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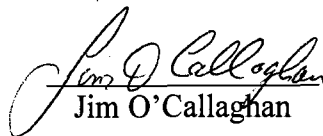
1st March 2006

RE: Waste Licence Proposed Decision 53-3

Dear Sir,

I enclose on behalf of the Licensee, Greenstar Ltd, an objection to the above referenced Proposed Decision on the review of the Waste Licence for the Bray Depot, Fassaroe, Bray, County Wicklow. The €500 objection fee is enclosed.

Yours sincerely,


Jim O'Callaghan

0307204/JOC/PS

Encs.

c.c. Mr. Micheal Geary, Greenstar Ltd

**OBJECTION TO
WASTE LICENCE PROPOSED DECISION
GREENSTAR LTD - BRAY DEPOT
FASSAROE, BRAY, CO. WICKLOW
REG. NO. 53-3**

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Submitted By: -

Greenstar Ltd.,
La Vallee House,
Fassaroe,
Bray,
Co. Wicklow.

1st March 2006

TABLE OF CONTENTS

	<u>PAGE</u>
1. INTRODUCTION.....	1
2. CONDITION 1.6 WASTE ACCEPTANCE AND HOURS OF OPERATION	2
3. CONDITION 8 MATERIALS HANDLING.....	3
4. SCHEDULE C6 AMBIENT MONITORING	7

APPENDIX 1 - Drawing No. B9338-A0D1-A

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1. INTRODUCTION

Greenstar Limited (Greenstar), La Vallee House, Fassaroe, Bray, County Wicklow wishes to object to Conditions 1.6.2, 8.1, 8.4.3, 8.4.4, 8.4.6 and Schedules C6 and F in the Proposed Decision (PD) for a Waste Licence for the Integrated Waste Management Facility at Fassaroe, Bray, Co. Wicklow (Reg. No. 53-3). The grounds for the objections are presented in the following Sections. The €500 objection fee is enclosed with this document.

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2. CONDITION 1.6 WASTE ACCEPTANCE AND HOURS OF OPERATION

Condition 1.6.2. The facility shall be operated only between the hours of 7:30 to 21:00 Monday to Saturday inclusive.

Greenstar sought to have Condition 1.6 of the existing licence changed to allow for the hours and days of operation/acceptance to be amended with the Agency's approval. Conditions 1.6.1 and 1.6.3 of the PD allows for the amendment of the hours of waste acceptance between Monday to Friday and waste acceptance and operation on Sundays and Bank Holidays subject to the agreement of the Agency.

However Condition 1.6.2 of the PD does not allow for the hours of operation to be amended subject to the Agency's agreement. The grounds for the Agency's refusal to allow for such an amendment are based on the concerns raised by residents in the area of the facility relating to noise (Ref. Section 1 of the Inspector's Report). These concerns (Ref. Sections 4.5 and 12 of Inspector's Report) relate to impacts from external waste processing. There is no evidence to indicate that noise from internal activities is a cause of concern.

Condition 6.8 of the PD requires the implementation of measures to further reduce noise impacts and to carry out noise monitoring at off-site noise sensitive locations. It will be an objective of the latter to establish if noise from internal activities are a source of nuisance. Therefore, Greenstar requests that Condition 1.6.2 be amended to allow for the amendment of operational hours for **internal** waste processing activities subject to the Agency's approval.

3. CONDITION 8 MATERIALS HANDLING

Condition 8.1 of the PD states that 'All waste processing shall be carried out inside the waste transfer building(s) from the date of grant of this licence, except wood shredding (see Condition 3.14) and composting which shall be carried out at the biowaste treatment facility shown on Drawing No. B9338-C002-B Civil Site Drainage Layout.'

Condition 5.1.1 of the existing Waste Licence (53-2) requires the processing of Construction and Demolition (C&D) waste and non-putrescible Commercial and Industrial (C&I) waste indoors within 2 years of the date of the licence (April 2003) or when the proposed Transfer Station Phase II has been constructed whichever is the earlier, unless otherwise agreed with the Agency. This condition required the relocation indoors by April 2005, unless otherwise agreed with the Agency.

Greenstar sought, as part of the licence review lodged in September 2004, to amend Condition 5.1.1 to allow for the external processing of C&D waste beyond April 2005. It was and remains Greenstar's intention to move the C&I processing indoors. It had originally been intended to relocate the C&I processing line inside Phase I in 2005, but with the advent of pay by use/weight and the surge in demand for dry recyclable processing capacity Greenstar were forced to relocate this activity into the Phase I building.

The PD does not permit the continued external processing of C&D waste at the facility. Condition 8.1 of the PD requires that all waste processing shall be carried out inside the waste transfer building(s) from the date of grant of this licence, except wood shredding. As it stands this would prohibit the external processing of C&I and C&D with immediate effect.

Greenstar accepts that both C&I and C&D wastes must be processed indoors in the future, but the building(s) required to accommodate these activities have not yet been constructed. Greenstar obtained planning permission for Phase 2 of the new transfer building in November 2003. It had been intended to commence construction in 2004. However, this could not proceed due to delays in obtaining Bord Gais approval to fill over a gas main running through the site.

The protracted negotiations with Bord Gais delayed both the development of Phase 2 and the site restoration programme specified in Condition 4.8 of the existing licence. The Agency was informed of the delays to both elements in a submission dated the 28th July 2005. In the submission Greenstar sought an amendment to Condition 4.8 to allow an extension to the timeframe for the restoration and aftercare programme. The PD allows for the extension of the timeframe.

Greenstar also informed the Agency of its intention to start construction of Phase 2 in February 2006 with an estimated commissioning date of February 2007, at which time the C&I processing line would be moved indoors. This is referenced in Section 2 of the Inspector's Report dated 6th January 2006. Preparatory works to achieve building formation levels have been carried out and a decision with regard to commencement of construction will be taken on confirmation of the requirements of Licence 53-3.

However the internal processing of both C&I and C&D waste, as required by the PD, cannot be accommodated in the footprint of the proposed Phase 2 building. This requires the construction of an enlarged building to accommodate the intended recycling equipment. In recognition of the fact that Agency approval to continue external processing of C&D waste might not be obtained and to facilitate compliance with the existing licence, Greenstar lodged a planning application with Wicklow County Council on 18th November 2005 for a larger extension that can accommodate both the C&D and C&I processing lines. In January 2006 the Council issued a request for additional information. Greenstar responded to this on the 14th February 2006 and now expect a notification of intention to grant planning from Wicklow County Council by mid March 2006.

The proposed building layout is shown on Drawing No. B9338-A0D1-A. Subsequent to a comprehensive technology review in 2005 Greenstar finalised details and obtained Agency approval for the internal recycling equipment and its layout, to be housed at Ballycoolin MRF (Waste Licence 183-1), currently nearing completion. The recycling equipment to be installed at Ballycoolin represents an expenditure in excess of €6M. Greenstar proposes to provide similar processing capacity in the new building at Fassaroe, as both facilities will handle in the order of 200,000 tpa.

Condition 8.1 of the PD prevents Greenstar from processing both C&I and C&D wastes at the facility from the date of grant of the licence. This would seriously undermine the economic viability of the facility, as these waste streams constitute approximately 85% of the waste currently accepted at the facility, and may result in facility closure. The elimination of this recovery capacity would have a detrimental effect on waste recovery rates in Wicklow.

Therefore Greenstar requests the amendment of Condition 8.1 to allow the continued external processing of C&D and C&I waste until the augmented Phase 2 building has been constructed. It is expected that, subject to obtaining planning permission the building will be completed by September 2007.

Condition 8.4.3 requires that the aerated static piles (ASPs) shall be covered while the curing process is taking place. Greenstar considers that there is no overwhelming environmental reason to cover the ASP. The ASPs will operate under suction air pressure, with all the collected air being discharged to a biofilter. This will effectively limit odour and dust generation from the ASP. Given the nature of the material the potential for wind blow debris to be generated from the ASPs is negligible. Covering the ASP would prevent rainfall on the composting mass, requiring use of mains water to maintain sufficient moisture for biological activity. Furthermore providing cover over the ASP will make development of a composting facility at Fassaroe commercially unviable.

Condition 8.4.4 and *Schedule F: Standards for Compost Quality* specifies the quality standards which the compost must meet if it is not to be considered as a waste. Schedule F includes for only one class of compost. This is a significant alteration to the existing licence, which allows the production of three categories of compost (Class 1, Class 2 and Stabilised Biowaste). The current classes are derived from the draft of the EC Working Document on Biowaste on biological treatment of biowaste.

The Working Document on Biowaste permits the use of Class 1 and 2 as follows: -

- Class 1 shall be used according to best agronomic practice without any specific restriction.
- Class 2 shall be used in a quantity not exceeding 30 tonnes dry matter per hectare on a three-year average.

In the case of Stabilised Biowaste, the Working Document allows Member States to authorise the use of this material as a component in artificial soils or in those land applications that are not destined for food and fodder crop production [such as final landfill cover with a view to restoring the landscape, landscape restoration in old and disused quarries and mines anti-noise barriers, road construction, golf courses, ski slopes, football pitches and the likes] subject to conditions on the quantity and timing of the application and the quality of the receiving soils.

Compost meeting the current Class 2 and Stabilised Biowaste criteria would, if the proposed *Schedule F* is applied, still be classified a waste rather than a product. Therefore their potential uses would be limited. Greenstar requests that Condition 8.4.4 and *Schedule F* be amended to be consistent with Condition 5.4.1.2 and *Schedule F* of the existing licence and the licence for the Greenstar Materials Recovery Facility at Sarsfieldcourt in Cork (Reg. No. 136-2).

Condition 8.4.6 – requires that Screening of compost shall be carried out inside the waste transfer building(s) or any other adequate indoor facility as agreed by the Agency.

Screening of finished compost is essential if a composting facility is to produce good quality compost for higher value use. Screening removes oversize bulking agents such as wood or green waste and also oversize contaminants such as plastics, metals etc that have bypassed earlier exclusion methods. Compost produced at Fassaroe will be a clean product for agricultural use with little contamination and therefore little potential for wind blown litter. Internal screening is not BAT for composting facilities. Screening indoors is not required in the Waste Licence for the Greenstar Sarsfieldcourt Materials Recovery facility (Reg. No. 136-2), which is located in an Industrial Estate and is of a similar size to the Fassaroe facility.

The reasons given in Section 2 of the Inspector's Report for specifying internal screening are to ensure that dust emissions are minimised.

Compost on the ASP will be maintained in conditions to promote biological activity. Thus moisture, oxygen, carbon nitrogen ratio etc will be maintained at specific levels. Biological activity is also required to continue in stockpiled compost at low levels. The optimum moisture content for composting is generally between 50 and 60%. Below ca 30%, microbial activity virtually stops. Compost in the ASP and in stockpiles will be maintained in the 50 to 60% range. Furthermore, allowing the moisture content to fall below 40% restricts evaporative cooling of the pile, which in turn increases fire risk.

Moisture levels in the 50 to 60% range are not conducive to dust generation. Greenstar considers that screening of compost will not be a significantly dusty operation.

It is not practical to carry out screening internally at the site for the following reasons: -

- Screening will be done at intervals, so that stockpiles of pre and post screening product will develop. There is no existing internal capacity to accommodate this.
- Screening cannot be done in the compost reception building due to Animal By-Products restrictions. These restrictions will also apply in the other buildings on-site where animal by-products will be handled.
- Constructing a dedicated compost screening building would make development of a composting facility at Fassaroe commercially unviable.

Greenstar therefore requests that the Condition be amended to remove the requirement to screen the compost inside the waste transfer buildings.

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4. SCHEDULE C6 AMBIENT MONITORING

Groundwater Monitoring

Schedule C.6 of the PD specified the proposed groundwater monitoring frequency. The frequency has been amended from quarterly, as specified in the existing licence, to monthly.

The grounds for this amendment is unclear, as there are no direct emissions to ground at the site and the groundwater monitoring programme has not identified significant groundwater contamination. Section 4.4 of the Inspector's Report states '*The groundwater monitoring has not identified any significant impact on groundwater quality associated with facility activities apart from the impact on water quality in borehole BH-5 which is attributed to the on-site septic tank system*'.

Greenstar requests that, as the groundwater monitoring has not identified the presence of significant contamination, the Schedule be amended to revert to a quarterly frequency.

Monitoring of Composting Process

The PD requires continuous monitoring of oxygen. This is not considered necessary to ensure quality control. Temperature is a good indicator of biological activity. The aeration in the tunnels will be controlled using validated systems that will ensure that oxygen levels are maintained at sufficient levels. This validation is required only at the facility commissioning stage. Therefore, continuous monitoring would be surplus to requirements for most of the lifetime of the facility.

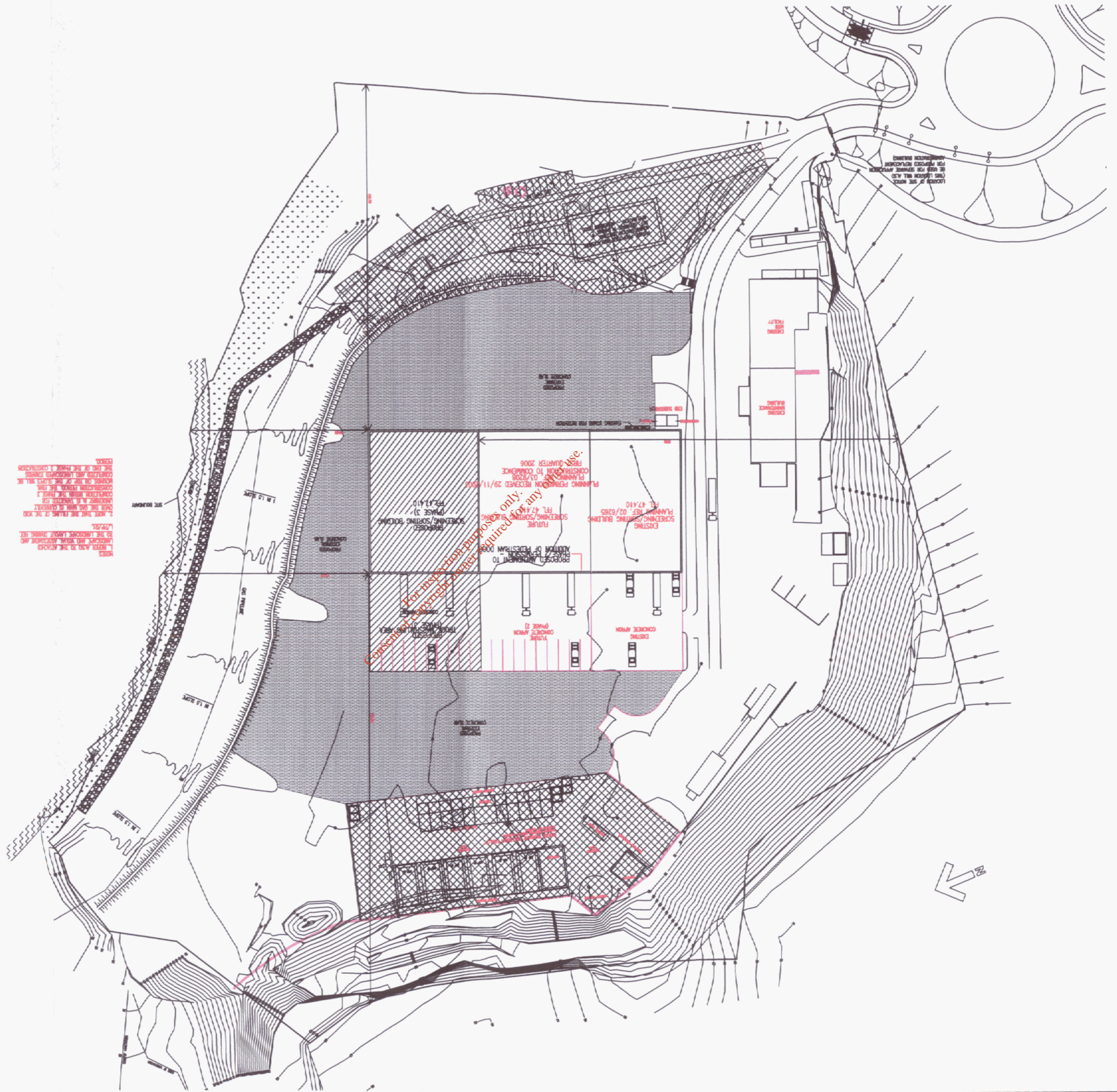
Greenstar requests the Schedule be amended to remove the requirement to continuously monitor oxygen.

APPENDIX 1

Drawing No. B9338-A0D1-A

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1. TITLE	ROAD PLAN	DATE	1/2011
2. DRAWN BY	ARCHITECTURE	DATE	1/2011
3. CHECKED BY	ARCHITECTURE	DATE	1/2011
4. PROJECT NO.	1000	DATE	1/2011
5. CLIENT	GREENSTAR HOLDINGS LTD.	DATE	1/2011
6. PROJECT NAME	SCREENING/SORTING BUILDING PHASE 3	DATE	1/2011
7. PROJECT ADDRESS	1000	DATE	1/2011
8. PROJECT LOCATION	1000	DATE	1/2011
9. PROJECT STATUS	1000	DATE	1/2011
10. PROJECT DESCRIPTION	1000	DATE	1/2011



NOTES:
 1. REFER TO THE ARCHITECTURAL DRAWINGS FOR THE SCREENING/SORTING BUILDING PHASE 3 AND THE CONCRETE APRON FOR THE SCREENING/SORTING BUILDING PHASE 3.
 2. NOTE THE RELATIONSHIP OF THE XED TO THE SCREENING/SORTING BUILDING PHASE 3 AND THE CONCRETE APRON FOR THE SCREENING/SORTING BUILDING PHASE 3.
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SCREENING/SORTING BUILDING PHASE 3
 CONCRETE APRON FOR THE SCREENING/SORTING BUILDING PHASE 3