

greenstar

setting the standard

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Email: info@greenstar.ie

Mr. Frank Clinton
Programme Manager,
Office of Climate Licensing and Resource Use
Environmental Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
County Wexford

02 November, 2009

RE: Technical Amendment Application seeking increase in Operational Hours at Greenstar Recycling (Munster) Limited - Waste Licence No. W0136-02

Dear Mr. Clinton,

I refer to the Technical Amendment application submitted by Greenstar in relation to W0136-01 which I understand is currently under assessment (letter dated 08 October 2009). I now wish to bring the following information to light in support of the application.

You are aware at this stage that I have already supplied quite substantial information in support of the application including a specially commissioned noise survey. I would like to re-iterate that what is being applied for is not 24/7 waste acceptance. The application is necessary to allow for (if the need arises) indoor, night-time processing at a facility that is located within an industrial estate. The application does not involve any significant change in activity.

I fully understand that each technical amendment application must be assessed on its own merits but I would like to refer to precedence in such amendment determinations. In two such cases, Greenstar has been the recipient of such amendments (W0183-01 and W0188-01). The relevant information relating to both of these applications is attached. You will note that both applications are short and straightforward and do not include additional monitoring evidence. The Inspector's Report for Millennium Park is also attached. The amended application for Sarsfieldcourt that is now before the OCLR was drafted following intense discussions with the Agency who advised the inclusion of additional night-time noise surveying. Other amendments to the application were made on the back of advice received from the Agency.

Registered in Ireland No. 325120

Directors: G. Bailey, J. Dempsey, N. Parkinson,
E. Bolger (Secretary).
Registered Office: Burton Court, Burton Hall Road,
Sandyford, Dublin 18.

Affiliate Organisation, CIWM
Member of the IWMA
Corporate Affiliate of the EI

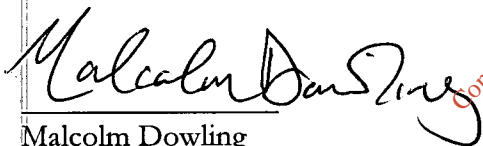
I am conscious that the Agency may be minded to seek a licence review on the basis that this would allow public consultation but I must re-iterate that the most recent licence review for this site (which involved much more substantial changes to operations) resulted in not a single submission or objection from the public.

I ask that the OCLR carefully consider the attached applications in advance of making a determination in the application for the technical amendment for W0136-02. You might also advise whether there are guidelines used in the determination of such applications. If there are, I would be grateful if you could forward these to me. The applications below relate to previous Greenstar cases. I am also aware of other instances where technical amendments have been granted in response to similar applications.

I re-iterate that the amendments sought by Greenstar are limited in scope and do not constitute a significant change in activity.

To facilitate an early determination I remain available to meet with you or with the relevant Director in advance of any determination on this application. I would be grateful to hear from you in relation to this.

Yours sincerely,



Malcolm Dowling
Group Compliance and Environment Manager

c.c. Mr Sean O' Donoghue, , OCLR Inspector, Inniscarra, Co. Cork



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Licence Details

Details of Application

Reg No.	W0188-01
Applicant Name:	Greenstar Materials Recovery Ltd
Facility Name:	Greenstar Materials Recovery Ltd
Location of Facility:	14B Phase 3, Road 3A, Greenogue Industrial Estate, Rathcoole, Co Dublin, Dublin.
Type of Facility:	Waste Transfer Station
Principal Class of Activity:	4.2
Description of Principal Class of Activity:	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes).
Other Classes of Activity (more about classes of activity)	3.11,3.12,3.13,4.3,4.4,4.12,4.13
Application Date:	25/06/2003
Licence Status:	Licensed
Latest licence for this facility:	Reg No. W0188-01

Decision Details:

Proposed Decision issued date:	5/05/2004
Closing date for objections to Proposed Decision:	1/06/2004
Final Decision issued date:	5/08/2004

Documents

To view electronic documents (if any) for this application, click on the buttons below. These open in a new window. All documents available in electronic format are presented as Adobe Acrobat PDF files. If you have any problems opening or displaying a document in your browser, right-click on

the file and save it to your computer.

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Licence enforcement documents:

- [View Annual Environmental Report](#)

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EXTRACT FROM GREENOGUE LICENCE (W0188-01)
AS GRANTED AUGUST 2004

- 1.7 Waste Acceptance Hours and Hours of Operation
 - 1.7.1 Waste shall be accepted at the facility only between the hours of 7:00 to 19:30 Monday to Friday inclusive and 8.00 to 15:00 on Saturdays.
 - 1.7.2 The facility shall be operated only during the hours of 6:30 to 20:30 Monday to Friday inclusive and 7:00 to 16:00 on Saturdays.
 - 1.7.3 Waste shall not be accepted at the facility on Sundays or on Bank Holidays.

1.8 Every plan, programme or proposal submitted to the Agency for its agreement pursuant to any Condition of this licence shall include a proposed timescale for its implementation. The Agency may modify or alter any such plan, programme or proposal in so far as it considers such modification or alteration to be necessary and shall notify the licensee in writing of any such modification or alteration. Every such plan, programme or proposal shall be carried out within the timescale fixed by the Agency but shall not be undertaken without the agreement of the Agency. Every such plan, programme or proposal agreed by the Agency shall be covered by the conditions of this licence.

Consent of the Inspector for the purposes of the Environmental Protection Act 1990 for other use.

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

TECHNICAL AMENDMENT A
TO
WASTE LICENCE

Licence Register Number:	W0188-01
Licensee:	Greenstar Materials Recovery Limited
Location of Facility:	Site 14B, Phase 3, Road 3A, Greenogue Industrial Estate, Rathcoole, County Dublin

Reason for the Decision

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of licence Reg. No. **W0188-01 granted on the 5/08/2004** as well as any amendments noted herein, any emissions from the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2005.

Technical Amendment

In pursuance of the powers conferred on it by Section **42B(1)(c)** of the Waste Management Acts 1996 to 2005, the Agency amends Licence Reg. No. W0188-01, granted to **Greenstar Materials Recovery Limited, Site 14B, Phase 3, Road 3A, Greenogue Industrial Estate, Rathcoole, County Dublin.**

Henceforth, Waste Licence Register No. W0188-01 (granted 5/08/2004) shall be read in conjunction with the amendments set out below.

This **technical** amendment is limited to the following Condition of Licence Reg. No. **W0188-01**:

Amendments

Condition of Licence

1.7 Waste Acceptance Hours and Hours of Operation

- 1.7.1 Waste shall be accepted at the facility only between the hours of 7:00 to 19:30 Monday to Friday inclusive and 8.00 to 15:00 on Saturdays **unless otherwise agreed by the Agency.**
- 1.7.2 The facility shall be operated only during the hours of 6:30 to 20:30 Monday to Friday inclusive and 7:00 to 16:00 on Saturdays **unless otherwise agreed by the Agency.**
- 1.7.3 Waste shall not be accepted at the facility on Sundays or on Bank Holidays **unless otherwise agreed by the Agency.**

Delete condition 1.7 of the existing licence and replace with the above condition.

This **technical** amendment shall be cited as **Amendment A** to Waste Licence Register No. **W0188-01.**

Sealed by the seal of the Agency on this the 9th day of February, 2007

PRESENT when the seal of the Agency was affixed hereto:

Padraic Larkin, Director/Authorised Person

Dr. Jonathon Derham,
Scientific Officer,
Office of Licensing and Guidance,
Environmental Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
Co. Wexford.

11th October 2006

RE: Waste Acceptance and Operational Hours – Greenstar Ltd
Greenogue Industrial Estate - Waste Licence No. W0188-01

Dear Dr. Derham,

Greenstar Ltd. (Greenstar) was granted a Waste Licence for its Materials Transfer facility at Greenogue Industrial Estate, Rathcoole, County Dublin on the 5th August 2004.

Conditions 1.7.1, 1.7.2 and 1.7.3 of the Waste Licence set the following waste acceptance and handling hours: -

- 1.7.1 Waste shall be accepted at the facility only between the hours of 7:00 to 19:30 Monday to Friday inclusive and 8.00 to 15:00 on Saturdays.
- 1.7.2 The facility shall be operated only during the hours of 6:30 to 20:30 Monday to Friday inclusive and 7:00 to 16:00 on Saturdays.
- 1.7.3 Waste shall not be accepted at the facility on Sundays or on Bank Holidays.

The restriction on the periods of waste acceptance and handling put Greenstar at a commercial disadvantage compared to its competitors some of whom are permitted to operate 24 hours a day 7 days a week and is unreasonable in the context of the site location.

The Greenogue Industrial Estate is zoned for industrial and commercial use. The surrounding area has been intensively developed for industrial and commercial uses. The Greenstar facility is located at the original north eastern edge of the Estate.

An extension to the Estate is currently being constructed on the lands to the north and east of the facility. The lot to the west of the site is occupied a waste timber recycling facility, operating under a Waste Permit issued by South Dublin County Council. This is screened from the Greenstar facility by a 6 m high concrete slab. The access road to this facility separates the Greenstar site


from its neighbours to the south. There are three lots immediately to the south, one of which is used as a crane hire depot and offices and the others as external storage yards, warehousing and light industrial operations. A single house, located approximately 350 m to the north is the closest occupied residence to facility. The land between the facility and this house is currently being developed as part of the extension to the Estate. The recently opened link road to the south of the industrial estate now provides access to the N7.

All waste handling activities are carried out in the fully enclosed building to ensure complete containment of any potential nuisance.

Given the location of the facility, the nature of the licensed waste operations and the mitigation measures that have been implemented, Greenstar considers that there are no sound environmental reasons for limiting the hours and days of waste acceptance and handling. Therefore, Greenstar requests that Conditions 1.7.1, 1.7.2 and 1.7.3 be amended, under the provisions of Section 42 B of the Waste Managements Acts 1993 & 2003 to allow for the acceptance and handling of waste 24 hours/7days a week.

If you have any queries, or require any further information, please contact the undersigned at Burton Court, Burton Hall Road, Sandyford, Dublin 18.

Yours sincerely,


Micheal Geary

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Mr. Donal Howley
Senior Inspector
Office of Environmental Enforcement,
Environmental Protection Agency,
P. O. Box 3000,
Johnstown Castle,
County Wexford.

2nd March 2007

Re: Waste Acceptance and Operational Hours – Greenstar Limited, Greenogue
Industrial Estate. Waste Licence Reg. No. W0188-01

Dear Mr. Howley,

Greenstar Limited (Greenstar) was recently notified of a decision by the Agency to amend Licence Reg. No. W0188-01 under Section 42B(1)(c) of the Waste Management Acts 1996 to 2005 to incorporate a change to waste acceptance hours and hours of operation.

The following technical amendment (dated and sealed 7th February 2007) now forms part of Licence Reg. No. W0188-01;

Condition of Licence

1.7 *Waste Acceptance and Hours of Operation*

1.7.1 *Waste shall be accepted at the facility only between the hours of 7:00 to 19:30 Monday to Friday inclusive and 8:00 to 15:00 on Saturdays unless otherwise agreed by the Agency.*

1.7.2 *The facility shall be operated only during the hours of 6:30 to 20:30 Monday to Friday inclusive and 7:00 to 16:00 on Saturdays unless otherwise agreed by the Agency.*

1.7.3 *Waste shall not be accepted at the facility on Sundays or on Bank Holidays unless otherwise agreed by the Agency.*

Given the location of the facility, the nature of the licensed waste operations and the mitigation measures that have been implemented, Greenstar now seeks agreement of the Agency to extend waste acceptance hours and facility operation hours at the site so that operations can be carried out 24 hours a day, seven days a week.

We believe sound environmental reasons for limiting the hours of waste acceptance and handling at the site do not apply in this instance, particularly given the location of the site and nature of activity carried out. As you are aware, the facility in question is located within an industrial estate with surrounding land zoned for industrial and commercial uses. All waste handling activities are carried out in the fully enclosed building to ensure complete containment of any potential nuisance.

The demand for 24 hour waste acceptance and operation will facilitate collection from customers outside normal hours and will result in environmental benefits particularly in city centre areas through reduction of truck movements during peak times.

This request is made on the basis that the current restrictions on the periods of waste acceptance at the facility and waste handling hours put Greenstar at a competitive disadvantage when compared to some of our competitor operators.

Through the amendment of Licence Reg. No. W0188-01, the Office of Licensing and Guidance has recognised that flexibility is required in terms of acceptance and handling of waste. Greenstar therefore seeks the permission of the Agency to accept waste and operate outside of the hours currently specified in Conditions 1.7.1 to 1.7.3 inclusive. We request that permission be granted to allow for the acceptance and handling of waste 24 hours a day, 7 days a week.

I trust that the above request meets with the Agency's approval but should you require any further clarification, please do not hesitate in contacting me.

Yours sincerely,

Malcolm Dowling
For and on behalf of
Greenstar Ltd



Office of
Environmental
Enforcement

Dr Gabriel Dennison
Environmental Director
Greenstar Materials Recovery Ltd
La Vallee House
Fassaroe
Bray
Co. Wicklow

Environmental Protection Agency
Regional Inspectorate, McCumiskey House
Richview, Clonskeagh Road, Dublin 14, Ireland
An Ghníomhaireacht um Chaomhnú Comhshaoil
Cigireacht Réigiúnach, Teach Mhí Chumascaigh
Dea-Radharc, Bóthar Cluain Sceach
Baile Átha Cliath 14, Éire

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W: www.epa.ie

Lo Call: 1890 33 55 99

FAO: James Soary, Facility Manager

08/03/07

Our Ref: W0188-01/ak01dh.doc

Re: Waste Acceptance Hours and Hours of Operation - Condition 1.7

Dear Dr Dennison

I refer to your correspondence dated 02/03/07 with regard to the above and to your Waste Licence (Reg. No. W0188-01).

Your request to accept and handle waste 24 hours a day, seven days a week is agreeable to the Agency subject to the following:

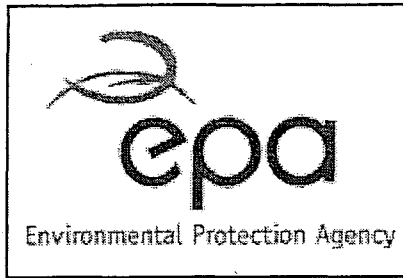
1. Compliance with the requirements of your waste licence
2. The above agreement may be revoked at any time by the Agency.

Please quote the above reference in future correspondence in relation to this matter. If you have any queries in relation to this matter please contact the undersigned at 01-2680100.

Yours sincerely

Donal Howley
Inspector
Office of Environmental Enforcement





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Licence Details

Details of Application

Reg No.	W0183-01
Applicant Name:	Greenstar Holdings Limited
Facility Name:	Greenstar Recycling Holdings Ltd
Location of Facility:	Millennium Business Park, Grange, Ballycoolin, Dublin 12, Dublin.
Type of Facility:	Waste Transfer Station
Principal Class of Activity:	4.2
Description of Principal Class of Activity:	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes).
Other Classes of Activity (more about classes of activity)	3.11,3.12,3.13,4.3,4.4,4.11,4.12,4.13
Application Date:	5/12/2002
Licence Status:	Licensed
Latest licence for this facility:	Reg No. W0183-01

Decision Details:

Proposed Decision issued date:	19/11/2003
Closing date for objections to Proposed Decision:	16/12/2003
Final Decision issued date:	15/04/2004

Documents

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EXTRACT FROM MILLENNIUM PARK LICENCE (W0183-01)

— AS GRANTED APRIL 2004

- 1.5. No hazardous wastes, liquid wastes or sewage sludge shall be accepted at the facility.
- 1.6. Waste Acceptance and Handling Hours
 - 1.6.1. Waste shall be accepted at the facility only between the hours of 6.30am and 7.00pm Monday to Saturday inclusive.
 - 1.6.2. Waste shall be handled only during the hours of 6.00am to 8.00pm Monday to Saturday.
 - 1.6.3. Waste shall not be accepted at the facility on Sundays or Bank Holidays.
- 1.7. The following shall constitute an incident for the purposes of this licence:
 - a) an emergency;
 - b) any emission which does not comply with the requirements of this licence;
 - c) any exceedance of the daily duty capacity of the waste handling equipment;
 - d) any trigger level specified in this licence which is attained or exceeded;
 - e) any indication that environmental pollution has, or may have, taken place; and
 - f) any rejected load of waste.
- 1.8. Where the Agency considers that a non-compliance with any condition of this licence has occurred, it may serve a notice on the licensee specifying:

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**WASTE LICENCE
TECHNICAL AMENDMENT A**

Licence Register Number:	183-1
Licensee:	Greenstar Limited
Location of Facility:	Millennium Business Park, Grange, Ballycoolin, Dublin 11.

Reasons for the Decision

The Environmental Protection Agency (the Agency) is satisfied, on the basis of the information available, that subject to compliance with the conditions of licence Reg. No. 183-1 granted on the 15th April 2004, as well as any amendments noted herein, any emissions from the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2005.

Technical Amendment

In pursuance of the powers conferred on it by Section 42B(1)(c) of the Waste Management Acts 1996 to 2005, the Agency amends Licence Reg. No. 183-1, granted to Greenstar Limited, Millennium Business Park, Grange, Ballycoolin, Dublin 11.

Henceforth, Waste Licence Reg. No. 183-1 shall be read in conjunction with the amendment set out below.

This technical amendment is limited to the following condition:

Condition 1.6 *Waste Acceptance and Handling Hours* is to be replaced by the following text:

1.6 Waste Acceptance and Handling Hours

1.6.1 Subject to compliance with the conditions of this licence, waste may be accepted and handled at the facility 24hours a day, Monday to Sunday inclusive.

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

This amendment shall be cited as Amendment A to Waste Licence Register No.183-1 (shorthand: 183-1/A).

Sealed by the seal of the Agency on this the 24th day of February 2006.

**PRESENT when the seal of the Agency
was affixed hereto:**

Padraic Larkin, Director/Authorised Person

This item has been cleared for submission to the OLG Director/Board by:

Paddy Nolan.....

Kieran O'Brien.....

Jonathan Derham.....



OFF LICENSING & GUIDANCE

LICENSING UNIT MEMORANDUM

TO:	DR P LARKIN, DIRECTOR
CC:	Mr P Nolan
FROM:	J Derham
DATE:	09/02/06
RE:	Technical Amendment A:- Greenstar Limited, Millennium Business Park, Dublin, Register W183-01

By letter dated November 21st 2005, Greenstar Limited, seek technical amendment to the terms of their waste licence, so as to provide for the 24hr seven day week operation of their Transfer Station and Recycling facility at Millinneum Park, Grange, Ballycoolin, Dublin.

This facility, which is still under construction, is located in an industrial estate in Ballycoolin, Co Dublin. Neighbouring operations include Irish Asphalt, a quarry, and various other commercial and industrial operations. Greenstar propose to handle at this site up to 270,000tpa of non hazardous waste at the Millennium site which is described as a materials recovery facility, transfer station and biowaste treatment facility. The first phase of development of the site is for the handling of c. 172,000tpa waste.

The main implications for 24hour operation are noise. The applicant carried out a noise impact study as part of the waste licence application and the modelled results suggested that noise emissions from the facility would not exceed the noise level limits as set out in the licence - 45dBA (night-time) and 55dBA (daytime). The conclusion in the EIS for the application indicated there would be no significant impact from the operation due to noise. All waste processing operations are to be carried out indoors, and none of the individual operations proposed for the site would be considered significant continuous sources of noise. In addition the licence requires acoustic barriers, as a matter of BAT, along the boundary with the business park. Traffic issues being a matter for the Planning Authorities.

The nearest residence is 200m away, with others greater than 250m removed. There is no hotel, hostel or similar within 500m of the site. There were no public submissions in relation to the application for this licence, and neither of the submissions from statutory consultees raises issues with noise. The licence requires noise monitoring programmes, which can be designed to cater for night-time operation. Should the results of this monitoring indicate unforeseen compliance issues, then enforcement actions would likely insist that all, or certain aspects, of night-time operation will have to cease.



Headquarters
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Johnstown Castle Estate
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WASTE LICENCE

RECOMMENDED TECHNICAL AMENDMENT A

Licence Register Number:	183-01
Licensee:	Greenstar Limited
Location of Facility:	Millennium Business Park, Grange, Ballycoolin, Dublin 11.



Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhsháil

Dr. Gabriel Dennison
Environment Manager
Greenstar Recycling Holdings Limited
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LoCall: 1890 33 55 99

24th February 2006

Reg No: 183-1

Dear Dr Dennison

I refer to a letter received by the Agency on 23rd November 2005 from Mr Jim O'Callaghan of O'Callaghan Moran & Associates submitted to the Agency in respect of your existing licence Reg. No. 183-1.

The Agency has considered your request to change *Condition 1.6 Waste Acceptance and Handling Hours* the change can be accommodated without a licence review. The Agency has amended *Condition 1.6 Waste Acceptance and Handling Hours* of your Licence Reg. No. 183-1 under Section 42B(1)(c) of the Waste Management Acts 1996 to 2005 to incorporate the limited change requested. This amended condition forms part of your licence and should be read in conjunction with your existing licence

Condition 1.6 Waste Acceptance and Handling Hours is to be replaced by the following text:

1.6 Waste Acceptance and Handling Hours

1.6.1 Subject to compliance with the conditions of this licence, waste may be accepted and handled at the facility 24hours a day, Monday to Sunday inclusive.

Reason: To clarify the scope of this licence.

Attached is the formal Waste Licence Technical Amendment which should be attached to the existing Licence Reg. No. 183-1.

If you have any further queries please contact your Enforcement Inspector Alan Stephens at telephone no. 01-2680100.

Yours sincerely,

Noeleen Roche
Programme Officer
Office of Licensing & Guidance

Encl.

