



**OF
LICENSING &
RESOURCE USE**

ENVIRONMENTAL LICENSING PROGRAMME

To:	Director – Office of Climate, Licensing and Resource Use
From:	Michael Owens
Date:	18 th July 2014
RE:	Amendment to waste licence (Register No. W0283-01) from Bord na Mona Plc, Drehid Mechanical Biological Treatment Facility within the townlands of Coolcarrigan, Drummond and Carbury, County Kildare.

Background

Bord na Mona Plc was granted a waste licence for a Mechanical Biological Treatment Facility (MBT) at Drehid, County Kildare (Register No. W0283-01) on the 27/02/14 and has requested an amendment of the licence to remove Condition 8.17.

Condition 8.17 states:

'Baled and wrapped RDF/SRF shall only be stored at the facility with the approval of the Agency.'

This condition was inserted into the licence at technical committee stage by the Board of the Agency.

In relation to the condition the licensee makes the following points:

- The production and storage of SRF/RDF is a fundamental component of the overall range of waste treatment activities proposed for the facility. Baled waste must be stored for a period of time prior to export from the facility (i.e. for shipment abroad or for use within Ireland).
- The planned storage of SRF/RDF was clearly described in detail in the waste licence application and was also discussed at pre-application stage.
- The environmental impact of the proposed waste storage was described and assessed in the EIS and the waste licence application.
- Storage of waste is a waste activity (Class 13, Fourth Schedule to the Waste Management Act 1996, as amended). Authorisation for this specific class of activity was sought in the application and was subsequently granted by the Agency in the waste licence. The licence clearly permits the construction of the storage area and the storage of waste. In essence, therefore, approval for storage of the waste has already been granted. However, condition 8.17 introduces an inconsistency in that the licensee is now being requested to again seek approval for something that has already been approved.

Overall, the licensee contends that the condition as it stands introduces an unnecessary inherent financial uncertainty which would render the entire project (i.e. the development of the facility) commercially unviable and therefore considers it to be unjustified.

Technical Amendment

It is considered that the points raised above are compelling. It is agreed that approval for waste storage has effectively been granted and that the inclusion of condition 8.17 does to an extent represent an inconsistent aspect to the waste licence. In addition, it is considered that it is not the actual storage of the waste that is at issue but the nature of its storage. It is critical that the waste is stored safely and in a manner that reduces fire risk. It is proposed to amend the waste licence as follows:

Replace the existing text of Condition 8.17 (as set out above) with the following text:

8.17 The licensee shall prior to the commencement of waste activities at the facility establish and maintain, to the satisfaction of the Agency, a Waste Storage Plan for the optimal and safe storage of RDF/SRF.

This is similar to a condition in a licence which was issued by the Agency in February 2014 (Licence Register No. W0136-03).

Clerical Amendment

Due to a clerical error the name of the licensee is described incorrectly on the front page of the licence and in the glossary. In both cases the licensee is referred to as 'Bord na Mona Public Liability Company' whereas in fact it should read as 'Bord na Mona Plc' as was included in the licence application. It is proposed to amend the waste licence as set out below.

1. Amend the name of the licensee on the front page of the licence from

Licensee:	Bord na Mona Public Liability Company
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to

Licensee:	Bord na Mona Plc
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Amend the name of the licensee in the glossary from

Licensee:	Bord na Mona Public Liability Company, Leabeg, Tullamore, County Offaly, CRO Number 297717.
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to

Licensee:	Bord na Mona Plc, Leabeg, Tullamore, County Offaly, CRO Number 297717.
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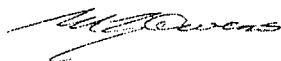
Overall Recommendation

For the reasons outlined above, I recommend that the Agency agree to the following:

- (i) Technical amendment of Waste Licence Reg. No. W0283-01 under Section 42B(1)(b) of the Waste Management Act 1996, as amended, to provide for amendment of Condition 8.17; and,
- (ii) Clerical amendment of Waste Licence Reg. No. W0283-01 under Section 42B(1)(a) of the Waste Management Act 1996, as amended, to provide for amendment of the name of the licensee.

With regard to the application of Section 42B(1)(b) of the Waste Management Act 1996, as amended, the amendments will ensure continued satisfaction with Section 40(4) of the Waste Management Act 1996, as amended.

Signed



Michael Owens
Inspector
Office of Licensing, Climate and Resource Use

