



Regional Inspectorate, McCumiskey House,  
Richview, Clonskeagh Road,  
Dublin 14, Ireland

Cigireacht Reigiríoch, Teach Mhic Chumascaigh,  
Dea-Radharc, Bothar Cluain Sceach,  
Baile Átha Cliath 14, Éire

T: +353 1 268 0100

F: +353 1 268 0199

E: [info@epa.ie](mailto:info@epa.ie)

W: [www.epa.ie](http://www.epa.ie)

LoCall: 1890 33 55 99

Mr. John Clune  
Operations Manager  
Oxigen Environmental Ltd  
Merrywell Industrial Estate  
Ballymount Road Lower  
Dublin 22  
REF: Clondalkin

14/03/2013

W0208-02

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

Dear Mr. Clune,

I am to refer to the above referenced application for a waste licence relating to a facility at Oxigen Environmental Limited, Merrywell Industrial Estate, Ballymount Road Lower, Clondalkin, Dublin 22. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to take the steps and supply the information detailed below:

**ARTICLE 12 COMPLIANCE REQUIREMENTS**

1. Infrastructure and operation: Review and update Section D of the application to address the revised plans for processing MSW (municipal solid waste) in the existing building and transferring the dry recyclables (household) line to the new building. Submit details on how material from the processing of dry recyclables (household) that is to be sold as SRF (solid recovered fuel) will be conveyed to the SRF line in the existing building. Submit up to date flow charts for the processing of waste at the facility. Confirm with the planning authority that the existing planning permission and Environmental Impact Statement are not affected by the revised plans for processing MSW.
2. Waste management: Complete Table H.1(a) with respect to quantities of different types of waste. Submit up to date and completed Tables H.1(b) and H.1(c) given the revised operational plans for the facility. Revise the list of



EWC codes of wastes to be accepted at the facility to those wastes that are proposed to be directly accepted at the facility. Complete and submit Table H.1.2, with respect to the quantities and types of hazardous waste the applicant proposes to accept at the facility. Submit the waste acceptance procedure document OXE01. Complete Tables H.1(i) and H.1(ii) and submit accordingly.

3. In order to provide Agency satisfaction that excessive stockpiling of waste will not happen: Clarify the maximum amount of waste to be stored on-site at any one time and provide evidence that there will be no environmental pollution or nuisance at this level.

Delineate on a drawing the areas on site for the storage of SRF and clarify the maximum amount of SRF that will be stored on site at any one time. State the maximum storage time that is envisaged for SRF and confirm how many days production does this maximum storage time represent. Provide evidence that there will be no environmental pollution or nuisance under these proposed conditions for managing SRF at the facility.

Submit details on the outlets for SRF and confirm there is a sufficient demand from these outlets to accept the SRF proposed to be generated, given that there may be fluctuations in demand. Carry out an assessment of the risks to the environment associated with stockpiling SRF on site (e.g., fire, nuisance, surface water contamination, etc.) and advise how these risks will be prevented/mitigated.

4. Option for processing MSW: Submit up to date details on the plans for processing MSW and submit up to date odour and noise impact assessments accordingly. Air dispersion modelling of odour and particulate emissions (as necessary) should be carried out in line with the Agency's *Air Dispersion Modelling from Industrial Installations Guidance Note (AG4)*.
5. Organic fines: Clarify the quantity of organic fines that will be generated at the facility. Submit details of what happens the organic fines retrieved during processing of the waste. Provide details of the destination of this material including any relevant authorisations and advise how the material will be bio-stabilised before being disposed of/recovered at a landfill. If not all organic fines generated from the processing of MSW are to be bio-stabilised at the facility, then submit details to demonstrate that the rest of the material (not bio-stabilised at the facility) will be appropriately managed. Confirm whether the applicant intends to reach the standard for bio-stabilised residual waste included in *Municipal Solid Waste – Pre-treatment & Residuals Management, an EPA Technical Guidance Document (2009)* and advise how it will be achieved.
6. Processing of waste and BAT: Confirm whether or not C&D waste and C&I waste will be mixed prior to processing and demonstrate that the proposed processing of waste on-site conforms to BAT, as per the *Municipal Solid Waste – Pre-treatment & Residuals Management, An EPA Technical Guidance Document* and the *Final Draft BAT Guidance Note on Best Available Techniques for the Waste Sector: Waste Transfer and Materials Recovery*.

7. Fires: Submit details on how fires are prevented and how contaminated firewater is managed should it arise.
8. Air: Submit completed Tables E.1(ii) and (iii) for the emission point from the proposed odour emissions abatement unit, including details of particulate and odour emissions. Submit details of the proposed odour emissions abatement system and complete Tables F.1 and F.2 for the odour and particulate emissions abatement system and associated emissions point.
9. Emissions to sewer: Submit a completed Table E.3(ii) for emissions point SE-1, this table should include details of the location of the connection to sewer.
10. Surface water emissions. Submit a completed Table E.2(ii) for emissions point SW-1, this table should include emissions data in concentrations (i.e., in mg/l).
11. Noise: Carry out an assessment of the noise impact at the residences along the Turnpike road. Noise levels at the nearest noise sensitive receptors should be in line with those identified in the Agency's *Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)*.
12. Raw materials: Complete Table G.1.
13. Site Boundary Map: re-submit the site boundary map so it clearly delineates the boundary of the facility that is to be covered by the waste licence.
14. Site drainage: Submit an up to date site drainage map, including details of any oil interceptors, silt traps, attenuation tanks, etc. Submit details of any further proposed works to upgrade the site drainage system.
15. Environmental nuisance: Submit details on how the external waste bays will be protected from seagulls and other animals.
16. Fit and proper person: Update Section L.2 of the licence application with particular regard to legal and financial aspects. This should include details of the audited accounts and should demonstrate the applicant has the financial resources to meet all environmental liabilities. Submit an up to date Section C.1 of the licence application.
17. Habitats: Undertake a screening for Appropriate Assessment and state whether the activity, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s), in view of best scientific knowledge and of the conservation objectives of the site(s).

Where it cannot be excluded, on the basis of objective scientific information, following screening for Appropriate Assessment, that an activity, either individually or in combination with other plans or projects, will have a significant effect on a European Site, the applicant shall provide a Natura Impact Statement, as defined in Regulation 2(1) of the European Communities



(Birds and Natural Habitats) Regulations (S.I. No. 477 of 2011). Where based on the screening it is considered that an Appropriate Assessment is not required, a reasoned response should be provided.

You are furthermore advised to refer to the document '*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*', issued in 2009 by the Department of the Environment, Heritage and Local Government, and revised in 2010. This document is available at:  
[http://www.npws.ie/publications/archive/NPWS\\_2009\\_AA\\_Guidance.pdf](http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf).

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

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

**Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within 10 weeks of the date of this notice. Please note that all maps/drawings should not exceed A3 in size.**

Please note that the application's register number is **W0208-02**. 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,

**John McEntagart**

Inspector

Office of Climate, Licensing & Resource Use