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This memo has been cleared for
submission to the board by
Dr Tom McLoughlin, Senior Inspector.

Signed: Gpáinne
D'Elisby Date: 7/11/2013

REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO LICENCE CONDITIONS

TO: Directors

FROM: Technical Committee - Environmental Licensing Programme

DATE: 7th November 2013

RE: Objection to a Proposed Decision (PD) issued to Country Clean Recycling Limited, Churchfield Industrial Estate, John F. Connolly Road, County Cork, Licence Register W0257-01

Application Details

Type of facility:	Non-Hazardous Materials Recovery/Waste Transfer Facility
Classes of Activity (P = principal activity):	3 rd Schedule: D13, D14, D15. 4 th Schedule: R3, R4, R5(P), R11, R12, R13.
Quantity of waste managed per annum (application):	100,000 tonnes
Classes of Waste:	Municipal solid waste, construction and demolition waste, dry recyclable waste, non-hazardous household, commercial and industrial waste, separately collected bio-waste.
Location of facility:	Churchfield Industrial Estate, John F. Connolly Road, County Cork
Licence application received:	5 February 2009
PD issued:	23 July 2013

1. Company and background to this report

The application relates to an existing materials recovery and waste transfer station operated by Country Clean Recycling Limited. The facility operates under a waste facility permit from Cork City Council. Country Clean Recycling Limited applied for a waste licence to accept 100,000 tonnes of waste per annum.

This report relates to a valid first party objection received by the Agency in relation to the Proposed Decision issued to Country Clean Recycling Ltd on 23 July 2012.

2. Consideration of the objection

The issues raised in the objection are summarised under the headings below. The original objection should be referred to at all times for greater detail and expansion of particular points.

Objector's name and Address	Date Received
Country Clean Recycling Ltd	19 August 2013

The Technical Committee (TC), comprising of Brian Meaney (Chair) and Ewa Babiarczyk, has considered all of the issues raised in the objection and this report details the Committee's comments. Each issue raised in the objection is outlined in turn below.

Objection 1. Conditions 1.7.1 and 1.7.3 Waste acceptance and operations hours

Conditions 1.7.1 and 1.7.3 of the PD limit waste acceptance hours as follows:

Waste acceptance: 0600 to 1930, Monday to Sunday;

and mechanical waste treatment operations as follows:

Waste treatment: 0700 to 2000, Monday to Sunday.

The facility may otherwise be operated 24 hours. These are the hours applied for in the original licence application in 2009. Since that time, the applicant states that operations have changed and the following hours are now sought for waste acceptance and treatment:

Waste acceptance: 0600 to 0000 Monday to Sunday

Waste treatment: 0600 to 0200 Monday to Sunday.

The applicant's own collection vehicles operate double shifts and collect waste between 0600 and 2300 and deliver waste to the facility by midnight. The applicant has operated to these requested hours for the last three years with no noise complaints received. Predicted noise levels are provided in the objection showing all predicted levels to be within the limits specified in the PD.

Technical Committee's Evaluation

In further information provided during the licence application assessment, the applicant requested the following:

Waste acceptance: 0500 to 2100 Monday to Sunday

Operation: 24 hours.

The information stated that sorting and waste processing operations normally take place between 0500 and 2000. The licensing inspector recommended the hours specified in the EIS and these were included in the PD (as set out above). There is no evidence that the expanded hours were considered in the EIA carried out by the planning authority. They were not considered as part of the EIA carried out by the Agency. The proposal to extend the waste acceptance and operational hours cannot be facilitated at this stage in the licensing process. A licence review (if a licence is granted) will be required to facilitate a change of this nature.

Recommendation:

No change

Objection 2. Condition 2.1.2 FÁS waste management training programme

The applicant objects to the requirement for the Environmental Health and Safety Officer (called the "environmental deputy" in the objection) to complete a FÁS waste management training programme or equivalent because of his existing qualifications, skills and experience in environmental management. The person in question, Mr Flor Crowley, is said to have masters and bachelor of science degrees from the University of Limerick in addition to nine years' experience in his position at the facility. The yard manager, Mr Tim O'Regan has completed the FÁS programme.

Technical Committee's Evaluation

The FÁS waste management training programme is no longer in existence. It is adequate that the condition be amended as recommended below.

Recommendation:

Amend condition 2.1.2 as follows:

The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence.

Objection 3. Condition 2.2.1 Environmental Management System

The applicant objects to the time period of six months provided to establish an Environmental Management System. The timescale is not thought reasonable given the scale of the task and the programme of other works (licence conditions) requiring attention within 12 months.

Technical Committee's Evaluation

The period of six months is a standard requirement in EPA licences and is appropriate.

Recommendation:

No change

Objection 4. Condition 3.1.1 Specified Engineering Works

The applicant objects to having to notify specified engineering works to the Agency two months in advance of commencement of works. A one-month period is sought in order to avoid delays in commencing site works and to facilitate greater efficiency in undertaking site works. The installation of such infrastructure as waste handling and processing equipment is deemed critical to operations and a two month delay for Agency approval is excessive.

Technical Committee's Evaluation

The objective of notifying specified engineering works is for the Agency to ensure, at least, that proposed works are in compliance with the licence, represent BAT and will not result in environmental pollution. The two month notification period is a standard requirement and is appropriate.

Recommendation:

No change

Objection 5. Condition 3.11 Wheel cleaning equipment

The applicant objects to the obligation in condition 3.11.1 to provide and maintain a means of wheel cleaning at the facility. The condition is not deemed necessary for the following reasons:

- the majority of waste handling will be inside the building; and
- a yard sweeper will be in constant use cleaning the yard.

Scope is sought to obtain the Agency's agreement to have or not have a wheel wash.

Technical Committee's Evaluation

The condition does not require the installation of extensive or expensive equipment at the facility, simply that wheel cleaning equipment is available to be used "as required". The condition does not require that all vehicles are cleaned. The PD provides for the acceptance of relatively dirty wastes like mixed municipal waste, separately collected bio-waste and construction and demolition waste. The obligation to clean wheels "as required" and to inspect the wheel cleaning area daily is appropriate.

Recommendation:

No change

Objection 6. Condition 3.12 Duty and standby capacity for equipment

Condition 3.12.1: The applicant objects to having to maintain 100% duty capacity and 20% standby capacity for "plant deemed critical to the efficient and adequate processing of waste at the facility (including inter alia waste-loading vehicles, ejector trailers and air handling ventilation and abatement plant)". The applicant has to date made no allowance for additional standby or spare capacity as this would require the purchase of new plant and equipment, which is not considered feasible. The applicant believes this would also increase the environmental footprint of the proposed activity and would trigger a licence review.

Condition 3.12.2: The applicant requests extension from three to six months of the time period for the submittal of a report detailing the duty and standby capacity of waste processing and handling equipment. The request is based on the number of one-off reports generally required during implementation of the licence.

Condition 3.12.3: The applicant objects to having to keep within the duty capacity of waste handling and processing equipment on a daily basis. A three-month averaging period is sought that will allow for variation in the daily quantity of waste received and the need to store or stockpile waste during busy periods.

Technical Committee's Evaluation

Condition 3.12.1: It seems reasonable that an operator will not necessarily have invested in 20% standby capacity when installing new equipment. However, whilst the need for additional or new standby capacity might be difficult to justify where waste processing equipment is already installed and operational at the facility, it is a reasonable requirement when installing air handling ventilation and abatement plant for the first time (which is a requirement of condition 3.13.1(ii) of the PD, unless otherwise agreed by the Agency – see objection 7 below). The amended condition 3.12.1 below is recommended.

Condition 3.12.2: The request is reasonable and amendment to the condition is recommended below.

Condition 3.12.3: The duty and standby capacity requirements of condition 3.12.1 relate equally to the capacity to store or handle waste as to process waste. Therefore, if the applicant wishes to store or stockpile waste at the facility, it must be demonstrated, via the

duty and standby capacity report required under condition 3.12.2, that there is adequate storage capacity available. No change is recommended to condition 3.12.3.

Recommendation:

Amend condition 3.12.1 as follows (proposed amendment in bold):

Items of plant deemed critical to the efficient and adequate processing of waste at the facility **(including air handling, ventilation and abatement equipment and, unless otherwise agreed by the Agency, waste handling and processing equipment)** shall be provided on the following basis:

- (i) 100% duty capacity;
- (ii) 20% standby capacity available on a routine basis; and
- (iii) Provision of contingency arrangements and/or backup and spares in the case of breakdown of critical equipment.

Amend condition 3.12.2 as follows (proposed amendment in bold):

Within **six** months from the date of grant of this licence, the licensee shall provide a report for the agreement of the Agency detailing the duty and standby capacity, in tonnes per day, of all waste handling and processing equipment to be used at the facility. These capacities shall be based on the licensed waste intake, as per *Schedule A: Limitations*, of this licence.

Objection 7. Condition 3.13.1(ii) Odour management system to be installed

The applicant objects to the condition that states that, unless otherwise agreed by the Agency, and within 24 months of the date of grant of a licence, a continuous negative air pressure system with off-gas treatment is to be installed, the objective being to avoid significant escape of odours or dust. The applicant states that this requirement is not feasible given the expense as well as the large size and layout of the facility. The applicant also states that no odour complaints have been received and management arrangements are in place to mitigate against odorous emissions. The objection includes an odour dispersion assessment dated 6 October 2011 carried out for the applicant as part of the licence application. (This assessment was considered as part of the original Inspector's Report and will not be described in detail here). The applicant proposes taking a reactive approach to odour complaints and the implementation of appropriate odour management techniques [not defined in the objection] should such complaints be received. The applicant proposes replacing condition 3.13.1(ii) with the following:

Other such measures as may be required by the Agency to alleviate dust or odour nuisance.

Technical Committee's Evaluation

As set out by the licensing inspector, BAT requires that consideration be given to the requirement to capture, contain and treat odorous air. The applicant intends moving from a current waste intake of no more than 50,000 tonnes per annum¹ to 100,000 tonnes per annum. The applicant intends relying on implementation of a range of good practices that are intended to avoid odour emissions, not least including the removal of putrescible waste

¹ Although the waste facility permit does not specify a maximum waste intake, this is the maximum waste acceptance permissible under a waste facility permit of this type.

within 24 hours, keeping doors shut, improving the building integrity and implementing an odour management plan and audit procedures.

The licence condition in the PD allows that the installation of the ventilation system shall be carried out "unless otherwise agreed by the Agency" and within 24 months. Thus the applicant will have 24 months to demonstrate to the Agency that its management practices are adequate such that the ventilation and odorous air treatment systems need not be installed. If, on the other hand, the management practices prove inadequate to manage the actuality of odour prevention for the increased level of activity at the facility, then the full provisions of the condition will be available to Agency to address odour emissions.

Recommendation:

No change

Objection 8. Condition 3.19 Period for submission of a report on fire water retention capacity

The applicant objects to the six month period provided in the RD for the completion of a fire-water retention risk assessment. A 12-month period is sought due to the number of one-off reports required in the PD.

Technical Committee's Evaluation

Whilst there is no apparent immediate threat of fire at the facility, a major fire would result in a significant volume of water used to fight the fire. It is imperative in the interest of pollution and accident prevention that steps are taken to ensure the risk of escaping contaminated fire-water is assessed and addressed in the shortest time. No change is recommended.

Recommendation:

No change

Objection 9. Condition 3.25 Timescales for enclosing timber shredding and storage activities

Condition 3.25.1 requires the applicant to enclose the timber shredding activity within six months of grant of a licence. Condition 3.25.2 requires the applicant to contain timber and shredded timber within the waste transfer building.

The applicant considers that the six-month period specified in condition 3.25.1 is too short. It is thought that planning permission might be required for the necessary structure.

In relation to condition 3.25.2, the applicant proposes installing a covered area for stockpiling timber and shredded timber, which also might see delays due to planning permission requirements. It is also noted that storage of woodchip inside the main building will increase fire risk.

Technical Committee's Evaluation

It is reasonable to suggest than obtaining planning permission for an additional structure at the facility might delay implementation of condition 3.25.1. Amendment is proposed as set out below.

It is not stated in the objection, but appears likely, that the same structure will be used for stockpiling and shredding timber and storing shredded material. This being the case, implementation of condition 3.25.2 should be linked to a similar timeline for implementation. Amendment is proposed as set out below.

Recommendation:

Amend condition 3.25 as follows (proposed text in bold):

3.25 Timber Shredding and Storage

3.25.1 Within six months of the date of grant of this licence, **or a longer period if agreed by the Agency**, the timber shredder and timber shredding area shall be enclosed to contain and restrict dust and noise emissions.

3.25.2 **Within the same timeframe as provided for in condition 3.25.1**, stockpiles of timber and shredded material shall be contained within **the enclosed area to be established under condition 3.25.1 or other** designated areas of the waste transfer station building to minimise dust generation.

Objection 10. Condition 6.1 Test programme for abatement equipment

The applicant objects to the requirement in condition 6.1.4 to establish warning and action levels for ammonia in emissions to air from the waste transfer building. The inclusion of the parameter is unduly burdensome and overly specific in the context of avoiding odour emissions from the facility.

It is requested that the parameter "odour" is used in the condition in place of "ammonia".

Technical Committee's Evaluation

The request is reasonable, however it is not clear how warning and action levels would be established for odour if this parameter were used in place of ammonia. Neither is it clear, without knowing what technology will be employed to treat the emission to air, what parameters are in fact appropriate to monitor the efficacy of the process. The amendment below is proposed.

Recommendation:

Amend condition 6.1.4 as follows (proposed text in bold):

6.1.4 The test programme shall establish appropriate warning and action level values for emissions to atmosphere of dust and other parameters as may be agreed by the Agency from the waste transfer building.

Objection 11. Condition 6.20.1 Storage and removal of MSW and BMW within set time periods

The applicant objects to the obligation to remove MSW and BMW from the facility within 48 hours of its arrival at the facility (or 72 hours at public holiday weekends).

Regarding MSW, the applicant intends treating MSW to remove the biodegradable fraction. The oversize fraction (plastic, paper etc.) will be baled and stored for up to two weeks pending export for recovery. It is not feasible to remove this treated MSW within 48 hours. The fact that it is baled and wrapped prevents odour nuisance arising.

The applicant requests that only waste that is destined for disposal should be subject to the 48-hour removal condition.

Regarding BMW, the applicant proposes to store the material until such time as a bulk load can be moved elsewhere for treatment. As the BMW is stored in a "suitable enclosed area, it will not give rise to any odour complaint."

Technical Committee's Evaluation

It is noted that earlier in the objection (see objection 7 above) the applicant stated that all "wet waste is baled and transferred within 24 hours" which is less than the 48 hours required in the licence condition. Notwithstanding this apparent discrepancy in commitments to management practices, it is reasonable to suggest that treated MSW (with the major organic fraction removed) that is baled and wrapped pending export need not be removed within 48 hours (or 72 hours on public holiday weekends). The amendment below deals with this matter and specifies that putrescible and odour-forming wastes are to be removed within the time limit in order to minimise the risk of odour nuisance.

The applicant's request that the time limit should only apply to waste destined for disposal does not address the fact that waste destined for recovery operations (e.g. source separated bio-waste) can also cause odour. Therefore no change is recommended on this ground.

Biodegradable municipal waste (BMW) has considerable potential for odour nuisance and is a primary consideration for the licence condition that requires prompt (i.e. 48 hours) removal of waste that has the potential to cause odour nuisance. The applicant applied only for the acceptance of 1,040 tonnes per annum of separately collected bio-waste. This equates to some 20 tonnes on average per week, or somewhere over one vehicle load. This seems low given the increased roll-out of brown bins at households and businesses for the separate collection of bio-waste. However, as can be seen below in objection no. 17, the applicant is now seeking authorisation through the objection to accept 16,000 tonnes of separately collected bio-waste. These facts do not provide adequate reason to relax the 48-hour condition for removal of the material from the facility.

Recommendation:

Amend condition 6.20.1 as follows (proposed text in bold):

6.20.1 All MSW and BMW shall be stored in designated areas inside the waste transfer building. All separately collected bio-waste shall be stored in suitably covered and enclosed containers, in designated areas, in the waste transfer building. **All putrescible and odour-forming waste, including organic fines**, shall be removed from the facility within 48 hours of their arrival at the facility, except at Public Holiday weekends. At Public Holiday weekends, these wastes shall be removed within 72 hours of their arrival at the facility.

Objection 12. Condition 8.1 Indoor storage of waste and materials

Condition 8.1 requires the indoor storage of waste other than metal, glass and other wastes as may be agreed by the Agency. The applicant wishes to store tyres, timber pallets, woodchip, soil and stone, inert C&D rubble and gas cylinders outdoors.

The applicant also wishes to bale metal outdoors, an operation it has carried out for four years without environmental nuisance.

Technical Committee's Evaluation

In relation to the first request, the condition as written allows for Agency agreement to store waste and materials other than metal and glass outdoors. The OEE will be able to agree appropriate storage arrangements for waste and recovered materials subject to more detailed proposals than are contained in the objection.

Regarding the baling of metal outdoors, the licensing inspector's assessment is that only wood shredding can be carried out outside the waste transfer building, subject to the limitations of condition 3.25, discussed above. There is inadequate information provided in the objection (and in the section of the application referenced in the objection) on the nature

and scale of the metal baling activity, its potential for noise and dust emissions and mitigation measures in place. The amendment below to condition 8.1 is proposed and the OEE will be able to agree to the outdoor processing of waste subject to more detailed proposals than are contained in the objection.

Recommendation:

Amend condition 8.1 as follows (proposed text in bold):

Unless otherwise agreed by the Agency, all waste processing shall be carried out inside the waste transfer building, with the exception of wood shredding which shall be carried out as stated in Condition 3.25.1. All wastes/materials shall be stored within the waste transfer building with the exception of metal, glass and other wastes which may, if agreed by the Agency, be stored in designated bays outdoors.

Objection 13. Condition 8.2.3 Waste acceptance subject to waste profiling and waste characterisation off-site

The applicant objects to being restricted to only accepting waste from new customers subject to initial waste profiling and waste characterisation off-site. The objection relates to once-off customers of the facility. The following instances are cited where this will pose operational difficulties:

- The applicant operates a bring centre and a pay as you drop system at the facility. Public access to the facility is controlled and all loads are inspected upon arrival and the waste type and quantity recorded;
- For commonly occurring waste streams, that are common in nature to known, new and public customers, such as segregated paper and cardboard packaging and mixed municipal waste, it is asserted that on-site profiling is acceptable.

Technical Committee's Evaluation

It is accepted that initial waste profiling and waste characterisation off-site is not possible in certain instances, most notably where members of the public can drop waste off at the facility. It is noted that condition 8.2.2 requires the establishment of detailed written procedures for the acceptance and handling of waste at the facility. These procedures will address the use of a bring centre and pay-as-you-drop system by members of the public. For clarity, the amendment below to condition 8.2.3 is recommended.

Recommendation:

Amend condition 8.2.3 as follows (proposed text in bold):

Unless otherwise agreed by the Agency and where there are waste acceptance procedures in place to the satisfaction of the Agency, waste shall be accepted at the facility only from known customers or new customers subject to initial waste profiling and waste characterisation off-site. The written records of this off-site waste profiling and characterisation shall be retained by the licensee for all active customers and for a two year period following termination of licensee/customer agreements.

Objection 14. Condition 8.13 Only treated waste may be dispatched to a landfill facility

The applicant objects to the immediate implementation of this condition and requests a two-year lead-in time prior to its implementation in the licence, for the following reasons:

- alterations to current operations might be required;
- the 2013 BMW landfill diversion targets are likely to be achieved;
- the applicant operates a two-bin collection system in addition to a separate clothes collection;
- for relevant commercial customers since 2010, a three-bin system is in place and roll-out to domestic customers has commenced.

Technical Committee's Evaluation

The condition is a requirement of the Landfill Directive since 2001 and is already included in all landfill licences. The obligation to send only treated waste to landfill would have been passed back the waste-to-landfill supply chain by now (including the applicant's facility) and should not represent any change to current practice. Also, it is noted that the applicant's use of two- and three-bin systems should allow compliance without mechanical treatment of the transferred waste. It may be however that certain operational changes will be required (if not already implemented) regarding untreated or unsegregated waste deposited at the bring centre and pay-as-you-drop systems in operation at the facility.

Recommendation:

No change

Objection 15. Condition 10.2.1 Six-month period for preparation of a Decommissioning Management Plan

The applicant objects to the short timescale (six months) provided for the preparation of a fully detailed and costed plan for the decommissioning or closure of the site or part thereof. Reference is made to the large number of once-off reports required within six months and extension to twelve months is sought.

Technical Committee's Evaluation

Completion of the DMP is necessary to allow for completion of the Environmental Liabilities Risk Assessment (condition 12.3.2, required within twelve months) and making of financial provision. No variation to the schedules for completion of ELRA and financial provision is sought by the applicant. A short extension to nine months for the DMP appears to be the longest permissible period given the importance of the document for completion of the ELRA and making of financial provision within the following three months.

Recommendation:

Amend condition 10.2.1 as follows (proposed text in bold):

The licensee shall prepare, to the satisfaction of the Agency, a fully detailed and costed plan for the decommissioning or closure of the site or part thereof. This plan shall be submitted to the Agency for agreement within **nine** months of the date of grant of this licence.

Objection 16. Condition 12.2.1 Payment of waste services authority charges

The applicant objects to the apparent openness of the condition and expresses concern that this openness provides for variation in charges by the Water Services Authority in a way inconsistent with normal pricing mechanisms. Removal of the condition is sought, allowing the applicant to deal directly with Cork City Council on the matter.

Technical Committee's Evaluation

The condition is a standard licence condition where there is consent to discharge effluent to sewer. Its inclusion was not sought by the sanitary authority and there is no consequent obligation on the Agency to include it in the licence. Failure on the part of the applicant to make payment to Cork City Council on foot of a contractual agreement between the two parties is not a matter of concern to the Agency.

Recommendation:

Delete condition 12.2.1.

Objection 17. Schedule A.2 Waste acceptance categories and quantities

The applicant seeks revision of the quantities of waste listed in the Table A.1 of the licence. The applicant also seeks an increase in authorised waste acceptance from 100,000 tonnes per annum to 150,000 tonnes per annum, as follows:

A.2 Waste Acceptance

Table A.1-Waste Categories and Quantities

Non Hazardous Waste Type ^{Note 1}	Proposed Determination Maximum ^{Note2} (Tonnes Per Annum)	Recommended Amendment Maximum ^{Note2} (Tonnes Per Annum)
Household & Commercial Waste	10,000	14,000
Mixed Dry Recyclable Waste	22,000	36,000
Construction & Demolition Waste	13,000	10,000
Mixed Municipal Waste	53,960	74,000
Separately Collected Bio- waste	1,040	16,000
Total	100,000	150,000

The applicant cites developments since the licence application was made in 2009, notably the sale by local authorities of their waste collection operations. Some of this business was acquired by the applicant and waste intake has risen substantially over the last four and a half years. Also, the closure of another waste facility in Cork has removed 80,000 tonnes per annum of local waste handling capacity. A limit of 100,000 tonnes is now viewed as prohibitive to business operations. The applicant did not make any update of the licence application on the initial 100,000 tonnes due to uncertainty caused by the delay in issuing a licence. The applicant expects it will be in breach of the 100,000 tonne limit within a year. The applicant has offered in the objection to:

- meet with the Agency to discuss the proposal; and
- prepare an Environmental Impact Statement to enable the Agency to make a decision on the matter.

Technical Committee's Evaluation

It is not possible to recommend an increase in the waste tonnage from 100,000 tonnes to 150,000 tonnes, for the following reasons:

- no environmental assessment was completed by the applicant or the Agency with regard to the proposed increase;
- the Agency is not currently entitled in law to request an Environmental Impact Statement from the applicant and carry out an Environmental Impact Assessment independently of the planning authority; and
- even if the Agency were so entitled, there is no possibility in the objection phase of a licence application for substantive third party/public comment on the proposal.

A licence review will be required to accommodate the request to increase the total quantity of waste to be authorised.

With regard to the quantitative split between individual waste categories, note 2 to Table A.1 allows for the limitation on individual waste types to be varied by agreement with the Agency.

Recommendation:

No change

Objection 18. Schedule C.2.4 Frequency of monitoring of storm water emissions

The applicant seeks the addition of a note to the table in Schedule C.2.4 allowing for the monitoring frequency to be altered with the agreement of the Agency.

Technical Committee's Evaluation

The general provision of condition 6.7 of the PD already accommodates the request to amend the schedule and will in due course allow changes in monitoring frequency to be agreed.

Recommendation:

No change

Objection 19. Schedule B.3 Emission limits to sewer

The applicant objects to the emission limits for flow, pH, temperature, toxic units and oil, fats and greases in the schedule, stating that they are more restrictive than the limit values in the existing trade effluent discharge licence issued by Cork City Council.

Technical Committee's Evaluation

Under section 52 of the Waste Management Act 1996, as amended, the Agency wrote to Cork City Council seeking its approval to authorise a discharge from the facility to sewer. Included in the information provided to the Council was a table of data provided by the applicant that set out the characteristics of the emission made to sewer. The Council, in their reply to the Agency, appears to have taken the information in this table as "draft" emission limits" and deemed them acceptable for inclusion in the licence. These limit values were included in the PD.

It is not possible to seek new authorisation from Cork City Council at this stage in the licence assessment process. It may be possible once a licence is granted for the licensee to seek agreement with the Council for amended limit values and then to seek a change to the

licence by way of technical amendment under section 42B of the Waste Management Act, 1996, as amended.

Recommendation:

No change

Additional item 1. Update of site boundary – submission of new drawing

Condition 1.3 of the PD identifies drawing number 1094_09_005 (Drawing 5) as illustrating the facility boundary for the purpose of the licence. The applicant has sought an increase in the size of the facility boundary to facilitate its recent purchase of additional land to the rear of the facility. The new area will provide improved access to the buildings at the rear of the site. Planning permission was granted by Cork County Council² (13/04463) in March 2013 for the construction of a retaining wall, five waste storage bays, ancillary services and the relocation of a stormwater attenuation tank.

Technical Committee's Evaluation

No information is provided in the objection on previous uses of this land, nor whether there are any environmental liability issues on the land. The Agency's EIS system shows a green field and this was confirmed by the licensing inspector.

The Cork County Council website confirms the final grant of permission. According to the planners' reports and other reports presented by Cork County Council on its website in relation to the grant of planning permission:

- the additional land is 0.11 hectares in area and part of an agricultural field;
- it is undeveloped with no extant planning permissions;
- the storage bays will be used for open storage of dry materials such as crushed aggregate, wood and windscreen glass;
- fill material will be used to bring up the level of the land and the planning conditions state that any use of waste as fill must be authorised by the Agency or the local authority.

There would appear to be no reason not to authorise inclusion of the additional land within the licence boundary.

Recommendation:

Amend condition 1.3 as follows (proposed text in bold):

For the purposes of this licence, the facility is the area of land outlined in red on **Drawing No. 1094_09_005 (Drawing 5) Issue No. 02 dated 16/08/13 of the documents provided in correspondence dated 16/8/2013**. Any reference in this licence to "facility" shall mean the area thus outlined in red. The licensed activities shall be carried on only within the area outlined.

Additional item 2. Conditions 9.4.3 and 9.4.4

The applicant notes that conditions 9.4.3 and 9.4.4 are identical.

Technical Committee's Evaluation

² The new area of land is in the functional area of Cork County Council while the main part of the facility is in the Cork City Council functional area.

The applicant is correct.

Recommendation:

Delete condition 9.4.4.

3. Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the Proposed Decision, and
- (ii) subject to the conditions and reasons for same in the Proposed Decision, and
- (iii) subject to the amendments proposed in this report.

Signed:



Brian Meaney, Senior Inspector
for and on behalf of the Technical Committee