

From: Brian Moylan [<mailto:bmoylan@oxigen.ie>]
Sent: 13 May 2016 15:32
To: Michelle Reddy
Cc: Aidan Doyle; John Clune; Maria Byrne; Wexford Receptionist
Subject: PROPOSED TECHNICAL AMENDMENT TO LICENCE REG NO.'S W0208-01 / W0152-03 / W0144-01

Re : Ballymount Licence Ref : W0208-01
Robinhood Licence Ref : W0152-03
Coe's Road Licence Ref : W0144-01

Dear Ms. Reddy

Please find attached our submissions in response to the Agencies proposed technical amendment in connect with the above reference Licences

As confirmed by the Agency at meeting held dated 5th May 2016 , the date for Licensee submissions was extended to Friday 13th May 2016.

We trust you find the attached in order and will have regard to our comments to amend the draft conditions noted in the Agencies letter dated 12th April 2016

regards

Brian Moylan
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Oxygen Environmental, Merrywell Industrial Estate, Ballymount Road Lower, Dublin 22.



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13th May 2016

Ms. Michelle Reddy,
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Re: **Proposed Technical Amendment to Licence Reg. No. W0208-01**

Dear Ms. Reddy,

We refer to the letter received from the Agency dated 12th April 2016 in relation to a notice to the licensee confirming that the Agency propose to amend the Licence granted to Oxygen Environmental in respect of the installation located at Ballymount Industrial Estate, Ballymount Road Lower, Clondalkin, Dublin 22 (Licence Ref : W0208-01) ; in accordance with section 96(1) of the Environmental Protection Agency Act 1992 as amended, and is minded to insert the conditions detailed in Appendix I of the letter received, in order to bring the Licence into line with the Agency's current *modus operandi* for addressing fire risk at Waste Transfer Stations:

Following the recent IWMA meeting held with the Agency dated 5th May 2016, where a number of IWMA members attended this meeting to discuss and clarify this proposal with the Agency, we now wish to submit the following comments to the Agency addressing each condition as per attached Appendix document.

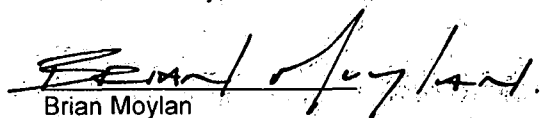
We wish to note that Oxygen Environmental are in full support of the Agency proposing a technical amendment to all waste licenced facilities to address the potential fire risk, be that, a Waste Licensed facility or I.E.D License facility, where waste activities are being carried out. We do note that the Agencies proposal to carry out this immediate proposed technical amendment to a selected 25 no. waste licensed facilities and would request that the Agency confirm that this proposal is to be completed for all licensed facilities in the immediate future.

We would request that the Agency issue a technical amendment to all waste licensed facilities to ensure a complete level playing field to ensure an Industry standard for the permitted storage sizes & period of all various waste types being stored at installations. This should be standardised for all waste facilities and licence conditions amended accordingly through this proposed technical amendment.

We trust the Agency will have regard to our comments and amend the proposed draft conditions where appropriate before finalizing and issuing a technical amendment to the Ballymount Licence ref: W0208-01.

I trust the above and attached are satisfactory. Should any further queries arise please do not hesitate to contact me.

Yours sincerely,


Brian Moylan

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Condition <<XX>>. Materials Handling

<<X.1>> Waste Storage

<<X.1.1>> Unless otherwise agreed by the Agency, the maximum quantity of waste stored at the installation at any one time shall be restricted by the Waste Storage Plan as required under Condition X.1:1

Comment :
Noted.

<<X.1>> Waste Storage Plan

<<X.1.1>> The licensee shall within six months of the date of this amendment, establish, maintain and implement a Waste Storage Plan for all waste stored at the installation.

Comment :
As noted at the meeting held with the Agency, we request that the Agency amend this condition as follows :

The licensee shall within six months of the date of this amendment, establish a Waste Storage Plan for all waste stored at the installation and this shall be further implemented at the installation following a further six month period

This transitional period also needs to factor in the date for which the " Guidance on Fire Risk Assessment " is to be published by the Agency, to ensure that the waste storage plan takes into consideration the recommendations of the Fire Risk Assessment to be completed which can only commence once these Guidance are published to ensure all guidance notes are accommodated.

<<X.1.2>> The Waste Storage Plan shall be adequate to ensure compliance with all conditions of this license.

Comment :
Noted.

<<X.1.3>> The Waste Storage Plan shall be to the satisfaction of the Agency at all times.

Comment :
Noted.

<<X.1.4>>

The Waste Storage Plan shall incorporate:

- The recommendations of the Fire Risk Assessment required by Condition <<XX>> of this license;

Comment :

We do note that the Agency confirmed that the Agency is in the process in publishing guidance on Fire Risk Assessment

It would be useful that these Guidance notes are issue before any licensee commences with preparing the necessary Fire Risk Assessment:

- a limit on the total quantity of waste to be stored at the installation at any one time;

Comment :

Noted.

- maximum stockpile sizes in designated storage areas including maximum volume, height, length, width and area, and minimum separation distances;

Comment :

Noted.

- a limit on the maximum storage or holding period for each type of waste in designated storage areas;

Comment :

We do wish to note that there should be industry standard for the storage period of all various waste types being stored at installations. This should be standardised for all waste facilities and licence conditions amended accordingly through this technical amendment proposed.

- limitations, as may be necessary, on waste storage arrangements to be used during warm weather to prevent odours arising;

Comment :

Noted and would suggest changing " Odour arising " to " Odour nuisance ".

- a drawing plan of the location of each waste type and the means of storage for each waste type (e.g. as loose waste, baled, in sealed containers);

Comment :

Noted.

- details of the drainage system super-imposed on the above drawing or plan; and

Comment :
Noted.

- a designated fire quarantine area

Comment :
As noted at the meeting held with the Agency, we request that the Agency clarify what the designated fire quarantine is to comprise of and what this area is to be used for ?

<<X.1.5>> Waste storage practises at the installation shall comply with the Waste Storage Plan at all times

Comment :
Noted.

<<X.1.6>> Where bales of waste are stored, the licensee shall maintain and implement a bale identity and tracking system. Each bale shall be labelled with:

- its date of production
- its content and LoW code; and
- the name of the facility where the bale was produced and its license register number (<<Reg.No.>>).

Comment :
This should be only relevant to wrapped bales of RDF / SRF and not specific to baled paper, cardboard, steel cans etc.

<<X.1.7>> Waste accepted or generated at the installation shall be stored only in designated areas that have been identified in the Waste Storage Plan

Comment :
Include :

"Or as any proposed amends made to the Waste Storage plan by the Licensee agreed with the Agency".

<<X.1.8>> All designated areas for storage of waste shall be:

- clearly labelled;
- appropriately segregated; and
- visibly or physically delineated by walls, dividers, painted lines or marks the ground or other methods acceptable to the Agency

Comment :
Noted; however painted lines or marks on the ground are not a practical solution as these will not last any reasonable length of time. It may be more practical to include markings on adjacent walls to highlight designated areas.

Change to :
visibly or physically delineated by walls, dividers or other methods acceptable to the Agency.

<<X.1.9>> The Emergency Response Procedure (as required under Condition <<X.X>>) shall include an up-to-date copy of the Waste Storage Plan

Comment :
Noted.

<<X.1>> Wrapping of baled municipal waste

<<X.1.1>> The wrapping of baled municipal waste, RDF, SRF, and other waste shall be carried out in such a manner that:

- the waste is fully enclosed by the wrap
- the emission of odour from the wrapped bale is prevented;
- access by vermin is prevented; and
- the discharge of leachate or other liquids from the wrapped bales is prevented

Comment :

Noted, and understand the principal of this condition, however, the specific wording used in some cases needs to be amended.

The licensee will not prevent odour emissions from RDF bales, but they should be able to minimise this by ensuring bales are wrapped appropriately and can include pre-spraying the loose material before it is wrapped. This is the specific case at the Robinhood Facility (152-3) where there is an automated odour neutraliser spraying system to material before it is baled and wrapped.

The Licensee may not be able to prevent access by Vermin of baled RDF on site, but will be able to put in place mitigation measured on site to mitigate against possible access of vermin.

There also may be the possibility in some cases where leachate may come from baled RDF. The Licensee will not prevent the possibility of leachate from baled RDF but can put in place infrastructure on site to ensure any possibility of leachate run-off from bales are captured by appropriate drainage on site.

This would be very apparent where the Licensee is baling raw MSW without removing the organic fraction to minimise leachate run-off.

Condition should read as follows or similar :

- Any emission of odour from the wrapped bale is "minimised".
- Measured are in place to mitigate against access by vermin.
- The discharge of any possible leachate or other liquids from the wrapped bales are captured by appropriate foul drainage infrastructure on site.

<<X.1.2>> Bales of waste shall be dispatched from the installation in order of the date of first production of the bale, as labelled in accordance with Condition <<X.1.6>> (WSP Condition), unless otherwise agreed with the Agency

Comment :
Noted

Condition should read as follows or similar :

Wrapped bales of waste shall be dispatched from the facility in order of the date of first production of the bale where possible or in order of the designated storage bay being dispatched from the facility.

<<X.1.3>> The licensee shall maintain and implement documented operating procedures for the baling and wrapping of waste

Comment :
Noted

<<X.1.4>> The integrity of each wrapped bale shall be inspected fortnightly and prior to its dispatch from the installation. Any damaged bales (or those that do not meet the requirements of Condition <<X.1.1>> above) shall be repaired within 24 hours of damage being detected. No damaged bales shall be dispatched from the installation. Records of these checks and repairs shall be maintained at the installation.

Comment :
Noted

Records of these inspections shall be recorded and maintained at the facility. It is not practical to record every repair carried out to each bale. The Licensee may record that repairs were carried out on specific days in conjunction with inspection carried out. The condition should be amended appropriately.

Condition <<XX>>: Accident Prevention and Emergency Response.

<<X.1>>

The licensee shall arrange, within three months of the date of grant of this amendment and every three years thereafter or as directed by the Agency, for the completion, by an independent and appropriately qualified consultant, of a fire risk assessment for the facility. The assessment shall examine all relevant factors on-site that impinge on fire risk and prevention. The assessment shall have regard to the EPA *Guidance Note: Fire Safety at Non-Hazardous Waste Transfer Stations, 2013*. Any recommendations in the fire risk assessment report shall be implemented by the licensee within six months of the date of this amendment.

Comment :

1. **As noted at the meeting held with the Agency, we request that the Agency amend the transitional period for this condition to be implemented by the Licensee as follows :**

The licensee shall arrange for the completion of a fire risk assessment for the facility within six months of the issued Technical amendment.

2. **We also propose that the Agency includes that the fire risk assessment may have regard to "The WISH Forum Document" which was prepared by the Waste Industry Safety and Health Forum and published in October 2014 and any further amendment made to this document by the UK EA and other supporting government agencies.**

This WISH Forum Document is the most recent issued guidance with respect to fire prevention at waste facilities and should not be disregarded.

The WISH Forum Document is currently being used by Insurers to determine a baseline management system for waste licensed facilities. Consequently it is important that the requirements of the WISH Forum Document is incorporated into management systems for the waste licensed facilities and in particular the internal and external storage and stacking heights, sizes and separation distances contained in Appendix 1 and 2 and the fire prevention management checklist in Appendix 4 of the WISH Forum Document.

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