

**REPORT OF THE TECHNICAL COMMITTEE
ON OBJECTIONS TO LICENCE CONDITIONS**

TO:	Directors
FROM:	Technical Committee - Environmental Licensing Programme
DATE:	23 April 2015
RE:	Objection to a Proposed Determination (PD) issued to Starrus Eco Holdings Limited for an installation at Ballykeefe, Dock Road, Limerick Licence Register W0082-03

Application Details

Type of installation:	Materials Recovery Facility
Category of Activity under IED (2010/75/EU):	Category 5.3 (b) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, and excluding activities covered by Directive 9 1/271/EEC: (ii) pre-treatment of waste for incineration or co-incineration
Class of Activity under the EPA Acts 1992, as amended:	Class 11.4(b) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, (other than activities to which the Urban Waste Water Treatment Regulations 2001 (S.I. no 254 of 2001) apply: (ii) pre-treatment of waste for incineration or co-incineration. Class 11.1 The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.
Licence application received:	4 April 2014
PD issued:	19 December 2014
First party objection received:	26 January 2015

1. Company and background to this report

This application relates to a review of Starrus Eco Holdings Limited's existing Waste Licence (Reg No. W0082-02). The existing licence was transferred from Greenstar Environmental Services Limited to Starrus Eco Holdings Limited in March 2014 and provides for the operation of a non-hazardous materials recovery facility (MRF) comprising of a waste transfer station and a civic amenity. The licence review application is seeking to increase the waste intake from 90,000 tonnes to 130,000 tonnes per annum.

This report considers the first party objection received by the Agency in relation to the Proposed Determination (PD) issued to Starrus Eco Holdings Limited on 19th December 2014. No third party objections were received.

2. Consideration of the objections

The main issues raised in the objection are summarised below. The original objection should be referred to at all times for greater detail and expansion of particular points.

Objector's Name	Date Received
Starrus Eco Holdings Limited	26 th January 2015

The Technical Committee (TC), comprising of Caitríona Collins (Chair) and Caroline Murphy, has considered all of the issues raised in the objection and this report details the Committee's comments.

Objection 1: Condition 3.14.5 Security Fencing around Civic Amenity Area

Starrus Eco Holdings Limited, hereinafter referred to as the objector, requests an amendment to the condition relating to installation and maintenance of security fencing around the Civic Amenity Area. The objector states that new barriers were recently installed to prevent unauthorised access to operational areas and that further security fencing is considered unnecessary. Further, the objector requests that the words "unless otherwise agreed with the Agency" be inserted at the end of the condition.

Technical Committee's Evaluation:

Where recent upgrades to site security may be deemed sufficient, it is appropriate that these should be taken into account in relation to meeting the requirements of Condition 3.14.5.

Recommendation:

Amend Condition 3.14.5 as follows:

Replace:

The licensee shall, within three months of the date of grant of this licence, install and maintain security fencing around the Civic Amenity Area which shall prevent access by the general public to the remaining area of the installation

With:

The licensee shall, within three months of the date of grant of this licence, install and maintain security fencing to prevent access by the general public using the civic amenity area to the remaining area of the installation.

[Empty box]

Objection 2: *Condition 3.18 Weighbridge and Wheel Cleaners*

The objector states that the requirement to provide and maintain wheel cleaners is unnecessary, given that there is a truckwash in place at the installation. The objector further requests that the reference to wheel cleaners in the condition be changed to refer to a truckwash area, and requests that the same amendment to wording be addressed in Conditions 13.18.2 and 13.18.3.

Technical Committee's Evaluation:

The installation is a material recovery facility, and as such the surface of the installation is predominantly hardstanding. The Technical Committee considers that it may be appropriate to install and maintain other equipment equivalent to wheel cleaners.

Recommendation:

Amend Condition 3.18.1 as follows:

Replace:

The licensee shall maintain a weighbridge and provide and maintain wheel cleaners at the installation.

With:

The licensee shall maintain a weighbridge and provide and maintain wheel cleaners, or equivalent equipment, at the installation.

Objection 3: *Condition 3.19 Wastewater Management and Stormwater Drainage*

The objector states that the connection to foul sewer, expected to be commenced in Q3 2014, has been delayed and that there is no certainty over the timelines. In this regard, the objector expresses concern about the requirement to discharge to sewer, or storage of wastewater pending off site transport in road tankers, and decommissioning of the onsite waste water treatment plant within six months, given the lack of certainty over the timing of the connection. Further, the objector requests that the words "unless otherwise agreed with the Agency" be inserted at the end of the Conditions 3.19.1 and 3.19.4, stating that there is no evidence that the operation of the wastewater treatment plant is having an adverse impact on groundwater.

Technical Committee's Evaluation:

Given that the installation of the new sewer connection was due to commence in the third quarter of 2014, the Technical Committee considers that a period of six months from the date of grant of the licence is sufficient to ensure the connection to the Irish Water sewer is completed. Irish Water was consulted on the proposed discharge to sewer under Section 99E of the EPA Act and in their response, provided consent for the discharge, including a table of emission limit values. In addition, the stormwater runoff has been shown to be polluted and as such, the connection to sewer or arrangements for storage pending transport off site should be expedited. However, there is no evidence of pollution arising from the operation of

the onsite sanitary wastewater treatment and as such the Technical Committee considers that it is appropriate to allow it to continue in use until the connection to sewer is complete.

Recommendation:

Amend Condition 3.19.4 as follows:

Insert:

“, unless otherwise agreed by the Agency,” at the end of Condition 3.19.4.

Objection 4: *Condition 3.28.5 The Licensee shall maintain and implement a programme to demonstrate negative pressure and building envelope integrity throughout all buildings where residual, food or other odour-forming waste is deposited, stored or treated to ensure that there is no significant escape of odours. The programme shall maintain all criteria for the operation and control of negative pressure. This programme shall be reviewed at least annually.*

The objector states that the requirement for negative air pressure in Condition 3.28.5 and Condition 3.28.4 are linked but that the provision of the negative air pressure system is not mandatory. The objector therefore seeks that the additional wording “Unless otherwise agreed by the Agency,” be inserted at the beginning of Condition 3.28.5.

Technical Committee’s Evaluation:

The requirement of Condition 3.28.5 is absolute while the requirement of Condition 3.28.4 is not mandatory. Both conditions should be aligned as it cannot be a mandatory requirement to maintain and implement a programme to demonstrate negative air pressure and building envelope integrity, when it is not mandatory to provide a negative air pressure system.

Recommendation:

Amend Condition 3.28.5 as follows:

Replace:

“where residual, food or other odour-forming waste is deposited, stored or treated”

With:

“where negative air pressure is maintained”

Objection 5: *Condition 4.3 Noise*

The objector states that it considers that the noise limit values should apply to the nearest noise sensitive receptors and not the site boundary, which is consistent with Note 1 in Schedule B4.

Technical Committee’s Evaluation:

The installation is located close to a very busy road and as such it is appropriate that the noise limit values should apply at the nearest noise-sensitive locations.

Recommendation:

Amend Condition 4.3 as follows:

Delete:

Noise from the installation shall not give rise to sound pressure levels ($L_{Aeq,T}$) measured at the boundary of the installation which exceed the limit value(s).

Insert:

Noise from the installation shall not give rise to sound pressure levels ($L_{Aeq,T}$) which exceed the limit value(s), measured at the noise sensitive locations nearest to the installation.

Objection 6: *Condition 5.7 Emissions to Sewer*

The objector states that Condition 5.7 appears to be incomplete.

Technical Committee's Evaluation:

The Technical Committee notes that Condition 3.20 relates to discharges of wastewater to sewer and as such Condition 5.7 is unnecessary.

Recommendation:

Delete the following Condition:

5.7 Emissions to Sewer.

Re-number the following conditions:

5.8 to 5.7.

5.9 to 5.8.

Objection 7: *Condition 8.10 All waste treatment shall be carried out inside buildings*

The objector states that timber shredding took place outdoors in the past and that although the activity has ceased, it may restart in the future. In this regard, the objector requests that the condition be amended to provide for this by including the words "unless otherwise agreed with the Agency".

Technical Committee's Evaluation:

The Technical Committee considers that the requirement for all waste treatment to be carried out inside buildings is appropriate, for the purpose of mitigating potential noise and air emissions. However, it may be appropriate for timber shredding to be undertaken outdoors, if agreed with the Agency.

Recommendation:

Amend Condition 8.10 as follows:

Insert:

“, unless otherwise agreed by the Agency,” at the end of Condition 8.10.

Objection 8: *Condition 8.13.2 Each bale shall be labelled with:*

- *its date of production,*
- *its content and EWC code and*
- *the name of the facility and its licence register number (W0082-03)*

The objector outlines that it considers the requirement to label each bale as onerous and not serving a useful purpose, as the nature of the waste means that there will not be any significant difference in the contents between bales. The objector states its preference for labelling the first bale processed each day.

Technical Committee’s Evaluation:

The Technical Committee considers that it is appropriate to record the date of production of each bale, to provide for proper management of stored waste, in line with age of bales. Recording the name of the facility, licence register number, content and EWC codes will provide for effective enforcement and traceability of waste.

Recommendation:

No change.

Objection 9: *Condition 12.1 Agency Charges*

The objector considers the proposed annual contribution of €14,998 to be onerous, in the context of no significant enforcement actions and lack of third party complaints, as confirmed by OEE. Further, the objector requests the Agency to review the predicted level of enforcement that will be required, in light of annual contributions associated with other recent proposed determinations.

Technical Committee’s Evaluation:

Based on the enforcement effort predicted for the facility, the annual charge has been revised by OEE to €10,805.

Recommendation:

Amend Condition 12.1.1 as follows:

Replace:

“€14,998”

With:

“€10,805”

Objection 10: Schedule C.1.2 Monitoring of Storm Water Discharges

The objector raises concern about the frequency of monitoring required in Schedule C.1.2, in relation to the parameters requiring weekly monitoring at emission point FE-1A. Given that this emission point can only discharge stormwater runoff from areas that are not used for storage or holding of wastes, the objector considers that the frequency of monitoring is excessive, will result in significant additional costs, and requests the monitoring to be reduced to quarterly. Further, the objector requests a similar amendment to be made to the monitoring frequency specified in Schedule C.4.2.

Technical Committee's Evaluation:

There is evidence of pollution at the stormwater emission point, which discharges stormwater runoff from outdoor areas, including the outdoor waste storage area. Until such time as the stormwater runoff from "dirty" areas is diverted to sewer, the frequency of monitoring of the stormwater discharge should remain the same. Condition 6.6 provides for amendments to monitoring requirements.

Recommendation:

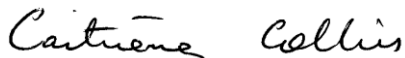
No change.

3. Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the Proposed Determination, and
- (ii) subject to the conditions and reasons for same in the Proposed Determination, and
- (iii) subject to the amendments proposed in this report.

Signed:



Caitríona Collins, Inspector
for and on behalf of the Technical Committee