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06/05/2009

W0250-01

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations

Dear Ms Glynn,

I am to refer to the above referenced application for a waste licence relating to a facility Kerry Central Recycling Facility Limited, Scart/Caherdean, Killarney, Co. Kerry. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 and Article 13 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to take the steps and supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. Classes of activity: Review Sections B.7 and H.1 of the waste licence application form and submit revised versions (with a justification for the classes chosen) as necessary having consideration of the following. An MBT plant typically produces a stabilised biowaste that is disposed of in landfill – this is not a recovery activity and so it should be classified under Schedule 3 (class 6) not Schedule 4. The principal activity of the proposed site (MBT) is not solely a biological process and so might not be class 2 of the 4th Schedule. In addition, class 2 does not cover the transfer of source separated organic waste to a composting facility. If the waste that is mechanically treated goes to landfill, or other disposal outlet, then an appropriate disposal class will be required.
2. Infrastructure: Justify the reason for not proposing to install a wheelwash.
3. Air: Submit details on the proposed combined heat and power (CHP) plant, including details of its thermal capacity, the fuel it will use, its emissions (as per Section E.1 of the waste licence application), and the impact, as necessary, of the CHP emissions on air quality (as per Section I.1 of the licence application).

4. Odour: Submit details on the odour abatement systems (operation and control) and odour emissions in accordance with Section E.1 of the licence application form. Carry out an odour dispersion model to predict odour levels at the odour sensitive receptors and confirm whether or not the proposed facility is likely to cause odour nuisance. Reference should be made to Section I.1 of the licence application form and may also be made to the Agency's publication "Odour Impacts and Odour Emission Control Measures for Intensive Agriculture", R&D Report Series No. 14.
5. Odour control: State whether it is intended that the proposed drying system will ensure the organic fines are fully biodegraded and can meet the appropriate standards for stabilised biowaste, e.g respirometry standards as set out in the EPA technical guidance document *Municipal Solid Waste – Pre-treatment and Residuals Management*, Consultation Draft (or final document if published). Explain the principles of operation of the drying system and explain how the applicant will ensure the organic fines are fully biodegraded as necessary. Submit details of the biofilter and the biofilter stack. Clarify if the odour control measures for the facility will include maintaining the building under a negative pressure. Clarify what are the plans for the segregated organic waste and place these plans in the context of the plans for the management of organic fines. In regard to taking in segregated organic waste, explain how the applicant will ensure the turn-around time will be sufficient to prevent and control odours and explain how the proposal conforms to BAT.
6. Dust: Justify the assertion that "the frequency of meteorological conditions that lead to the suspension of dust particles is low" and submit the relevant meteorological data to support the assertion. Review the estimate of dust levels taking into account the proposed biomass CHP as well as the waste processing activities and the traffic.
7. Surface water: Confirm where the emission from SW1 enters the eastern tributary. Explain why there were Lamprey assessment locations (E-C and E-S) on the Eastern tributary but not the Western tributary of the Gweestin river. Explain the hydrological impacts on the Eastern and Western tributaries due to changes in the flow regimes of streams/drains draining the proposed development. In particular explain how site drainage will affect drainage/flooding issues in the area (including the Western and Eastern tributaries and the Gweestin river). Confirm and explain how the proposed development will conform to the requirements specified by the South Western Regional Fisheries Board in its letter dated 04/04/2008 (EIS Appendix A) regarding the protection of the Gweestin river and the Western and Eastern tributaries. Complete table I.2(i) of the licence application form.
8. Storm water sewer design: Justify the use of a 1 year return period in the storm sewer design. Submit the drawing of the attenuation pond (ref. DR0004/01). Clarify if a grit interceptor will be installed at the outfall of the storm water

discharge and submit details accordingly. If a grit interceptor (recommended in the EIS) is not to be used then justify how the proposed system that includes filter drains will ensure suspended solids will be adequately controlled.

9. Process effluent: Confirm the applicant has an agreement with the relevant sanitary undertaker to dispose of process effluent at the Tralee sewage treatment works. Reference should be made to Section I.3 of the licence application form regarding the information required. Clarify how the volume of process effluent expected to be generated was determined.
10. Sanitary Effluent: Clarify what is the depth of the polishing filter to be used in the sanitary effluent treatment system and justify that it is sufficient to prevent the contamination of groundwater.
11. Noise: Complete and submit Table E.5 (i) for each source of noise emissions. Provide a full copy of the report of the noise model and amend as necessary to include a map indicating predicted noise levels at the noise sensitive locations. Clarify the contribution of the facility to noise levels regardless of any changes in traffic. Clarify what was the nearest modelled location in table 10.12 of the EIS, "Predicted noise levels from internal sources at the nearest modelled location". Submit the modelled data for noise locations N1 and N3 along with N2 as per table 10.13 and include details of the L₁₀ and L₉₀ levels for these three locations. Complete table I.6(i) of the licence application form.
12. Noise control: Justify the assertion that the acoustic properties of the MRF building will give a sound reduction of 27 dB for the entire building fabric. Submit details of proposed mitigation measures if the noise model referred to above indicates noise levels above the identified noise limits in the EIS. Confirm what operations/activities at the facility will take place indoors and what will take place outdoors. Submit details of the acoustic enclosures/screens that will be installed around the plant or equipment or near noise sensitive locations.
13. Nuisance control: Justify the assertion that bird control measures are not necessary.
14. Habitats: Clarify the fate of the mature tree line under the operational phase of the facility and what measures the applicant will introduce to ensure its protection/preservation. Clarify what impact emissions from the facility are likely to have on the Castlemaine Harbour SAC. Clarify what is meant by *creative ecological design* with regard to mitigating the loss of wildlife cover and explain what measures the applicant will introduce in this regard.

15. Fit and proper person: Submit information to demonstrate that the applicant is likely to be in a position to meet any financial commitments or liabilities as per Section L.2 of the licence application form.
16. Waste Management Plan: Confirm what is the existing and desired capacity for materials recovery facilities in the Limerick, Clare and Kerry Region and confirm the need for this facility with reference to the Regional Waste Plan.

ARTICLE 13 COMPLIANCE REQUIREMENTS

1. Carry out an odour dispersion model to predict odour levels at the odour sensitive receptors and confirm whether or not the proposed facility is likely to cause odour nuisance.
2. Clarify what impact emissions from the facility are likely to have on the Castlemaine Harbour SAC.

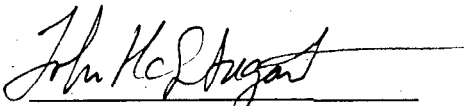
Your reply to this notice should include a revised non-technical summary (Application Form and EIS) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within six weeks of the date of this notice. In addition submit sixteen (16) copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0250-01**. Please direct all correspondence in relation to this matter to Administration, *Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Mr John McEntagart

Inspector

Office of Climate, Licensing & Resource Use

