

Signed: *Ara Budge*

Date: *21/2013*



**OFFICE OF CLIMATE,
LICENSING
&
RESOURCE USE**

LICENSING PROGRAMME MEMORANDUM

TO: Dara Lynott

FROM: EO Project Team

DATE: 18th December 2012

RE: Technical amendments required in order to bring licences into compliance with the European Communities Environmental Objectives (Surface Waters) Regulations 2009 and 2012 and the European Communities Environmental Objectives (Groundwater) Regulations 2010 and 2012

Introduction

The Agency is obliged to examine the terms of all relevant existing IPPC, Waste and waste water discharge licences with a view to determining whether they address the obligations laid down in the Environmental Objectives (Surface Waters) and Environmental Objectives (Groundwater) Regulations. The Agency must declare that the licence is compliant or technically amend/review the licence by 22nd December 2012.

A memo was presented to the Board in August 2011 which set out how the Environmental Licensing Programme would carry out technical amendments to licences, in order to bring a number of licences into compliance with the Regulations. A previous memo (dated 25th May 2011) had detailed how reviews will be carried out in order to bring licences into compliance with the Regulations. The remaining licences which are already compliant, will be issued with a declaration stating compliance with the Regulations.

Assessment

IPPC and Waste licences granted by the Agency have been assessed and the Agency has determined that a number of licences can be brought into conformity with the provisions and requirements of said Regulations by the exercise of the powers conferred by Section 96(1)(c) of the Environmental Protection Agency Acts 1992 to 2012 and Section 42B(1)(c) of the Waste Management Acts 1996 to 2012.

The amendments necessary are not considered to alter the character of the licence and the licence will continue to comply with and not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Acts, 1992 to 2012 or Section 40(4) of the Waste Management Acts 1996 to 2012.

The Table below indicates the Licences that are to be amended so as to add a condition(s) related to the protection of groundwater regarding existing plumes of pollution in groundwater resulting from contaminated land. The wording of the condition has been approved by the Board and reflects the fact that although historically contaminated land is referenced in the Guidance on the Authorisation of Discharges to Groundwater, it is not the focus of this guidance. The condition states:

Condition A re: existing plumes of pollution resulting from contaminated land

x.XXx Within eighteen months of the date of this technical amendment, the licensee shall, in line with the criteria set out in the *Guidance on the Authorisation of Discharges to Groundwater*, published by the Environmental Protection Agency, review the most relevant hydrogeological assessment report for the installation or where relevant, arrange for an assessment of the installation, by an appropriately qualified consultant/professional, to demonstrate compliance with the European Communities Environmental Objectives (Groundwater) Regulations 2010, S.I. No 9 of 2010, as amended. A report on the review or assessment report with recommendations, shall be included in the next AER. Further to the hydrogeological review or assessment, any actions (including the setting of groundwater compliance values, if appropriate) required to demonstrate compliance with the European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended shall be implemented before 22nd December 2015.

The Table below identifies the two licences that are also to be amended so as to add a condition regarding on-site wastewater treatment systems for the protection of groundwater. The wording of the condition has been approved by the Board and states:

Condition B re: domestic waste water treatment system

x.XXx Any waste water treatment system and any percolation area for the treatment of sanitary effluent arising on-site, shall satisfy the criteria set out in the *Code of Practice: Waste Water Treatment and Disposal Systems Serving Single Houses*, published by the Environmental Protection Agency, within six months of date of grant of this technical amendment.

Table 1 List of Licences that require TA

| No. | Reg No. | Licensee | Condition type | Condition number |
|-----|----------|---|----------------|------------------|
| 1 | P0014-04 | Swords Laboratories | A | 10.7 |
| 2 | P0016-02 | Janssen Pharmaceutical | A & B | 9.3.4 |
| 3 | P0019-02 | Amgen Technology (Ireland) | A | 6.14.1 |
| 4 | P0056-01 | Cold Chon (Galway) Ltd. | A | 9.2.2 |
| 5 | P0060-01 | Arch Chemicals B.V. | A | 9.3.4 |
| 6 | P0078-01 | Henkel (Ireland) Limited | A | 9.3.4 |
| 7 | P0093-01 | PPI Adhesive Products Ltd. | A | 8.3.5 |
| 8 | P0100-02 | Alkermes Pharma Ireland Limited | A | 9.3.7 |
| 9 | P0110-02 | Arran Chemical Company Limited | A | 6.20 |
| 10 | P0125-02 | Clarochem Ireland Limited | A | 6.16 |
| 11 | P0136-04 | Pfizer Ireland Pharmaceuticals | A | 6.13.1 |
| 12 | P0224-02 | Analog Devices BV | A | 9.35 |
| 13 | P0283-02 | Brewery, Chemical and Dairy Engineering Limited | A | 6.13 |

| | | | | |
|----|----------|--|-------|--------------------|
| 14 | P0322-01 | Laois Sawmills Limited | A | 8.3.3 |
| 15 | P0334-01 | Adhmaid Cill Na Martra Teoranta | A | 8.2.6 |
| 16 | P0338-01 | Palfab Limited | A | 8.2.3 |
| 17 | P0352-01 | Mr John English | A | 8.3.2 |
| 18 | P0353-01 | Supershrone Limited | A | 8.3.2 |
| 19 | P0358-01 | Woodfab Timber Limited | A | 8.3.2 |
| 20 | P0377-01 | Woodford Timber Products Limited | A | 8.2.9 |
| 21 | P0385-01 | Galco (Waterford) Limited | A | 9.3.4 |
| 22 | P0392-01 | Jamestown Metal Resources Limited | A | 8.3.4 |
| 23 | P0404-02 | Dairygold Co-operative Society Limited | A | 6.20 |
| 24 | P0407-01 | Irish Pioneer Works (Fabricators) Ltd. | A | 9.2.4 |
| 25 | P0419-01 | Conoco Phillips Bantry Bay Terminals Limited | A | 9.1.5 |
| 26 | P0480-02 | Dublin Aerospace Limited | A | 6.12.3 |
| 27 | P0583-01 | Xtratherm Limited | A & B | 8.3.5 & 8.3.6 |
| 28 | P0784-01 | Boylan Print Limited | A | 6.11.1 |
| 29 | P0811-01 | Dunbia (Slane) | A | 6.15.1 |
| 30 | P0846-01 | Ballon Meats Limited | A | 6.15.4 |
| 31 | W0037-01 | Clare County Council | A | 1.6.2, 3.17.2 (ii) |
| 32 | W0041-01 | Enva Ireland Ltd Trading As Enva | A | 9.12 |
| 33 | W0082-02 | Greenstar Environmental Services Ltd | A | 7.9 |
| 34 | W0107-01 | Waste Recovery Services (Fermoy) Limited | A | 11.7.3 |
| 35 | W0115-01 | Soltec (Ireland) Limited | A | 1.6, 8.8.3 |
| 36 | W0131-02 | Midland Waste Disposal Company Limited | A | 6.21 |
| 37 | W0139-01 | Carlow County Council | A | 1.8, 3.13 |
| 38 | W0143-01 | McGrath Industrial Waste Ltd | A | 1.8, 8.10.2 |
| 39 | W0170-01 | Clare County Council | A | 3.13 |
| 40 | W0184-01 | ENVA Ireland Ltd | A | 3.15.5 |
| 41 | W0222-01 | Greenclean Waste Management Ltd | A | 6.12.1 |

Recommendation

For the reasons outlined above I recommend that the Agency agree to a technical amendment of the licences specified in Table 1 above under Section 96(1) of the EPA Acts, 1992 to 2012 or Section 42B(1)(c) of the Waste Management Acts 1996 to 2012.

Signed



Ann Marie Donlon