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 Programme Manager, Frank Clinton
 Signed: *N. Keavey* Date: 28/08/13



OFFICE OF THE
 LICENSING & RESOURCE USE

INSPECTOR'S REPORT ON A LICENCE APPLICATION

To:	Directors
From:	Brian Meaney - Environmental Licensing Programme
Date:	28 August 2013
RE:	Application for a Waste Licence Review from KMK Metals Recycling Ltd, Cappincur Ind. Estate, Daingean Road, Tullamore, Co. Offaly. Licence Register W0113-04.

Application Details

Type of facility:	Hazardous and non-hazardous waste treatment and transfer
Classes of activity: (P = principal activity)	Fourth Schedule: Classes 4, 5, 7, 8, 11, 12, 13(P).
Quantity of waste managed per annum:	35,000 tonnes per annum (applied)
Classes of waste:	Waste electrical and electronic equipment (WEEE), batteries, metal-bearing sludges and other waste
Location of facility:	Cappincur Industrial Estate, Daingean Road, Tullamore, Co. Offaly.
IPPC Directive class of activity:	5.1
Licence application received:	20 October 2009
Third party submissions:	Three
EIS Required:	Yes
Article 14 notices sent:	10/8/2011, 12/1/2012, 9/4/2013
Article 16 notices sent:	18/4/2013
Site Inspection:	9/2/2012

1. Facility

KMK Metals Recycling Ltd, operates a waste transfer station for hazardous and non-hazardous waste as well as a recycling facility for waste electrical and electronic equipment (WEEE). The facility was originally licensed (W0113-01) in 2001 and revised licences were granted in 2005 and 2008. The facility has been in operation since 1985. There are 55 employees at the facility, not including sub-contractors, covering two shifts.

The facility is located in an industrial estate close to the new Tullamore ring road. The land on all sides of the facility, including existing agricultural land, is designated "industrial" in the Tullamore Town and Environs Development Plan 2010-2016. Neighbouring units in the industrial estate are used for light industrial and commercial activities. The facility is located in the same industrial estate as a municipal waste transfer station, W0104-02, operated by AES. Some 200m separates the facilities – see Figure 1.

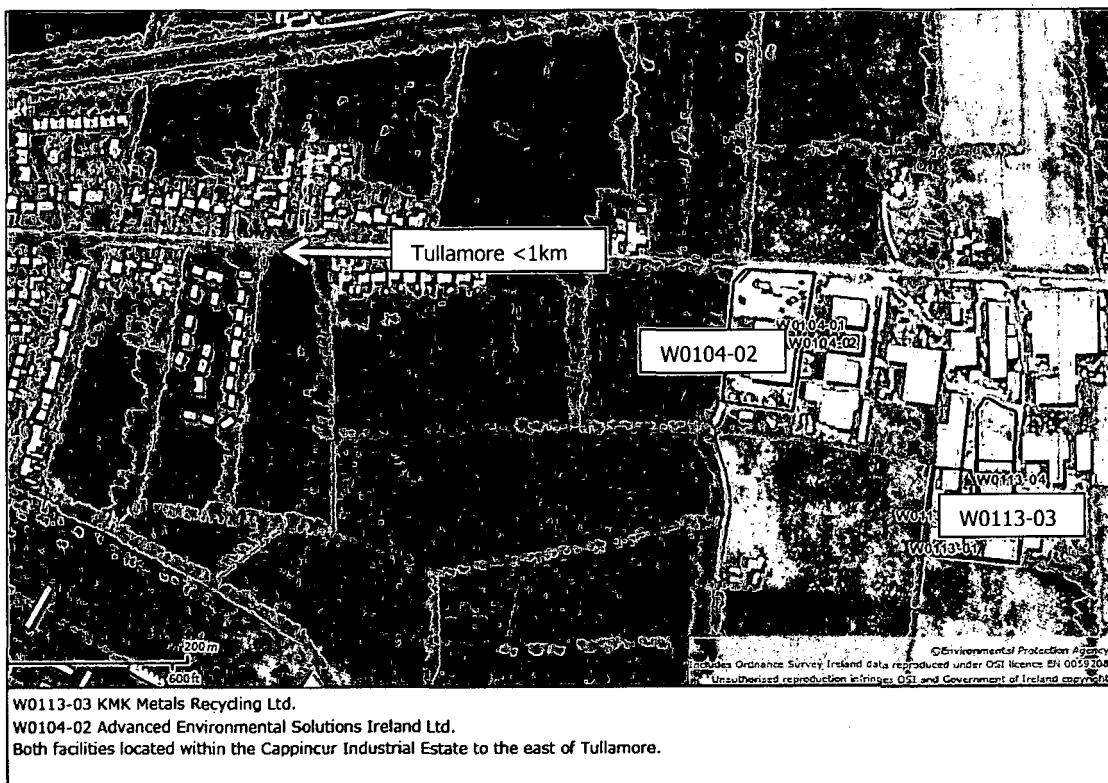


Figure 1 Overview of KMK and surroundings, not showing the new ring road (see Figure 2 for illustration of the ring road) [Source: EPA environmental information system]

2. Reasons for the Licence Review

KMK Metals Recycling Limited has requested a review of licence W0113-03 and proposes to:

- increase the waste intake from 20,000 tonnes to 35,000 tonnes per annum of metals-based waste and WEEE (80% of intake is envisaged to be WEEE);
- extend the site boundary to incorporate an area of land (2,913m²) adjacent to the existing D5 area of the licensed facility; and
- install and operate new equipment/machinery for WEEE dismantling and recycling.

The proposed increase in tonnage will, according to the applicant, mean that KMK Metals has the capacity to manage and recycle in excess of 65% of national WEEE arisings.

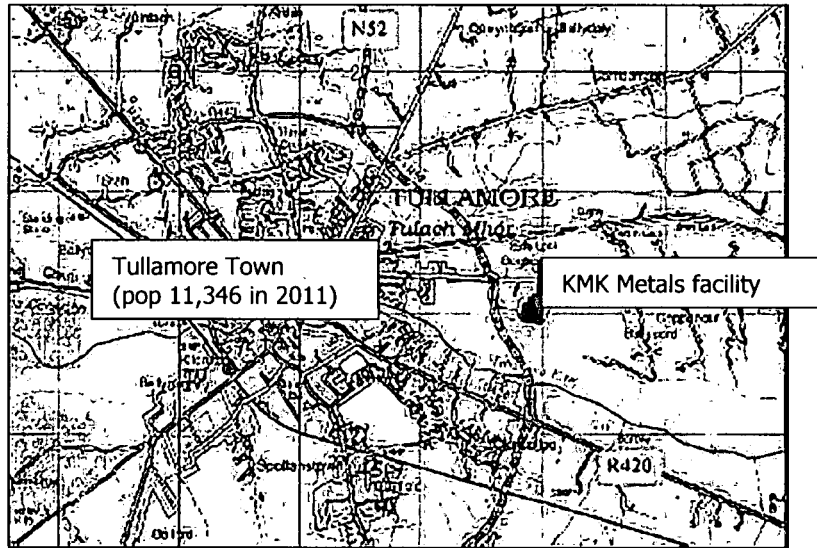


Figure 2 Map showing location of KMK Metals and proximity to the new N52 Tullamore ring road [Source: Natura Impact Statement]

3. Operational Description

The existing facility is comprised of warehouse buildings, waste treatment buildings, concrete yard areas and a facility office. In 2011, some 21,400 tonnes of waste were accepted for transfer and/or treatment of which approximately 85% was WEEE. Operations at KMK Metals can be divided into two broad areas:

- (a) WEEE and battery recovery (predominantly D and E areas in Figure 3 below), and
- (b) metals and metallic waste (A, B and C areas).

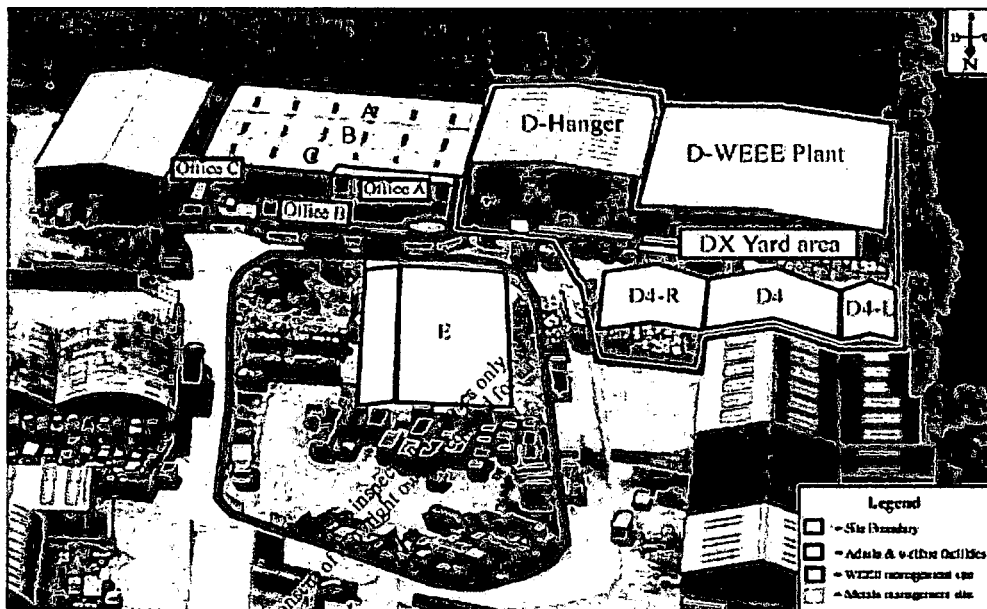


Figure 3 Aerial view of facility showing site boundary (red) [Source: application]

In 2011, KMK Metals commenced operation of a major new processing plant for small WEEE that involves the manual sorting and mechanical breaking of equipment into its component parts. The plant is located in the "D-WEEE Plant" area in the above aerial view. The treatment involves smashing the WEEE and extracting and separating different metals and other materials (such as plastic, batteries, cables and capacitors) through a series of mechanical and manual separation processes (including magnets, smashing/shredding, eddy current separation, flotation processes and picking lines). The particle size of metal and plastic recovered from the shredder/smasher process can be quite small. All recovered materials are dispatched from the facility for further recycling or direct use in manufacturing processes.

WEEE and batteries are accepted at the facility from civic amenity sites and transfer stations and also directly from commercial and industrial customers. There is no public access to the facility to drop off these materials. Other wastes are commercial and industrial in nature.

An overview of the WEEE (and battery) treatment processes at the facility is as follows:

- WEEE acceptance, storage, pre-sorting (D-Hanger area),
- small WEEE dismantling and material recovery (described above, D-WEEE area);
- cathode ray tube dismantling, depollution and recovery of materials (D4 area);
- washing machine depollution and steel baling (D4-R area);
- household battery sorting and storage for onward dispatch (D4-L area); and
- loading and unloading of WEEE, including fridge and freezer loading into trailers (DX area). Fridges and freezers are not processed at the facility.

The new building in the E area will be used for additional storage and treatment capacity for WEEE. A new emission point to air is anticipated by the licensee in this area and this is discussed further in section 5.1 below. The E yard area has been constructed with concrete hardstanding and drainage to a new storm water attenuation tank and interceptor.

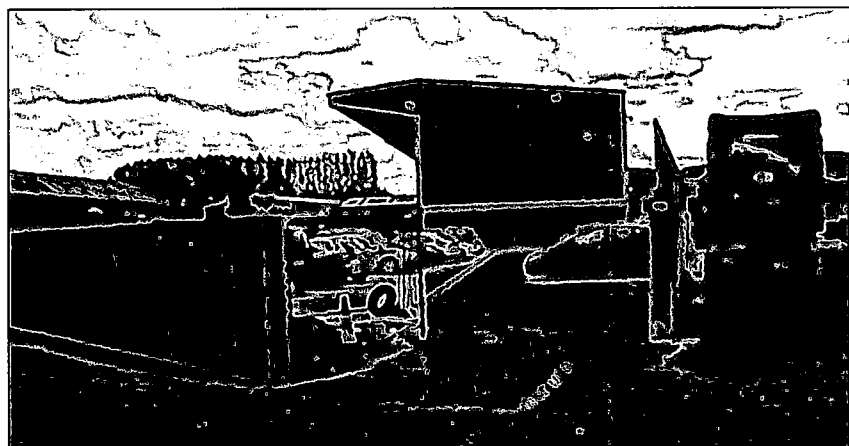


Figure 4 The new E area as constructed with concrete surface throughout, clearly delineated site boundary and storage/process building at centre.

In relation to other areas of the facility:

- in Area A, non-ferrous metals, base metals and metal-bearing filter cakes are accepted for repackaging (if needed) and storage prior to onward dispatch. There is no processing of this waste;
- in Area B, lead-acid batteries, sludge, liquid wastes, waste oil (from radiators drained at the facility) and other materials are stored. Minerals and metals can be sorted using a shaker sorting/separation table. There is also a cable baler and small shredder for hard drives.
- Area C currently houses an e-scrap manual dismantling station and tubes/bulbs sorting area.

A new emission point to air is anticipated by the licensee in the A/B/C area and this is discussed further in section 5.1 below.

The list of EWC codes currently authorised is considerable. There is no change requested to the list and none is proposed. However the current list refers back to the original 2001 licence application. For ease of reference, **Schedule A** of the RD consolidates the list of EWC codes within the licence itself.

The applicant has requested amendment to existing licence conditions that require waste and WEEE storage to be within waste transfer buildings. It is contended that it is acceptable for certain types of WEEE to be stored outside. The bases for the request are that:

- many waste streams are sourced from authorised civic amenity sites where WEEE is stored outside;
- the WEEE Regulations 2011 specify that weatherproof covering should be provided for *appropriate* areas;
- all outdoor storage areas are connected to the site drainage system and covered by interceptors and silt traps.

The request is reasonable and is reflected in the proposed **conditions 8.5** and **8.7** of the RD. A limitation is proposed in the conditions whereby, unless otherwise agreed by the Agency, only non-hazardous WEEE can be loaded, unloaded or stored outside.

4. Use of Resources

In 2011 the resources consumed at the facility were reported as:

- electricity: 82,969 kWh;
- kerosene: 34,746 kWh based on a conversion factor of 10.4kWh/l; and
- diesel: 600,253 kWh based on a conversion factor of 10.8kWh/l.

Some 1.8 m³/day of groundwater is abstracted for use on site. Water usage is augmented by rainwater harvesting.

5. Emissions

5.1. Air

There is currently one process emission to air from the facility associated with the new WEEE processing plant in Area D. Emissions are treated using a bag filter system for the removal of dust. Monitoring carried out at this point shows a maximum particulates reading of 5mg/m³, well within the emission limit value of 12.5mg/m³. None of the readings, bar one, exceed 2mg/m³. The licensee has sought

an increase in the emission limit value to 20mg/m³. The reason for the request is to facilitate periods of prolonged WEEE separation activities within the building. It is noted that the manufacturer of the abatement equipment claims a maximum 10mg/m³ will be emitted. It is not evident from available monitoring results and the manufacturer's specifications that an increased emission limit value is required and this is not proposed in the RD.

A screening model for air dispersion was carried out. The input data was based on measured (actual) air emissions for particulates and heavy metals, as opposed to a worst case scenario based on emission limit values. Based on the input data (measured emissions), the measured ground level concentrations are all within relevant air quality standards.

In relation to particulates emissions, an emission of 0.4mg/m³ was modelled, yielding from the model a process contribution to air quality of 0.67µg/m³. The existing licence has an emission limit of 12.5mg/m³ but this was not modelled. Table 1 shows that at the emission limit value, a process contribution at ground level of approximately 20 µg/m³ is likely to be generated (assuming a linear relationship between emission and ground level concentration). Adding this to the background concentration shows that the air quality standard of 40µg/m³ could be approached and exceeded. This being the case, it is appropriate to reduce the licence emission limit value to 5µg/m³. The licensee has stated that a cyclone has been installed before the bag filter and this should help to reduce the amount of particulates emitted allowing this emission limit value to be complied with. This reduced emission limit value will yield a maximum predicted ground level concentration of 28µg/m³. The recommended emission limit value is reflected in **Schedule B.1** of the RD.

Table 1 Results of a screening model carried out in 2013 and projections of the potential impact of emission at the existing and proposed emission limit values

Parameter	Emission mg/m ³	Process contribution µg/m ³	Background concentration µg/m ³	Process + background µg/m ³	Air quality standard (annual) µg/m ³
Particulates	Measured emission 0.4*	0.67*	20*	20.7*	40*
	Existing emission limit value 12.5	20	20*	40	40*
	Proposed emission limit value 5	8	20*	28	40*

* Indicates data that was presented in the air dispersion screening model report.

The licensee has sought a relaxation from quarterly to annual monitoring for total particulates and a suite of heavy metals. Given the level of emissions and the relatively short period comprehensively covered by available data, this is not appropriate and is not reflected in the RD. A similar request to relax the monitoring frequency was refused by OEE under the existing licence.

The licensee has sought authorisation for three additional air emission points in areas E and A/B/C. These emission points will be associated with future waste treatment processes but there are no firm details as yet on:

- the waste to be treated,
- the nature of the emissions,
- the abatement equipment,
- the predicted environmental impact of the emissions.

It is not possible to authorise air emissions and air emission points on this basis. The request is not accommodated in the RD.

5.2. Storm Water Runoff

There are three storm water discharges from the facility to an adjacent land drain. There are three interceptors in operation at the facility serving the A/B/C, D and E areas of the facility. The interceptor serving the A/B/C area is a Class II interceptor and at D and E areas they are Class I. Planning permission granted on 3 April 2013 requires upgrade to Class I interceptors throughout within 6 months. Class II interceptors are described as suitable in situations where a lower quality effluent is sufficient, for example, where the effluent passes to a foul sewer. The discharge from the facility in this case passes to a land-drain, not a foul sewer. It is appropriate therefore that the proposed **Condition 3.15** of the RD reflects planning permission and specifies a general requirement for Class I interceptors to take effect from 3 October 2013.

The run-off discharged to the adjacent land drain is said to ultimately flow to the Tullamore River some 500m south of the facility. The network of land drains in the area is complex and actual flow patterns are not known. It is likely that some or all of the discharged water will discharge to ground before reaching the river. The river flows from east to west (from the facility towards Tullamore) and is classified as nutrient sensitive downstream of the town.

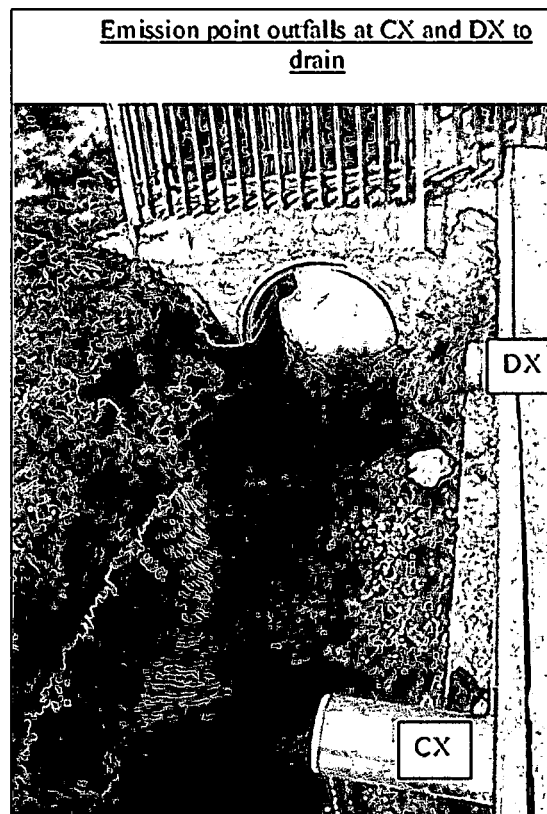


Figure 5 Two of three storm water outflows to the land drain (which is approximately 1.4m wide) running outside of and along the site boundary on two sides. The new storm water outflow “E” will discharge to the same land drain a short distance away.

Monitoring data for the discharges from CX and DX (serving the A/B/C and D areas respectively) in the AERs for 2010 and 2011 were considered in the context of the environmental quality standards in the European Communities Environmental Objectives (Surface Waters) Regulations 2009. Certain parameters (including ammonia, zinc, chromium, nickel and lead) in the discharges from CX or DX occasionally exceed environmental quality standards that are applicable to surface water bodies. Other parameters such as suspended solids and COD were high on several occasions in 2010 and 2011 (maximum 440mg/l and 302mg/l for suspended solids and COD respectively). Mineral oil and diesel range organics have also been detected in discharges from the yard areas.

Certain instances of high ammonia in the discharge in 2010 and 2011 were attributed to contaminated water draining from incoming boxes of waste batteries. Procedures have been amended to manage such water as waste and not allow its discharge to the storm water system.

The sources of these pollutants in the discharges at CX and DX are likely to be dust or other run-off from yard areas, including residues from WEEE stored outdoors being washed onto drained surfaces within the facility. Certain instances of high readings are attributed by the licensee, at least in part, to deficiencies in interceptor operation and to construction activities ongoing during these periods.

Calculations done by the licensee in 2011 for the impact of emissions on water quality in the land drain showed minimal potential for the CX and DX discharges to increase the pollutant load in the land drain, although the discharge volumes measured on the day of the test were low (<0.1L/s). According to the AER for 2010, the water in the land drain has been "historically eutrophic and has minimal significance." A single sampling event in August 2011 shows that the water quality in the land drain exceeds environmental quality standards for zinc and chromium, although the margins are not large.

Since 2009, the licensee has used trigger and action levels for the discharge of certain parameters from CX and DX. Several instances of the trigger levels being exceeded are reported in AERs. The trigger and action levels are, for the most part, higher than environmental quality standards. It is appropriate that the licensee considers new trigger and action levels in the context of environmental quality standards. It is proposed in **Condition 6.10** of the RD to impose trigger levels that do not exceed environmental quality standards (where these exist for the parameters concerned). Table 2 below sets out the licensee's existing trigger and action levels, and compares them to the maximum reported emission for each parameter in 2010 and 2011 and the equivalent environmental quality standard.

Table 2 Existing trigger and action levels and environmental quality standards

Parameter	Licensee's current trigger level	Licensee's current action level	Max discharge reported in AERs 2010-2011	Environmental quality standard ^{Note 1}
Aluminium (mg/l)	3	5	6	-
Ammonia (mg/l)	0.2	4	32	0.14
COD (mg/l)	40	40	302	-
Arsenic (µg/l)	50	100	4.5	25
Chromium (unspecified) (µg/l)	32	50	24	Cr III: 4.7 Cr VI: 3.4
Conductivity (µS/l)	1,000	1,000	3,590	-

Iron (mg/l)	0.2	2	70 ^{Note 2}	-
Lead (µg/l)	50	50	400	7.2
Mercury (µg/l)	0.07	1	0.02	0.05
Nickel (mg/l)	3	5	0.034	0.02
Zinc (mg/l)	3	5	1.4	0.008–0.1 <small>note 3</small>
Suspended solids (mg/l)	50	100	440	-
pH	6.0 – 9.0	5.5 – 9.0	7.8 – 10.7	4.5 – 9.0 <small>note 4</small>
Mineral oil (mg/l)	1	2	3.8	-
Diesel range organics	1	2	11.1	-

Note 1: For metals, the EQS relates to the dissolved metal as arithmetic mean over a 12-month period.

Note 2: The next highest reading in the AERs is 0.26mg/l.

Note 3: The EQS is 8 or 50 or 100 µg/l depending on the hardness of the receiving water. There is no data on the hardness of the water in the land drain.

Note 4: The lower EQS limit varies depending on the water hardness.

Using environmental quality standards as trigger levels will prove challenging for the licensee. **Condition 6.10** of the RD provides for a relaxation of these trigger levels to be agreed by the Agency should the licensee demonstrate that there will be no environmental impact (e.g. on the groundwater environment) resulting from the water discharged to the land drain. The recent improvements and development at the facility, including the installation of high quality yard surfaces and the increased use of covered areas for storing and processing waste, as well as vigilant housekeeping and maintenance of clean yard areas should contribute towards reducing the risk of discharging pollutants from the facility.

A trigger level is defined in the glossary of the RD, as follows:

A parameter value, the achievement or exceedance of which requires certain actions to be taken by the licensee.

Condition 6.10 of the RD proposes that exceedance of a trigger level at CX, DX or E is to be treated as an incident and requires weekly monitoring until such time as trigger levels are no longer exceeded.

Given the periodic occurrence of high readings for mineral oil in storm water discharges from the facility in the period 2008-2011, it is proposed in **Schedule B.2** of the RD that an emission limit value (as opposed to a trigger level) of 2mg/l is imposed at the three emission points, CX, DX and E. It is also appropriate that an emission limit value is imposed for suspended solids there being no equivalent environmental quality standard. The removal of these two pollutants is the objective of the silt traps and oil interceptors required under **condition 3.15** of the RD.

5.3. Emissions to Surface water

There are no process emissions to surface water.

It is proposed to discharge treated sanitary effluent to the adjacent land drain. The existing sanitary effluent treatment system, which includes a percolation area, has

insufficient capacity for the number of staff now at the facility. A new treatment system (population equivalent 10-20) is proposed as follows:

- conversion of the existing biocycle treatment tank into a storage tank for effluent storage and settlement;
- installation of a new sequencing batch reactor including dosing for ortho-phosphate and total nitrogen removal; and
- a sand filter prior to discharge of effluent.

Final effluent from the treatment system will discharge to the land drain. The manufacturer of the treatment system has specified a treatment standard of 5/1/1 mg/l for BOD, ammonia and phosphorous respectively. It is expected that the sand filter will, over time, develop a 'biomat' that will provide additional biological activity and treatment within the sand filter itself.

According to the licensee, Offaly County Council has indefinitely postponed the planned installation of a foul sewer at the Cappincur Industrial Estate. In the absence of the foul sewer, the licensee has few alternatives given tight space restrictions but to discharge to the land drain. The proposed development was recently authorised by planning permission.

Given the quality of the discharge expected from the treatment system and the lack of options available to the licensee, the discharge is proposed for authorisation in the RD. Emission limit values to the manufacturer's specification are proposed in **Schedule B.2** of the RD. A monitoring schedule is proposed in **Schedule C.2.2** of the RD.

Condition 3.22 of the RD proposes that the licensee should, unless otherwise agreed by the Agency, connect to an available foul sewer within the industrial estate at the earliest opportunity.

5.4. Emissions to Ground/Groundwater

There are no process emissions to ground or groundwater.

The facility is underlain by an area of bedrock aquifer of high vulnerability to environmental pollution. The aquifer is classified as 'LI: locally important aquifer – bedrock which is moderately productive only in local zones'. There are no source protection areas within 6km of the facility. An assessment of groundwater monitoring results showed exceedences for nickel, iron and aluminium when compared to the threshold values in the European Communities Environmental Objectives (Groundwater) Regulations 2010. Nickel and iron exceedences are attributed to their natural occurrence in soil. There have been no high aluminium readings since 2008. No change is proposed for groundwater monitoring at boreholes GW1 and GW2 (**Schedule C.6** of the RD). GW1 is available as a water supply to the facility.

5.5. Noise

The facility is located within an industrial estate close to the Tullamore ring road and is surrounded on three sides by agricultural land that is zoned industrial. There have been no noise complaints and there are no apparent sensitive receptors.

5.6. Fugitive dust emissions

Dust deposition levels measured at the site have occasionally exceeded the licence limit of 350mg/m²/day. Exceedences are attributed by the licensee to traffic, hot weather and wind. Heavy metals have been detected in the collected dust although there are no relevant environmental quality standards against which the data can be

compared. It is proposed in **Schedule C.6** of the RD to require analysis of heavy metals in the dust samples – twice in the first year and annually thereafter. **Condition 6.17** of the RD proposes the setting by the licensee of trigger levels for heavy metals in deposited dust, the exceedence of which will be treated as an incident. **Condition 6.17** also enables ambient air sampling for particulates and metallic speciation, should it be required by the Agency. This test was proposed in a report prepared for the licensee as a means of determining the environmental impact of deposited dust.

6. Environmental Impact Assessment

Environmental Impact Assessment Directive (85/337/EEC)

The applicant submitted an Environmental Impact Statement (EIS) dated September 2012 which was prepared in support of planning application ref. 12/250. Planning permission was granted for this development by Offaly County Council on 3/4/2013.

I have considered and examined the content of the EIS and other material (information submitted in the licence application, the planning permission, planning inspector's report, correspondence between the Agency and the planning authority). I consider that having examined the relevant documents and with the addition of this Inspector's Report that the likely significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as required in Article 3 and in accordance with Articles 4 to 11 of the EIA Directive as respects the matters that come within the functions of the Agency. I consider that the EIS also complies with the Waste Management (Licensing) Regulations 2004, as amended.

Environmental Impact Assessment (EIA)

An EIA, as respects the matters that come within the functions of the Agency, has been carried out as detailed below.

Consultation was carried out between Offaly County Council and the Agency. The correspondence exchanged between Offaly County Council and the Agency has been considered as part of this assessment. All third party submissions/observations received which are relevant to impacts on the environment have also been considered and taken into account.

The submitted EIS and the assessment as described in this Inspector's Report address the likely significant direct and indirect effects arising from the activity, as respects the matters that come within the functions of the Agency.

Likely significant effects

The following section identifies, describes and assesses the main likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following factors: human beings, flora, fauna, soil, water, air, climate, the landscape, material assets and cultural heritage. The main mitigation measures proposed to address the range of predicted significant impacts arising from the activity have also been outlined.

Table 3 Likely significant effects and mitigation measures

Likely significant effect	Description of effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
1. Human Beings		
Traffic	Traffic and its associated emissions and disamenity effects	New arrangements and developments are projected to require fewer HGV movements at the KMK Metals section of the industrial estate ¹ .
Economic activity	Employment generation	Currently 55 employees, not counting seasonal staff and sub-contractors.
Fire risk and emergency response	Risks to people and risk of emissions from fire and emergency	<p>Accident prevention policy and emergency response procedures in place.</p> <p>Revision of fire water retention capacity study.</p> <p>Proximity to fire service.</p>
Reduction in air quality	Emissions of particulates and heavy metals to air. Fugitive dust emissions.	<p>Air dispersion screening model shows no predicted impact.</p> <p>For process emission to air:</p> <ul style="list-style-type: none"> • emission limit values for dust and heavy metal parameters; • bag house filters for dust capture. <p>Deposition limits for fugitive dust and trigger levels for heavy metals content of deposited dust.</p>
Noise	Disamenity from noise emissions	<p>Noise limit values.</p> <p>Lack of proximity to a significant number of residences (>200m).</p>

¹ The AES site on the same industrial estate has separate access from the public road.

Likely significant effect	Description of effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
2. Flora & fauna		
Impact of emissions on aquatic (land drain), hedgerow and pasture habitats adjacent to facility.	Reduction in water quality in land drain. Deposition of fugitive dust emissions.	Treatment of storm water discharged to land drain. Emission limits and trigger levels for contaminants in storm water discharged to land drain. Emission limits for sanitary effluent discharge to land drain. Deposition limits for fugitive dust and trigger levels for heavy metals content of deposited dust.
3. Soil		
Accidental contamination through spillage.	Discharge of contaminated run-off or fire water to soil.	Bunded hazardous liquids storage. Accident prevention policy and emergency response procedures in place. Revision of fire water retention capacity study.
4. Water		
Reduction in surface water quality	Emissions to land drain of potentially contaminated storm water and treated sanitary effluent ultimately leading to Tullamore River.	Treatment of storm water discharged to land drain. Emission limits and trigger levels for contaminants in storm water discharged to land drain. Emission limits for sanitary effluent discharge to land drain.
Abstraction of groundwater	Reduction in water resource	Limited quantity abstracted (<2m ³ /day), augmented by rain water harvesting.
Contamination of	Contamination of	Use of concrete

Likely significant effect	Description of effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
groundwater	groundwater resource	hardstanding throughout. Bunding of hazardous materials. No direct discharges to groundwater. Treatment of storm water and sanitary effluent discharged to land drain.
5. Air		
Reduction in air quality	Emissions of particulates and heavy metals to air. Fugitive dust emissions.	Air dispersion screening model shows no predicted impact. For process emission to air: <ul style="list-style-type: none"> • emission limit values for dust and heavy metal parameters; • bag house filters for dust capture. Deposition limits for fugitive dust and trigger levels for heavy metals content of deposited dust.
6. Climate		
Traffic	Traffic and its associated emissions	New arrangements and developments are projected to require fewer HGV movements at the facility.
7. Landscape, Material Assets & Cultural Heritage		
Detrimental impact on Grand Canal	Potential for pollution of waterway.	Potential for impact is minimal due to distance from waterway and lack of pathway for contaminants.

Assessment of parts 1 to 7 of Table 3 and the interaction of effects and factors

An EIA as regards the functions of the planning authorities was carried out by the planning authority when granting planning permission for the development (Planning File Ref. 12/250). The Planning Authority did not provide any additional observations to the Agency.

The detailed assessment set out in the remainder of the Inspector's Report fully considers the range of likely significant effects of the activity on human beings, flora, fauna, soil, water, air, climate, landscape, material assets and cultural heritage, as respects the matters that come within the functions of the Agency, as identified in Table 3 above, with due regard given to the mitigation measures proposed to be applied.

A matrix of the potential significant interaction of impacts is provided by Table 4.

Table 4 Interactions of the foregoing [source: EIS]

		Receptor									
		Human Beings	Traffic & Transport	Air Quality	Noise	Soils & Geology	Surface Water	Ground Water	Visual Landscape	Flora	Fauna
Transmitter	Human Beings		*	*	*		*	*	*	*	*
	Traffic & Transport	*		*	*						
	Air/Odour	*									
	Noise	*									*
	Soils & Geology							*			
	Surface Water	*								*	*
	Ground Water	*									
	Visual Landscape	*									
	Flora						*				*
	Fauna									*	

I have considered the interaction between the factors referred to in Table 3 above and the interaction of the likely effects identified in Table 4 (as well as cumulative impacts with other developments in the vicinity of the activity). The EIS identifies mitigation measures to address identified potential significant interactions.

I am satisfied that the proposed mitigation measures are adequate. I do not consider that the interactions identified are likely to cause or exacerbate any potentially significant environmental effects of the activity. The RD includes conditions as considered appropriate to key interactions associated with the licensable activity.

Overall Conclusion on Environmental Impact Assessment

All matters to do with emissions to the environment from the activity proposed (existing activity and proposed new development), the licence application documentation and EIS have been considered and assessed by the Agency. The assessments carried out by the planning authority and the submissions and observations exchanged between the planning authority and the Agency have been considered as part of this assessment.

I consider that having examined the relevant documents and with the addition of this Inspector's Report that the likely significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as required in Article 3 and in accordance with Articles 4 to 11 of the EIA Directive, as respects the matters that come within the functions of the Agency.

It is considered that the mitigation measures as proposed and the licence conditions included in the PD will adequately control any likely significant environmental effects from the activity.

7. Habitats Directive (92/43/EC) & Birds Directive (79/409/EEC)

There are six Natura 2000 sites within 15km of the facility. Only one, Charleville Wood SAC, is within 5km, the next nearest being almost 10km distant. Charleville Wood is located to the south-west of the facility on the other side of Tullamore. The Tullamore River flows within 500m of the facility and through Tullamore before it passes through Charleville Wood.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on the European Sites within 15km radius.

The screening assessment undertaken demonstrates that the activity is not likely to have significant effects, in terms of maintaining favorable conservation status of the qualifying interests, on the European Sites having regard to their conservation objectives. The absence of significant environmental emissions, the absence of pathways and the distance to European sites mitigates against the potential for significant effects on any European site. The planning authority concluded that "there would be no likely significant impact on European sites from the proposed development."

In accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), pursuant to Article 6(3) of the Habitats Directive, the activity will not adversely affect the integrity, in terms of maintaining favorable conservation status of the qualifying interests of the European Sites, having regard to their conservation objectives.

8. Best Available Techniques (BAT)

I have examined and assessed the application documentation and I am satisfied that the site, technologies and techniques specified in the application and as confirmed, modified or specified in the attached Recommended Decision comply with the requirements and principles of BAT. I consider the technologies and techniques as described in the application, in this report, and in the RD, to be the most effective in achieving a high general level of protection of the environment having regard - as may be relevant - to the way the facility is located, designed, built, managed, maintained, operated and decommissioned.

9. Waste Framework Directive

The new recycling infrastructure installed at this facility will allow for more waste to move up the waste hierarchy, not least from the treatment of WEEE that might otherwise have been exported. The increased recycling in Ireland will add value to the recovered materials obtained by the licensee from waste. According to the applicant, KMK Metals is responsible for managing over 45% of Ireland's WEEE and through providing recovery and treatment processes reduces export of untreated WEEE. The facility is primarily a recycling/recovery activity and will continue to contribute to the State's overall objective to meet waste recycling targets. No waste is accepted at the facility for disposal.

10. Compliance Record

The comments of the OEE inspector were sought. The licensee is generally compliant. No complaints relating to environmental emissions from the facility have been received since the facility was first licensed in 2001.

11. Fit & Proper Person Assessment

The legal, technical and financial standing of the applicant qualifies them to be considered fit and proper persons.

12. Proposed Decision

I am satisfied that the conditions set out in the RD will adequately address all emissions from the facility and will ensure that the carrying on of the activities in accordance with the conditions will not cause environmental pollution.

13. Submissions

There are three submissions on the application.

A submission by the HSE recommended that any revised licence contain similar monitoring requirements to the existing licence. The RD proposes an increase in monitoring compared to the existing licence. This is appropriate given the increase in scale – in terms of waste acceptance and area – of the licensed facility.

A second submission by the HSE observed that new information on stack emission point A2-8 indicated that the licensee has installed a cyclone which removes larger particulates from the air stream before it passes through the existing bag filter. The HSE observed that monitoring of these emissions as required by the terms of the licence will determine the effectiveness of the system. In response, it is noted that Schedule C.1.2 of the RD proposes quarterly monitoring of the emission at A2-8 for particulates and heavy metals.

A submission from An Taisce stated that "requirements in case c50-09 need to be addressed." The specifics of what requirements in case c50-09 need to be addressed are not stated in the submission. The matter of compliance with the EIA Directive and related provisions is addressed in section 6 of this inspector's report.

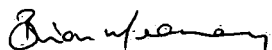
14. Charges

The annual charge for 2011 as set by OEE is €7,048. The charge is retained in the RD as it is not anticipated that there will be significant additional enforcement resulting from the RD.

15. Recommendation

I have considered all the documentation submitted in relation to this application and recommend that the Agency grant a licence subject to the conditions set out in the attached RD and for the reasons as drafted.

Signed



Brian Meaney

Procedural Note

• In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2011.