



**OFFICE OF CLIMATE,
LICENSING &
RESOURCE USE**

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

TO:	Directors	
FROM:	Technical Committee	- LICENSING UNIT
DATE:	14 th November 2007	
RE:	Objection to Proposed Decision for Waterford City Council, Licence Register W0234-01 Waste Reg: W0234-01	

Application Details	
Class(s) of activity:	Composting Facility
Location of activity:	Green Road, Waterford City, Co. Waterford.
Licence application received:	07/12/2006
PD issued:	1/8/2007
First party objection received:	27/8/07
Third Party Objection received	None
Submissions on Objections received:	None

Company

The application from Veolia Environmental Services on behalf of Waterford City Council relates to a Composting Facility which is located approximately 5 km from Waterford City, in the townland of Ballybeg. The site is located in an industrial zone, adjacent to an industrial estate (Six Cross Roads Business Park) and adjacent to an EPA licensed Waste Transfer Station (W0177-03). The closest commercial receptor is the DHL facility in the industrial estate which is 40 m from the facility, the nearest residential sensitive receptor is on the Kilbarry Road 370 m from the facility.

The facility is currently operated by a private contractor (Veolia) on behalf of Waterford City Council. Waterford City Council is the owner of the site and equipment.

The proposed development is seeking an expansion from the current annual intake of 9,000tpa to 20,000tpa by 2008, for source separated household and commercial

organic waste along with green waste from householders, landscapers and the Parks Department of the City and County Councils.

No submission was received in relation to the application at the PD stage.

Consideration of the Objection

The Technical Committee (TC), comprising of Dr Tom McLoughlin (Chair) and Donal Grant, has considered all of the issues raised in the Objection and this report details the Committee's comments and recommendations following the examination of the objections. The TC consulted Yvonne Furlong, Agency Inspector, in relation to trade effluent issues.

This report considers the first party objection; no third party objections were received.

First Party Objection

The applicant makes 14 points of objection, a number of which are in the form of requests for clarification.

Condition 1.4.3

The applicant request that the hours of operations are extended from 0700 to 2400 Monday to Friday. This is to facilitate the processing of waste from the Waste Reception Building into digesters in the event that waste is received up to 2030. This will minimise the storage of waste overnight on the Waste Reception Building floor.

In addition, in the time period since the application was received by the Agency there have been modifications to the operations at the facility. In order to increase efficiency in the removal of contamination, double screening of material is now required. This has substantially increased the duration of screening operations on site. It is in this regard that Waterford City Council request the hours of operation to be extended from 0700 to 2400 Monday to Friday.

Technical Committee's Evaluation:

The PD prescribes opening hours of 0700 to 2200 Monday to Friday inclusive and 0700 to 1800 on Saturdays and Bank Holidays. The TC are of the opinion that this is a reasonable and practical request by the applicant, who's objective is to minimise the storage of waste on site overnight in an attempt to minimise odours.

We are of the opinion that this proposed change would not affect the noise levels at this facility. According to the Inspectors Report no noise complaints were received in relation to this facility. We wish to point out that the RD requires the licensee, as part of ongoing environmental improvements at the site, to assess noise emissions from the activity and identify measures to reduce noise emissions within six months of the date of grant of licence. Implementation of the measures identified shall be agreed with the Agency. The RD also requires that the facility carry out a noise survey of the site operations annually.

Recommendation:

Replace the existing condition 1.4.3:

The facility shall be operated only during the hours of **0700 to 2200** Monday to Friday inclusive and 0700 to 1800 on Saturday and Bank Holidays.

with the following condition:

The facility shall be operated only during the hours of 0700 **to 2400** Monday to Friday inclusive and 0700 to 1800 on Saturdays and Bank Holidays.

Condition 3.18.2

The applicant request that the word ‘concrete’, be removed from this condition as they claim the area in question is already covered in asphalt.

Technical Committee’s Evaluation:

The TC are of the opinion that this is already catered for in the condition as it is stated in the condition:

‘the surfaces shall be concreted and constructed to British Standard 8110 or an alternative as agreed by the Agency’.

We wish to point out that the alternative in this instance could be construed as the use of asphalt to maintain an impermeable barrier.

Recommendation: No change.

Condition 3.20.2

The applicant request clarification regarding the stages of composting that 5% oxygen concentration is required at this facility. They are of the opinion that the requirement to maintain 5 % minimum concentration is not a requirement at the latter and final stages of composting, particularly when the material is under storage. It is suggested that while the composting parameters set down in this condition are objectives for good plant operation, they should not be mandatory in the manner set down in the licence.

Technical Committee’s Evaluation:

This level of oxygen is regarded as BAT to ensure aerobic composting. The Agency has applied this standard in composting license heretofore and would be reluctant to change it. We would regard the material that is under storage as final product and in our opinion this would not be considered as composting material.

Recommendation: No change.

Condition 3.23.2

Waterford City Council objects to the installation of a wheel wash at the entrance/exit of the facility as all vehicles leaving the waste reception area will be sufficiently cleaned and the road network for vehicle movements on site will be constructed of asphalt.

Technical Committee's Evaluation:

We note that the Council plan to install an automatic wheel wash at the entrance to the Waste Reception Building in accordance with the Department of Agriculture requirements under the Animal By-products Regulations.

The applicant's objection is accepted and we propose to amend Condition 3.23.2 as follows:

Recommendation:

Replace the existing condition 3.23.2:

The wheel cleaner shall be used by all vehicles leaving the facility as required, to ensure that no process water or waste is carried off-site. All water from the wheel cleaning area shall be directed to the trade effluent drainage network.

with the following condition:

The **automatic** wheel cleaner shall be used by all vehicles leaving the **Waste Reception building**, to ensure that no process water or waste is carried off-site. All water from the wheel cleaning area shall be directed to the trade effluent drainage network.

Condition 3.26

The Council objects to the need for a continuous monitoring system in particular to measure for oxygen. They are of the opinion that the deviation in oxygen content in any and/or all stages of the composting process is insignificant from an hour to hour/day to day basis. They state that analysis of oxygen by manual means would be more appropriate on a weekly basis for this purpose and request that continuous oxygen monitoring be replaced by weekly manual monitoring in this instance.

Technical Committee's Evaluation:

This is a standard condition in all composting licences. It is necessary to ensure that aerobic conditions are met to ensure that odourous compounds will not be produced if anaerobic conditions were to prevail.

Recommendation: No change.

Condition 5.4

Waterford City Council request clarification as regards to treatment of trade effluent at the facility.

Technical Committee's Evaluation:

We wish to point out that Condition 6.17.5 in the PD states that all leachate from the composting operations shall be collected and reused in the composting process where possible. However, it is also stated under Condition 8.10, if re-use in the composting process is not possible the leachate shall, with the prior agreement of the Agency, be removed off-site to a waste water treatment plant. Also, there is a requirement under Condition 3.24 of the PD to install and maintain an appropriately sized leachate

holding tank on site. We believe that the issue of Trade Effluent has been dealt with adequately in the inspectors report and in the PD.

Recommendation: No change.

Conditions 6.17.4 and 6.17.5

The applicant is concerned about the above conditions regarding the use of leachate in the composting process in particular at the curing/maturation phase of the composting process as they would possibly re-introduce high levels of pathogens to the composting material which would contravene operating recommendations for the Department of Agriculture and Food under the Animal By-products Regulations. They requested that Conditions 6.17.4 and 6.17.5 are reworded to state that liquids will be re-circulated where possible 'such that recirculation will not impinge on the reduction of pathogens as part of the composting process'.

Technical Committee's Evaluation:

The conditions as worded gives the operator lots of flexibility as to the use of the wastewater and leachate emanating from the composting operation for re-use in the composting process. The conditions state that this water can be used '*where possible*'. This leaves it up to the operator at what stage of the process it should be used.

Recommendation: No change.

Condition 6.17.6

The applicant objects to the condition that biowaste when it is delivered to the facility should be processed within 12 hours of arrival and suggest that a more realistic time frame might be 24 hours. They state that this condition is impractical and give an example where material if delivered at 2030 on a given day then this material would have to be processed before the cessation of operations at 2200. They are cognisant of the fact that it can be odourous but argue that Condition 6.15 will be sufficient to ensure that odour generation within the reception building is minimised especially with the maintaining of negative air pressure within the building and the installation of fast action doors.

Technical Committee's Evaluation:

The applicant's objection is reasonable. The TC are of the opinion that a 24 hr timeframe would be more realistic in this regard. This is also in line with the DAF guidelines regarding this issue.

Recommendation: Replace the existing condition 6.17.6:

Any biowaste accepted at the facility for composting (other than bulking agents, e.g. woodchip, cardboard) shall be processed and put into the aerated composting area within

twelve hours of its arrival at the facility.

with the following condition:

Any biowaste accepted at the facility for composting (other than bulking agents, e.g. woodchip, cardboard) shall be processed and put into the aerated composting area within **twenty-four** hours of its arrival at the facility.

Condition 6.17.8

The applicant objects to the requirement for daily monitoring of moisture content and argue that the deviation in moisture content in any and/or all stages of the composting process is insignificant from a day to day basis. They also request clarification of the term 'material' as they are of the opinion that there are several types of material used throughout the composting process.

Technical Committee's Evaluation:

The condition is necessary to ensure that there is adequate moisture present to ensure that the composting process is not limited in any way. Again this is a standard condition for composting facilities. The material to be tested would be the biodegradable organic material that is taken in to be composted, after mixing with bulking agents. This matter can be agreed with the OEE in any case.

Recommendation: No change.

Condition 6.19

The applicant makes the claim that they cannot facilitate housing the shredder at the facility at present but intend that future development will accommodate the shredding of waste indoors. They also state that the shredder is only used to shred green waste 8 hours in a 4-6 week timeframe and that its impact on the environment is minimal at present.

Technical Committee's Evaluation:

The applicant's objection is noted. We are of the opinion if it is only periodically used it should not impinge on the local environment and therefore its impact would be considered low. We also note that the applicant plans to house the shredder at some future date.

Recommendation: Replace the existing condition 6.19:

The green waste shredder shall be located indoor and shall only be operated indoors between the hours of 08:00 and 18:00.

with the following condition:

The green waste shredder shall be operated only between the hours of 08:00 and 18:00. Unless otherwise agreed in writing with the Agency **the shredder is to be housed and operated indoors by 1 January 2009.**

[Empty Box]

Condition 10.1

The applicant states that this is a very unduly harsh condition and gives examples where such facilities might have to stop composting then re-start after a period of 6 months, examples include re-development of a facility, an animal disease outbreak causing all national composting facilities to cease. They suggest alternative wording as follows: “Following termination, or planned cessation for a period greater than six months or other time agreed with the Agency”.

Technical Committee’s Evaluation:

The term ‘render safe’ in the condition is to allow for the very circumstance identified by the applicant. This would include putting the facility into care and maintenance mode during prolonged shut-down so-as to ensure no environmental risk associated with dormant plant, equipment etc., during this period (e.g. machine oils, chemical storage, etc.). The condition as worded addresses the applicants concerns.

Recommendation: No change.

Schedule C.3

There is no Schedule C.3 as part of this License.

Technical Committee’s Evaluation:

We are in agreement. This is a typographical error.

Recommendation: The following re-labelling changes be made to Schedule C:

- C.3 Waste Monitoring
- C.4 Noise monitoring
- C.5 Ambient monitoring

Schedule C.4

The applicant requests clarification from the Agency as to what constitutes ‘Trade Effluent’ in this instance and more specifically how it relates to this facility.

Technical Committee’s Evaluation:

Trade effluent is defined in the Local Government (Water pollution) Acts,1977-1990 in the following manner:

‘means effluent from any works, apparatus, plant or drainage pipe used for the disposal to waters or to a sewer of any liquid (whether treated or untreated), either with or without particles of matter in suspension therein, which is discharged from

premises used for carrying on any trade or industry (including mining), but does not include domestic sewage or storm water’.

This term is defined in the Glossary of Terms in the PD.

The management of trade effluent emanating from this facility is clearly dealt with under Condition 5.4 above.

Recommendation: No change.

Schedule F-Compost Quality Maturity

The applicant considers that some of the requirements of Schedule F are inflexible and unreasonable and cite a number of examples where this schedule may cause the applicant to commit a criminal offence if the requirements are breached.

They also raise concerns pertaining to the curing of compost and suggest that a six month retention period is deleted and any compost that fails to meet the required parameters is either re-composted or disposed of off-site to a relevant facility.

Technical Committee’s Evaluation:

This is a standard condition in all composting licenses, and is necessary to ensure that a good quality compost is produced. We suggest that the spirit of this schedule is not intended to be used to prosecute operators who do not meet the standards outlined in the schedule but to enable them to produce a quality product. We also believe there is enough scope in the Schedule as there are three maturity tests and it only has to meet 2 out of the 3 to pass the maturity tests. Also, there is nothing to stop an operator re-composting material if they so desire.

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 determination and
- (ii) subject to the conditions and reasons for same in the Proposed Determination,
and
- (iii) subject to the amendments proposed in this report.

Signed

Dr Tom McLoughlin

for and on behalf of the Technical Committee