

Mr Brian Bruton
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Killarney Waste Disposal Ltd
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22 July 2014

W0217-02

Notice under Article 16(1) of the Waste Management (Licensing) Regulations 2004

Dear Mr Bruton,

I am to refer to the above referenced application for a review of a waste licence for a facility at Aughnacureen, Killarney, Co. Kerry.

I refer also to your correspondence dated 15/05/14 and the revised IED declaration form attached therein. It is understood that this revised IED declaration form replaces the original form which was received by the Agency on the 30/09/13. The form received on the 30/09/13 indicated that an activity falling under Class 11.4(b)(ii) – pretreatment of waste for incineration or co-incineration – was being carried out at your facility at the time and that therefore an Industrial Emissions licence was required. It is clear, however, from later discussion that it is, or was, your intention to cease the Industrial Emissions activity and to only carry out activities licensable under the Waste Management Act 1996, as amended. It is my understanding that the IED declaration form submitted to the Agency on the 15/05/14 was intended to confirm that intention. However, this is not clear from the form as completed by you. The form indicates that only a Class 11.1 activity is being, or will be, carried out at your facility. However, Class 11.1 is not an activity that falls under the Waste Management Act 1996, as amended. Moreover, it is not a standalone activity and can only be carried out in association with another activity as specified in the First Schedule to the EPA Act 1992 to 2013 (i.e. another IPC or IE activity).

It is necessary therefore to seek clarification in relation to the nature of the activities being carried out currently at your facility. In addition, following consultation with the OEE there remain other matters to be clarified which are also pertinent to this discussion. In that regard you are requested to address the following:

1. Provide clarification as to whether any processing of residual mixed household waste (e.g. derived from general black bin MSW collection, or skip waste) is ever undertaken at your facility or is intended to be carried out. The precise

nature of any such processing (e.g. trommeling, metals removal, picking line, etc.) should be described and clarified.

2. The Agency notes that large quantities of household dry recyclables are currently being processed at your installation and that a residual fraction from this processing is sent for incineration. The Agency is aware that residual waste under EWC 19 12 12 has previously been exported for incineration under TFS No. IE315165, and indeed a new TFS application was being made (no. IE316302) to continue this export. Provide clarification as to what specific waste types and processing activities give rise to the 19 12 12 waste type that you are exporting for incineration, and why, if relevant, you do not consider this to be an Industrial Emissions activity.
3. Provide clarification as to the total quantity of waste that is presently being sent for incineration from your installation under all relevant EWC codes. The Agency notes for example that in addition to some waste under EWC 19 12 12 being sent for incineration, a recent EPA site visit identified that some waste was being exported for incineration (using TFS no. IE315165) under EWC 20 01 39 with the description “Jazz Film”.
4. Provide clarification as to the destinations that are and will be used for the receipt of mixed municipal waste originating from your installation. The Agency understands that your installation is one of a number that was exporting MSW (EWC 20 03 01) for incineration under TFS no. IE315366 and, furthermore, that you intend to export MSW for incineration after the closure of Gortadroma Landfill (which has now ceased accepting commercial waste for disposal).
5. In the context of the above questions, provide a completed IED declaration form that clearly confirms whether or not an Industrial Emissions activity is being carried out at your facility (a blank form is attached to this notice). Where an Industrial Emissions activity is not being carried out then the tables on pages 9, 10 and 11 are of particular relevance. Please complete all relevant sections of the form.

Provide all relevant documentary evidence to support your declaration such as details of any changes in the waste activities carried out on-site that have been, or will be, undertaken (e.g. cessation of activities, proposed new activities) to bring about a cessation in the Industrial Emissions activity that was referred to in the declaration form of the 30/09/13. The Agency notes that based on the total waste tonnage input to the site reported for 2013 included in your AER (i.e. >83,000 tonnes), this demonstrates a prima facie technical capacity at the installation to process well in excess of 75 tonnes per day.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within three (3) weeks of the date of this notice. In addition submit two (2) copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is W0217-02 Please direct all correspondence in relation to this matter to *Sonja Smith, Administration Officer, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Regional Inspectorate, Inniscarra, County Cork* quoting the register number.

Yours sincerely,



Michael Owens
Inspector
Office of Climate, Licensing & Resource Use