

Eve O'Sullivan

Subject: FW: Revised IED Submission
Attachments: W0275-01_Revised IED Submission_27.09.13.pdf

From: Derek Milton [<mailto:derek.milton@FTCO.IE>]
Sent: 27 September 2013 16:40
To: e.badiarczyk@epa.ie; Ewa Badiarczyk
Subject: Revised IED Submission

Dear Eva,

Please find attached revised IED submission,

Regards,

Derek

This message is for the intended recipient only. It may contain confidential or proprietary information. If you receive this message in error, please immediately delete it, destroy all copies of it and notify the sender. You must not use or disclose any part of this message if you are not the intended recipient. We may monitor all email communication through our networks. Any views expressed in this message are those of the individual sender, except where the message states otherwise. We take reasonable precautions to ensure our emails are virus free. However, we cannot accept responsibility for any virus transmitted by us and recommend that you subject any incoming email to your own virus checking procedure. Fehily Timoney is registered in Ireland as a private company limited by shares.

Registration No. 180497. Registered office: Core House, Pouladuff Road, Cork, Ireland

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>

Registration Form

Declaration by waste licence applicants
as to whether proposed licensable activities
fall under the revised
First Schedule of the EPA Acts 1992 to 2013

Organisation details

| | |
|--|---|
| Name of applicant: | Bord na Mona Public Limited Company |
| Application facility: | Drumman Materials Recycling and Waste Transfer Facility |
| Waste licence application register number: | W0275-01 |
| CRO ² number: | 29 7717 |

Instructions

You should firstly review all of the classes of activity included in the First Schedule of the EPA Acts 1992 to 2013 (a colour coded version of the new First Schedule is available on the IED pages of the EPA website –

<http://www.epa.ie/licensing/industrialemissionslicensing/>

You should determine if your activities fall under any of the classes of activity so listed and complete the table below accordingly. If no classes of activity apply, you should tick the appropriate boxes at the bottom of the table.

You should then consider whether any of the chapters III to VI of the IED are applicable to your activity and complete the table at the end of the Registration Form.

² Companies Registration Office

Guidance on "Capacity"

The classes of activity generally refer to the "capacity" of an activity. Applicants should consider both the legal and technical capacity of an installation when completing the Registration Form and making a decision as to whether the class of activity is applicable.

See also paragraphs (1) and (2) of the 'Interpretation' section of the new First Schedule for information on how the capacities of one or more activities should be aggregated for the purposes of the Registration Form. These paragraphs are as follows:

- "(1) If 2 or more activities falling within the same paragraph under a particular heading of this Schedule are carried on in the same installation by the same person, then, for the purpose of any threshold specified in that paragraph, the capacities of such activities shall be aggregated.
- (2) For waste management activities, the calculation referred to in subparagraph (1) shall apply at the level of activities referred to in paragraphs 11.2, 11.4(a) and 11.4(b)."

For further discussion on the interpretation of "capacity" see the European Commission's *Guidance on Interpretation and Determination of Capacity under the IPPC Directive* at http://ec.europa.eu/environment/air/pollutants/stationary/ippc/general_guidance.htm.

Guidance on "Pre-treatment of waste for incineration or co-incineration"

This topic is relevant to activity classes 11.4(a)(iii) and 11.4(b)(ii).

The term "pre-treatment" is not defined in the Industrial Emissions Directive. The term "treatment" is defined in the Waste Framework Directive (2008/98/EC) as:

"recovery or disposal operations, including preparation prior to recovery or disposal".

The term "treatment" has the same meaning as "pre-treatment".³

Waste licence applicants will have already selected applicable recovery and disposal activities in their waste licence applications (section B.7 of the waste licence application form) that they have sought for authorisation. As a general rule, it is appropriate that any of

³ Municipal Solid Waste – Pre-treatment & Residuals Management: An EPA Technical Guidance Document, 2009.

these activities followed by dispatch of the waste for incineration or co-incineration should be regarded as "pre-treatment of waste for incineration or co-incineration" for the purposes of the new First Schedule.

When deciding whether an activity comprises "pre-treatment of waste for incineration or co-incineration" for the purposes of the new First Schedule, applicants should consider what happens *within the waste facility that is to be authorised*, and not any treatment or pre-treatment that took place previously at another facility or the presence of waste segregation practices at the point of waste collection.

The following should not generally be regarded as constituting "pre-treatment of waste for incineration or co-incineration":

- the incidental generation of waste from waste treatment activities and the dispatch of such incidental waste for incineration.

Solid recovered fuels and refuse derived fuels are often but not always produced to a technical specification that might also comprise a quality standard and/or a quality assurance scheme. They are also often produced to be classified by the EWC codes 191210 or 191212.

The absence of:

- a technical specification,
- a quality standard,
- a quality assurance scheme, and/or
- EWC codes 19 12 10 and 19 12 12

for a solid recovered fuel or refuse derived fuel is not indicative that an activity does not comprise "pre-treatment of waste for incineration or co-incineration".

Guidance on "Class 11.1" – non-IED activity

Class 11.1 is not an IED class of activity. If this class of activity is selected, a reason must be provided at the end of the form. Class 11.1 will generally only be applicable where there are *non-IED* classes of activity being carried on at a facility in addition to IED classes of activity. The following are IED classes of activity, subject to relevant capacity thresholds: 11.2, 11.3, 11.4, 11.5, 11.6 and 11.7.

Registration Form

This table lists only class 11 activities. There is space at the bottom of the table to list other applicable classes of activity and you should take the time to consider the entire new First Schedule.

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence <u>application</u> ⁴ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|---|--|---|
| 11 | Waste management | | |
| 11.1 ⁶ | The recovery or disposal of waste in a facility, within the meaning of the Act of 1990, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required. ⁶ | ✓ | |

⁴ Please note, this form relates to all of the activities included in your licence application. This includes activities that you are already authorised to carry out if you intend to maintain these activities under a new licence (should it be granted).

⁵ European Union (Industrial Emissions) (Licensing) Regulations 2013, S.I. No. 137 of 2013.

⁶ If this class of activity is selected, an explanation must be provided. Complete the box below the table.

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence <u>application</u> ⁴ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|--|--|--|
| 11.2 | Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving one or more of the following activities: | | 30/9/2013 if IPPC Directive already applies to activity. |
| | | | 28/2/2014 if not. |
| (a) | biological treatment; | | |
| (b) | physico-chemical treatment; | | |
| (c) | blending or mixing prior to submission to any of the other activities listed in paragraph 11.2 or 11.3; | | |
| (d) | repackaging prior to submission to any of the other activities listed in paragraph 11.2 or 11.3; | | |
| (e) | solvent reclamation or regeneration; | | |
| (f) | recycling or reclamation of inorganic materials other than metals or metal compounds; | | |
| (g) | regeneration of acids or bases; | | |
| (h) | recovery of components used for pollution abatement; | | |

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence <u>application</u> ⁴ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|--|--|--|
| (i) | recovery of components from catalysts; | | |
| (j) | oil re-refining or other reuses of oil; | | |
| (k) | surface impoundment. | | |
| 11.3 | Disposal or recovery of waste in waste incineration plants or in waste co-incineration plants: | | 30/9/2013 if IPPC Directive already applies to activity. 28/2/2014 if not. |
| (a) | for non-hazardous waste with a capacity exceeding 3 tonnes per hour: | | |
| (b) | for hazardous waste with a capacity exceeding 10 tonnes per day. | | |
| 11.4(a) | Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities: | | |
| (i) | biological treatment; | | 30/9/2013 |
| (ii) | physico-chemical treatment; | | 30/9/2013 |

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence application ⁴ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|---|---|--|
| (iii) | pre-treatment of waste for incineration or co-incineration; | | 28/2/2014 |
| (iv) | treatment of slags and ashes; | | 28/2/2014 |
| (v) | treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components. | | 28/2/2014 |
| 11.4(b) | Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day ⁷ involving one or more of the following activities, (other than activities to which the Urban Waste Water Treatment Regulations 2001 (S.I. No. 254 of 2001) apply): | | 28/2/2014 |
| (i) | biological treatment; | | |
| (ii) | pre-treatment of waste for incineration or co-incineration; | ✓ | |
| (iii) | treatment of slags and ashes; | | |

⁷ When the only waste treatment activity carried out is anaerobic digestion, the capacity threshold for that activity shall be 100 tonnes per day.

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence <u>application</u> ⁴ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|--|--|--|
| (iv) | treatment in shredders of metal waste, including waste electrical and electronic equipment and end-of-life vehicles and their components. | | |
| 11.5 | Landfills, within the meaning of section 5 (amended by Regulation 11(1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008)) of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste. | | 30/9/2013 |
| 11.6 | Temporary storage of hazardous waste (other than waste referred to in paragraph 11.5) pending any of the activities referred to in paragraph 11.2, 11.3, 11.5 or 11.7 with a total capacity exceeding 50 tonnes, other than temporary storage, pending collection, on the site where the waste is generated. | ✓ | 28/2/2014 |
| 11.7 | Underground storage of hazardous waste with a total capacity exceeding 50 tonnes. | | 28/2/2014 |

| Class of activity | Description of activity | Tick <u>all</u> classes of activity that apply to your waste licence <u>application</u> ¹ (clear cells only) | Transition date to IE Licensing Regulations ⁵ (Section 76A of Waste Management Acts) |
|-------------------|---|--|---|
| 0.1 | None of the above classes of activity apply to the existing or proposed activities that are the subject of my waste licence application. | | |
| 0.2 | Other applicable activities in the new First Schedule of the EPA Acts (List in the box to the right any other activities, other than class 11, that you carry out or have applied for a waste licence to carry out). | | |

For inspection purposes only.
Consent of copyright owner required for any other use.

Clarification of any considerations of "capacity" taken into account when completing the Registration Form:

The Drumman facility will have a capacity of 99,000 tonnes per annum (tpa). It is envisaged that c. 50,000 tonnes of input material will comprise mixed dry recyclables and c. 49,000 tonnes will comprise C&D/C&I material.

Under planning granted by Offaly Co. Co. (10/93), the facility can operate for 18 hours per day (06:00 to 00:00) and for 6 days per week (Monday to Saturday inclusive), resulting in 312 available working days.

In relation to the First Schedule activity 11.4 (b)(ii), operating on a 6 day per week basis:

$$99,000 / 312 \text{ operating days} = 317 \text{ tonnes per day}$$

Thus exceeding the applicable threshold of 75 tonnes per day for 11.4 (b).

In relation to activity 11.6, it is considered that the facility has the legal and technical ability to provide temporary storage capacity greater than 50 tonnes thus exceeding the capacity threshold (as per the *Guidance in Interpretation and Determination of Capacity under the IPPC Directive*).

If Class 11.1 was selected, explain here the reason(s) for its selection:

Class 11.1 was selected as:

- The facility will undertake non IED recovery and disposal activities (as per the Third and Fourth Schedules of the Waste Management Acts 1996 to 2013) in addition to the IED activities listed herein, with IED activities thus being connected or associated with non IED activities. Third & Fourth Schedule Activities to be undertaken at the facility are as follows:

Third Schedule – Disposal Activities

- D13** Blending or mixing prior to submission to any of the operations numbered D 1 to D 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12).
- D14** Repackaging prior to submission to any of the operations numbered D 1 to D 13.
- 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).

Fourth Schedule - Recovery Activities

- R3** Recycling /reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals.
- R4** Recycling/reclamation of metals and metal compounds.
- R5** Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.
- R12** Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11).
- 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).

Please select all applicable Chapters of the Industrial Emissions Directive (2010/75/EU):

- III: Special provisions for combustion plants
- IV: Special provisions for waste incineration plants and waste co-incineration plants
- V: Special provisions for installations and activities using organic solvents
- VI: Special provisions for installations producing titanium dioxide

*For inspection purposes only.
Consent of copyright owner required for any other use.*

Acknowledgements and final declaration

I acknowledge that:

- The information provided to the EPA in this form will be made publicly available and will be open to inspection by any person.
- This form does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the European Union (Industrial Emissions) Regulations 2013, the European Union (Industrial Emissions) (Licensing) Regulations 2013 or other legislation.
- By ticking box 0.1 above, I am stating that none of my existing activities or any new activities for which I've made application for authorisation under a waste licence are listed in the new First Schedule of the EPA Acts 1992 to 2013.

I declare the following:

- The EPA may copy this registration form response for its own use and make it available for inspection and copying by the public, both in the form of paper files available for inspection at EPA offices and via the EPA's website.
- I have read
 - this registration form and accompanying letter, and
 - the new First Schedule of the EPA Acts 1992 to 2013,in their entirety.
- I make this response on behalf of the organisation named in this registration form.
- I certify that the information given in this registration form response is true, accurate and complete.

| | |
|-----------------------------------|--|
| Signature on behalf of applicant: | <i>Will Paul</i> |
| Date of signature: | <i>27/09/2013</i> |
| Print name: | <i>Derek MILTON</i> |
| Job title: | <i>PRINCIPAL SCIENTIST FELLY TIMONEY & COMPANY (APPLICANT AGENT)</i> |