

Headquarters  
P.O. Box 3000  
Johnstown Castle Estate  
County Wexford  
Ireland

**WASTE LICENCE  
Proposed Decision**

<b>Licence Register Number:</b>	W0239-01
<b>Applicant:</b>	Tonge Industries Limited
<b>Location of Facility:</b>	Unit 7, First Avenue Cookstown Industrial Estate Tallaght Dublin 24



## Waste Management Acts, 1996 to 2007

### NOTIFICATION OF A PROPOSED DECISION ON AN APPLICATION FOR A WASTE LICENCE IN ACCORDANCE WITH SECTION 42(2) OF THE WASTE MANAGEMENT ACTS, 1996 TO 2007

In pursuance of the powers conferred on it by the above mentioned Acts, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Acts, to determine the following waste licence application:

**Waste Licence Register No:** W0239-01  
**Applicant:** Tonge Industries Limited, Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24.  
**Facility:** Tonge Industries Limited, Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24.

The application was submitted by the applicant on 1<sup>st</sup> October 2007.

**Proposed Decision:** It is proposed, for the reasons hereinafter set out, to grant a waste licence to the above named applicant to carry on the following activities at the above named facility, subject to twelve Conditions:

*Licensed waste recovery activities in accordance with the Fourth Schedule  
of the Waste Management Acts, 1996 to 2007:*

- Class 3. Recycling or reclamation of metals and metal compounds. **[Principal]**
- Class 8. Oil re-refining or other re-uses of oil.

**Proposed Licence:** A copy of the proposed licence, including the reasons for the proposed decision, the proposed (twelve) Conditions and the reasons therefor and associated schedules attached thereto accompanies this notification. A copy of the proposed licence may also be obtained from the Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

#### OBJECTIONS & ORAL HEARINGS

Any person may object to the proposed decision, in accordance with Section 42 of the Waste Management Acts, 1996 to 2007, at any time no later than **15th May 2008**. A person making an objection may also request an oral hearing of the objection, in accordance with Section 42 of the Acts, at any time no later than the date specified above. It is important to note that any objection to a proposed decision/request for an oral hearing must be **received by the Agency before the appropriate period expires**.

An objection/request for an oral hearing must be made either by sending the objection or request by prepaid post to the Agency, or by leaving the objection or request with an employee of the Agency at the principal offices of the Agency in Wexford during office hours, i.e. 9.00 a.m. to 5.00 p.m. Monday to Friday.

An objection against the proposed decision must state in full the grounds of the objection. An objection and a request for an oral hearing of an objection must each be accompanied by the appropriate fee and also comply with the other statutory requirements set out in the Waste Management Acts, 1996 to 2007 and the Waste Management (Licensing) Regulations, S.I. No. 395 of 2004. Extracts from the Acts and the Regulations accompany this notification. For the purposes of making an objection and/or a request for an oral hearing, the address of the principal office of the Agency is **P.O. Box 3000, Johnstown Castle Estate, County Wexford**.

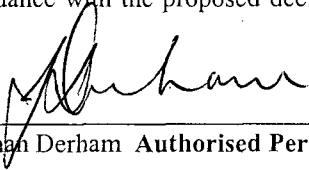


In the event that;

- (a) no objection is taken against the proposed decision or
- (b) an objection or objections is or are taken against the proposed decision and the objection or objections is or are withdrawn,

the decision of the Agency will be in accordance with the proposed decision and will be issued as soon as may be after the appropriate period expires.

Signed on behalf of the Agency:  
on the 18<sup>th</sup> Day of April, 2008

  
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Dr Jonathan Derham **Authorised Person**

**re: Proposed Decisions of the Environmental Protection Agency in respect of Waste Licence applications**

**Fees for the making of Objections and Oral Hearing requests**

**Fees for making an Objection:**

- Article 42 (1) A fee shall be paid to the Agency in respect of the making of an objection.
- (2) Subject to sub-article (3), the fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the appropriate mention of objection in column (2) of the said Part of the Schedule.
- (3) Where an objection is made to the Agency by -
- (a) A local authority,
  - (b) A planning authority,
  - (c) A sanitary authority,
  - (d) The Central Fisheries Board,
  - (e) An Taisce - The National Trust for Ireland,
  - (f) Failte Ireland,
  - (g) In the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Limited, that Company,
- a reduced fee shall be payable in respect of the said objection, in accordance with sub-article (2).

**Fees for making a request for an Oral Hearing** (payable *in addition to* the fee payable for making the associated objection)

- Article 44 (1) A fee shall be paid to the Agency in respect of a request for an oral hearing of an objection. (See table of fees below).
- (1) The fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the mention of a request for an oral hearing in column (2) of the said Part of the Schedule.

**Table of Fees for Objections and Requests for Oral Hearings**

(1)	(2)	(3) Amount of fee (€)
Article 42	Objection by the applicant or licensee	€500
	Objection by an authority or body mentioned in Article 42(3)	€100
	Objection by any other person	€200
Article 44	Request for an oral hearing	€100

**Making an Objection and requesting an Oral Hearing of an objection on a Proposed Decision of the  
Environmental Protection Agency on a Waste Licence Application.**

**Extracts from the relevant sections of the Waste Management Acts, 1996 to 2007.**

*Section*

- 42(2) Before making a decision under *Section 40* in respect of an application made to it for the grant of a waste licence, or under *Section 46(2)* in consequence of a review of a waste licence that has been conducted by it under that section, the Agency shall give notice in writing to—
- (a) the applicant or the holder of the licence, as the case may be,
  - (b) any person who has made a written submission to it in relation to the application or the review, in accordance with regulations under this Part,
  - (c) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on, and
  - (d) such other persons as may be prescribed,
- of the decision it proposes to make in respect of the application or in consequence of the review and, where the decision so notified is a decision to grant a waste licence or a revised waste licence, shall specify where a copy of the proposed licence or revised licence may be obtained.
- 42(3) Any person may, subject to compliance with the requirements of any regulations under *Sections 45* and *50*, and at any time before the expiration of the appropriate period, make an objection to the Agency in relation to a decision referred to in *subsection (2)* that it proposes to make.
- 42(4) An objection shall—
- (a) be made in writing,
  - (b) state the name and address of the objector,
  - (c) state the subject matter of the objection,
  - (d) state in full the grounds of objection and the reasons, considerations and arguments on which they are based, and
  - (e) be accompanied by such fee (if any) as may be payable in respect of the making of such objection in accordance with regulations under *Section 50*.
- 42(5) (a) An objection which does not comply with the requirements of *subsection (4)* shall be invalid.  
(b) The requirement of *subsection (4) (d)* shall apply whether or not the objector requests, or proposes to request, under *subsection (9)* an oral hearing of the objection.
- 42(6) An objection shall be accompanied by such documents, particulars, or other information relating to the objection as the objector considers necessary or appropriate.
- 42(7) Without prejudice to the provisions of any regulations under *Section 45*, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds of objection stated in the objection, and any such elaboration, submissions or further grounds of objection that is or are received by the Agency shall not be considered by it.
- 42(8) Any documents, particulars or other information submitted by an objector, other than such documents, particulars or other information which accompanied the objection or which were furnished to the Agency under and in accordance with a requirement of, or made pursuant to, regulations under *Section 45*, shall not be considered by the Agency.
- 42(9) (a) A person making an objection under *subsection (3)* may request an oral hearing of the objection.  
(b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under *Section 50*.

(ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.

(c) A request for an oral hearing of an objection shall be made within the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.

42(10) An objection, or a request for an oral hearing under subsection (9), shall be made—

(a) by sending the objection or request by prepaid post to the Agency, or

(b) by leaving the objection or request with an employee of the Agency, at the principal office of the Agency, during office hours, or

(c) by such other means as may be prescribed.

42(11) (a) Where a request for an oral hearing of an objection is made in accordance with *subsection (9)*, or otherwise where an objection has been made, the Agency shall have an absolute discretion to hold an oral hearing in relation to the objection and, if it decides to hold such a hearing, it shall give notice in writing of that decision to—

(i) the applicant or the holder of the licence, as the case may be,

(ii) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on,

(iii) any person who requested an oral hearing, and

(iv) such other person as may be prescribed.

(b) Where the Agency decides not to hold an oral hearing under this subsection, it shall give notice in writing of its decision to the person who requested the oral hearing.

42(12) In this section “the appropriate period” means the period of 28 days beginning on the day on which notification is sent under subsection (2) in respect of the matter concerned.

42A ***Calculation of appropriate period and other time limits over holidays***

When calculating the appropriate period (within the meaning of Section 42) or any other time limit under this Act or in any regulations made under this Act, the period between the 24<sup>th</sup> day of December and the 1<sup>st</sup> day of January, both days inclusive, shall be disregarded.

43(1) (a) Where

(i) no objection is made in accordance with Section 42(3) to the Agency in relation to a decision that it proposes to make in respect of an application made to it for the grant of a waste licence or in consequence of a review conducted by it of a waste licence, or

(ii) any objection or objections that has or have been so made to it in relation thereto is or are withdrawn,

the decision of the Agency in relation to that application or in consequence of the review shall be that as notified by it under Section 42(2).

(b) Where the decision of the Agency is to grant a waste licence or a revised waste licence, such a licence shall be granted by it as soon as may be after the making of the decision.

## ***INTRODUCTION***

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

Tonge Industries Limited (TIL) has applied for a waste licence for its transformer recovery facility at Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24. TIL has been recycling and decommissioning ESB transformers since the 1960s. TIL has been operating at this site since May 2000.

Transformers are delivered to TIL by the ESB. They are inspected and segregated into those for repair and those for decommissioning. Transformers for decommissioning are cut open and dismantled. The insulating oil is sucked to a 13,000 litre holding tank. The oil and metals are sent off-site for recovery at licensed facilities. There are no emissions from the process.

The licence sets out in detail the conditions under which Tonge Industries Limited will operate and manage this facility.

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## *Glossary of Terms*

All terms in this licence should be interpreted in accordance with the definitions in the Waste Management Acts 1996 to 2007, unless otherwise defined in the section.

<b>Adequate lighting</b>	20 lux measured at ground level.
<b>AER</b>	Annual Environmental Report.
<b>Agreement</b>	Agreement in writing.
<b>Annually</b>	At approximately twelve-monthly intervals.
<b>Application</b>	The application by the licensee for this licence.
<b>Appropriate Facility</b>	A waste management facility, duly authorised under relevant law and technically suitable.
<b>Attachment</b>	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
<b>BAT</b>	Best Available Techniques.
<b>Biannually</b>	At approximately six – monthly intervals.
<b>Biennially</b>	Once every two years.
<b>CEN</b>	Comité Européen De Normalisation – European Committee for Standardisation.
<b>COD</b>	Chemical Oxygen Demand.
<b>Containment boom</b>	A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
<b>Daily</b>	During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
<b>Day</b>	Any 24 hour period.
<b>Daytime</b>	0800 hrs to 2200 hrs.
<b>dB(A)</b>	Decibels (A weighted).
<b>Documentation</b>	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.

<b>Drawing</b>	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
<b>EMP</b>	Environmental Management Programme.
<b>Emission limits</b>	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> of this licence.
<b>Environmental damage</b>	As defined in Directive 2004/35/EC.
<b>EPA</b>	Environmental Protection Agency.
<b>European Waste Catalogue (EWC)</b>	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2000/532/EC and any subsequent amendment published in the Official Journal of the European Community.
<b>Facility</b>	Any site or premises used for the purpose of the recovery or disposal of waste.
<b>Fortnightly</b>	A minimum of 24 times per year, at approximately two week intervals.
<b>Hours of operation</b>	The hours during which the facility is authorised to be operational.
<b>Hours of waste acceptance</b>	The hours during which the facility is authorised to accept waste.
<b>Incident</b>	The following shall constitute as incident for the purposes of this licence: <ul style="list-style-type: none"><li>(i) an emergency;</li><li>(ii) any emission which does not comply with the requirements of this licence;</li><li>(iii) any exceedance of the daily duty capacity of the waste handling equipment;</li><li>(iv) any trigger level specified in this licence which is attained or exceeded; and,</li><li>(v) any indication that environmental pollution has, or may have, taken place.</li></ul>
<b>Industrial waste</b>	As defined in Section 5(1) of the Waste Management Acts 1996 to 2007.
<b>L<sub>eq</sub></b>	Equivalent continuous sound level.
<b>Licensee</b>	Tonge Industries Limited, Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24.
<b>Liquid waste</b>	Any waste in liquid form and containing less than 2% dry matter.

<b>Local Authority</b>	South Dublin County Council.
<b>Maintain</b>	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to adequately perform its function.
<b>Monthly</b>	A minimum of 12 times per year, at intervals of approximately one month.
<b>Night-time</b>	2200 hrs to 0800 hrs.
<b>Noise-sensitive location (NSL)</b>	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
<b>Oil separator</b>	Device installed according to the International Standard I.S. EN 858-2:2003 (Separator system for light liquids, (e.g. oil and petrol) – Part 2: Selection of normal size, installation, operation and maintenance).
<b>PRTR</b>	Pollutant Release and Transfer Register.
<b>Quarterly</b>	At approximately three – monthly intervals.
<b>Regional Fisheries Board</b>	Eastern Regional Fisheries Board.
<b>Sample(s)</b>	Unless the context of this licence indicates to the contrary, samples shall include measurements by electronic instruments.
<b>Sanitary effluent</b>	Wastewater from facility toilet, washroom and canteen facilities.
<b>SOP</b>	Standard operating procedure.
<b>Specified emissions</b>	Those emissions listed in <i>Schedule B: Emission Limits</i> of this licence.
<b>Standard method</b>	A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent) or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of “Standard Methods for the Examination of Water and Wastewater” (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or, an alternative method as may be agreed by the Agency.
<b>Storm water</b>	Rain water run-off from roof and non-process areas.
<b>Temporary storage</b>	In relation to waste is a period of less than six months as defined in the Waste Management Acts 1996 to 2007.

<b>The Agency</b>	Environmental Protection Agency.
<b>Trade effluent</b>	Trade effluent has the meaning given in the Water Services Act 2007.
<b>Water Services Authority</b>	South Dublin County Council.
<b>Weekly</b>	During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.

## ***Decision & Reasons for the Decision***

The Environmental Protection Agency is satisfied, on the basis of the information available, that, subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2007.

In reaching this decision the Environmental Protection Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

### ***Part I Schedule of Activities Licensed***

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2007, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Acts, to grant this Waste Licence to Tonge Industries Limited, Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24, to carry on the waste activities listed below, at Unit 7, First Avenue, Cookstown Industrial Estate, Tallaght, Dublin 24, subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence.

#### **Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Acts 1996 to 2007**

Class 3.	Recycling or reclamation of metals and metal compounds. <b>[Principal]</b>
Class 8.	Oil re-refining or other re-uses of oil.

### ***Part II Schedule of Activities Refused***

None of the proposed activities as set out in the licence application have been refused.

## ***Part III Conditions***

### **Condition 1. Scope**

- 1.1 Waste activities at this facility shall be restricted to those listed and described in *Part I Schedule of Activities Licensed*, and shall be as set out in the licence application or as modified under Condition 1.4 of this licence and subject to the conditions of this licence.
- 1.2 Activities at this facility shall be limited as set out in *Schedule A: Limitations* of this licence.
- 1.3 For the purposes of this licence, the facility is the area of land outlined in red on "Map 1 – Site Boundary" of the application. Any reference in this licence to "facility" shall mean the area thus outlined in red. The licensed activities shall be carried on only within the area outlined.
- 1.4 No alteration to, or reconstruction in respect of, the activity, or any part thereof, which would, or is likely to, result in
- (i) a material change or increase in:
    - The nature or quantity of any emission
    - The abatement/treatment or recovery systems
    - The range of processes to be carried out
    - The fuels, raw materials, intermediates, products or wastes generated, or
  - (ii) any changes in:
    - Site management, infrastructure or control with adverse environmental significance;
- shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.
- 1.5 The facility shall be controlled, operated and maintained and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.6 This licence is for purposes of waste licensing under the Waste Management Acts 1996 to 2007 only and nothing in this licence shall be construed as negating the licensee's statutory obligations, or requirements under any other enactments or regulations.

*Reason: To clarify the scope of this licence.*

### **Condition 2. Management of the Facility**

- 2.1 Facility Management
- 2.1.1 The licensee shall employ a suitable qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced deputy shall be present on the facility at all times during its operation or as otherwise required by the Agency.
- 2.1.2 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence.

2.2 Environmental Management System (EMS)

2.2.1 The licensee shall establish and maintain an Environmental Management System (EMS). The EMS shall be updated on an annual basis.

2.2.2 The EMS shall include, as a minimum, the following elements:

2.2.2.1 Management and Reporting Structure.

2.2.2.2 Schedule of Environmental Objectives and Targets

The licensee shall prepare and maintain a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, including an evaluation of practicable options for energy and resource efficiency, the use of cleaner technology, cleaner production, and the prevention, reduction and minimisation of waste and shall include waste reduction targets. The schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The schedule shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

2.2.2.3 Environmental Management Programme (EMP)

The licensee shall, not later than six months from the date of grant of this licence, submit to the Agency for agreement an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.2. Once agreed, the EMP shall be established and maintained by the licensee. It shall include:

- designation of responsibility for targets;
- the means by which they may be achieved;
- the time within which they may be achieved.

The EMP shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.4 Documentation

(i) The licensee shall establish and maintain an environmental management documentation system which shall be to the satisfaction of the Agency.

(ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.5 Corrective Action

The licensee shall establish and maintain procedures to ensure that corrective action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined.

#### 2.2.2.6 Awareness and Training

The licensee shall establish and maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment. Appropriate records of training shall be maintained.

#### 2.2.2.7 Communications Programme

The licensee shall establish and maintain a Public Awareness and Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility.

#### 2.2.2.8 Maintenance Programme

The licensee shall establish and maintain a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1 above).

#### 2.2.2.9 Efficient Process Control

The licensee shall establish and maintain a programme to ensure there is adequate control of processes under all modes of operation. The programme shall identify the key indicator parameters for process control performance, as well as identifying methods for measuring and controlling these parameters. Abnormal process operating conditions shall be documented, and analysed to identify any necessary corrective action.

*Reason: To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.*

### Condition 3. Infrastructure and Operation

- 3.1 The licensee shall establish and maintain, for each component of the facility, all infrastructure referred to in this licence or as required by the conditions of this licence. Infrastructure specified in the application which relates to the environmental performance of the installation and is not specified in the licence, shall be installed in accordance with the schedule submitted in the application.
- 3.2 Facility Notice Board
- 3.2.1 The licensee shall, within four months of the date of grant of this licence, provide a Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions on the board shall be 1200 mm by 750 mm. The notice board shall be maintained thereafter.



- 3.2.2 The board shall clearly show:
- (i) the name and telephone number of the facility;
  - (ii) the normal hours of operation;
  - (iii) the name of the licence holder;
  - (iv) an emergency out of hours contact telephone number;
  - (v) the licence reference number; and
  - (vi) where environmental information relating to the facility can be obtained.
- 3.3 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.
- 3.4 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.
- 3.5 Tank, Container and Drum Storage Areas
- 3.5.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).
- 3.5.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
- (i) 110% of the capacity of the largest tank or drum within the bunded area; or
  - (ii) 25% of the total volume of substance which could be stored within the bunded area.
- 3.5.3 All drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal.
- 3.5.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 3.5.5 The licensee shall, within one month of the date of grant of this licence, install a lock on the valve on the oil-tank bund.
- 3.5.6 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 3.6 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used, the absorbent material shall be disposed of at an appropriate facility.
- 3.7 The licensee shall maintain an oil separator at the facility to ensure that all storm water discharges from the facility pass through an oil separator in advance of discharge. The separator shall be a full retention separator and shall be in accordance with I.S. EN-858-2: 2008 (separator systems for light liquids).
- 3.8 Fire-water Retention
- 3.8.1 The licensee shall carry out a risk assessment to determine if the activity should have a fire-water retention facility. The licensee shall submit the assessment and a report to the Agency on the findings and recommendations of the assessment within six months of the date of grant of this licence.

- 3.8.2 In the event that a significant risk exists for the release of contaminated fire-water, the licensee shall, based on the findings of the risk assessment, prepare and implement, with the agreement of the Agency, a suitable risk management programme. The risk management programme shall be fully implemented within three months of date of notification by the Agency.
- 3.8.3 The licensee shall have regard to the Environmental Protection Agency Draft Guidance Note to Industry on the Requirements for Fire-Water Retention Facilities when implementing Conditions 3.8.1 and 3.8.2 above.
- 3.9 All pumps sumps and storage tanks from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separators, shall be fitted with high liquid level alarms (or oil detectors as appropriate) within six months from the date of grant of this licence.
- 3.10 The provision of a catchment system to collect any leaks from flanges and valves of all over-ground pipes used to transport material other than water shall be examined. This shall be incorporated into a Schedule of Environmental Objectives and Targets set out in Condition 2.2.2.2 of this licence for the reduction in fugitive emissions.
- 3.11 The licensee shall, within three months of the date of grant of this licence, install in a prominent location on the site a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.

*Reason: To provide for appropriate operation of the facility to ensure protection of the environment.*

## Condition 4. Interpretation

- 4.1 Noise from the facility shall not give rise to sound pressure levels (Leq, T) measured at the NSLs of the facility which exceed the limit value(s).

*Reason: To clarify the interpretation of limit values fixed under the licence.*

## Condition 5. Emissions

- 5.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this licence. There shall be no other emissions of environmental significance.
- 5.2 No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary.

*Reason: To provide for the protection of the environment by way of control and limitation of emissions.*

## Condition 6. Control and Monitoring

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring* of this licence:
- 6.1.1 Analysis shall be undertaken by competent staff in accordance with documented operating procedures.
- 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics determined.
- 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
- 6.1.4 Where analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the Schedules to this licence, and
- (iii) any reference measurements for the calibration of automated measurement systems,
- shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards which will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.3 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission/discharge or ambient conditions.
- 6.4 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 6.5 The licensee shall prepare a programme, to the satisfaction of the Agency, for the identification and reduction of fugitive emissions using an appropriate combination of best available techniques. This programme shall be included in the Environmental Management Programme.
- 6.6 The integrity and water tightness of all underground pipes, tanks, bunding structures and containers and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee within six months of the date of grant of this licence. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 6.7 Drainage system gullies and manholes, bunds and oil separators shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal.
- 6.8 An inspection for leaks on all flanges and valves on over-ground pipes used to transport materials other than water shall be carried out weekly. A log of such inspections shall be maintained.

- 6.9 Storm Water  
A visual examination of the storm water discharges shall be carried out weekly. A log of such inspections shall be maintained.
- 6.10 Noise  
The licensee shall carry out a noise survey of the site operations annually. The survey programme shall be undertaken in accordance with the methodology specified in the 'Environmental Noise Survey Guidance Document' as published by the Agency.
- 6.11 Pollutant Release and Transfer Register (PRTR)  
The licence shall prepare and report a PRTR for the site. The substances and/or waste to be included in the PRTR shall be agreed by the Agency each year by reference to EC Regulations No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.
- 6.12 The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the environment monitoring data generated as a result of this licence.

*Reason: To provide for the protection of the environment by way of treatment and monitoring of emission.*

## Condition 7. Energy Efficiency

- 7.1 The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall be carried out in accordance with the guidance published by the Agency, "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency.
- 7.2 The audit shall identify all practicable opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.

*Reason: To provide for the efficient use of resources and energy in all site operations.*

## Condition 8. Materials Handling

- 8.1 All waste processing shall be carried out inside the facility building.
- 8.2 Waste Acceptance and Characterisation Procedures
- 8.2.1 Waste shall only be accepted at the facility from holders of waste collection permits, unless exempted or excluded, issued under the Waste Management Acts, 1996 to 2007. Copies of these waste collection permits must be maintained at the facility.

- 8.2.2 Within six months of the date of grant of this licence, the licensee shall establish and maintain detailed written procedures for the acceptance and handling of wastes.
- 8.2.3 Waste shall be accepted at the facility only from known customers or new customers subject to initial waste profiling and waste characterisation off-site. The written records of this off-site profiling and characterisation shall be retained by the licensee for all active customers and for a two-year period following termination of licensee-customer agreements.
- 8.3 Recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.
- 8.4 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. Waste (including hazardous waste) for recovery or disposal shall be transferred to an appropriately authorised facility. The waste shall be transported from the site of the activity to the site of recovery/disposal only in a manner that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.5 The licensee shall ensure that, in advance of transfer to another person, waste shall be classified, packaged and labelled in accordance with National, European and any other standards which are in force in relation to such labelling.
- 8.6 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.7 Waste shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste shall be clearly labelled and appropriately segregated.
- 8.8 No waste classified as green list waste in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended) shall be consigned for recovery without the agreement of the Agency.
- 8.9 Waste for disposal/recovery off-site shall be analysed in accordance with *Schedule C: Control & Monitoring* of this licence.
- 8.10 Unless approved in writing by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.

*Reason: To provide for the appropriate handling of material and the protection of the environment.*

## **Condition 9. Accident Prevention and Emergency Response**

- 9.1 The licensee shall, within six months of date of grant of this licence, ensure that a documented Accident Prevention Procedure is in place which addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.2 The licensee shall, within six months of date of grant of this licence, ensure that a documented Emergency Response Procedure is in place, which addresses any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.3 Incidents
- 9.3.1 In the event of an incident the licensee shall immediately:
- (i) carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
  - (ii) isolate the source of any such emission;
  - (iii) evaluate the environmental pollution, if any, caused by the incident;
  - (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
  - (v) identify the date, time and place of the incident;
  - (vi) notify the Agency and other relevant authorities.
- 9.3.2 The licensee shall provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency, to:
- (i) identify and put in place measures to avoid reoccurrence of the incident; and
  - (ii) identify and put in place any other appropriate remedial actions.

*Reason: To provide for the protection of the environment.*

## **Condition 10. Decommissioning & Residuals Management**

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution.
- 10.2 Decommissioning Management Plan
- 10.2.1 The licensee shall prepare, to the satisfaction of the Agency, a fully detailed and costed plan for the decommissioning or closure of the site or part thereof. This plan shall be submitted to the Agency for agreement within six months of the date of grant of the licence.

- 10.2.2 The plan shall be reviewed annually and proposed amendments thereto notified to the Agency for agreement as part of the AER. No amendments may be implemented without the agreement of the Agency.
- 10.2.3 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision when implementing Condition 10.2.1 above.
- 10.3 The Decommissioning Management Plan shall include, as a minimum, the following:
- (i) A scope statement for the plan.
  - (ii) The criteria that define the successful decommissioning of the activity or part thereof, which ensures minimum impact on the environment.
  - (iii) A programme to achieve the stated criteria.
  - (iv) Where relevant, a test programme to demonstrate the successful implementation of the decommissioning plan.
  - (v) Details of the costings for the plan and the financial provisions to underwrite those costs.
- 10.4 A final validation report to include a certificate of completion for the Decommissioning Management Plan, for all or part of the site as necessary, shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

*Reason: To make provision for the proper closure of the activity ensuring protection of the environment.*

## Condition 11. Notification, Records and Reports

- 11.1 The licence shall notify the Agency by both telephone and facsimile, if available, to the Agency's headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:
- (i) Any release of environmental significance to atmosphere from any potential emissions point including bypasses.
  - (ii) Any emission which does not comply with the requirements of this licence.
  - (iii) Any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control and Monitoring* of this licence, which is likely to lead to loss of control of the abatement system.
  - (iv) Any incident with the potential for environmental contamination of surface water or groundwater, or posing an environment threat to air or land, or requiring an emergency response by the Local Authority.
- The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.
- 11.2 In the event of any incident which relates to discharges to sewer having taken place, the licensee shall notify the Local and Water Services Authority as soon as practicable after such an incident.

- 11.3 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to manage the incident, minimise wastes generated and the effect on the environment, and avoid recurrence. The licensee shall, as soon as practicable following incident notification, submit to the Agency the incident record.
- 11.4 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.5 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility.
- 11.6 The licensee shall as a minimum keep the following documents at the site:
- (i) the licences relating to the facility;
  - (ii) the current EMS for the facility;
  - (iii) the previous year's AER for the facility;
  - (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility;
  - (v) relevant correspondence with the Agency;
  - (vi) up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;
  - (vii) up to date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment;
  - (viii) any elements of the licence application referenced in this licence;
- This documentation shall be available to the Agency for inspection at all reasonable times.
- 11.7 The licensee shall submit to the Agency, by the 31<sup>st</sup> March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report* of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.8 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:
- (i) The tonnages and EWC Code for the waste materials imported and/or sent off-site for disposal/recovery.
  - (ii) The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number).
  - (iii) Details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required.



- (iv) Written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site.
  - (v) Details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record.
  - (vi) Details of any rejected consignments.
  - (vii) Details of any approved waste mixing.
  - (viii) The results of any waste analyses required under *Schedule C: Control & Monitoring*, of this licence.
  - (ix) The tonnage and EWC Code for the waste materials recovered/disposed on-site.
- 11.9 The licensee shall submit report(s) as required by the conditions of this licence to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency.
- 11.10 All reports shall be certified accurate and representative by the facility manager or a nominated, suitably qualified and experienced deputy.

*Reason: To provide for the collection and reporting of adequate information on the activity.*

## Condition 12. Financial Charges and Provisions

### 12.1 Agency Charges

12.1.1 The licensee shall pay to the Agency an annual contribution of €6,150, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Acts 1996 to 2007. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Acts 1996 to 2007, and all such payments shall be made within one month of the date upon which demanded by the Agency.

12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased the licensee shall contribute such sums as determined by the Agency to defraying its costs in regard to items not covered by the said annual contribution.

### 12.2 Environmental Liabilities

12.2.1 The licensee shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.

*Reason: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

## SCHEDULE A: Limitations

### A.1 Authorised Waste Processes

The following waste related processes are authorised:

- Electrical equipment acceptance, dismantling, metal sorting, storage and transfer.
- Oil recovery from electrical equipment, storage and transfer.

No additions to these processes are permitted unless agreed in advance by the Agency.



### A.2 Waste Acceptance

**Table A.1 Waste Categories and Quantities**

Waste Type		Maximum <sup>Note 2</sup> (Tonnes Per Annum)
Non-Hazardous Wastes <sup>Note 1</sup>	Industrial <sup>Note 3</sup>	625
Hazardous Waste Total <sup>Note 4</sup>	Mineral-based non-chlorinated insulating and heat transmission oils 13 03 07*	510

**Note 1:** Any proposals to accept other compatible non-hazardous waste types must be agreed in advance by the Agency.

**Note 2:** The limitation on individual non-hazardous waste types may be varied with the agreement of the Agency subject to the total limit for non-hazardous waste staying the same.

**Note 3:** Excluding putrescible waste.

**Note 4:** Hazardous waste types as detailed, or as may otherwise be agreed in advance by the Agency.



## SCHEDULE B: Emission Limits

### B.1 Emissions to Air

There shall be no emissions to air of environmental significance.

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### B.2 Emissions to Water

There shall be no emissions to water of environmental significance.

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### B.3 Emissions to Sewer

There shall be no process effluent emissions to sewer.

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### B.4 Noise Emissions

Daytime dB(A) $L_{Aeq}$ (30 minutes)	Night-time dB(A) $L_{Aeq}$ (30 minutes)
55 <small>Note 1</small>	45 <small>Note 1</small>

**Note 1:** There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location.

## SCHEDULE C: Control & Monitoring

### *C.1.1. Control of Emissions to Air*

There shall be no emissions to air of environmental significance.



### *C.1.2. Monitoring of Emissions to Air*

There shall be no emissions to air of environmental significance.



### *C.2.1. Control of Emissions to Water*

There shall be no emissions to water of environmental significance.



### *C.2.2. Monitoring of Emissions to Water*

There shall be no emissions to water of environmental significance.



### *C.2.3. Monitoring of Storm Water Emissions*

Emission Point Reference No: SW1

Parameter	Monitoring Frequency	Analysis Method/Technique
Oils, fats and greases	Quarterly	Standard method
COD	Quarterly	Standard method
Visual Inspection	Weekly	Sample and examine for colour and odour.



### *C.3.1. Control of Emissions to Sewer*

There shall be no process effluent emissions to sewer.



***C.3.2. Monitoring of Emissions to Sewer***

There shall be no process effluent emissions to sewer.



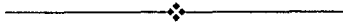
***C.4 Waste Monitoring***

No additional waste monitoring is required in this schedule.



***C.5 Noise Monitoring***

No additional noise monitoring is required in this schedule.



***C.6 Ambient Monitoring***

No ambient monitoring is required in this licence.



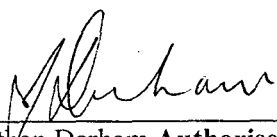
**SCHEDULE D: Annual Environmental Report**

<b>Annual Environmental Report Content</b> <sup>Note 1</sup>
Emissions from the facility.
Waste management record.
Resource consumption summary.
Complaints summary.
Schedule of Environmental Objectives and Targets.
Environmental management programme – report for previous year.
Environmental management programme – proposal for current year.
Pollutant Release and Transfer Register – report for previous year.
Pollutant Release and transfer Register – proposal for current year.
Noise monitoring report summary.
Ambient monitoring summary.
Tank and pipeline testing and inspection report.
Reported incidents summary.
Energy efficiency audit report summary.
Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information.
Review of decommissioning management plan.
Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).
Any other items specified by the Agency.

**Note 1:** Content may be revised subject to the agreement of the Agency.

Signed on behalf of the said Agency

On the 18<sup>th</sup> day of April 2008

  
Dr Jonathan Derham **Authorised Person**