

Mr Damien Collins
ORS Consulting Engineers
Marlinstown Office Park
Marlinstown
Mullingar
Co. Westmeath

8th October 2014

Reg. No. W0285-01

RE: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations 2004

Dear Mr Collins,

I am to refer to the above referenced application for a waste licence relating to a facility at Bio Agrigas Limited, Newdown, The Downs, Mullingar, County Westmeath. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 and Article 13 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the Regulations, to take the steps and supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

Closure and financial provision:

1. In the Agency's notice of the 21st June 2013 you were requested to provide evidence to allow the Agency to form an opinion that the applicant, in accordance with the requirements of section 40(7)(c) of the Waste Management Acts 1996 to 2013, is likely to be in a position to meet any financial commitments or liabilities that will be entered into or incurred by him or her in carrying on the activity to which the waste licence would relate or in consequence of ceasing to carry on that activity.

In response to this item, you provided the Directors' Report and Consolidated Financial Statements for the Year Ended 30 June 2012 for Thomas Flynn & Sons Limited (CRO Register No. 75620). This information is not apparently applicable to the assessment of Bio Agrigas Limited (CRO Register No.

496273). Please clarify and also provide the annual returns for Bio Agrigas Limited.

2. The following information has been provided in the application:

Storage Unit	Capacity per storage unit (m ³)	Total capacity (m ³)	Cost of removal of content (€)
Silage/Beet Storage Pits (X3)	2485	7455	
Slurry tank			
Leachate tank			
Waste reception bin	165	165	
Mixing tank			
Hydrolysis tanks (X2)			
Pre-storage tank (X5)	246	1,230	
Anaerobic digester (X2)	15,323	30,646	
Hygienisation tanks (X2)			
Post Digestion Storage Tanks (X2)	6,797.5	13,595	
Gas cleaning vessel			

Using the above table, state the capacity of each of the storage units to be installed. In addition, state the estimated cost (Euro per tonne or litre) for disposal of all material (waste, feedstock and digestate) at the facility in the event that it falls to the state to dispose of the stored material. State the basis of the estimated cost. Do not take into account any market value as may be attached to the material.

ARTICLE 13 COMPLIANCE REQUIREMENTS

Site boundary:

- The site boundaries shown on drawing numbers 111_001_812 and 111_001_808 don't correlate. Provide a drawing which indicates the correct site boundary for the facility and update the application as appropriate.

Surface water:

- Drawing number 111_001_808 indicates two emissions to surface water; however, Table E.2 (i) of the application form states that SW1 is the only storm water emission point and that this discharges to the Riverstown River.
 - Confirm the number of storm water emissions from the facility and provide the required data for each in Table E.2 (i).
 - Confirm whether storm water discharges from the facility are to a land drain.
 - Provide a labelled drawing which shows:
 - the storm water emission(s) from the facility;
 - the upstream and downstream monitoring locations from these emission points;
 - the route storm water discharges take via land drain to the Riverstown River;

- the location on the Riverstown River of the final discharge.

Note: ensure this drawing includes the correct site boundary and all other proposed monitoring and emission points relating to noise, dust, air and ground.

Air Dispersion Model:

1. In the Agency's notice of the 21st June 2013 you were requested to provide information on predicted potential ground level concentrations for hydrogen sulphide, at all sensitive receptors, as a result of emissions from the proposed facility. You confirmed in your correspondence of the 12th August 2014 that there are no potential ground level concentrations for hydrogen sulphide associated with the proposed anaerobic digestion process.

Provide evidence that there will be no emissions of hydrogen sulphide from the CHP engines.

2. The Air Dispersion Model report references an *Odour Control Unit 1 to 3 (AEP3)*.
 - a. Clarify what comprises the Odour Control Unit.
 - b. Confirm whether the biofilter (AEP3) is the only emission from this unit.
3. The air dispersion model report references tables 3.5 and 3.6 on page 18; however, these tables have not been included in the report. Submit all data used to model odour from the Odour Control Unit's biofilter.
4. Confirm whether Table 4.3 refers the correct units of measurement for scenario 12.

Your reply to this notice should include a revised non-technical summary (Application Form and EIS) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.


Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within 3 weeks of the date of this notice. In addition submit sixteen (16) 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 **W0285-01**. Please direct all correspondence in relation to this matter to Administration, *Environmental Licensing Programme, Office of Climate, Licensing Research & Resources, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.





Yours sincerely,



Caroline Murphy

Inspector

Office of Climate, Licensing Research & Resources

