

This memo was approved to go to the Board
by Senior Inspector Brian Meaney.
Signed *Brian Meaney* Date: *12/02/15*

MEMO

TO: Each Director
FROM: John McEntagart
CC: Office File
DATE: 11 February 2015

SUBJECT : Request for oral hearing of objection on Proposed Determination Re: Indaver Ireland Limited, Carranstown, Duleek, County Meath, Register Number W0167-03.

I have assessed the objection to the Proposed Determination issued in relation to the application by Indaver Ireland Limited, register number W0167-03. The closing date for receipt of objections was 5 January 2015.

Four third party objections were received by that date and one third party submission on an objection was received within the one month timeframe for such submissions. One of the third party objections, from Veolia Environmental Services, requested an oral hearing. This objection was received within the appropriate period and:

- was submitted in writing,
- provided a name and address,
- stated the subject matter and grounds for the objection, and
- was accompanied by the appropriate fee.

The objection contained a request for an oral hearing. The request for an oral hearing is valid and the fee of €100 was paid.

I have examined the objection against the criteria outlined in *Waste Management and IPPC Licensing – Aspects of Licensing Procedures: Objections and Oral Hearings* (2010). These criteria include the following:

1. New issues not previously raised that are specific to the location or the development.
2. The sensitivity of the location/local environment.
3. Whether it is a matter of national or regional importance.
4. The scale or complexity of the development.
5. Significant new information.

I have examined the objections received against the criteria listed above and I consider that, notwithstanding the fact that the Proposed Determination permits hazardous waste into a municipal solid waste incinerator, an oral hearing of the objections is not required in this case for the following reasons:

- (i) New issues not previously raised that are specific to the location or the development.

Comment: The objection is concerned that the installation comes under the scope of the Seveso Directive 96/82/EC. This issue was, however, addressed under licence reg. no.

W0167-02 and can be dealt with by a Technical Committee. The objection also raised issues that could broadly come under the topic of Best Available Techniques, e.g., the need for an on-site laboratory, the storage requirements for the new hazardous waste streams, optimising energy recovery from the wastes that are incinerated, the techniques for feeding solid hazardous waste into the incinerator and controlling the net CV (calorific value) of the wastes entering the incinerator to meet the requirements stipulated in the PD. The objection was also concerned about the application of the R1 energy efficiency formula (condition 7 of the PD) to the installation and in particular assigning waste treatment at the installation as recovery or disposal. I do not think that any or all of these matters warrant consideration by an oral hearing.

(ii) The sensitivity of the location /local environment.

Comment: No matters related to the sensitivity of the location/local environment were raised in the objection.

(iii) Whether it is a matter of national or regional importance.

Comment: The objector raised the concern that the Agency might be "succumbing to pressure to ensure Ireland becomes self-sustainable in the management of hazardous waste over ensuring that the Best Available Technologies are applied". The Agency is legally precluded from granting a licence to an installation that does not conform to Best Available Techniques (BAT) and a full BAT assessment was carried out as part of the licensing process for the PD.

(iv) The scale or complexity of the development.

Comment: The nature of the process remains largely unchanged. It is proposed to increase total waste intake by 17.5% (up to 235,000 tonnes per annum) while introducing 10,000 tpa (tonnes per annum) hazardous waste. As a reference for assessing the scale of the proposal for accepting hazardous waste at the installation, the Agency's National Waste Report for 2012 (published in 2014) reported that Ireland exported 139,872 tonnes of hazardous waste in 2012 (excluding contaminated soils)¹.

The proposed development will not result in an extension to the current size of the installation, and will not result in a significant change in the emissions or emission control systems. All matters related to the proposed changes in waste intake have already been assessed during the licence review process. Consequently, it is not considered necessary to consider this matter by an oral hearing.

(v) Significant new information.

Comment: Regarding the objections, and not to minimise the importance of the issues raised, there is no significant new information provided and therefore an oral hearing is not warranted under this heading.

The objector also put forward what it considered were errors in the PD, e.g., the list of parameters in the chemical limits included in Schedule A and the waste monitoring and classification requirements included in Schedule C.4.

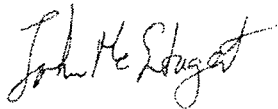
¹ The National Waste Report also reports that 68,100 tonnes of hazardous waste were treated on-site at industry and 88,866 tonnes of hazardous waste were treated off-site in Ireland in 2012.

In summary, as there are no new issues raised nor significant new information or data provided in the objection, it can be fully considered and assessed by a Technical Committee of the Agency.

Recommendation:

I recommend that the objection submitted by the third party to the application (Veolia Environmental Services) be considered by a Technical Committee in the usual manner. I recommend that an oral hearing of the objections made is not held in this instance for the reason outlined above.

Signed

A handwritten signature in cursive script, appearing to read "John McEntagart".

John McEntagart

