

Mr Kurt Kyck
KMK Metals
Cappincur Industrial Estate
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Tullamore
Co. Offaly

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18 April 2013

W0113-04

re: Notice in accordance with Article 16(1) of the Waste Management (Licensing) Regulations

Dear Mr Kyck

I am to refer to the above referenced application for a review of a waste licence relating to a facility at Cappincur Industrial Estate, Tullamore, Co. Offaly. This notice is given under Article 16(1) of the Regulations, to enable the Agency to decide on the application.

Article 16(1) - Further information, particulars and evidence

1. With regard to the request to authorise the proposed new air emissions points at E area and A/B/C area, further information is required. In the first instance, and to provide a basis for considering the authorisation of these proposed emissions, please complete the appropriate tables (E.2(ii) to (iv)) of the waste licence application form in relation to each proposed emission point.
2. It is apparent from available monitoring results at the existing emission point A2-8 that the mass emissions of arsenic, cadmium, chromium, mercury, nickel and lead exceed 20% of mass flow thresholds for these parameters expressed in the *BAT guidance note for the surface treatment of metals and plastic materials* and/or *BAT guidance note for non-ferrous metals and galvanising*. This means that the emission at A2-8 cannot be regarded as a minor emission. Please provide a quantification of the environmental impact of the emission from A2-8 in accordance with the Agency guidance document *Air Dispersion Modelling from Industrial Installations Guidance Note (AG4)* to demonstrate that emissions will not result in relevant air quality standards being exceeded. The analysis/model should be carried out on the following basis:
 - at A2-8 alone, and
 - A2-8 in combination with any proposed emissions points.

It may be appropriate to use a screening model first to establish whether the emissions should be analysed using an advanced air dispersion model and any decision to rely solely on a screening model should be justified. The model report should clearly identify the volumetric flow rates and emission levels (concentrations) modelled at each emission point. The impact of the parameters

mentioned above, as well as the following parameters, should be considered: particulates/dust, thallium, aluminium, zinc.

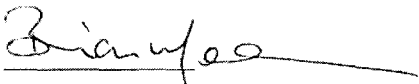
3. In relation to the proposal to discharge treated sanitary effluent to the land drain to the south and outside of the facility:
 - a) Justify the use of the Code of Practice for Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. < 10) as the appropriate guidance to follow for waste water treatment systems for a staff complement of 40 or more at KMK Metals.
 - b) Regarding the measured flow rates in the land drain (June 2012), state whether the flow is a low or high flow in the context of the land drain. Describe the rainfall in the period leading up to the measurements. If possible, provide an estimate of the 95%ile (i.e. low) flow in the land drain.
 - c) State what pathogen count is expected in the effluent and whether additional treatment is envisaged or appropriate to further reduce pathogen emissions.
4. State whether KMK Metals stores metallic mercury as defined in Regulation (EC) No 1102/2008. State whether the company has any obligations or liabilities under Regulation No 1102/2008 or the European Communities Mercury (Export Ban and Safe Storage) Regulations 2012 (S.I. No. 27 of 2012).

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

Please supply the information in the form of a one original plus two copies within 8 weeks of the date of this notice. In addition submit sixteen copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is W0113-04. Please direct all correspondence in relation to this matter to *Administration, Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Brian Meaney

Office of Climate, Licensing & Resource Use