

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

TO:	Directors	
FROM:	Technical Committee	- LICENSING UNIT
DATE:	26/04/06	
RE:	Objection to Proposed Decision for Dublin City Council, Waste Reg: 221-1	

Application Details	
Type of facility	Civic Amenity Facility
Class(s) of activity:	4 th Schedule: 13 (P) & 3 and 4 3 rd Schedule:13
Location of activity:	Labre Park, Ballyfermot, Dublin 12
Licence application received:	22/07/05
PD issued:	21/02/06
First party objection received:	None
Third Party Objection received	20/03/06
Submissions on Objections received:	12/04/06

Company

This application relates to a civic amenity facility designed to cater for 34,000 tonnes of waste per annum. The facility occupies an area of 1.1ha and will be located in an area of neglected suburban land, 30 meters to the south of Labre Park, Ballyfermot. The nearest residents are currently 40m from the site but this will reduce to 12-15m as a result of planned development. The site is composed of four discrete areas; general civic amenity area including green waste deposit, WEEE storage, C&D storage and street cleaning deposit.

An EIS accompanied the waste licence application.

Consideration of the Objection

The Technical Committee, comprising of Ann Marie Donlon (Chair) and Maeve McHugh, has considered all of the issues raised in the Objections and this report details the Committee's comments and recommendations following the examination of the objections.

This report considers one valid third party objection.

A request for an Oral Hearing was considered by the Board and denied.

Third Party Objections

One Third Party Objection is considered:

- A. Ballyfermot Travellers Action Project (BTAP) on behalf of the Labre Park residents.

For clarity the Submission on Objections made by the First Party in relation to the Third Party objections are dealt with in association with the objection to which they relate. Please note due to the lengthy nature of objections and submissions they have been paraphrased below.

A. Ballyfermot Travellers Action Project

BTAP writes on behalf of themselves and the Labre Park residents of which 90% oppose the location of the civic amenity facility. BTAP position has not changed but the focus of the objection is on conditions of the licence and proposed changes to get the best conditions possible for the residents that have to live beside the facility.

This objection document outlines the concerns raised by residents on whom the proposed development will impact. The document also raises issues, which it is felt, that the Environmental Impact Statement dealt with in an insufficient manner.

The objection is accompanied by the following documentation:

1. A letter from Marie Medkoff to BTAP on circumstances pertaining to a waste facility at North Strand.
2. A letter of support from the Irish Travellers Movement outlining concerns in relation to the development.

A.1 Condition 1.7, 1.8, 1.9, Schedule C.2.3

BTAP object to the opening and operational hours of the facility. These operational hours are greatly extensive and the noise impact will greatly impact on the quality of life of residents. BTAP are calling for reduced operational hours (9:00 – 16:00, closed at weekends and bank holidays) and an improved noise monitoring programme to determine the ability of mobile homes to buffer noise and determine if there is negative impact on 'outdoor living' at Labre park as a result of the proposed development.

BTAP support their objection with the following comments:

- *The World health Organisation (WHO) states that an LAeq in excess of 55 will cause serious annoyance on outdoor living during day and evening and moderate annoyance by noise levels in excess of LAeq 50.*

- *The EIS predicted noise levels will exceed 58dB(A) at the northern boundary of the site (close to proposed new development) and will exceed 50dB(A) even when a proposed barrier is installed which according to the WHO cause moderate annoyance. These noise levels would be intrusive to the residents particularly in light of the long opening hours (12.5hr – weekdays, 8.5hr – Saturday: summer months).*
- *Playtime for children will be severely restricted.*
- *Noise attenuation characteristics of mobile homes was not addressed in the EIS. A considerable number of residents live in mobile homes and these do not have the same attenuation capacity as brick housing. The long opening hours increases the risk of these residents being negatively impacted particularly in the evenings and on Saturdays.*
- *The experience of residents from the North Strand, living close to a civic amenity centre, which had a huge negative impact. The concerns of these residents was eventually addressed whereby the centre was closed on Saturday and a reduction in operational hours. There is no reason to believe that the residents of Labre Park will not have a similar experience.*
- *Noise levels are already elevated and the proposed development will cause further deterioration in the noise environment.*

Submission on Objection: Opening/operational hours was considered thoroughly during the planning process. The opening hours facilitate safe servicing of the site and working members of the public. Restrictive hours will cause unnecessary queuing especially on Saturday.

Noise impact was addressed in the EIS. Of note, the existing noise level was measured at 52dB L_{Aeq} . The predicted noise level at adjacent houses is in the range of 46 to 53dB L_{Aeq} during operation. A noise barrier along the northern boundary is proposed. The predicted noise levels are unlikely to be noticeable given existing noise levels. Dr. Martin Hogan's evidence on potential health effects of noise presented at the oral hearing (planning) concluded that at these levels (53dB(A)) the impact on human health of noise is minimal. In relation to noise insulation of trailers, ANV Technology Ltd., gave evidence to the effect that the sound attenuating properties of caravans and houses are likely to be only marginally lower than for houses because of the underlying assumption that windows are open for ventilation. The difference in sound level from outside to inside would be in the range 10 to 20dB depending on the size of the window or ventilation openings and orientation of the openings. The Licence specifies an annual monitoring programme.

Technical Committee's Evaluation:

Ballyfermot is a suburb of Dublin City and has extensive industrial activities. The area is busy from early morning till late in the evening, which is reflected in the underlying background noise level of 49dB(A) (the L_{Aeq} was 52dB). Summer evenings in any area are noted for more noise due to outdoor activities from lawn mowers etc. Ballyfermot cannot be considered an exceptionally quiet area. The predicted noise level from the facility (with noise mitigation) is 53dB(A); less than 5dB above the background level. It is considered that noise complaints will not arise in these circumstances.

The Technical Committee (TC) wish to point out that the WHO Guidelines for Community Noise states the following:

'During the day, few people are seriously annoyed by activities with LAeq levels below 55dB; or moderately annoyed with LAeq levels below 50dB'.

The WHO guideline values for outdoor living is set at 50dB or 55dB LAeq (16 hours) and for outdoor bedrooms the guideline value is 45dB LAeq (8 hours). The limit values set in the licence are consistent with the WHO guidelines taking into account the site-specific conditions. The predicted noise levels will not restrict children playtime. The assessment is site specific and parallels cannot be drawn with other facilities such as the North Strand facility. A mobile home is considered a sensitive location and noise limits cannot be exceeded at these locations. Noise monitoring for compliance is not undertaken within a dwelling. The existing noise environment will not change significantly as a result of this development.

The Proposed Decision (PD) sets standard noise limits of 55dB LAeq daytime and 45dB LAeq night-time. The first hour of operation (7am to 8am) must meet the lower limit. The Technical Committee considers the limits appropriate to this facility and note they are in line with EPA Draft BAT Guidance Notes for the Waste Sector: Waste Transfer Activities (April 2003). The facility has a civic amenity dimension and in order to meet the needs of the public it is reasonable that it is open on Saturdays and late evenings. The Technical Committee consider that where the facility is operated in accordance with the conditions of its licence, it will not cause excessive noise levels.

The Technical Committee considers it good practice that noise monitoring will be carried out in accordance with EPA guidance and that the licensee will establish work practices that minimise noise emissions. The TC also considers the addition of a number of noise terms to the glossary would be beneficial. However, the Technical Committee do not consider it necessary to increase the frequency of noise surveys in light of the existing noise levels and the predicted levels. The noise barrier is an important mitigating measure and it is recommended that the licence includes a general obligation to establish all necessary infrastructures as well as specifying that the noise barrier forms part of the specified engineering works.

Recommendation: Insert the following:

Glossary

dB(A)	Decibels (A weighted).
Leq	Equivalent continuous sound level.

Condition 3

3.1 The licensee shall establish all infrastructure referred to in this licence in advance, of the commencement of the licensed activities or as required by the conditions of this licence.

Renumber Condition 3.1 –3.12 to 3.2 –3.13

Condition 6

6.11 Noise

- 6.11.1 The licensee shall carry out a noise survey of the site operations annually. The survey programme shall be undertaken in accordance with the methodology specified in the 'Environmental Noise Survey Guidance Document' as published by the Agency.
- 6.11.2 The licensee shall establish and maintain best work practices for the control of noise emissions from the site.

Renumber condition 6 as directed in A4 below.

Replace Schedule D Specified Engineering with the following schedule

SCHEDULE D: Specified Engineering Works

Specified Engineering Works
<p>Installation drainage network including of silt traps and oil interceptors.</p> <p>Installation of hardstanding areas.</p> <p>Installation of waste quarantine areas.</p> <p>Installation of waste inspection areas.</p> <p>Installation of Civic amenity facilities.</p> <p>Installation of recycling/recovery infrastructure.</p> <p>Installation of compactors for street cleaning and green waste.</p> <p>Installation of noise barrier</p> <p>Any other works notified in writing by the Agency.</p>

A.2 Condition 2.1.1, 2.2.2.6 and 2.2.2.7

BTAP seeks to include a stipulation in condition 2.1.1 that prevents companies or individuals with a poor record from operating the facility as a consequence of negative impact from other waste operators in the area.

BTAP seek an interagency committee to be established under the communication programme (Condition 2.2.2.7). The committee would include representative of the Labre park residents committee, BTAP and Dublin City Council to resolve issues.

BTAP want one of the terms and conditions of the contract with the licensee to operate the facility is that 10% of the workforce is from Travellers living in the area. The licensee will operate a positive discrimination policy and that training (condition 2.2.2.6) will be provided to up skill Travellers into the position.

Submission on Objection: The issue of facility management is already addressed in Condition 2.1.1 of the proposed waste licence and the EPA will enforce this requirement. Condition 2.2.2.7 requires a communications programme and it is not considered necessary to include additional provisions. Employment of local residents is not a matter that can be addressed in a waste licence.

Technical Committee's Evaluation:

Dublin City Council is the operator of the facility and licence holder. No other individual or company can discharge Dublin City Council of their obligations under the terms of a waste licence granted to them. Condition 2.1.1 requires Dublin City Council to employ a suitably qualified and experienced facility manager. The Office of Environmental Enforcement (OEE) will enforce the requirements of a licence.

Condition 2.2.2.7 requires a communications programme, which provides for members of the public to obtain information on the environmental performance of the facility. The Technical Committee considers communications can be facilitated further with the provision of a notice board, specifying the types of documents that should be held on-site and requiring a data management system. Documentation relating to the facility can also be viewed at EPA offices. The TC considers the Annual Environmental Report and the waste record to be important elements of the communications programme and should be submitted to the Agency as well as held on-site. The TC also considers the addition of a number of terms to the glossary would be beneficial.

However, it is a matter for local residences and Dublin City Council to come to arrangements to meet local concerns in relation to the facility and employment opportunities arising.

Recommendation: Insert the following:

Glossary

AER Annual Environmental Report.

Facility Any site or premises used for the purposes of the recovery or disposal of waste.

Condition 3

3.14 Facility Notice Board

3.14.1 The licensee shall provide and maintain a Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm.

3.14.2 The board shall clearly show:-

- (i) the name and telephone number of the facility;
- (ii) the normal hours of opening;
- (iii) the name of the licence holder;
- (iv) an emergency out of hours contact telephone number;
- (v) the licence reference number; and
- (vi) where environmental information relating to the facility can be obtained.

3.14.3 A plan of the facility clearly identifying the location of each storage and treatment area shall be displayed as close as is possible to the entrance to the facility. The plan shall be displayed on a durable material such that it is legible at all times. The plan shall be replaced as material changes to the facility are made.

Condition 6.12

The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the environmental monitoring data generated as a result of this licence.

Renumber condition 6 as directed in A4 below.

Condition 11

11.6 The licensee shall as a minimum keep the following documents at the site:-

- (i) the licences relating to the facility;
- (ii) the current EMS for the facility;
- (iii) the previous year's AER for the facility;
- (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility;
- (v) relevant correspondence with the Agency;
- (vi) up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points

and this documentation shall be available to the Agency for inspection at all reasonable times.

11.7 The licensee shall submit to the Agency, by the 31st March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Specified Engineering Works* of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.

11.8 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:

- i. The tonnages and EWC Code for the waste materials imported and/or sent off-site for disposal/recovery.
- ii. The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number).
- iii. Details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required.
- iv. Written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site.
- v. Details of all wastes consigned abroad for Recovery and classified as 'Green' in accordance with the EU Transfrontier Shipment of Waste Regulations (Council Regulation EEC No. 259/1993, as amended). The rationale for the classification must form part of the record.
- vi. Details of any rejected consignments.
- vii. Details of any approved waste mixing.
- viii. The results of any waste analyses required under *Schedule C: Control & Monitoring*, of this licence.
- ix. The tonnages and EWC Code for the waste materials recovered/disposed on-site.

Renumber Condition 11 as directed below under A.4

A.3 Condition 3.2 and 6.1

BTAP would like to establish the extent of the security scheme (CCTV cover area) having regard to privacy. BTAP would like to ascertain the response to incidents involving injury to the public, as they are concerned for the health and safety of children in particular, who might use it as a play area.

BTAP want the licence to require a response plan for dealing with fly tipping around the facility that would set out the maximum time for cleanup and the steps that would be taken to prosecute illegal dumping around the facility.

Submission on Objection: Site security was addressed in the EIS. Security features include: fencing, sectioning off of areas, gate office and CA office, CCTV, security lighting, traffic barriers and gates and appropriate training and procedures for staff. It is not expected that any person will gain unauthorised access to this facility.

Condition 6.1 deals with litter control including the removal of waste by 10am on the next working day. The provision for prosecution of offenders is made in the Litter Pollution Act, 1997. Dublin City Council will make adequate provision to enforce the Litter Pollution Act, if necessary, in the vicinity of the facility.

Technical Committee's Evaluation:

Site security is an important aspect of a waste licence. The proposed licence requires fencing, gates, CCTV, urgent repair of defects and most importantly it requires the site to be supervised during operating hours. Condition 3.2 requires a CCTV system to record all truck movements into and out of the facility. To meet this requirement the CCTV must cover the truck entry and exit points on the facility. It is not the purpose of the licence to intrude on the privacy of residents.

The Technical Committee considers that the licence conditions can be strengthened in respect of safe operations by restricting casual public access to the civic amenity facility area, having a dedicated person to supervise the civic amenity area and requiring an accident prevention policy and emergency response procedure. The TC considers it beneficial for the licence to describe an incident and incident related actions and require incident reporting. Complaints should also be reported and acted upon. Incidents involving injury to persons are a matter for the Health and Safety Authority.

The licence controls littering under Condition 6.1 and requires all litter or other waste to be removed from in and around the facility by 10am each morning. Significant levels of littering or fly tipping will be investigated and dealt with by the Local Authority under the powers of the Litter Pollution Act, 1997 and Waste Management Act, 1996 to 2003. The licence will benefit from defining the Local Authority in the glossary.

Recommendation: Insert the following:

Glossary

Incident The following shall constitute an incident for the purposes of this licence:

- (i) an emergency;
- (ii) any emission which does not comply with the requirements of this licence;

- (iii) any exceedence of the daily duty capacity of the waste handling equipment;
- (iv) any trigger level specified in this licence which is attained or exceeded; and,
- (v) any indication that environmental pollution has, or may have, taken place.

Local Authority Dublin City Council

Condition 2.1.3

The Civic Amenity area shall be supervised by an appropriately qualified and competent person at all times while waste may be accepted.

Condition 6.3.5

There shall be no casual public access to any area other than the civic amenity area.

Condition 9

9.1 The licensee shall, prior to the commencement of the activity, 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.

9.2 The licensee shall, prior to the date of commencement of the activity, ensure that a documented Emergency Response Procedure is in place, which shall address any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.

9.3 Incidents

9.3.1 In the event of an incident the licensee shall immediately:-

- (i) isolate the source of any such emission;
- (ii) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
- (iii) evaluate the environmental pollution, if any, caused by the incident;
- (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
- (v) identify the date, time and place of the incident;
- (vi) notify the Agency and other relevant authorities.

9.3.2 The licensee shall provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency to:-

- (i) identify and put in place measures to avoid reoccurrence of the incident; and
- (ii) identify and put in place any other appropriate remedial action.

Renumber Condition 9.1 to 9.4

Condition 11

11.1 The licensee shall notify the Agency by both telephone and either facsimile or electronic mail, if available, to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:

- 11.1.1 Any release of environmental significance to atmosphere from any potential emission point including bypasses.

- 11.1.2 Any emission which does not comply with the requirements of this licence.
- 11.1.3 Any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control & Monitoring* which is likely to lead to loss of control of the abatement system.
- 11.1.4 Any incident with the potential for environmental contamination of surface water or groundwater, or posing an environmental threat to air or land, or requiring an emergency response by the Local Authority.

The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.

- 11.2 In the event of any incident which relates to discharges to sewer, having taken place, the licensee shall notify the Local and Sanitary Authority as soon as practicable, after such an incident.
- 11.3 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to; manage the incident, minimise wastes generated and the effect on the environment, and avoid recurrence. The licensee shall as soon as practicable following incident notification, submit to the Agency the incident record.
- 11.4 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.

Renumber Condition 11 as directed in A.4

A.4 Condition 6 and Schedule B.1, C1.2 and C.2.4

BTAP want the frequency of air monitoring (PM₁₀, particulate matter) to be increased due to the possible health impacts from increased dust deposition. BTAP note the cleaning requirements but an improved monitoring programme would safe guard the health of sensitive residents and be a good defence against dubious claims.

Submission on Objection: The impact of dusts and odour were addressed in the EIS. Of note, the existing air quality is within air quality standards, predicted air quality post development will not result in a significant negative impact, good housekeeping a key requirement and odour nuisance and bioaerosols reduced with the regular removal of green waste and street sweepings. Dr. Conor Tonra, Dr. Martin Hogan and Dr. Brian Sheridan evidence on potential health effects of PM₁₀, dust and odour presented at the oral hearing (planning) concluded that the proposed development would not result in significant negative effects on air quality beyond the site boundary. Monitoring requirements appear to be more than adequate.

Technical Committee's Evaluation:

The Technical Committee note that the proposed decision (PD) requires monitoring of dust and odour and does not require monitoring of PM₁₀. The dust generating activities associated with the facility relate to the handling of C&D, green waste and street sweepings. There is a low potential associated with these wastes for the generation of particulate matter in the range of 10µm. The particulate matter

expected is in the higher range known as dusts. Vehicular emissions are potentially the main source of PM₁₀. The Technical Committee considers the setting of a limit value based on air quality standards for PM₁₀ is appropriate with monitoring based on Agency experience. The Technical Committee note that monitoring of ambient dust is repeated twice in Schedule C in error.

Dust deposition is a visible effect and dust monitoring measures the extent of the effect. Dust controls are a more effective means of preventing the generation of dust. The PD requires the use of appropriate containers, measures to minimise dust generation, frequent removal of waste and spraying of roads during dry weather. The Technical Committee considers that dust can be a source of nuisance to the public and the licence conditions should also limit this effect. General conditions relating to observing emission limit values, and monitoring and recording will strengthen the licence. Safe access to monitoring locations should be required. Regular sweeping of the site will minimise dust generation. Terms referred to in the schedule should be explained in the glossary to the licence.

Recommendation: Insert the following conditions:

Glossary

CEN Comité Européen De Normalisation – European Committee for Standardisation.

Daily During all days of plant operation, and in the case of emissions, when emissions are taking place; with at least one measurement on any one day.

Standard Method A National, European or internationally recognised procedure (eg, I.S. EN, ISO, CEN, BS or equivalent), as an in-house documented procedure based on the above references, a procedure as detailed in the current edition of “Standard Methods for the Examination of Water and Wastewater”, (prepared and published jointly by A.P.H.A., A.W.W.A & W.E.F), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or, an alternative method as may be agreed by the Agency.

Condition 3

3.15 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.

Condition 5

5.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this licence. There shall be no other emissions of environmental significance.

5.2 The licensee shall ensure that the activities shall be carried out in a manner such that emissions including odours do not result in significant impairment of, and/or significant interference with amenities or the environment beyond the facility boundary.

5.3 The licensee shall ensure that vermin, birds, flies, mud, dust, litter and odours do not give rise to nuisance at the facility or in the immediate area of the facility. Any method used by the licensee to control any such nuisance shall not cause environmental pollution.

Renumber 5.1 and 5.2 to 5.4 and 5.5 respectively.

Condition 6.2.2.2

6.2.2.2 Access roads and hardstanding areas shall be swept regularly.

Condition 6

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with Schedule C of this licence:
 - 6.1.1 Analysis shall be undertaken by competent staff in accordance with documented operating procedures.
 - 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics determined.
 - 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
 - 6.1.4 Where analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 Sampling and analysis of all pollutants as well as reference measurement methods to calibrate automated measurement systems shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.3 All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the activity is being carried on unless alternative sampling or monitoring has been agreed in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable, and alternative sampling and monitoring facilities shall be put in place. Agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Agency.
- 6.4 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission or discharge.
- 6.5 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.

Renumber conditions 6.1 - 6.5 to 6.6 – 6.10.

Condition 11

- 11.5 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility.

Renumber Conditions 11.1 –11.3 to 11.9 –11.11

Replace Schedule B.1 Emissions to Air with the following Schedule:

B.1. AMBIENT AIR LIMITS

Parameter	Emission Limit Value ^{Note 1}
Total dust deposition	350 mg/m ² /day ^{Note 2}
Fine particulates (PM₁₀)	50 ug/m³/day

Note 1: Measured at the monitoring points shown in Figure F 1 (or as may be amended under Condition 6).

Note 2: 30 day composite sample with the results expressed as mg/m²/day.

Replace table to Schedule C.1.2 Monitoring of Emissions to Air with the following:

There are no Emissions to Air of environmental significance.

Replace table to Schedule C.2.4 Ambient Monitoring with the following:

C.2.4 Ambient Monitoring

Air Monitoring

Location: To be agreed in advance by the Agency (or as may be amended under Condition 6)

Parameter ^{Note 1}	Monitoring Frequency	Analysis Method/Technique
Dust (mg/m ² /day)	Quarterly ^{Note 1}	Standard Method ^{Note 2}
Odour	Daily	Subjective
Fine particulates	As required	prEN12341 method

Note 1: Twice during the period May to September, or as otherwise specified in writing by the Agency.

Note 2: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute).

A.5. Flooding

BTAP want the licence to include management measures to deal with the implications of flooding. BTAP are concerned that the proposed development will exacerbate the on-going flooding problems at Labre Park. There has been on-going flooding problems due to debris blocking Galback stream. The sites impermeable surfaces will add to the flood waters due to the increased level of run-off. Flood water from the proposed site contaminated with hydrocarbons and composting residues (for example) may back-up and deposit in Labre Park with resulting health risks. BTAP feel the EIS or waste licence does not deal sufficiently with flooding.

Submission(s) on Objection: There is no evidence to indicate that the development will affect the potential of flooding in the area. Flooding is due to the blocking of the Galback Stream as a result of illegal dumping. Based on these facts it is clear that the issue of flooding in the area is not a matter for waste licensing.

Technical Committee's Evaluation:

Both parties appear to agree that flooding is as a result of the blocking of the Galback stream due to rubbish. The management of urban drainage is a matter for the Local Authority, Dublin City Council. The potential for the site to flood naturally or otherwise is a matter for the planning authority, An Bord Pleanala and is outside the scope of licensing. However, if a flood event occurs, the Agency will consider the resulting environmental effects as an emergency event, requiring a response. The requirement proposed above, for an emergency response procedure shall address all likely emergencies.

Recommendation: No change.

Overall Recommendation

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

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

Signed

Ann Marie Donlon
for and on behalf of the Technical Committee