

Oxygen Environmental
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Dublin 22
Ireland

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Our Ref: bm
Job Ref: 11-06

15th October 2012

Environmental Licensing Programme,
Environmental Protection Agency,
P.O Box 3000,
Johnstown Castle Estate,
Co. Wexford.



Oxygen Reference : 12.EPA208-1 151012BM

Re: **Request for Technical Amendment to condition 3.19
Hazardous and Healthcare waste transfer areas**

**Oxygen Environmental License W0208-01.
Merrywell Industrial Estate, Ballymount Road Lower, Clondalkin, Dublin 22.**

Dear Sirs,

I enclose a copy of a submission addressed to Donal Howley which represents a request by Oxygen Environmental to the Agency to make a technical amendment to condition 3.19 of the current waste licence W0208-01 for the licenced facility at Ballymount, Dublin 22.

We trust the above information fully clarifies our request and will allow the Agency to make an early determination on the matter in question.

Should you have any further queries, please do not hesitate to contact the undersigned.

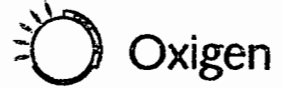
Yours sincerely,

Brian Moylan

Planning & Compliance
Oxygen Environmental
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CC: Mr Donal Howley, Licencing Inspector, EPA





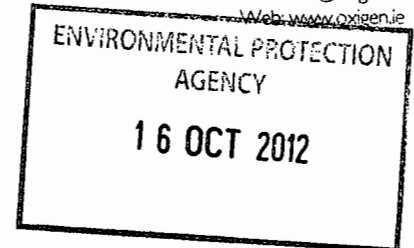
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15th October 2012

Mr. Donal Howley,
 Environmental Protection Agency,
 McCumiskey House,
 Richview,
 Clonskeagh Road,
 Dublin 14.



Oxygen Reference : 12.EPA208-1 151012BM

Re: **Request for Technical Amendment to condition 3.19
 Hazardous and Healthcare waste transfer areas**

**Oxygen Environmental License W0208-01.
 Merrywell Industrial Estate, Ballymount Road Lower, Clondalkin, Dublin 22.**

Dear Mr. Howley,

This submission represents a request by Oxygen Environmental to the Agency to make a technical amendment to condition 3.19 of the current waste licence W0208-01 for the licenced facility at Ballymount, Dublin 22.

Oxygen Environmental seek to be permitted to temporarily store C&D type Hazardous Waste types in designated areas outdoors which will be appropriately protected while and during transfer into Cargo Shipping Box Container prior to consignment off-site to approved licenced disposal and/or recovery facilities.

1. Introduction :

In accordance with section 42B of the Waste Management Act 1996 (inserted by section 38 of the protection of the Environment Act 2003) , the agency may amend a waste licence for the purpose of :

- (a) *Correcting any clerical error therein,*
- (b) *Facilitating the doing of anything pursuant to a condition attached to the licence where the doing of that thing may reasonably be regarded as having been contemplated by the terms of the condition of the terms of the licence taken as a whole but which was not expressly provided for in the condition, or*
- (c) *Otherwise facilitating the operation of the licence and the making of the amendment does not result in the relevant requirements of section 40(4) ceasing to be satisfied*



The technical amendment as proposed by the Licensee will not result in any of the relevant requirements of section 40(4) of the Waste Management Act 1996, ceasing to be satisfied, namely :

The agency shall not grant a waste licence unless it is satisfied that –

- (a) Any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit, prescribed under any other enactment,*
- (b) The activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,*
- (c) The best available technology not entailing excessive costs will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,*
- (d) If the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,*
- (e) The applicant has complied with any requirements under section 53.*

2. Proposed Technical Amendment :

Existing condition relating to the storage of Hazardous waste:

Condition 3.19.2 of the waste licence sets the following requirements in relation to the storage of Hazardous & Healthcare waste: -

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

Requested Amendment :

Oxygen Environmental now seek the agreement of the Agency to alter the wording of Condition 3.19.2 as noted below:

- **3.19.2** Hazardous / Healthcare waste shall be stored in separately designated area indoors.

In addition, C & D Hazardous waste may be temporarily stored in designated areas outdoors and be protected as may be appropriate prior to transfer into site stored Cargo Shipping Box Containers.

3. Bases for Request:

We request the use of the extended impervious concrete area in front of D8, D9 & D10 as identified on the attached drawing no. 11-06-TA 01, for the storage of pre-packed construction & Demolition Hazardous Waste Types which comprise of the listed EWC codes noted below, which are then transferred into Cargo Shipping Containers (CSC) awaiting onward transport to approved disposal facilities.

The required outdoor designated storage areas are to cater for a minimum of 50 no. CSC Box containers in various size (20ft, 40ft & 45ft CSC Box Containers). Each CSC Box container is lined with heavy duty PE liner membrane prior to loading of the packed waste material. The lining is spray tacked to all walls and floor of the CSC Box containers. There is no environmental risk as materials are in enclosed UN approved Flexible intermediate Bulk Containers (FIBC's) or if oversized, packed in double wrapped industrial 1000 gauge plastic membrane.

The proposed designated outdoor storage areas will consist of an impermeable concrete slab and include appropriate drainage infrastructure in accordance with condition 3.19 of the current Licence and the entire designated storage areas will be clearly marked on ground surface to identify designated storage area use.

The following European Waste Catalogue (EWC) Codes represent the waste types that are proposed to be stored in external designated areas :

17	CONSTRUCTION AND DEMOLITION WASTE (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)
17 05	Soil (including excavated soil from contaminated sites), stones and dredging spoil
17 05 03*	soil and stones containing dangerous substances
17 06	Insulation material and asbestos-containing construction material
17 06 01*	Insulation material containing asbestos
17 06 05*	Construction material containing asbestos

The types of activities that will be carried out in the approved outdoor designated storage areas are as follows:

▪ **Class D15**

" Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced)".

Activity refers to the temporary storage and bulking of waste materials on-site prior to consignment off-site to approved licensed disposal facilities.

▪ **Class R13**

"Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).

Activity refers to the temporary storage and bulking of waste materials on site prior consignment off-site to approved licensed recovery facilities.

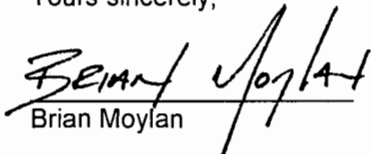
Conclusion :

We would be obliged if the Agency could amend Condition 3.19.2 to allow the storage of C&D type Hazardous Waste material in CSC Box Containers and to temporarily store pre-packed material on concrete hard standing areas while being transferred into Containers all located in the approved designated outdoor storage areas as proposed onsite, prior to consignment off-site to approved licensed disposal and/or recovery facilities.

We trust the above information fully clarifies our request and will allow the Agency to make an early determination on the matter in question.

Should you have any further queries, please do not hesitate to contact the undersigned.

Yours sincerely,


Brian Moylan

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Appendix A
Attachments

1. Drawing No. 11-06-TA 01 : Site Layout Plan
- Proposed Hazardous Waste External Storage Areas

1 no. A1 copy drawing - scale 1:500
1 no. A3 copy Drawing – scale 1:1000

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