



Environmental Protection Agency
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Your ref.: PA0026

Re: Waste Incineration / Waste to Energy Plant at Carranstown, Duleek, Co. Meath

For the attention of Kieran Somers

Dear Mr. Somers,

I refer to your letter dated 28th June 2012 seeking observations on the application for planning permission by Indaver Ireland Limited in relation to proposed amendments to the Waste Incineration / Waste to Energy Plant at Carranstown, Duleek, Co. Meath.

I am to advise that on 23rd April 2012, the Environmental Protection Agency received a waste licence review application in respect of the proposed amendments. The application has been given the register number W0167-03 and all documentation relating to that application is available on the website of the EPA at www.epa.ie. The existing activities at the facility – operation of a Waste Incineration / Waste to Energy Plant for residual non-hazardous waste – are authorised by the EPA under licence register number W0167-02. The facility is regulated and controlled in accordance with the requirements of the Waste Incineration Directive (2000/76/EC) and the IPPC Directive (2008/1/EC).

The proposed amendments to the facility, as set out in the waste licence review application and accompanying Environmental Impact Statement (EIS), are summarised as follows:

- (i) 20,000 tonnes (10%) increase in annual throughput to a maximum waste incineration capacity of 220,000 tonnes per annum;
- (ii) Inclusion of additional EWC codes (hazardous and non-hazardous);
- (iii) Extension of waste acceptance & dispatch hours;
- (iv) Additional ammonia storage tank (62m³) and fuel oil tank (44m³);
- (v) Additional effluent treatment system and engineered percolation area to serve the modular office block; and
- (vi) Conversion from temporary to permanent status of two structures (modular office block and spare parts shed) and conversion to permanent status of hardcore area for contractor parking, paved roadway leading to office block, 22 additional paved car parking spaces.

The Agency is currently examining the licence review application and associated documentation in order to make a full assessment for the purposes of reviewing the existing waste licence.



Further to your invitation to make observations and in particular in relation to your matters specified in your letter the Agency provides the observations below:

1. The Agency has examined the EIS and the approach taken appears to identify, describe and assess, in an appropriate manner, the direct and indirect effects of the project on the factors identified in Article 3 of the EIA Directive (85/337/EEC as amended) including the interaction of those factors. The impact of the activity on the receiving environment has been addressed in the EIS. On the basis of the information contained in the EIS, and having regard to the mitigation measures as proposed, the Agency notes that the EIS indicates that the relevant parameters are met.

Authorisation of the activity is subject to the requirements of the Waste Incineration Directive (2000/76/EC) and the IPPC Directive (2008/1/EC). In considering the review application the Agency will also have regard as necessary to the *Reference Document on the Best Available Techniques for Waste Incineration*, European Commission, August 2006.

2. The Agency's observations in relation to particular sections of the EIS, are as follows:

➤ Section 5.4.1 Additional Capacity

The Agency notes that the facility, because of its thermal design capacity (70 MW) and the fact that the incoming waste is of a lower calorific value than expected, is capable of processing a higher tonnage of waste per annum than originally anticipated. The Agency notes that the incineration process and associated flue gas cleaning and energy recovery systems will remain unchanged from those authorised under the existing waste licence. The EIS identifies that there will be an increase in the usage of raw materials in the flue gas treatment system. The EIS states that there will be no material alteration to the emissions to atmosphere from the stack, and Indaver are not requesting any increase/changes to the emission limit values (ELVs) for stack emissions.

➤ Section 5.4.2 Additional EWC Codes

The Agency notes that the proposed amendments will require no changes to the incineration process or infrastructure, with the exception of a new direct feed mechanism for infectious clinical wastes, as required by the Waste Incineration Directive. The EIS states that varying the waste input will affect the concentration of pollutants in the untreated flue gases, but the existing flue gas treatment system is capable of treating the gases and the stack emissions will continue to be well below the emission limit values specified in the waste licence.

➤ Section 5.4.6 Ammonia and Fuel Storage Tanks

The Agency notes that the proposal is to install duplicate storage tanks beside the existing tanks. The existing waste licence requires secondary containment of all tanks to contain any spills/leaks in order to protect surface water and groundwater. The EIS outlines that similar requirements will be put in place for the new storage tanks.



➤ Sections 5.6.11 Induced Daft Fan and stack and Chapter 7 Air Quality

The Agency notes that there is no proposal to change the stack diameter and height. Section 5.6.11 of the EIS states that the air dispersion modelling exercise carried out as part of the 2006 and 2009 EISs was robust and does not need to be reviewed on the basis of the proposed changes. However, section 5.7 and chapter 7 of the EIS identifies that recent spot measurements of the volume flow at the stack have shown results that are higher than was expected. As a result, Indaver now propose to increase the maximum licensed volumetric flowrate from 147,000 Nm³/hr to 183,700 Nm³/hr (approximately 25% increase), in order to allow for daily fluctuations based on the waste input and operating conditions. Chapter 7 of the EIS states that the air dispersion model was re-run at the higher flue gas flowrate and the results demonstrate that the variation in flowrate does not materially alter the original conclusions that all pollutants emitted from the facility will meet the most stringent ambient air quality standards for the protection of human health and the environment. The air dispersion model will be subject to a detailed evaluation by the Agency to ensure all conclusions drawn are justified and correct. Air dispersion modelling is required to be undertaken in accordance with the Agency's published guidance on *Air Dispersion Modelling from Industrial Installations Guidance Note (AG4)*, EPA 2010. If approved, the emissions to air from the stack will be subject to emission limit values and monitoring requirements as set out in the Waste Incineration Directive or as required to ensure compliance with Air Quality Standards for the protection of human health and the environment, whichever is more stringent.

➤ Section 5.7 Description of Process Input and Output Requirements

Details are provided on the changes in raw materials usage, ash production, electricity production and stack emissions. See comments under Section 5.6.11 in relation to the air dispersion model.

➤ Section 6.3.1 Social Considerations – Introduction

This section refers to the Agency's Second National Hazardous Waste Management Plan 2008 – 2012, with its stated objective of reducing the export of, and increasing the indigenous treatment of hazardous waste. This section also refers to Ireland's renewable energy targets as required under EU Directive 2009/28/EC, Ireland's obligations regarding greenhouse gas emissions under the Kyoto Protocol, and the Landfill Directive 1999/31/EC targets for the diversion of biodegradable waste from landfill. The Agency considers that the proposed development is consistent with the aforementioned plans and targets.

3. General comments

The Agency would consider that the proposed new waste water treatment system and percolation area to serve the modular office block should satisfy the criteria set out in the EPA's waste water treatment manuals.

In addition, the Agency has recently issued a revised Noise Guidance Note (NG4)¹ to assist licensed sites with the assessment of their potential and actual noise impact on the local environment. This guidance is not referred to in the EIS.

The Industrial Emissions Directive (2010/75/EU), which recasts a number of European Directives including the Waste Incineration Directive, is required to be transposed into Irish law by 7th January 2013. The waste licence review application will be examined having regard to the requirements of the Industrial Emissions Directive.

Overall, the EIS addresses the key points in relation to the environmental aspects of the activity. The processing by the Agency of the licence review application will evaluate these issues in greater detail and any licence as may be granted would fully implement the requirements of the Waste Incineration Directive and the IPPC Directive. A licence may not be granted in respect of an activity unless the Agency is satisfied that it will not cause environmental pollution (see Appendix to this letter).

The *European Communities (Waste Directive) Regulations 2011 (S.I. No. 126 of 2011)*, have implemented the new Waste Framework Directive (2008/98/EC) in Ireland and have made a number of amendments to the Waste Management Act 1996, as amended. Relevant provisions of the amended Waste Management Acts and the Regulations will be taken into account in the decision to be made by the Agency on the waste licence review application. The Agency will also have regard, where applicable, to the requirements of the *European Union (Environmental Impact Assessment) (Waste) Regulations 2012 (S.I. No. 283 of 2012)*.

The commentary in this letter is made without prejudice to any future decision of the Agency relating to the proposed development.

Yours sincerely,



Aoife Loughnane
Inspector
Environmental Licensing Programme

¹ Available at <http://www.epa.ie/downloads/advice/noise/NG4%20Final%20Guid%20note%2024-Apr-12.pdf>

Section 40(4) of the Waste Management Acts 1996 to 2011

The EPA cannot grant a waste licence unless it is satisfied that the provisions of section 40(4) of the Waste Management Acts 1996 to 2011 are met. Section 40(4) mandates that:

The Agency shall not grant a waste licence unless it is satisfied that—

- (a) any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment,*
- (b) the activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,*
- (bb) if the activity concerned involves the landfill of waste, the activity, carried on in accordance with such conditions as may be attached to the licence, will comply with Council Directive 1999/31/EC on the landfill of waste,*
- (c) the best available techniques will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,*
- (cc) the activity concerned is consistent with the objectives of the relevant waste management plan or the hazardous waste management plan, as the case may be, and will not prejudice measures taken or to be taken by the relevant local authority or authorities for the purpose of the implementation of any such plan,*
- (d) if the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,*
- (e) the applicant has complied with any requirements under section 53,*
- (f) energy will be used efficiently in the carrying on of the activity concerned,*
- (g) any noise from the activity concerned will comply with, or will not result in the contravention of, any regulations under section 106 of the Act of 1992,*
- (h) necessary measures will be taken to prevent accidents in the carrying on of the activity concerned and, where an accident occurs, to limit its consequences for the environment, and*
- (i) necessary measures will be taken upon the permanent cessation of the activity concerned (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to a satisfactory state.*
- (j) the intended method of treatment is acceptable from the point of view of environmental protection, in particular when the method is not in accordance with section 32(1).*

All matters pertaining to environmental emissions from the activity and application of Best Available Technology (BAT), as detailed in the EIS and licence review application documentation, are being considered and assessed by the Agency. Where the Agency is of the opinion that the activities cannot be carried on, or effectively controlled by way of conditions under a licence, to the extent that permits compliance with a reasonable burden of proof for Section 40(4) of the Waste Management Acts, then it is legally debarred from granting a licence for such an operation. Should the Agency decide to grant a revised licence in respect of the activity, it will incorporate conditions that will ensure that appropriate National and EU standards are applied, and that BAT will be used in carrying on of the activity.