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|  | OFFICE OF ENVIRONMENTAL SUSTAINABILITY  |
| <b>ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM</b>                              |   |
| <b>TO:</b>   | Dara Lynott   |
| <b>FROM:</b>   | Dorota Richards   |
| <b>DATE:</b>   | 31/01/2017  |
| <b>RE:</b>   | Request for the Transfer of Licence , Reg No W0041-01, from Shannon Environmental Services Limited to Enva Ireland Limited, CRO No 317186 |

## Background

Licence Reg No W0041-01 was granted to Shannon Environmental Services Limited on the 05/05/2000. A Transfer Application was received on 07/07/2016 from Shannon Environmental Services Limited and Enva Ireland Limited. According to the applicants the basis for the transfer application is that both legal entities (Shannon Environmental Services (SES) Limited and Enva Ireland Limited) have the same ultimate owner (DCC plc) and are requesting a transfer of the waste licence to Enva Ireland Limited to centralise all Enva's IE Licenses.

Enva Ireland Limited is the main trading body and currently operates three IE Licensed facilities (Portlaoise W184-01, Cork W0145-02 & Dublin W0196-01). The transfer of licence will allow Enva Ireland Limited to operate the installation, currently operating at Smithstown Industrial Estate, Shannon, County Clare, under Licence Reg No W0041-01.

The Agency is informed that Enva Ireland Limited is a limited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 317186).

Enva Ireland Limited is one of the largest hazardous waste management companies operating in Ireland from three existing Industrial Emissions licenced facilities (Portlaoise, Cork & Dublin) in addition to the subject facility in Shannon. Enva can trace its origins back to the early 1970's when the business started by collecting waste oil for use as a fuel to heat glasshouses and traded until 2006 under the Atlas Oil brand. Enva currently provide hazardous waste services across the 32 counties in Ireland with Northern Ireland serviced by a sister company Enva (Northern Ireland) Limited.

## Assessment

The application was assessed under Section 94 of the Environmental Protection Agency Act 1992 as amended. It is deemed to comply with the requirements of the above, as follows:

### Requirements of Section 94(2) and 94(3)

- The application complies with Subsection (2) having been jointly made by the current licensee and the proposed transferee.

- The application was made in the form prescribed by the Agency.
- The application was accompanied by the appropriate fee, in accordance with Article 7(a) of the EPA (Licensing Fees) Regulations.

### **Such information as may be required by Section 94(3)**

All costs associated with the ELRA and CRAMP for the installation were approved by the Office of Environmental Enforcement (OEE) on the 08/06/2016.

OEE have confirmed that Financial Provision in the form of a Bond (for CRAMP) and Environmental Liability Insurance (for ELRA) has been put in place.

- The transferee or any relevant person has not had an application for a licence refused.

### **Requirements of Section 94(5)**

Information in relation to the status of the proposed transferee as a 'Fit and Proper Person' has been provided. It is noted from the application that Enva was prosecuted under the EPA Act 1992 as amended, for odour issues at their Portlaoise site (W0184-01) in December 2015. Since then the company have implemented mitigation measures to eliminate nuisance odours and consultants have been engaged to deal with odour management issues.

The proposed transferee has sufficient technical experience and support.  
Financial Provision for environmental liabilities is in place.

The Senior Inspector (ELP) has reviewed the transfer application and considers, on the basis of the information provided in the application, that the proposed transferee can be deemed a Fit & Proper Person for the purpose of this transfer.

### **Requirements of Section 94(6)**

The proposed transferee has stated in writing that they accept all liabilities, requirements and obligations provided for in or arising under the licence regardless of how and in respect of what period, including a period prior to the transfer of a licence, that may arise.

OEE confirmed on 1<sup>st</sup> December 2016 that no outstanding legal issues required to be resolved.

Finance Unit confirmed on 2<sup>nd</sup> December 2016 that no outstanding fees were due from the licensee.

### **Recommendation**

It is recommended that the transfer of Industrial Emissions licence Reg. No. W0041-01 from Shannon Environmental Services Limited to Enva Ireland Limited, CRO No 317186, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.



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Dorota Richards  
Programme Officer  
Environmental Licensing Programme  
Office of Environmental Sustainability