



OF

**LICENSING &
RESOURCE USE**

**This Report has been cleared
for submission to the Board by
the Programme Manager F Clinton
Signed: N. Kearey Date: 10/02/2011**

INSPECTORS REPORT ON A LICENCE APPLICATION

TO:	DIRECTORS	
FROM:	Marian Doyle	- Environmental Licensing Programme
DATE:	10 th February 2011	
RE:	Application for review of a Waste Licence from Greenstar Limited , Unit 6, Ballyogan Business Park, Ballyogan Road, Sandyford, Dublin 18, Licence Register No. W0079-02 .	

Application Details	
Type of facility:	Waste Transfer Station
Location of facility:	Unit 41, Cookstown Industrial Estate, Tallaght, Dublin 24 (National Grid Reference: E3082, N2283)
Classes of Waste applied for:	Household, Commercial, Industrial, and Construction & Demolition waste (Non-Hazardous) and End of Life Vehicles (Hazardous).
Classes of Activity applied for [P = Principal Activity]:	Third Schedule: Class 13, Fourth Schedule: Class 3 [P] and Class 13.
Quantity of waste managed per year:	Existing licence W0079-01: 145,000 tonnes Applied for in W0079-02: 60,000 tonnes
Licence application received:	19/11/2009
EIS received:	No
Notice under Article 8 issued:	22/02/2010
Information under Article 8 received:	01/03/2010
Notices under Article 14(2)(b)(ii) issued:	24/02/2010, 26/05/2010 and 09/07/2010
Information under Article 14(2)(b)(ii) received:	23/03/2010, 10/06/2010 and 14/07/2010
Submissions received:	Three, received 12/03/2010, 5/07/2010 and 15/07/2010
Site notice inspected:	14/01/2010 (M. Doyle)
Site visits:	21/01/2010 (M. Doyle), 01/04/2010 (M. Doyle & N. Horgan, OEE)

1. Facility

This report deals with an application from Greenstar Limited for a review of waste licence W0079-01. The facility is an existing waste transfer station located at Unit 41, Cookstown Industrial Estate, Tallaght, Dublin 24. A waste licence (Reg. No. W0079-1) was issued by the Environmental Protection Agency to National Waste Management Limited on 24/01/2000. An Environmental Impact Statement (EIS) was submitted in support of the original licence application. On 10/09/2004 the licence (W0079-01) was transferred from National Waste

Management Limited to Greenstar Materials Recovery Limited. Greenstar Materials Recovery Limited changed in name to Greenstar Limited in 2004; the Certificate of Incorporation is dated 28/04/2004. The Company Number is 325120.

Waste licence W0079-01 was issued for a non-hazardous waste transfer station and it authorises the acceptance of up to 145,000 tonnes per annum (tpa) of non-hazardous construction and demolition (C&D) waste and commercial and industrial (C&I) waste. The quantities are limited to 70% of the total annual tonnage as C&D waste and 30% of the tonnage as C&I waste. Also Condition 5.3 of W0079-01 requires a minimum of 70% of the annual tonnage to be sent off-site for recovery, with 85% of this to be C&D waste.

The waste activities authorised under W0079-01 are Class 3, Class 4 and Class 13 [Principal Activity] of the Fourth Schedule of the Waste Management Acts and Class 13 of the Third Schedule. The activities are indoor sorting and separation of recyclable material (metals, timber etc.), shredding of C&D waste with transfer offsite for recovery, and bulking of C&I wastes prior to transfer off site for disposal to landfill. Waste activities authorised under W0079-01 ceased at the facility on 21/04/2006. Waste activities to which the licence review application, W0079-02, relates (metals recovery) commenced on 03/12/2008, as described below.

There are two buildings on the 0.48-hectare site. The larger 'maintenance garage & administration' building (approximately 28m x 16m), which includes offices, is an enclosed building. An adjoining 'waste transfer shed' (approximately 19m x 17m), has an open face to the yard area. The site layout is shown in Appendix B. The site is bordered to the east, west and north by commercial and light industrial premises and to the south by a vacant site. The premises to the North include a company involved in the production of pharmaceutical products (Ricesteele Limited). There is a FAS training centre opposite the facility entrance and Tallaght Hospital north-eastern gate is 190m south west of the facility. The nearest residential dwellings are approximately 240m to the east, off the Belgard Road (see Figure 1).

The most recent planning permission (SD03A/0880) granted on 18/03/2004 by South Dublin Co. Co. was for redevelopment of the site, involving demolition and reinstatement of the buildings and infrastructure. However this planning permission has since expired. The previous planning permission (92A/1764) was granted to National Waste Management Limited on 27th January 1993 for an extension 19m x 17m x 9m high, 'for use as a waste sorting and transfer station in association with existing facility'.

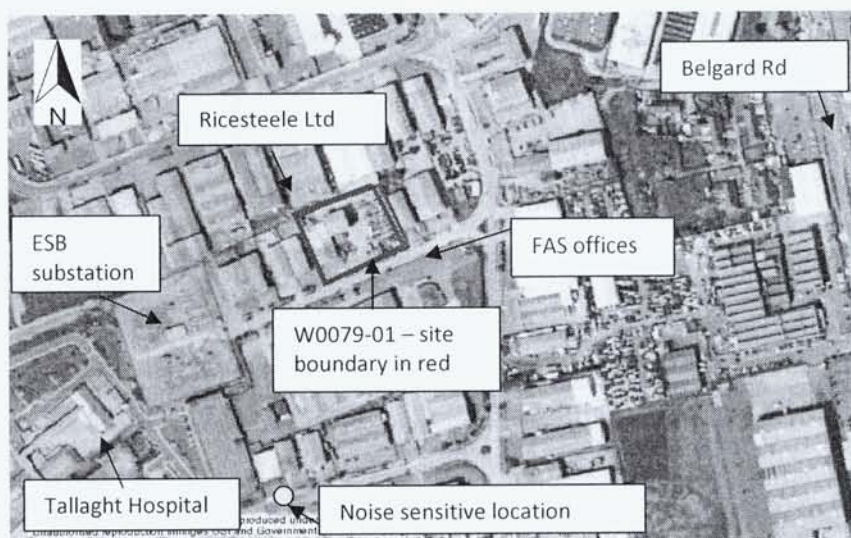


Figure 1: Aerial photograph showing the waste facility and the surrounding area

Enforcement History

Waste activities ceased at the waste transfer station on 21/04/2006. The Office of Environmental Enforcement (OEE) received a licence surrender application from Greenstar Limited on 1/06/2006. As part of the surrender process an independent exit audit was carried out on behalf of the licensee and the Agency (OEE) undertook an audit on 12/09/2007. Following their audit the OEE requested a number of corrective actions to be carried out.

Without further progress on the licence surrender Greenstar Limited indicated to the Agency on 21/04/2008 that it intended to commence the acceptance of mixed dry recyclables at the facility. On 22/10/2008 the Agency (OEE and OCLR) received correspondence from Greenstar Limited regarding the facility stating that *'Greenstar has now identified a market opportunity in the area of metal recovery treatment and intends to restart waste activities at the facility on 3rd November 2008'*, that *'the proposed waste activities will result in a change in the principal activity to Class 3 of the Fourth Schedule, the recycling and reclamation of metals and metal compounds'*, and that *'End of life vehicles (ELVs) will be accepted and depolluted'*. The OEE did not agree to the proposals received on 22/10/2008 and requested further information/ clarification from Greenstar Limited.

On 17/12/2008 a site inspection was undertaken by the OEE and waste activities relating to metals recovery were observed to have commenced at the facility. The OEE inspector was informed that Midland Scrap Metal Limited, as opposed to Greenstar Limited, had been operating at the facility since 03/12/2008. Activities, which were being carried out in the uncovered yard area at the facility, included the acceptance of ferrous and non-ferrous metal waste, sorting, processing, baling, and the cutting of bulky metal items into smaller pieces. As a result of the site inspection a notification of non-compliance was issued by OEE on 03/02/2009; with seven non-compliances, including waste handling and non-compliance with Conditions 5.5 and 5.8 of W0079-01. Condition 5.5 requires that *'waste arriving at the facility shall be weighed, documented and directed to the Transfer Shed Building, as shown on Attachment E3 "Waste Handling". The waste shall then be deposited on the floor of the Waste Transfer Building for visual inspection'*. Condition 5.8 requires that *'no waste shall be placed, or allowed to accumulate outside the Transfer Building other than metals, wood or other dry solid waste in trailers/skips /containers pending removal from the site'*. Other non-compliances in the notification related to waste records, waste characterisation, waste processing, casual public access (by customers referred to by the licensee as 'street traders') and waste dispatch.

On the 9/03/2009 the Agency received a request for a technical amendment of W0079-01 from Greenstar Limited, to allow for the external processing of metals, changes to waste characterisation, and to allow householders and commercial enterprises to deliver wastes to the facility. The licensee was advised on 13/05/2009 that the proposed changes could not be accommodated by way of technical amendment. In correspondence to the Agency (OEE), received on the 29/06/2009, Greenstar Limited stated *'we intend to move all current site operations from the site to a permitted site that will be suitable for metal recovery and ELV processing'* and that they would notify the Agency *'in relation to a date for ceasing current metal recovery activity at the site'*.

A licence review application (W0079-02) relating to metal recovery at the existing site was received on 19/11/2009 from Greenstar Limited, despite the fact that the facility was and is being operated by Midland Scrap Metal Limited.

2. Reasons for Licence Review

Greenstar Limited has requested a licence review for the following reasons: -

- To change the Principal Activity to Class 3 of the Fourth Schedule of the Waste Management Acts 1996-2010 (*Recycling or reclamation of metals and metal compounds*); and to carry out activities related to Class 13 of the Third Schedule and Class 13 of the Fourth Schedule.
- To allow the external processing and storage of metals;
- To allow the acceptance of metals from commercial and household sources;
- To remove the requirement for initial characterisation of waste from unknown customers;
- To allow the acceptance and depollution of end of life vehicles (EWC 16 01 04*).

The principal activity applied for is described as the recovery of metals, involving separating metals into different types, cutting and baling. It is proposed to accept 60,000tpa of metal waste, to be sourced from construction sites, industries, householders and commercial enterprises and other waste recovery facilities. See Table 1 for details of the waste types and quantities applied to be accepted under W0079-02. From the 2009 Annual Environmental Report submitted to the Agency, 23,631 tonnes of metal waste was accepted in 2009.

Table 1. Metal waste types and quantities applied for in review

Waste Type	Tonnes Per Annum (tpa)
Household	5,000
Commercial	25,000
Industrial Non-Hazardous Solids	10,000
Construction & Demolition (C&D)	10,000
End of life vehicles (16 01 04*)	10,000
Total	60,000

The licensee has applied for permission for the storage and processing of metals in the open yard area of the facility. In the licence application it is stated that *'It had been the intention that all of metals accepted at the site would be off-loaded inside the transfer building for inspection and processing. However, for operational reasons, it is neither practical nor safe to off-load and inspect all of the materials inside the building. Non-ferrous metals are inspected inside the building, but ferrous metals are currently inspected, off-loaded, processed and stored, in the open paved main working yard. External processing is required due to the size of the processing equipment.'*

The licensee has requested permission for the acceptance of wastes from individual householders and commercial enterprises at the facility; Condition 5.10 of W0079-01 requires that *'there shall be no casual public access to the facility'*. The licensee has requested to remove the requirement for the initial characterisation of waste from unknown customers; Condition 5.4 of W0079-01 requires that *'waste shall only be accepted at the facility from known customers or new customers subject to initial waste characterisation off-site'*.

The licensee has also applied to accept end of life vehicles (ELVs) to be depolluted at the facility. The acceptance of ELVs prior to depollution is not authorised under W0079-01 as these are classified as a hazardous waste (EWC Code 16 01 04*). The Waste Management (End-of-Life Vehicles) Regulations 2006, S.I. No. 282 of 2006, sets out the obligations and requirements for authorised treatment facilities, where storage and treatment (depollution) of ELVs can take place. The depollution of ELVs has not commenced at the facility to date.

It is noted that the waste activities applied for could be carried out under a waste facility permit. The applicable classes of activity are Class 4 (general scrap metal recovery) and Class 12 (end-of-life vehicles depollution) of the Third Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007 and 2008.

3. Operational Description

In the review application the licensee requests that waste be accepted from large commercial customers, and skip collections. Midland Scrap Metal Limited operates a fleet of 7 vehicles (5 skip trucks and 2 articulated lorries). The majority of loads are proposed to be weighed using the weighbridge at the facility entrance.

The licensee requests that waste be accepted from householders and commercial enterprises, described in the application as 'casual customers' with access also proposed via the weighbridge. No suitable dedicated acceptance areas have been identified for waste to be accepted from 'casual customers' and on this basis this is not considered acceptable.

Ferrous metals are directed to the main yard area, where the loads are tipped and inspected. The licensee proposes to process and store ferrous metals in the open yard area. Metals will be manually sorted with large metal items removed. There is a baler/shears machine in the yard for cutting and baling scrap metal. The metal grades to be processed at the facility are detailed in the metal recycling procedure and include OA grade metal (heavy steel), fragmentiser feed grade metal (cars, white goods), OA1 grade metal (machinery waste), mixed grade metal (light steel, galvanised sheets), swarf grade metal (tailings), C4 grade metal (light iron, drums), tin plate grade metal and aluminium cans. Metals are baled or stored in skips outdoors prior to sending off-site.

Small loads of non-ferrous metals are weighed on scales in the 'maintenance garage & administration building' rather than at the weighbridge. The non-ferrous metals are inspected, processed and stored in this building. There is a small non-ferrous baler, which operates within this building.

It is proposed to accept end of life vehicles (ELVs) from members of the public, commercial customers and other waste facilities. Depollution equipment will be provided in the three-sided 'waste transfer shed', which has an impermeable concrete floor. Vehicles are to be stored in the 'waste transfer shed' prior to depollution. Depollution operations include the removal of batteries and tyres. The vehicles will be placed on a lifting device and engine oil, gear oil and fuel will be removed. Coolant and brake fluids will be removed. An 'Autodrain' system used to remove these liquids contains the following integrally banded storage tanks: 500 gallons -waste oils, 500 gallons -coolant, 980 litres -contaminated fuels, 980 litres -diesel, and 980 litres -petrol. Oil filters will be removed, oil separated and the filters pressed. Air bags where present will be deployed and catalysts will be removed. The vehicles are proposed to be crushed in the yard, baled and stored prior to export to approved facilities mainly in the UK.

The hours for waste acceptance under the existing licence are 6:00am to 8:00pm from Monday to Friday and 6:00am to 5:00pm on Saturdays and no change was requested. There are 24 staff, with an additional 4 proposed. In the review application Greenstar Limited state that '*MSM lease the site from Greenstar Ltd and are responsible for the day to day operation and facility management*'.

4. Use of Resources

Fuel consumption in 2009 included diesel for on-site plant (58,685 litres), propane for metal cutting (1,047kg) and heating oil (1,075 litres) for a boiler to heat the office building. The annual electricity usage was estimated at 75,000kWh. The annual water usage in 2009 was 400m³ from the public supply. In general the licensee does not expect the use of resources to change. A small increase in diesel use is anticipated with ELV depollution due to increased transport within the site and increased use of the baling machine.

5. Emissions

5.1 Emissions to Air

Dust: There are no major discrete emission points to air. Waste activities with the potential to generate dust, i.e., the external processing and storage of metals are currently being undertaken in the uncovered yard area and this is proposed to continue. The existing licence, W0079-01, specifies a dust deposition limit of 350mg/m²/day based on a 30-day composite sample. Monthly dust monitoring is required at 3 locations at the facility boundary: D1 (South boundary wall, at public road), D2 (North boundary wall) and D3 (North west boundary wall). Dust monitoring ceased at the facility in July 2007 and recommenced in January 2009.

Monitoring results for 2009 and 2010 are provided in **Appendix A** (Tables A1-A2). From January to July 2009 dust levels at the rear site boundary (D2) exceeded the limit value for six of the seven months. The licensee attributed these exceedances to offsite sources. In subsequent dust monitoring from August 2009 to October 2010 the number of non-compliances was reduced with two exceedances recorded in this period, both at D2.

No dust related complaints were received in 2009. In 2010 the Agency received five dust related complaints between March and July 2010, each from Ricesteele Ltd. which neighbours the facility at the rear (northern) boundary. The complaints referred to the impact of the waste activities on their HVAC dust filters, the operation by Midland Scrap Metal Ltd in an un-covered yard and dust clouds associated with a heap of scrap metal being piled up in the yard. During site visits by the Agency, waste metal was observed stockpiled in the vicinity of D2, at the northern boundary wall. Ricesteele Ltd also expressed concern regarding their employees inhaling dust-laden air from the facility.

In the licence review application Greenstar Limited identified dust suppression measures being implemented which included regular yard cleaning and damping down of the yard in dry weather. In response to a complaint dated 22nd April 2010 Greenstar Limited stated that a primary source of dust generation was C&D skips being accepted at the facility. Measures proposed to be implemented were spraying of skips on arrival and use of a pump and hose system to dampen down loads received. The nuisance control procedure (revision dated 03/06/2010) includes the following measures: dampening down the yard using the high pressure hose (minimum 4 times/day in dry spells) plus additional ad hoc use, dampening down of all skip loads on arrival and irrigation of shearing scrap heaps in dry spells. It is understood that the drainage from dust suppression measures drains to sewer. As stated, compliance with the dust deposition limits set in W0079-01 did improve from mid 2009, which may have been due to the implementation of dust mitigation measures.

Odour: Six odour related complaints were received between March and September 2010 and are recorded in the facility complaints register. Five of these complaints were from Ricesteele Ltd with one received from FAS. The nature of the complaints and dates received are: '*petrol smell*' (8/03/2010), '*smell of burning*' (09/04/2010 & 13/04/2010), '*occasional vibrations and nuisance smells (diesel fumes and fumes from torching rubber off wires and pipes)*' (received 22/04/2010), '*smell, possibly diesel*' (27/09/2010) and '*gas smell in office*' (07/07/2010 from FAS). In a response to a complaint to the OEE (dated 27/04/2010), Greenstar Limited stated that nuisance smells could equate to an occasion where cables were cut. Operations generally involve cutting metal using oxyacetylene torches. They also stated that a diesel type odour could possibly relate to the starting up of an on-site machine.

5.2 Emissions to Sewer

In the current licence monitoring of emissions to sewer is specified at two locations (E-1 and E-3) at the waste transfer station. E-1 was located at a discharge from a vehicle wash bay and E-3 was at the discharge from the waste transfer building floor wash down. Currently there are no emissions from these areas and the drainage infrastructure has been altered as described below.

In W0079-01, emission limits are specified for E1 and E3 with quarterly monitoring and the maximum volume specified is 20m³/day.

During the OEE site inspection of 17th December 2008 the inspector observed the processing of metal wastes in the uncovered yard with waste contaminated with oil and grease being stored in the vicinity of surface drains. The licensee was instructed to take immediate measures to protect surface water drains from contaminated run-off from the facility. Proposals to direct surface drainage from the north and eastern areas of the site to sewer were approved by OEE on 01st April 2009. The changes resulted in an alteration to the emission monitoring points and the discharge to sewer is now monitored at one location (SE-1) west of the facility entrance. A Class II bypass separator was installed upstream of SE-1. The maximum volume of discharge to sewer requested in the licence review application is 164m³/day.

Wastewater is conveyed to Ringsend Wastewater Treatment Plant, which is part of the Greater Dublin Area agglomeration (D0034-01). A Section 52 Consent was issued to South Dublin Co. Co. on 04/02/2010 as part of the application process however no response was received. Grab samples are currently being taken quarterly at SE-1. Sanitary effluent is directed to sewer via a separate connection adjacent to the offices.

5.3 Emissions to Water

There are no existing or proposed process emissions to surface waters.

5.4 Surface Water

The areas of the facility draining to surface water are roof areas, the office car park and an area to the south of the site, which is used for skip storage. This is following the alteration to the drainage system completed in 2009. The yard surface to the south of the site (where skips are stored) was observed to be in poor condition during the site visits in 2010. The emission point to the surface drainage system (SW-1) is in the south eastern corner of the facility (See **Appendix C**). The drainage system which serves the Industrial Estate discharges to a stream 600m southeast of the facility and joins the River Poddle, a tributary of the River Liffey. The River Poddle was moderately polluted (Q3) in 2007 (at 0400 Br in Kimmage). The River Poddle has not been assigned a risk or status under the Water Framework Directive. There is no surface water monitoring specified in W0079-01. The licensee has proposed quarterly grab monitoring (grab samples) at SW-1.

Storage/Bunding: Diesel is delivered to the facility by tanker for refuelling vehicles/plant. Lubricating and hydraulic oils for plant maintenance and detergents/disinfectants are stored in designated areas inside the buildings. In the 'waste transfer shed', where it is proposed to depollute end of life vehicles, the floor is concrete and is graded towards the front of the shed. The 'Autodrain' system proposed to be used in depollution operations contains integrally banded storage tanks for the liquids removed from the ELVs. No decanting of liquids is proposed in the building and all tanks are proposed to be emptied by suction tanker.

5.5 Emissions to Groundwater/Ground

There are no existing or proposed emissions to groundwater or to ground from the facility. According to the GSI data, the bedrock aquifer beneath the site is poorly productive (LI). It is described as a dark-grey to black limestone & shale. The Goundwater Interim Vulnerability is Moderate to High (GSI web mapping, July 2010). The majority of the site is a concrete surface which minimises the potential for discharges to ground or groundwater in the event of a spill or leak. There are no wells or groundwater monitoring points on-site.

5.6 Noise and Vibration

Noise is a significant emission from the facility. The facility is located in an industrial estate with commercial and light industrial premises adjoining to the north, west and east. The site is

surrounded by concrete walls approximately 2m high to the north, east and west. The closest residential properties are approximately 240m east of the facility boundary. Tallaght Hospital is identified as a noise sensitive location (NSL1) in W0079-01 and its north-eastern gate is 190m south west of the facility. There is also a FAS training centre immediately south of the facility entrance and a pharmaceutical manufacturing facility (Ricesteele Limited) adjoining the northern boundary. There are no noise limits specified in W0079-01. The standard requirement is, however, that noise emissions should not give rise to levels exceeding 55dB(A) (daytime) and 45dB(A) (night-time) at either the boundary or at noise sensitive locations.

Processing of metals in an uncovered yard has noise implications, which are significantly different to the activities authorised under W0079-01. Noise sources identified in the application include:

- the large grab and baler-shears machine near the northwest corner processing large scrap;
- the small grab and baler shears machine near the northeast corner;
- the forklift truck, the telescopic loader and the skid steer loader;
- the track machine;
- the cutting equipment (gas torch and grinder);
- vehicle movements, and
- waste handling in buildings.

Other sources of noise are lorries tipping metal and the manual handling of metals. The depollution of ELVs would result in noise emissions associated with the deployment of airbags. Deployment of airbags is proposed inside the three-sided 'waste transfer building' and Greenstar Limited report that noise emissions will not be audible at the facility boundary.

W0079-01 specifies biannual noise monitoring at four boundary locations (N1–N4) and at one noise sensitive location (NSL1). Since metal recovery commenced five noise surveys have been conducted (December 2008, February and August 2009, and May and November 2010). The results are summarised in **Appendix A** (Table A.3). The noise reports include an additional boundary location N5, not specified in W0079-01 (which is located between N3 and N4).

Based on the survey reports, noise levels at the facility boundary locations have consistently exceeded 55dB(A) in daytime. The highest noise levels were recorded at the rear (northern) boundary (locations N3-N5) with the dominant sources identified as the baler-shears machine and the grab and lift platform. Noise levels ranged from 76-92dB(A) L_{Aeq} at N3 and from 81-90dB(A) L_{Aeq} at N4 based on the monitoring provided (See Table A.3). W0079-01 requires that "There shall be no clearly audible tonal component or impulsive component in the noise emissions from the activity at the facility boundary". Tones were detected at the boundary in the four most recent noise surveys. In February 2009 tonal components at N3 and N4 were attributed to on-site plant. Tonal emissions were also detected in August 2009 (at N1-N4) and in May 2010 (at N4 and N5), each attributed to onsite sources.

At NSL1 (Tallaght Hospital), noise levels have been attributed mainly to local and distant traffic and to emissions from surrounding commercial premises (See Table 2 for monitoring results). In the May 2010 survey noise emissions from the facility were said to be continuously audible at a low level at NSL1 with the facility contribution reported as likely to be <52dB(A). However in previous surveys it was not possible to determine if the facility emissions were audible at NSL1.

Table 2. Noise monitoring (daytime) at NSL1 – Values in dB(A) $L_{Aeq\ 30\ min}$ ($L_{A90\ 30\ min}$ in brackets)

Monitoring Location	Location	10 Dec 2008 ^{Note 1}	06 Feb 2009	12 Aug 2009	12 May 2010	24 Nov 2010
NSL1	Tallaght Hospital (north eastern gate)	58 (51)	57 (48)	53 (46)	56 (52)	54 (48)

Note 1: Waste activities (metals recovery) had commenced at the facility.

A tonal component in the 100hz band was detected at NSL1 in December 2008 reported as possibly associated with transformers at a nearby substation (Figure 1). A tonal component was not detected at NSL1 in subsequent surveys.

At the request of the Agency additional noise monitoring was undertaken by the licensee on 12th May 2010 at four agreed off-site locations. Results of the monitoring were provided as part of the Article 14(2)(b)(ii) request for information received on 10th June 2010. The purpose was to determine the impact on sensitive receptors in the vicinity of the facility. Noise monitoring was carried out while the facility was operating and also during a period of shut down, in order to determine the contribution of the facility. The results are summarised in Table 3.

Table 3. Noise monitoring (daytime) at off-site locations 12th May 2010

Monitoring Location	Description	Facility operation	L _{Aeq} 30 min	Note 1
				L _{A90} 30 min
NSL1	Tallaght Hospital (north eastern gate)	Open	56	52
		Closed	55	48
Station 2	Across road from facility entrance, 6m from façade of FAS training building and offices	Open	66	57
		Closed	61	46
Station 3	South east corner of Ricesteele Ltd. premises (adjoins north boundary of facility)	Open	66	61
		Closed	54	52
Station 4	In vacant lot between 2 dwellings at Colbert's Fort 275m east of facility)	Open	53	44
		Closed	50	40

Note 1: The noise level exceeded for 90% of the time interval, T. This level is generally taken to represent the 'background noise' level.

At Tallaght Hospital (NSL1) emissions from scrap metal manipulation were continuously audible at a low level, but were not significant. The FAS training centre and offices, established since the granting of W0079-01, is considered to be a noise sensitive location based on the Agency definition of a noise sensitive location¹. The noise survey identified that background noise levels at Station 2 (the FAS building) were higher than 55dB(A), without the facility operating, due to traffic noise and commercial activities in the industrial estate. However, with the facility in operation, noise levels (as L_{A90} 30 min) were 11dB(A) higher than the background levels. In addition, tonal components were said to be audible from reversing alarms and impulsive components arose from container loading. In Agency Guidance², it is recommended that noise emissions from a facility should be penalised by 5dB if the noise includes a clearly audible tonal and/or impulsive component. This highlights that the facility has the potential to cause a significant noise related impact at the FAS training centre.

At Station 3 (Ricesteele Ltd premises), notable noise level increases were attributable to facility operations, with an increase of 9dB (L_{A90,30 min}) above the background level. Several facility sources near the northern boundary were reported to dominate the noise environment at Ricesteele Ltd. despite other offsite sources (Ricesteele Ltd condenser/fan, noise from a wood flooring premises). A tonal component was also detected, and said to be most likely from the Greenstar Limited facility. With the facility closed impulsive emissions were audible from adjacent premises. The noise report, submitted by Greenstar Limited, states that Station 2 and Station 3 would benefit from noise mitigation; which is described below. At Station 4 (nearest residential area) the difference between the background levels and the recorded noise levels when the facility was operating was marginal, with the facility said to be only faintly audible.

¹ '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.'

² Guidance Note for Noise in Relation to Scheduled Activities, Environmental Protection Agency 2006.

Five noise related complaints were made directly to the facility in 2010 by phone or email, each from Ricesteele Ltd. In an additional written complaint to the Agency on 08/03/2010, Ricesteele Ltd described '*frequent noise emissions from the facility*'.

Noise mitigation measures referred to in the licence application are acoustic barriers (2m high concrete walls on three sides of the facility), confinement of certain operations to within buildings, and restriction of operation of plant and plant maintenance. While certain operations are proposed within buildings, Greenstar Limited state in their licence application that '*for operational reasons, it is neither practical nor safe to off-load and inspect all of the materials inside the building*' and that '*external processing of metals is required due to the size of the processing equipment*'.

The noise monitoring report of May 2010 referred to additional potential measures which were identified and discussed with site management. In summary these related to: replacement of track machine to eliminate potentially significant tonal emissions, changes in operational practices to minimise impulsive emissions (associated with dropping metal, and the telescopic loader scraping on the ground, change in operations when loading containers) and operation of skid steer loader to be slowed. No further information was provided as part of the licence application on the implementation or success of these measures. However Greenstar Limited submitted a response to an OEE notification of non-compliance (received on 22/06/2010) in which they stated that '*A recent noise assessment carried out upon request of the Agency as part of the licence review process has identified a series of mitigation measures to reduce the potential for nuisance created through noise generation at the facility. These measures have been introduced since the audit*' [audit dated 01/04/2010]. In the most recent quarterly noise survey of 24/11/2010 noise levels at the northern boundary (N3-N5) had not improved compared to the results of the noise survey of 12th May 2010.

In 2010 the facility received five complaints from Ricesteele Ltd relating to vibration. In response the licensee identified measures to minimise vibration including limiting the quantity of metal loaded to the baler/shears, ensuring machinery would not hit the dividing wall between the facility and Ricesteele Ltd, changes to the way containers are loaded and limiting the operating hours of machinery. No further information has been provided on the success of these measures.

Summary

Noise monitoring results provided show that the facility is a significant contributor to noise levels at the nearest noise sensitive location (Station 2: FAS offices). There is also a significant contribution to noise levels at Ricesteele Limited. Although the pharmaceutical company is not by definition a noise sensitive location, it is considered the standard noise limits should apply at Ricesteele Ltd to avoid noise-related nuisance.

Further noise mitigation measures have been proposed by Greenstar Limited as part of the May 2010 noise report. However, the licensee has not satisfactorily demonstrated that significant improvements in noise levels have been or could be achieved. In particular, the dominant source of noise is the processing of metals in an uncovered yard and the external processing is said to be necessary due to the equipment used. **Due to the nature of the waste processing activities, the processing of metals outdoors, the limited scope for effective noise mitigation (e.g., enclosed operations) and the proximity to noise sensitive receptors and Ricesteele Ltd., it is considered likely that the facility would continue to cause an unacceptable noise related impact.**

5.7 Waste

Small volumes of office and canteen wastes generated will be directed to approved facilities. Waste oils generated during plant, vehicle maintenance and depollution of ELVs are sent off-site for recovery/disposal. The following quantities of hazardous wastes would be generated per month if the proposed activity were operational: diesel (0.3m³), petrol (0.3m³), lubricants

(1.0m³), brake fluid (0.05m³), and antifreeze (1.0m³). These wastes will be directed to ENVA Ireland Ltd (W0184-01). Batteries (1tonne/month) will be sent to KMK Metals (W0113-03) while refrigerant (0.5tonne) will be sent to BOC Gases Ireland Ltd. (P0051-02).

6. Closure, Restoration and Aftercare

The majority of the site is either paved or occupied by buildings. The licensee does not anticipate that the waste processing activities will cease in the medium to long term. Under W0079-01 if the facility was to shut down, it will be closed and decommissioned in accordance with a plan approved by the Agency.

7. Cultural Heritage, Habitats & Protected Species

There are no designated conservation areas in the immediate vicinity. Glenasmole Valley SAC and NHA (site code 001209) is 4km to the south. Natural Heritage Areas (NHAs) in the area include Dodder Valley NHA (000991) 2.3km southeast of the facility, Lugmore Glen NHA (001212) 3.3km to the southwest and the Grand Canal NHA (002104) 3.6km to the north. The requested activities would not have a significant impact on any designated sites.

8. Waste Management Plan

The proposed changes at the facility are generally in line with the policies and objectives of the 'Waste Management Plan for the Dublin Region 2005-2010'.

9. Environmental Impact Statement

An Environmental Impact Statement was not submitted with the application.

10. Compliance with Directives/Regulations

The facility does not fall under the scope of the IPPC, Landfill, or Seveso Directives. In relation to the Groundwater Directive, the facility has no direct emissions to groundwater. The End-of-Life Vehicles Directive (2000/53/EC) includes an objective for the collection and treatment of end of life vehicles in an environmentally sound manner. The facility would be required to meet the requirements of 2000/53/EC and the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) to operate as an authorised treatment facility.

11. Compliance Record

The Office of Environmental Enforcement (OEE) Inspector was consulted in relation to the review application. There has been no previous legal action in relation to this facility, which has been licensed since 24/01/2000. However, the Agency has had serious concerns regarding waste handling and storage practices at the facility, since the licence issued and in particular since December 2008 when metal recovery activities commenced. In the four year period 2003-2006 eleven complaints were received by the Agency regarding W0079-01. These related to dust (4 no.), odour (3 no.) and miscellaneous (4 no.), including the facility hours of operation.

In 2010 a total of sixteen complaints were received under W0079-01. Of these, twelve complaints were received directly by the facility relating to noise (4 no.), vibration (4 no.), dust (3 no.), odour (4 no.) and miscellaneous (1 no.). Representation was also made by Ricesteele Ltd., to the Health and Safety Authority regarding the 'height and unsecured nature of scrap heap' at the facility, based on the facility Environmental Complaints Register.

Since December 2008 three site inspections and one site audit have been carried out by OEE. Following site inspections on 17/12/2008 and on 22/04/2009 the licensee was issued non-compliances relating to waste acceptance, handling and dispatch, waste characterisation, public access, waste quarantine area, dust exceedances, waste records and bunding. While the licensee has taken some measures to mitigate against dust emissions, waste acceptance and handling procedures, the licensee remains non-compliant with the waste licence. Following a site inspection on 13/10/2010, large stockpiles of metal waste in the yard were noted to be of

significant concern. No non-compliances have been issued relating to noise, however there are no noise limits specified in W0079-01. The licensee continues to carry out activities in a manner that is non-compliant with the waste licence despite numerous notifications of non-compliance. OEE are currently considering further enforcement action at this facility.

12. Fit & Proper Person Assessment

The legal, technical and financial standing of the applicant (Greenstar Limited) qualifies them to be considered Fit and Proper Persons. No information was provided in relation to Midland Scrap Metal Limited to allow a similar evaluation of their standing. The 'Fit & Proper Person' assessment requires three areas of examination:

(i) Technical Ability:

Greenstar Limited is the licensee for W0079-01 and the applicant for W0079-02. However Midland Scrap Metal Limited (MSM) is identified by Greenstar Limited to be responsible for the day to day operations at the facility. The licensee (Greenstar Limited) is considered to be appropriately qualified and experienced with regard to the technical ability required to carry out the proposed waste activities.

(ii) Legal Standing:

In September 2008 Greenstar Limited was convicted for collecting waste in contravention of the terms of their Waste Collection Permit contrary to Section 34(l) of the Waste Management Act, 1996 as amended. On the 27 & 28 November 2008, the EPA took a prosecution against Greenstar Recycling Holdings Limited for breaches of W0178-01 and the company was found guilty of two charges. On 9th June 2010 the EPA took a prosecution against Greenstar Holdings Limited for offences for breaches of W0146-01, where a fine of €500 was imposed with the EPA awarded costs. It is noted that there are no enforcement actions relating to W0079-01.

(iii) Financial Standing:

A copy of audited financial statements for the year ended 31st March 2007 was submitted for Greenstar Holdings Limited and its subsidiaries, as confirmation that the company trades profitably and has a sound financial standing.

While acknowledging previous prosecutions taken by the EPA against Greenstar Limited and Greenstar Holdings Limited, the Agency under the provisions set out in Section 40(8) of the Waste Management Acts 1996 to 2010 deems the applicant to be Fit and Proper Persons for the purposes of this licence application.

13. Submissions

Three valid submissions were received by the Agency in relation to this application. All three submissions were from Mr Pat O'Donoghue, Ricesteele Manufacturing Ltd, Unit 31, Second Avenue, Cookstown Industrial Estate. Each submission is presented in italics, followed by the Agency's response.

Submission 1 (received by email on 12/03/2010) – Nuisance complaint

I wish to put in an objection to the application for a licence for de-contaminating motor vehicles at the above facility. We are objecting on the grounds of the nuisance this facility is creating:

A: Excess vibrations coming from the yard.

B: Smells from yard on occasions.

C: Dust Emissions

Agency Response:

Ricesteele Ltd., has made a number of complaints relating to vibrations, smells and dust emanating from the yard of the Greenstar facility. The other complainant is FAS, who complained of a 'gas smell in office' on 07/07/2010. The licensee is obliged to ensure that activities at the facility are carried out so as not to cause environmental pollution (under Section 40(4)(b) of the Waste Management Act 1996-2010). The existing and proposed operations at the facility have the potential to impact on neighbouring premises. While dust emissions have improved since the submission was received, the applicant has not confirmed that measures relating to odour and vibration have resulted in an improvement.

Submission 2 (received by email on 05/07/2010) – Waste Handling and End of Life Vehicles

I still have received no response from Greenstar on the above matter,^{Note1} again problems still remain, the waste pile which is supposed to be stored in an enclosed yard is getting larger by the day. What Sanctions if any is your agency going to take regarding the 6 non compliances which were observed during the site inspection on April 2010?

I believe the above Company has applied for a licence to decontaminate end of life vehicles at the above facility, I can inform you that vehicles are being received onto the above site without being decontaminated. Again I want to re iterate Ricesteels objection to the granting of such a licence or indeed the renewal of Greenstars existing licence for handling of waste of the above site.

Note 1: Assumed to relate to the email title 'Subject: RE: Greenstar Waste Yard at Cookstown Industrial estate at Tallaght Dublin 24'

Agency Response:

The acceptance of vehicles prior to depollution is not authorised under W0079-01. The licensee has applied for the facility to become an authorised treatment facility to carry out depollution of end of life vehicles. In an OEE site inspection dated 01/04/2010 two end of life vehicles were observed and the licensee was unable to demonstrate that these had been depolluted; corrective action was required to rectify this. Also handling and storage of waste outdoors is not authorised under the current licence, W0079-01, and the OEE has issued non compliances for such operations.

Submission 3 (received by email on 05/07/2010) – Track record of Midland Scrap Metal Limited

The submission includes an article published in the Offaly Express dated 27/08/2008. The article headline is 'Controversial scrap yard to relocate to Daingean'. The following is a summary of the submission; the original submission should be referred to for the full text.

Ricesteele Ltd., in their submission state that 'I just found this on the Web regarding MSM recycling who as you know are operating under Greenstars Licence W0079-02 at unit 41 Cookstown Industrial Estate in Tallaght and this is only one of the many negative articles I have seen on the WEB about MSM recycling.'

The newspaper article states that 'The Midland Scrap Metal Company (MSM) Ltd is to relocate from its current location in Mountmellick to a new site in Daingean in county Offaly. A planning application was lodged with Offaly County Council on August 12 last for the MSM Recycling facility at Mount Lucas, with a decision due on October 6 next. Permission is being sought for construction of metal, glass and end of life vehicle recycling facility.'

The article also states that 'The company has been at loggerheads with residents from nearby Bayview who have been vocal in their opposition to various working procedures at the scrapyards.' Responding to recent reports of pending closures and job losses at MSM Recycling facility in Mountmellick, Adam Haughton PRO of Bayview Residents Association said: 'Any job losses are to

*be regretted especially at these times of economic downturn. However, what makes the pending job losses at the MSM Recycling Facility even more regrettable is that they were not necessary and they were not in this case brought about by any economic factor, but instead by **the actions of the facility's owners who showed no regard for the conditions attached to its waste disposal permit.*** (This text is underlined and in bold in the submission from Ricesteel Ltd).

Agency Response:

Greenstar Limited is the licensee for the existing licence (W0079-01) and they are also the applicant for the licence review application (W0079-02). Therefore the fit and proper person assessment has been carried out for Greenstar Limited (as above). Greenstar Limited has stated in their licence application that the day to day operations are being carried out by Midland Scrap Metal Limited. Greenstar Limited as the licensee has the responsibility for compliance with the licence, any environmental liabilities at the facility and by extension responsibility for the performance of Midland Scrap Metal Limited.

14. Recommendation

I am of the view that the Agency cannot be satisfied that the requirements of Section 40(4) of the Waste Management Acts 1996 to 2010 have been met, with particular regard to subsection (b). I recommend that the Agency refuse the licence review for the following reason:

1. The Agency is not satisfied that that the activities proposed will not cause or lead to environmental pollution (Section 40(4)(b) of the Waste Management Acts).

The nature of the waste activities requested in the licence review application, including the storage and handling of waste metals in an uncovered yard, is considered likely to cause or lead to environmental pollution. The operation of the metal recovery activities outdoors and in a built up area has the potential to impact on neighbouring premises with noise and dust emissions that would be at nuisance levels.

The licensee has not demonstrated, based on noise monitoring results from 2009 to 2010, when undertaking the requested activities, the ability to comply with the standard noise limits of 55dB(A) (daytime) and 45dB(A) (night-time) at the nearest noise sensitive locations, boundary and neighbouring premises.

The licensee has not proposed noise mitigation measures that are considered adequate or effective. The licensee stated in their licence review application that they cannot accept or process all metals indoors. Therefore it is concluded that the activities proposed in the application would result in significant noise emissions.

In preparing this report I have consulted with Agency technical and sectoral advisors Mr Pat Byrne and Mr Brian Meaney. I have considered all the documentation submitted in relation to this application. I recommend that the Agency refuse to grant a revised licence (application licence Register No. W0079-02) to Greenstar Limited for the reasons as drafted.

Signed



Marian Doyle

Inspector

Office of Climate, Licensing & Resource Use

Procedural Note

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2010.

Appendix A: Dust and Noise Monitoring Data

Table A1. Dust Monitoring Results for 2009 (mg/m²/day) ^{Note 1}

Location of monitoring point	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec ^{Note 2}
D1- South at road	134	91	264	261	245	229	92	70	193	172	71	-
D2 - North wall	601	270	672	733	770	617	545	180	151	442	255	-
D3- NW corner	100	111	182	203	271	194	82	52	151	203	79	-

Note 1: Exceedances of dust deposition limit of 350 mg/m²/day are shown in bold and results are to nearest decimal place.

Note 2: No result for December 2009 as dust gauges cracked in severe frost.

Table A2. Dust Monitoring Results for 2010 (mg/m²/day) ^{Note 1}

Location of monitoring point	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sept	Oct
D1- South at road	389	144	167	205	162	119	91	129	20	112
D2 - North wall	225	84	492	272	260	198	187	295	107	170
D3- NW corner	96	75	114	224	69	125	152	121	62	77

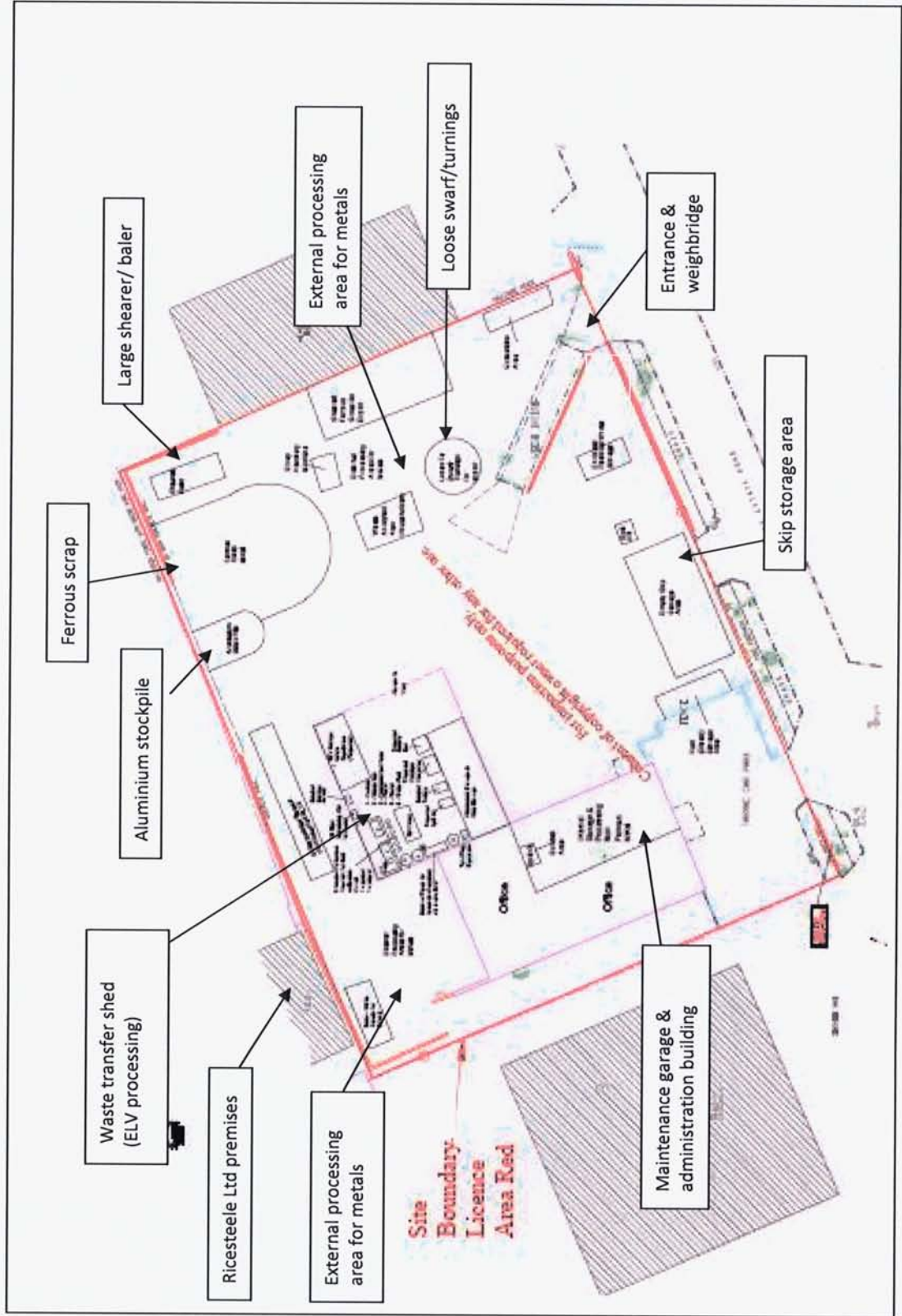
Note 1: Exceedances of dust deposition limit of 350 mg/m²/day are shown in bold and results are to nearest decimal place.

Table A3. Noise monitoring results (daytime) in dB(A) L_{Aeq 30 min} (L_{A90 30 min} in brackets)

Monitoring Location	Approximate location	10 Dec 2008	06 Feb 2009	12 Aug 2009	12 May 2010	24 Nov 2010
N1	South west corner	69 (52)	56 (52)	59 (50)	59 (56)	55 (49)
N2	Beside site entrance	65 (52)	62 (52)	64 (48)	68 (68)	61 (53)
N3	North west corner	69 (64)	76 (61)	88 (82 ^{Note 1})	91 (85)	92 (59)
N4	North east corner	67 (45-48 ^{Note 1})	83 (48-54 ^{Note 1})	81 (77 ^{Note 1})	84 (78)	90 (84)
N5	Between N3 & N4	59 (52)	73 (71)	77 (52)	75 (75)	74 (65)
Range L _{Aeq 30 min}		59-69	56-83	59-88	59-91	55-92
NSL1	Tallaght Hospital	58 (51)	57 (48)	53 (46)	56 (52)	54 (48)

Note 1: 6dB correction included to correct for near field interference from two facades, corrected values are estimates.

Appendix B: W0079-02 Site Layout



Appendix C: Monitoring locations and emission points for noise, dust, water and sewer

