



Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhshaoil

Mr Kevin Flynn
ADPower Limited
Ballinphuill
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Regional Inspectorate, Inniscarra
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05 September 2011

Reg. No. **W0274-01**

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations 2004, as amended

Dear Mr Flynn,

I am to refer to the above referenced application for a waste licence relating to a facility at **Ballinphuill, Tibohine, Castlerea, Co. Roscommon**.

Having regard to recently updated legislation and in accordance with Article 14(2)(b)(ii) of the Regulations, please supply the information detailed below:

The following items are to be addressed to incorporate the requirements of the amended Waste Management Acts 1996 to 2011 and the European Communities (Waste Directive) Regulations 2011.

1. With reference to article 12(1)(f) of the Waste Management (Licensing) Regulations, provide a revised Table B.7.1 and Table H.1(A) (updated versions of which are attached and are also available in the 2011 waste licence application form at www.epa.ie) identifying the relevant classes of activity according to the Third and Fourth Schedules to the amended Waste Management Acts 1996 to 2011. (*Amendment to the Acts was introduced by regulation 24 of the European Communities (Waste Directive) Regulations 2011*). Please find attached a hardcopy of Table B.7.1 and Table H.1(A) for your information.
2. Provide information to address the requirements of article 12(1)(v) of the Waste Management (Licensing) Regulations, 2004, as amended, in relation to a description of how the waste hierarchy in section 21A of the amended Waste Management Acts 1996 to 2011 is applied. Please have regard to the requirements of section 29(2A) of the amended Acts in addressing this item. (*Amendment to the Regulations was introduced by regulation 57 and amendment to the Acts regarding sections 21A and 29(2A) by regulations 7 and 14 respectively of the European Communities (Waste Directive) Regulations 2011*).



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

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within 6 weeks of the date of this notice. In addition submit 2 copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please direct all correspondence in relation to this matter to Administration, *Environmental Licensing Programme, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,


PP Brian Meaney

Inspector
Environmental Licensing Programme
Office of Climate, Licensing & Resource Use

B.7 Type of Waste Activity, Tonnages & Fees

B.7.1 Specify the class or classes of activity in Table B.7.1, in accordance with the Third Schedule or Fourth Schedule to the Waste Management Acts 1996 to 2010, as amended by the European Communities (Waste Directive) Regulations, 2011, to which the application relates (check the relevant box(es) and mark the principal activity with a 'P').

Attachment B.7 should identify the principle activity and include a brief technical description of each of the other activities specified. There can only be one principal activity.

TABLE B.7.1 THIRD AND FOURTH SCHEDULES OF THE WASTE MANAGEMENT ACTS 1996 TO 2010

Waste Management Acts 1996 to 2010				
		Y/N	Fourth Schedule Waste Recovery Operations	Y/N
D 1	Deposit into or on to land (e.g. including landfill, etc.).		<p>R 1</p> <p>Use principally as a fuel or other means to generate energy: This includes incineration facilities dedicated to the processing of municipal solid waste only where their energy efficiency is equal to or above:</p> <ul style="list-style-type: none"> - 0.60 for installations in operation and permitted in accordance with applicable Community acts before 1 January 2009, - 0.65 for installations permitted after 31 December 2008, <p>using the following formula, applied in accordance with the reference document on Best Available Techniques for Waste Incineration: Energy efficiency = $(E_p - (E_f + E_i)) / (0.97 \times (E_w + E_f))$ where—</p> <p>'E_p' means annual energy produced as heat or electricity and is calculated with energy in the form of electricity being multiplied by 2.6 and heat produced for commercial use multiplied by 1.1(GJ/year),</p> <p>'E_f' means annual energy input to the system from fuels contributing to the production of steam (GJ/year),</p> <p>'E_w' means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year),</p> <p>'E_i' means annual energy imported excluding E_w and B_f(GJ/year),</p> <p>'0.97' is a factor accounting for energy losses due to bottom ash and radiation.</p>	
D 2	Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.).		R 2	Solvent reclamation/regeneration.
D 3	Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.).		R 3	Recycling /reclamation of organic substances which are not used as solvents (including composting and other biological transformation



WASTE Application Form

				processes), which includes gasification and pyrolysis using the components as chemicals.	
D 4	Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.).		R 4	Recycling/reclamation of metals and metal compounds.	
D 5	Specialty engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.).		R 5	Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.	
D 6	Release into a water body except seas/oceans.		R 6	Regeneration of acids or bases.	
D 7	Release to seas/oceans including sea-bed insertion.		R 7	Recovery of components used for pollution abatement.	
D 8	Biological treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12.		R 8	Recovery of components from catalysts.	
D 9	Physico-chemical treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcinations, etc.).		R 9	Oil re-refining or other reuses of oil.	
D 10	Incineration on land.		R 10	Land treatment resulting in benefit to agriculture or ecological improvement.	
D 11	Incineration at sea (this operation is prohibited by EU legislation and international conventions).		R 11	Use of waste obtained from any of the operations numbered R 1 to R 10.	
D 12	Permanent storage (e.g. emplacement of containers in a mine, etc).		R 12	Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11).	
D 13	Blending or mixing prior to submission to any of the operations numbered D 1 to D 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12).		R 13	Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).	
D 14	Repackaging prior to submission to any of the operations numbered D 1 to D 13.				
D 15	Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).				

SECTION H MATERIALS HANDLING

H.1 Waste Types and Quantities – Existing & Proposed

Provide an estimation of the quantity of waste likely to be handled in relation to each class of activity applied for. This information should be included in Table H.1(a).

TABLE H.1(A). QUANTITIES OF WASTE IN RELATION TO EACH CLASS OF ACTIVITY APPLIED FOR

Waste Management Acts 1996 to 2010 3rd Schedule (Disposal) Operations		Waste Management Acts 1996 to 2010 4th Schedule (Recovery) Operations	
Class of Activity Applied For	Quantity (tpa)	Class of Activity Applied For	Quantity (tpa)
Class D 1		Class R 1	
Class D 2		Class R 2	
Class D 3		Class R 3	
Class D 4		Class R 4	
Class D 5		Class R 5	
Class D 6		Class R 6	
Class D 7		Class R 7	
Class D 8		Class R 8	
Class D 9		Class R 9	
Class D 10		Class R 10	
Class D 11		Class R 11	
Class D 12		Class R 12	
Class D 13		Class R 13	
Class D 14			
Class D 15			

In Table H. 1 (B) provide the annual amount of waste handled/to be handled at the facility. Additional information should be included in **Attachment H.1**. The tonnage per annum should be given of that expected for the life of the licence, with at least the next five years tonnages provided. For Landfill Review applications provide an estimate of the quantity of waste already deposited in (i) lined cells; (ii) unlined cells.

TABLE H.1(B) ANNUAL QUANTITIES AND NATURE OF WASTE

Year	Non-hazardous waste (tonnes per annum)	Hazardous waste (tonnes per annum)	Total annual quantity of waste (tonnes per annum)

