

Obj (15). Applicant



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17<sup>th</sup> December 2007

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Environmental Protection Agency  
Office of Climate, Licensing and Resource Use  
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Co Wexford

Re: Proposed Decision for waste Licence Register No. W0232-01

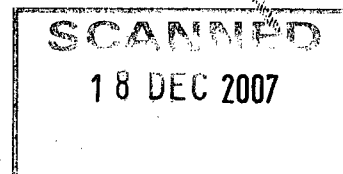
A Chara,

Dublin City Council, on behalf of the four Dublin Local Authorities wishes to seek clarification to certain conditions of the Proposed Decision for Waste Licence Register No. W0232-01 issued by the Environmental Protection Agency on 21<sup>st</sup> of November 2007. Dublin City Council is seeking clarification on these conditions by way of an objection to the Proposed Decision in accordance with Section 42 of the Waste Management Act, 1996 to 2007.

Please see attached for the requested clarifications.

Mise le Meas,

Matt Twomey  
Assistant City Manager,  
Dublin City Council



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## Objection to Waste Licence Proposed Decision W0232-01 under Section 42 of the Waste Management Act, 1996 to 2007.

December 2007

### GROUNDS FOR OBJECTION

Dublin City Council, on behalf of the four Dublin Local Authorities seeks the following clarifications to certain conditions of the Proposed Decision for Waste Licence Register No. W0232-01 issued by the Environmental Protection Agency on 21<sup>st</sup> of November 2007. These clarifications are made by way of an objection to the Proposed Decision in accordance with Section 42 of the Waste Management Act, 1996 to 2007.

The specific clarifications are set out in the following sections.

#### Condition 1.1

With regard to Condition 1.1 of the Proposed Decision, it is requested that the Agency considers adding the following statement to the current condition:

*"The conditions of this licence shall be interpreted in accordance with Council Directive 2000/76 in the event that additional clarification is required"*

Inclusion of this statement in the condition will ensure that, in the event of any uncertainty, Council Directive 2000/76 shall be deemed to be the basis of the licence conditions.

#### Condition 2.1.1

With regard to Condition 2.1.1 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

*"The licensee shall employ a suitably qualified and experienced (minimum 10 years in incinerator operation) facility manager who shall be designated as the person on charge. The facility manager or a nominated, suitably qualified and experienced deputy (minimum 5 years incinerator experience) shall be present on the facility at all times during its operation or as otherwise required by the Agency."*

The majority of facility operations at a waste-to-energy facility, such as the combustion and air pollution control processes, are common to those used at power plants. Substantial experience has demonstrated that individuals with power plant experience have become qualified waste-to-energy facility managers and/or deputy managers when special training on incinerator operations is provided prior to assuming the position of facility manager or deputy manager. It is requested that the Agency considers amending this condition to reflect this and allow the condition to read:

"The licensee shall employ a suitably qualified and experienced (minimum 10 years in incinerator or power plant operation) facility manager who shall be designated as the person on charge. The facility manager or a nominated, suitably qualified and experienced deputy (minimum 5 years incinerator or power plant experience) shall be present on the facility at all times during its operation or as otherwise required by the Agency."

### Condition 3.5.3

With regard to Condition 3.5.3 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

"Drainage from these areas shall be directed to a storage tank and used as process water in the incineration plant."

The reason for the requested amendment is that both the quantity and quality of waste water is unpredictable with the quality being difficult to manage due to high suspended solids. A simple and effective environmentally sound disposal practice would be to dispose of this waste water by mixing it with waste in the bunker.

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

"Drainage from these areas shall be directed to either the waste bunker or a storage tank where it may be used as process water in the incineration plant."

### Condition 3.9(b)

With regard to Condition 3.9(b) of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

fly ash/flue gas cleaning ash/hazardous boiler ash: 700m<sup>3</sup>

The solid residues formed during cleanup of HCl and SO<sub>2</sub> falls outside the conventional definition of ash and it is used elsewhere in the license such as Condition 8.10.

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

fly ash/flue gas cleaning residues/hazardous boiler ash: 700m<sup>3</sup>

### Condition 3.15.2

With regard to Condition 3.15.2 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

*Waste may be removed from the facility only between the hours of 0800 to 1830 Monday to Friday inclusive and 0800 to 1400 on Saturdays.*

To clarify it appears that this condition relates solely to the management and export of wastes from the proposed facility. This condition should therefore not apply to the management of residues.

The shipping of incinerator residue materials from the Poolbeg Peninsula will not involve the use of local roads and should not be subject to the stated limitations. The ship schedule and loading operations are not finalized and will most likely be different for bottom ash and flue gas treatment residue. A limitation on when incinerator residue can be removed from the facility could result in an operating burden and logistical difficulties without a net benefit

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

*Waste may be removed from the facility only between the hours of 0800 to 1830 Monday to Friday inclusive and 0800 to 1400 on Saturdays. **Incinerator residues which are transported by ship from Poolbeg peninsula are not subject to this provision and may be removed at all times.***

#### **Condition 3.19**

With regard to Condition 3.19 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

*"In the case of abnormal operating conditions the licensee shall, as soon as practicable,*

- (a) shut down incineration plant operations; and*
- (b) shut down process lines*

*The licensee shall not resume incinerator operations without agreement of the Agency."*

The reason for a clarification is that the condition as written would shutdown both process units, thus unnecessarily shutting down a 2<sup>nd</sup> process line that may not have an abnormal operating condition. The condition would also prevent an affected process line from implementing standard operating procedures that could remedy the situation within a period of time deemed acceptable in the Directive. Incorporation of the full scope of the Council Direct 2000/76 would be beneficial to both the licensee and the Agency.

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

*"In the case of an abnormal operating condition as defined in Council Directive 2000/76, the licensee shall, as soon as practicable,*

- (a) shut down incineration plant operations if the abnormal operating condition adversely affects both process lines; or
- (b) shut down the process line with the abnormal operating condition

The licensee shall not resume incinerator operations without agreement of the Agency."

**Condition 8.2.3 (a)**

With regard to Condition 8.2.3 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

*"Waste inspection at the point of entry to the facility and waste characterization and waste profiling from known customers or new customers accepted at the materials recovery facility and incineration plant"*

The reference to a materials recovery facility is unnecessary because the facility does not include this operation.

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

*"Waste inspection at the point of entry to the facility and waste characterization and waste profiling from known customers or new customers accepted at the incineration plant"*

**Condition 9.4.1.**

With regard to Condition 9.4.1 of the Proposed Decision, it is requested that the Agency considers amending the wording of the condition which reads:

*"In the event of a complete breakdown of equipment or any other occurrence which results in the shutdown of the incineration plant or process line, any waste:*

- (a) arriving at the facility shall be transferred directly to an appropriate facility;
- (b) stored or awaiting processing at the facility shall, subject to the agreement of the Agency, be transferred to an appropriate facility within three days of the shutdown."

The condition could unnecessarily result in wastes being directed to landfill. The waste storage bunker has a storage capacity of seven days to ensure that there is adequate waste available for operation of the facility in the event of any interrupted deliveries. If for any reason one of the units were to be off-line, wastes can continue to be delivered to the facility until such time as the unit is brought back on-line, assuming there is still capacity in the waste storage bunker. The proposed amendment allows for the waste to be stored at the facility or directed to another appropriate facility if necessary.

In the event of an extended shut down of the entire plant, it is considered that the proposed three-day period is unduly restrictive and may cause operational and logistical difficulties and may also

have an adverse environmental effect given the truck traffic that might be generated by a requirement to transport the waste within the three day period.

The proposed requirement to empty the bunker and transport the waste within three days may give rise to unnecessary environmental risks. It is considered that the seven day bunker storage capacity is appropriate for handling planned and unplanned shutdowns of one or both process lines. It is therefore suggested that the seven-day capacity should be used as the base-line period for the purposes of this draft condition

It is requested that the Agency considers amending this condition to reflect this and allow the condition to read;

*"In the event of a complete breakdown of equipment or any other occurrence which results in the shutdown of the incineration plant, any waste:*

- (a) arriving at the facility shall be transferred directly to an appropriate facility;*
- (b) stored or awaiting processing at the facility shall, subject to the agreement of the Agency, be transferred to an appropriate facility within **seven days** of the shutdown."*

#### **Clarification to EPA Inspector's Report**

The Inspectors Report dated June 21, 2007, Section 4.1, 1<sup>st</sup> Paragraph refers to an internal stack diameter of 3.4m however the internal diameter of both stacks is 2.4m which has been documented in the EIS. When using AERMOD, the two stacks were modeled separately with diameters of 2.4m each. However, when using SCREEN3 (for shoreline fumigation) the model is only capable of modeling a single stack. Thus, the two stacks were combined into one combined stack of effective diameter 3.4m.

For clarification, the correct internal diameter for each stack is 2.4 m. No amendment to the draft licence is required in relation to this clarification.

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