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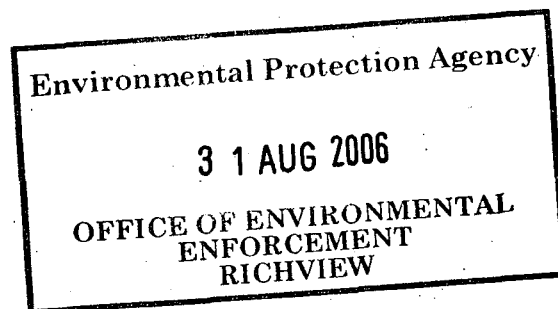
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Environmental Protection Agency
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31st August 2006

Our Ref: W0195-01/06/CW/3



**Re: Waste Licence No. W0195-01,
Composting Plant at Ballynalurgan, Kilmainhamwood, Co. Meath**

Dear Mr. Merriman,

Further to your correspondence of 7th July 2006 (your ref: 195-1/gen01em), my response of 18th August 2006 (our ref: W 0195-01/06/CW/2) and follow-up discussions, it appears that the OEE's interpretation of the above referenced waste licence is at variance with our interpretation and that of our legal advisers. It remains our opinion that the licence permits the acceptance and biological treatment of organic fines (the wet organic fraction mechanically separated from mixed municipal waste).

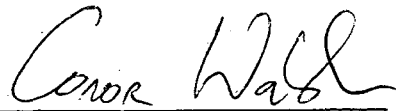
In addition to our opinion already submitted to the Agency, I have also received legal Counsel's Opinion from Mr. Rory Mulcahy BL which upholds our expressed opinion that our licence allows our facility to accept and compost organic fines.

I also wish to draw your attention to the attached document; 'Compost Facilities 2005' published by the EPA as part of the 'Factsheet Series' to accompany the National Waste Report. In Table 3 of the attached report, the waste types to be accepted at our composting facility are described as "Sludges/HH organics/ Kitchen and canteen waste." Table 4 of the same document describes the wastes accepted at Natural World Products' site in Keady, Co. Armagh, where we currently send

Biological Treatment of Biowaste. In addition, the stabilized biowaste produced during the trials would be available after an 8 to 10 week processing period to provide samples of our product to potential customers, such as landfill operators.

I respectfully request that you consider this matter with the greatest possible urgency as the site is due to open within the next fortnight and any delays will jeopardize our investment in this venture, which I hope you will agree is worthwhile in the context of progressive waste management and environmental protection.

Yours truly,



Conor Walsh B.Sc. MCIWM PGeo.

Environmental Director

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1. INTRODUCTION

Approximately 74% of household and commercial waste generated in Ireland in 2004 is biodegradable. Of the 1,935,214 tonnes of biodegradable municipal waste generated in 2004, 67.4% was landfilled and the remaining 32.6% recycled. Progressive targets have been set out in the Landfill Directive¹ to reduce the proportion of biodegradable municipal waste landfilled. By 2006, Member States are restricted to landfilling a maximum of 75% of the total weight of biodegradable municipal waste generated in 1995, the baseline year. This target is further reduced to 50% of the 1995 baseline by 2009 and 35% by 2016. In 2004, the amount of biodegradable municipal waste landfilled was 101% of the 1995 baseline so there is a long way to go to reverse this trend and meet the Landfill Directive targets. There are therefore significant challenges ahead with regard to the management of biodegradable waste. The *National Strategy for Biodegradable Waste* published by the Department of the Environment, Heritage and Local Government in April 2006 proposes measures to progressively divert biodegradable municipal waste from landfill by developing other ways of treating biodegradable waste. One example of the treatment of biodegradable waste is to produce compost, which can then be used to help grow crops. This factsheet looks at the current composting infrastructure in Ireland.

Composting is the breakdown of the organic fraction of waste material, such as kitchen or garden waste, by micro-organisms in controlled conditions. A mixture of material can be used in the composting process. Trees, grass, fruit and vegetables and eggshells, for instance, are all organic materials that will decompose. The result is compost; a dark, nutrient-rich soil conditioner.

A list of composting facilities in operation in 2005 was compiled using information gathered from the Cré (Composting Association of Ireland) website, local authorities, EPA licences and through discussions with composting operators. A total of 39 composting facilities operating in Ireland in 2005 were identified in this way. The facilities identified were surveyed by telephone to establish the current composting infrastructure in Ireland. Facility operators were asked to provide details on what composting systems they used and the amounts and types of waste accepted in 2004 and in 2005.

The compost facilities operating in Ireland can be broadly split into two categories, facilities that produce a good quality compost substrate by composting manure, gypsum and wheaten straw for sale to mushroom growers, and waste management facilities that make compost from organic waste. A total of 33 waste management facilities were composting organic waste (Table 1) and six mushroom compost facilities were operating in 2005 (Table 2). A further 7 waste management facilities have commenced or will commence composting organic waste in 2006 (Table 3). In response to the mushroom composting facilities taking in less horse manure, two studs are operating facilities on a trial basis to compost manure produced on-site and the compost is used on land in the stud. No further information was available however.

¹ Council Directive 1999/31/EC on the landfill of waste.

Table 1. Composting facilities operating in Ireland in 2005

Name	Local Authority	Waste Management Region	Permit/Licence	Licence/Permit No.	Year commenced	Technology	Licensed/Permitted Capacity (Tonnes)	Waste Type(s) accepted	End-Use of Compost	Compost Quality
AES - Midland Waste	Meath	North East	Licensed	W0131-02	2004	In-vessel	15,000	Household organics	Landfill cover	Unknown
Annacotty Waste Facility	Limerick	Limerick/Clare/Kerry	Cert. of Reg.	R1559 ¹	2005	Windrow	1,000	Green waste	Landscaping	Unknown
Ballinasloe Composting site/ Pollboy site	Galway Co.	Connaught	Licensed	W0027-02	2002	In-vessel	500	Household organics	Landscaping	EU Class 1
Bord na Mona PLC	Kildare	Kildare	Licensed	W0198-01	2005	Windrow	50,000	Green waste	Landscaping	Unknown
Carrolstown Estate / Greyhound Waste Recycling	Meath	North East	Permitted	WP2003 39; WP2002 20; 2005/03	2003	Windrow	5,000	Household organics	Landfill cover/ Landscaping	Stabilised Biowaste
Carrowbrowne Waste Recovery Facility	Galway City	Connaught	Licensed	W0013-01	2003	In-vessel	10,000	Household organics	Landfill cover	Unknown
COMP-IRE Composting Ltd.	Kerry	Limerick/Clare/Kerry	Unknown		2005	In-vessel	5,000	Household organics	Landfill cover/ Landscaping	Grade 3
Crammonds	Wicklow	Wicklow	Unknown		2005	Windrow	1,000	Green waste	Landscaping	Unknown
Cremin Farm Compost ²	Limerick	Limerick/Clare/Kerry	Permitted	WP LK 23	-	In-vessel	-	-	-	-
CTO Environmental Solutions Ltd.	Cork County	Cork	Permitted	CK(s) 165/04	2001	In-vessel	6,000	Green waste	Landscaping	EU Class 1
Dungarvan Recycling Centre	Waterford Co.	South East	Licensed	W0032-02	2001	In-vessel	1,000	Household Organics/ Green Waste	Landscaping	Unknown
Enrich Compost	Meath	North East	Permitted	WMP 2004/57	2005	Windrow	6,000	Green waste	Landscaping	UK PAS 100
Enviro Grind Ltd.	Donegal	Donegal	Permitted	Env 143/ WP 04 05	1998	In-vessel	15,000	Green waste/Canteen waste/ Sludges/Fish waste	Landscaping	EU Class 1
Glaslough Peat	Monaghan	North East	Permitted	WP22/4	2002	In-Vessel	500	Spent Mushrooms	Landscaping	Not Specified
Gortadroma Landfill	Limerick	Limerick/Clare/Kerry	Licensed	W0017-03	2005	Windrow	66	Green waste	Landfill cover	Unknown
Kinsale Road Facility	Cork City	Cork	Licensed	W0012-02	2002	Windrow	2000	Green waste	Landscaping	Grade 2
Lismore Recycling Centre	Waterford Co.	South East	-	-	2001	In-vessel	500	Household Organics/ Green Waste	Landscaping	Unknown

¹ Have applied for EPA licence

² No further information available

Table 2. Mushroom compost facilities operating in Ireland in 2005

Name	Local Authority	Waste Management Region	Permit/Licence	Licence/Permit No.	Year commenced	Technology	Licensed/Permitted Capacity (Tonnes)	Waste Type(s) accepted	End-Use of Compost	Compost Quality
Marley Compost Ltd	Monaghan	North East	Licensed	W0118-01	2003	Windrow	9,000	Manure	Mushroom compost	Phase 2 Phase 3
Kabeyun Ltd - Monaghan Mushrooms	Monaghan	North East	Licensed	W0121-01	1989	Windrow	15,600	Manure	Mushroom compost	Phase 2
Carbury Mushrooms Limited	Kildare	Kildare	Licensed	124-1	1986	Windrow & In-vessel	56,600	Manure	Mushroom compost	Phase 3
Custom Compost Limited	Wexford	South East	Licensed	W0123-01	1980	Windrow & In-vessel	39,750	Manure	Mushroom compost	Phase 3
Green Hill Compost Ltd	Cavan	North East	Licensed	W0117-01	1998	Windrow	6,000	Manure	Mushroom compost	Phase 2
Kabeyun Ltd. – Foxfield Mushrooms ¹	Cavan	North East	-	-	-	Windrow	-	Manure	Mushroom compost	-
TOTAL							126,950			

Table 3. Facilities commenced or due to commence operations in 2006

Name	Local Authority	Waste Management Region	Permit/Licence	Licence/Permit No.	Year commenced	Technology	Licensed/Permitted Capacity (Tonnes)	Waste Type(s) accepted	End-Use of Compost	Compost Quality
Inagh Waste Management Facility	Clare	Limerick/Clare/Kerry	Licensed		2006	In-vessel	2,000	Green waste	Landscaping	-
Johnstown Recycling	Westmeath	Midlands	Permitted		2006	In-vessel	2,000	Kitchen & green waste	-	-
Green King Composting Ltd. (King Tree Services)	Wicklow	Wicklow	Licensed		2006	Windrow	40,000	Green waste	Landscaping/ Landfill cover	-
A1-Nepin Trading Co. Ltd.	Kildare	Kildare	Licensed		2006	In-vessel	65,000	Green waste	-	-
Dundalk Civic Amenity Centre (V & W Recycling)	Louth	North East	Licensed		2006	Windrow	1,000	Green waste	Landscaping	-
Bandon Civic Amenity Centre	Cork Co.	Cork	Cert. of Reg.		2006	Windrow	-	Green waste	-	-
Padraig Thornton Waste Disposal Ltd.	Meath	North East	Licensed		2006	-	20,800	Sludges/HH organics/ Kitchen and canteen waste		
TOTAL							130,800			

¹ Subject to ongoing enforcement action by the local authority and the Office of Environmental Enforcement

Table 4. Composting facilities operating in Northern Ireland in 2005

Name	Local Authority	Capacity (Tonnes)	Waste Type(s)	End-Use of Compost	Compost Quality
Reen compost	Armagh City & District Council	14,820	Manure/ Agricultural straw	Mushroom Compost	Phase 2 mushroom compost
Keady Composting Facility-Natural World Products	Armagh City & District Council	98,000	Household organics/ Green waste	Landscaping	UK Compost Association - PAS 100 and EU Class 1 + 2
Down District Council Composting Site	Down District Council	4,000	Household organics	Landfill cover/ Landscaping	Unknown
Organic Waste Recycling Limited	Ards Borough Council	20,000	Household organics	Landscaping	UK Compost Association - PAS 100
SimproIreland Ltd	Strabane District Council	8,500	Green waste	Landscaping	Unknown

7. OTHER RELEVANT INFORMATION

- From National Waste Report 2004 (see <http://www.epa.ie/ourenvironment/waste>)
 - Twelve local authorities reported the separate collection of just over 20,000 tonnes of organic waste from households through kerbside schemes in 2004 and a further 41,500 tonnes were collected from commercial sources. This is reportedly the most sought after category of organic waste by compost facilities as separately collected material makes the best quality compost.
- The National Strategy on Biodegradable Waste was published by the Department of the Environment, Heritage and Local Government in April 2006. (see <http://www.environ.ie/>):
 - It is estimated that around 4% of households have a separate organic waste collection service. The roll-out of more segregated organic waste collection for households in the future will increase the possibility of being able to produce higher quality compost.
 - Approximately 80,000 home compost bins have been supplied by local authorities in the period 2001-2003, suggesting that at least 6% of households have compost bins. If those in multi-storey dwellings are excluded, approximately 1 in 10 households with gardens is likely to be engaged in home composting.
- Cré is currently developing an accredited course for compost facility operators, the first one of which is expected to run in the next few months.
- Several composting sites, although they have obtained a waste licence to operate, have been unsuccessful at obtaining planning permission so they have not commenced operations. These would typically have been large-scale facilities intending on accepting household organics and animal by-products (e.g. manure) but getting planning permission has been a challenge, thus slowing the establishment of new purpose built facilities.
- A map of compost facility locations can be found on the Cré website at www.cre.ie