

REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO LICENCE CONDITIONS

TO:	Directors	
FROM:	Technical Committee	ENVIRONMENTAL LICENSING PROGRAMME
DATE:	29 th January 2014	
RE:	Objection to a Proposed Decision (PD) issued to Greenstar Recycling (Munster) Ltd - Licence Register W0136-03	

Application Details

Type of facility:	Non-Hazardous Materials Recovery Facility
Class(es) of Activity (P = principal activity):	3 rd Schedule: D13, D14, D15. 4 th Schedule: R3 (P), R4, R5, R13.
Quantity of waste managed per annum:	100,000 tonnes currently 200,000 tonnes proposed under the PD
Classes of Waste:	Solid non-hazardous household, commercial and industrial wastes. Small quantities of construction & demolition waste.
Location of facility:	Sarsfield Court Industrial Estate, Sarsfield Court, Glanmire, Co Cork
Licence application received:	5 July 2010
PD issued:	16 October 2013

1. Company and background to this report

The application relates to an existing materials recovery facility operated by Greenstar Recycling (Munster) Ltd in Glanmire, Co. Cork. The facility operates under an existing waste licence (Reg. No. W0136-02) and accepts and processes source separated and mixed solid non-hazardous household, commercial and industrial wastes as well as small quantities of construction & demolition waste. The following activities are carried out at the facility:

- Baling and compaction of source separated dry recyclables.
- Mechanical treatment of mixed wastes to recover recyclables and organic fines.

- Production of refuse derived fuel (RDF) and solid recovered fuel (SRF) for transfer off-site for (co)incineration.
- Segregation of C&D waste to recover materials.
- Civic Waste Facility.
- Export of recovered wastes to off-site facilities.

The facility currently accepts 100,000 tonnes of waste per annum. The licence if granted will increase the waste acceptance limit to 200,000 tonnes per annum.

This report relates to a first party objection received by the Agency in relation to the Proposed Decision issued to Greenstar Recycling (Munster) Ltd on the 16 October 2013 (Reg. No. W0136-03).

2. Consideration of the objection by the Technical Committee

This report considers one valid First Party Objection. The main issues raised in the objection are summarised under various headings below. However, 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
Greenstar Recycling (Munster) Ltd	12/11/2013

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

(i) Condition 3.5.2 – Impermeable concrete structures

Condition 3.5.2 of the PD states the following:

'The licensee shall maintain an impermeable concrete surface in all areas of the facility. The surfaces shall be concreted and constructed to British Standards 8110 or an alternative as agreed by the Agency. The licensee shall remedy any defect in concrete surfaces within 5 days.'

It is pointed out by the licensee that some areas of the facility are landscaped and consequently not used for any operational activities. It is requested that this be reflected in the condition.

In addition, it is contended by the licensee that, given the nature of the activities at the facility, the requirement to remedy any defect within 5 days is very onerous. It is requested that this requirement be relaxed so that defects are required to be remedied 'as soon as practicable'.

Technical Committee's Evaluation

It is considered appropriate to amend the condition to reflect the fact that parts of the facility are landscaped and cannot be hard surfaced.

The requirement to remedy any defects within 5 days is a standard licence requirement. It is not a condition that has historically attracted any significant resistance by applicants or licensees and it is not considered to be unduly onerous. Five days is considered to be an adequate timeframe within which the services of a third party can be obtained to carry out remedial works.

Recommendation:

Amend Condition 3.5.2 to read as follows:

*The licensee shall maintain an impermeable concrete surface in all areas of the facility **where waste is stored or processed**. The surfaces shall be concreted and constructed to British Standards 8110 or an alternative as agreed by the Agency. The licensee shall remedy any defect in concrete surfaces within 5 days.*

(ii) Condition 3.10.6 – Tonnage limits per annum for hazardous waste

Condition 3.10.6 of the PD states the following:

The licensee may accept up to 10 tonnes per annum of:

(i) household Waste

(ii) hazardous Waste from business customers and other non-household sources, including farms that, because of its nature or composition is similar to household hazardous waste at the civic amenity site....'

The licensee considers the annual 10 tonne limit to be 'very restrictive' and requests that the condition be amended so that greater amounts of hazardous waste can be accepted subject to the Agency's approval.

Technical Committee's Evaluation

This condition sets a 10 tonnes per annum limit on the acceptance of hazardous household waste (or similar) at the Civic Waste Facility. This limit is also listed in 'Schedule A.2 Waste Categories and Quantities' of the PD, where the amounts of all waste types to be accepted at the facility are listed. However, Note 2 of this Schedule facilitates the adjustment, with the agreement of the Agency, of the quantities of individual waste types to be accepted at the facility. Therefore, as this flexibility already exists, it is not considered necessary to amend condition 3.10.6.

Recommendation:

No Change

(iii) Condition 3.19.3 – Containment pond

Condition 3.19.3 of the PD states:

'In the event of a fire or a spillage to storm water, the site storm water shall be diverted to the containment pond. The licensee shall examine, as part of the response programme in Condition 3.19.2 above, the provision of automatic diversion of storm water to the containment pond. The licenses shall have regard to any guidelines issued by the Agency with regard to firewater retention.'

It is pointed out by the licensee that there is no containment pond at the facility. Consequently, it is contended that the condition does not apply to the facility and should be deleted.

Technical Committee's Evaluation

Condition 3.19.3 is a standard licence sub-condition and is routinely inserted into waste licences where the licensing inspector considers there to be a risk of fire at the facility. It is one of four sub-conditions related to fire risk and fire water retention. Its meaning should be interpreted in the context of the other three sub-conditions. Condition 3.19.3 does not necessarily require the installation of a fire water containment pond. This is because Condition 3.19.1 first requires a risk assessment to determine the need or not for a fire water retention facility (or containment pond). So a containment pond is required to be constructed only where the risk assessment indicates that one is needed. As this risk assessment is yet to be carried out in accordance with condition 3.19.1 it is not considered appropriate to remove condition 3.19.3 from the PD.

Recommendation:

No Change

(iv) Condition 3.21 – Onsite weather station

Condition 3.21 of the PD states:

'The licensee shall operate a weather monitoring station on the site at a location agreed by the Agency, which records conditions of wind speed, temperature, rainfall and wind direction.'

It is stated by the licensee that the existing onsite weather station monitors on a continuous basis wind speed and direction. It is contended that given the proximity of the facility to the Met Eireann stations at Fermoy and Cork Airport the requirement to also monitor temperature and rainfall onsite is unnecessary.

Technical Committee's Evaluation

It is considered by the technical committee that there is merit in this request and it is recommended that the condition be amended to allow some flexibility in its requirements.

Recommendation:

3.21 → 3.21 + 2/14.

Amend Condition ~~3.5.2~~ to read as follows:

*The licensee shall operate a weather monitoring station on the site at a location agreed by the Agency, which records conditions of wind speed, temperature, rainfall and wind direction **or alternatively shall obtain the data from an agreed representative station in the region.***

(v) Condition 5.4 – Trigger levels

Condition 5.4 of the PD states:

'Unless otherwise agreed by the Agency, the trigger levels for storm water discharges from the facility measured at monitoring point SW3 are:

- BOD 5.0 mg/l
- Suspended Solids 15 mg/l
- Ammonia (as N) 0.14 mg/l'

The licensee objects to the inclusion of a new trigger level for ammonia in the PD (one is not included the current licence) and the setting of lower trigger levels for BOD and suspended solids (the existing trigger levels are: BOD 25 mg/l and suspended solids 35 mg/l). It is pointed out by the licensee that the proposed trigger level for ammonia is 'significantly' lower than the levels measured at monitoring point SW3 and that the proposed trigger levels for BOD and suspended solids, if applied in the licence, will lead to regular notifications of exceedance of a trigger level. The licensee maintains that that there is no evidence that the discharge from the facility is having an impact on the receiving watercourse.

Technical Committee's Evaluation

Aside from the discharge of storm water there is no discharge to water from the facility (this being the case for many waste facilities). It is appropriate therefore to apply an adequate level of control on the storm water discharge and is it often the case that a review of a licence will lead to a tightening of emission limits (or trigger levels) if it is determined that the receiving environment is under pressure. It is clear that the receiving stream is being affected by the discharge from the industrial estate. In order to ensure that the Greenstar facility (which is a large facility) does not itself contribute significantly to the impact on the stream it was proposed in the PD to set tighter trigger levels for certain parameters and to include a new trigger level for ammonia (as set out in condition 5.4).

The application includes results of routine monitoring conducted under the existing licence at the licensed discharge point (SW3). It is clear from the data submitted that the facility should have little difficulty in staying with the trigger levels for BOD and suspended solids. The trigger level for ammonia will present a challenge for the licensee.

It should be noted that condition 5.4 sets 'trigger' levels rather than emission level values. As per condition 6.10.3 of the PD the exceedance of a trigger level requires a response from the licensee to ensure that there are no storm water discharges of environmental significance. This approach will help to focus attention on facility yard maintenance and cleansing. Overall, it is considered by the Technical Committee to be a suitable means of ensuring that the quality of the storm water discharge will be as high as it can be. In any case, condition 5.4 facilitates the agreement of another trigger level should it be deemed necessary or appropriate to so do but any such changes will have to be based on an assessment of monitoring data and an impact of assessment.

Recommendation:

No Change

(vi) Condition 6.10.1 – Visual examination of storm water

Condition 6.10.1 of the PD requires a daily visual examination of the storm water discharge.

Greenstar considers that based on the available surface water quality data, daily visual inspections of the storm water discharges are not required. In addition, as the discharge is linked to rainfall there will be days when no discharge occurs. Greenstar acknowledges the need to visually assess the quality of the discharge but considers that weekly intervals are appropriate for the facility. Greenstar requests the wording of the Condition be amended to replace 'daily' with 'weekly'.

Technical Committee's Evaluation

The storm water discharge is the only discharge to water from the facility and given the nature and proposed scale of activities at the facility (i.e. acceptance, processing and storage of 200,000 tonnes of waste per annum) it is an emission point that requires a fitting level of monitoring and attention. In addition, given that the PD proposes more stringent trigger levels and the development of a response programme (for exceedances of a trigger level) it is the view of the technical committee that a daily visual inspection is appropriate and, for a single emission point, should not be burdensome.

Recommendation:

No Change

(vii) Condition 6.10.2 – Investigation of coliform contamination

Condition 6.10.2 of the PD requires an investigation into the '*reasons for coliform contamination of storm water*' at the facility.

Based on investigations already carried out and reported to the OEE the licensee maintains that the presence of coliforms in storm water is not caused by 'contamination' due to activities at the facility. Nonetheless, it is accepted by the licensee that further investigation into the matter is required but the licensee requests that the wording of condition 6.10.2 be amended so as to require an investigation into the '*reasons for the presence of coliform bacteria in storm water*'.

Technical Committee's Evaluation

It is clear that the current wording of condition 6.10.2 presupposes that 'contamination' is actually occurring at the facility before it has been further investigated and confirmed or not as the case may be. Therefore the Technical Committee accepts this request.

Recommendation:

Amend Condition 6.10.2 to read as follows:

The licensee shall, within six months of the date of grant of licence, investigate the reasons for **the presence of coliform bacteria in** storm water on site. The scope of the study shall be agreed in advance with the agency, with the final report submitted as part of the AER. The licensee shall implement any recommendations of the report according to the schedule to be set out in the report and to the satisfaction of the Agency.

(viii) Condition 8.2 – Maintenance of negative air pressure

Condition 8.2 of the PD states:

'Negative pressure shall be maintained at all times in the material recovery transfer building where mixed waste is processed, to ensure that there is no significant escape of odours.'

The licensee maintains that negative air pressure is not required when the facility is not operational (i.e. when not *processing* waste) and that keeping doors closed when not operational will be sufficient to control odour. The licensee requests the amendment of condition 8.2 to reflect that position.

Technical Committee's Evaluation

This is a very large facility. When waste is not being processed it is being stored and the risk of odour generation and impact remains. Therefore the necessity to control and abate odour also remains. So that there may be no ambiguity in the meaning of the condition it is the view of the Technical Committee that condition 8.2 should be amended to ensure that negative air pressure is maintained at all times that waste is being either stored or processed in the material recovery transfer building.

Recommendation:

Amend Condition 8.2 to read as follows:

Negative pressure shall be maintained at all times in the material recovery transfer building where mixed waste is **being stored or** processed, to ensure that there is no significant escape of odours.

(ix) Condition 8.3 – Treatment of odourous air

Condition 8.3 of the PD states:

'Treatment of extracted air from the materials recovery transfer building shall be maintained at all times.'

In a similar manner to objection no. (viii) above, the licensee contends that it is not necessary to maintain negative air pressure when waste is not being processed. The licensee requests the amendment of condition 8.3 to reflect that position.

Technical Committee's Evaluation

Condition 8.3 in fact requires that 'treatment' of extracted air be maintained at all times. It is condition 8.2 that requires maintenance of negative pressure (discussed above). However, given the proposed scale of the facility, the Technical Committee maintains its position that

air from the recovery/transfer building should be continuously extracted and treated even when waste is not actually being processed. It is the view of the Technical Committee that condition 8.2 should not be amended.

Recommendation:

No Change

(x) Condition 8.15 – Removal of putrescible waste

Condition 8.15 of the PD states:

'All putrescible and other odour-forming waste stored overnight at the facility shall be removed from the facility within 48 hours, except at Public Holiday weekends. At Public Holiday weekends, such waste shall be removed within 72 hours of its arrival or generation on site.'

The licensee is seeking a relaxation of this requirement where it relates to baled RDF/SRF as it can be necessary to stock pile the bales prior to export abroad. The licensee refers to previous OEE approval for such an arrangement (dated 22/05/12 and included in Attachment 1 to the objection). Among other things approval was given for storage of RDF for up to four weeks.

Technical Committee's Evaluation

Although it is considered that condition 8.15 is not entirely applicable to baled RDF/SRF, it is the view of the Technical Committee that, in order to prevent any doubt at a later stage, the licensee's proposal should be accepted. However, it is also recommended that, in line with the OEE approval of 22/05/12, condition 8.15 should also include a 4-week timeframe for storage of the bales.

Recommendation:

Amend Condition 8.15 to read as follows:

All putrescible and other odour-forming waste, **with the exception of baled and wrapped RDF/SRF**, stored overnight at the facility shall be removed from the facility within 48 hours, except at Public Holiday weekends. At Public Holiday weekends, such waste shall be removed within 72 hours of its arrival or generation on site. **Baled and wrapped RDF/SRF shall be removed from the facility within four weeks of its production.**

(xi) Schedule C.1.2 – Monitoring of emissions to air

Schedule C.1.2 requires quarterly monitoring of odour and dust from emission points A2-1 and A2-2. The licensee is requesting an annual monitoring frequency and refers to an OEE approval (dated 25/05/12 and included in Attachment 2 to the objection) in that regard.

Technical Committee's Evaluation

It should be noted that there is a typographical error in relation to this particular objection. The intended meaning of the objection was confirmed over the telephone with the applicant's consultant.

Since the granting of the existing licence in May 2004 the bio-filters have been replaced with carbon and dust filters. The OEE approval given in May 2012 refers to monitoring of the odour abatement system and agreed to an annual frequency for third party monitoring (i.e. annual verification testing by an independent consultant) rather than as a general monitoring requirement for the licensee. The OEE approval in fact also required 'continued in-house

monitoring...three days weekly' as was proposed by the licensee at the time. Overall, it is the view of the Technical Committee that a quarterly monitoring frequency requirement for the two emission points is adequate and not overly onerous for a facility of this size. In any case condition 6.7 of the licence can facilitate the amendment of monitoring frequencies following evaluation of test results. The licensee may avail of this facility at some point in the future.

Recommendation:

No Change

(xii) Schedule C.1.3 – Ambient air monitoring

Schedule C.1.3 requires quarterly monitoring of total dust deposition at four listed points. The licensee is requesting that the monitoring frequency remains as required in the existing licence at three times per year. In support of this request, the licensee has included dust monitoring results for years 2011 to 2013 with the objection, which demonstrate that dust deposition results are currently compliant.

Technical Committee's Evaluation

Compliance with the dust deposition limit is noted. Notwithstanding that, it is the view of the Technical Committee that a quarterly requirement for dust deposition monitoring is appropriate for a facility that is proposing to double in capacity. In any case condition 6.7 of the licence can facilitate the amendment of monitoring frequencies following evaluation of test results. The licensee may avail of this facility at some point in the future.

Recommendation:

No Change

(xiii) Schedule C.1.4 – Monitoring of storm water emissions

Schedule C.1.4 sets the requirements for monitoring of storm water emissions from emission point SW3 and requires a daily visual inspection of the discharge. The licensee is requesting that this frequency be reduced from daily to weekly.

Technical Committee's Evaluation

This objection is already dealt with above under objection (vi) in relation condition 6.10.1.

Recommendation:

No Change

(xiv) Schedule C.1.5 – Groundwater monitoring

Schedule C.1.5 sets the requirements for monitoring of groundwater at the listed points. This includes a bi-annual monitoring frequency. The licensee is requesting that this frequency be reduced from bi-annual to annual in line with OEE approval given in April 2013.

Technical Committee's Evaluation

It is the view of the Technical Committee that a bi-annual requirement for groundwater monitoring is appropriate for a facility that is proposing to double in capacity. In any case condition 6.7 of the licence can facilitate the amendment of monitoring frequencies following evaluation of test results. The licensee may avail of this facility at some point in the future.

Recommendation:

No Change

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

Signed:



Michael Owens, Inspector
for and on behalf of the Technical Committee