

Attachment L.1. Section 40(4) WMA

An Appropriate Assessment Screening Report was prepared by Glas Ecology in January 2015 and is included in Attachment B.3.1.

Section 40(4) of the WMA lists the criteria that the applicant and the facility must meet in order to be considered suitable to receive a waste licence. These criteria are listed below with the applicant's comments in blue beneath each one.

(a) any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment,

The expected emissions from the site have been assessed in Sections E and I of this application and it is clear that they will not contravene any standard or emission limit value set in Irish or EU legislation. The materials processed at the site pose little risk of environmental pollution.

Air emissions from the processes on site will be restricted to minor fugitive emissions of dust and / or odours and these have been fully assessed with the conclusion that they will not breach any relevant standards.

There will be no contaminated emissions to the water environment as any potentially contaminated water will be directed to the foul sewer system and will be treated appropriately at the local waste water treatment plant.

Unexpected emissions due to incidents on site have also been assessed in this application (Section J). Firewater will be retained on site and directed to appropriate treatment. There will be no diesel tanks or other bulk storage tanks containing hazardous or dangerous materials stored on site, so the risk of breaching standards due to unexpected incidents is considered to be low.

(b) the activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,

We expect the conditions of the licence to be similar to the existing permit conditions and similar to the conditions included in the previous licence issued for the Forge Hill site. There is no reason why the site cannot operate in full compliance with the new licence and as stated above, the materials processed on site pose little risk of environmental pollution.

(bb) if the activity concerned involves the landfill of waste, the activity, carried on in accordance with such conditions as may be attached to the licence, will comply with Council Directive 1999/31/EC on the landfill of waste,

Not applicable.

(c) the best available technology not entailing excessive costs best available techniques will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,

The operator is installing the best available technology for processing the mixed dry recyclables at the facility. Emission control technology includes concrete containment, good quality fit for purpose hydrocarbon interceptors and sediment containment. The levels of

dust and odour predicted at the site are not high enough to warrant the installation of air collection and treatment technology.

(cc) the activity concerned is consistent with the objectives of the relevant waste management plan or the hazardous waste management plan, as the case may be, and will not prejudice measures taken or to be taken by the relevant local authority or authorities for the purpose of the implementation of any such plan,

The facility is located in the Southern Region. The development is consistent with the objectives of the Southern Region Waste Management Plan (2015 to 2021) and will assist with one of the three main targets of the Plan, i.e.:

“Achieve a Recycling Rate of 50% of Managed Municipal waste by 2020.”

(d) if the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,

Forge Hill Recycling Ltd is a new company, but is a sister company of KWD Recycling and the facility will be operated by key personnel from that organisation. These key personnel have the relevant technical competence to operate the facility in an environmentally sound manner (See Section C and Attachment C.1 for more detail).

Neither FHR, KWD or any related companies have been convicted of environmental offences under the Waste Management Act or other relevant legislation.

The Financial Provisions required to cover expected or unexpected environmental liability costs at the site have been independently assessed by SLR Consulting and FHR proposes to cover those potential costs by agreement with the EPA (See Attachments J, K and L.2 for more details).

(e) the applicant has complied with any requirements under section 53.

As mentioned above and detailed in Attachments J, K and L.2, the applicant will put adequate financial provision in place to cover the costs of potential environmental liabilities at the site. ELRA costs will be covered by insurance and CDP costs will be covered in a manner acceptable to the Agency.

(f) energy will be used efficiently in the carrying on of the activity concerned,

The operator intends to use energy efficiently at the site as detailed in Attachment G.2 and in the EMS provided in Attachment C.2. There are also significant energy savings associated with using the recycled product from the facility as secondary raw materials replacing primary raw materials such as metal ores, hydrocarbon oils and timber.

(g) any noise from the activity concerned will comply with, or will not result in the contravention of, any regulations under section 106 of the Act of 1992,

A full assessment of potential noise from the facility has been carried out by AWN and is included in Attachment I.6.1. The noise report was developed with detailed consideration of the content of the Environmental Protection Agency (EPA) document “Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)”.

The AWN report concluded that site operations will comply with relevant limits including NG4 limits.

(h) necessary measures will be taken to prevent accidents in the carrying on of the activity concerned and, where an accident occurs, to limit its consequences for the environment,

FHR will operate an EMS at the facility as detailed in Attachment C.2. This includes the following procedures that will prevent accidents or limit their impact on the environment:

- EP04 Waste Rejection or Quarantine Procedure
- EP07 Corrective & prevention Action Procedure
- EP08 Environmental Training Procedure
- EP09 Emergency Response Procedure (incorporating Accident Prevention Procedure).
- EP18 Oil Spill Clean-Up Procedure

(i) necessary measures will be taken upon the permanent cessation of the activity concerned (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to a satisfactory state,

Attachment K contains a Closure and Decommissioning Plan for the Forge Hill site prepared by SLR Consulting in May 2016. The potential environmental liabilities resulting from an unforeseen closure of the facility are quite low as the site will process materials that have a positive value after processing. FHR will put money aside in a manner agreeable to the Agency to cover these potential costs.

(j) the intended method of treatment is acceptable from the point of view of environmental protection, in particular when the method is not in accordance with section 32(1).

FHR intends to use state of the art treatment methods to separate the mixed dry recyclables into paper, card, plastic bottles, plastic film, aluminium cans, steel cans, tetra-pak cartons, etc. The technologies involved are well established in Ireland and across the EU and are deemed to be best practice for the intended purpose.

The containment measures to manage trade effluent are also best practice for waste facilities, whereby clean uncontaminated water is discharge to the surface water environment via a suitable hydrocarbon interceptor and silt trap, whilst any potentially contaminated water is directed to foul sewer via a suitable hydrocarbon interceptor.

Further details of the infrastructure on site and the facility operations are provided in Section D of this application.

In relation to BAT, the applicant will conform with Annex IV of Council Directive 96/61/EC as follows:

1. The use of low waste technology.

The operator will use state of the art technology to achieve maximum recycling levels and minimum rejects from the incoming mixed dry recyclables.

2. The use of less hazardous substances.

The operator will minimise the use of hazardous substances. These would be limited to fuel and maintenance as the site processes do not use or generate hazardous substances. Any household hazardous materials found in the incoming waste will be quarantined and sent off-site for appropriate recovery or disposal.

3. The furthering of recovery and recycling of substances generated and used in the process and of waste where appropriate.

The facility is designed to maximise recycling and where materials cannot be recycled, they will be recovered, where possible.

4. Comparable processes, facilities or methods of operation which have been tried with success on an industrial scale.

All the plant and processes that will be employed at Forge Hill are tried and tested at other state of the art MRFs.

5. Technological advances and changes in scientific knowledge and understanding.

The operator will keep abreast of technological advances in the segregation of recyclables and employ new technologies if and when appropriate. The operator has a history of incorporating such technological advances at the Aughacurreen, Killarney facility.

6. The Nature, effects and volume of the emissions concerned.

Emissions from the facility will be minor and fully controlled as described in detail in a number of sections of this application.

7. The commissioning dates for new or existing installations.

The development is needed urgently to serve the Southern Region due to current capacity issues at KWD's facility in Killarney, so the commissioning date will be as soon as possible.

8. The length of time needed to introduce the best available technique.

As this is a new facility, this is not an issue. Best available techniques will be introduced from the beginning.

9. The consumption and nature of raw materials (including water) used in the process and their energy efficiency.

Water use will be minor as wash-down is not necessary for dry recyclable processing. Floor sweeping is more appropriate at such facilities. Fuels will be minimised by efficient operations processing large volumes. The raw materials are waste by nature and will be turned into secondary raw materials after processing.

10. The need to prevent or reduce to a minimum the overall impact of the emissions on the environment and the risks to it.

The facility is designed in a way that minimises the impact of the site activities on the local environment. In addition, the facility offers a global environmental gain, as the secondary raw materials produced at the facility will replace primary raw materials such as wood, hydrocarbon oils and metal ores. The environmental impact of producing those primary or virgin raw materials is much greater, so there will be an environmental gain associated with the development.

11. The need to prevent accidents and to minimize the consequences for the environment.

The operator will use an Environmental Management System that will minimise the risk of environmental pollution from accidents. This is detailed elsewhere in this application.

12. The information published by the Commission pursuant to Article 16(2) or by international organizations.

The facility will conform with BAT Guidance Notes for the Waste Sector, both National and EU level, as relevant to the site activities.

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Attachment L.2. Fit and Proper Person

We consider that Forge Hill Recycling Ltd and the key employees meet all the criteria to be considered 'Fit and Proper' to hold a waste licence. The responses to the relevant criteria are presented in blue below.

- Indicate whether the applicant or other relevant person has been convicted under the Waste Management Act 1996, as amended, the EPA Act 1992, as amended, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.

Neither Forge Hill Recycling Ltd or KWD Recycling or any of the key staff members have been convicted of offences under the Waste Management Act, the EPA Act, the Water Pollution Acts, the Air Pollution Act or any other environmental legislation.

- Provide details of the applicant's technical knowledge and/or qualifications, along with that of other relevant employees (Link to Section C.1 of the application).

Forge Hill Recycling Ltd is a new company, but is a sister company of KWD and as such, it relies on the experience and technical competence of KWD's key employees, such as Sean Murphy, Brian Bruton and Niall Jordan, all of whom will have key roles in the operations at the Forge Hill site. KWD has been processing mixed dry recyclables at the Aughacurreen (Killarney) licensed site for many years and these key staff members have more than adequate experience and expertise to operate the Forge Hill site the highest technical and environmental standards. Please see Section C.1 and Attachment C.1 for more information on the relevant experience of key employee's.

- Provide information to show that the person is likely to be in a position to meet any financial commitments or liabilities that may have been or will be entered into or incurred in carrying on the activity to which the application relates or in consequence of ceasing to carry out that activity (Link to Section K of the application).

Potential environmental liabilities that could occur at the Forge Hill site have been identified in two independent reports carried out by SLR Consulting, as follows:

- Environmental Liabilities Risk Assessment (see Attachment J) which identified a worst case risk of €170,478. FHR will cover this risk by way of specific inclusion in the company's insurance policy.
- Closure and Decommissioning Plan (see Attachment K) which identified an expected liability of €24,550 to cover closure and decommissioning costs. FHR will cover this risk by setting aside that amount on the company's balance sheet or by another mechanism agreed with the EPA.

The amount of financial provision identified in SLR's independent analyses is relatively small due to two important factors:

- (i) There will be no bulk storage of diesel or other hydrocarbon tanks on site.

- (ii) Most of the materials processed on site have a positive value when stored after processing. Only small quantities of mixed dry recyclables will be stored prior to processing.

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Attachment L.3. Waste Hierarchy

In accordance with article 12(1)(v) of the Waste Management (Licensing) Regulations, 2004, as amended, describe in **Attachment L.3** how the waste hierarchy is applied in or by the proposed activity.

The facility is designed to process up to 82,000 tonnes of mixed dry recyclables per annum, mostly from household kerbside sources. KWD and other companies that will supply materials to the plant will charge per kilo for residual waste and brown bin waste, so waste prevention is encouraged at source and householders are financially incentivised to put dry recyclables into the correct bin, moving these materials up the waste hierarchy and away from disposal.

Mixed dry recyclables typically contain contaminants that are unsuitable for recycling and are rejected by the segregation processes in Materials Recovery Facilities. FHR plans to send these rejects to a recovery process such as SRF production. Some of these materials may only be fit for landfill disposal, but the quantity sent for disposal will be minimised by the site operator.

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Attachment L.4. Principles of Self-Sufficiency and Proximity

The Forge Hill MRF will help the Southern Region and the Irish State become more self-sufficient with regard to segregation of recyclable wastes and will facilitate proximal treatment of mixed dry recyclables collected in Cork City and neighbouring counties. Currently, there is no licensed dry recyclable processing facility in Cork processing household kerbside dry recyclables and these materials are mostly sent to Killarney and Carrick-on-Suir for processing. As Cork City is the second largest city in the Republic of Ireland, it is clear that the development of the Forge Hill MRF will be consistent with the proximity principle.

The markets for paper, plastics and metals are international by their nature as processors need very large volumes to maintain competitiveness. There are currently no paper mills or metal smelters in Ireland, but there are some plastics reprocessing facilities. FHR will endeavour to sell their products to processing facilities in Ireland to the maximum extent to encourage self-sufficiency for recycling, with the proviso that such facilities offer competitive rates for the materials segregated at Forge Hill.

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