

NATURA IMPACT STATEMENT
STAGE 1 SCREENING
PROPOSED INCREASE IN WASTE ACCEPTANCE
MATERIALS RECOVERY FACILITY
CAPPANCUR
COUNTY OFFALY

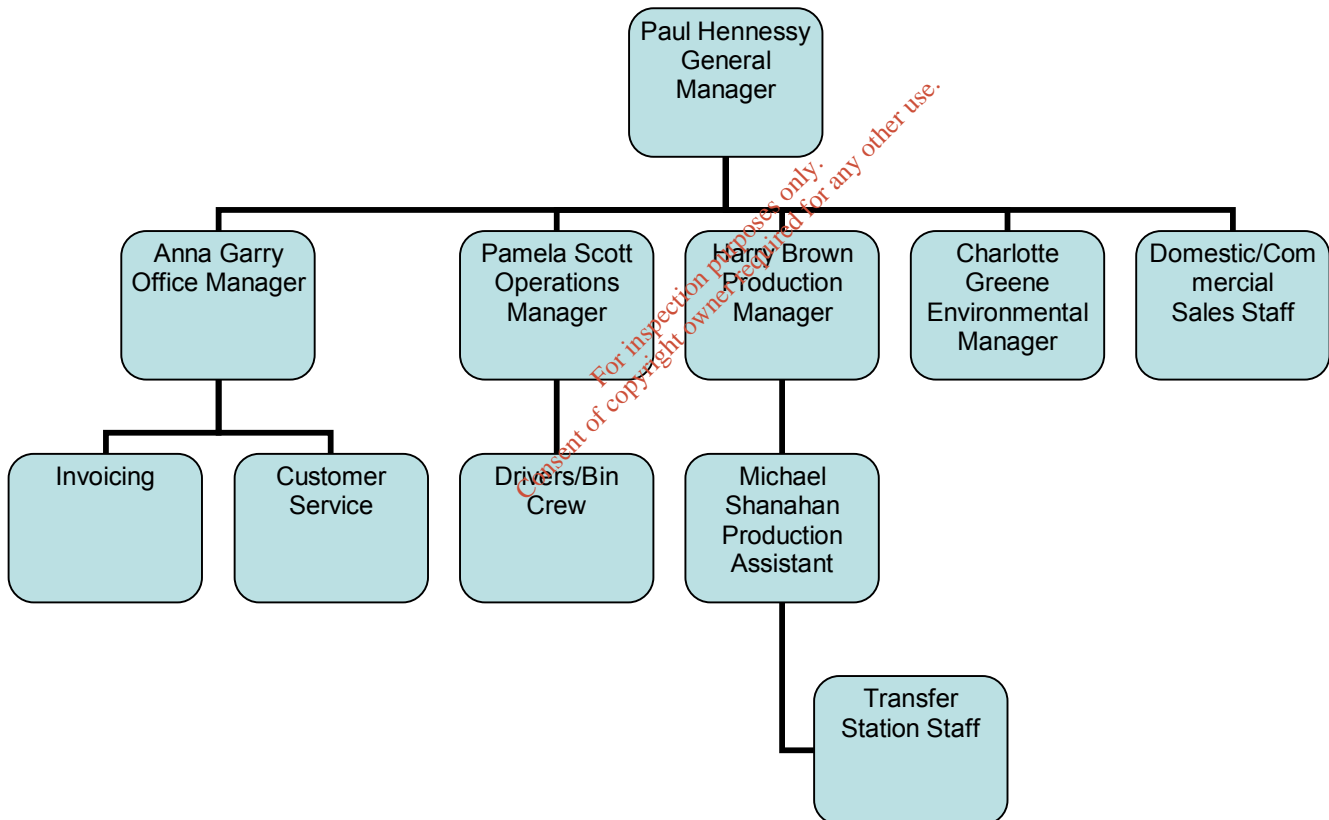
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Attachment L.2B Technical Competence and Site Management

AES Ltd. ensures that the site management and staff are provided with the appropriate training so that the facility is managed in accordance with the Waste Licence conditions and in a manner that does not result in environmental pollution.



Attachment L.2A Offences and Convictions

The Applicant (AES Ltd.) has never been convicted under the Waste Management Acts 1996 to 2011, the EPA Act 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.

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L4. Principles of Self Sufficiency and Proximity

The facility currently only accepts wastes from the Midlands Region, primarily Offaly, Laois and Westmeath. The objective of the change is to allow AES service customer requirements in a manner that will increase recycling rates within the Midland Region.

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Attachment L3 Waste Hierarchy

National waste management policy is grounded on the Department of the Environment and Local Government's policy statement of September 1998. "*Changing Our Ways*". This statement firmly bases national policy on the EU Waste Management Hierarchy.

The most recent Waste Policy Statement 'A Resource Opportunity Waste Management Policy In Ireland 2012' is also predicated on the EU Waste Hierarchy, as amended by the EU Waste Framework Directive 2008/98/EC which was transposed into Irish Law by the European Communities (Waste Directive) Regulations 2011 (S. I. No.126 of 2011). The revised Hierarchy is:

- Prevention;
- Preparing for Reuse;
- Recycling;
- Other Recovery (including energy recovery);and
- Disposal.

The 2012 Policy Statement is based on and supported by EU legislation that requires the reduction in the volume of biodegradable waste disposed to landfill. It encompasses a range of measures across all tiers namely, prevention and minimisation, reuse, recycling, recovery and disposal. It sets out how the higher tiers can reduce our reliance on finite resources, virtually eliminate our reliance on landfill and minimise the impact on our environment.

The proposed increase in the amounts of waste accepted is consistent with national and regional waste policy objectives, as it will allow AES to increase the facility's recycling rate.

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Attachment L.2C Financial Provision

AES and Bord na Móna (parent company) have arranged insurance to cover any liabilities arising from damage to property and injury to parties as a result of sudden and unforeseen environmental impairment.

AES have insurance cover for “*Business Interruption*” and have adequate reserves for the cost of removing the maximum amount of waste that may be stored on-site at any given time and to ensure that said material is transported to an authorised and capable facility.

In the unlikely event of full decommissioning, financial reserves are available to allow a formal surrender of the licence ensuring that the inherent environmental safeguard associated with this regulatory process is activated.

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Attachment L.1 Section 40 WMA

Details of the emissions from the facility and their impacts are presented in Attachments E and I of the application. The emissions will not result in the contravention of any relevant standard or emission limit prescribed under enactment.

The proposed activities take into consideration the BAT Guidance Note for the Waste Sector: Waste Transfer Activities published by the EPA. The facility operations, when carried out in accordance with licence conditions, will not cause environmental pollution. The facility Manager has completed a number of the modules of the FAS Waste Management Training Programme, and is working towards completing all of the relevant modules.

Energy is used efficiently in the carrying out of proposed activities (Attachment G2). Provision has been made to ensure limited consequences for the environment from accidents or the permanent cessation of activities at the site (Attachment J)

The Midland Waste Management Region (the Region) consists of the local authorities of Offaly, Laois, Westmeath, Longford and Westmeath County Councils. The Waste Management Plan for the Region was made in 2006 and covered the period from 2005-2010. A review was conducted in 2011 and the Plan was extended for a maximum of three years

The Plan sets a recycling target of 46%, thermal treatment of 37% and landfill disposal of 17% for the region. It is a policy objective for local authorities to support the development of additional waste transfer facilities, where they can be shown to be consistent with the overall objectives of the Plan. The proposed increase in the amount of waste accepted at the facility is consistent with the objective of the Midland Waste Plan, as it will increase the amount of waste recycled and reduce the volume sent to landfill.

An Appropriate Assessment Stage 1 Screening Report was completed and is included in this Attachment .

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1. INTRODUCTION

Advanced Environmental Services (Ireland) Ltd (AES) intends to apply to Offaly County Council for planning permission to increase the amount of waste accepted at its Materials Recovery Facility at Cappancur, Tullamore from 50,000 tonnes to 60,000 tonnes annually.

The European Union (EU) Habitats Directive (92/43/EC) and the EU Birds Directive (2009/147/EC) identify designated areas (Special Areas of Conservation (SAC) and Special Protection Areas (SPA) respectively) that are collectively known as Natura 2000 Sites. The Habitats Directive, which is implemented under the European Communities Birds and Natural Habitats) Regulations 2011 (S.I. No 477 of 2011), requires an “appropriate assessment” of the potential impacts any proposed development that may have an impact on the conservation objectives of any Natura 2000 site.

Article 6(3) of the Directive stipulates that *any plan or project not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect thereon...shall be subject to appropriate assessment of its implications for the site in view of the site’s conservation objectives.*

Guidance documents issued by Department of Environment, Heritage and Local Government and the National Parks and Wildlife Services recommend that the assessment be completed in a series of Stages, which comprise:

Stage 1: Screening

The purpose of this Stage is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in respect of the site’s conservation objectives.

Stage 2: Appropriate Assessment

This Stage is required if the Stage 1 Screening exercise identifies that the project is likely to have a significant impacts on a Natura 2000 site.

Stage 3 : Assessment of Alternative Solutions.

If Stage 2 determines that the project will have an adverse impact upon the integrity of a Natura 2000 site, despite the implementation of mitigation measures, it must be objectively concluded that no alternative solutions exist before the plan can proceed.

Stage 4 : Compensatory Measures:

Where no alternative solutions are feasible and where adverse impacts remain but imperative reasons of overriding public interest require the implementation of a project an assessment of compensatory measures that will effectively offset the damage to the Natura site 2000 is required.

AES commissioned O'Callaghan Moran & Associates (OCM) to complete a Stage 1 Screening to determine the effects of the proposed increase in the amount of waste accepted on the nearby Natura 2000 sites.

1.1 Methodology

The Stage 1 Screening was based on a site inspection and the scope of the proposed development. It was conducted in accordance with the guidance presented in the “Assessment of Plans and Projects significantly affecting Natura 2000 sites, Methodological Guidance on the provisions of Articles 6(3) and 6(4) of the Habitats Directive 92/43/EEC” (2001); The Department of Environment, Heritage and Local Government (2009, revised February 2010) Appropriate Assessment of Plans and Projects in Ireland and the National Parks and Wildlife Services (2010) Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.

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2. DESCRIPTION OF PROJECT

The facility operates under planning permission issued by Offaly County Council (08/852) and a Waste Licence (W0104-02) issued by the Environmental Protection Agency (Agency), both of which restrict the amount of waste that can be accepted annually to 50,000 tonnes. AES intends to apply for planning permission to increase the amount of waste accepted annually to 60,000 tonnes annually. A separate application to revise the Waste Licence will be submitted to the Agency.

Operations at the facility include the receipt of domestic, commercial, industrial and construction waste, which is sorted and segregated for onward recycling / recovery in accordance with the recycling potential. Waste deemed unsuitable for recycling / recovery is segregated and compacted for disposal off-site.

The facility is located in an area zoned for industrial development and has the capacity to process and recover more wastes than currently authorised. Surface water run-off from the site passes through an oil interceptor and enters a drain at the southern site boundary. The drain joins the Tullamore River, which is approximately 750 km south of the site. Sanitary wastewater is treated in an on-site wastewater treatment plant before it is tankered off site for further treatment.

The proposed increase in the annual waste throughput will not require the expansion of the site, the construction/provision of any new buildings/structures, or any alteration to the existing site layout and operations. There will be no change to the waste acceptance and operational hours. It will not give rise to any new emissions to surface water or sewer, nor will it contribute to increased noise, dust and odour emissions.

3. NATURA 2000 SITES

A list of designated Natura 2000 sites within 15 km of the facility is given in Table 3.1 and the locations are shown on Figure 3.1

Table 3.1. Natura 2000 Sites Within 15 km of the AES Facility

Site	Code	Distance
SAC		
Charleville Wood	000571	3 km South West
Clara Bog	000572	10km North West
Raheenmore Bog	000582	12km North East
Clonsalee Eskers and Derry Bog	000859	12km South West
SPA		
Slieve Bloom	004160	15kmSouth

SACs are selected for the conservation and protection of habitats listed on Annex I and species (other than birds) listed on Annex II of the Habitats Directive, and their habitats. The habitats on Annex I require special conservation measures. SPAs are selected for the conservation and protection of bird species listed on Annex I of the Birds Directive and regularly occurring migratory species, and their habitats, particularly wetlands

Copies of the site Synopses for the Charleville Wood, Clara Bog, Clonsalee Eskers and Derry Bog, and the Rheenmore Bog SACs and the Slieve Bloom SPA are included in Appendix 1.

3.1 Conservation Objectives


A statement of Conservation Objectives is prepared for each designated site which identifies the qualifying interests or conservation features. The Conservation Objectives are intended to ensure that the relevant habitats and species present on a site are maintained, and where necessary restored, at a Favourable Conservation Status.

Favourable Conservation Status of a habitat, as defined in 2011 Birds and Natural Habitats Regulations, is when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable

Figure 3.1 Natura 2000



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Conservation Status of a species is when:

- The Favourable population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats,
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Copies of the Conservation Objectives for the Charleville Wood, Clara Bog and Raheenmore Bog SAC and the Slieve Bloom SPA are included in Appendix 2, with the site specific objectives presented below.

Charleville Wood SAC

To maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected.

- [1016] *Vertigo moulinsiana* (Snail)
- [91A0] Old sessile oak woods with *Ilex* (Holly) and *Blechnum* (Fern)

Clara Bog SAC

To maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- [1065] *Euphydryas* (*Eurodryas*, *Hypodryas*) *aurinia* (Butterfly)
- [6210] Semi-natural dry grasslands and scrubland facies on calcareous substrates (*Festuco Brometalia*)(*important orchid sites)
- [7110] * Active raised bogs
- [7120] Degraded raised bogs still capable of natural regeneration
- [7150] Depressions on peat substrates of the *Rhynchosporion* habitat
- [91D0] * Bog woodland

Raheenmore Bog SAC

To maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- [7110] * Active Raised Bogs
- [7120] Degraded raised bogs still capable of natural regeneration
- [7150] depressions on peat substrates of the rhynchosporion

Clonaslee Eskers and Derry Bog 00859 Qualifying Interests

To maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- [1013] *Vertigo geyeri* (Snail)
- [7230] Alkaline fens

Slieve Bloom SPA

To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for the SPA:

- *Circus cyaneus* (Hen Harrier) [breeding]

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4. LIKELY EFFECTS

4.1 Setting

The facility is not located in or adjacent to a Natura 2000 Site. The closest Natura 2000 Site is Charleville Wood SAC, which is 3km southwest of the facility, with the other Sites being between 10 and 15 km from the facility.

Stormwater run-off from the facility discharges via an oil interceptor to a tributary of the Tullamore River. The Tullamore River is 750m south of the site and, as it flows west to join the River Brosna, it passes through the northern section of the Charleville Wood SAC. The Conservation Objectives for this SAC are:

To maintain or restore the favorable conservation condition of the Annex I habitat(s) and/or the Annex II species for which the SAC has been selected:

- [1016] *Vertigo moulinsiana* (Snail)
- [91A0] Old sessile oak woods with *Ilex* (Holly) and *Blechnum* (Fern)

These animal and plant species are non-aquatic and do not inhabit the Tullamore River.

4.2 Proposed Development

The proposed increase in the annual waste throughput will not require the expansion of the site, the construction/provision of any new buildings/structures, or any alteration to the existing site layout and operations. There will be no change to the waste acceptance and operational hours. It will not require the use of any new raw materials that have the potential to cause contamination. It will not give rise to any new emissions to surface water or sewer, nor will it contribute to increased noise, dust and odour emissions or illumination. Therefore the development does not require the provision of additional emission mitigation measures.

4.3 Assessment of Effects

Given the nature of the change and the distance from the Natura 2000 Sites, the proposed development will not have any perceptible effect on any of the Conservation Objectives for the Natura 2000 Sites.

5. SCREENING CONCLUSION & STATEMENT

The proposed increase in the annual waste throughput will not result in any new or additional emission/disturbance that could present a significant risk to the Conservation Objectives of any of the Natura 2000 Sites within 15km of the MRF. Therefore Stage 2 Appropriate Assessment is not required.

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APPENDIX 1

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