



OFFICE OF LICENSING & GUIDANCE

INSPECTORS REPORT ON A LICENCE APPLICATION

To:	Directors	
From:	Emer Cooney	- Licensing Unit
Date:		
RE:	Application for an IPPC Licence from Oxigen Environmental Ltd, Licence Register 208-1	

Application Details

Type of facility:	Hazardous and Non-Hazardous Materials Recovery Facility
Class(es) of Activity (P = principal activity):	3 rd Schedule: Classes 4 (refused), 7, 11, 12, 13 4 th Schedule: Classes 2, 3, 4(P), 11, 12, 13
Quantity of waste managed per annum:	350,000 t
Classes of Waste:	Hazardous and non-hazardous household, commercial & industrial, construction & demolition wastes.
Location of facility:	Ballymount Road Lower, Clondalkin, Dublin 22
Licence application received:	4 August 2004
Third Party submissions:	One
EIS Required:	Yes
Article 14 Notices sent:	3 November 2004, 8 March 2005
Article 14 compliance date:	19 October 2005
Site Inspection:	10 September 2004

1. Facility

Oxigen Environmental Ltd (Oxigen) operates the green bin scheme for dry recyclables for the four Dublin local authorities and has applied for a waste licence for a new materials recovery facility and hazardous waste transfer station at Ballymount Road Lower, Clondalkin, Dublin 22. The facility is located in an industrial area approximately 0.5 km from the Red Cow roundabout, east of the M50. The site was previously operated as a steel works and Oxigen acquired the site from Corus Steel in December 2003. Six acres of the original eighteen-acre site were subsequently sold to Dublin City Council for the operation of the green bin dry

recyclable scheme. The whole eighteen-acre site is under the management of and operated by Oxigen.

Oxigen have been granted planning permission for the change of use of the two existing buildings on the site and have applied for planning permission for a waste transfer building.

Oxigen currently have a waste permit for the site (WPR 041) and plan to accept up to 70,000 tonnes per annum (tpa) of dry recyclables under that permit.

Classes 4, 7, 11, 12 and 13 of the Third Schedule and Classes 2, 3, 4, 11, 12 and 13 of the Fourth Schedule have been applied for. Class 4 of the Fourth Schedule is the principal activity. The applicant proposes to accept hazardous and non-hazardous household, commercial and industrial and construction and demolition waste on to the site for processing. Class 4 of the Third Schedule has been refused as the proposed activity of storage of road sweepings is more appropriately licensed under Class 13 of the Third Schedule.

It is proposed to operate the site 24 hours a day, seven days a week.

2. Operational Description

The applicant proposes to accept 350,000 tonnes per annum, of which 30,000 tonnes will be hazardous waste. The Recommended Decision (RD) allows the facility to accept the following wastes as proposed in the application and as detailed in Schedule A:

Waste Type	Quantity (tonnes per annum)
Household:	180,000
Commercial:	40,000
Industrial:	20,000 including 1,000 tpa industrial sludges
Construction & Demolition:	80,000
Hazardous:	30,000 including 10,000 tpa infectious healthcare waste

The RD includes provision for the tonnages of the various waste types can be changed with the agreement of the Agency as long as the overall annual tonnage remains the same.

The facility will consist of three buildings, two existing and one proposed:

- Skip waste building;
- Dry recyclables building;
- Waste transfer building.

All waste processing is to be carried out indoors.

The processes to be carried on will typically comprise the following:

- Sorting of C&D waste;
- Shredding of wood;
- Segregation and baling of dry recyclables;
- Drying of road sweepings;
- Temporary storage of baled waste from Oxigen's Robinhood Industrial Estate facility (Reg. 152-3);
- Receipt and transfer of hazardous waste, including infectious healthcare waste;

Condition 8.11.2 of the RD requires that detailed procedures in relation to waste acceptance and handling be submitted to the Agency prior to acceptance of hazardous and healthcare waste and within six months of the date of grant of licence for all other wastes.

Condition 3 of the RD requires appropriate infrastructure to be put in place for handling of all wastes.

3. Use of Resources

The application includes details on resource consumption as follows:

- Fuel 5,000 litres heating oil
- Electricity 500,000 kWhr
- Water 2,800 m³

4. Emissions

4.1 Air

All waste processing is to be carried on indoors. Condition 6.3.3 requires measures to be put in place to control dust and odour emissions, including the installation of a negative air pressure system and treatment system to be agreed with the Agency as necessary.

4.2 Emissions to Sewer

Emissions to sewer will arise from floor washing, dust and odour suppression systems, vehicle and bin washings. The discharge is not expected to exceed 10m³/day. These emissions will discharge directly to the sanitary authority sewer without any treatment. The RD contains consent conditions and emission limit values as specified by the sanitary authority.

4.3 Storm Water Runoff

The applicant proposes to discharge the surface water run-off from the facility into the culverted Ballymount Stream. This stream in turn discharges to the Camac River which is a tributary of the River Liffey. The River Camac has been classified by the EPA as moderately to seriously polluted in 2002. All surface water drainage will pass through an oil interceptor with an automatic shut-off valve prior to discharge. The majority of the site is already covered in hardstanding, therefore no significant increase in the volume of surface water run-off is expected. The RD requires monitoring of the surface water discharge.

4.4 Noise

The applicant has submitted results from a baseline noise survey, carried out while no waste activity was taking place on the site. The noise monitoring survey was carried out at one noise sensitive location (dwelling 180m from site) and at four locations on the boundary of the facility.

Daytime noise measurements (Leq) varied from 55.8 to 75.1 dBA. Night-time noise varied from 46.4 to 62.5 dBA. Noise was due to traffic and activities at adjacent industrial activities. This is an industrial area which has very high volumes of traffic, including HGVs.

Potentially significant sources of noise on the site are the wood shredder and the C&D waste handling equipment, which will be located indoors. The applicant has stated that all sorting operations will be carried out indoors and the area will be soundproofed if deemed necessary. The applicant has calculated that the impact on the nearest noise sensitive location from shredding and C&D waste sorting will be 48 and 50 dBA respectively. Conditions 3.16.2 and 3.17.2 require the installation of acoustic screening to ensure compliance with the noise limits, in particular the night-time limits.

4.5 Nuisance

Dust monitoring was carried out at four locations on the site and four samples (north, south, east and west) were taken at each location. The results submitted by the applicant indicates that dust deposition rates at the site were already greater than 350 mg/m²/day for three of the samples with no waste activity being carried on at the site. The dust survey was carried out between 4th and 25th March 2004 and the waste permit for the site was not granted until 18th March 2004.

The main potential sources of dust are the wood shredder and the C&D waste sorting equipment, both of which will be located indoors. The planned wood shredder has a cover which contains debris and dust within the machine. The C&D waste sorting machine has a built-in dust prevention system which includes dust filters in the air separation units.

All waste operations are to be carried out indoors and doors will be closed except during loading and off-loading. An atomiser dust suppression system is proposed for the buildings, focussing on the main dust producing activities, i.e. tipping and dust generating equipment.

5. Cultural Heritage, Habitats & Protected Species

The applicant has stated that the site is not covered by any designations for conservation. The site is located in an industrial area of Dublin.

6. Waste Management, Air Quality and Water Quality Management Plans

The applicant states that a key objective of the Dublin Waste Management Plan is to reduce dependence on landfill and increase private sector involvement in waste management. Oxigen operates and manages the green bin scheme for the four Dublin local authorities with approximately 300,000 green bins for dry recyclables distributed throughout Dublin. The establishment of facilities for receipt of dry recyclables and material recovery is a necessary part of the segregated waste collection system employed by the four Dublin local authorities. The proposed activity is thus consistent with the objectives of the plan.

7. Environmental Impact Statement

The information in the EIS relating to environmental pollution from the operation of the facility was assessed. It was found to be in compliance with the Waste Licensing Regulations and Article 25 of the Environmental Impact Assessment Regulations following the submission of additional information.

8. Fit & Proper Person Assessment

Enforcement History and Prosecutions

The EPA successfully prosecuted Oxigen Environmental Limited on 9th December 2004 for breaches of its Waste Licence (Reg. No. 152-1) during the year 2003. The prosecution related to the Oxigen licensed facility at Robinhood Industrial Estate, Ballymount, Dublin 22. The company pleaded guilty to six charges. The company was convicted for sending waste off site to facilities without the EPA's consent, and for accepting more waste than the permitted amount. The other convictions related to offences for failure to manage the site by not providing impermeable hardstanding throughout the facility, not carrying out necessary improvements to the Waste Transfer Building, improper waste management practices at the facility and failure to maintain a written record of all waste loads being accepted at the facility.

An application for a revised licence (Reg. 152-2) to increase the tonnage at that site from 24,600 to 230,000 tpa was refused by the Agency in 22 July 2004. The reasons for refusal were based on the poor compliance record of the facility in particular the fact that the facility was poorly managed and the lack of required infrastructure being installed at the facility.

At an audit carried out by the Agency on 8 November 2004 the auditors noted that the applicant had made significant strides in relation to improvements to the facility and to comply with their waste licence (Reg. 152-1) following enforcement actions taken by the Agency. A further site visit was carried out on 1 June 2005, the performance at the facility was found to be satisfactory. A revised licence (Reg. 152-3) was subsequently granted to Oxigen on 1 September 2005.

Having regard to the positive developments on the applicant's other site (Robinhood) since the prosecution, and the subsequent enforcement record for same, I am of the view that the applicant has made the necessary changes to operational and management practices sufficient to allow the Agency to avail of the provision set out in Section 40(8) of the Waste

Management Acts to deem the applicant, in the case of this application, to be Fit and Proper for the purposes of Section 40(7)(a).

Technical Competence

The Managing Directors of the facility are the same as for the Robinhood Industrial Estate facility Reg. No. 152-3. Both Managing Directors have 20 years experience in the waste management industry. While Oxigen have previously been prosecuted at the Robinhood site, the performance has since been found to be satisfactory.

Financial provisions

The applicant has submitted audited accounts for the year ended 31 March 2003 which shows a profit for that 12 month period.

The applicant has also submitted an Environmental Liabilities Risk Assessment (ELRA) stating that the installation of an environmental liabilities pollution cover of €65,000 (in the form of binding, financial allocation or insurance premium) will guarantee that the liabilities arising from any environmental accident occurring during the operation phase of the site is financially provided for. €65,000 is calculated as the cost for the clean-up of the maximum amount of waste that may be stored at any one time.

The decommissioning plan submitted as part of the application requires a bond of €350,000 to be put in place for the facility.

9. Submissions

There was one submission made in relation to this application, by the Eastern Regional Fisheries Board (ERFB). The submission states that the ERFB has no objection to the proposed development as long as BAT measures are fully implemented to ensure protection of the downstream surface water system. The following areas of concern are mentioned specifically:

1. Surface water will discharge via an oil interceptor and silt trap.

Response: Condition 3.13 of the RD requires that the licensee maintain silt traps and an oil interceptor for storm water discharges. Condition 6.13 requires that the drainage system is inspected weekly, desludged as necessary and properly maintained at all times.

2. Effective separation of wastewater streams (foul water from surface water).

Response: The two systems are separate on the site.

3. Management of on-site leachate, hazardous liquid and run-off from on-site operations such as vehicle washing and road sweeping.

Response: All waste processing is to take place indoors. The drainage from the buildings discharges to the sewer. Condition 3.12 of the RD requires hazardous wastes to be stored in appropriately bunded locations, from which all drainage shall be diverted for collection and safe disposal. Run-off from vehicle, floor and bin washing will discharge to sewer.

4. Daily visual check on all surface water discharges and quarterly analysis of the discharge.

Response: *Schedule C.1 Monitoring of Surface Water Run-Off* of the RD requires daily visual inspection and quarterly monitoring of the surface water discharge.

10. Charges

The proposed charge for this site, given its size and the nature of wastes to be handled on the site, is €19,748. This charge has been approved by the Office of Environmental Enforcement.

11. Recommended Decision

I am satisfied that the conditions set out in the RD will adequately address all emissions from the facility and will ensure that the carrying on of the activities in accordance with the conditions will not cause environmental pollution. I have considered all the documentation submitted in relation to this application and recommend that the Agency grant a licence subject to the conditions set out in the attached RD and for the reasons as drafted.

Signed

Emer Cooney

Procedural Note

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2003.