

This Memo has been cleared by
Frank Clinton for submission
to the Director

Signed: Dated:
Bea Claydon 14 June 13



Environmental Protection Agency
An tAonmhéireacht um Oibríocht Tuairisteach

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

ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM

TO:	DARA LYNOTT, DIRECTOR
C.C:	Frank Clinton
FROM:	Brian Meaney - Environmental Licensing Programme
DATE:	14 June 2013
RE:	Request for a Technical Amendment to Waste Licence Register Number W0208-01 held by Oxigen Environmental Limited for a facility at Ballymount Industrial Estate, Ballymount Rd Lower, Clondalkin, Dublin 22.

Introduction

The Oxigen Environmental Ltd. facility at Ballymount Industrial Estate is authorised for the acceptance of non-hazardous recyclable municipal, commercial and industrial waste, industrial sludges, construction and demolition waste and hazardous waste. A maximum of 250,000 tonnes of waste may be accepted, including up to 30,000 tonnes of hazardous waste. The facility was first licensed in March 2006. The licence was technically amended in May 2008.

According to the AER for 2011, some 96,000 tonnes of mixed waste were accepted, predominantly C&D waste (43% of total), followed in descending order by bulky waste (30%), dry mixed recyclable waste (21%) and street sweeping waste (6%).

Some 16,000 tonnes of segregated recyclable waste were accepted. More than 2,000 tonnes of hazardous waste were accepted, of which approximately 80% was asbestos waste.

Details of request for technical amendment under section 42B of the Waste Management Acts 1996 to 2012

Oxigen Environmental Ltd. requested two amendments to the licence in 2012, as follows:

- Amendment to Schedule A of the licence to allow for the acceptance of waste streams not listed in the existing licence, including:
 - o commercial and industrial waste (as a replacement for the "industrial dry recyclables" category already listed in the schedule); and
 - o solid recovered fuel; and

to provide for amendment of the quantities of waste to be accepted under each class of waste.

- Amendment to condition 3.19 of the licence to allow for the storage of C&D-type hazardous waste in designated outdoor areas.

Amendment request 1

The amendment to the licence was originally sought from the Office Environmental Enforcement. The change was partially accepted under the licence in that OEE allowed the acceptance of solid recovered fuel. This was permitted due to its nature being similar to the waste streams already listed in Schedule A to the licence. There is therefore no need to consider this waste stream further for technical amendment.

The acceptance of commercial and industrial waste and a related proposal to operate research and development pilot projects were refused by OEE. The commercial and industrial waste proposed for acceptance will comprise a mix of household, commercial and industrial waste in the form of dry mixed and bulky waste. The licence (Schedule A) allows for the acceptance of *dry recyclable* household, commercial and industrial waste only and the proposed "commercial and industrial" classification would not appear to be compatible with the dry recyclable nature of the waste streams currently authorised, comprising as it will mixed waste. Bulky waste is already accepted at the facility.

In relation to the change in the relative quantity of each waste stream to be accepted (with the same maximum waste acceptance), I note that such change is already permitted under the licence and need not be considered for technical amendment.

This licence is currently before the Agency for review and it is more appropriate for consideration of new mixed waste streams to be considered in that context. I recommend refusal of this request for technical amendment.

Amendment request 2

Condition 3.19 of the licence reads as follows:

3.19 Hazardous and healthcare waste transfer areas

3.19.1 Prior to acceptance of hazardous and healthcare waste, the licensee shall provide separate hazardous and healthcare waste transfer areas. This infrastructure shall as a minimum comprise the following:

- a) an impermeable concrete slab;
- b) collection and disposal infrastructure for all run-off;

3.19.2 Hazardous and healthcare waste shall be stored only in separately designated areas indoors.

According to the licence, all hazardous waste for transfer is to be stored indoors. The proposal for technical amendment would allow for:

- the outdoor storage of asbestos and contaminated soil and stones; and
- their manual handling and bulking up [albeit, in the case of asbestos, with the waste already double-wrapped in accordance with transport regulations].

According to the most recent AER, these waste streams were accepted at the facility in 2011.

The outdoor area proposed to be used is existing hardstanding currently used for vehicle and container parking and circulation. It is stated that the area will be drained in accordance with condition 3.19.1(a), however no details are provided that would indicate that the area is separately drained from the general hardstanding areas of the facility. The intention is to use the hardstanding area for storage of these wastes and transfer them into "CSC¹ Box Containers" for shipment abroad.

Notwithstanding the fact that the licensee has provided no information on:

- the potential for fugitive emissions from this outdoor activity; nor
- what mitigation and monitoring mechanisms will be employed,

the proposed outdoor storage and handling of hazardous waste is not an activity that is appropriately authorised by technical amendment. It is not apparent that the proposed activity would conform with the requirements of *BAT Guidance notes for the waste sector: Waste Transfer and Materials Recovery*, EPA 2011, that states that waste handling and storage areas should be enclosed.

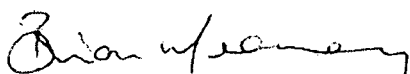
This licence is currently before the Agency for review and it is more appropriate for consideration of this new hazardous waste transfer activity to be considered in that context. I recommend refusal of this request for technical amendment.

Recommendation

I have discussed both of these proposals with the OEE inspector for this facility.

I recommend that the Agency refuse the request to make a technical amendment of licence register number W0208-01 under Section 42B(1) of the Waste Management Acts 1996 to 2012.

Signed:



Brian Meaney

¹ Cargo Shipping Containers

