



**OFFICE OF ENVIRONMENTAL
SUSTAINABILITY**

ENVIRONMENTAL LICENSING PROGRAMME

TO: Dara Lynott, Director

FROM: Brian Meaney, Inspector, Environmental Licensing Programme

DATE: 29/05/2017

RE: Technical amendment to Industrial Emissions licence register number **W0003-03** held by **South Dublin County Council** in relation to the **Ballymount Baling Station**.

On 15/12/2016, South Dublin County Council requested a technical amendment to licence register number W0003-03. The request relates to the removal of an apparent obligation in the licence to bale waste because the licensee wants waste to be transferred at the installation, without baling, directly to an incineration facility or facilities.

This memo recommends that the change may be accommodated by a Technical Amendment, in accordance with Section 96(1)(c) of EPA Acts 1992, as amended.

1. Background

South Dublin County Council was granted a revised licence, register number W0003-03, in June 2003 in relation to the Ballymount Baling Station, Walkinstown, Dublin 12. The licence was since amended four times and is now an Industrial Emissions licence. The Council is licenced under Classes 11.1 and 11.4(b)(ii) of the First Schedule to the 1992 EPA Act as amended, as follows:

- 11.1 The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.
- 11.4 (b) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, (other than activities to which the Urban Waste Water Treatment Regulations 2001 (S.I. No. 254 of 2001) apply):
- (ii) pre-treatment of waste for incineration or co-incineration.

As the name suggests, the Ballymount Baling Station is a baling station. All waste accepted at the installation is baled. Previously the baled waste was dispatched solely to the Arthurstown (Kill) landfill. Since closure of that landfill, baled waste has been dispatched to incineration and co-incineration facilities in Ireland and abroad. With the increased availability of incineration facilities in Ireland, there is no apparent need to continue to bale waste – it is not required by the downstream facilities nor for transport purposes. The licensee wants the baling station to become a transfer station.

2. Technical Amendment request

The licensee has sought the removal and amendment of conditions that relate to the baling of waste. These conditions either:

- relate to the baling activity,
- appear to mandate the baling of waste, or
- simply refer to the baling activity.

Other conditions refer to the "baling station" and this is also sought for amendment in order to clarify that the installation is no longer (solely) a baling station but is more like a transfer station.

A large number of condition amendments were sought by the licensee.

3. Consultation with the Office of Environmental Enforcement (OEE)

I consulted with the OEE in relation to this technical amendment request and it was confirmed that the proposed amendment cannot be accommodated under the existing licence.

I consulted with the OEE regarding the recommended technical amendment and the amended and new conditions.

4. Assessment

The only difference proposed by the licensee is that waste will not be baled. There will be no new emission points. There will be no new sources of fugitive emissions, including odours. The waste acceptance profile will remain the same. The outgoing waste will be loose, not baled.

In relation to the large number of conditions sought for amendment by the licensee, I do not think it is necessary to make every single amendment sought. Rather, I propose a smaller number of amendments that should bring about the same net effect, i.e. provide clarity that baling is not an obligated activity at the installation. These are set out in the recommended technical amendment.

5. Appropriate Assessment

Table 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives. A screening for Appropriate Assessment was undertaken and is documented in the recommended technical amendment accompanying this report.

Table 1 List of European Sites assessed, their associated qualifying interests and conservation objectives.

Site name and code	Qualifying interests	Conservation objectives
South Dublin Bay SAC [000210]	Habitats 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes	As per NPWS (2013) Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dated 22/8/2013.

Site name and code	Qualifying interests	Conservation objectives
North Dublin Bay SAC [000206]	<p>Habitats</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1210 Annual vegetation of drift lines</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)</p> <p>2110 Embryonic shifting dunes</p> <p>2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p> <p>2190 Humid dune slacks</p> <p>Species</p> <p>1395 Petalwort (<i>Petalophyllum ralfsii</i>)</p>	As per NPWS (2013) Conservation Objectives: North Dublin Bay SAC 000206. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dated 6/11/2013.
Howth Head SAC [000202]	<p>Habitats</p> <p>1230 Vegetated sea cliffs of the Atlantic and Baltic coasts</p> <p>4030 European dry heaths</p>	As per NPWS (2016) Conservation Objectives: Howth Head SAC 000202. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. Dated 6/12/2016.
South Dublin Bay and River Tolka Estuary SPA [004024]	<p>Birds</p> <p>A144 Sanderling (<i>Calidris alba</i>)</p> <p>A157 Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>A149 Dunlin (<i>Calidris alpina</i>)</p> <p>A162 Redshank (<i>Tringa totanus</i>)</p> <p>A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>)</p> <p>A143 Knot (<i>Calidris canutus</i>)</p> <p>A192 Roseate Tern (<i>Sterna dougallii</i>)</p> <p>A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</p> <p>A141 Grey Plover (<i>Pluvialis squatarola</i>)</p> <p>A130 Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>A194 Arctic Tern (<i>Sterna paradisaea</i>)</p> <p>A193 Common Tern (<i>Sterna hirundo</i>)</p> <p>A137 Ringed Plover (<i>Charadrius hiaticula</i>)</p>	As per NPWS (2015) Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dated 9/3/2015.
North Bull Island SPA	<p>Birds</p> <p>A160 Curlew (<i>Numenius arquata</i>)</p> <p>A149 Dunlin (<i>Calidris alpina</i>)</p>	As per NPWS (2015) Conservation Objectives: North Bull Island SPA

Site name and code	Qualifying interests	Conservation objectives
[004006]	A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A144 Sanderling (<i>Calidris alba</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A143 Knot (<i>Calidris canutus</i>) A169 Turnstone (<i>Arenaria interpres</i>) A054 Pintail (<i>Anas acuta</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A052 Teal (<i>Anas crecca</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A056 Shoveler (<i>Anas clypeata</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>)	004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dated 9/3/2015.
Rockabill to Dalkey Island SAC [003000]	1170 Reefs 1351 Harbour porpoise <i>Phocoena phocoena</i>	As per NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. Dated 7/5/2013.

6. Recommendation

I recommend that the licence amendment be approved as set out in the attached Recommended Technical Amendment. The making of the amendment will not result in the relevant requirements of Section 83(5) of the EPA Acts 1992 to 2012 ceasing to be satisfied.

Signed



Inspector

Environmental Licensing Programme