

This report has been cleared for submission to Padraic Larkin by Jonathan Derham

Signed: *Gráinne Oglesey* Date: *18/10/07*



01

**ENVIRONMENTAL LICENSING & RESOURCE USE**

<b>INSPECTORS REPORT ON A REQUEST FOR TECHNICAL AMENDMENT</b>	
<b>To:</b>	Directors
<b>From:</b>	Maeve McHugh <b>ENVIRONMENTAL LICENSING PROGRAMME</b>
<b>Date:</b>	03/10/07
<b>RE:</b>	REQUEST FOR A TECHNICAL AMENDMENT TO A WASTE LICENCE FROM TED O'DONOGHUE & SONS LTD, LICENCE REGISTER W0214-01

**Background**

The facility in question is a waste transfer station in Waterfall, County Cork. The company's licence, which was granted in September of 2005 allows the acceptance of 23,000 tonnes per annum of non-hazardous waste. The licence allows the individual limitation on waste streams to be varied with the agreement of the Agency subject to the overall total limit staying the same.

The licensee has noted an increase in tonnages at the transfer station in particular since April of 2007 and projects that if these increases are to continue that the tonnage limits specified in the current licence will be breached. With this in mind the company request an increase in the allowable tonnage throughput at the facility. The following table outlines the existing licensed and requested annual tonnage

Waste Type	Maximum Tonnes Per Year	
	Existing	Proposed
Household	12,880	28,000
Commercial	1,840	4,000
Construction & Demolition	7,514	16,335
Industrial non-hazardous solids	766	1,665
<b>Total</b>	<b>23,000</b>	<b>50,000</b>

The licensee also notes the following:

- that the existing transfer station floor area and yard area are sufficient to deal with the proposed increase in tonnages;

*Approved. P. Larkin 19/10/07*

- the facility has had no reported incidents of complaints from local properties since the commencement of licensed activities (Council Permits and EPA licence) and the facility is managed to the highest standard.
- It is expected that any increase in tonnages will not result in any increase or changes in emissions from the facility as all waste is stored inside and there is a turnover time of less than 24 hours for household waste before it is moved offsite.
- An increase in traffic volume from the current movements is expected to be the only impact. It is considered that the local road network is capable of absorbing a maximum increase of six trucks per hour. It is expected that such an increase in traffic volume would not result for a number of years and only when the facility would reach the maximum proposed capacity of 50,000 tonnes per hour.

### **Recommendation**

It is the opinion of OEE that the proposed changes to the licence and the facility cannot be catered for under the conditions of the existing licence.

When the company applied for a licence they applied for permission to accept 23,000 tonnes of waste per annum. This tonnage fell just short of the tonnage threshold for which an EIS would have been required i.e. installations for the disposal/recovery of waste with an annual intake greater than 25,000 tonnes. In other words had the application when it was made referred to the proposed increased tonnage, an EIS would have been required. Given that the facility is already licensed the EIS threshold for a change or extension to a development (EIS Regulations S.I. No. 93 of 1999) will pertain i.e.

- any change or extension of development which would
  - (i) result in the development being of a class listed in Part I or paragraphs 1 to 12 of Part II of this Schedule, and
  - (ii) result in an increase in size greater than –
    - 25%, or an amount equal to 50% of the appropriate threshold, whichever is the greater.

It is the opinion of the Agency that an increase in the quantity of waste accepted for disposal cannot be catered for by technical amendment and must be the subject of a licence review. In any case it is my opinion that the change in development proposed by the licensee would trigger both (i) and (ii) above, therefore in addition to a licence review application it is likely that planning permission and an EIS will also be required.

Signed

*AP Gráinne O'Leary*  
 Maeve McHugh