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Signed: Joseph Kennedy Date: 04/10/10

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ADDENDUM TO INSPECTORS REPORT ON A WASTE LICENCE APPLICATION

To: Directors	
From: Aoife Loughnane	- Environmental Licensing Programme
Date: 4 th October 2010	19 OCT 2010
RE: Application for a review of Waste Licence from Indaver Ireland (Branch of Indaver NV), 4 Haddington Terrace, Dun Laoghaire, Co. Dublin. Licence Reg. W0167-02	Open Web Doc

This memo should be read in conjunction with my inspectors report on Waste licence application W0167-02 from Indaver Ireland, dated 22nd September 2010.

A further submission from the applicant was received on 1st October 2010. Indaver state that it has come to their attention that their neighbours, Irish Cement Limited, have recently received a proposed determination (PD), P0030-04, for the co-incineration of waste in their cement plant. Indaver would like to raise several points for consideration regarding their existing licence W0167-01 and Irish Cement Limited's PD. They state that the two processes are similar in many regards. They have set out requests regarding 10 specific conditions of the PD, P0030-04, as follows:

Item 1: Condition 2.1.1. *This condition refers to employing a suitably qualified and experienced installation manager. The condition does not specify timelines on the required experience. Indaver consider this to be reasonable and would encourage a similar approach in their revised licence.*

Response: This issue has been discussed under item A.2 on page 25 of the inspectors report. No change recommended.

Item 2: Condition 2.2.2.7. *Indaver would welcome consistency in relation to the communications programme which both themselves and Irish Cement Limited must provide. As specified in their unsolicited information sent in August 2010, there are inherent difficulties with providing real time data on the internet. Irish Cement Limited will be treating waste in a similar fashion, and are not required to provide this information (temperature of furnace, etc.) on the internet. Indaver therefore query why they are required to provide it.*

Response: This issue has been discussed under item A.3 on page 25 of the inspectors report. A change to the condition from that specified in W0167-01 has been recommended, whereby it will remain in the licence as an enabling condition, to be implemented if required by the Agency.

Item 3: Condition 3.2.2. *Indaver draw attention to the information required to be displayed on the facility notice board. Indavar note that the Irish Cement Limited site is also accepting waste but is not required to have hours of acceptance displayed, rather they have hours of operation.*

Response: It is a standard waste licensing requirement to display hours of waste acceptance on the facility notice board. No change recommended.

Item 4: Condition 4.5. *Indaver request that condition 4.5 is considered for inclusion in their revised licence in the interest of consistency.*

Response: This condition specifies 'Noise from the installation shall not give rise to sound pressure levels (Leq, T) measured at Noise Sensitive Locations of the installation which exceed the limit value(s) by more than 2dB(A).' It is not considered appropriate to grant a 2dB(A) noise tolerance to the Indaver WtE facility as it is a new activity and the noise impact assessment predicted noise emissions from the facility operations at 5 NSLs of between 22 to 33 dB(A) LA_{eq}, which comply with the specified 55 dB(A) daytime and 45 dB(A) night-time noise limits. No change recommended.

Item 5: Condition 5.4. *This condition makes no reference to ensuring that vermin and birds don't create a nuisance at the facility rather mud, dust and litter are mentioned along with odour. Indaver would welcome consistency in this regard to condition 5.5 of W0167-01.*

Response: As a MSW incinerator, Indaver will be accepting a large variety of waste streams including black bin waste. The only wastes to be accepted by Irish Cement Limited are solid recovered fuel, chipped tyres and meat and bone meal, which don't have the same potential to give rise to nuisance caused by vermin and birds. No change recommended.

Item 6: Condition 11.1. *Irish Cement Limited are required to give one months notice to the Agency prior to accepting alternative fuels including waste on site, whereas Indaver are obliged to inform the Agency of the commencement of waste acceptance seven months in advance. In the interests of consistency, they would appreciate this being reviewed.*

Response: Irish Cement Limited is an existing operation with ongoing enforcement of the licence by the OEE. Indaver will commence waste operations at a new facility, and will require a significant enforcement effort in the initial commissioning and operational stages, therefore a longer notification period is considered appropriate. No change recommended.

Item 7: Condition 11.5. *Only environmental complaints are to be recorded in the complaints section, therefore Indaver will assume for their revised licence that complaints refer to environmental complaints only.*

Response: Agreed, the record of complaints should only contain complaints of an environmental nature related to the operation of the facility. No change necessary.

Item 8: Condition 11.11. *W0167-01 requires Indaver to retain records for 10 years after the termination of licensee/customer agreements, whereas Irish Cement Limited's condition specifies 2 years.*

Response: As a MSW incinerator, Indaver will be accepting a large variety of waste streams. The wastes that Irish Cement Limited will be accepting are quality controlled materials that must meet a technical specification for solid recovered fuel, chipped tyres and meat and bone meal. It has been a standard requirement in each of the MSW incinerator licences issued by the EPA for the licensee to retain records of off-site waste profiling and characterisation for all active customers, and for a 10 year period following termination of licensee/customer agreements. No change recommended.

Item 9: Condition 12.1.1. *Indaver request the EPA's opinion on the difference in the licence fee between themselves and Irish Cement Limited.*

Response: An annual financial charge of €36,319 is specified in Irish Cement Limited's PD. A charge of €58,660 is recommended in the RD for Indaver (W0167-02), a decrease from €65,513 specified in the existing licence W0167-01. The recommended charge is slightly lower but broadly similar to the charges specified in other MSW incinerator licences issued by the EPA (€61,295 in W0232-01 Dublin City Council, Poolbeg and €67,383 in W0186-01 Indaver, Ringaskiddy). The recommended charge, including the dioxin monitoring fee, was approved by Inspector Ian Marnane, OEE Air Thematic Team and Inspector Mary Gurrie, OEE Licence Enforcement. In general, it is normal for a higher charge during the first year of an

activity's operation, reflecting the significant enforcement effort in the initial commissioning and operational stages and taking account of the number of reports to be assessed. The annual charge is likely to be reduced in subsequent years, to reflect the enforcement effort deemed necessary. No change recommended.

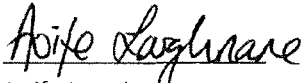
Item 10: Meteorological station: *W0167-01 requires Indaver to install a meteorological station (Condition 3.2.2.1) but Irish Cement Limited do not have this requirement. Perhaps it could be reviewed whether or not it is a requirement for Indaver to install this under the revised licence.*

Response: The provision of an on-site weather monitoring station has been a standard requirement in each of the MSW incinerator licences issued by the EPA. No change recommended.

Recommendation:

I recommend no further change to the Recommended Decision on foot of this submission.

Signed:



Aoife Loughnane

Inspector

Environmental Licensing Programme

