



This report has been cleared for Submission to the Board by the Programme Manager
 Frank Clinton
 Signed: [Signature] Date: 9/06/10

RESOURCE USE

REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO PROPOSED DECISION

TO:	Directors
FROM:	Technical Committee - LICENSING UNIT
DATE:	21/05/10
RE:	Objection to Proposed Decision for Molaisin Compost Ltd, Waste Reg: W0245-01

Application Details

Type of facility:	Non-Hazardous Materials Recovery Facility
Class(s) of activity:	4 th Schedule: Class 2 P, 13
Location of activity:	Molaisin Compost Limited, Kilmolash, Cappoquin, Co. Waterford
Licence application received:	28/5/2008
PD issued:	19/01/10
First party objection received:	None
Third Party Objection received	15/02/10
Submissions on Objections received:	15/03/10
Additional Information received:	None

Company

The application relates to MOLAISIN COMPOST LIMITED a company that has been operating a composting facility at Kilmolash, Cappoquin, Co. Waterford since January 2005 under a Local Authority Permit. The Waste Management (Facility Permit and Registration) Regulations 2007, as amended, allows a facility to be permitted by the Local Authority accepting up to 10,000 tonnes per annum of biowaste. Amounts greater than 10,000 tonnes require a Waste Licence.

Presently, the facility at Kilmolash has the capacity to compost up to 12,000 tonnes of waste per annum and the applicant proposes to extend the size of the facility within the next 2-3 years. The composting facility extension will increase the capacity to 20,000 tonnes/annum of biowaste producing around 14,300 tonnes/annum of Class 1 compost. The plant is 85% owned by McGill Environmental.

The operation is an industrial composting business using a controlled static pile (a pile of compost that is not turned mechanically) forced aeration system for the composting of non-hazardous biosolids which include industrial and sewage sludges and other non-hazardous biodegradable materials.

It has been determined, in consultation with the Department of Agriculture, Fisheries and Food, that the current facility design is not suitable for processing of Animal By-Products.

Ten (10) submissions were received in relation to the Application, all from Mr Gerard Cummins, Woodstock, Cappoquin, Co. Waterford (November 2008-Sept 2009). These were considered by the Board at PD stage.

Consideration of the Objection

The Technical Committee, comprising of Michael Owens (Chair) and Donal Grant, has considered all of the issues raised in the Objection and this report details the Committee's comments and recommendations following the examination of the objection together with discussions with the inspector, Dr Tom McLoughlin, who also provided comments on the points raised.

This report considers a valid third party objection.

Third Party Objection

One Third Party Objection is considered. An objection was received from Mr Gerard Cummins, Woodstock, Cappoquin, Co. Waterford. He has major concerns regarding odour coming from the facility. He resides approximately 300m from the facility and has, over the last 4 years, sent odour complaints to the Local Authority (Waterford County Council) and more recently to the Office of Environment Enforcement (OEE). His objection includes a number of complaints that were submitted to the OEE by him from November 2009 to February 2010.

It is contended by Mr. Cummins that, as Molaisin Compost Ltd are unable to control emissions from the current facility, they will be additionally challenged should the proposed extension and increase in production go ahead. He makes the point that he complains of odours that affect his private residence only but that complaints are also made by others in the vicinity of the plant.

Overall, he feels that his quality of life has been severely affected by odour from the plant. He is concerned about the possible effects that the odours are having on his health, the health of his family and on the well being of his farm animals. He is looking to the EPA for guarantees regarding the control of odour at the site.

On foot of a Section 63 (1) notice that was issued by the OEE in July 2007, Waterford County Council has performed nine independent odour assessments at the Molaisin Composting facility since May 2008, assessments which involved different members of staff. No odour was detectable at any time. They advised the Agency in May 2009 that no enforcement action would be taken on these complaints. It should be noted, however, that the facility operates on a 24-hour basis and odour complaints have occurred at weekends, at early morning and at night.

A submission on the Third Party objection was received from McGill Environmental, (who are 85% owners of the plant operated by the applicant). They acknowledge that Mr Cummins has lodged a number of complaints in relation to the company but point out that these complaints have been directed to Waterford County Council and the EPA and not to the management of Molaisin Compost Ltd directly. They refer to

the odour investigations carried out by Waterford County Council and to the fact that no odour was detected by these investigations. They also outline the nature of the company's response when odour complaints are received by them and argue that these investigations are carried out thoroughly. They contend that their investigations reveal Mr Cummins complaints to be without merit and that, in fact, the majority of the complaints occur at times when the wind is blowing in an unrelated direction. They conclude that they are confident that the plant is not causing an odour nuisance.

Technical Committee's Consideration

This plant has operated under permit since 2005. It should be noted that the Waste Management (Permit) Regulations 1998 were applicable at the time for composting facilities of capacity up to 1,000 m³ at any time. The plant now has an operating capacity that requires licensing and while it is apparent that the plant may have presented odour problems in the past a Waste Licence will bring the plant under the full control of the EPA.

In relation to delivery of biowaste, the licence sets out the following requirements:

- All wastes must only be received in fully covered vehicles (Condition 6.2.2).
- All biowaste received at the facility for composting must be processed within 12 hours of arrival at the facility (Condition 6.3.6).
- All doors to the biowaste treatment area must remain closed at all times other than when receiving a waste delivery (Condition 6.3.7).

These will ensure that any impact from odour will be minimised during waste delivery and acceptance at the facility

Odour emissions from the facility will be controlled by the enclosed nature of the process and the provision of biofilters where odourous emissions are expected. All waste processing will be required to be carried out indoors and all process air from these areas will be extracted and biofiltered. Biofiltration is regarded as BAT for the sector to minimize odours. With biofiltration capacity at a very high level, any odourous compounds will be eliminated and clean air will be emitted into the surrounding atmosphere.

The licence sets out specific requirements regarding odour monitoring as follows:

- Schedule B sets emission limits for odourous compounds.
- Schedule C (Table C.1.2) sets a requirement for quarterly monitoring and analysis of odourous compounds emitted from the Biofilter.
- Schedule C (Table C.1.3) sets a requirement for daily subjective assessment of odour from the Biofilter.

Monitoring results and findings can be utilised to identify and manage any onsite practices that have potential to cause odour.

In addition, the licence sets out the following requirements

- Prohibits the acceptance of waste at amounts greater than the current 12,000 tonne per annum capacity until the extension of the facility is complete and until prior EPA approval is obtained (Condition 3.14).
- Installation of an odour management system when the plant intends to increase biowaste treatment capacity from 12,000 to 20,000 tonnes per annum (Condition 6.1.2(i)).
- Storage of mature compost in areas protected against nuisance formation, while awaiting collection.

Moreover, there are other licence conditions regarding facility management, awareness training, a communications programme, provision of infrastructure, waste handling, ventilation, and nuisance control. In my opinion these should be adequate to minimise any impacts from odour emissions.

In conclusion, the conditions of the licence will introduce a completely new regime under which the plant will be required to operate. The licensee will be required to manage and operate the facility to ensure that the activities do not cause environmental pollution.

Recommendation:

No changes to the Conditions of the Proposed Decision are recommended by the Technical Committee.

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the Proposed Decision and
- (ii) subject to the conditions and reasons for same in the Proposed Decision.

Signed



Michael Owens

for and on behalf of the Technical Committee