



OFFICE OF LICENSING & GUIDANCE

INSPECTORS REPORT ON A LICENCE APPLICATION

To:	DIRECTORS	
From:	Niamh O' Donoghue	- LICENSING UNIT
Date:	12 th July 2006	
RE:	Application for a Waste Licence from Kerry County Council for Listowel Civic Amenity Centre, Licence Register 224-1	

Application Details

Type of facility:	Civic Amenity Centre
Class(es) of Activity (P = principal activity):	3 rd Schedule: Classes 12 (P), 13 4 th Schedule: Classes 2, 3, 4, 13
Quantity of waste managed per annum:	12,750 tonnes
Classes of Waste:	Recyclable hazardous & non-hazardous household wastes. Household mixed waste.
Location of facility:	Tanavalla Industrial Estate, Garryantanvally, Tralee Road, Listowel, Co. Kerry.
Licence application received:	25 th November 2005
Third Party submissions:	One (24 th May 2006)
EIS Required:	No
Site Inspection:	19 th January 2006

Facility

Kerry County Council has applied for a licence to operate a civic amenity centre on a greenfield site in Listowel, Co. Kerry. The facility will be located on a 0.4-hectare site within an industrial estate situated approximately 3.2 kilometres from Listowel town. The proposed facility will accept recyclable household items and also bags of mixed household waste. Waste for recycling/recovery will include cardboard, paper, plastic, glass, textiles, household construction and demolition waste, white goods and WEEE. Provisions are also proposed for the acceptance of small quantities of hazardous household waste such as batteries, paints, varnishes and fluorescent tubes. Hours of operation will be Monday to Friday 0800 to 1930 and Saturday 0800 to 1330.

Infrastructure & Operational Description

The civic waste facility will be constructed on two levels and the entire site shall be hardstanding. The public will have access to the upper level to deposit recyclable waste into the labelled receptacles provided. Bags of domestic waste will be deposited into a compactor unit. A compactor will also be used for deposited cardboard. Only licensed hauliers will have access to the lower outer level in order to remove receptacles that are full.

A weighbridge, waste inspection area, bunded household hazardous waste building and site office will be provided. There will be no fuel stored at the facility.

A site caretaker will be present at all times during operation of the site and will be responsible for the acceptance and throughput of waste at the facility.

Use of Resources

Diesel fuel used to run the loader on site will be delivered as required and it is predicted that approximately 1000 litres will be required per annum. The compactor, lighting and other utilities at the facility will be run on electricity. Small quantities of pesticides and insecticides used for the control of vermin will be stored onsite. Energy efficiency had been considered in the design of the facility including the use of compact fluorescent lights, and passive infrared (PIR) sensors. The RD requires energy and resource efficiency to be addressed as part of the objectives and targets of its EMS.

Emissions

Emissions to Atmosphere

The result of a survey to establish baseline dust deposition levels at four points at the proposed facility in November 2005 found levels between 112 and 352 mg/m²/day. Dust generation at the site will be controlled through effective operational practices. The RD requires a dust survey annually.

Operational odour control measures on site include quick turnaround times for waste. All compacted mixed municipal waste will be stored in sealed containers and storage times controlled in the RD. The majority of waste types at the facility do not have an odour potential and odour nuisance at the facility is not expected. The RD requires a weekly odour check.

Emissions to Sewer

There will be no emissions to sewer from the facility. Wastewater from staff and public facilities and areas of the site used for the storage and handling of waste will be diverted to an onsite wastewater treatment system which will satisfy the requirements of the Agency's Wastewater Treatment Manual; *Treatment Systems for Single Houses* and then stored temporarily in underground tanks before transport to Listowel wastewater treatment plant. Due to size restraints on the site a percolation area could not be accommodated and a suitable discharge receiving water was not available. The RD requires the tank be installed and maintained having regard to the Agency's guidelines '*Storage and Transfer of Materials for Scheduled Activities*' the final details for the holding tank must be agreed within three months of the date of grant of the licence.

Storm Water Runoff

Storm water runoff from areas of the site, which are not used for the storage of waste, will be diverted to the storm water collection system and discharged via a Class I interceptor to an existing surface water stream and ultimately the River Feale. A baseline survey of the stream was conducted in November 2005 and analysed for pH, BOD, COD, suspended solids, total phosphorous, ammonia, nitrate, nitrite and molybdenum reactive phosphorous. The RD requires storm water monitoring for these parameters and mineral oil biannually and a daily visual inspection. Upstream and downstream monitoring of storm water entry point is required annually.

Ground/groundwater:

All waste processing will take place on paved areas. All areas used for the storage of liquids or household hazardous waste will be bunded. The risk to groundwater from the facility is low.

Noise:

Noise emissions may arise from operational plant and traffic to and from the facility. A baseline noise survey was conducted in November 2005 at five locations around the proposed facility selected to represent the sensitive receptors in the area. Results ranged from L_{Aeq} (30 mins), 46dB(A) to 60dB(A) with the highest levels being recorded near the main road (N69). The traffic on the N69 road dominated the noise at all locations. Noise limits in the RD are set in accordance with Agency guidelines and annual monitoring is required.

Nuisance:

Birds should not cause a nuisance at the facility as all mixed waste will be deposited in a compactor and subsequently stored in a fully enclosed skip. All other waste types will be deposited directly into skips. The RD requires any loose litter generated be collected daily. As waste will not be available to vermin due to procedures described they are not expected to cause a nuisance. Additionally a pest control specialist will be employed to visit the site monthly. Dust and odour controls will be as described previously.

Wastes Generated:

All internal waste arising from the operation of the facility, such as office waste, will be recovered as much as possible, and disposed/recovered, in conjunction with other waste arriving on site.

Restoration/Landscaping/Decommissioning

A combination of natural stonework and a 2m high green-coated palisade fence will surround the site. No other landscaping is proposed in the RD. It is envisaged by the applicant that the operation of the site will continue indefinitely, therefore the RD requires that the restoration and aftercare plan be agreed by the Agency.

Cultural Heritage, Habitats & Protected Species

The closest designated site is the River Feale approximately 500m from the site. There will be no significant environmental emissions from the facility, which could give rise to adverse effects in designated sites.

Waste Management Plans

The counties of Limerick, Clare and Kerry have prepared together a Waste Management Plan. This plan adopted in September 2001 sets out a policy for the next 25 years. The recycling target for 2013 is 45%. Average household recycling for this region in 2003 was 12%. The introduction of a new recycling centre within the proposed Civic Amenity site will help achieve this target.

Compliance with Directives/Regulations/BAT

In assessing the application regard was taken of the draft *BAT Guidance Notes for the Waste Sectors: Transfer Activities*. The Seveso II Directive is not applicable to this site. No list I or list II substances specified in the Annex to Council Directive 80/68/EEC are to be treated on site.

Fit & Proper Person Assessment

The applicant is a Local Authority and can be considered a fit and proper person for the purposes of the Act.

Submissions

There was one submission made in relation to this application.

A. Pierse & Fitzgibbon Solicitors

A submission was received on the 24th of May from Pierse & Fitzgibbon Solicitor's on behalf of 73 residents from the local area. There were 13 points of submission detailed below

- (i) *The location of the facility is unsuitable as the area is primarily residential*

The location of the facility is within an industrial estate.

- (ii) *The location of the facility is unsuitable for the increased volume of vehicular traffic especially slow moving waste vehicles as entry and exit is off the main N69. There is no dedicated right or left turning lane. These factors will result in a severe traffic hazard.*

The issue of traffic safety is beyond the scope of this licensing process. Traffic control on national routes is a matter for the National Roads Authority.

- (iii) *The location of the facility in a small industrial estate is unsuitable and not in keeping with development in the estate to date which has consisted of light industry and warehousing.*

The existence of the facility would seriously undermine the possible future development of the estate.

This is a planning matter for Kerry County Council beyond the scope of the licensing process.

- (iv) *The facility would be located immediately adjacent to a livestock mart where animals are kept overnight pending sale. The civic waste facility will inevitably attract rodents and vermin raising the issue of cross-contamination and could pose a serious health risk to both humans and animals. The health and safety aspects of the proposed development immediately adjacent to residential areas where there are young families are of serious concern.*

The RD does not permit nuisance at the facility from rodents or vermin. A number of conditions ensure this including that all mixed waste will be deposited into a compactor and subsequently stored in a fully enclosed skip. All other waste types will be deposited directly into skips. As waste will not be available to vermin they are not expected to cause a nuisance. Additionally a pest control specialist will be employed to visit the site monthly. It is considered that the facility will not cause a health or safety risk to residents or livestock.

- (v) *The residents are concerned that the opening hours of the facility have not been set out in any of the documentation or advertisements furnished by Kerry County Council in relation to the application. The objectors can only assume it will not be a 24 hour or even a 12 hour civic amenity site. The proposed method of management of the facility has not been clarified in either the planning or EPA application. The objectors are aware that indiscriminate dumping can occur in close proximity to the site when it is not open to accept waste or supervised on a 24-hour basis. The objectors are not satisfied that the supervision or policing of the centre is adequately considered or provide for.*

Opening hours of the facility are specified in attachment C.3 of the application and those hours applied for specified in the RD. Management of the facility will be in accordance with Condition 2 of the licence specifying a suitably qualified and experienced facility manager who shall be designated and shall be present on the facility at all times during its operation. An Environment Management System is required within 12 months and unit operations and waste acceptance is described in Section D of the application. Security Cameras will be in operation at key access points in order to deter illegal dumping. Condition 3 of the RD controls the operations of the facility. The facility operated in compliance with the conditions of the RD will be adequately managed and operated.

- (vi) *The objectors point out that the surface water drainage plan shows a storm water and foul water system. The proposal is to treat foul water outside the perimeter of the site and the objectors contend that the plans and specifications submitted are inadequate, as the exact form of treatment is not specified.*

Storm water from areas of the site not used for the handling or storage of waste will be collected in the surface water drainage system and passed through a grit trap and oil separator before leaving the site. Storm water from areas of the site used for the handling or storage of waste and sanitary discharge shall be collected and diverted to the onsite wastewater treatment unit which will satisfy the requirements of the Agency's Wastewater Treatment Manual; *Treatment Systems for Single Houses*. It will subsequently be removed to an agreed wastewater treatment plant. All activities will take place within the site boundary.

- (vii) *There is a reference to a skip collection area at a lower level of the plans however there are no contour maps or longitudinal section drawings indicating the various levels. There is a discrepancy in the location of the bring bank and hazardous goods areas in drawings submitted. The objectors are therefore not satisfied that the layout has been properly prepared and presented. There is inadequate information lodged in regard to the layout, storage container and buildings proposed. Consequently proper details to meet statutory requirements have not been met.*

Necessary detail on infrastructure proposed in order to assess the application has been submitted. The location of the bring bank and hazardous goods area was clarified in the Article 14 information submitted to the Agency on the 27th April 2006. Condition 3 of the licence controls the infrastructure on site and requires that all necessary infrastructure be in place as per the licence application prior to any waste being accepted on site.

- (viii) *The objectors regard the information submitted on landscaping to be inadequate, as the type of shrubbery to be used has not been detailed and a landscaping plan not submitted.*

Condition 3.9 refers to the perimeter security required by the licence as is a combination of natural stonewall and palisade fencing. Any additional landscaping provided or type of shrubbery used by the applicant is outside the scope of this licence.

- (ix) *The objectors state that this area is primarily residential and the appreciable increase in noise from compactors on site will cause a significant noise nuisance.*

The facility is located in an industrial estate. The RD sets noise limits in accordance with Agency guidelines at noise sensitive locations.

- (x) *The objectors refer to the reference to hazardous goods to be stored on site. No detail is given on how long it is intended to store these goods or the arrangements made for the confinement, and containment of this waste. The nature and type of hazardous waste has not been set out and is of crucial concern to the objectors.*

The applicant proposed to store 15 tonnes per annum of household hazardous waste on the site in the first year increasing by approximately 3% per annum to a predicted tonnage of 83 tonnes in 2031. The types of waste proposed are set out in Table H.1.1 of the application and only those wastes specified in the application are allowed in the RD. The waste will be stored in a bunded segregated area specifications for which were submitted. The RD requires the area is constructed and maintained in a manner suitable, and is of a size appropriate, for storage of household hazardous waste.

- (xi) *The objectors are concerned to note the applicant's intention to accept green waste at the facility with no particulars given regarding the arrangements to proving for decomposition of such green and other such perishable materials, which without a specified storage period will clearly lead to noxious odours and other vermin and pests on site.*

Conditions controlling nuisance from the facility are included in the RD. Composting is not permitted at the facility. The generation of odours from perishable materials in municipal waste should not give rise to odour due to quick turnaround times. Green waste accepted at the facility for recycling off site will not be stored for periods longer than 48 hours. This is controlled in the RD.

- (xii) *The residents are concerned about the manner in which the planning and newspaper notices were advertised. The site notice was displayed at the site only and not on the main road. The lack of communication and consultation regarding the proposed development with the local residents is a matter of concern.*

Both the site and newspaper notices were in compliance with the Articles 6 and 7 of the Waste Management (Licensing) Regulations S.I. 395 of 2004. The RD requires a communications programme as part of the EMP for the facility.

- (xiii) *The residents are seriously concerned for the effect the facility will have on flora and fauna in the area where game is preserved and which is acknowledged as a rich natural habitat for wildlife and in particular wild fowl.*

The facility is located within an industrial estate. The RD sets out the conditions under which the facility must operate in order to ensure environmental pollution does not occur. There will be no emissions from the facility, which could give rise to adverse effects in designated sites.

Charges

The PD recommends an annual charge of €133.50 cover Agency costs.

Recommendation

I have considered all the documentation submitted in relation to this application and recommend that the Agency grant a licence subject to the conditions set out in the attached PD and for the reasons as drafted.

Signed

Niamh O' Donoghue

Procedural Note

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996 to 2005.