This report was approved to go to the Board
by Brian Meaney, Senior Inspector
Signed Grainne Ogleby Date: 13.08.2015

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

LICENSING, RESOURCES & RESEARCH

INSPECTOR'S REPORT ON A LICENCE APPLICATION

TO:	DIRECTORS
FROM:	Caroline Murphy - Licensing Unit
DATE:	13th August 2015
RE:	Application for an Industrial Emissions Licence **O'Toole Composting Limited,** Ballintrane, Fenagh, Co. Carlow. Licence application register number W0284-01.

1 Application Details

Transition from a waste to an industrial emissions licence application:	Waste licence application received on the 27 July 2012. The application was updated by the applicant to meet the requirements of Regulation 9 of the EPA (Industrial Emissions) (Licensing) Regulations 2013 on the 4th Nov 2014 as the activities proposed are listed in the First Schedule of the EPA Act 1992, as amended.
Category of activity under First Schedule EPA Act 1992, as amended:	Class 11.1 and Class 11.4(b)(i).
Category of activity, Industrial Emissions Directive (2010/75/EU):	Class 5.3 (b)(i).
EIA Required:	Yes – see section 13 of this report. An EIS was received on the 4th November 2014. An earlier document entitled "Environmental Impact Statement" was prepared for and received with the original waste licence application in 2012 but this is not an Environmental Impact Statement that can be used by the Agency for the purposes of Environmental Impact Assessment.
Third party submissions:	8.
Site Inspection:	31 July 2013.

2 Applicant and installation

Applicant:	The applicant, O'Toole Composting Limited, established this facility in 2004. Mr Patrick O'Toole has been the Facility Manager since commencement of operations and has over ten years' experience in the composting and waste industry.	
Type of installation:	Biological treatment facility. Waste transfer facility.	
Existing or new development	This is an existing facility which to-date has been authorised by Carlow County Council under waste facility permit register no. WFP-CW-10-003-01 for the recovery of 10,000 tonnes per annum of waste, which was replaced by permit register no. WFP-CW-14-5 which authorised the recovery of 24,999 tonnes per annum.	
Proposed waste acceptance:	**Non-hazardous waste type**	**Proposed max (tonnes per annum)**
	Waste Transfer Building	
	Construction & demolition waste	20,000.
	Commercial & industrial waste	
	Municipal solid waste	
	Biological Treatment Facility	
	Biowaste and other biodegradable waste	40,000.
	Sewage sludge	
	Industrial non-hazardous sludges and solids	
	MSW	
	Total	60,000.
Description of site:	The installation is on approximately 5Ha in a rural agricultural area adjacent to the N80 national secondary road.	
Number of employees:	There are currently 14 employees at the installation.	

3 Operational Description

Reference Appendix 1 for the site layout plan and site location.

Inputs	Process	Outputs	Emissions
Waste Transfer Building (existing).			
Current: Skip waste: - MSW; - Commercial waste; - Dry mixed recyclables; and/or - Mixed bulky waste.	Current: Mixed waste is bulked up in the MSW bay, the dry recyclable waste bay and the bulky waste bay. Bulky items are removed from commercial waste by a grab and placed in the appropriate bay. The remainder of the waste is routed through a hopper, windshifter, picking	Current: 1. Dry recyclable waste for recycling; 2. Segregated commercial waste for recovery; 3. Shredded fines resultant from the treatment of commercial waste	Emissions to air of exhaust air from the waste transfer building. Planning permission has been obtained for the installation of a biofilter. See section 4.

Inputs	Process	Outputs	Emissions
	line and a magnet in order to segregate out: plastics, aggregates, timber, paper, ferrous metals and fines. Fines are shredded.	for removal off-site for manufacture into Refuse Derived Fuel (RDF); and 4. MSW for transfer to the biological treatment building.	Process effluent.
Current: Mixed household waste. Proposed: Household hazardous waste as per **Condition 3.13.6** and ***Schedule A.2*** Note 3.	Current: The public unload trailers in the waste transfer building and place waste in the appropriate bay. Proposed: A new civic amenity facility to be constructed which will allow segregated storage of waste.	Current: Mixed waste. Proposed: Segregated waste.	Emission to air, as above. Process effluent.
Current: Wood waste.	Current: Shredding in an outdoor area adjacent to the waste transfer building. Proposed: Shredding within the waste transfer building (**Condition 8.4.1**).	Wood chip which can be used in the on-site composting process, as biofilter media or removed off site for sale.	Dust and noise.
Biological Treatment Facility (existing).			
Current: Separately collected biowaste and biodegradable waste.	1. Shredding of incoming waste. 2. Composting (3 tunnels). Automatic process control system in place. 3. Compost screening: ➢ oversized fraction mixed with incoming waste; ➢ undersized fraction transferred to maturation floor. 4. Maturation/curing (5-7 weeks).	Current: Compost which meets the Department of Agriculture, Food and the Marine (DAFM) requirements. Proposed: In addition to the above it has been proposed that the compost will meet the standard in ***Schedule E*** of the Recommended Decision (RD).	Emissions to air of exhaust air from compost tunnels and the building – treated through a scrubber and a biofilter. Planning permission has been obtained for the installation of a new biofilter. Leachate is reused in the process. A collection tank is available to collect any overflow; however, this is generally not used.
Current: MSW.	Residual MSW is processed in the compost tunnels in order to reduce its moisture content. On exiting the tunnels it is screened to separate out the organic fraction.	1. The organic fraction is removed off site to landfill. 2. Remaining MSW is removed off site for manufacture of Refuse Derived Fuel (RDF/SRF).	As above.

The installation has not been fully concreted. **Condition 3.5.2** requires that the licensee provide an impermeable concrete surface in all areas of the installation used for the movement, holding, storage or processing of waste.

Initially the biological treatment facility was only used for the composting of biodegradable waste and particularly source segregated organic waste for the manufacture of quality compost; however, due to a shortage in supply of biodegradable waste the applicant is currently using the biological treatment facility to treat MSW as outlined in the table above. The applicant proposes to use this facility for both the composting of biodegradable waste and the treatment of MSW. **Conditions 8.4.7 and 8.4.8** requires the segregation of different waste streams.

Condition 8.4 recommends operational controls for the waste treatment processes. **Condition 1.7** requires the licensee to obtain appropriate approvals from the DAFM.

4 Planning Permission, EIS and EIA Requirements

4.1 EIA Screening

In accordance with Section 83(2A) of the EPA Act 1992, as amended, the Agency must ensure that before a licence or revised licence is granted, that the application is made subject to an environmental impact assessment (EIA), where the activity meets the criteria outlined in Section 83(2A)(b) and 83(2A)(c). In accordance with the EIA Screening Determination, the Agency has determined that the activities are likely to have a significant effect on the environment, and accordingly is carrying out an assessment for the purposes of EIA. An EIS was submitted with the licence application on the 4th November 2014 and was considered by the Agency for the purposes of EIA.

4.2 Planning status

A number of planning applications have been made by the applicant for the site of the activities since 2003. Details of these planning applications and permissions have been provided in the application form.

Carlow County Council determined that the development associated with the seventh planning permission application reference No. 14/251 (planning was granted on the 19th March 2015) is likely to have a significant effect on the environment and that an EIA was required. An EIS was submitted with the above planning application and this EIS has been submitted with the licence application, as stated above.

Having specific regard to EIA, this inspector's report is intended to identify, describe and assess for the Agency the direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, including any interaction between those effects and the related development forming part of the wider project, and to propose conclusions to the Agency in relation to such effects.

The EIS submitted, the licence application, the submissions and observations received from third parties, the assessment carried out by the planning authority, consultations with the planning authority, the relevant planning decisions and any additional information submitted by the applicant have been examined and assessed and are considered below for that purpose.

4.3 Content of EIS and licence application

I have considered and examined the content of the licence application, the EIS and other relevant material submitted with it.

It was considered that the EIS and licence application did not adequately address the following areas and further information was sought under Regulations 10(2)(b)(ii) and 11(2)(b) of the Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013:

1. Waste acceptance, segregation methods and waste types;
2. Waste storage;
3. Biological treatment process;
4. Classes of activity;
5. Odour modeling;
6. Site boundary and monitoring locations;
7. Impact of any climatic factors;
8. Best Available Techniques analysis;
9. Baseline screening report.

On receipt of further information under Regulations 10(2)(b)(ii) and 11(2)(b)) of the Environmental Protection Agency (Industrial Emissions)(Licensing) Regulations, all of the documentation received was examined and I consider that the information as submitted contains a satisfactory description of the project, the alternatives studied by the applicant, the aspects of the environment likely to be significantly affected by the activity, the likely effects of the activity on the environment, the forecasting methods used, the prevention and mitigation measures envisaged, the difficulties and deficiencies encountered and a non-technical summary.

I consider that the EIS, when considered in conjunction with the additional material submitted with the application, also complies with the requirements of the EPA (Industrial Emissions) (Licensing) Regulations 2013.

I have considered and examined the documents furnished by Carlow County Council in relation to the impacts assessed by it, in particular the planner's report and the decision dated 19th March 2015 (ref 14/251).

In Section 13.0 of this report I have addressed the issues that interact with the matters that were considered by the above authority and which relate to the activity.

Having considered the application and EIS, the submissions identified in the section below, and the matters resulting from the planning authority decision, I consider that the likely significant effects of the activity on the environment are as set out in Section 13.0 below.

4.4 Consultation with Competent Authorities

Consultation was carried out between Carlow County Council and the Agency as follows:

Consultation	**Date**
Notice under Section 87(1I)(g) issued:	13 November 2014 to Carlow

	County Council
Response to Section 87(1I)(g) Notice received:	13 February 2015 from Carlow County Council
Notice under Section 87(1I)(g) issued (regarding further information):	23 March 2015 to Carlow County Council
Response to Section 87(1I)(g) Notice received:	16 April 2015 from Carlow County Council

In Carlow County Council's response on the 13th February 2015 they confirmed that all relevant environmental issues were adequately addressed in the EIS submitted with planning application reference No. 14/251 and on the basis of the EIA carried out and all other material considerations a decision to grant planning permission was made by Carlow County Council. The Council's correspondence on the 16th April 2015 confirmed that they had no further observations.

The following is noted in relation to the grant of planning permission by the Carlow County Council (ref 14/251):

- A waste intake of 60,000 tonnes per annum is permitted if an industrial emissions licence is granted by the Agency.

5 Submissions

Eight submissions were received in relation to this application.

Please note that these submissions, with two exceptions, predate the EIS provided to the Agency on the 4th November 2014. Therefore when the submissions refer to the EIS, they are in fact referring to the 2012 "EIS" provided with the original waste licence application which, as described above, is not an EIS that could be used by the Agency for the purposes of EIA. In the interim, the waste licence application has become an Industrial Emissions licence application and a formal EIS that had accompanied a planning application to Carlow County Council has been provided by the applicant. The comments on the submissions below are made in the context of the most up to date information on the application as a whole.

5.1 Submission from the Department of Arts, Heritage and the Gaeltacht (received 23 August 2012):

The Department stated that it *does not wish to object, but suggests that a condition be attached to set up a monitoring programme to take water samples from* [the] *un-named stream adjoining the site. SUDS should suggest that roof/surface water be collected and used in any housing operations if applicable.*

Comment:

The submission is noted. Matters in relation to roof/surface water management are addressed in section 7.4 below.

5.2 Submission from the Health Service Executive (HSE) (received 31 August 2012):

The issues raised by the HSE are commented on under the headings below.

(i) Public Consultation:

No evidence that the applicant has undertaken meaningful public consultation with the local community/residents could be identified in the EIS.

Comment:

A notice in accordance with article 6 of the Waste Management (Licensing) Regulations 2004, as amended, was published in The Irish Daily Star on 26 July 2012. A site notice in accordance with article 7 of the above Regulations was erected by the Applicant and inspected by the Agency on 31 August 2012.

Subsequently, a notice in accordance with Regulation 5 of the Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013 was published in The Nationalist on 24 February 2015. A site notice in accordance with Regulation 6 of the above Regulations was erected by the Applicant and inspected by the Agency on the 1st April 2015.

(ii) Noise:

The EIS does not assess the existing impact from noise at the facility, nor does it predict the impact, including accumulative impacts, from noise at noise sensitive locations from the proposal to increase intake from 10,000 to 40,000 tonnes per year...The following is recommended: (a) A baseline noise assessment..., (b) a noise assessment ...of current activities, (c) a noise assessment...on the predicted impact of the proposed increase in activities for the site. This should include accumulative [cumulative] *impact...*

Comment:

Subsection 3.6, volume 2, section 3 of the 2014 EIS assessed the impact of noise. Noise levels were measured at 7 noise sensitive locations during daytime and night time hours. Noise monitoring took place in September 2011, September & October 2012, and October & November 2013. The predicted impacts in relation to noise were dealt with in subsection 3.6.3 of the EIS. It was highlighted that all processes will be enclosed and will have negligible impact on the nearest noise sensitive locations. The main source of noise at the sensitive locations is from the traffic on the N80 primary road. Any additional traffic associated with the increased activity at the installation is predicted to be less than 1% of the traffic using the N80. It was concluded that the additional traffic associated with the increased waste intake will have little or no impact on the local environment.

(iii) Soils and Geology:

It is recommended that the applicant be required to carry out sampling and analysis of the quality of the compost, if the compost is being used for horticultural use. It is recommended that full details of the "waste acceptance procedures" be submitted by the applicant in this regard.

Comment:

Schedule E of the RD states the standard for compost quality.

Condition 8.3 of the RD states the requirements with regard to waste acceptance and characterisation procedures.

(iv) Water:

It is recommended that the EPA require the applicant to make provision for storm water run-off/overflow and storm water sampling at the site. It is recommended that all bunded areas at the site, be covered to prevent ingress of rainwater. The volume of abstraction of water for process and drinking water from the private well on site is not quantified. Potential impact on ground or surface water, including any nearby wells or group water schemes has not been addressed in the EIS.

Comment:

Storm water emissions have been dealt with in section 7.4 of this report. **Condition 3.17** of the RD requires bunds to be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004). The applicant has confirmed that the water from the on-site well is used for the office areas only. Approximately 50-60m^3 of water is abstracted from the on-site well per week. **Condition 7.3** requires the licensee to identify opportunities for reduction in the quantity of water used on site. The water collected from the roof of the composting building is used to fulfil any process water needs.

(v) Odour:

It is recommended that the EPA...require the applicant to implement all measures outlined in the EIS to ensure minimal odour impact in the vicinity of the site. It is also recommended that the applicant be required to put formal structures in place for dealing with potential odour complaints.

Comment:

Odour emissions are dealt with in section 7.1 below.

Condition 11.6 of the RD states the requirements with regard to complaints.

5.3 Submissions from the Water Services and Environment Section of Carlow County Council (received 9 October 2012 and 18 September 2013):

The issues raised by Carlow County Council are commented on under the headings below.

(i) Planning:

The Council suggested that planning permission for the installation should be checked by the Agency to ensure that all the proposals are covered.

The Council highlighted their concerns with regard to the need for the installation and the scope of planning permissions in place versus:

- the possible change in use of the installation;
- the activities proposed; and
- the increases in traffic.

Comment:

O'Toole Composting Ltd applied for planning permission (reference No. 14251) in August 2014 to ensure all aspects of their licence application were covered by planning permission. An EIS was submitted with this planning application and the County Council completed an EIA. Carlow County Council granted planning permission on the 19th March 2015. The EIS provided to Carlow County Council was subsequently provided to the Agency and will enable it to complete the EIA.

(ii) Surface water:

The Council states that surface water run-off will need to be controlled by way of emission limit values in the waste license. More information is required on the well abstraction rates and possible impacts on surrounding wells.

The monitoring location map should contain the location of the surface water discharge point to the receiving stream.

Comment:

Storm water emissions have been dealt with in section 7.4 of this report. Well water abstraction was dealt with in section 5.2 (iv) above.

Condition 6.17 of the RD requires the licensee to maintain drawings showing all monitoring locations.

(iii) Waste acceptance:

The Council stated on 8 October 2012 that skip wastes are currently controlled by way of a waste facility permit and the permit excludes the acceptance of municipal wastes. The Council submitted an update 13 September 2013 confirming that municipal solid waste is currently being accepted at the installation for drying and stabilising.

The current permit allows for the acceptance of 10,000 tonnes of all wastes per annum. This is at variance with the tonnages contained in the 2012 EIS.

Comment:

The Site Description section of the 2012 EIS volume 1, section 1, states that *currently the facility operates under Waste permit reference Number WFP-CW-1-0003-01, which was granted by Carlow County Council on the 3d of August 2010 with a maximum permitted tonnage of 10,000 per annum.*

This permit has since been revised and the installation is permitted to accept 24,999 tonnes of waste per annum.

Schedule A.2 *Waste Acceptance* of the RD authorises the acceptance of municipal solid waste.

(iv) Biological Treatment Facility:

The Council states that the compost maturation area is not under negative pressure and this has led to some odour problems. It will be important that all proposed buildings are under negative pressure and that biofilters are suitably sized.

Comment:

Condition 3.9 of the RD states the requirements for odour control at the installation and **condition 6.14.4** requires all relevant buildings to be kept under negative pressure.

(v) Groundwater:

The Council considers that groundwater flow direction should be established in order to review the effect of accidental spillages at the site.

Comment:

Subsection 3.2.2.9 of volume 2, section 3 of the 2014 EIS states that *As groundwater flow paths are generally a subdued reflection of the surface water drainage pattern it is assumed that the general groundwater flow path follows the site slope in a general northeast direction.* From on-site groundwater monitoring, there is currently no evidence of groundwater contamination under the facility.

(vi) Air:

The Council recommends the preparation of an air dispersion model to establish the maximum allowable limits for odour, bio-aerosols, sulphur dioxide, nitrogen oxides, particulates, VOC, carbon monoxide, ammonia, hydrogen sulphide and mercaptans.

Comment:

Section 7.1 below discusses emissions to air.

(vii) Non-compliance:

The Council states that the principal historic non-compliances at the existing installation relate to:

(a) Odour: principally due to lack of control systems in part of the building.

(b) Waste Quantities: Waste tonnages have been in excess of those permitted under the existing permit. These tonnages can be facilitated in the expanded installation by suitably designed waste acceptance and treatment facilities.

Comment:

Conditions 3.9 and **6.14** of the RD states the requirements for odour control at the installation.

Schedule A.2: Waste Acceptance of the RD states the maximum tonnes per annum of each waste type authorised to be accepted into the installation.

(viii) Waste Facility Permit Review Application:

The Council outlined the difficulties they have in processing the waste facility permit review application currently before the Council, specifically with regard to the activity meeting the requirements and limitations of Class 10 of Part I of the Third Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007, as amended.

Comment:

No response required.

(ix) Waste water:

The Council highlighted that waste water from the activity is not being accepted by any waste water treatment plant operated by Carlow County Council.

Comment:

Condition 11.11 of the RD states that a record shall be kept of the name and address of the waste water treatment plant to which the trade effluent was transported.

Sanitary effluent from the installation is directed to a septic tank. **Condition 3.25** of the RD requires any on-site waste water treatment system to satisfy the requirements set out in the *Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e < 10)*, published by the Environmental Protection Agency.

5.4 Submission from the Roads Section of Carlow County Council (received 30 September 2013):

The Council outlined that they read the roads element of the EIS and that they don't feel that the proposals pose a risk to the use of either the N80 national primary road or the serving local road. The Roads Section of the Council has no objections to the proposal.

Comment:

No response required.

5.5 Submissions from the Department of Agriculture, Food and the Marine (received 19 September 2013, 10 December 2014 and the 10 April 2015):

The Department highlighted that in addition to the Agency's requirements under the Waste Management (Licensing) Regulations, that the proposed operations at the installation shall be regulated, as appropriate, by the Animal By-Products Regulations (Regulation (EC) No. 1069/2009), the Regulations and guidelines pursuant to the Nitrates Directive 91/676/EEC, the Water Framework Directive 2000/60/EC and the Groundwater Directive 2006/118/EC; as implemented by the DAFM.

Comment:

No response required.

6 Consideration of Best Available Techniques (BAT) and BAT Conclusions

Section 86A(3) of the EPA Act 1992 as amended requires that the Agency shall apply BAT conclusions as a reference for attaching one or more conditions to a licence or revised licence (Article 14(3) of the IED). Therefore, BAT for the installation was assessed against the BAT Conclusions contained in the following documents:

- BREF Document for the Waste Treatment Industries (July 2006) – currently under review
- BREF Document on Energy Efficiency (February 2009)
- BREF Document for Emissions from Storage (July 2006)

The applicant submitted an assessment of the installation activity against the relevant BAT Conclusion requirements contained in the above BREF Documents. The applicant has demonstrated that the installation will generally comply with all applicable BAT Conclusion requirements specified in the main applicable BREF activity (Waste Treatments) and those contained in the additional BREF Documents.

I consider that the applicable BAT Conclusion requirements are addressed through: (i) the technologies and techniques as described in the application and (ii) the standard conditions specified in the RD.

Based on an examination and assessment of the application documentation, I am satisfied that the technologies and techniques, as specified in the application, and as confirmed, modified or specified in the attached RD will ensure that the relevant requirements of BAT as stipulated in the above BAT Reference Documents will be applied at the installation. In addition, the proposed activities, as described in the application, this report and the RD, are effective in achieving a high general level of protection of the environment having regard - as may be relevant - to the location of the installation and to the way in which it is managed, maintained, operated and decommissioned.

7 Emissions

7.1 Air

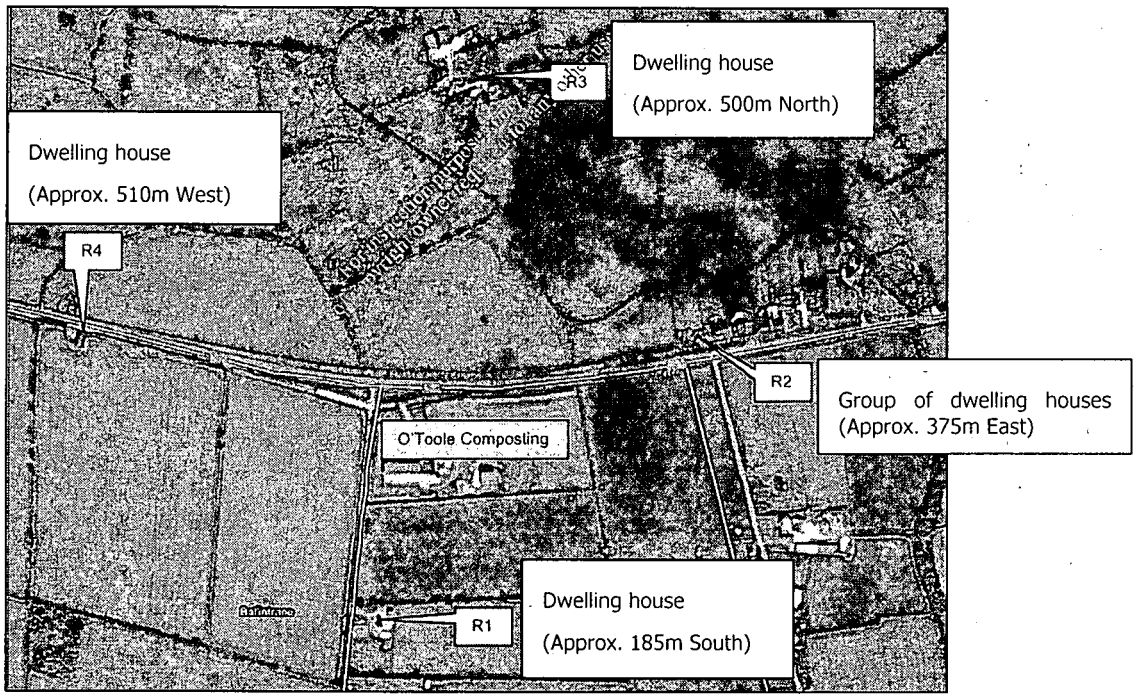
Point-source emissions to atmosphere will arise at the biological treatment facility and the waste transfer building. There are two new emission points proposed and one existing point, as follows:

- A-1: existing biofilter in the biological treatment facility;
- A-2: proposed new biofilter in the biological treatment facility, to replace A-1;
- A-3: proposed biofilter in the waste transfer building.

The impact of emissions from the biofilters associated with the waste transfer building and the biological treatment facility were modelled for odour impact at the four receptors numbered R1 - R4 shown in the figure below. The AERMOD prime model was used and the applicant followed the methodology outlined in the Agency Guidance Note AG4[1].

Figure 1 Location of Potential Odour Receptors

[1] Air Dispersion Modelling from industrial Installations Guidance Note (AG4), EPA 2010.



A summary of the odour modelling results is set out in Table 1 below and this predicts that there will be no impact due to odour emissions from the installation.

Table 1 Summary of Odour Dispersion Modelling Results

Emission Point	Odour Emission Concentration Note 1 (OU_E/m^3)	Maximum Predicted Concentration at Receptor Locations 98th Percentile of 1-hour averages (OU_E/m^3)				Ambient Standard (OU_E/m^3)
		R1	R2	R3	R4	
A-1	3,000	1.21	1.46	0.44	0.54	1.50 Note 2
A-3	800					

Note 1: Dispersion model input value.
Note 2: Ambient standard from EPA guidance (AG4).

The predicted odour emission from the proposed biofilter for the biological treatment facility (A-2) was not modelled; however, emission point A-1 will be replaced by emission point A-2.

The emission concentrations chosen are within the range <500 – 6,000 Ou_E/m^3 which is specified in section 5.2 of the BREF Note *Waste Treatment Industries* (2006) for treated exhaust gas. The input factors used in the dispersion model resulted in predicted odour concentrations at the 4 surrounding residential receptors below 1.5 Ou_E/m^3. However, it was noted that the concentration predicted at receptor location R2 was high. Taking this into consideration the emission limit values recommended in ***Schedule B.1*** are 1,000 and 800 OU_E/m^3 for emission points A-1 (and A-2), and A-3 respectively.

Emission points A-1 and A-3 were also modelled for the parameter hydrogen sulphide. It is predicted that at emission concentrations of 3 and 0.9mg/m^3 from emission points A-1 and A-3 respectively that the predicted concentrations at each of the four receptors will be below the World Health Organisation's odour annoyance guideline limit of 7 µg/m^3. As above a high result of 6.85 µg/m^3 was predicted at receptor location R2. This has been taken into consideration and emission limit

values of 2.5 and 0.9 µg/m^3 have been recommended in ***Schedule B.1*** of the RD for emission points A-1 and A-3 respectively.

As mentioned above the predicted odour emission from the proposed biofilter for the biological treatment facility (A-2) was not modelled. ***Schedule B.1*** recommends the equivalent controls for emission point A-2 that are recommended for emission point A-1 and notes that once emission point A-2 is operational that emission point A-1 shall be decommissioned.

7.2 Emissions to Sewer

There are no emissions to sewer from this installation.

7.3 Emissions to Surface Waters

There are no process emissions to surface water from this installation.

7.4 Storm Water Run-off

The Tinnaclash Stream flows adjacent to the site's eastern boundary and joins the Burren River approximately 125m downstream of the installation. The point at which the Tinnaclash Stream merges with the Burren River is not listed in the Salmonid Regulations[1]; however, the National Parks and Wildlife Service (NPWS) classifies this section of the Burren River as salmonid waters.

The *Burren Water Management Unit Action Plan* notes that the river currently holds a moderate status (Q3-4) and is at risk of not achieving good status. The overall objective for this river is to 'restore' by the extended deadline of 2021.

Storm water run-off from the roof of the waste transfer building runs to the paved area and to ground around the building. Storm water run-off from the paved areas of the site is collected and is discharged at location S-1 to the Tinnaclash Stream (See Appendix 1 for discharge location). Storm water from the roof of the biological treatment facility is collected in an underground water storage tank.

Water quality is monitored both upstream and downstream of the storm water discharge (S-1) at SW1 and SW2 on the Tinnaclash Stream (See Appendix 1 for monitoring locations). Monitoring results from ten sampling occasions across 2011, 2012 and 2013 were provided by the applicant for both surface water monitoring points. Overall the results of this monitoring were within the thresholds specified in the *European Communities Environmental Objectives (Surface Waters) Regulations 2009*, as amended. However, the parameter ammonia was noted to exceed the threshold value of ≤1.40 mg/l on three separate monitoring occasions at both SW1 and SW2. Two exceedances in the downstream location SW2 reflected exceedances upstream on the same date; however, one exceedance of 0.22 mg/l ammonia on the 2nd April 2013 was not reflected by an upstream exceedance. The next three monitoring occasions after this exceedance demonstrated that ammonia levels downstream of the storm water discharge were below the ≤1.40 mg/l threshold.

Condition 3.19 requires storm water from the yard areas to be collected and directed to a silt trap and an oil separator prior to discharge. **Condition 5.7** sets trigger levels on the storm water discharge to the Tinnaclash Stream. Trigger levels

[1] "Salmonid waters" means the waters specified in the first schedule of S.I. No. 293/1988 – European Communities (Quality of Salmonid Waters) Regulations, 1988.

are based on environmental quality standards for surface waters and will ensure that the discharge will not cause environmental pollution in the Tinnaclash Stream.

7.5 Emissions to ground/groundwater:

There are no direct or indirect process emissions to the ground.

All sanitary effluent produced at the installation is directed to a septic tank, the contents of which are tankered off site when required.

Currently the waste transfer building does not have a process effluent collection system. **Condition 3.11** requires infrastructure to be put in place to prevent discharge of process effluent into surface water drains.

Process effluent from the biological treatment processes is routinely reused in the process; however, on occasions where this is not possible it can be dispatched off-site as trade effluent for transfer to an approved wastewater treatment plant. **Condition 11.11** requires each consignment and its destination to be recorded.

Monitoring of groundwater from the on-site well was carried out in January 2012. Overall, results reflect the natural groundwater quality within the area and indicate that the installation has not had a significant impact on groundwater quality.

7.5.1 Baseline Report (Industrial Emissions Directive (2010/75/EC))

Tanks currently bulk-storing diesel fuel have been integrity tested and certified for use. These tanks are also bunded and this will minimise the risk of any diesel spill entering soil or groundwater.

As part of their baseline assessment the applicant committed to returning the site to its original greenfield, i.e. uncontaminated, condition upon closure and decommissioning.

7.6 Noise:

An assessment of noise was completed based on monitoring results from 2011, 2012 and 2013. Results which exceeded the limits recommended in ***Schedule B.4*** were noted and these were attributed to traffic noise. The main source of background noise at the installation is from traffic on the adjacent N80 national road.

The potential for noise impact at the installation was examined in the EIS and it is predicted that there will not be a significant noise impact on the local environment.

7.7 Wastes Generated:

It is a requirement of the RD that all wastes generated at the installation are sent off site to authorised facilities for disposal or recovery.

7.8 Nuisance:

Given the nature of the activities at the installation, there is potential for nuisance. The RD includes controls in relation to prevention and monitoring of nuisance.

8 Use of Resources

Gas oil, diesel and electricity are the three main forms of energy used at the installation.

The installation uses an on-site well for the office area's water needs. Roof water from the biological treatment facility is collected and this provides the water required for waste activities at the installation. Leachate from the biological treatment processes is reused within the process.

The RD requires an energy efficiency audit and an assessment of resource use efficiency.

9 Waste Management Plans

The Southern Region Waste Management Plan 2015 – 2021 states that its policy is to encourage the provision of:

- at least 40,000 tonnes of additional biological treatment capacity for the treatment of biowaste; and
- the development of private sector bring infrastructure.

In *A Resource Opportunity – Waste Management Policy in Ireland* (DECLG 2012) it is recognised that as the separate collection of organic waste increases nationally, there will be a need for adequate national infrastructure and capacity to recycle biodegradable waste.

10 Greenhouse Gas Emissions and Climate Change impact

The European Communities (Greenhouse Gas Emissions Trading) Regulations 2012 give further effect to the Emissions Trading Directive in Ireland. Biological treatment of biodegradable waste is not an activity listed in Schedule 1 of these Regulations and as such this activity will not require a Greenhouse Gas Emissions Permit.

With regard to reducing the climate impact of the installation under IED, the RD requires an energy efficiency audit and an assessment of resource use efficiency to be undertaken in accordance with **Condition 7**.

11 Prevention of Accidents and Cessation of Activity

11.1 Measures to be taken to present accidents and limit consequences

The application details a range of measures that will help to prevent accidents at the installation and limit their environmental consequences. These include:

- Separation of clean stormwater.
- Reuse of percolate in the biological treatment process.
- Provision of a computer controlled system to monitor biological treatment operations.
- Provision of a biofilter which is planned to be replaced and an additional biofilter installed.
- An Emergency and Incident Response Procedure.

Condition 9 of the RD requires a procedure to be put in place to prevent accidents, with an emphasis on preventing accidents with a possible impact on the environment and to respond to emergencies so as to minimise the impact on the environment. In addition, **condition 8.6** of the RD sets out a requirement to develop and maintain a waste storage plan, which limits the size of stockpiles and the quantity of waste be stored in designated areas.

11.2 Measures to be taken upon cessation

The application details a range of measures to be employed upon cessation of the activity and a closure plan was provided as follows:

- Waste and any treatment outputs to be removed off site and sent to an alternative facility for treatment;
- Decommissioning and decontamination of plant and machinery;
- Decontamination of buildings and outdoor areas;
- Dismantling and removal of the weighbridge;
- Emptying of the percolate/leachate tank and removal of contents to a WWTP; and
- Validation of closure supported by environmental monitoring.

Decommissioning and residuals management is addressed through **Condition 10** of the RD

12 Compliance with Directives/Regulations

The Recommended Determination takes account of the requirements of the following Directives/Regulations:

12.1 Waste Framework Directive [2008/98/EC]

The RD will be in accordance with the Directive for the following reasons:

- It will allow for more waste to move up the waste hierarchy as it increases the recovery of separately collected waste that might otherwise have been disposed of by landfill.
- The State is obliged to take appropriate measures to establish an integrated network of installations for the recovery of waste collected from private households and from other waste producers. The development of this installation will contribute to this overall national objective.
- It will contribute towards compliance with Article 22 of the Directive, whereby Member States must take measures to ensure the environmentally safe composting and digestion of bio-waste.
- It will contribute towards the general development of a sustainable and self-sufficient approach to the management of waste in accordance with the proximity principle.

12.2 Water Framework Directive [2000/60/EC]

European Communities Environmental Objectives (Surface Water) Regulations, S.I. No. 272 of 2009

European Communities Environmental Objectives (Ground Water) Regulations, S.I. No. 9 of 2010

A number of measures have been included in the RD to prevent any significant impact on water quality, as described above and presented in the RD.

12.3 EU Animal By-Products Regulation

The licensee will be obliged to comply with this Regulation and obtain the appropriate permits on an on-going basis from the Department of Agriculture, Food and the Marine to accept and treat animal by-products.

12.4 Environmental Liabilities Directive (2004/35/EC)

Condition 10 of the RD requires the licensee to prepare a Decommissioning Management Plan (DMP) and **Condition 12** requires the completion of an Environmental Liabilities Risk Assessment (ELRA) which addresses liabilities from past and present activities.

12.5 Habitats Directive (92/43/EC) & Birds Directive (79/409/EEC)

There are no discharges from the installation directly into any site designated under the E.U. Habitats or Birds Directives.

Table 2 – proximity of local designated sites.

Site Name	Code	Approx. Distance	Direction
Slaney River Valley	000781	6.4km	East
River Barrow & River Nore	002162	8.5km	West
Blackstairs Mountains	000770	11.5km	South

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects, is likely to have a significant effect on a European Site(s). In this context, particular attention was paid to the European sites at Slaney River Valley SAC (site code 000781), River Barrow and River Nore SAC (site code 002162) and Blackstairs Mountains SAC (site code 000770). The Agency considered, for the reasons set out below, that the activity is not directly connected with or necessary to the management of the sites as European sites and that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects will have a significant effect on a European site, and accordingly the Agency determined that an Appropriate Assessment of the activity was not required.

The Blackstairs Mountains SAC is over 11.5km upstream of the point at which the Tinnaclash Stream merges with the Burren River. The Slaney River Valley SAC is not connected to the waterbody adjacent to the installation. The River Barrow and River Nore SAC is located on the River Barrow. This SAC is approximately 0.5km from the point at which the River Burren flows into the River Barrow. This confluence is approximately 18km downstream from the point at which the Tinnaclash Stream merges with the Burren River. There are no process emissions to surface water from the installation.

The reasons for which the Agency determined that an Appropriate Assessment of the proposed activity is not required are as follows:

- The installation is not located within a European Site.
- The activity will not result in damage to, or loss of, habitat in a European Site.
- There will be no process discharge from the installation to the European

Sites.
- Storm water is the only proposed discharge to surface water from the installation.

It is therefore, considered that the installation will not give rise to any significant adverse impacts on the integrity of Natura 2000 site, alone or in combination with any other plan or project in the area. The buildings are already in existence and there will be no significant emissions from the site to land, water or air.

13 Environmental Impact Assessment Directive (85/337/EEC)

The following section identifies, describes and assesses the likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following factors: human beings, flora, fauna, soil, water, air, climate, the landscape, material assets and cultural heritage.

The main mitigation measures proposed to address the range of predicted significant impacts arising from the activity have also been outlined. The cumulative impacts with other developments in the vicinity of the activity have also been considered, as regards the impacts of emissions from the activities. This section must be read in conjunction with the analysis carried out in all sections of this report.

13.1 Assessment of effects

13(a) Human Beings

Likely significant effect	Description of effect	Assessment addressed in section:
Socio-Economic	No significant negative impact predicted. Positive effect in terms of provision of direct and indirect employment.	13(a)(i)
Traffic	Traffic and its associated emissions, risks and disamenity effects.	13(a)(ii)
Impact on air quality	Emissions of dust and odour.	13(e)(i)
Noise	Disamenity from noise emissions due to licensed activities.	13(a)(iii)
Accidents	Emissions to the local atmosphere, ground and water bodies. Noise, odour and litter nuisance.	13(a)(iv)

Assessment of Effects on Human Beings

13(a)(i) Socio-Economic

The proposed development will have a positive impact on the local community in the creation of employment at the installation.

Local people might not be fully aware of operations at the installation.

Mitigation Measures

The RD requires a public awareness and communications programme.

Conclusion

I am satisfied that the likelihood of a negative socio-economic impact as a result of the installation is negligible.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(a)(ii) Traffic

An increased volume of traffic will be associated with the increase in waste acceptance and the dispatch of associated process outputs at the installation. It has been estimated that an average of 13 vehicles will enter the installation daily. This is likely to create noise and possibly dust nuisance and potentially the escape of waste material onto roadways. There is also a risk of dirty vehicles tracking dirt from the installation onto the public road.

Mitigation Measures

The following measures will reduce the likelihood of a negative impact from traffic:

- **Condition 3.8** provides for wheel cleaning to be undertaken on all vehicles leaving the installation, to ensure no wastewater, waste or storm water is carried offsite.
- **Condition 6.14.1** provides for the controls on the roads in the vicinity of the installation in terms of debris caused by vehicles entering or leaving the installation.
- Planning permission (Ref 14/251) for the activity includes provisions for traffic safety.

Conclusion

Based on the above assessment and the mitigation measures in place, I am satisfied that the likelihood of a negative impact as a result of traffic connected with the installation is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(a)(iii) *Noise*

There will be vehicles, mechanical sorting equipment, pumps, and other equipment in operation at the installation, all with the potential for noise

emissions. The noise impact assessment completed by the applicant predicted that due to existing background noise levels caused primarily by the surrounding road network, a significant increase in ambient noise level is not predicted and at the nearest sensitive receptors ambient noise will not significantly deviate from the current background daytime noise levels.

Mitigation Measures

The RD requires the licensee to carry out an annual noise survey. ***Schedule B.4*** *Noise Emissions* of the RD includes limit values for emissions during day, evening and night time hours. The noise emission limit value during daytime hours is 55dB $L_{Ar,T,\ 30\ min}$.

Conclusion

Based on the assessment carried out and the mitigation measures in place, I am satisfied that the likelihood of a negative impact as a result of noise emissions connected with the installation is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(a)(iv) *Accidents*

An accident such as spillage of sludges at the installation could have an adverse effect on water quality due to the high BOD of the sludge. As discussed in section 13.1, there are a range of measures planned that will help to prevent accidents at the installation and limit their environmental consequences.

Mitigation measures

The following mitigation measures will reduce the likelihood of adverse environmental consequences from accidents:

- **Condition 3.17.6** requires liquid waste to be stored in sealed tanks.
- Provision of a computerised system to monitor biological treatment operations.
- Development of an Emergency Response Plan.
- The RD requires procedures to be put in place to prevent accidents, with an emphasis on preventing accidents with a possible impact on the environment and to respond to emergencies so as to minimise the impact on the environment.

Conclusion

Based on the mitigation measures in place, I am satisfied that the likelihood of a major accident connected with the installation is low.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental

emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(b) Flora and Fauna

Likely significant effect	Description of effect	Assessment addressed in section:
Impact on any flora and fauna in the area.	Development of the concrete surfaces of the installation. Discharge of rain water run-off to land drain.	13(b)(i)
Accidents	Emissions to the local atmosphere, ground and water bodies. Noise, odour and litter nuisance.	13(a)(iv)

Assessment of Effects on Flora and Fauna

13(b)(i) *Flora and fauna.*

The flora and fauna at the site are limited as the majority of the area is already developed to some extent.

The presence of food waste at the installation could attract pests and vermin.

It has been determined that this installation does not have the potential for significant effects on any European site due to rain water run-off being the only discharge to surface water from the installation and its distance to European sites.

Mitigation Measures

The RD requires that the acceptance, inspection and storage of waste for biological treatment is indoors. The RD requires waste to be stored in designated areas, protected against spillage and leachate run-off.

The RD requires that vermin associated with the activity do not result in the impairment of the environment at the installation. A daily inspection of the installation is also required for the detection of nuisances caused by vermin.

The RD requires the treatment of yard run-off prior to discharge.

Conclusion

Based on the ecological assessment carried out and the mitigation measures in place, I am satisfied that the likelihood of a negative impact on flora and fauna is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(c) Soil

Likely significant effect	Description of effect	Assessment addressed in section:
Impact on soil.	Accidental spillage or discharge to ground.	13(c)(i)
Accidents.	Emissions to the local atmosphere, ground and water bodies.	13(a)(iv)

Assessment of Effects on Soil

13(c)(i) *Soil*

Operations at the installation could have an impact on soil due to the potential for spillage of waste or other substances.

An assessment of the potential impact on soils, geology and hydrogeology in the vicinity of the site concluded that the impacts from the operation of the proposed activity are considered to be low-negligible.

Mitigation Measures

The RD includes requirements for safe storage and handling of wastes, fuels and materials.

The RD requires an accident prevention policy and emergency response procedure.

The RD requires that the septic tank meets the criteria set out in EPA guidance to prevent any accidental discharges to ground.

Conclusion

Based on the assessment carried out and the mitigation measures in place, I am satisfied that the likelihood of a negative impact on soil is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(d) Water

Likely significant effect	Description of effect	Assessment addressed in section:
Impact on surface water.	Discharge of rain water run-off to a nearby stream.	13(d)(i)
Impact on groundwater.	Contamination of groundwater due to accidental spillage or discharge to	13(d)(i)

	ground.	
Accidents	Emissions to the local atmosphere, ground and water bodies.	13(a)(iv)

Assessment of Effects on Water

13(d)(i) *Surface water and groundwater*

There are no process emissions to surface water or groundwater.

Rainwater on hardstanding areas may become contaminated prior to discharge. Spillages or deposited material on unsealed ground could result in contaminated water percolating to ground causing groundwater pollution.

Mitigation Measures

Rain water run-off will pass through an oil interceptor and silt trap prior to discharge to stream.

The RD requires control and monitoring of yard run-off and monitoring of water in the stream to which it discharges.

The RD requires impermeable concrete surfaces to be maintained in all areas of the installation used for the movement, holding, storage or processing of waste. The RD requires the capture of all run-off from hardstanding areas.

All waste storage and treatment will be indoors.

The RD requires all tanks to be rendered impervious to their contents and to be bunded.

The RD prohibits any direct emission to ground or groundwater.

See also section 13(c), Soil.

Conclusion

Based on the nature of the discharge and the mitigation measures in place, I am satisfied that the likelihood of a negative impact on surface water and groundwater is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(e) Air

Likely significant effect	Description of effect	Assessment addressed in section:
Impact on air.	Emissions of dust and odour.	13(e)(i)
Accidents	Emissions to the local atmosphere, ground and water bodies.	13(a)(iv)

	Noise, odour and litter nuisance.	

13(e)(i) *Impact on Air Quality*

As explained in section 7.1 above, the odour modelling demonstrated that there would be no significant environmental impact as a result of emissions to air at the installation.

Mitigation Measures

The RD requires:

- incoming waste and feedstock to be stored in a manner that prevents nuisance;
- all waste storage and treatment to be carried out inside a building or in an appropriately enclosed or covered area;
- the installation of an odour management system; and
- ***Schedule B.1*** *Emissions to Air* of the RD includes limit values for emissions from all scheduled emission points.

Conclusion

Based on the modelling carried out and the mitigation measures in place, I am satisfied that the likelihood of a negative impact as a result of emissions to air connected with the installation is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(f) Climate

Likely significant effect	**Description of effect**	**Assessment addressed in section:**
Release of climate altering substances.	Emission of greenhouse gases.	10(f)(i)

Assessment of Effects on Climate

13(f)(i) *Release of climate altering substances*

Composting and biostabilisation of waste does not result in a net increase in CO_2 emissions as decomposition would occur naturally anyway.

Composting reduces the amount of waste going to landfill and the amount of methane gas that would be produced.

Biostabilisation of waste reduces the amount of gas produced by waste going to landfill.

Mitigation Measures

The following mitigation measures will further minimise the adverse climate impacts of the licensed activity at the installation:

- The RD includes a requirement to establish, implement and maintain an environmental management system that will incorporate energy efficiency management.
- The RD provides for a maintenance programme which requires the optimisation of energy efficiency in plant and equipment.

Conclusion

Based on the nature of the activity and the mitigation measures in place, I am satisfied that the likelihood of a negative impact on climate as a result of emissions from the installation is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(g) Landscape, Material Assests and Cultural Heritage

Likely significant effect	**Description of effect**	**Assessment addressed in section:**
Visual impact on nature of landscape.	The installation will be located in a rural area and create an undesirable visual impact.	13(g)(i)
Impact on material assets and cultural heritage.	Potential for impact on archaeological artefacts. Potential for nuisance impact.	13(g)(ii)

Assessment of Effects on Landscape, Material Assests and Cultural Heritage.

13(g)(i) *Visual impact on nature of landscape.*

A landscape and visual impact assessment was carried out and it was concluded that the landscape of the area will not change as a result of the proposed development and it will not create a significant landscape and visual impact on the existing environment.

Mitigation Measures

The EIS stated that the site itself is screened due to extensive planting of trees and bushes.

Schedule 2, Conditions 8 and 9 of the grant of permission issued by Carlow County Council specifies the landscaping requirements for the installation.

Conclusion

Based on the proposed mitigation measures, I am satisfied that the likelihood of a negative visual impact as a result of the installation's presence is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause

environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(g)(ii) *Material assets and cultural heritage.*

An assessment of material assets which includes land, local settlement, property value, and road network concluded that the development will not result in any significant environmental impacts.

A cultural heritage impact assessment was carried out and it was concluded that there will not be any negative impact as a result of the development as: (i) there is no ground works proposed at the site, (ii) no known sites of archaeological interest are located in the environs of the site, and (iii) no structures of architectural interest are located within the boundaries of the site.

Mitigation Measures

No mitigation measures have been proposed.

The RD requires nuisance monitoring. This requirement should ensure residential quality in the area is maintained.

Conclusion

Based on the proposed mitigation measures in place, I am satisfied that the likelihood of a negative impact on material assets and cultural heritage is not significant.

Accordingly, if the activities are carried out in accordance with the RD and the conditions attached, the operation of the activities will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13(h) Interaction of effects

I have considered the interaction between the factors referred to in Tables 13 (a) to (g) above and the interaction of the likely effects identified.

The interaction between factors as a results of the operation of the installation are summarised below:

	Human beings	**Flora and fauna**	**Soil**	**Water**	**Air**	**Climate**	**Material assets, landscape and cultural heritage**
Human beings		√	√	√	√	√	√
Flora and fauna	√		√	√	√		√

Soil	√						√
Water	√	√	√				√
Air	√	√					
Climate	√						
Material assets, landscape and cultural heritage	√	√					

Based on the assessment in parts 13 (a) to (g) above, and the mitigation measures proposed (including the relevant conditions in the licence), I do not consider that the interactions identified are likely to cause or exacerbate any potentially significant environmental effects of the activity.

13.2 Reasoned Conclusion on Environmental Impact Assessment

Having regard to the impacts (and interactions) identified, described and assessed above, I consider that the mitigation measures proposed will enable the activity to operate without causing environmental pollution. I also consider that the potential impacts on the environment identified above, even if they occur, are unlikely to damage the environment as a whole, and the risk of them occurring is not unacceptable.

14 Fit & Proper Person Assessment

The 'fit and proper person' assessment requires three areas of examination:

(i) Technical Ability

The facility manager is appropriately qualified and experienced with regard to his technical ability to carry out the proposed waste activities.

(ii) Legal Standing

The applicant, O'Toole Composting Limited, has never been convicted of any relevant offence.

(iii) Financial Standing

A Closure, Restoration and Aftercare Management Plan (CRAMP), an Environmental Liabilities Risk Assessment (ELRA) and a quantification of financial provision was provided by the applicant in September 2013. The Agency's *Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision*, EPA 2006, was followed in the preparation of the report.

In relation to the CRAMP, the following deficiencies in the submitted document were identified:

- The decommissioning costs identified do not take into consideration the current use of the biological treatment facility for the treatment of MSW.

- There is no provision for security during the CRAMP period.
- The costs have not been adjusted for inflation.

Condition 10.2.1 of the RD requires a decommissioning and closure plan to be agreed by the Agency within three months of the date of grant of licence.

The ELRA addressed those costs not identified in the CRAMP which could potentially arise in the event of incidents or accidents. **Condition 12.2.2** of the RD requires the submission of a revised ELRA within three months of the date of grant of licence.

The applicant has proposed that financial provision will be required, quantified as follows:

Known liability	CRAMP	€237,500.	Self-financing.
Unknown liability	ELRA	€425,000. (worst case scenario)	Environmental pollution liability insurance with indemnity over €500,000 to cover the cost of unexpected pollution.

No financial instrument for financing the CRAMP was proposed by the applicant. **Condition 12.2.3** of the RD requires the making of a financial provision that is agreeable to the Agency within six months of the date of grant of licence.

It is my view, and having regard to the Conditions of the RD, that the applicant can be deemed a Fit & Proper Person for the purpose of this licence.

15 Cross Office Liaison

In preparing this report and Recommended Determination, I consulted with Pamela McDonnell, technical and sectoral advisor for matters related to Environmental Impact Assessment.

The Office of Environmental Enforcement (OEE) completed site visits on the 29th January 2015 and the 5th March 2015 and associated Site Visit Report Reference Numbers OTC SM01RC and No. OTC SM02RC respectively.

The OEE first visited the installation to observe the waste types accepted and to get an overview of the waste treatment at the installation as some queries existed in relation to the classification of the installation's biological treatment waste outputs. During the first visit concerns were raised around housekeeping and the cleanliness of the biological treatment facility, air extraction within the maturation area, odour control, the quality of waste being accepted for biostabilisation and the associated treated outputs, noise from an external fan and the discovery of a dead rat in the maturation building.

On the second visit an improvement in the cleanliness and odour of the biological treatment facility was noted.

The requirements of the conditions and schedules of the RD are sufficient to ensure the above issues are corrected and prevented from reoccurring.

16 Recommended Determination (RD)

The RD will authorise the operation of a waste transfer station, a civic amenity facilty and a biological treatment facility. The RD specifies a number of mitigation measures

and emissions limit values to give effect to the requirements of the IED Directive and national legislation for the protection of air, water and soil quality. The RD has regard to submissions made and was prepared in consultation with sectoral expert as detailed above.

17 Charges

The annual charge proposed in the RD is €9,477, which is considered appropriate to cover the costs of enforcement of the RD.

18 Recommendation

Having regard to the requirements of Section 85(5) of the EPA Act 1992 as amended, I recommend that a Proposed Determination be issued subject to the conditions and for the reasons as drafted in the RD.

Signed

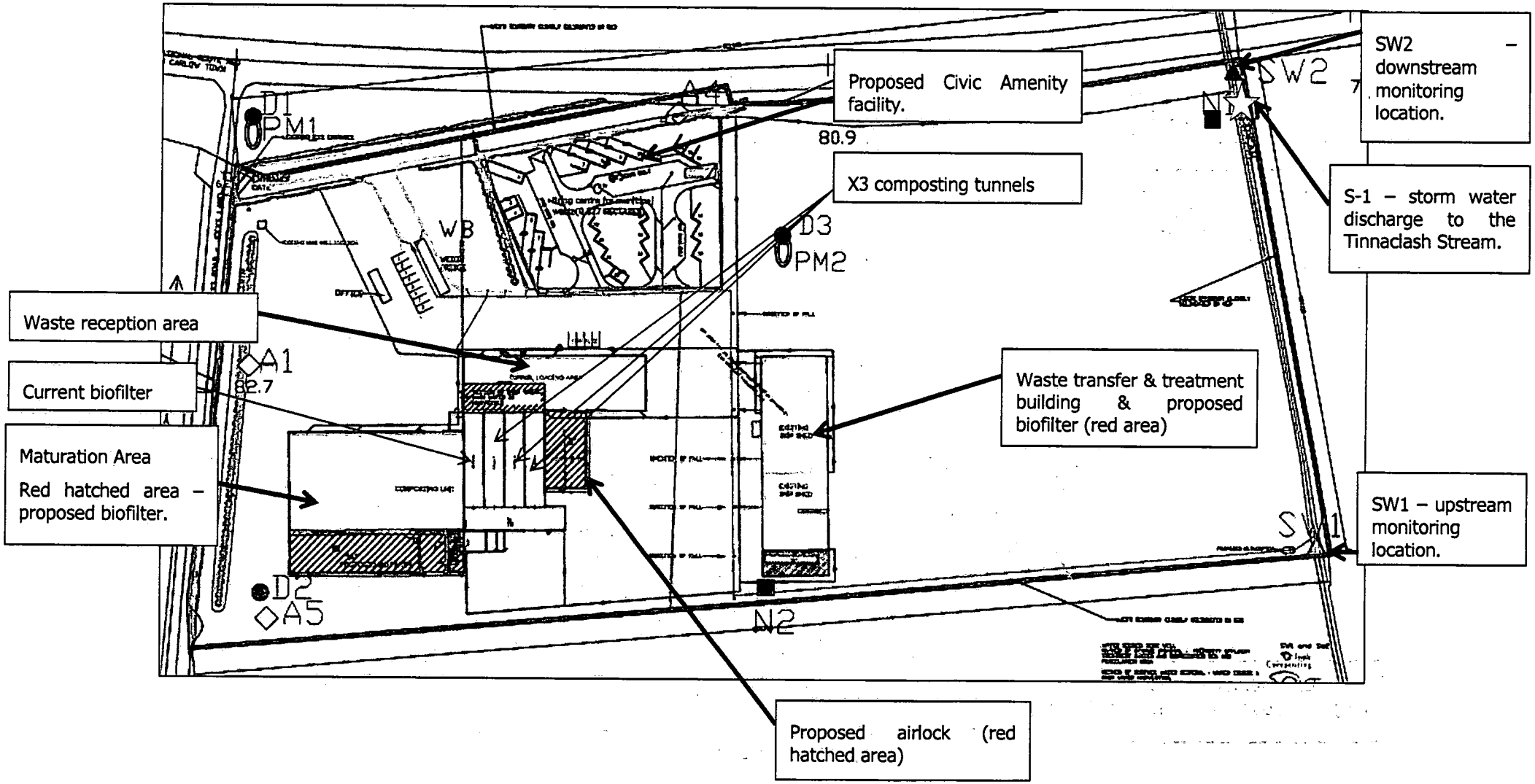
Caroline Murphy

Caroline Murphy
Inspector
Environmental Licensing Programme

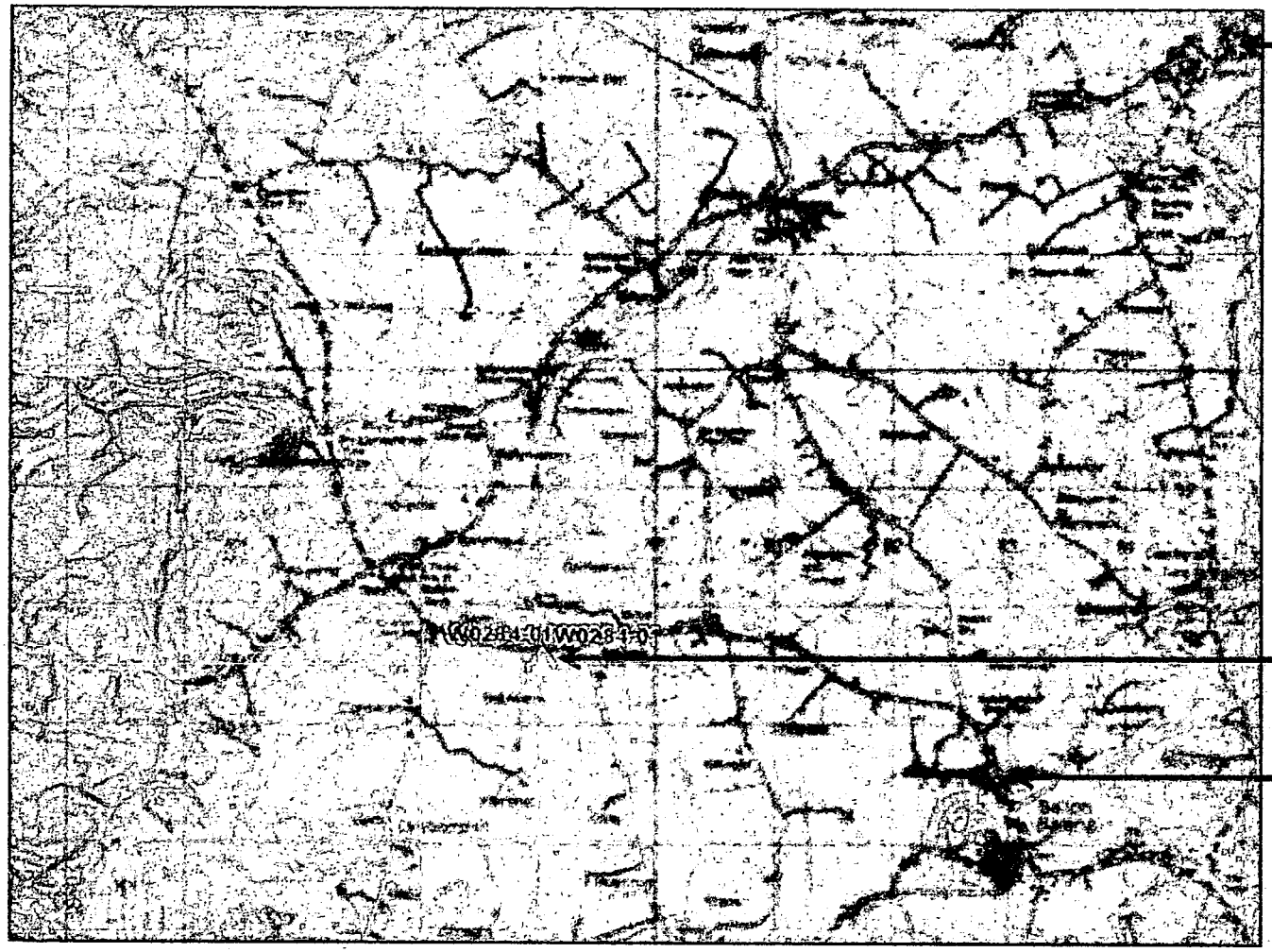
Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 87(4) of the Environmental Protection Agency Acts 1992 and 2013 as soon as may be after the expiration of the appropriate period.

Appendix 1 – Installation Layout Plan.



Installation Location Plan



Tullow – approx. 11km from the installation.

O'Toole Composting Limited.

Ballon – approx. 5km from the facility.