



OFFICE OF LICENSING & GUIDANCE

INSPECTORS REPORT ON A LICENCE APPLICATION

To:	Directors	
From:	Dr. Karen Creed	- LICENSING UNIT
Date:	28/05/2007	
RE:	APPLICATION FOR A WASTE LICENCE FROM LAWLOR BROTHERS WASTE DISPOSAL LTD. T/A ACCESS SKIP HIRE, UNIT 28, JOHN F. KENNEDY ROAD, JFK INDUSTRIAL ESTATE, NAAS ROAD, DUBLIN 12, LICENCE REGISTER WO227-01	

Application Details

Type of facility: Class(es) of Activity (P = principal activity): Quantity of waste managed per annum: Classes of Waste: Location of facility: Licence application received: Third Party submissions: EIS Required: Article 14 compliance date: Site Inspection:	Waste Transfer Station 3 rd Schedule: 11,12,13 4 th Schedule: 2,3, 4,13. 95,000t Household waste, commercial waste, industrial waste, construction & demolition waste and WEEE (Waste Electrical & Electronic Equipment) Unit 28, John F. Kennedy Rd., JFK Ind. Est., Naas Road, Dublin 12. 16/03/2006 Three Yes 24/04/2007 28/06/2006
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1. Facility

Lawlor Brothers (Waste Disposal) Ltd. trading as Access Skip Hire operate a waste transfer station on a 0.77ha site in an industrial estate on the western

side of Dublin City. The industrial estate consists mainly of industrial units, warehouses and office and retail units. There are three residential houses located approximately 110m to the west of the site. It is an existing facility operating under a waste permit from South Dublin County Council.

The applicant proposes to increase waste acceptance from current levels of approximately 15,800 tonnes per annum to 95,000 tonnes per annum. This increase in waste acceptance will be accompanied by an increase in infrastructure at the facility. The applicant was granted planning permission (SD06A/0086) for a new waste transfer building in April 2006. In addition, the applicant will also be installing a wheel wash, truck wash and improved ancillary infrastructure such as roads, drainage, etc.

Lawlor Brothers (Waste Disposal) Ltd. T/A Access Skip Hire proposes to operate 24 hours a day, 7 days a week and handle waste from 06.00 to 22.00 daily. The applicant states that this will facilitate night time waste collection from commercial premises in the city centre and allow them to avoid peak rush hour traffic. This is standard operational practice in the Dublin area and the Agency has granted similar operational hours to other licensed facilities. The main issue in relation to these extended opening hours is the possibility of noise nuisance which has been dealt with in Section 4.6 below. There have been no public submissions in relation to the application. The Health Service Executive made a submission referring to noise (due to the extended opening hours) as an area for concern. This has been addressed in Section 14.2.4 of this document. Following consideration of the facts outlined, the RD has allowed for the extended opening hours and has stipulated numerous mitigating conditions to ensure that the facility will not become a nuisance.

2. Operational Description

The main type of waste handled at the facility is household skip waste. This accounts for approximately 50% of the waste accepted at the facility and is mainly a non-putrescible waste stream. However, the applicant proposes to accept in the region of 9,500 tonnes per annum of domestic/municipal type waste in the extended facility, which will obviously contain more of a putrescible fraction. The applicant states that this waste stream will be generally processed within eight hours (maximum 24 hours) of arrival on site. The facility will also accept commercial and industrial waste comprising mainly of packaging waste. The construction and demolition waste to be accepted will contain recyclable materials such as timber, metals and plastic and Lawlor Brothers (Waste Disposal) Ltd. T/A Access Skip Hire has stated that they intend to increase the level of segregation of this waste stream from current levels. The applicant will also accept a small amount of WEEE (Waste Electrical and Electronic Waste). The facility would become an authorised facility for the purpose of the WEEE Regulations (S.I. No. 340 of 2005); and the RD takes account of the WEEE waste storage requirements set out in the Sixth Schedule of the regulations.

The applicant has stated that all waste handling will be carried out in the new waste transfer building (Building 3). The existing buildings (Buildings 1 & 2) will be used to store the segregated waste streams and during busy periods as back up areas for the processing of commercial, industrial and C & D

waste streams. Condition 6.14.2 of the RD does not allow putrescible waste to be handled in these buildings. Building 1 will also continue to house the administrative offices, canteen and the maintenance workshop.

3. Use of Resources

Condition 7 of the RD requires the applicant to carry out an energy audit to quantify resource and energy consumption on site. At the moment the applicant can only estimate the energy and resource requirements for the proposed enlarged facility. They have estimated that approximately 50,000 litres of diesel will be used annually by on-site plant, 150,000KW of electricity will be used in the first year and 884,520 litres of water will be consumed. The majority of this water, according to the applicant, will be used in the truck wash. The RD requires that vehicles are only washed when necessary in order to reduce the volume of water consumed on-site. Condition 7 also requires the licensee to implement a programme of resource and energy efficiency and to identify opportunities for the reduction in the amount of water used on site.

4. Emissions

4.1 Air

The main emissions to atmosphere are fugitive dust and odour. In order to quantify the level of dust emissions the applicant carried out a dust monitoring survey. Results from two of the three site boundary locations sampled were in excess of the dust deposition levels indicated in the RD. The applicant considered that the most likely sources of the elevated readings were the processing of construction and demolition waste and the facility hardstanding surfaces. In order to mitigate against dust nuisance the applicant has proposed a number of measures to control these emissions from the facility. These include processing all waste indoors (Building 3), cleaning all site hardstanding surfaces on a regular basis and installing a dust suppression system in Building 3. In addition, the RD requires Lawlor Brothers (Waste Disposal) Ltd. T/A Access Skip Hire to install fast action doors or equivalent on all entry/exit points to the waste transfer buildings and, where possible, to keep these doors closed (Condition 3.24.1.1). Further measures imposed by the RD are Conditions 3.24, 4.6, 5.7, 6.14, 6.17 and Schedules B5 and C6.

The bulk of the waste to be accepted on site will be dry non-hazardous commercial, industrial and construction and demolition waste. However, it is the acceptance of 9,500 tonnes per annum of municipal/domestic type waste that will have the potential to cause odour nuisance. The applicant has proposed to install odour control measures which involve the use of de-odourising chemicals in conjunction with the dust suppression system mentioned above. The RD includes this measure and further stipulates that a continuous negative air pressure system with ventilated gases being subject to treatment as specified by the Agency must be installed on Building 3 to ensure that the activity does not cause an odour nuisance (Conditions 3.24.1.2).

4.2 Emissions to Sewer

The only trade emissions to sewer will be from the proposed truck wash and wheel wash. The applicant has stated that a silt trap will be incorporated into the design of the truck wash to reduce the amount of silt discharged to the sewer. It is estimated that approximately 126 truck washes will occur each week utilising 17,010l of water. The applicant proposes to direct water from the proposed wheel wash to the surface water drainage system. However, the RD stipulates that this discharge is directed to the foul sewer (Condition 3.8.2).

In response to a Section 52 notice, South Dublin County Council, granted consent for the discharge subject to certain conditions which have been incorporated into the RD.

4.3 Emissions to Surface Waters

There are no trade emissions to surface water.

4.4 Storm Water Runoff

The site is located within the catchment of the Camac river, a tributary of the Liffey. The Camac river flows from east to west about 100m to the south of the site. Stormwater runoff from the roofs of the buildings and the facility yard are directed to the Camac river.

Storm water drainage is split into a northern system and a southern system. However, the applicant proposes to upgrade the drainage system which will essentially join these two systems in a drain that bisects the site.

The applicant proposes to store trade effluent from the waste processing building (Building 3) in a holding tank. The RD requires that transfer station floor washings and washings from the quarantine area are stored in this tank. This trade effluent is to be tankered off-site to an agreed wastewater treatment plant (Condition 3.10). The applicant has stated that the quantity and quality of this leachate will be monitored over time and its suitability for discharge to the foul drainage system assessed in conjunction with the requirements of Dublin City Council.

Condition 3.19 requires the applicant to carry out a risk assessment to determine if the activity should have a fire-water retention facility and stipulates the requirements thereof; and Condition 3.16 specifies the requirements and testing schedule for tank and drum storage areas.

4.5 Emissions to ground/groundwater:

There are no direct emissions to ground or groundwater and the RD prohibits any such discharges (Condition 5.6). Condition 3.5.2 requires the applicant

to maintain an impermeable concrete surface in the areas of the facility associated with the movement, processing, storage and handling of waste.

4.6 Noise:

A noise survey was carried out at Lawlor Brothers (Waste Disposal) Ltd. T/A Access Skips in 2005. Measurements were taken at the entrance to the facility (N1), at the south eastern boundary (N2), at the western boundary between Buildings 1 and 2 (N3), and at the nearest residence approximately 110m from the facility (N4). The results of the survey are tabulated below.

Location	Day			Night		
	L_{Aeq} (dB)	L_{A10} (dB)	L_{A90} (dB)	L_{Aeq} (dB)	L_{A10} (dB)	L_{A90} (dB)
N1	67	71	58	60	58	47
N2	71	73	69	45	47	42
N3	80	83	75	48	66	47
N4	72	74	63	67	72	53

It is evident from the results that something other than the facility is contributing to high background (L_{A90}) levels as the noise levels at night (when the facility is closed), particularly at N4, are elevated. The applicant has stated that noise from the facility is not audible at N4 and that the proposed facility extension will not elevate noise levels above the existing traffic noise during daytime hours. The position of N4 adjacent to the Killeen Road and its associated traffic movements appear to be responsible for the high noise levels at that point.

The applicant also assessed the impact of the extended opening hours at N4 and found that the facility would not contribute to the existing noise levels.

In addition, the upgrading of the facility infrastructure and the implementation of operational controls by the applicant will aid in the mitigation of noise. The RD requires that the applicant employ the necessary noise attenuation measures to ensure that the noise attributable to on site activities does not exceed the limits specified in the RD.

4.7 Nuisance:

The applicant has proposed a number of measures to control potential nuisances. They include good housekeeping measures on site, handling waste inside the waste transfer building, covering waste skips and employing specialist vermin control. Measures to control possible nuisances at the facility are specified in the RD.

5. Cultural Heritage, Habitats & Protected Species

There are no recorded features of architectural, archaeological or historical importance within the site boundary. The site is not located on or adjacent to any ecologically designated area. There will be no significant environmental

emissions from the facility, which could give rise to adverse effects in designated sites.

6. Environmental Impact Statement

I have examined and assessed the EIS and having regard to the statutory responsibilities of the EPA, I am satisfied that it complies with Article 94 and Schedule 6 of the Planning and Development Regulations 2001 (SI 600 of 2001) and EPA Licensing Regulations (SI 85 of 1994, as amended).

7. Best Available Techniques (BAT)

I have examined and assessed the application documentation and I am satisfied that the site, technologies and techniques specified in the application and as confirmed, modified or specified in the attached Recommended Decision comply with the requirements and principles of BAT. I consider the technologies and techniques as described in the application, in this report, and in the RD, to be the most effective in achieving a high general level of protection of the environment having regard - as may be relevant - to the way the facility is located, designed, built, managed, maintained, operated and decommissioned.

8. Compliance with Directives/Regulations

The facility does not fall under the scope of the Landfill or IPPC directives. In relation to the Groundwater Directive the facility will not have any direct emissions to groundwater.

9. Fit & Proper Person Assessment

The legal, technical and financial standing of the applicant qualifies them to be considered Fit and Proper Persons.

10. Recommended Decision

I am satisfied that the conditions set out in the RD will adequately address all emissions from the facility and will ensure that the carrying on of the activities in accordance with the conditions will not cause environmental pollution.

11. Submissions

There were three submissions made in relation to this application.

11.1 Submission from the Eastern Regional Fisheries Board

The Eastern Regional Fisheries Board stated that the Camac River is a salmonid system and only clean uncontaminated surface water should be discharged to local surface waters. They suggested the implementation of good housekeeping measures and the installation of silt traps and an oil

interceptor to protect the river system. In addition, they recommended the inclusion of weekly and preferably daily storm water inspections.

Comment:- The RD stipulates that only stormwater runoff from the roofs of buildings and the facility yard are directed to the Camac River and that all stormwater from the facility yard must pass through a silt trap and Class 1 full retention interceptor prior to discharge (Condition 3.18.1). Condition 6.10 requires that the silt trap and interceptor are checked and cleaned on a regular basis. Schedule C2.3 requires the applicant to carry out stormwater inspections on a daily basis.

11.2 Submissions from the Health Service Executive

Two submissions were received from the Health Service Executive (HSE). The first, received in November 2006, outlines the recommendations of the HSE. The second, received in February 2007, was in response to further information submitted by the applicant and refers to the first submission and reiterates the HSE position that they would not object to the granting of a waste licence to Lawlor Brothers (Waste Disposal) Ltd. trading as Access Skips.

A total of six conditions were recommended for inclusion in the licence as follows:

1. *The applicant shall ensure that an adequate Pest Control contract shall continue to operate to prevent and control possible rodent, animal, insect or bird activity on site.*

Comment: Conditions 5.7, 6.17 and 11.12 deal specifically with the control of pest nuisance. Good housekeeping measures and processing waste indoors will aid in controlling pest nuisance. In addition, the applicant has also undertaken to employ the services of a specialist company to control vermin.

2. *Best Practicable Means shall be employed to minimize fugitive air blown dust being emitted from the site.*

Comment: A number of conditions in the licence address the control and monitoring of dust emissions to ensure that dust from the site is not a nuisance. (Conditions 3.11, 3.24, 4.6, 5.7, 6.14, 6.17, and Schedules B5, C6 and D)

3. *The developer shall ensure that the external lighting system is designed to minimise potential pollution from glare and spillage.*

Comment: This is a matter for the Planning Authority and has been dealt with in Condition 11 of the Second Schedule of the grant of planning permission (SD06A/0086).

4. *Clearly audible and impulsive tones at noise sensitive locations during*

evening and night shall be avoided irrespective of the noise level. For this reason I am concerned about the proposal at some time in the future to move to a 24 hour operation. There are residential properties at the entrance to the JFK Ind Est who may be affected by air brakes on delivery vehicles and reverse sirens. Any impulsive sounds within the building must be avoided between the hours of 6 a.m. and 7a.m. and between 7 p.m. and 10 p.m. This Department would not object in principle to processing hours of 6 a.m. to 10 pm within the building, but we would recommend that impulsive noise should be controlled to limit the potential for noise nuisance.

Comment: Schedule B4 states that there shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise sensitive location.

5. A traffic management system should be in place to ensure HGV maneuvers do not create a noise nuisance and waiting vehicles do not create an odour problem.

Comment: Traffic is a matter for the Planning Authority. However, the RD has stipulated a number of conditions to mitigate against noise and odour nuisance at the facility. See Sections 4.1 and 4.6 above.

6. All mechanical plant and ventilation inlets and outlets should be sound insulated and/or fitted with sound attenuators as necessary to ensure that the noise level as expressed as Laeq over 15 minutes at 1 meter from the façade of any noise sensitive location does not exceed the background level by more than 10 dB(A) for daytime and shall not exceed the background level for evening and night time.

Comment: The RD requires that the applicant employ the necessary noise attenuation measures to ensure that the noise attributable to on site activities does not exceed the limits specified in the RD.

12. Charges

The RD requires that the applicant shall pay an annual contribution of €8155.00.

13. 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 RD and for the reasons as drafted.

Signed

Dr Karen Creed

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 1996-2005.