

MEMO

TO: Board of Directors

FROM: Gerry Carty

CC:

DATE: 1 October, 1998

SUBJECT : Ballymount Baling Station - Technical Committee Report on Objection to Proposed Determination - Reg. No. W003

Application details

Event	Issue Date(s)	Reminder(s)	Response Date(s)
Article 14(2)(b)(i)	Not Applicable		
Article 14 (2) (b) (ii)	17 th June 1997	14 th August 1997	21 st August 1997
Article 14 (2) (a)	4 th September 1997		
Article 16	19 th September 1997 3 rd November 1997	7 th January 1998	20 th October 1997 19 th November 1997 21 st January 1998
Proposed decision	11 May 1998		
Objection received from applicant	8 June 1998		
Article 25(1)(i) notice	18 June 1998		
Technical committee discussions	29 July 1998 21 September 1998		
Article 26 notice	31 July 1998		20 August 1998

Objections received

Objection by Applicant 8 June, 1998

Objection by third party/parties None

South Dublin County Council objected to the following conditions made in respect of the proposed decision on Ballymount Baling Station: 5.4, 5.5, 5.9, 5.10, 6.1 and 6.6. A technical committee was established to consider the objections made. This is the technical committee's report.

This report is based on the findings of the Technical Committee following the Inspector's response (T. Nealon) dated 2 July 1998. The Technical Committee comprised of:

Gerry Carty, Programme Manager

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Brian Donlon, Inspector

Brian Meaney, Inspector

The committee discussed the objection on 29 July 1998 and on 21 September 1998. A notice was issued to the objector/ applicant on 31 July, 1998 under Article 26 and a reply was received on 20 August, 1998, which was within the period specified in the notice.

Each of the objections and the Inspector's response were considered as detailed below. In two cases (conditions 5.4 and 5.9), further information was sought from the applicant under Article 26 of the Waste Licensing Regulations.

Objection to Condition 5.4

Existing condition

*The following wastes only shall be accepted at the civic waste facility;
Paper and cardboard, Glass, Clothing, Waste oil, Batteries, Scrap metal, Wood,
Food cans and Beverage cans.*

Summary of objection

Permission was sought to receive green waste, rubble, DIY waste and white goods (fridges, washing machines, etc.) in addition to the material listed in the condition. It was stated that such facility is already available to the public at the site and is widely availed of.

Inspector's response

Permission is sought to receive green waste, rubble, DIY waste and white goods at the civic waste facility in addition to those wastes specified in 5.4. I see no difficulty in permitting DIY waste and white goods. Rubble is more problematic as there would potentially be very large volumes. Green waste is of course putrescible and subject to the objection to Condition 5.5. The types of waste specified in Condition 5.4 for acceptance at the civic waste facility are those applied for in the licence application, (see Art 16 response of 17th October, section 6 and Volume 1, Section D.6 (xiii)).

Technical committee's evaluation

The technical committee agrees that the acceptance of DIY waste and white goods at the civic waste facility would be consistent with the existing condition. DIY waste and white goods contain constituents similar to those included in condition 5.4.

Rubble should not be allowed as space is limited and any available capacity could potentially be used up quickly thus causing problems for loads arriving subsequently.

The applicant did not examine alternative storage of green waste at locations other than at the reception area. Condition 6.6 prohibits the overnight storage of waste at

the reception area. This is an important condition in the licensing of a waste transfer station as it mitigates against the two major nuisance problems associated with transfer stations, vermin and odour. The alternative storage of green waste accepted at the weekends when the baling station is not in operation was not addressed in the objection.

An article 26 notice was sent to South Dublin County Council on 31/7/98 with the following question attached:

Given that green waste collected at the civic waste facility at weekends cannot be stored at the reception area (condition 6.6), detail proposed arrangements for the storage of green waste at the civic waste facility at weekends.

A response was received on 20/8/98 in which it was stated that green waste collected in skips at the weekend would, if necessary, be sprayed with an insecticide and the skips would be stored in the reception area. Overnight storage of waste is prohibited by condition 6.6 and this prohibition was reiterated in the article 26 notice to the applicant. In the absence of satisfactory alternative storage arrangements, the technical committee recommends that green waste not be accepted at the civic waste facility and that condition 6.6 be retained. In any case, baling and deposition of green waste in a landfill is not considered an appropriate waste management solution.

Recommendation

That condition 5.4 be replaced with the following:

*The following wastes only shall be accepted at the civic waste facility unless prior written agreement is obtained from the Agency;
Paper and cardboard, Glass, Clothing, Waste oil, Batteries, Scrap metal, Wood, Food cans, Beverage cans, household DIY waste and White goods (fridges, cookers, washing machines, etc.).*

Objection to Condition 5.5

Existing condition

Putrescible waste shall not be accepted at the civic waste facility.

Summary of objection

The applicant requests that domestic waste be accepted at the civic waste facility in order to facilitate the following situations: (a) where householders miss their weekly waste collection and (b) where the weekly waste collection is interrupted. In each situation, householders need a facility for the hygienic disposal of waste. It is stated that householders in the South Dublin and Dublin Corporation areas do not have access to a landfill, Arthurstown being for baled waste only.

Inspector's response

Permission is sought to receive putrescible waste at the civic waste facility. The acceptance of putrescible waste was not applied for in the waste licence application (see above references) and was specifically excluded in the certificate issued by the Minister for the Environment. It is considered that the acceptance of putrescible waste at the civic waste facility would increase problems with vermin and also make it difficult to operate the baling station in accordance with the conditions of the licence (see objection to Condition 6.6 below). Furthermore, a submission was received from Johnson Brothers (see Inspectors report attached to proposed decision), an adjoining warehouse dealing in the distribution of products to the grocery and catering industries. The submission was concerned about, among other issues, the presence of vermin due to the operations of Ballymount Baling Station.

Technical committee's evaluation

In their objection, South Dublin refer to putrescible waste as household domestic waste. Putrescible waste should not be acceptable at the facility due to the risk of odour and vermin as described in the inspectors response.

Recommendation

That the condition does not change.

Objection to Condition 5.9

Existing condition

Waste shall only be accepted at the facility, other than at the civic waste facility, between the hours of 7:30 and 18:30 Monday to Saturday inclusive.

Summary of objection

Flexibility in opening hours was requested under the following circumstances:

1. The situation may arise whereby alternative disposal sites, namely Ballyogan landfill (Dun Laoghaire Rathdown CC) and Ballealy landfill (Fingal CC), are unavailable to South Dublin County Council.
2. Night time waste collection vehicles of Dublin Corporation will require access to a facility such as Ballymount for the disposal of waste.

Inspector's response

Permission is sought to have the right to extend working hours under two specified circumstances. The proposed extended hours are not defined. The hours provided for in the proposed decision are those applied for. Condition 9.1 of the proposed decision requires the applicant to prepare an Emergency Response Procedure, this is the appropriate mechanism for the applicant to consider and plan for unexpected occurrences. The proposal that the transfer station should operate during the night as a result of changes in the collection hours of Dublin Corporation is a significant one. It is not possible to assess the impacts of such an operation as no assessment of impacts or emissions, such as noise, was provided in the waste licence application.

Technical committee's evaluation

The inspector acknowledges that this is a significant issue and the technical committee considers that South Dublin County Council should be given the opportunity to provide details of how they would intend operating under such circumstances.

An article 26 notice was sent to South Dublin County Council on 31/7/98 with the following question attached:

Provide details of how the facility would be operated under the two exceptional circumstances identified in the objection to condition 5.9. The information should include proposed operating hours, anticipated emissions and the impact of such emissions.

A response was received on 20/8/98 in which the following points were made:

1. It was stated that in the event of access to the landfills at Baleally and Ballyogan being restricted, "*South Dublin County Council would consider making an application to the Agency for a revision of the licence should alterations in the operational arrangements at the baling centre be planned*". Further grounds for objection, additional to those contained in the initial objection, were identified. However these cannot be considered as they are outside the relevant time period for making objections.
2. The further information submitted on the issue of night time waste collections centred around the storage of insecticide treated waste in the reception area. This situation has been considered under the objection to condition 5.4 above. The overnight storage of waste in the reception area is prohibited by condition 6.6 due to potential vermin and odour nuisance. Collection vehicles would be expected between 20:00 and 01:00 hours; which is outside of the hours applied for in the waste licence application. No evaluation of impacts or emissions for such extended hours of operation was provided. It is also stated that Dublin Corporation currently use a private transfer station to facilitate their night-time collections. For these reasons, the technical committee recommends that the condition not be changed.

Recommendation

As the applicant has indicated that they will request a review of the licence in the event that circumstances change, and are entitled to apply for a review at any time, it is recommended that the condition does not change.

Objection to Condition 5.10

Existing condition

Waste shall only be accepted at the civic waste facility, between the hours of 08:00 and 18:00, unless prior written agreement has been obtained from the Agency.

Summary of objection

The applicant requested that the opening hours be varied to 08:00 to 20:00 on weekdays and 09:00 to 18:00 on Sundays.

Inspector's response

This condition allows for a variation in the opening hours of the civic waste facility in the event of prior written permission being given by the Agency. Such written agreement should be applied for once the licence is in force and not as an objection.

Technical committee's evaluation

This objection can be dealt with within the scope of condition 5.10 and hence the technical committee recommends that the objection be refused.

Recommendation

That the condition does not change.

Objection to Condition 6.1

Existing condition

All baled waste shall be removed from the facility within forty-eight hours of being baled.

Summary of objection

The applicant requests that this time limit be increased to 72 hours for the following reasons:

1. South Dublin CC is endeavouring to minimise the number of Saturdays worked at Arthurstown landfill in respect of local residents traffic concerns. It is stated that maintaining a 48 hour limit means that Saturdays will routinely be worked at Arthurstown.
2. The traffic congestion on the N7 Naas Road between Ballymount baling station and Arthurstown landfill can be unpredictable on Fridays. Because of traffic congestion on Fridays, containers of baled waste tend to be stored more frequently on Fridays.

Inspector's response

The storage of waste on the facility is considered to be a principal potential source of nuisance due to odours and the attraction of vermin. The certificate issued by the Minister for the Environment required that all fully loaded baled waste vehicles

should be dispatched to the landfill by the end of the working day. The introduction, in the proposed decision, of a 48 hour period prior to dispatch is to facilitate the orderly planning of such waste movements and, as such, is considered sufficient.

Technical committee's evaluation

The applicant is entitled to accept waste at the facility between the hours of 07:30 and 18:30 Monday to Saturday inclusive (condition 5.9) and the 48 hour period included in this condition provides sufficient flexibility. Due to the risk of odour and vermin, the condition should stand. Hence the objection should be refused.

Recommendation

That the condition does not change.

Objection to Condition 6.6

Existing condition

The reception area, (as shown on Drawing Number 4B024-01, Revision D, in Attachment C.4 of the waste licence application), shall be cleared of all wastes at the end of each working day.

Summary of objection

This objection is linked to the objections made to conditions 5.5 and 5.9. If putrescible waste is to be accepted at the civic waste facility or night time waste deliveries are authorised then condition 6.6 would need to be revised to allow for the overnight storage of waste

Inspector's response

The prohibition on the storage of waste in the reception area is a measure aimed at preventing the occurrence of nuisance in the form of odours and vermin. Only a complete prohibition will achieve this aim. If an exception was introduced then the proposed decision would have to specify how much waste, what types of waste, how long the waste would be allowed to be stored for, ways of measuring these parameters to ensure compliance, nuisance control measures, etc.

Technical committee's evaluation

Given the recommendations made above in relation to conditions 5.5, 5.9 and 6.1, this condition should stand.

Recommendation

That the condition does not change.

Signed: _____
Technical Committee Chairperson