



**OFFICE OF
LICENSING &
GUIDANCE**

**REPORT OF THE TECHNICAL COMMITTEE ON
OBJECTIONS TO LICENCE CONDITIONS**

TO:	Directors	
FROM:	Technical Committee	- LICENSING UNIT
DATE:	30 th June 2005	
RE:	Objection to Proposed Decision for Indaver Ireland Limited, Tolka Quay Road, Dublin Port, Dublin 1 Waste Reg. No.36-2	

Application Details	
Type of facility:	Hazardous and non-Hazardous Waste Materials Transfer Facility, incorporating a Solvent Blending Plant
Class(s) of activity (P = principal activity):	3 rd Schedule: 11, 12, 13(P) 4 th Schedule: 1, 13.
Classes of Waste:	Household, commercial and industrial waste, including industrial sludges, wastes from thermal processes (except thermal waste treatment facilities), healthcare/agricultural waste, beverage industry waste & hazardous waste.
Location of activity:	Tolka Quay Road, Dublin Port, Dublin 1.
Licence application received:	18/08/2003
PD issued:	24/02/05
First party objection received:	23/03/05
Third Party Objection received	None received
Submissions on Objections received:	Not applicable

Company

Indaver Ireland Limited, (hereafter referred to as Indaver), submitted an application for a proposed extension to its waste transfer station, located at Tolka Quay Road in Dublin Port. Indaver export hazardous waste from Ireland to Britain and other European countries for recovery, disposal or treatment. The existing facility is operating under waste licence Reg. 36-1, which was issued 26/02/1999. Note that the licensee had been trading under the name MinChem at that time. The site is currently licensed to accept both hazardous and non-hazardous waste. The total quantity of waste throughput will increase, from 22,710 tonnes per annum (tpa) under the current licence, to a total of 50,000 tpa, under the proposed review. The proposed extension includes a solvent

blending facility. An Bórd Pleanála granted planning permission for the proposed extension, incorporating solvent blending plant, on 29/07/2003, (Ref. PL 29N.201402).

Waste solvents, transported in bulk road tankers from Indaver's industrial customers, will be mixed proportionally in accordance with their calorific value (CV). The blended waste can then be used as a fuel, for example in cement kilns. Due to the variable calorific value of some of the waste streams the only option for disposal was incineration. All of the blended waste will be exported to the UK or continental Europe, as there are currently no facilities in Ireland licensed to use waste solvents as fuel.

The proposed expansion will be carried out in two phases:

- Phase 1 - provision of the solvent blending module and ancillary facilities, which would take approx. 5 months to complete; and,
- Phase 2 - the construction of a warehouse for paper/magazine storage, which would take approx. 3 months to complete.

The facility is located in Dublin Port on land that was reclaimed in 1972 with the subsoils of the area, mainly sandy fill. The land is owned by the Dublin Port Company, Port Centre, Alexandra Road, Dublin 1. There are no residential areas within a radius of approx. 700 metres.

When the facility is fully operational it is expected that the total workforce on site will increase from 22 to a maximum of 25 employees. The transfer station is currently licensed to operate from 0800hrs to 1800hrs Monday to Friday. Agreement was sought and received 29/07/2002 (WL 36-1/AK12PC) to extend the operating hours to 0800hrs to 1900hrs Monday to Friday. The licensee now requests that these hours are extended to 24 hours a day, 7 days a week as it may be necessary to operate the Blending Plant on a shift basis during peak times and to accommodate vehicles arriving at the site.

Two submissions were received in relation to the application and the Board considered these at the PD stage.

Consideration of the Objection

The Technical Committee, comprising of Stuart Huskisson (Chair), and Patrick Byrne, has considered all of the issues raised in the Objection and this report details the Committee's comments and recommendations following the examination of the objection together with discussions with inspectors Ciara Maxwell and Donal Howley, who also provided comments on the points raised.

This report considers the first party objection.

First Party Objection

The licensee makes 34 points of objection.

Objections

1. Condition 3.5.1

i) Yard and Hardstanding Areas:

Indaver object to the requirement to maintain the hardstanding area as impermeable, stating it is not possible to provide 100% impermeability due to the presence of joints between the reinforced concrete slabs of the yard. The licensee suggests a rewording of the condition to include the phrase 'maintain generally impermeable hardstanding surfaces'.

Technical Committee's Evaluation: Condition 3.5.1 seeks to ensure that the hardstanding area is maintained as impermeable. A primary requirement for a Waste Transfer Station is the provision of an impermeable surface across the entire facility. The Technical Committee acknowledge that a complete slab covering the whole site may not be possible to install, however slabs and associated joints should be installed and maintained to provide "an impermeable hardstanding surface" (as referred to by the licensee).

Recommendation: No Change

ii) Drum Storage Area:

Indaver state that the drum storage areas have been designed with an allowance for containment of spillage by the provision of a ramped slab falling to a sump at the low points. The licensee states that the storage containment areas (containing IBC's or metal drums) have not been designed as bunds due to their scale and shape. Indaver state that allowance for containment of an IBC spillage plus 10% has been made at the low point of each of the storage areas.

Technical Committee's Evaluation: The requirement for tank and drum storage areas to be bunded is a standard condition in all licences issued by the Agency. Storage and containment areas of the facility are required to meet the obligations of Condition 3.10 of the proposed determination i.e. be able to contain a volume not less than the greater of: a) 110% of the capacity of the largest container within the bunded area; or b) 25% of the total volume of substance which could be stored within the bunded area. The proposed condition is similar to condition 4.9.1 of the company's previous licence Reg. No. 36-1.

Recommendation: No Change

iii) Tank Farm Area

Indaver state that the floors and walls of the new tank farm bund and loading/unloading area shall be constructed in accordance with BS8007 (Aqueous liquid concrete retaining structures).

Technical Committee's Evaluation: The Technical Committee acknowledge that the licensee shall provide bunded areas for the loading/unloading area and the solvent tank farm to meet the requirements of BS8007 (Aqueous liquid concrete retaining structures).

Recommendation: No Change

2. Condition 3.7.2

Indaver state that all 'non-compliant' packaged waste will be taken to the repackaging room for repacking, however as per section D.1.h, packaged waste of a 'suitable quality' may be quarantined in the appropriate storage bay in the drum storage area. Drums placed in quarantine within the storage bay shall be clearly labelled as being in quarantine. Packages shall be deemed to be of a 'suitable quality' if there is no risk of a leak, rupture, etc.

Indaver also state bulk tankers may also be quarantined on the hardstanding area of the site. However if a bulk tank is found to be leaking then it is quarantined in the emergency tanker bay until the leak has stopped or the contents are cross-pumped to another tank.

Technical Committee's Evaluation: Quarantine areas are required to meet the requirements of Condition 3.10 i.e. to be rendered impervious to the material stored, and to have the capacity to contain a volume not less than the greater of: a) 110% of the capacity of the largest drum within the area, or b) 25% of the total volume of substance which could be stored within the bunded area. The Technical Committee accept that additional areas may be used for quarantine of waste, these areas should be such that there is no risk of loss of waste to surface or groundwaters and they shall be labelled as quarantine areas.

Recommendation: Amend Condition 3.7.2 to read as follows:

The Waste Quarantine Areas, as specified in Attachment D.1.h for packaged waste (Repackaging Room, Drawing No. 11037\CD\004A, Rev. A) and tankers (Tanker loading/unloading bay, Drawing No. 11037\CD\010, Rev. D), shall be provided and maintained at the facility. **Subject to appropriate spillage collection, the licensee may identify additional quarantine areas, subject to agreement of the Agency.**

3. Condition 3.7.5

Indaver state that the waste quarantine areas are: the repack room, drumstore area, hardstanding area and tanker loading/unloading bay. The tank farm loading/unloading area shall be constructed in accordance with BS8007 (Aqueous liquid concrete retaining structures). The licensee states that the repack room, drumstore area and hardstanding area have been designed as containment areas rather than bunds and they include a proposed rewording of the condition.

Technical Committee's Evaluation: The Technical Committee consider that waste quarantine areas are required to comply with Condition 3.7.5. As stated in response to the objection to Condition 3.7.2 (above), waste quarantine areas are required to meet the requirements of Condition 3.10 in order to contain possible spillages or leaks i.e. to be rendered impervious to the material stored, and to have the capacity to contain a volume not less than the greater of: a) 110% of the capacity of the largest drum within the area, or b) 25% of the total volume of substance which could be stored within the bunded area. The licensee refers to the term containment within the objection; the Technical Committee considers this to be equivalent to bunding. The Technical Committee consider that Condition 3.7.5 should be amended to allow for alternative waste quarantine areas to be considered by the Agency.

Recommendation: Amend Condition 3.7.5 to read as follows:

The waste quarantine areas shall be secured, bunded and surfaced to deal with spillages, **unless otherwise agreed by the Agency.**

Points of Objection 4 and 5 shall be dealt with together:

4. & 5. Condition 3.7.6 and Condition 3.7.7

Indaver object to the wording of Condition 3.7.6 and state that drainage from the repack room, drumstore area and tanker loading/unloading bay will be separately collected however the drainage from the hardstanding area will drain directly to the storm water drainage system where by it will be analysed prior to discharge.

Indaver object to Condition 3.7.7 and state that since submission of the waste licence application, the detailed design has lead to a change in philosophy in relation to run-off from the tanker loading/unloading area and the tank farm bund. The licensee states that there is now proposed separate collection in both the tank farm bund and the loading/unloading area and the underground tank has been removed from the design. The licensee suggests a rewording of the condition.

Technical Committee's Evaluation: The Technical Committee consider that to prevent possible discharge of contaminants to surface water, any area used for waste quarantine is required to have drainage collected separately. The collected drainage shall be tested for contamination prior to release to the storm water system. This will involve discrete sampling and analysis of the liquid collected. The Technical Committee consider that Condition 3.7.6 should be amended to allow for alternative waste quarantine areas to be considered by the Agency.

The Technical Committee consider the minimisation of underground storage tanks and pipework to be in line with Best Available Techniques (BAT) for a Waste Transfer Station. The requirement for an underground tank should be removed from Condition 3.7.7.

For clarity the requirement for drainage from the tanker loading/unloading area and the tank farm bund, to be collected separately and analysed should be included in Condition 3.7.6 and Condition 3.7.7 deleted. However, the licensee shall still comply with the requirements of Condition 3.10.

Recommendation: Amend Condition 3.7.6 to read as follows:

Drainage from quarantine/bunded areas, **tanker loading/unloading area and the tank farm bund, unless otherwise agreed by the Agency**, shall be collected separately and tested for contamination **by analysis detailed in Schedule C.2**, prior to release to the storm water drainage system. Contaminated storm water shall be sent off-site for recovery/disposal.

Recommendation: Delete Condition 3.7.7.

6. Condition 3.8.2

Indaver object to the above condition as worded stating that only weight dockets for tankers destined for fuel blending will be kept on site. Weights of containers and bulk tanks not being accepted into the tank farm will be obtained from the waste facility upon acceptance.

Technical Committee's Evaluation: The Technical Committee consider that the detail of Condition 3.8.2 expands on the requirements of Condition 11.2 requiring the quantity of waste (in tonnes) to be recorded for each load of waste arriving and departing from the facility. Condition 11.2 of the PD is a standard condition, similar to Condition 3.13 of the original licence (Reg. No. 36-1). The Technical Committee consider that condition 3.8.2 should however be clarified as it is intended to only apply to bulk tanker loads rather than all containers arriving on-site. Containers arriving on-site carrying a number of drums of waste material do not need to be weighted prior to entry as each drum of waste will be weighted on-site at the weigh unit referred to in condition 3.8.1.

Recommendation: Amend Condition 3.8.2 to read as follows:

The weights of all ~~containers and~~ bulk tanker loads shall be obtained from a certified weighbridge facility. All weight records shall be maintained on-site for Agency inspection.

7. Condition 3.10.2

Indaver object to the above condition, stating that the design criteria for containment areas was to contain 110% of the largest possible container in the storage area. The licensee also states that the drum storage areas are not designed as bunds due to the necessity for forklift and personnel access in and out of the containment area.

Technical Committee's Evaluation: Condition 3.10.2 is a standard condition of all licenses and is similar to condition 4.9.1 of Licence Reg. No. 36-1. The Technical Committee consider that all tank and drum storage areas should have a sufficient capacity to retain not less than the greater of: a) 110% of the volume of the largest tank or drum within the area, or b) 25% of the total volume of substance which could be stored within the area. The bund must be capable of holding liquid losses from more than the largest tank, i.e. if one tank collapsed/fell it may rupture a number of other tanks within the bunded area.

The Technical Committee considers that the tank and drum storage areas should be designed to meet the condition requirements.

Recommendation: No Change

8. Condition 3.10.3

Indaver state that the rainwater collected in the bunds will be tested prior to release into the storm water drainage system. If contaminated the rainwater will be sent off-site for recovery/disposal.

Technical Committee's Evaluation: This is a standard condition. If the drainage/storm water within a bund meets the monitoring requirements of Condition 6.7.14, as amended by the Technical Committee (see Objection 18), the water can be safely disposed of to the surface water sewer. This would be considered safe disposal. If the drainage from the bunded area fails to meet the requirements of Condition 6.7.14 the contaminated water should be sent off site for recovery/disposal.

Recommendation: No Change

9. Condition 3.10.5

Indaver object to Condition 3.10.5 and state that the new bunded areas should be tested within 12 months of construction/operation, rather than within 12 months of grant of licence.

Technical Committee's Evaluation: The Technical Committee consider that new bunding structures at the facility should be tested prior to the storage of materials within the bund area and thereafter at least once every three years.

Recommendation: Amend Condition 3.10.5 to read as follow:

The integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee ~~within twelve months of grant of licence and~~ at least once every three years. **New bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee prior to use and thereafter at least once every three years.** This testing shall be carried out in accordance with any guidance published by the Agency.

10. Condition 3.11

Indaver state that there are a series of silt traps integrated into each gully as part of the existing and proposed storm water drainage system.

Technical Committee's Evaluation: The Technical Committee acknowledge that the licensee has installed silt traps as part of the existing storm water drainage and has proposed their installation for the proposed drainage system. The condition requires the licensee to maintain the silt traps and interceptors currently on-site and install new silt traps and interceptors as necessary to ensure all surface water discharges from the facility pass through such facilities prior to discharge. The condition should be reworded to better reflect this requirement.

Recommendation: Amend Condition 3.11 to read as follows:

The licensee shall install, **as necessary**, and maintain silt **traps** and oil **interceptors** at the facility to ensure that all surface water discharges from the facility pass through a silt trap and oil interceptor prior to discharge. The **interceptors** shall be Class I full retention **interceptors**. The silt **traps** and **interceptors** shall be in accordance with I.S. EN 858-2:2003 (separator systems for light liquids). ~~The~~ **Each interceptor** shall be fitted with an emergency oil level warning device.

11. Condition 3.12.2

Indaver request confirmation that the gullies and discharge points are required to be inspected weekly and not the entirety of the drainage network. The licensee also provides a suggested rewording of the condition.

Technical Committee's Evaluation: The "drainage system" detailed in Condition 3.12.2 includes the sumps, gullies and discharge points. The weekly inspection of the drainage system should include all aspects that can be visually assessed. The Technical Committee consider that changing the wording to that requested by the licensee would clarify the requirements of the condition.

Recommendation: Amend Condition 3.12.2 to read as follows:

~~The drainage system~~ **The sumps, gullies, discharge points**, bunds, silt traps and oil interceptors shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal. A record shall be kept of the inspections, desludging, cleaning, disposal of associated waste products, maintenance and performance of the interceptors, bunds and drains.

12. Condition 5.1

Indaver state that there are circumstances when it will be necessary to overdrum/repack outside of the repack room. The licensee provides, three examples when this could be required, and a suggested rewording of the condition.

Technical Committee's Evaluation: The Technical Committee consider that in order to maintain adequate protection against spillages, repackaging should be carried out within the waste repackaging room where possible. The Agency acknowledge the situations as identified by the licensee may require repackaging in other areas, however such repackaging should only occur where there is no risk of contamination of the environment. The Technical Committee consider that the licensee should identify all circumstances where waste may be repackaged outside the repackaging room for agreement by the Agency.

Recommendation: Amend Condition 5.1 to read as follows, and insert Conditions 5.1.1 and 5.1.2:

5.1 Waste Repackaging

5.1.1 All waste repackaging, shall be carried out inside the waste repackaging

room, **unless otherwise agreed by the Agency under Condition 5.1.2.** Drummed/packaged waste shall be stored in designated area of the waste storage buildings on-site. Bulk tankers shall be parked in designated parking spaces on-site.

5.1.2 The licensee shall identify the circumstances where waste may be required to be repackaged outside of the repackaging room. The circumstances must be agreed with the Agency prior to repackaging taking place.

13. Condition 5.2.3

Indaver state that the "point of entry" to the facility is the automatic barrier and that inspection at this point could result in traffic congestion on the Tolka Quay Road. The paper work is inspected at the point of entry.

The licensee states that packaged waste for off-loading will be inspected in the packaged waste off-loading and inspection area.

Bulk waste for blending will be inspected and sampled in the loading/unloading area. Only bulk waste for fuel blending will be weighed prior to entry on site.

Indaver state that transit bulk and packaged loads will be visually checked upon arrival and directed to parking bays on site once the paperwork has been checked. These loads will be inspected if required once parked. Loads transiting the facility will be weighed upon acceptance at the final waste facility.

Technical Committee's Evaluation: The Technical Committee consider that all waste loads arriving at the facility should be inspected immediately on arrival to the site. This is to ensure that the load corresponds to the associated documentation and that the waste meets with the relevant acceptance criteria. The Technical Committee consider that the wording of Condition 5.2.3 should be amended for inspection to take place at the proposed inspection area, as detailed in drawing 11037\CD\004A, Revision A.

Recommendation: Amend Condition 5.2.3 to read as follows:

Waste arriving at the facility shall be inspected ~~at the point of entry to the facility~~ **immediately upon arrival on site at the inspection area (as detailed in drawing 11037\CD\004A, Revision A)** and subject to this inspection, documented and directed to the Waste Storage Building **or tank farm**. Only after such inspections shall the waste be unloaded and put in storage awaiting disposal or recovery. Individual drummed/packaged waste shall be weighed on-site prior to storage. Bulk waste shall be weighed at a certified weighbridge facility prior to entry on-site.

14. Condition 5.4.1

Indaver object to the condition stating they will endeavour to keep the floor of the storage bays clear at all times, however, it may be unavoidable on occasion due to the strict segregation rules adhered to within the bays to store material on the ground. However this is avoided where possible.

Technical Committee's Evaluation: Clearing waste from the transfer building floor areas at the end of each day ensures that material does not build up and that waste is not stored for extended periods in an inappropriate area. The Technical Committee consider the daily clearing of waste material from the building floor to be part of effective management for the facility.

Recommendation: No Change

15. Condition 5.4.4

The Indaver state that 50 to 100 litres of diesel fuel is stored on site at any one time in 25 litre tight head plastic drums. The diesel is stored within the contained flammable storage bay. The licensee suggests a rewording of the condition.

Technical Committee's Evaluation: Condition 5.4.4 states "fuels shall be stored only at appropriately bunded locations on the facility". All fuel stored on site is required to be bunded to provide effective secondary containment to prevent ground, soil and surface water contamination in the event of leakage. All fuels should be stored in bunded areas which meet the requirements of Condition 3.10. Fuel may be stored in the storage bays provided that there is adequate bund capacity.

Recommendation: No Change

16. Condition 5.6.3

Indaver object to the requirement to update the waste tracking storage system daily, by the end of the working day. The licensee states the tracking system is updated as soon as practicable. However upon the arrival of waste late in the working day it may not be possible to ensure that the system is updated until the next working day. Indaver suggest an alternative wording of the condition.

Technical Committee's Evaluation: The maintaining of accurate, up to date information about the type and quantity of waste held on site is an important element of operational control. As it may not always be possible to update the information on the waste storage tracking system by the end of the working day, the Technical Committee consider the tracking system should be updated within 24 hours of waste arriving at the site or prior to the end of the next working day. Condition 5.6.3 should be amended to provide for this.

Recommendation: Amend Condition 5.6.3 to read as follows:

The waste storage tracking system shall be updated ~~daily, by the end of the working day,~~ **within 24 hours of waste arriving at the site or prior to the end of the next working day,** and shall be verified as updated by an authorised person or nominated deputy as identified under Condition 2.1.1.

17. Condition 6.7.13

Indaver object to the above condition and propose that it be removed stating that there are no sources of gross solids on site. All solids collected by the storm water

collection system will settle out in the silt traps of individual gullies prior to passing to the oil interceptor. This will negate the need for a screen.

Technical Committee's Evaluation: Condition 6.7.13 requires the surface water effluent to be screened prior to discharge to remove gross solids and avoid blockages. Gross solids may include litter, plastic etc. and this could be of more relevance due to the storage of magazines and paper on-site in the future.

Under Section 52 of the Waste Management Act, 1996 to 2003, where the Agency proposes to grant a licence which involves a discharge of any effluent to a sewer, it is required to obtain the consent of the sanitary authority in which the sewer is vested or by which it is controlled. The sanitary authority may consent to a discharge subject to such conditions as it considers appropriate and the Agency shall include such conditions or stricter conditions in the licence. The legislation does not allow for the Agency to include less strict conditions in the licence. Dublin City Council requested that Condition 6.7.13 be included in the PD.

Condition 7.5 Sub-section k, of the original licence (Reg. No. 34-1) is the same as Condition 6.7.13 of the PD. Therefore the PD does not require anything beyond the requirements of original Waste Licence for the screening of surface water effluent to the surface water sewer. The Technical Committee consider this to be best practice and that the condition should remain in the licence.

Recommendation: No Change

18. Condition 6.7.14

Indaver state that rainwater collected in the bunded areas will be tested for contamination prior to release into the storm water drainage system. The testing will comprise of visual, odour and pH checks. If contaminated the rainwater will be sent off site for recovery/disposal. Indaver suggest a rewording of the condition.

Technical Committee's Evaluation: The Technical Committee consider the analysis requirements, as detailed in Schedule C.1, of surface water collected in areas where containers are stored is excessive. The Technical Committee propose analysis of surface water from sumps and bunds where barrels or containers are stored which includes conductivity and chemical oxygen demand (COD) monitoring. The Technical Committee consider a new Schedule C.2 should be included to specify the emission limit requirements for water collected in bunded areas.

The proposed analysis includes the monitoring of conductivity. The "action level" for conductivity will be determined as detailed in Condition 6.7.2. This will involve three months of monitoring of the water prior to discharge to the surface water sewer on a batch basis. The monitoring results will be submitted to the Sanitary Authority and the Agency to set "trigger" and "action levels" for pH, TOC (Total Organic Carbon) and conductivity. Continuous Discharge from the site will only take place once these levels have been agreed. The new conductivity "action level" will then also be used as the emissions limit value for storm water collected within any bunds. Storm water from bunded areas, which meets the requirements of Schedule C.2 (as detailed in below), will be discharged into the continuous discharge system. The tested bund storm water will be analysed for a second time as it passes the continuous discharge monitoring point (SM1 - Schedule D.2.2) prior to final discharge to the surface water sewer.

Recommendation: Amend Condition 6.7.14 to read as follows:

Any surface water from ~~areas where barrels or containers are stored~~ **bunded waste storage areas** shall be collected in a sump. This water may be discharged to surface water sewer following **discrete sampling and** analysis, if it does not exceed emission limit values specified in *Schedule C.2*.

Insert Schedule C.2 to read as follows:

SCHEDULE C.2 Emission Limits for Storm Water Collected in Bunds to Surface Water Sewer.

Parameter	Emission Limit Value and Requirements
	Discrete Sample
pH	6-9
COD	60 mg/l
Conductivity	Below Action Level ^{Note 1}
Visual	Free of Oil and other Contaminants
Odour	Odourless - Free of Contaminant Odour

Note 1: Action Level determined as detailed in Condition 6.7.2.

19. Condition 6.7.16

Indaver object to the above condition and request that it be removed as it is a repetition of the requirements of condition 3.12.2, which states that the drainage system (sumps, gullies and discharge points) shall be inspected weekly, desludged as necessary and properly maintained at all times.

Technical Committee's Evaluation: Technical Committee note that Condition 6.7.16 is, as the licensee states, a repetition of the details contained in Condition 3.12.2. The inspection of the drainage is adequately covered by Condition 3.12.2.

Recommendation: Delete Condition 6.7.16

20. Condition 6.8.1

Indaver request clarification as to whether Continuous Monitoring detailed in Condition 6.8.1 refers to the limit values set out in Schedule C.1

Technical Committee's Evaluation: Condition 6.8.1 refers to the Storm Water Emissions to Surface Water Sewer detailed in Schedule C.1 and listed in Table D.2.2, Monitoring Frequency and Technique, Schedule D, where the monitoring frequency is listed as continuous.

The Flow limit as specified in the Section 52 response from the Sanitary Authority has not been included in the PD. It was not considered practicable to include a limit on the flow to the surface water sewer, as the flow rate is dependant on the rainfall volume.

The Technical Committee do not consider it appropriate to include point (i) of Condition 6.8.1 "No flow value shall exceed the specified limit" in the licence as an emission limit value for flow to the surface water sewer is not included in the PD.

The Technical Committee consider that an additional point should be included under "Continuous monitoring:" to reflect the continuous monitoring of TOC and Conductivity to be carried out (as detailed in Table D.2.2).

Recommendation: Amend Condition 6.8.1 to read as follows:

6.8.1 Continuous monitoring:

- ~~(i) No flow value shall exceed the specified limit.~~
- (i) No pH value shall deviate from the specified range.**
- (ii) No temperature value shall exceed the limit value.**
- (iii) No TOC or Conductivity value shall exceed the Action Levels determined under Condition 6.7.2**

21. Condition 6.8.2

Indaver request clarification that composite sampling refers to the values/limits set out in Schedule C.1 for monthly sampling and analysis as per Table D2.2 in Schedule D.2

Technical Committee's Evaluation: The Technical Committee considers that monthly "Composite Sampling" refers to the Emission Limits set out in Schedule C.1 and Monitoring Frequency Table D.2.2 where the sampling Method/Type is listed as a "24-hour composite".

Recommendation: No Change

22. Condition 6.8.3

Indaver request clarification as to when Discrete Sampling is to be undertaken.

Indaver also request clarification that the existing batch monitoring and discharge system will remain in place until limits for direct discharge have been agreed and direct discharge commences.

Technical Committee's Evaluation: While discrete sampling is listed within Condition 6.8.3 of the PD, no Discrete Sampling has been specifically referred to within the monitoring Schedule (Table D2.2) of the emissions to Surface Water Sewer. Amendments proposed by the Technical Committee to Conditions 6.7.14 & 9.6.2 do include reference to Discrete Sampling. The Agency or the Sanitary Authority may also take discrete samples for analysis.

Prior to the introduction of the continuous discharge system the discharge to Surface Water Sewer from the retention tank (SM2) should continue to be monitored on a batch basis by the licensee. The Technical Committee consider that the monitoring frequency from the original Licence (Reg. No.36-1) should be included in a new column in Table D.2.2 for monitoring the discharge from the retention tank (Emission Point SM2).

Recommendation: Amend Table D.2.2 Storm Water Emission to Surface Water Sewer Monitoring Frequency and Technique to read:

Table D.2.2 Storm Water Emission to Surface Water Sewer Monitoring Frequency and Technique

Parameter	SM2	From Commencement of Continuous Discharge to Surface Water Sewer		
	Monitoring Frequency	Monitoring Frequency	Sampling Method/Type	Analysis Method/Technique
pH	Prior to Discharge	Continuous (during flow)	Continuous	pH electrode/meter, with data logger ^{Note 4}
Temperature	Prior to Discharge	Continuous (during flow)	Continuous	Temperature probe with data logger ^{Note 4}
Biological Oxygen Demand	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Chemical Oxygen Demand	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Suspended Solids	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Mineral Oils	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Oils, Fats & Greases	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Detergents (as MBAS)	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Total Ammonium (as N)	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Molybdate Reactive Phosphate (PO ₄ as P)	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
Benzene, Toluene and Xylene (combined)	Prior to Discharge	Monthly	24-hour composite ^{Note 3}	Standard Method
List I/II organic substances ^{Note 1}	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Gas Chromatography/Mass Spectrometry (GC/MS)
TOC	-	Continuous (during flow)	Continuous	On-line TOC meter with data logger ^{Note 4}
Conductivity (µS/sec)	-	Continuous (during flow)	Continuous	On-line conductivity meter with data logger ^{Note 4}
Toxicity Units	Quarterly ^{Note 5}	Quarterly	24-hour composite ^{Note 3}	As per Condition 6.7.12, and thereafter to be agreed with the Agency ^{Note 2}
Zinc	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Atomic Absorption/ICP
Copper	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Atomic Absorption/ICP
Lead	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Atomic Absorption/ICP
Chromium	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Atomic Absorption/ICP

Nickel	Prior to Discharge	Quarterly	24-hour composite ^{Note 3}	Atomic Absorption/ICP
<p>Note 1: Samples screened for the presence of organic compounds using GC/MS or other appropriate techniques and using the list I/II Substances from EU Directive 76/464/EEC and 80/68/EEC as a guideline. Recommended analytical techniques include: volatiles (US Environmental Protection Agency method 524 or equivalent), semi-volatiles (USEPA method 525 or equivalent) and pesticides (USEPA method 608 or equivalent).</p> <p>Note 2: The number of Toxic Units (Tu) = 100/x hour EC/LC₅₀ in percentage vol/vol so that higher Tu values reflect greater levels of toxicity. For test regimes where species death is not easily detected, immobilisation is considered equivalent to death.</p> <p>Note 3: The licensee shall install a composite sampler within three months of date of grant of this licence. All samples thereafter shall be collected on a 24-hour flow proportional composite sampling basis.</p> <p>Note 4: Spares to be held on-site.</p> <p>Note 5: Once continuous discharge has commenced the frequency of the toxicity monitoring from SM2 may be reduced with the prior agreement of the Agency.</p>				

23. Condition 8.3

Indaver object to the requirement for them to identify opportunities to reduce the quantity of water used. The licensee states that water is only used for general office purposes and for the testing of the fire system.

Technical Committee's Evaluation: Water use efficiency has, as a result of amendments to the Waste Management Acts 1996-2003, gained a greater importance as a necessary element of environmental management at licensed facilities.

The condition requires potential water reduction measures to be identified on a periodic basis with suitable reduction measures being implemented on the site. Condition 8.3 includes the words 'wherever possible' and does not propose to bring about reductions in water use which will have a negative impact on the health and safety of the employees.

While the Technical Committee note that the proposed water use described by the licensee is low, the condition aims to promote the issue of efficient water resource use and practical measures to further increase the standards of use efficiency.

Recommendation: No Change

24. Condition 8.4

Indaver request that Condition 8.4 be removed from the proposed licence as Raw Materials are not utilised in any of the operations.

Technical Committee's Evaluation: Use of raw material efficiency assessment has, as a result of the amendments to the Waste Management Acts 1996-2003, gained a greater importance as a necessary element of environmental management at licensed facilities. Facilities should be operated in such a manner that raw materials are used efficiently.

The Technical Committee considers that raw materials, including for example the fuel used in all processes and mobile plant, should be assessed as part of the materials efficiency assessment.

Recommendation: No Change

25. Condition 9.1

Indaver state that they cannot monitor for emissions they do not have. If the licence is granted next month, it may be 12 months before they have the proposed works complete and commissioned. The licensee also provides an alternative wording of this condition.

Technical Committee's Evaluation: The Technical Committee acknowledge that the licensee cannot monitor emissions which are currently not taking place on-site. A minor part of the monitoring required under Licence 36-2 Schedule D will not be required from the date of grant of licence.

The Technical Committee Recommendation to Objection 22, above, amends table D.2.2 and so no further amendment of the Condition is considered necessary.

Recommendation: No Change

26. Condition 9.6.2

Indaver state in the event that contaminated surface water is detected; flow will be diverted to the storm water retention tank. Surface water sampling from the facility following such an incident shall be conducted on a batch sampling and discharge basis as per the existing licence requirements.

Indaver request clarification as to what is meant by "characterised manually".

Technical Committee's Evaluation: The term "characterised manually" relates to the sampling and monitoring requirements of the surface water. The Technical Committee consider that a rewording of the condition would help clarify.

Recommendation: Amend Condition 9.6.2 to read as follows:

Surface water run-off from the facility following such an incident shall be characterised ~~manually~~ **by discrete sampling** and may only be discharged where the quality is below the action ~~and trigger~~ levels established under Condition 9.3.

27. Condition 9.11

Indaver request clarification as to whether the Agency expects them to retain daily-refrigerated water samples on site or if this is just as per the request of the Agency.

Technical Committee's Evaluation: Condition 9.11 requires the licensee to retain a refrigerated composite sample or a homogenous sub-sample, which shall be retained for Agency use. The condition does not require Indaver to retain numerous consecutive daily samples. The condition requires the storage of a full sample, i.e. from the previous day.

Recommendation: No Change

28. Condition 10.4.2

Indaver request clarification as per the Agency's letter dated the 17/12/01 (Ref WL 36-1/GEN05) to confirm that a significant spill is a spill of 200 litres or more.

Technical Committee's Evaluation: Condition 10.4.2, which requires "all significant spillages to be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects", is a standard condition of licenses for waste transfer stations. The OEE approved details of what would constitute a significant spillage in a letter to the licensee under Waste Licence Reg. No.36-1 (Letter reference No. WL 36-1/GEN05). Condition 10.3 of Licence Reg. No.36-1, is the same Condition as 10.4.2 of the PD. Therefore the agreement of what would constitute a significant spillage under Reg. No.36-1 would remain under Reg. No.36-2. Condition 10.4.2 of the PD does not require anything beyond the requirements of Waste Licence Reg. No. 36-1 in relation to how significant spillages should be assessed and dealt with.

Recommendation: No Change

29. Condition 10.4.4

Indaver object to the wording of the condition stating that rainwater collected in sumps will be tested for contamination prior to release into the storm water drainage system. This testing will comprise of visual, odour and pH checks. If contaminated the rainwater will be sent off site for recovery/disposal. The licensee provides an alternative wording of this condition.

Technical Committee's Evaluation: The Technical Committee consider that any liquid collected in a sump is potentially contaminated. Analysis should be carried out in accordance with the newly proposed Schedule C.2 (see Objection 18 above). If the liquid is shown to be uncontaminated the water can then be discharged to the surface water drainage system. The liquid will then pass through the continuous sampling and analysis system (when installed) prior to discharge to the Surface Water Sewer.

Recommendation: Amend Condition 10.4.4 to read:

All liquid collected in sumps, other than the storm water monitoring chamber shall be deemed hazardous waste unless shown otherwise ~~following~~ **by analysis detailed in Schedule C.2**. If deemed hazardous it shall be pumped into drums or other appropriate containers and disposed of, or recovered, accordingly.

30. Condition 11.6

Indaver objects to fly infestation being included within Condition 11.6 and request that it be removed. The licensee state they have never experienced fly infestation and the nature of the operations does not result in such occurrences.

Technical Committee's Evaluation: The Technical Committee consider that while fly infestation may not have occurred previously, due to the waste material (such as meat and bone meal) being handled and temporarily stored on-site there is potential for a fly infestation to occur. In addition the licensee proposed to accept and store magazines and paper at the facility. This new activity may result in fly infestation due to contaminated paper etc. If no infestations are present on site the records required

shall be as appropriate. Condition 11.6 requires the records of the details of any such infestations and programme for the control and eradication to be recorded and maintained.

Recommendation: No Change

31. Condition 12.7

Indaver objects to flies being included in the proposal for the control and eradication of vermin and fly infestations at the facility. The licensee states they have never experienced fly infestations and request that parts of the condition referring to flies be removed.

Technical Committee's Evaluation: The Technical Committee consider this objection to be similar to the objection to Condition 11.6. Whilst there has not been a fly infestation; a proposal for the control and eradication of flies should be submitted to the Agency for its agreement, due to the potential of an infestation occurring.

Recommendation: No Change

32. Condition 12.6

Indaver requests clarification within Condition 12.6 stating that the Waste Recovery Reports relate to the fuel blending only. The licensee provides a suggest rewording of the condition.

Technical Committee's Evaluation: The Technical Committee consider that Condition 12.6 is intentionally broad ranging to ensure that all waste recovery options are included within the scope of Waste Recovery Reports. The Technical Committee do not consider the rewording suggested by the licensee to be appropriate.

The Waste Management (Licensing) Regulations 1996-2003 require all licensees to examine waste prevention and recovery and therefore the condition applies to all activities.

Recommendation: No Change

33. Schedule A.2 Waste Acceptance

Indaver request that the limitation on Healthcare/agriculture (non-infectious wastes and meat & bone meal) and Non-hazardous sludges be removed. They state that due to various projects, which come up for tender, the quantities of those waste streams being accepted on site could vary (up to 5,000 MT and 1,000 MT respectively).

Technical Committee's Evaluation: "Note 2" of Schedule A.2, Waste Categories and Quantities, allows for the individual limitation on the waste streams to be varied with the agreement of the Agency, subject to the overall total limit staying the same.

The Technical Committee consider that an amendment to Table A.2 Waste Categories and Quantities will help by presenting the categories and quantities more clearly.

Recommendation: Amend Schedule A.2 to read:

Table A.2 Waste Categories and Quantities

WASTE CATEGORIES		MAXIMUM (TONNES PER ANNUM) ^{Notes 1, 2}
Hazardous Waste Total		38,700 ^{Note 3}
Non-Hazardous Wastes	Household, commercial & non-hazardous industrial	10,700
	Healthcare/agricultural (non-infectious wastes and meat & bone meal)	500
	Non-hazardous sludges	100
Non- Hazardous Waste Total		11,300
TOTAL		50,000

Note 1: Any proposals to accept other compatible waste streams must be agreed in advance with the Agency and the total amount of waste must be within that specified.

Note 2: The individual limitation on waste streams may be varied with the agreement of the Agency subject to the overall total limit staying the same.

Note 3: The maximum quantity of waste solvents to be blended shall be 20,000 tonnes per annum, unless agreed in advance with the Agency.

34. Schedule D: Monitoring, Table D.2.2 Storm Water Emission to Surface Water Sewer Monitoring Frequency and Technique.

Indaver object to the monthly monitoring of the 24-hour composite sampling and monitoring frequency for BOD, COD, Suspended Solids, Mineral Oils, Oils Fats & Greases, Detergents (as MBAS), and Total Ammonium (as N). Indaver state that Licence Reg. No. 36-1 requires batch monitoring of surface water run-off prior to discharge only and the licensee requests that monitoring for the above parameters be reduced to quarterly.

Technical Committee's Evaluation: Under Section 52 of the Waste Management Act, 1996 to 2003, where the Agency proposes to grant a licence which involves a discharge of any effluent to a sewer, it is required to obtain the consent of the sanitary authority in which the sewer is vested or by which it is controlled. The sanitary authority may consent to a discharge subject to such conditions as it considers appropriate and the Agency shall include such conditions or stricter conditions in the licence. The legislation does not allow for the Agency to include less strict conditions in the licence. The monitoring frequency of the 24-hour composite sample for BOD, COD, Suspended Solids, Mineral Oils, Oils Fats & Greases, Detergents (as MBAS), and Total Ammonium (as N) were specified as monthly in the Dublin City Council response to the Section 52 notice of 26/08/04.

The Technical Committee note that the total yard area will increase, the throughput will increase and the control of the surface water will change from a batch to a continuous discharge under this licence compared with the original licence (Reg. No 36-1). The Technical Committee therefore consider that the monitoring frequency, of the emissions to surface water sewer for the parameters listed above, should be increased to monthly.

Recommendation: No Change

35. Additional Condition 10.5.

Amendments have been brought about by the transposition of the Integrated Pollution Prevention and Control (IPPC) Directive (96/61/EC) into national legislation. The transposition provisions are contained in the Protection of the Environment Act 2003 (PoE Act). Due to the new provisions a condition relating to Accident Prevention Policy is to be included within all Waste licences. The Technical Committee consider that a new Condition 10.5 should to be included in the PD to ensure that the licensee addresses the potential accidents that could have an effect on the environment and to ensure that a documented accident prevention policy is put in place on site.

Recommendation: Insert a new additional Condition 10.5:

The licensee shall, within six months of date of grant of this licence, ensure that a documented Accident Prevention Policy is in place which will address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the licensee

- (i) for the reasons outlined in the proposed determination and
- (ii) subject to the conditions and reasons for same in the Proposed Determination,
- and
- (iii) subject to the amendments proposed in this report.

Signed

Stuart Huskisson

for and on behalf of the Technical Committee.