

Article 14(2)(b)(ii) Further Information

Particulars and Evidence For

Ormonde Organics Ltd

Waste Licence No. W0287-01

Article 12 Compliance

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1. INTRODUCTION

This is the response by Ormonde Organics to the Notice issued under Article 14(2)(b)(ii) of the Waste Management Licensing Regulations, dated 21st June 2013, in relation to Application Register No. W0287-01 for the Materials Recovery Facility at Killowen, Portlaw, County. Waterford

Section 2 contains the responses to the Agency's requests. For ease of interpretation each of the requests are presented in italics followed by Ormonde Organic's response. The Non-Technical Summary is in Section 3.

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2. ARTICLE 12 COMPLIANCE REQUIREMENTS

1. *Fully Complete the tables in Section E of the application form*

The completed tables are in Attachment 1

2. *Provide one drawing showing clearly all existing and proposed emission points*

Drawing No 12193-01 Rev B, which shows the existing and proposed emission points is in Attachment 2. It should be noted that an additional gas engine is proposed for the CHP plant, meaning there will be a total of three. An additional LECA Biofilter will be provided and the stand by gas flare has identified as an emission point.

3. *In respect of the proposed CHP Plant, state the stack height and provide an air dispersion modelling assessment for NO_x, SO₂, CO, H₂S, HCL and HF at appropriate emission levels that will provide assurance that relevant air quality standards will not be exceeded*

For operational reasons Ormonde Organics has decided to increase the number of gas engines to three and provide an additional LECA biofilter. Ormonde Organics commissioned Odour Monitoring Ireland (OMI) to conduct air dispersion modelling on the existing and proposed new emission points, the latter of which includes the stand by gas flare. The modelling of the gas engines and flare included the parameters referenced by the Agency. The OMI report is in Attachment 3. The stack heights of all three gas engines will be 16m above ground level. The modelling confirms that the operation of the CHP plan will not result in an exceedance of relevant air quality standards.

4. *State the height of the emission points from the existing and proposed biofilters*

The height of the emission points from the existing and proposed biofilters are given in Table E and also in Table 3.1 of the Odour Monitoring Ireland Air Dispersion Model Report which is in Attachment 3. The heights of all other emission points to air are also in the Tables.

5. *Provide a flow diagram showing the existing and proposed operation processes. Specify the waste types used in each of the processes*

Flow diagrams for the existing Compost Plant and the proposed Anaerobic Digestion Plant, which specify the waste types used in each process are in Attachment 4.

6. *Provide Details on complaints, if any, received in relation to the facility's operation and state what responses have been made to these complaints.*

A total 59 complaints received for the period of January 2012 to end of September 2013. All of these complaints related to odours. There were no complaints relating to other issues. There were a total of 4 complainants. All complaints are logged in the complaints book and efforts are made to contact the complainant in order to communicate the corrective action taken on site and ensure that the complainant is satisfied that the issues is being dealt with. Details of the dates and times of the complaints as well as weather conditions and corrective action taken are recorded in the odour complaints book on site which is available for inspection.

7. *Undertake a screening for appropriate assessment and state whether the activity, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s), in view of best scientific Knowledge and of the conservation objectives of the site(s)*

Where it cannot be excluded, on the basis of objective scientific information, following screening for appropriate Assessment, that an activity, either individually or in combination with other plans or projects, will have a significant effect on a European Site, the applicant shall provide a Natura Impact Statement, as defined in Regulation 2 (1) of the European Communities (Birds and Natural Habitats) Regulations (S.I. No. 477 of 2011). Where based on the screening it is considered that an Appropriate Assessment is not required, a reasoned response should be provided.

You are furthermore advised to refer to the document 'Appropriate Assessment of Plans and projects in Ireland- Guidance for Planning Authorities' issued in 2009 by the Department of the Environment, Heritage and Local Government, and revised in 2010

An Appropriate Assessment screening was submitted with the application for planning permission and a copy of the report is in Attachment 5.

8. *In accordance with Section 53(1) of the Waste Management Acts 1996 to 2013, please furnish particulars in respect of the ability of Ormonde Organics to meet financial commitments of liabilities that will be entered into or incurred in carrying on the proposed activity and provide evidence that Ormonde Organics will be in a position to make financial provision that is adequate to discharge these financial commitments. Specifically:*

- (a) *Prepare a fully detailed and costed Closure, Restoration and Aftercare Management Plan (CRAMP) for the facility, to include as a minimum the following:*

- *A Scope statement for the plan*
- *The criteria which define the successful closure and restoration of the facility or part thereof, and which ensure minimum impact to the environment*

- *A programme to achieve the stated criteria*
- *Where relevant, a test programme to demonstrate the successful implementation of the plan*
- *Details of the long term supervision, monitoring, control, maintenance and reporting requirements for the restored facility*
- *Details of the costings for the plan and the financial provisions to underwrite those costs*

The proposed CRAMP for the facility is in Attachment 6. Ormonde Organics has begun constructing Stage 1 of the anaerobic digestion plant. Stage 2 will be completed following the grant of the Waste Licence. The CRAMP is based on the assumption that Stages 1 and 2 have been constructed and it will be reviewed and updated following the completion of Stage 2 to take account of any operational changes and any relevant conditions set in the Waste Licence.

- (b) *Prepare a fully detailed and costed Environmental Liabilities Risk Assessment which addresses the liabilities and potential liabilities and costs identified from the past and proposed activities, including those liabilities and costs identified in the CRAMP. Provide evidence that the assessment was prepared or reviewed, and was found to be complete and accurate, by an independent and appropriately qualified consultant or expert.*

The Environmental Liability Risk Assessment is in Attachment 7. As referred to above, Ormonde Organics has begun constructing Stage 1 of the anaerobic digestion plant, with Stage 2 to be completed following the grant of the Waste Licence. The ELRA is based on the assumption that Stages 1 and 2 have been constructed in accordance with the current design. Ormonde Organics will review and update the ELRA following the completion of Stage 2 to take account of any design changes and any relevant conditions set in the Waste Licence, including the completion of a Firewater Retention Assessment.

- (c) *Provide a proposal for financial provision to cover any liabilities associated with the operation and identified in the ELRA (including closure, restoration and aftercare and unanticipated accidents, incidents and liabilities). Provide evidence that Ormonde Organics will be in a position to put such financial provision in place in the event that a waste licence is granted and prior to development works commencing.*

The ELRA has been carried out in accordance with Agency's Guidance of Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provisions (2006) and the revised draft Guidance issued in July 2013. The costs of addressing the worst case scenario are estimated at €34,490 and the cost of implementing the CRAMP in the event of an unplanned closure is €33,568. This is the maximum liability that may be incurred and as such, the required financial provision is estimated at €68,058.

Ormonde Organics has insurance cover in place in the amount of €6,500,000 which is significantly more than cost of the 'worst case' environmental liability scenario at the facility. Ormonde Organics will agree the form of the financial provision, for example insurance, bond, guarantee or fund, for the CRAMP with the Agency after the Licence has been issued.

Ormonde Organics turnover in 2011 was €1,236,054 and details of the audited accounts that demonstrate the company will be in a position to provide the required financial provision are in Attachment 8.

Article 13 Compliance Requirements

- 1. Provide a matrix of the potential significant interaction of impacts of the facility in a form of a table*

A Table showing the potential interaction of impacts at the facility is in Attachment 9. It is derived from Chapter 17 of the Environmental Impact Statement.

Revised Non-Technical Summary

A revised Non-Technical Summary is in Attachment 10.

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