

Attachment L.1: Compliance with the Waste Management Act 1996 to 2003

L.1: Statutory Requirements

It is submitted that Indaver have previously demonstrated (via the previous licence applications and related correspondence) that all the requirements of Section 40 (a-i) of the Waste Management Act are met by the facility and its operator. Respectfully, it is not proposed to repeat these in this application though the information can be made available to the Agency upon request.

Attachment L.1.2 below sets out to demonstrate that the process as implemented at the facility as amended meets current BAT requirements.

L.1.2: Application of Best Available Techniques

Section 40(4) part (c) of the Waste Management Act 1996 to 2003 requires that the facility be designed and operated in accordance with Best Available Techniques (BAT) to prevent and reduce emissions or other adverse environmental impacts as far as practicable. The Industrial Emissions Directive 2010/75/EU will apply to the Meath WTE facility as of January 2014, and strengthens the application of BAT across the EU.

The European IPPC Bureau Reference (BREF) Document on BAT for Waste Incineration (July 2005) was used to determine BAT, (local factors were also taken into account) for the design and operation of the existing facility, as presented in the application for W0167-02. For clarity and ease, the review below is confined solely to the proposed amendment of accepting additional waste types with a hazardous EWC Code, against the relevant BAT.

L.1.3.a Generic BAT for all waste incineration¹

BAT NO:

- **4:** Quality controls have been established and are maintained to regulate waste input. Standard operating procedures have been developed for waste acceptance and waste handling to control the nature and quality of the waste received at the facility and will be modified slightly to reflect the addition of new waste types. Further detail can be found in Section 5.6 of the EIS.
- **8 & 9:** Prior to acceptance at the facility, all waste streams are and will be assessed for suitability for treatment, and that the Waste Acceptance Criteria is met. (Further detail is given in Section 5.6 of the EIS). Liquid wastes will be fed into the furnace by direct injection. Solid waste will be stored in the waste bunker and fed into the furnace by crane through the hopper. The exception to this will be if wastes with EWC Code 18 01 03* are allowed to be accepted. These wastes will be fed directly to the furnace by a closed conveyor system in line with BAT 5.6 (78). Non-conforming wastes will be stored separately in the quarantine area outside the reception hall. These will be placed in the most suitable container for transport to an alternative treatment facility. Any other wastes generated on site will also be suitably packaged for onward treatment. All will be clearly labelled. Hazardous wastes will bear the correct and durable labelling required by ADR and IMDG.
- **16:** It is recognised that periods of shut down result in fluctuations in overall emissions and continuous operation of the facility is ideal. As detailed in Section 2.2 of the EIS, the increased tonnage and additional waste types that are the subject of

¹ Section 5.1 of the BREF Note, starting page 435.

this application are to prevent the facility from having to cease operations for a portion of the year when the licenced tonnage limit has been reached due to the lower CV of the incoming waste. There is a programme of preventative maintenance carried out to reduce the likelihood of unplanned shut-downs.

- **20:** The proposed new waste types are anticipated to have a higher calorific value but if required, primary air will be pre-heated to between 120 and 150°C before injection into the furnace by steam from the turbine extraction.
- **39:** The fine tuning of the FGT is in progress as the plant moves through the first year of operation. It is expected that the impact of the proposed new waste types on FGT reagent consumption will not be significant (detailed in Section 5.6 of the EIS)

L.1.3.b Specific BAT for hazardous waste incineration²

It is noted that, as the guidance in Section 5.4 is specifically for dedicated hazardous waste treatment facilities, many of the conditions do not apply to the Meath waste-to-energy facility where the proportion of hazardous materials in the overall bulk of waste treated will be very limited (5% or less)

- **69:** Section 5.6.1 of the EIS details the waste characterisation and classification needed to ensure that only waste suitable for treatment will be accepted. The process &/or origin of the waste will be assessed, along with its physical and chemical properties.
- **70:** There is no mixing, blending or pre-treating proposed, other than the mixing of the waste in the bunker to achieve, as far as possible, a homogenous feed.
- **71:** Further to Bat 70, there is control of waste feeding to the furnace by the charging pusher located at the base of the feeding chute. The pusher contains two parallel sections consisting of a number of pistons operated by a hydraulic cylinder. These are individually controlled to achieve even feeding across the width of the grate. The charging pusher slowly pushes the waste onto the first step of the grate.
- **72:** Liquid wastes are introduced to the furnace by way of direct injection.
- **73:** The proposed new waste types will be treated using the existing grate technology which is contained in the furnace. The grate consists of independently controlled sections and is steeply angled (25°). The shafts of each section alternately turn so the grate surface forms a stair-shape where the steps change pace. This achieves a rolling movement which has the effect of breaking up and agitating the waste whilst moving it forward through the furnace.
- **74:** BAT 63 would apply as facility mainly MSW waste.
- **75:** Not applicable.

L.1.3.c Specific BAT for Clinical waste incineration³

- **78 & 79:** If the proposed new waste type with EWC Code 18 01 03* is allowed, non-manual handling and feeding systems will be introduced – Section 5.6.1 (waste handling) in the EIS describes the proposed systems for this waste type.
- **80:** It is not proposed to re-use waste containers on site.

² Section 5.4 of the BREF Note, starting on page 452

³ Section 5.6 of the BREF Note, starting on page 453

- **81:** The existing technology on site is an air-cooled grate, the primary air injection rate can be varied as necessary but the percentage of this waste type to the total waste will be low, and is not predicted to have an impact on the total CV. The waste feed will be direct to the furnace the rate of feed will be controlled.
- **82:** Not applicable

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Attachment L.2: Fit and proper person

The Waste Management Act 1996 to 2003 in Section 40(4)(d) specifies that the Agency shall not grant a licence unless it is satisfied that the applicant (if the applicant is not a local authority) is a fit and proper person. Section 40(7) of the Act specifies the information required to enable a determination to be made by the Agency, which includes:

- an indication of whether the applicant or other relevant person has been convicted under the Waste Management Acts 1996 to 2003, the EPA Act 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.
- details of the applicant's technical knowledge and/or qualifications, along with that of other relevant employees.
- information to show that the person is likely to be in a position to meet any financial commitments or liabilities that may have been or will be entered into or incurred in carrying on the activity to which the application relates or in consequence of ceasing to carry out that activity.

It is submitted that Indaver have previously demonstrated that they are a Fit and Proper Person in accordance with the requirements of the Act. A summary of the aspects required to comply with these requirements is outlined below.

L.2.1 Convictions under the Waste Management Acts

Indaver has never been convicted of any offence under the Waste Management Act 1996 to 2003, the EPA Act 1992 and 2003, the Local Government (Water Pollution) Acts 1997 and 1990 or the Air Pollution Act 1987 or any other environmental legislation in the 35 years it has operated in Ireland either as Indaver Ireland Limited or as MinChem Environmental Services Ltd.

L.2.2 Technical Knowledge and/or Qualifications

Attachment C.1 contains a comprehensive outline of Indaver's management team and facility staff (and their technical knowledge) involved in the operation of the plant.

In addition to this, specialist Indaver NV staff based in Belgium provide support to management, operations and quality, environment, safety and health staff based in Ireland. Indaver Ireland works closely with Indaver NV on all aspects of its operations.

Indaver NV has operated since 1987 and has extensive experience in waste management and waste-to-energy facility operations. In 2010, the company handled over 4.3 million tonnes of waste throughout Europe, 3.5 million of which was processed at its own installations. Indaver NV has never been prosecuted by the authorities. All operations are closely monitored and studies on air and soil quality near Indaver NV's facilities demonstrate that the company's activities have not had any negative impact on the environment or public health.

More information about the Indaver Group can be viewed in the Sustainability Report 2010 on www.Indaver.ie

L.2.3 Financial provision

In 2011 an ELRA and CRAMP was prepared by Byrne O'Clérigh on behalf of Indaver to address the requirement for financial provision for the known and unknown liabilities associated with the facility.

The ELRA found that the upper financial cost of unknown liabilities relating to the facility was €41,100 over a thirty year period. The worst single incident was estimated to produce an environmental cost of up to €330,000 with a likelihood of occurrence rating between 0% and 5% over a thirty year operation period.

In the associated CRAMP completed by Byrne O’Cleirigh, it was concluded that the site presents a low risk of residual contamination. Total estimated closure costs were estimated at €585,125. Aftercare costs were estimated at just under €20,000. Indaver confirmed that the cost of implementing Closure and the Aftercare Management Plan will be borne by Indaver.

The Indaver Group holds environmental liability insurance which provides for cover for pollution legal liability, contractors pollution liability, on site cleanup, third party claims for off-site clean up third party claims for bodily injury and property, biodiversity damage and transportation liability. The insured limits are for €50M for each and every claim and each year with a deductible of €25,000 for each claim. On this basis there is more than adequate financial provision in place for the facility in terms of pollution issues.

In addition Indaver NV has been operating since 1985 and is in a strong financial position to continue to invest in waste management infrastructure in Ireland. Indaver NV stands over all liabilities and obligations of Indaver Ireland Limited. Due to the company’s range of operations and continual expansion, it is in a position to both understand and meet any financial commitments or liabilities incurred by all activities relating to this application. This is evident from the Financial Results from 2010 , which are given in Appendix L1

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Appendix L1

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