day’*

Technical Committee’s Evaluation

The TC considers that municipal waste for disposal should be removed from the facility at regular intervals and that this is an essential element of nuisance control. The licensee has to ensure that the container being used to accept such waste is removed at regular intervals and the means to do this should be addressed in their procedures for acceptance and handling of waste. The time every load of waste is delivered to the facility for disposal does not have to be recorded as the licensee need only record the time/date when a container was put in place to accept waste for disposal. If the wording suggested by the objector is used, municipal waste could potentially be stored in a container for days or weeks prior to the container being filled and its removal from the facility. This would have the potential to give rise to odours at the facility. The TC recommends that the Condition be reworded for clarity and that the interval for removal of containers be increased from twenty-four hours to forty-eight hours.

Recommendation

Amend Condition 7.4.1 to read:

All waste for disposal stored overnight at the facility, shall be stored in suitably covered and enclosed containers, and **such containers** shall be removed from the facility within **forty-eight hours of being put in place to accept waste** at the facility, except on Bank Holiday weekends. At Bank Holiday weekends **containers** shall be removed from the facility within seventy two hours of **being put in place to accept waste for disposal at the facility**.

Ground 10: Condition 7.5 (Washing of Vehicles): *The Objector objects to this Condition requiring all waste vehicles to use the power wash prior to exiting the facility. The objector states that vehicles will travel on hard standing at the facility and will not create a nuisance.*

Technical Committee’s Evaluation

The TC notes the grounds of the objection.

Recommendation

Delete Condition 7.5

Ground 11: Condition 12.1.1 (Agency Charges): *The Objector objects to the annual contribution to the Agency of €7,732 and states that a similar facility (Kilcock Civic Amenity Centre) has to pay an annual contribution of €6,747. The objector requests that the agency reduce the fee to €6,747.*

Technical Committee's Evaluation

The annual contribution specified reflects monitoring requirements, reporting requirements and Agency inspections necessary to enforce the waste licence. The annual contribution is site specific. The difference in the annual contribution for the two referred facilities is also due to the Agency charges being updated, to reflect inflation, between issuing the respective PD's.

Recommendation

No change to Condition 12.1.1

Ground 12: Condition 12.3.1 (Sanitary Authority Charges): *The Objector request the addition of 'unless otherwise agreed with the Sanitary Authority', to enable the objector to negotiate with the Sanitary Authority regarding their charging mechanism.*

Technical Committee's Evaluation

The TC notes that the Sanitary Authority is Athy Urban District Council.

Recommendation

Change Condition 12.3.1 to read:

Sanitary Authority charges of €2 per cubic metre of trade effluent shall be made payable to the Sanitary Authority directly on a monthly basis, **unless otherwise agreed with the Sanitary Authority**. Annual monitoring costs incurred (unspecified) by the Sanitary Authority shall also be defrayed by the licensee. Sanitary Authority charges will increase from time to time in response to increased costs in providing drainage and monitoring

Signed: _____
Peter Carey
Technical Committee Chairperson

Dated: 06/10/2003