Granary House

Rutland Street

Cork



Tret. 102114321521

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Ms Eve O'Sullivan

Administration Officer

Office of Climate Licensing and Resource

**Environmental Protection Agency** 

PO Box 3000

Johnstown Castle Estate

Wexford

1st August 2014

Re; Application for Waste Licence (W0261-02) Nurendale, Cappagh, Fingal Dublin 11

Dear Ms O'Sullivan,

I refer to the response to the Agency's letter dated the 26<sup>th</sup> May 2014 in accordance with Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions)(Licensing) Regulations 2013. Attachments A and C, which are referred to in the response, were omitted from the submission, but are now enclosed.

Yours Sincerely

Jim O'Callaghan

ENVIRONMENTAL PROTECTION AGENCY

0 5 AUG 2014

13/138/18(KC/JOC)

Granary House Rutland Street

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Fax. [021] 4927622

Ms Eve O'Sullivan
Administration Officer
Office of Climate Licensing and Resource
Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
Wexford

9th July 2014

Re; Application for Waste Licence (W0261-02) Nurendale, Cappagh, Fingal Dublin 11

Dear Ms O'Sullivan,

I refer to the Agency's letter dated the 26<sup>th</sup> May 2014 in accordance with Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions)(Licensing) Regulations 2013. The requested information is set out herein.

In accordance with Regulation 9(2)(g) and 9(2) (x) the details of the storage arrangements and fire protection measures for the RDF that will be stored at the site are presented below.

As referred to in Attachment D1 of the application, the waste activities proposed for each of the buildings is derived from PANDA's assessment of current and likely future market conditions.

When PANDA originally applied for planning permission for the facility in 2005 it was intended to centralise the company's dry recyclable processing capacity at the site and this was the reason for seeking approval for Buildings Bland B2. However due to the condition of the local road network, planning permission was not granted for Buildings B1 and B2.

In 2007 PANDA re-applied for planning permission for B1 and B2. Given the uncertainty over securing planning permission, PANDA leased a paper and plastics recycling plant in Ballymount Road, Tallaght, which now operates under W0263-01. This provided dry recyclable processing capacity pending the grant of approval and construction of Buildings B1 and B2.

While permission was subsequently granted for Buildings B1 and B2, the recession resulted in a significant reduction in waste volumes arising in the Greater Dublin Area, with a consequent reduction in the need for recycling capacity leading PANDA to defer the construction of Buildings B1 and B2.

In 2013, in response to a slight improvement in market conditions, PANDA applied for planning permission to accept and process MSW and also commenced construction of Buildings B1 and B2. At the time, PANDA was pursuing a long term contract to operate the Dublin City Council's Materials Recovery Facility (W0238-01) at Ballymount Road in Tallaght, but there was no certainty that this would be successful.

PANDA subsequently secured the long term contract. This facility, in conjunction with its paper and plastics plant, also on Ballymount Road (W0263-01), now meets PANDA's dry recyclable processing capacity in the Greater Dublin Area and there is no immediate need for Buildings B1 and B2 for their original purpose.

In light of the above, and the very significant changes that have occurred in the waste market following the designation of certain waste to energy plants as recovery activities, PANDA reviewed its processing capacity requirements. This established that, as referred to above, while there is no immediate need for a major dry recyclable processing at the facility, there is a requirement to increase the RDF manufacturing capacity.

At this time PANDA cannot define the quantity of RDF that might be manufactured annually, as this will be determined by its customer base, which is subject to competitive pressures. PANDA would like the option of processing up to 150,000 tonnes of RDF annually in Buildings A1 and A2.

Based on PANDA's experience of operating other MRF's, including Waste Licence W000-03 where a building of approximately the same size is licensed to process 324, 280 tonnes of waste, the combined area of Buildings A 1 and 2 (3,790m²) can readily accommodate the processing of 150,000/year tonnes of RDF. The baled RDF will be stored inside Buildings A1 and A 2. The maximum stored on site at any one time will be 3000 tonnes, which equates to one shipload.

The C&D and C&I processing (ca 75,000 tornes/year) would initially move to B1, with the household dry recyclables (ca 25,000 tornes/year) collected in Fingal being processed in B2. In future, depending on market conditions, both processes may be relocated to one of PANDA's other MRF's in the region and one of the buildings may be used to manufacture Solid Recovered Fuel (ca 100,000 tonnes/year). Any such change would be subject to the Agency's prior approval which would include appropriate odour control and abatement measures.

Panda has carried out a detailed fire risk assessment of the proposed RDF manufacturing process that addressed fire prevention, fire detection and firefighting and the details are presented below;

#### Fire Prevention

All electrical panels will be thermo graphically tested each year. 25 % of all wiring will be tested each year and a portable appliance test (PAT test) will be carried out on all electrical equipment. No portable heaters will be used on site. Smoking will only be authorised in a single specified designated area, which will be at a remove from the operational and waste storage areas. Intake stock and baled stock will be rotated to ensure there is no heating in stock piles.

#### Fire Detection

All waste loads received at the site will be off loaded inside the building and initially checked by the yard supervisor as they are tipped out to ensure there are not on fire. In addition, Drager

5000 CCTV flame detector cameras will be installed inside the building to detect sparks and flames. This type of flame detection camera is preferential to thermal imaging cameras and other flame detectors because they not susceptible to false alarms resulting from welding, reflections off glass & hi-visibility jackets, etc.

The cameras will be located in operational areas, where there are ignition source (as opposed to decomposing material or heat generated by a machine). The cameras will be housed in fireproof cases that will save the 30 seconds recorded before the camera detected a fire. This footage can be recovered and reviewed at a later date.

In the bale storage area, an air-sampling type smoke detection system will be installed. This will be similar to the one already installed in the Dublin City Materials Recycling Facility. It works by continually drawing air into pipework mounted at high level through the building using an aspirator. The air is filtered to remove dirt and dust before it enters a laser detection chamber that detects smoke. The critical benefit of this system over other smoke detection systems is the sensor can differentiate between smoke and dust. The network of pipes has the added benefit of minimising the false alarms associated with beam-type detection.

Both the Drager CCTV flame detection cameras and the air sampling smoke detection systems will be linked to a fully monitored alarm company and will have 24 hour 365 monitoring.

Fire Fighting

As with all Panda sites staff will be trained in fire prevention and detection. At least 2 people at any time on site will have fire marshal training. This is a more advanced firefighting training. They will also be trained in the correct use of stand pipes and hoses.

A 6" ring main, as described in the planning application FW 13 A / 0135, will be installed. It will connect to the Irish Water mains water system on the Cappagh road. The ring main will have riser every 15m and will have a stand pipe and hose at each riser. A reel type fire hose will be located at each door. Fire extinguisher will be provided at each item of fixed and mobile plant items.

Fingal Fire Service command have visited the site and have drawn up a site specific response procedure for the facility. We will ask them to visit again when the development works are finished and to amend the procedure to reflect the changes on site.

#### Access to Shut Off Valve

The shut-off valve is located inside the facility boundary and PANDA has unrestricted access to it. It is considered unlikely that fires in the buildings will prevent access to the shut-off valve.

However as a precautionary measure PANDA will install a pedestrian access gate in the fence on the southern boundary, between the site and Stadium Business Park. The gate will be fitted with a key coded electronic lock. The Facility Emergency Response Plan will be amended to refer to this alternative access.

In accordance with 9(2)(i) the details of the particulates pre and post abatement and the maximum hourly flow rate from the odour abatement system are presented in Tables E 1(ii) and E 1(iii) are in Attachment A.

In accordance with Regulation 9 (2)(k)(i) the recycling building where the RDF will be manufactured will be 12m high and the building dimensions used in the dispersion model are consistent with those of the actual and proposed buildings. In this regard, there is a typographical error in Table 3.1 of the report on the Odour Impact Assessment, which is in Attachment I.1 of the licence application. The height of the recycling building above ground level is 12m and not 2m as shown in the Table.

In accordance with Regulation 9(2)(n) the Baseline Report has been amended to reflect the European Commission guidance on baseline reports under Article 22 (2) of Directive 2010/75/EU on industrial emissions and a copy is in Attachment B.

In accordance with Regulation 9(2)(g) a copy of the Central Commercial District Waste Presentation By-Laws are in Attachment C. The condition that is of relevance to the change of the operational hours are 7(d)

An authorised waste collector shall only collect household waste or commercial waste within the Central Commercial District on the designated collection day between the hours of 07.00pm to 12.00 midnight, unless otherwise approved in writing by an appointed person

and 7 (f)

An authorised waste collector shall only collect household waste within the Central Commercial District if:

The authorised waste collector is also collecting commercial waste within the Central Commercial District and they provide the same level of door-to-door collection service for household waste as they provide for commercial waste,

or

The authorised waste collector collects household waste within the Central Commercial District on every day.

Yours Sincerely

### Attachment A

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ENVIRONMENTAL PROTECTION AGENCY

0 5 AUG 2014

Table E.1(ii) MAIN Emissions to Atmosphere

Emission Point Ref. №:	19: A2-1	-1	
Source of Emission:	Sta	Stack on Odour Control Unit	
Location	At	At Odour Control Unit south-west side of Building A1	side of Building A1
Grid Ref. (12 digit, 6E,6N):		310876E 240529N	
Vent Details Diameter:	11		
Height above Ground(m):	m): 14	0	
Date of commencement:	nt:	No.	The state of the s
Characteristics of Emission:	:uo	for its ged of copyright	No.
(i) Volume to be emitted:	emitted:		60, 60 to 100 to
Average/day	Nm³/d	Maximum/day	OP FUN
Maximum rate/hour	Nm³/h 45,936	Min efflux velocity 16.25m/s	m.sec <sup>-ro</sup> dil.
(ii) Other factors			88
Temperature	°C(max)	°C(min)	°C(avg)20 The
For Combustion Sources: Volume terms expressed as :	sed as :	□ wet. □ dry.	%O <sub>2</sub>

Period or periods during which emissions are made, or are to be made, including daily or seasonal variations (start-up /shutdown to be included):  $\equiv$ 

-	day/yr
	hr/day
	min/hr
	nission (avg)
	Periods of En

TABLE E.1(iii): MAIN EMISSIONS TO ATMOSPHERE - Chemical characteristics of the emission

Emission Point Reference Number: A2-1

Parameter	Prior to tr	Prior to treatment <sup>(1)</sup>			Brief	As discharged <sup>(1)</sup>	arged <sup>(1)</sup>				
	mg/Nm <sup>3</sup>		kg/h		description	mg/Nm <sup>3</sup>		kg/h.		kg/year	
	Avg	Max	Avg	Max	of treatment	Avg	Max	Avg	Max	Avg	Max
Odour Units	5903				Dust Filters/Caron Bed	460					
Particulates	1				Particulates	0.3					
				Con							
				Bent (							
				of cl	و م						
				06,	i ing						
					o di propinsi di p						
					OWING OWN						
					- Interest the second s						
					S AT						
1 Concentrations	מל בייסלפ	מס ליסיים	Normal Co	onditions of	tomporating and process	9	or 101 34	10 V/ (€0	ילט יעף/	אלי פלי ליוי	
The Confedence of the Confeden		ווס טספול	stated of	thorning of	nesald management	בי וויני ס	C,101,2	ra). we.	016 610	מומ מכ רווע	
same as given in Table c.1(II) unless clearly stated otherwise.	e c. I(II) ur	ness crear	y stated o	rnerwise.	Killy						
					Hite						
					KIL						
					Σ.						

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### **Attachment C**

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# DURBULINGI

BYE-LAWS FOR TH PRESENTATION AN HOUSEHOLD AND

### **DUBLIN CITY COUNCIL**

STORAGE, PRESENTATION AND
COLLECTION OF HOUSEHOLD AND
COMMERCIAL WASTE - BYE-LAWS 2013

Dublin City Council pursuant to Section 35(1) of the Waste Management Act, 1996 (as amended) and in accordance with Part 19 of the Local Government Act, 2001 hereby makes the following Bye-Laws.

#### Part I

#### 1. TITLE

These Bye-Laws may be cited as the **Dublin City Council (Storage, Presentation and Collection of Household and Commercial Waste) Bye-Laws 2013**.

#### 2. INTERPRETATION

- (a) In these Bye-Laws, unless the context otherwise requires, the following words and expressions have the meaning hereafter respectively assigned to them, that is to say:-
- → 'apartment' means a self contained dwelling unit within a building.
- → 'appointed person' means a person who is authorised in writing by the Council for the purpose of these Bye-Laws.
- → 'approved facility means a landfill site or other facility which is licensed or registered for the disposal of waste by the Environmental Protection Agency ('EPA') or a Local Authority within the meaning of the 2001 Act.
- → 'authorised person' means a person who is authorised in writing by the Council for the purpose of Section 204 of the 2001 Act or a member of An Garda Síochána.
- → 'authorised waste collector' means the Council or a waste collector who is the current holder of a permit under the Waste Management (Collection Permit) Regulations 2007, which permits the said collector to collect household waste or commercial waste.
- → 'bin tag' means a tag provided to a holder by or on behalf of an authorised waste collector for attachment to a waste container for the purpose of the collection of waste by an authorised waste collector.
- → 'bio-waste' means source segregated household waste or commercial waste of an organic or putrescible character such as

kitchen waste (for example food, vegetable and fruit waste) and light garden waste (grass clippings, flowers, leaves, twigs and other such bio-waste arising in a garden).

- → 'bye-laws' means these bye-laws.
- → 'Central Commercial District' is that area coloured green on the enclosed map in **Appendix A** to these Bye-Laws.
- → 'commercial premises' means a premises used wholly or mainly for the purposes of trade or business or for the purposes of sport, recreation, healthcare, education, community facilities or entertainment, or for purposes other than as a household premises.
- → 'commercial waste' means waste produced within a commercial premises.
- → 'Council' means Dublin City Council.
- → 'designated collection day means such day or days of the week (including public holidays) as may be fixed from time to time by the Council for the collection of household waste or commercial waste and different days may be designated for household waste and commercial waste and for collection within and outside the Central Commercial District.
- → 'designated collection time' means those hours of a designated collection day as may be fixed from time to time by the Council for the collection of household waste or commercial waste as set out in bye law 7 (c) for the area outside the Central Commercial District and those hours as set out in bye law 7 (d) for the area within the Central Commercial District.
- → 'door-to-door collection service' means a separated-at-source waste collection service for recyclable waste, bio-waste & residual waste which is provided by or required to be provided by an authorised waste collector.
- → 'Fixed Payment Notice' is the Notice provided for in Part III of these Bye-Laws for the purposes of section 206 of the 2001 Act in the general form of the notice set out in the Second Schedule of these Bye-Laws.

- 'footpath' means a path over which there is a public right of way for pedestrians only, not being a footway.
- → 'footway' means that portion of a road which is provided primarily for use by pedestrians.
- → 'functional area' means the administrative area of the Council.
- → 'holder' means, the owner (including a landlord or a management company), lessee, tenant or occupier of a premises, the agent of any of the foregoing, or any person having possession or control of the waste produced within that premises.
- → 'household premises' means any house, apartment, building or other structure or part thereof used for occupation as a single private residential dwelling whether permanent, temporary, occasional or otherwise but does not include a hotel or a hostel.
- → 'household waste' means waste produced within a household premises.
- → '2001 Act' means the Local Government Act, 2001.
- → 'management company' means a company (and its managing agent) established for the management of a multi-unit residential, commercial or mixed use development and 'multi-unit development' shall be construed accordingly.
- → 'person' shall, unless the contrary intention appears, be construed as importing a body corporate (whether a corporation aggregate or a corporation sole) and an unincorporated body of persons as well as an individual, and the subsequent use of any pronoun in place of a further use of 'person' shall be read accordingly.
- → 'premises' includes all premises situated in the functional area and also a part of any premises let or occupied as separate premises whether or not the person to whom it is let or the person who occupies it shares with any other person any accommodation, amenity or facility in connection therewith or any other portion of the premises.

- → 'prescribed place' in relation to any premises means
  - (i) A convenient place immediately outside the entrance to the premises or as close as practicable thereto but not such as to cause an obstruction to users of the roadway, footway or footpath.
  - (ii) A particular location, close to or on a particular premises, approved by an appointed person.
- → 'public place' is any place to which the public has access whether as a right or by permission and whether subject to the payment of a fee or free of charge.
- → 'recyclable waste' means that fraction of dry non bio-waste specified by the Council or an authorised waste collector as suitable for collection for recycling and recovery operations for example paper, newspapers, magazines, cardboard, aluminium cans, steel cans and beverage cartons
- → 'residual waste' means that fraction of waste remaining after the recyclable, bio-waste, hazardous waste, glass packaging, electrical and electronic and bulky waste (e.g. furniture, carpets and rubble) fractions have been removed.
- → 'roadway' means that portion of road which is provided primarily for the use of vehicles.
- → 'waste' shall have the meaning as defined by the Waste Management Act 1996.
- → 'waste container' means a waste container provided by or authorised in writing by the Council for the collection of an appropriate fraction of waste i.e. either recyclable waste, bio-waste or residual waste.
- (b) The following provisions apply to the construction of these Bye-Laws
- i. Singular and plural. A word importing the singular shall be read as also importing the plural, and a word importing the plural shall be read as also importing the singular;

- ii. Gender. A word importing the masculine gender shall be read as also importing the feminine gender, and a word importing the feminine gender shall be read as also importing the masculine gender;
- iii. Series Description. Where a consecutive series is described by reference to the first and last in the series, the description shall be read as including the first and the last in the series;
- iv. *Marginal and shoulder notes, etc.* None of the following shall be taken to be part of these Bye-Laws or be construed or judicially noticed in relation to the construction or interpretation of these Bye-Laws:
  - (A) a marginal note placed at the side, or a shoulder note placed at the beginning, of a section or other provision to indicate the subject, contents or effect of the section or provision,
  - (B) a heading or cross-line placed in or at the head of or at the beginning of a Part, Chapter section, or other provision or group of sections or provisions to indicate the subject, contents or effect of the Part, Chapter, section, provision or group;
- v. **Periods of time**. Where a period of time is expressed to begin on or be reckoned from a particular day, that day shall be deemed to be included in the period and, where a period of time is expressed to end on or be reckoned to a particular day, that day shall be deemed to be included in the period;
- vi. *Time*. Where time is expressed by reference to a specified hour or to a time before or after a specified hour, that time shall be determined by reference to the *Standard Time* (*Amendment*) *Act* 1971;
- vii. *Offences by corporations*. A reference to a person in relation to an offence (whether punishable on indictment or on summary conviction) shall be read as including a reference to a body corporate.

#### 3. AREA OF APPLICATION

These Bye-Laws apply to the functional area.

### Part II – Obligations on Holders and Collectors of Household and Commercial Waste

#### 4. STORAGE OF WASTE

- A holder shall not place any waste in a waste container that is likely to damage the container or cause injury to any person.
- A holder shall be responsible for the proper care of the waste container.
- c. A holder shall maintain all waste containers in such condition and state of repair so that the waste placed therein shall not be a source of nuisance, litter or odours and so that the waste may be conveniently collected.
- d. Where a waste container provided by an authorised waste collector is lost, stolen, destroyed or damaged, the holder shall arrange with the said collector to have the waste container replaced or repaired.
- e. Waste containers shall be stored within the curtilage of a building.
- f. Waste containers must not be stored on a roadway, footway or footpath or in any other public place unless expressly otherwise authorised in writing by an appointed person.
- g. A management company shall ensure that adequate numbers of waste containers are available for use by holders in a multi-unit development.

#### 5. SEPARATION OF WASTE AT SOURCE

a. The categories of waste designated in the First Schedule hereto must be disposed of at an approved facility and shall not be presented for collection in a manner specified in these bye-laws unless specifically provided for in a special door-to-door waste collection system approved by an appointed person.

- b. A holder shall separate at source such recyclable waste as prescribed by the approved waste collector employed by the holder and this fraction of waste shall be stored separately by the holder in a waste container.
- c. A holder of household waste shall separate at source bio-waste in accordance with the *European Union (Household Food Waste and Bio-Waste) Regulations, 2013 (S.I. 71/2013)* and this fraction of waste shall be stored separately by the holder in a waste container.
- d. A holder of commercial waste shall separate at source bio-waste in accordance with the *Waste Management (Food Waste) Regulations* 2009 (S.I. 508/2009) and this fraction of waste shall be stored separately by the holder in a waste container.
- e. After the separation at source takes place in accordance with (a) to (d) above, a holder shall ensure that residual waste is stored seperately in a waste container.
- f. A holder shall prioritise the use of wheeled waste containers for the presentation of waste for collection in the following order:
  - (i) In cases where only 1 wheeled bin is feasible brown bin (bio-waste)
  - (ii) In cases where only 2 wheeled bins are feasible (1) brown bin (bio-waste) and (2) black/grey bin (residual waste)
  - (iii) In cases where 3 wheeled bins are feasible (1) brown bin (bio-waste), (2) black/grey bin (residual waste) and (3) green bin (recyclable waste).

The appointed person shall have an absolute discretion to determine the prioritising of the use of wheeled waste containers for the presentation of waste for collection.

#### 6. PRESENTATION OF WASTE FOR COLLECTION

- a. Outside the Central Commercial District a holder shall not present waste for collection before 6:00pm on the day prior to the designated collection day unless otherwise approved in writing by an appointed person.
- b. Within the Central Commercial District a holder shall not present waste for collection before 5:00pm on the designated collection day, unless otherwise approved in writing by an appointed person.
- c. A holder shall present waste for collection in a prescribed place in a waste container containing only the fraction of waste appropriate to that waste container.
- d. A waste container presented for collection shall not be overloaded. The lid shall be securely closed. The presentation of waste adjacent to or on top of a waste container shall be deemed to be in breach of these Bye-Laws.
- e. A holder shall not cause or permit waste to be presented for collection in a manner that would endanger health, create a risk to traffic, harm the environment or create a nuisance, odour or litter.
- f. The Council may designate a specific collection point, other than a prescribed place, for the presentation of waste and the holder shall comply with any such designation.
- g. Waste must be presented in such a manner that the holder and the authorised waste collector are clearly identified from the waste container. In the case of a bag collection each bag must clearly identify the authorised waste collector who in turn must be able to identify the holder presenting the waste for collection.
- waste presented for collection by a holder shall not exceed the following weight limits in respect of the indicated waste containers:

Bag	15 Kilogrammes
140 litre wheeled bin	40 Kilogrammes
240 litre wheeled bin	40 Kilogrammes
1100 litre Eurobins	200 Kilogrammes

#### 7. COLLECTION OF WASTE

- An authorised waste collector shall not collect waste from overloaded waste containers.
- b. An authorised waste collector shall return an emptied waste container to the boundary of the premises or to the designated collection point from which it was collected insofar as practicable.
- c. An authorised waste collector shall only collect household waste or commercial waste outside the Central Commercial District on the designated collection day between the hours of 6:00am and 9:00pm Monday to Friday, and 8.00am to 8.00pm on Saturdays, Sundays and Bank Holidays, unless otherwise approved in writing by an appointed person.
- d. An authorised waste collector shall only collect household waste or commercial waste within the Central Commercial District on the designated collection day between the hours of 7.00pm to 12.00 midnight, unless otherwise approved in writing by an appointed person.
- e. An authorised waste collector shall provide a door-to-door collection service unless otherwise authorised in writing by an appointed person.
- f. An authorised waste collector shall only collect household waste within the Central Commercial District if:
  - (i) The authorised waste collector is also collecting commercial waste within the Central Commercial District and they provide the same level of door-to-door collection service for household waste as they provide for commercial waste, or
  - (ii) The authorised waste collector collects household waste within the Central Commercial District on every day.
- g. In cases where an authorised waste collector refuses to collect waste from a waste container presented for collection by a holder, the authorised waste collector shall, place a notice on that waste container indicating the reason for such refusal or directing the holder to contact the authorised waste collector, to establish the reason for the refusal.

#### 8. GENERAL

- a. An authorised waste collector, when requested, shall provide details to an authorised person of the dates and collection times and any ancilliary information for waste collections by that authorised waste collector from premises within the Council's functional area.
- b. A holder or an authorised waste collector shall, when requested to do so, provide information in writing to an authorised person in a specified format regarding the measures taken by them to collect, store and dispose of waste.
- c. It shall be an offence for any person, other than an authorised person, to interfere with a waste container presented by a holder for collection.
- d. It shall be an offence for any person, other than the staff or agent of an authorised waste collector to dispose of household waste or commercial waste in a waste collection vehicle operated by that authorised waste collector.
- e. A holder shall remove from a public place any waste container and any uncollected waste no later than 10:00am on the day following the designated collection day, unless otherwise approved in writing by an appointed person.
- f. A holder shall take reasonable steps to ensure the security of a waste container including any authorisation label, bin tag or microchip affixed thereto.
- g. The management company of a multi-unit development and its managing agent shall ensure that adequate access and egress is available for the collection of waste from that multi-unit development.

- h. A holder shall enter into a contract with an authorised waste collector for the collection of their household waste or commercial waste, unless otherwise authorised in writing by an appointed person. A holder can show compliance with this Bye-Law by demonstrating to the satisfaction of an authorised person that they hold a current contract as aforesaid or a current authorisation as aforesaid.
- i. These Bye-Laws repeal the Dublin City Council Storage, Seperation at Source and Presentation for Collection of Household Waste Bye-Laws 2006, and the Dublin City Council Storage, Seperation at Source and Presentation for Collection of Commercial Waste Bye-Laws 2006.

  Laws 2006.

  Technique to the August Presentation for Collection of Commercial Waste Bye-Laws 2006.

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#### Part III

#### 9. ENFORCEMENT

- a. A person who contravenes any provision of these Bye-Laws shall be guilty of an offence under section 205 of the 2001 Act and shall be liable on summary conviction to a fine not exceeding €1,904.60.
- b. Where a contravention of a provision of these Bye-Laws is continued after conviction, the person causing the contravention shall be guilty of a further offence and shall be liable on summary conviction to a fine not exceeding €126.97 per day under section 205(2) of the 2001 Act.
- c. If any person contravenes any provision of these Bye-Laws, the Council may, pursuant to Section 206(1) of the 2001 Act, serve on such person a Fixed Payment Notice, specifying a fixed payment, as an alternative to a prosecution for such contravention. The amount of the fixed payment shall be €75 and the said fixed payment must be paid within 21 days of the date of service of such Fixed Payment Notice for such person to avoid a prosecution.
- d. Notice of a fixed payment (as described at (c) above) shall be in the general form of the notice set out in the **Second Schedule** of these Bye-Laws.
- Any person served with a Fixed Payment Notice is entitled to defend a prosecution of the alleged contravention in court.
- f. An authorised person may request any person who appears to be contravening or to have contravened a provision of these Bye-Laws to refrain from such contravention.
- g. Where an authorised person is of the opinion that a person is committing or has committed an offence to which this section relates, the authorised person may demand the name and address of such person and if that demand is refused or the person gives a name or address which is false or misleading, that person shall be guilty of an offence under section 204(3)(b) of the 2001 Act.

- h. A person who obstructs or impedes or refuses to comply with a request of an authorised person acting in the exercise of the functions conferred on an authorised person by *Part 19* of the 2001 Act shall be guilty of an offence under *section 204(3)(a)* of the 2001 Act.
- i. A person who is convicted of an offence under section 204(3) of the 2001 Act shall be liable on summary conviction to a fine not exceeding €1,904.60.

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#### Part IV

#### 10. COMMENCEMENT

These bye-laws shall commence on the 1st July 2013, except, bye-law 7 (f), which shall commence on 1st September 2013 and bye-law 6 (g), which shall comence on 1st January 2014.

Dated this	day of	2013.
<b>PRESENT</b> when the C affixed hereto:	Common Seal of Du	ublin City Council was
Lord Mayor	Differential for stand	_
ço'a mayor	ingection hungrectured for any off	
City Manager Consent		

## First Schedule Waste excluded from Collection (Bye-Law 5)

#### **GLASS PACKAGING**

Empty glass containers (bottles and jars) which are discarded after their contents have been disposed of.

#### HAZARDOUS WASTE

Hazardous waste for the time being mentioned in the list prepared pursuant to *Annex III of Council Directive 2008/98/EC of 19 December, 2008,* on waste, and includes batteries, oils, anti freeze, adhesives, medicines, aerosol cans, bleaches, paints, weedkiller and fluorescent tubes (a copy of the European Waste Catalogue and Hazardous Waste List may be obtained from the EPA).

### WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)

Waste electrical and electronic equipment means electrical and electronic equipment, which is waste within the meaning of article 1(a) of Council Directive 75/442/EEC of 15 July 1975 on waste, including all components, subassemblies and consumables which are part of the product at the time of discarding.

#### **BULKY WASTE**

Bulky waste includes, but is not limited to, heavy waste materials such as furniture, carpets and rubble.

NOTE: This schedule may be amended from time to time by an appointed person.

#### **Second Schedule**

### Dublin City Council (Storage, Presentation and Collection of Household and Commercial Waste) Bye-Laws 2013

FIXED PAYMENT NOTICE FOR THE PURPOSES OF SECTION 206 OF THE LOCAL GOVERNMENT ACT, 2001 (BYE-LAW NUMBER 9(C))

NAME OF LOCAL AUTHORITY:	Dublin City Council
To: Name:	
Address:	
	met use.
It is alleged that you have contravened the under Part 19 of the Local Government A Council (Storage, Presentation and Colle Commercial Waste) Bye-Laws 2013 by .  (in general terms specify the nature of the	Act, 2001 entitled Dublin City ection of Household and
•	. on
During this period of 21 days beginning may pay the sum of €75, accompanied the local authority named in this notice	by this notice, at the offices of
A prosecution in respect of the alleged of instituted during the said period and if that period, no prosecution will be instituted.	he sum of €75 is paid during
Signed. (Authorised Person)	. Date .

IMPORTANT: Payment will be accepted at the offices of the local authority specified above and must be accompanied by this notice. Payment may be made by post. Cheques etc. should be made payable to – Dublin City Council. A receipt will be given. You are entitled to disregard this notice and defend the prosecution of the alleged contravention in Court.

