

## HARP REFRIGERANTS LIMITED

**UNIT 2, WHITESTOWN  
INDUSTRIAL ESTATE,  
TALLAGHT, DUBLIN 24.**

### WASTE LICENCE APPLICATION

### (PART 2 - ATTACHMENTS)

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Prepared For

**Harp Refrigerants Limited**  
First Floor,  
Wilton Park House,  
Wilton Place,  
Dublin 2.

---

Prepared By

**Robert Hunt**, Senior Environmental  
Consultant

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Our Reference

RH/14/8133WMR02

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Date of Issue

23 May 2017

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## Document History

Document Reference		Original Issue Date	
RH/14/8133WMR02		23 May 2017	
Revision Level	Revision Date	Description	Sections Affected

## Record of Approval

Details	Written by	Approved by
Signature		
Name	Robert Hunt	Fergal Callaghan
Title	Senior Environmental Consultant	Director
Date	23 May 2017	23 May 2017

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## ATTACHMENT A NON-TECHNICAL SUMMARY

### Attachment A.1 – Non-Technical Summary

#### Introduction

This is the Non-Technical Summary for an application to the Agency (EPA) by Harp Refrigerants Limited (Harp) (Registered address: First Floor, Wilton Park House, Wilton Place, Dublin 2) for a Waste Licence for the following activities:

- Reclamation of waste refrigerant gas; and
- temporary storage of waste refrigerant gases, waste refrigerant oil and cooling fluids for recovery off-site.

The proposed activities above will be carried out at Harp's facility at Unit 2, Whitestown Industrial Estate, Tallaght, Dublin 24.

The site of the proposed facility is currently permitted by South Dublin County Council (SDCC) under a Certificate of Registration (COR-DS-15-0003-04) for the temporary storage pending onward transport of up to 500 tonnes of waste refrigerant gases, halons and fluorinated greenhouse gases. Under this permitted activity, waste gases are temporarily stored at the facility and, when there is sufficient quantity, sent via Transfrontier Shipment of Waste (TFS) to Harp International Limited in the UK for recovery or disposal.

This Waste Licence application is being submitted to permit Harp to reclaim a portion of the suitable waste gas which is accepted at the facility for redistribution to the Irish refrigeration gas market. Waste gas which is not suitable for reclamation at the facility in Tallaght will be sent to the Harp facility in the UK for recovery, where possible.

#### **Proposed Waste Licence Activity as per the Third and Fourth Schedule of the Waste Management Act 1996, as amended.**

The primary activity to be carried out at the facility, in accordance with the Fourth Schedule of the Waste Management Act 1996 as amended, is:

- *R3 – Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals.*

In addition, the following activities will also be carried out at the facility:

- *R12 – Exchange of waste for submission to any of the operations numbered R1 to R11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11).*
- *R13 – Storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in Section 5(1)), pending collection, on the site where the waste is produced).*

#### **Planning Permission and Requirement for Environmental Impact Statement**

The proposed facility at Unit 2 in Whitestown Industrial Estate was granted planning permission by South Dublin County Council (SDCC) in 1978 and was granted retention for

construction of an extension in 1989. No EIS was ever required for submission with the applications for planning permission at the facility. SDCC have confirmed that the proposed waste licence activities are considered exempted development.

### **Facility Management and Staffing**

Noel Williams will be the Facility Manager and day-to-day operations will be managed by John Flynn (Deputy Facility Manager). At least one site technician will also be employed and may be expanded to two technicians depending on waste intake quantities.

### **Proposed Activity and Infrastructure**

Waste refrigerant gas, waste refrigerant oil and refrigerant cooling fluids will be accepted at the facility, inspected, weighed, analysed, logged and temporarily stored.

Any waste gas suitable for reclamation will be moved to a designated storage area and transferred into larger 1 tonne cylinders. The waste gas will be processed through a bespoke refrigerant gas plant and the resultant reclaimed gas made available for reuse in the refrigeration and air conditioning market.

Any waste gas that is not suitable for reclamation in Ireland will be exported to Harp International in the UK for more detailed analysis and recovery, where possible.

Waste oil and waste cooling fluid will be accepted at the facility in small quantities from refrigeration and air conditioning contractors and transferred to storage tanks. When sufficient quantities have been collected, the waste oil and cooling fluid will be collected by an authorised waste contractor for off-site recovery.

### **Hours of Operation**

The hours of operation at the facility will be between 08:00 and 18:00 from Monday to Friday and between 08:00 and 14:00 on Saturday.

It is anticipated that incoming deliveries of waste to the facility will be made on average once or twice per week. Collections of reclaimed waste gas for onward transport abroad for disposal will typically be on a monthly basis.

### **Raw Materials and Resources Usage**

There are no raw materials used in the process.

Electricity is used to power the reclamation equipment and compressor. There is also a small office area with a kitchenette and IT which uses electricity.

Diesel is used on site as fuel to run the forklift used in the loading and unloading of gas canisters. The forklift will be refuelled on site by hand using small jerry cans.

### **Wastes produced or Accepted at the facility**

It is proposed to accept up to 500 tonnes per annum of waste gas at the facility on an ongoing basis.

It is also proposed to accept up to 8 tonnes of waste oil from the refrigeration process and up to 8 tonnes of waste glycol.

The only significant waste produced is hazardous waste oil removed during the reclamation process. This quantity is estimated to be 1,000 litres per year.

## ***Environmental Conditions of the Site of Installation***

### ***Proposed Emissions***

There will be no emissions to air, water or ground from the proposed activities. Air contaminants in the waste gas are removed during the reclamation process and are vented to atmosphere.

Noise emissions from the reclaim plant will not be audible outside of the warehouse when doors are closed. Noise from vehicle traffic will be typical of activity in the industrial estate and, at maximum, would be six movements per day.

### ***Proposed Abatement, Breakdown prevention etc.***

There is no abatement required as there are no emissions to air, water or ground.

Pre-start checks and regular maintenance will be carried out on the reclaim plant and the forklift to ensure minimal breakdowns occur. The facility staff will be fully trained in the plant maintenance requirements.

### ***BAT Reference Documents, Conclusions and EPA Guidance***

There is no BAT document specific to the waste reclamation process. The most relevant BREF documents are 'Waste Treatment Industries' and 'Emissions from Storage' which are discussed in Attachment L.

The EPA BAT Guidance Document on 'Waste Transfer and Materials Recovery' is also discussed.

### ***EC (Control of Major Accident Hazards involving Dangerous Substances) Regulations 2015***

The inventory of chemicals to be stored on-site has been reviewed and it has been determined that the EC (Control of Major Accident Hazards involving Dangerous Substances) Regulations S.I. 209 of 2015 do not apply to the proposed facility.

### ***Measures required on Permanent Cessation***

A Closure, Restoration and Aftercare Management Plan (CRAMP) is currently in place for the facility and this plan has been updated to reflect the additional clean-up requirements under the proposed Waste Licence activities.

The key measures will involve the cessation of incoming waste, removal of all waste gas cylinders/drums from the site, removal of other waste materials from the site and cleaning of the site.

### ***Proposals for Environmental Monitoring***

There is no environmental monitoring proposed for the facility as there are no emissions to air, water or ground from the facility. Noise emissions from the facility will be typical of activity in the industrial estate. The nearest noise sensitive receptors are located 250m to the north-east of the facility.

### ***Measures to comply with an Environmental Quality Standard***

Reclaimed refrigerant gas will be required to meet the purity specification of 99.5% set for virgin refrigerant gas products in ARI Standard 700.

The activities at the facility will be managed in accordance with a site specific Environmental Management System. Harp's parent company (Harp International) in the UK is accredited to ISO14001 and it is intended to extend this certification to the Waste Facility in Tallaght in the near future.

***Measures to comply with Council Directive 80/68/EEC and 2006/118/EC in relation to protection of Groundwater***

There are no emissions to ground and the facility is entirely hard paved with concrete. The only dangerous substances stored on site will be waste refrigerant oil, waste cooling fluid and a small quantity of diesel fuel for the forklift.

***Measures to be taken to minimise pollution over long distances or outside the territory of Ireland***

There are no emissions with the potential to cause pollution over long distances or outside the territory of Ireland.

***Main Alternatives to the Proposed Technology***

There are no alternatives to reclamation in the recovery of waste refrigerant gas.

Harp International Ltd. have developed and evolved the technology from their ongoing operations at a facility in the UK. The waste refrigerant gas reclamation process at Harp will be unique in Ireland.

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## ATTACHMENT B GENERAL

### Attachment B.1 – Applicant’s Details

Harp Refrigerants Limited (Harp) are the legal entity making this Application. See attached Certified Copy of the Certificate of Incorporation of Harp Refrigerants Limited.

The Companies Registration Number is 532851. The company Directors are:

- Mr. Bryan Davies
- Mr. Stuart Baber

The site is owned by Mr. Francis Corr of 22 Newpark, Leixlip, Co. Kildare. Mr. Corr will not occupy any part of the site. The land and buildings at which the activity will take place are leased from Mr. Corr by Harp Refrigerants Ltd.

See Site Ownership Plan over (Figure B1.1). The site boundary leased by Harp from Mr. Francis Corr is outlined in green ink. The proposed licensed activity area is the full extent of the site leased by Harp.

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Number 532851

# Certificate of Incorporation

I hereby certify that

**HARP REFRIGERANTS LIMITED**

is this day incorporated under  
the Companies Acts 1963 to 2012,  
and that the company is limited.

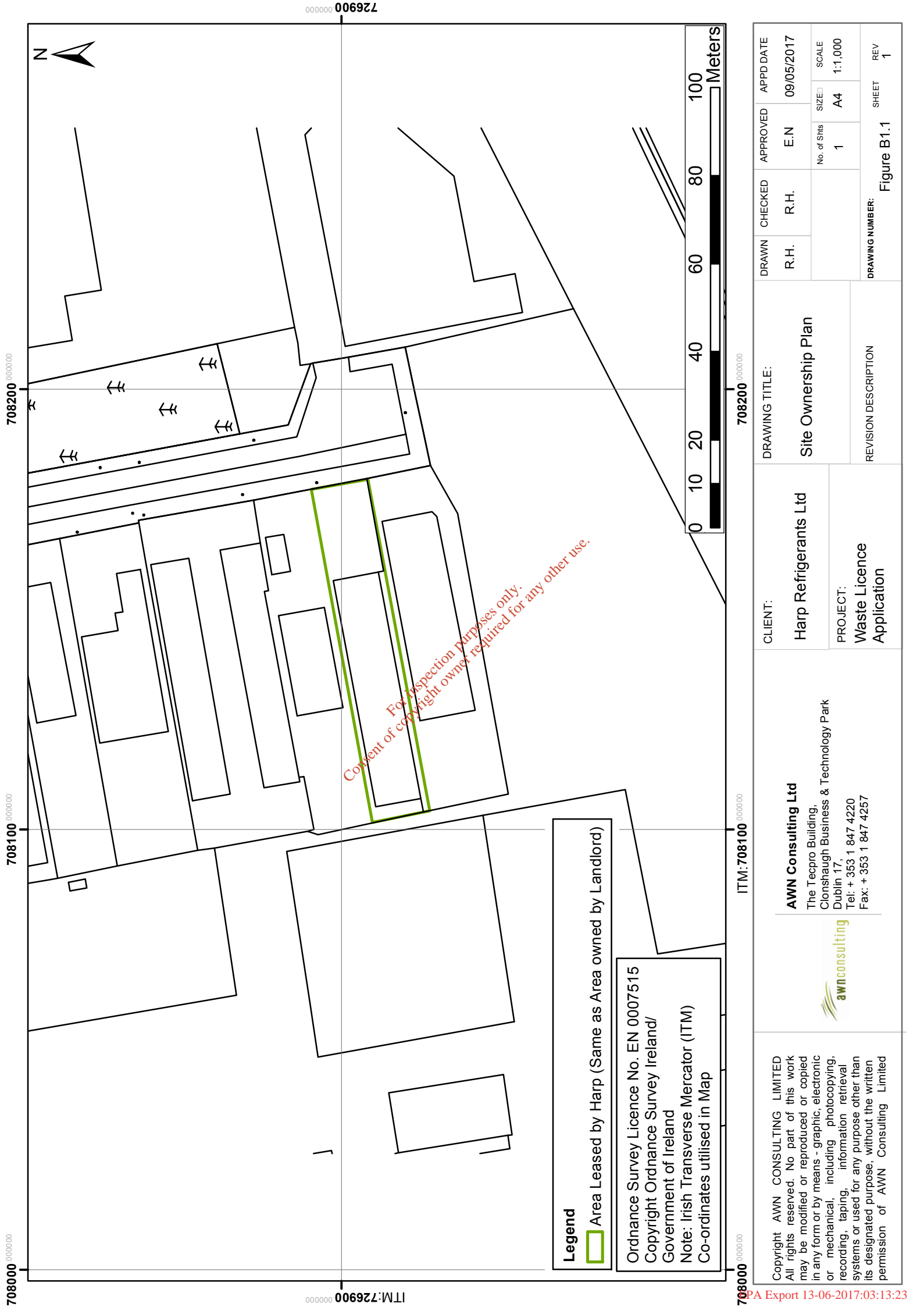
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Given under my hand at Dublin, this  
**Tuesday, the 17th day of September, 2013**

*Par DeL*

for Registrar of Companies





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**Legend**  
 Area Leased by Harp (Same as Area owned by Landlord)

Ordnance Survey Licence No. EN 0007515  
 Copyright Ordnance Survey Ireland/  
 Government of Ireland  
 Note: Irish Transverse Mercator (ITM)  
 Co-ordinates utilised in Map

ITM: 708100 708000  
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**AWN Consulting Ltd**  
 The Tecpro Building,  
 Clonsilla Business & Technology Park  
 Dublin 17.  
 Tel: + 353 1 847 4220  
 Fax: + 353 1 847 4257

**CLIENT:**  
 Harp Refrigerants Ltd

**PROJECT:**  
 Waste Licence  
 Application

**DRAWING TITLE:**  
 Site Ownership Plan

**REVISION DESCRIPTION**

<b>DRAWN</b> R.H.	<b>CHECKED</b> R.H.	<b>APPROVED</b> E.N.	<b>APPD DATE</b> 09/05/2017
<b>No. of SHs</b> 1		<b>SIZE</b> A4	<b>SCALE</b> 1:1,000
<b>DRAWING NUMBER:</b> Figure B1.1			<b>REV</b> 1
<b>SHEET</b> 1			

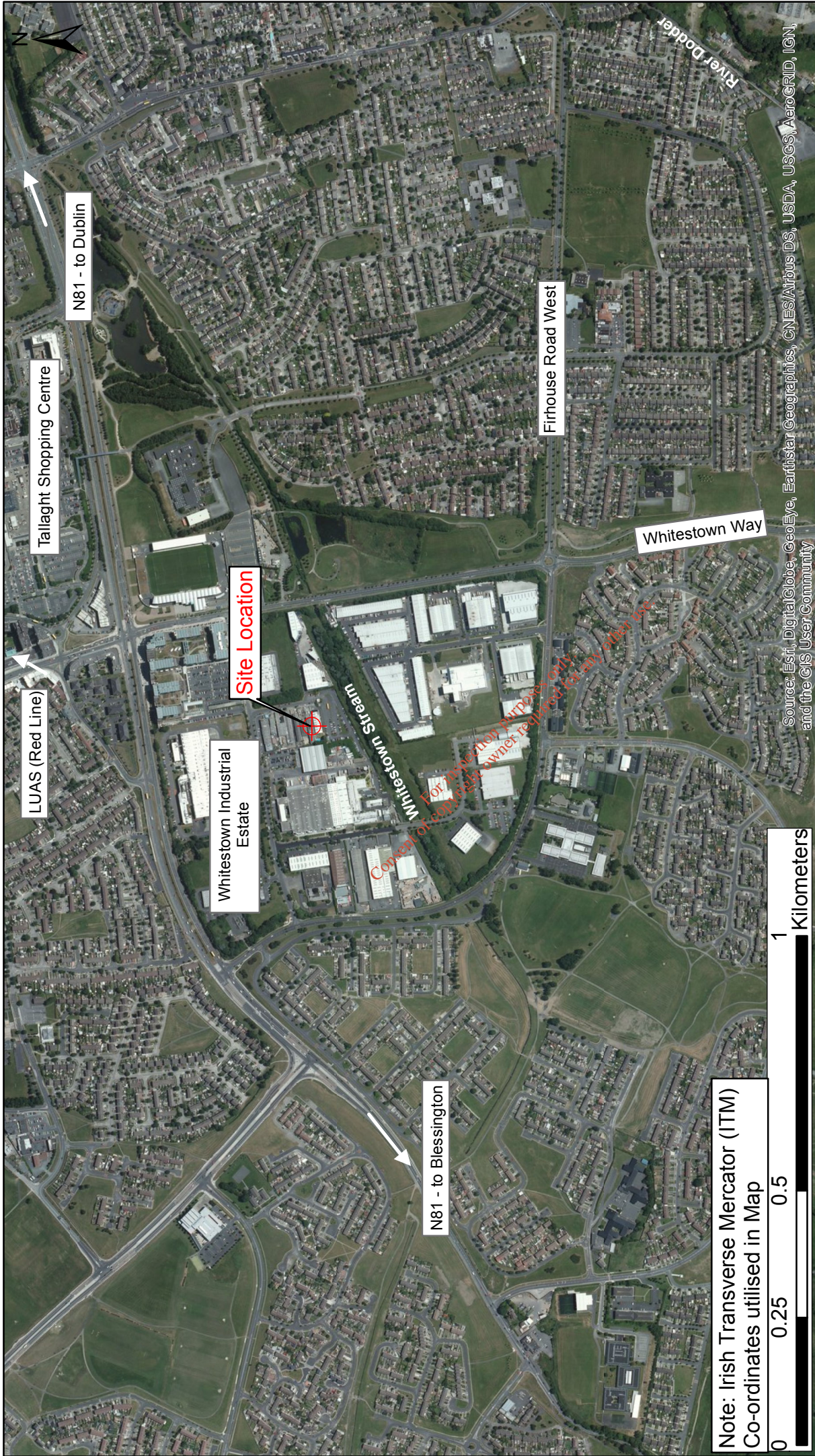
## **Attachment B.2 – Location of Activity**

See Site Location Map over (Figure B2.1) – ITM 708140E 726890N

See Site Plan over (Figure B2.2)

See Site Services Plan over (Figure B2.3)

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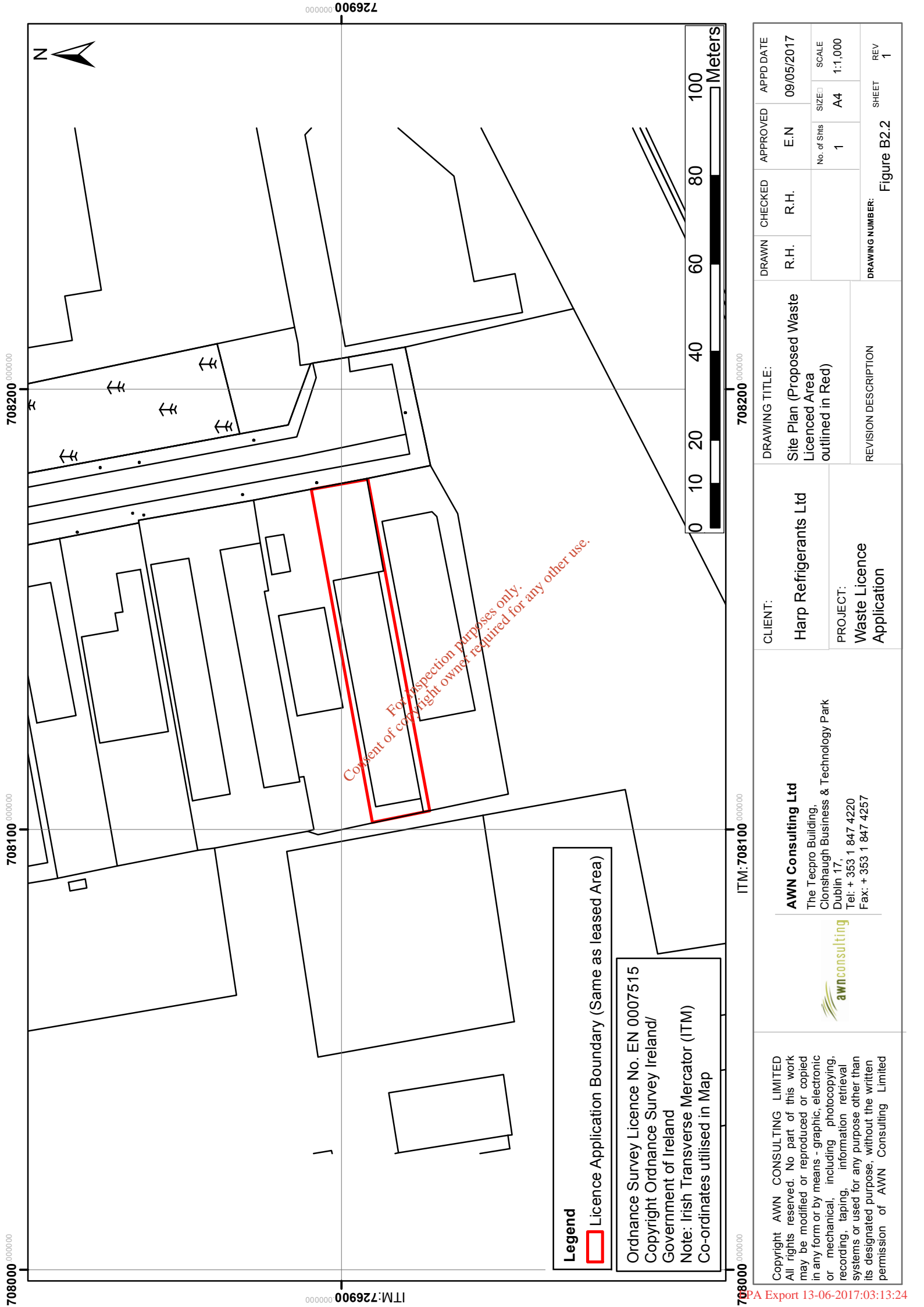


Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Note: Irish Transverse Mercator (ITM)  
Co-ordinates utilised in Map



CLIENT: <b>Harp Refrigerants Ltd</b>	DRAWING TITLE: <b>Site Location Map</b>		DRAWN R.H.	CHECKED R.H.	APPROVED E.N	APPD DATE 09/05/2017
	PROJECT: <b>Waste Licence Application</b>	REVISION DESCRIPTION	No. of SHS 1	SIZE A4	SCALE 1:10,000	SHEET 1
<b>AWN Consulting Ltd</b> The Tecpro Building, Clonshaugh Business & Technology Park Dublin 17 Tel: + 353 1 847 4220 Fax: + 353 1 847 4257 		DRAWING NUMBER <b>Figure B2.1</b>		REV 1		
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**Legend**  
 Licence Application Boundary (Same as leased Area)

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 Government of Ireland  
 Note: Irish Transverse Mercator (ITM)  
 Co-ordinates utilised in Map

<p><b>CLIENT:</b> Harp Refrigerants Ltd</p> <p><b>PROJECT:</b> Waste Licence Application</p>	<p><b>DRAWING TITLE:</b> Site Plan (Proposed Waste Licenced Area outlined in Red)</p> <p><b>REVISION DESCRIPTION</b></p>	<p><b>DRAWN</b> R.H.</p>	<p><b>CHECKED</b> R.H.</p>	<p><b>APPROVED</b> E.N</p>	<p><b>APPD DATE</b> 09/05/2017</p>
		<p><b>No. of SHs</b> 1</p>	<p><b>SIZE</b> A4</p>	<p><b>SCALE</b> 1:1,000</p>	
		<p><b>DRAWING NUMBER:</b> Figure B2.2</p>		<p><b>SHEET</b> 1</p>	<p><b>REV</b> 1</p>

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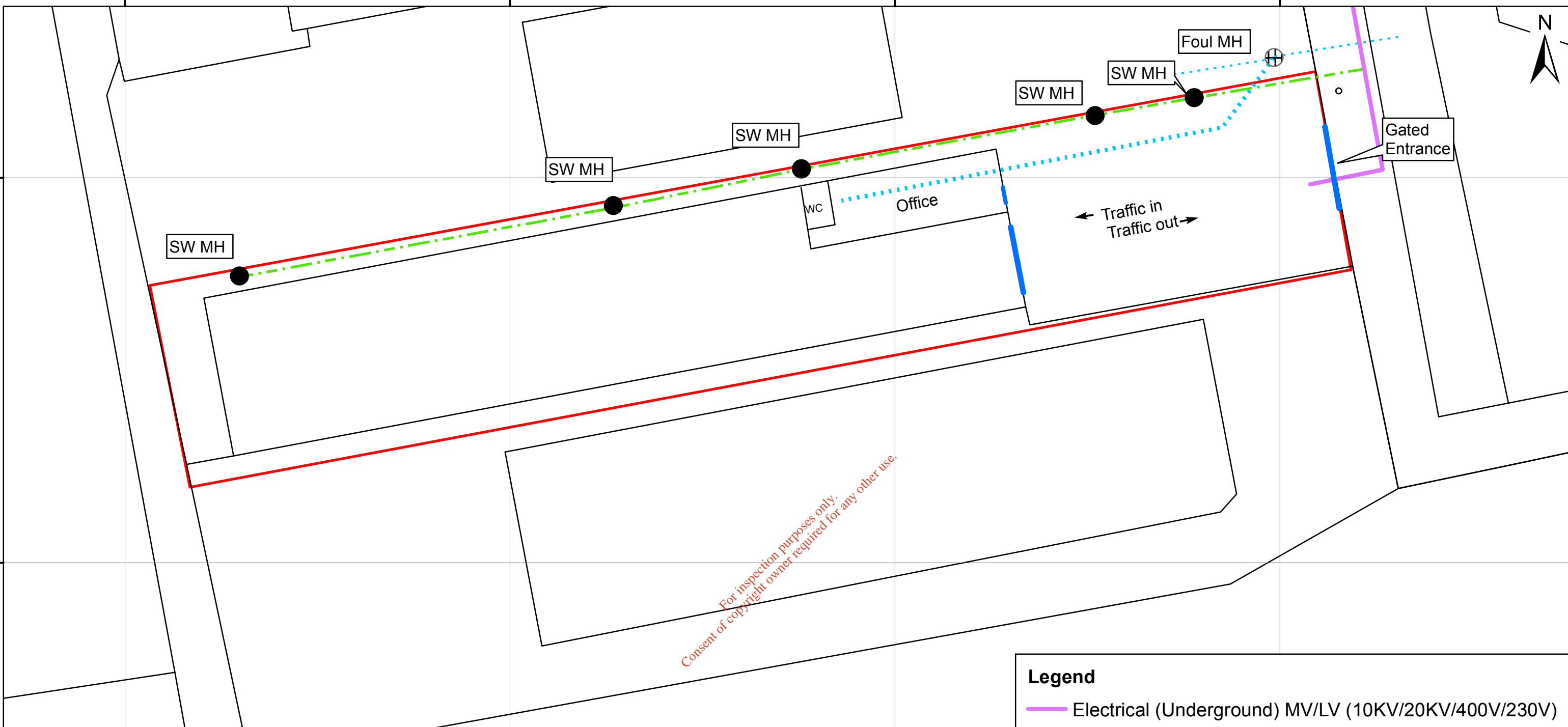
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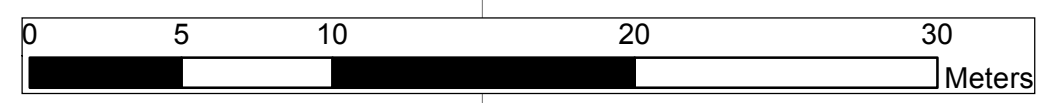


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Co-ordinates utilised in Map

**Legend**

- Electrical (Underground) MV/LV (10KV/20KV/400V/230V)
- Access Points
- ⋯ Foul Line (Estimated)
- - - SW line (Estimated)
- Harp Redline Boundary



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CLIENT:  
**Harp Refrigerants Ltd**

PROJECT:  
**Waste Licence  
Application**

DRAWING TITLE:  
**Site Services Plan**

REVISION DESCRIPTION

DRAWN	CHECKED	APPROVED	APPD DATE
R.H.	R.H.	E.N	09/05/2017
		No. of Shts	SIZE
		1	A3
		SCALE	1:250
DRAWING NUMBER			SHEET
<b>Figure B2.3</b>			REV
			1

### Attachment B.3 – Planning Authority and/or Public Authority

Please find attached letter from South Dublin County Council confirming that the proposed activity constitutes an Exempted Development and does not require planning permission.

Please find attached letter from South Dublin County Council confirming that there was no requirement for an EIS to be submitted with the planning submissions obtained at the site and, therefore, there was no EIA carried out.

Please find attached final decisions for Planning Reference 89A/2304 and R.A 739. This is the extent of records held on file by South Dublin County Council for both of these planning reference numbers.

#### *Licences and Permits*

Licence/Permit reference number	Brief Description	Date granted	Currently in force? (Yes/No)
COR-DS-15-0003-04	Temporary storage of deposits of reclaimed waste refrigerants	5 February 2016	Yes
WFP-DS-09-0008-04	Storage facility of waste refrigerant gas and WEEE transfer	22 December 2014	No

#### *Appropriate Assessment*

Please find attached Report for Appropriate Assessment Screening carried out by Moore Group Environmental Services on 25 April 2016.

The Screening Report concludes that:

1. The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The implementation of the project will not have a direct impact on the European sites considered in this assessment.
3. The project, alone or in combination with other projects or plans, is not likely to have a significant effect on any European sites in view of their conservation objectives.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.

An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000

Fax: 01 4149104

Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)

**Robert Hunt,**  
**AWN Consulting**  
**Tecpro Building**  
**IDA Business Park**  
**Clonsaugh**  
**Dublin 17**

**28-Oct-2016**

Dear Sir/ Madam,

**Our Ref: ED16/0050**

**Re: Unit 2, Whitestown Industrial Estate, Tallaght, Dublin 24**

I wish to inform you that the proposed development of : Deliveries/collections of waste products at the above address is, by Chief Executive's Order PR/1044/16 dated 27-Oct-2016, DECLARED EXEMPT and therefore **WILL NOT** require planning permission. The issue of confirming the requirement for an E.I.S. under planning permissions cannot be dealt with under Section 5.

A copy of the Planner's report is enclosed.

Yours faithfully,

*Bernie Kenny*

**For Senior Planner**

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# Comhairle Chontae Atha Cliath Theas

12/1044/16

## Record of Executive Business and Chief Executive's Order

<b>Register Reference:</b>	ED16/0050
<b>Correspondence Name &amp; Address:</b>	Robert Hunt, Awn Consulting Tecpro Building, IDA Business Park, Clonsaugh, Dublin 17
<b>Development:</b>	Deliveries/collections of waste products.
<b>Location:</b>	Unit 2, Whitestown Industrial Estate, Tallaght, Dublin 24
<b>Applicant:</b>	Harp Refrigerants Ltd.

### Description of Site and Surroundings

The site relates to Unit 2, Whitestown Industrial Estate.

### Proposal

This is an application requesting a Section 5 Declaration on whether:

- Waste activities – recovering of waste refrigerant gas at the facility,
- Installation of equipment measuring 3m x 1.5 x 1.7m – to distill waste refrigerant gas into a gas of near virgin quality for redistribution to the market,
- Additional equipment to support this operation – size not specified

is or is not exempted development.

- The applicant also seeks to confirm that an EIS was not required for Planning Permissions: R.A 739 and 89A/2304.

### Relevant Planning History

None could be traced on the system.

### Relevant Enforcement History

No relevant enforcement history found.

### Pre-Planning Consultation

None found.

### Relevant Section of the Planning and Development Regulations 2001, as amended

There are no relevant sections of the Planning and Development Regulations 2001 (as amended), which refer to the type of works proposed.

Part 2 Exempted Development;

'industrial building' means a structure...used for the carrying on of any industrial process

'light industrial building' means an industrial building in which the processes carried on or the plant or machinery installed are such as could be carried on or installed in

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit

'industrial process' means any process which is carried on in the course of trade or business, other than agriculture, and which is (a)..., or (b) for or incidental to the altering, repairing, ornamenting finishing, cleaning, washing, packing, caning, adapting for sale, breaking up or demolition of any article, including the getting, dressing or treatment of minerals...

### Article 7 Development under other enactments

(1) Works consisting of or incidental to the carrying out of development referred to in SI 685/2006 – Planning and Development Regulations 2006 for the purpose of giving effect to a condition attached to a licence or revised licence granted by the Environmental Protection Agency under Part IV of the said Act shall be exempted development.

(2) Works consisting of or incidental to the carrying out of development referred to in section 54(4) (a) of the Waste Management Act, 1996 (No. 10 of 1996) for the purpose of giving effect to a condition attached to a licence or revised licence granted by the Environmental Protection Agency under Part V of the said Act shall be exempted development.

### Assessment

#### ***Is the proposal development?***

***Section 2(1) of the Planning and Development Act 2000*** (as amended) states:

*'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal*

***Section 3(1) of the Planning and Development Act 2000*** (as amended) states:

*In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change of use of any structures or other land.'*

Section 3(1) of the Planning and Development Act 2000, defines 'development' as *'the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land'*. The term 'works' is defined in Section 2(1) of the 2000 Act as *'any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal'*.

The only section of the Section 5 application which can be considered as development is the installation of:

- equipment measuring 3m x 1.5 x 1.7m – to distill waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and
- Additional equipment to support this operation (it is noted that the size of this equipment has not been specified).

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

As the above relates to the construction and extension of structures on the site, it is considered that the proposed works would constitute the carrying out of works and therefore can be considered to comprise 'development', as defined in Section 3(1) of the Planning and Development Act 2000.

### Is the proposal exempted development?

The proposed development, would comprise the construction of equipment measuring 3m x 1.5 x 1.7m – to distill waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and additional equipment to support this operation (it is noted that the size of this equipment has not been specified).

In order to assess whether or not the works to be carried out constitute exempted development, the following details should be submitted:

1. A site layout plan indicating the location of all proposed equipment to be constructed on the site.
2. The details, including the dimensions, height, width and location of the 'additional equipment to support this operation'.
3. Elevational Drawings of both the 'small piece of equipment (3.0 x 1.5m x 1.7m)' and of the 'additional equipment to support this operation'

### Conclusion:

There is not enough information submitted with this application to make a determination under the Section 5 process. The applicant should be requested to submit additional information.

### Recommendation

A request for additional information was made on 27<sup>th</sup> September 2016 as 'there is not enough information submitted with this application to make a determination under the Section 5 process'.

A recommendation for the following additional information was requested:-

1. A site layout plan indicating the location of all proposed equipment to be constructed on the site.
2. The details, including the dimensions, height, width and location of the 'additional equipment to support this operation' (as described in the application form).
3. Elevational drawings of both the 'small piece of equipment (3.0m x 1.5m x 1.7m)' and of the 'additional equipment to support this operation' (as described in the application form).
4. The applicant states that permission exists on site for 'the core waste activity'. If this is the case it is unclear why the applicant has sought a Section 5 to confirm this. The applicant is requested to clarify this issue.

# Comhairle Chontae Atha Cliath Theas

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## Record of Executive Business and Chief Executive's Order

A response was received on 17<sup>th</sup> October 2016 which included the following detail:-

1. Site layout plan submitted with the following detail 'there will be two pieces of equipment brought to the site to facilitate the proposed waste activity. Both pieces of equipment are fully mobile and are fitted with wheels. The intended location of the two pieces of equipment is shown in pink on the site layout plan. The equipment will be located in the Waste Storage Area within the warehouse building.
2. The additional equipment will comprise of a Denagger machine which is used to purge trapped air from cylinders which have been filled with reclaimed refrigerant gas. The equipment is powered by electricity. The Denagger machine is approximately 1.42m long 0.79m wide and 1.41m high (1.56m high with wheels included). The equipment is a mobile piece of machinery and will be located adjacent to the main reclamation plant as shown on the site layout plan.
3. Two sketches and sample photographs of similar equipment was submitted to address point 3 above. The Reclamation Plant (RDA Unit) – 3.01m long x 1.5m wide x 1.645m high (1.94m high with wheels included). Denagger – 1.42m long x 0.79m wide x 1.41m high (1.56m high with wheels included).
4. In relation to the request to clarify why the Section 5 Declaration was sought the following was submitted –
  - a. a Certificate of Registration (COR-DS-15-0003-04) issued by South Dublin County Council on 5<sup>th</sup> February 2016 'permits Harp to accept and temporarily store waste refrigerant gas at the site pending onward transfer for processing at a different location.
  - b. Harp intend to submit an application to the EPA for a Waste Licence to carry out processing of waste refrigerant gas at the site.
  - c. An extract from the Waste Licence Application Guidance Notes was also submitted with the applicant claiming that upon contacting South Dublin County Council on 16<sup>th</sup> August 2016 requesting written confirmation as per the guidance notes, they were advised to submit an Application for Pre-Planning Consultation. This application was submitted on 24<sup>th</sup> August and subsequently a call was received to advise to submit a Declaration of Exemption under Section 5 of the Planning and Development Act, 2000

### Relevant Planning History (Updated)

RA 739 – Permission granted for 'workshop and offices' on 13<sup>th</sup> July 1978

88A/1269 – no details record on the system

89A/2304 – no details record on the system

SD15A/0298 – file is recorded on the system as Unit 2 Whitestown Industrial Estate as the drawings pertaining to this application also refers to Unit 2 Whitestown Industrial Estate. On further examination of the file the subject site is in fact Unit 7 Whitestown Industrial Estate with a proposal for '*subdivision of existing unit into two*

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

*units, material change of use to front part of unit from light industrial to cafe/restaurant and business name sign (non-illuminated) on front façade' in which was granted permission on 15<sup>th</sup> January 2016.*

### **Planning and Development Regulations, 2001, (as amended)**

Part 2 Exempted Development;

#### Article 6 Exempted Development

(1) Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

#### Part 1 of Schedule 2 - Exempted Development General

Column 1 Description of Development

Development for industrial purposes

CLASS 21

(a) Development of the following descriptions, carried out by an industrial undertaker on land occupied and used by such undertaker for the carrying on, and for the purposes of, any industrial process, or on land used as a dock, harbour or quay for the purposes of any industrial undertaking—

(iii) the installation or erection by way of addition or replacement of plant or machinery, or structures of the nature of plant or machinery.

Column 2 Conditions and Limitations

1. Any such development shall not materially alter the external appearance of the premises of the undertaking.
2. The height of any plant or machinery, or any structure in the nature of plant or machinery, shall not exceed 15 metres above ground level or the height of the plant, machinery or structure replaced, whichever is the greater.

### **Assessment**

From the interpretations of the Planning and Development Act, 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended) the subject unit is considered to be an 'industrial building' in which an 'industrial process' will be carried out by an 'industrial undertaker'.

#### Is the proposal development?

The only aspect of the Section 5 application which can be considered as development is the installation of:

- Equipment measuring 3.0m x 1.5m x 1.7m – to distill waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and
- Additional equipment to support this operation –  
Reclamation Plant measuring 3.01m x 1.5m x 1.94m  
Denagger machine measuring 1.42m x 0.79m x 1.56m

From the outlined legislation above it is considered that the proposed works would constitute the carrying out of works and therefore can be considered to comprise 'development', as defined in Section 3(1) of the Planning and Development Act 2000.

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

The proposed development, would comprise the construction of equipment measuring 3.0m x 1.5m x 1.7m – to distil waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and additional equipment to support this operation (Reclamation Plant measuring 3.01m x 1.5m x 1.94m and Denagger Machine measuring 1.42m x 0.79m x 1.56m).

It is considered that the proposed development falls within Class 21 of Exempted Development General. Both condition 1 and 2 of Class 21(a)(iii) on exempted development are met and therefore these works which constitute development can be considered exempted development.

The applicant also seeks to confirm that an EIS was not required for Planning Permissions: R.A 739 and 89A/2304, this cannot be dealt with through the Section 5 Declaration process.

### Article 9 restrictions

It is considered that the proposal is not restricted by anything in Article 9 of the Planning and Development Regulations 2001.

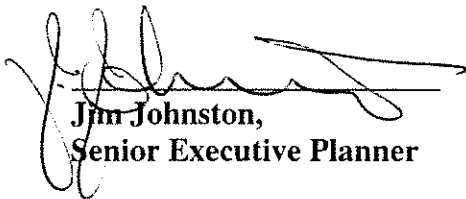
### Conclusion


The installation of:

Equipment measuring 3.0m x 1.5m x 1.7m – to distil waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and  
Additional equipment to support this operation (Reclamation Plant measuring 3.01m x 1.5m x 1.94m and Denagger machine measuring 1.42m x 0.79m x 1.56m)  
is considered development and is considered exempted development under the Planning and Development Regulations, 2001 (as amended)

### Recommendation

It is recommended that the applicant be notified that the proposed installation of equipment pertaining to the distilling of refrigerant gas into a gas of near virgin quality is development and is exempted development under Class 21 of Part 1 Exempted Development – General of the Planning and Development Regulations, 2001 (as amended), and that confirming the requirement for an E.I.S. cannot be determined under Section 5.

  
**Jim Johnston,**  
Senior Executive Planner

Endorsed:   
**Mairead Fitzgerald,**  
Administrative Officer

# Comhairle Chontae Atha Cliath Theas

## Record of Executive Business and Chief Executive's Order

**ORDER** :That the applicant be informed that the proposed: Installation of :

Equipment measuring 3.0m x 1.5m x 1.7m – to distil waste refrigerant gas into a gas of near virgin quality for redistribution to the market, and  
Additional equipment to support this operation (Reclamation Plant measuring 3.01m x 1.5m x 1.94m and Denagger machine measuring 1.42m x 0.79m x 1.56m)

at **Unit 2, Whitestown Industrial Estate, Tallaght, Dublin 24**  
is considered to be exempted development under the Planning and Development Act 2000 (as amended) and the Planning and Development Regulations, 2001 (as amended) and therefore **does not** require planning permission.

*The issue of conforming the requirement for an E.I.S. under planning permission cannot be dealt with under Section 5.*

Date: 27/10/11

Neil O'Byrne  
Neil O'Byrne,  
Senior Planner

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An Rannóg Talamhúsáide, Pleanála agus Iompair  
Land Use, Planning & Transportation Department  
Telephone: 01 4149000 Fax: 01 4149104

Email: [planning.dept@sdublincoco.ie](mailto:planning.dept@sdublincoco.ie)

AWN Consulting,  
The Techpro Building,  
Clonsaugh Business & Technology Park,  
Dublin 17

10/11/16

Re: Harp Refrigerants Ltd. – EIS Requirement.

Dear Sirs,

I refer to your letter of 4/11/16 regarding the above and wish to advise you as follows:

The 2 planning applications mentioned in your letter relating to this site, namely RA739 and 89A/2304, were both submitted prior to the enactment of the Planning and Development Act 2000 (as amended) and therefore the requirement for the provision an EIS as set down in the Act did not apply.

I trust this clarifies the situation for you.

Yours faithfully,



For Senior Planner



# COMHAIRLE CHONTAE ÁTHA CLIATH

File Reference P.C. 14989	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 <b>PLANNING REGISTER</b>	REGISTER REFERENCE R. A. 739 <b>S</b>
1. LOCATION	Tallaght Industrial Estate, Tallaght	
2. PROPOSAL	Workshop and Offices	
3. TYPE & DATE OF APPLICATION	TYPE	Date Received
	P.	8th May, 1978
		Date Further Particulars
		(a) Requested
		(b) Received
		1. _____
		2. _____
4. SUBMITTED BY	Name	R. Wallace, Esq.,
	Address	11 Beaver Row, Donnybrook, Dublin 4.
5. APPLICANT	Name	Contract Welders Limited,
	Address	330 Kimmage Road Lower, Dublin 6.
6. DECISION	O.C.M. No.	P/1975A/78
	Date	31/5/78
		Notified
		15th June, 1978
		Effect
		To Grant Permission
7. GRANT	O.C.M. No.	P/2682/78
	Date	13/7/78
		Notified
		13th July, 1978
		Effect
		Permission Granted
8. APPEAL	Notified	Decision
	Type	Effect
9. APPLICATION SECTION 26 (3)	Date of application	Decision
		Effect
10. COMPENSATION	Ref. in Compensation Register	
11. ENFORCEMENT	Ref. in Enforcement Register	
12. PURCHASE NOTICE		
13. REVOCATION or AMENDMENT		
14.		
15.		
16.		

Prepared by .....

Checked by .....

Copy issued by ..... Registrar.

Date .....

# DUBLIN COUNTY COUNCIL

R/2682/78

Tel. 742951 (Ext. 143/145)

PLANNING DEPARTMENT,  
46 - 49 DAME STREET,  
DUBLIN 2.

Notification of Grant of Permission/Approval  
Local Government (Planning and Development) Acts, 1963 & 1976

To: Contract Holders Limited,  
330 Kilmage Road Lower,  
Dublin 2,

Decision Order  
Number and Date P/1975A/73 31/5/78  
Register Reference No. R.A. 732  
Planning Control No. 14285  
Application Received on 9/8/78

Applicant Contract Holders Limited,

A PERMISSION/APPROVAL has been granted for the development described below subject to the undermentioned conditions.

Proposed workshop and offices at Tallight Industrial Estate, Tallight.

CONDITIONS

REASONS FOR CONDITIONS

1. That the development be carried out and completed strictly in accordance with the plans and specification lodged with the application, save as is in the conditions hereunder otherwise required.
2. That the requirements of the Chief Fire Officer, if any, be ascertained and strictly adhered to in the development.
3. That the structure shall be used solely for light industrial workshop and ancillary offices as set out in the application, dated 8th May, 1978, and any proposed change of use shall be subject to the approval of the Planning Authority or An Bord Pleanála, on appeal.
4. That details of the proposed boundary treatment and all necessary landscaping, together with the external finishes to the structure be fully discussed and approved by the County Council before any constructional work is put in hand.
5. That the proposed structure be not in advance of the building line, as defined by the structure of the adjoining site.
6. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.
- 7

1. To ensure that the development be in accordance with the permission and effective control be maintained.
2. In the interest of public safety and avoidance of fire hazard.
3. In the interest of the proper planning and development of the area.
4. In the interest of amenity.
5. In the interest of the proper planning and development of the area.
6. In order to comply with the Sanitary Services Acts, 1878-1964.

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on behalf of the Dublin County Council:

*P. Tuck*  
for Principal Officer

Date:

13 JUL 1978

Approval of the Council under Building Bye-Laws must be obtained before the development is commenced and the terms of approval must be complied with in the carrying out of the work.

7. That before development commences, building Sys-law approval shall be obtained and any conditions of such approval shall be observed in the development.

8. In order to comply with the Sanitary Services Acts, 1878-1964.

*P. Yuck*

For Principal officer.

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# COMHAIRLE CHONTAE ÁTHA CLIATH

P. C. Reference	LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACT 1963 & 1976 PLANNING REGISTER	REGISTER REFERENCE 89A/2304		
1. LOCATION	Unit 2 Whitestown Industrial Estate, Tallaght, Dublin 24.			
2. PROPOSAL	Retain extension			
3. TYPE & DATE OF APPLICATION	TYPE	Date Received	Date Further Particulars	
			(a) Requested	(b) Received
	P.	22 December 1989	1. ....	1. ....
			2. ....	2. ....
4. SUBMITTED BY	Name R. Malone Address "Cherrywood", Strawberry Beds Chapelizod, Co. Dublin.			
5. APPLICANT	Name Frank Corr Address Unit 2 Whitestown Ind. Est., Tallaght, Co. Dublin.			
6. DECISION	O.C.M. No. P/670/90		Notified 21/2/90	
	Date 20/2/90		Effect to grant permission	
7. GRANT	O.C.M. No. P/1509/90		Notified 5/4/90	
	Date 5/4/90		Effect Permission granted	
8. APPEAL	Notified		Decision	
	Type		Effect	
9. APPLICATION SECTION 26 (3)	Date of application		Decision	
			Effect	
10. COMPENSATION	Ref. in Compensation Register			
11. ENFORCEMENT	Ref. in Enforcement Register			
12. PURCHASE NOTICE				
13. REVOCATION or AMENDMENT				
14.				
15.				

Prepared by .....

Checked by .....

Copy issued by ..... Registrar.

Date .....

Co. Accts. Receipt No .....

# P / 1509 / 90 DUBLIN COUNTY COUNCIL

**GRANT OF PERMISSION**

Tel. 724755 (ext. 262/264)

PLANNING DEPARTMENT,  
BLOCK 2,  
IRISH LIFE CENTRE,  
LR. ABBEY STREET,  
DUBLIN 1.

Notification of Grant of Permission

Local Government (Planning and Development) Acts, 1963-1983

To: Frank Corr, Contract Welders Ltd., Unit No. 2, Whitestown Ind. Est., Tallaght, Dublin 24.	Decision Order P/670/90 20.2.90 Number and Date ..... 89A/2304 Register Reference No. .... Planning Control No. .... 22.12.89 Application Received on .....
..... ..... Contract Welders. Applicant .....	

A PERMISSION has been granted for the development described below subject to the undermentioned conditions.  
 retention of extension to rear of Unit 2 Whitestown Industrial Estate, Tallaght.

CONDITIONS	REASONS FOR CONDITIONS
<p>1. The development in its entirety to be in accordance with the plans, particulars and specifications lodged with the application, save as may be required by the other conditions attached hereto.</p> <p>2. That the requirements of the Chief Fire Officer be ascertained and strictly adhered to in the development.</p> <p>3. That the requirements of the Supervising Environmental Health Officer be ascertained and strictly adhered to in the development.</p> <p>4. That the water supply and drainage arrangements, including the disposal of surface water, be in accordance with the requirements of the County Council.</p>	<p>1. To ensure that the development shall be in accordance with the permission and that effective control be maintained.</p> <p>2. In the interest of safety and the avoidance of fire hazard.</p> <p>3. In the interest of health.</p> <p>4. In order to comply with the Sanitary Services Acts, 1878-1964.</p>

CONDITIONS CONTINUED

Signed on behalf of the Dublin County Council .....

*[Signature]*  
For Principal Officer

05 APR 1990

Date.....

Approval of the Council under Building Bye-Laws must be obtained before the development is commenced and the terms of approval must be complied with in the carrying out of the work.

P/ 15 0 9 / 9 0

5. That the existing 2.5m high block wall along the front boundary of this site to be replaced with a dwarf brick wall suitably capped. The forecourt area behind this wall to be reserved for car parking and planting. Details of these matters, including colour of brick proposed and specific proposals for planting to be submitted to and agreed with the Planning Authority and work required carried out within 3 months of the provision of the new security at the entrance to the estate.

6. That the area between the front of the unit and the public road shall not be used for outdoor storage or display purposes or for refuse storage, but must be reserved for car parking and landscaping.

7. That no industrial effluent be permitted without prior approval from Planning Authority.

8. That no advertising sign or structure be erected except those which are exempted development, without prior approval of Planning Authority.

5. In the interest of amenity.

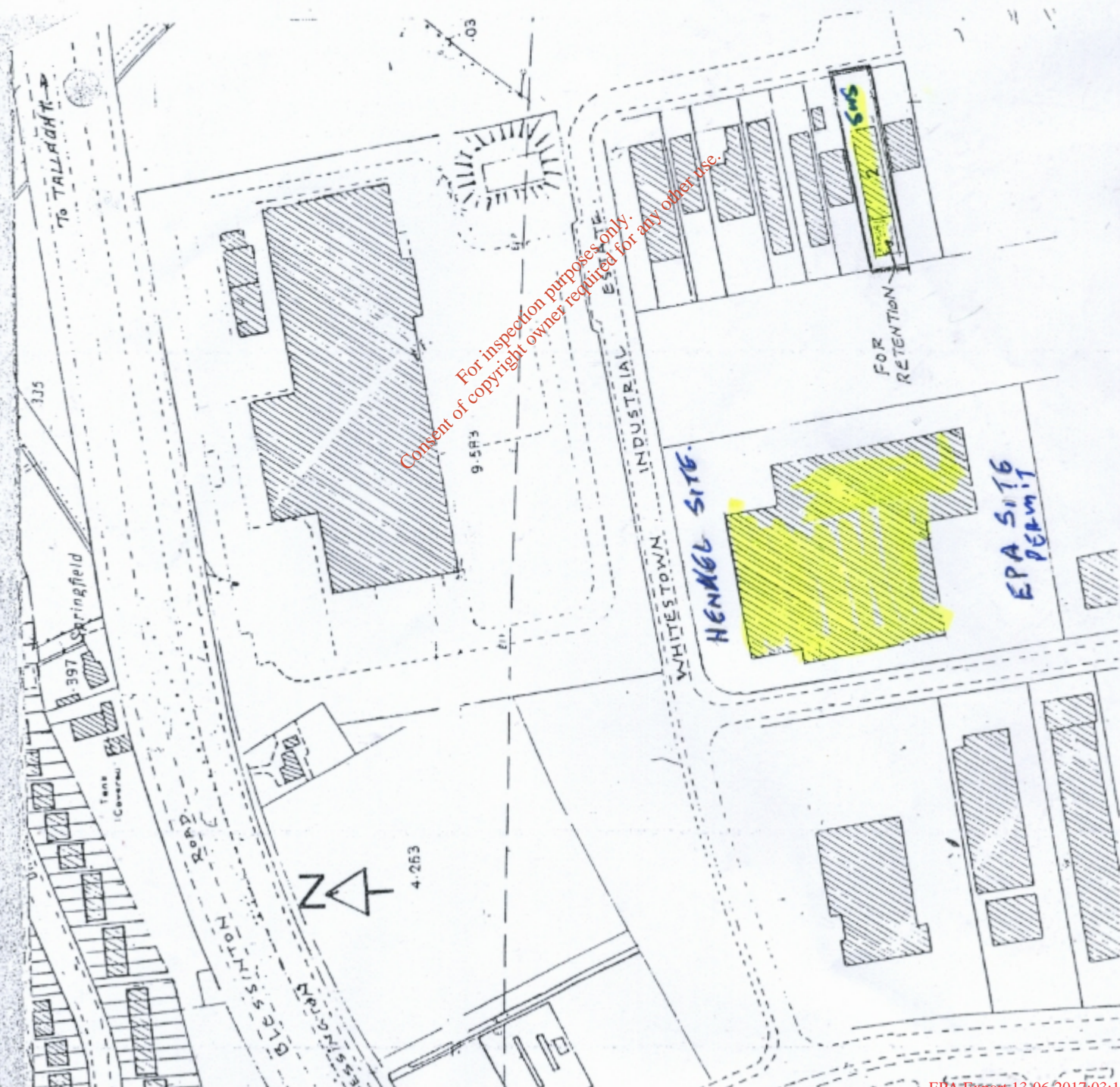
6. In the interest of the proper planning and development of the area.

7. In the interest of health.

8. In the interest of the proper planning and development of the area.

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05 APR 1990



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## **Report for Appropriate Assessment Screening**

**as required under Article 6(3) of the Habitats Directive  
(Council Directive 92/43/EEC)**

**Reclamation of Refrigerant Gases  
at Harp Refrigerants,  
Whitestown Industrial Estate, Tallaght, Dublin 24**

**Prepared by: Moore Group Environmental Services**

**25<sup>th</sup> April 2016**



**On behalf of Harp Refrigerants Ltd.  
& South Dublin County Council**

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<b>Client</b>	Harp Refrigerants Ltd.
<b>Project</b>	Harp Refrigerants Reclamation of Refrigerant Gases
<b>Title</b>	Appropriate Assessment Screening Report Reclamation of Refrigerant Gases Harp Refrigerants

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<b>Project Number</b>	16097	<b>Document Reference</b>	16097 Harp Refrigerants AAS1 Rev0.doc	
<b>Revision</b>	<b>Description</b>	<b>Author</b>	<b>Date</b>	
Rev0	Issued for Client Review	G. O'Donohoe	25 <sup>th</sup> April 2016	
<b>Moore Archaeological and Environmental Services Limited</b>				

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#### Appendix A – Finding Of No Significant Effect Report

## 1. Introduction

### 1.1. General Introduction

The Habitats Directive (Council Directive 92/43/EEC) requires that all plans and projects requiring planning permission must be screened for potential impact on Special Areas of Conservation (SACs) or Special Protection Areas (SPAs). This process aims to establish whether a full Appropriate Assessment as required by Article 6 of the Directive is required in any particular case.

This report contains information required for the competent authority, in this case South Dublin County Council, to commence an Appropriate Assessment process on the effects of the proposed Reclamation of Refrigerant Gases at the Harp Refrigerants facility at Whitestown Industrial Estate, Tallaght, Dublin 24.

It has been prepared by Moore Group – Environmental Services on behalf of Harp Refrigerants Ltd. and South Dublin County Council and assesses the potential for the proposed development to impact on sites of European-scale ecological importance in accordance with Articles 6(3) and 6(4) of the Habitats Directive. It was compiled by Ger O'Donohoe (B.Sc. Applied Aquatic Sciences (GMIT, 1993) & M.Sc. Environmental Sciences (TCD, 1999)) who has over 20 years' experience in environmental impact assessment and has completed numerous Appropriate Assessment Screening Reports and Natura Impact Statements in terrestrial and aquatic habitats.

The report assesses the potential for the proposed development to impact on sites of European-scale ecological importance. It is necessary that the Project has regard to Article 6 of the Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (as amended) (referred to as the Habitats Directive). This is transposed into Irish Law by the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. 477) (referred to as the Habitats Regulations).

### 1.2. Legislative Background - The Habitats and Birds Directives

The Habitats Directive (Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora) is the main legislative instrument for the protection and conservation of biodiversity in the EU. Under the Directive member States are obliged to designate Special Areas of Conservation (SACs) which contain habitats or species considered important for protection and conservation in a European Union context.

The Birds Directive (Council Directive 79/409/EEC as amended by Directive 2009/147/EC), is concerned with the long-term protection and management of all wild bird species and their habitats in the EU. Among other things, the Directive requires that Special Protection Areas (SPAs) be established to protect migratory species and species which are rare, vulnerable, in danger of extinction, or otherwise require special attention.

Special Areas of Conservation (SACs) designated under the Habitats Directive and Special Protection Areas, designated under the Birds Directive, form a pan-European network of protected sites known as Natura 2000. The Habitats Directive sets out a unified system for the protection and management of SACs and SPAs.

Articles 6(3) and 6(4) of the Habitats Directive set out the requirement for an assessment of proposed plans and projects likely to affect Natura 2000 sites.

Article 6(3) establishes the requirement to screen all plans and projects and to carry out a further assessment if required (Appropriate Assessment (AA)):

*Article 6(3): "Any plan or project not directly connected with or necessary to the management of the site but likely to have a significant effect thereon, either individually or in combination with other plans or projects, shall be subjected to an appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the site concerned and, if appropriate, after having obtained the opinion of the general public."*

*Article 6(4): "If, in spite of a negative assessment of the implications for the site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of the Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority species the only considerations which may be raised are those relating to human health or public safety, to the beneficial consequences of primary importance for*

*the environment or, further to an opinion from the Commission, to other imperative reasons of overriding public interest.”*

This Screening Report is a documentary record of the Appropriate Assessment process on the effects of the proposed Reclamation of Refrigerant Gases at the Harp Refrigerants facility at Whitestown Industrial Estate, Tallaght, Dublin 24, referred to in this case as the Project.

## 2. Methodology

The Commission’s methodological guidance (EC, 2002) promotes a four-stage process to complete the AA, and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Stages 1-2 deal with the main requirements for assessment under Article 6(3). Stage 3 may be part of Article 6(3) or may be a necessary precursor to Stage 4. Stage 4 is the main derogation step of Article 6(4).

**Stage 1 Screening:** This stage examines the likely effects of a project either alone or in combination with other projects upon a Natura 2000 site and considers whether it can be objectively concluded that these effects will not be significant.

**Stage 2 Appropriate Assessment:** In this stage, the impact of the project is considered on the integrity of the Natura 2000 site with respect to the conservation objectives of the site and to its structure and function.

**Stage 3 Assessment of Alternative Solutions:** This stage examines alternative ways of implementing the project that, where possible, avoid any adverse impacts on the integrity of the Natura 2000 site.

**Stage 4 Assessment where no alternative solutions exist and where adverse impacts remain:** Where imperative reasons of overriding public interest (IROPI) exist, an assessment to consider whether compensatory measures will or will not effectively offset the damage to the sites will be necessary.

In order to ensure that the Project complies fully with the requirements of Article 6 of the Habitats Directive and all relevant Irish transposing legislation, Moore Group completed this screening report of the Project on behalf of South Dublin County Council to determine if Stage 2 AA is required.

## 2.1. Guidance

The AA has been compiled in accordance with guidance contained in the following documents:

- Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities. (Department of Environment, Heritage and Local Government, 2010 rev.).
- Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities. Circular NPWS 1/10 & PSSP 2/10.
- Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC (European Commission Environment Directorate-General, 2001); hereafter referred to as the EC Article Guidance Document.
- Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC (EC Environment Directorate-General, 2000); hereafter referred to as MN2000.

## 2.2. Data Sources

Sources of information that were used to collect data on the Natura 2000 network of sites are listed below:

- Ordnance Survey of Ireland mapping and aerial photography available from [www.osi.ie](http://www.osi.ie), Google Earth, and Bing aerial photography.
- Online data available on Natura 2000 sites as held by the National Parks and Wildlife Service (NPWS) from [www.npws.ie](http://www.npws.ie) including; the Natura 2000 network Data Form; Site Synopsis; Generic Conservation Objective data
  - Online database of rare, threatened and protected species
  - Publicly accessible biodiversity datasets.
- Status of EU Protected Habitats in Ireland. (National Parks & Wildlife Service, 2013)
- Relevant Development Plans and Local Area Plans in neighbouring areas.

## 2.3. Screening Steps

In complying with the obligations under Article 6(3) and following the EC2000 and MN2000 Guidance, this AA has been structured as a stage by stage approach as follows:

Screening stage

- Description of the Project;

- Brief description of the Natura 2000 site(s) potentially affected;
- Conservation objectives of the Natura 2000 site(s);
- Assessment criteria;
  - Likely impacts on Natura 2000 site(s);
  - Cumulative and in combination impacts;
  - Likely changes to Natura 2000 site(s);
  - Elements of the Project where the impacts are likely to be significant;
- Identification and description of individual and cumulative impacts likely to result;
- Assessment of the significance of the impacts identified above on site(s) integrity;
- Exclusion of site(s) where it can be objectively concluded that there will be no significant effects; and
- Screening conclusion and statement.

If the effects are deemed to be significant, potentially significant, or uncertain, or if the screening process becomes overly complicated, then the process must proceed to Stage 2 (AA).

### 3. Description of the Project

Harp Refrigerants are applying to the EPA for a Waste Licence for the reclamation of refrigerant gases at their existing facility at Whitestown Industrial Estate, Dublin 24. Section B of the waste licence application form refers to Appropriate Assessment.

The wastes that will be accepted onto the site for storage and reclamation will be limited to refrigerant gases, halons and fluorinated greenhouse gases.

Activity will involve gases being delivered to the site in cylinders, sampled to check refrigerant type, weighed/logged and sorted by type. Each type of gas will be put into reclamation unit which will work like a whiskey distillation plant and remove impurities. This will produce 'virgin' like gas suitable for reuse. The wastes from this process are oils/molecular sieves (small volumes) which will be disposed of appropriately.

There will be no process emissions from the current or proposed activity.

Discharges to sewer are from welfare facilities only. Sewer is connected to local authority sewer network.

Surface water runoff is limited to runoff from roof of the building and hardstanding areas and goes to the local authority storm water drain.

All activities will be carried out within the building other than offloading/loading of cylinders of refrigerants from vehicles which will happen on the hardstanding area to the front of the site.

Spill kits, drip tray in place in the event of leak from a delivery/collection vehicle or the diesel powered pallet truck.

Noise emissions limited to a few extra vehicles in the industrial estate which should not exceed background noise levels

No air emissions.

Potential for litter should be limited as only cylinders will be accepted onto the site.

The location of the development site is presented in Figure 1 and Figure 2 below.

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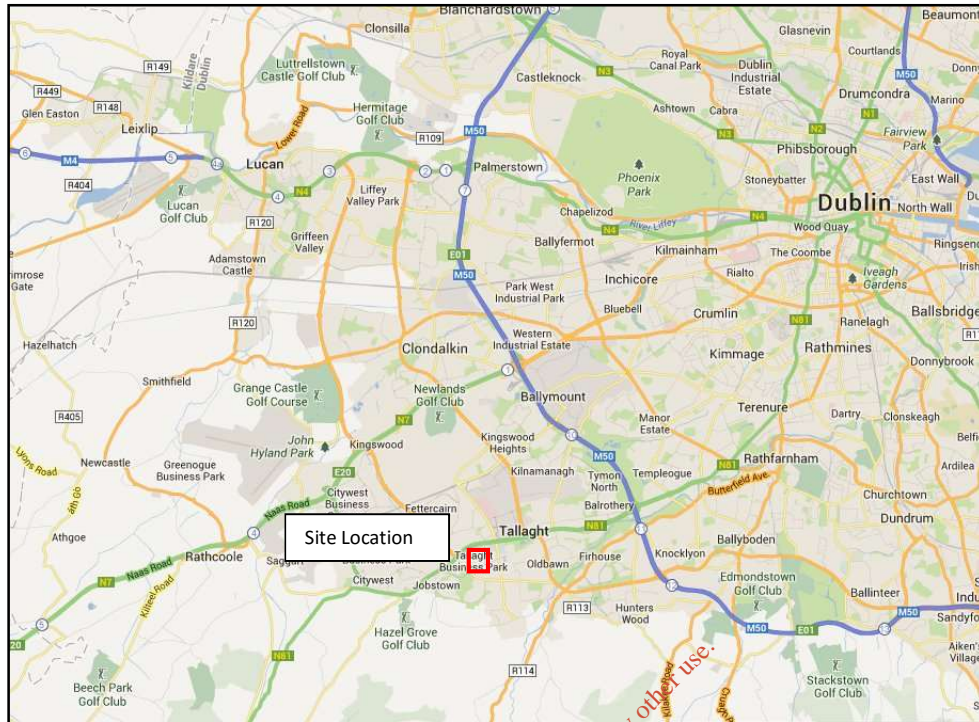


Figure 1. Site Location at Whitestown Industrial Estate in southwest Co. Dublin.

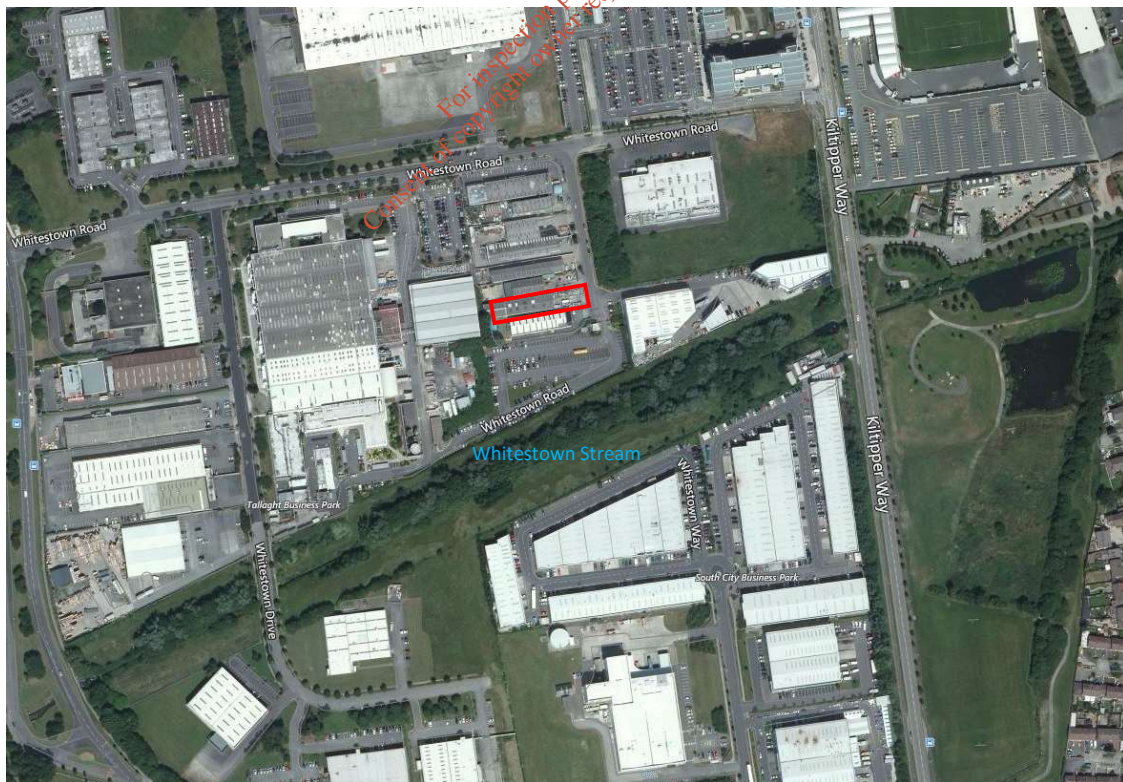


Figure 2. Site location at Whitestown Industrial Estate.

## 4. Identification of Natura 2000 Sites

### 4.1. Pre-Screening of Natura Sites Potentially Affected

There are five Natura 2000 sites located within 15km of the Project site:

- 000725 Knocksink Wood SAC
- 001209 Glenasmole Valley SAC
- 001398 Ryewater Valley/Carton SAC
- 002122 Wicklow Mountains SAC
- 004040 Wicklow Mountains SPA

The Wicklow Mountains SAC and SPA can be screened out at this stage due to the distance of removal at 4.76 km and 7.5 km respectively, and the lack of biological connectivity with the proposed development site. Similarly, there is no hydrological connectivity and limited relevant biological connectivity with the Glenasmole Valley SAC, the Ryewater Valley/Carton SAC or Knocksink Wood SAC.

The Whitestown Stream passes through Whitestown Industrial Estate c. 60 m from the subject site and discharges to the Dodder River c. 3 km downstream. The following sites within Dublin Bay are located over 15 km downstream of the River Dodder:

- 000206 North Dublin Bay SAC
- 004006 North Bull Island SPA
- 000210 South Dublin Bay SAC
- 004024 South Dublin Bay and River Tolka Estuary SPA
- 003000 Rockabill to Dalkey Islands SAC

The proposed development site has no hydrological connectivity with Dublin Bay and wastewater will be directed to the municipal sewer and therefore there would be no impacts on the Natura 2000 sites located downstream in Dublin Bay.

The locations of Conservation sites in relation to the proposed development site are presented in Figure 3 below.

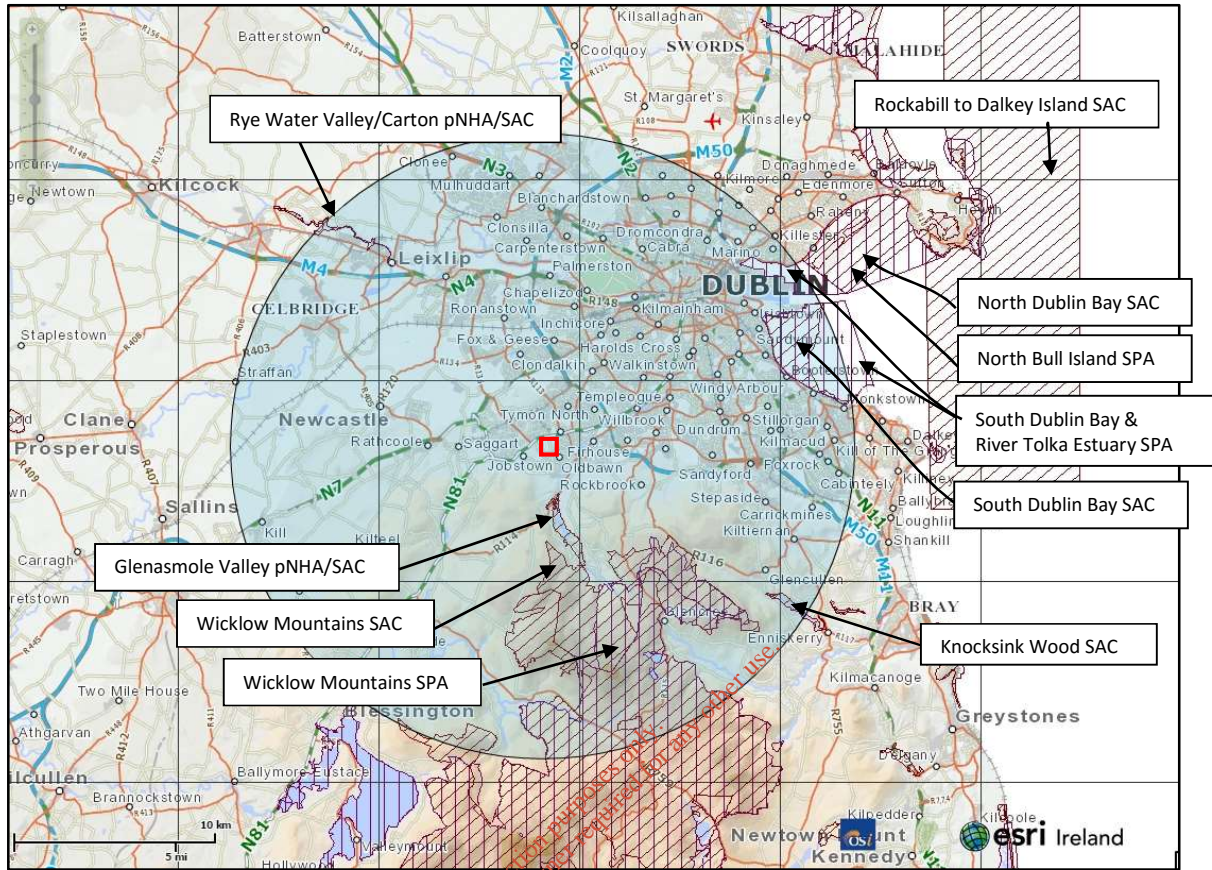


Figure 3. Site Location at Whitestown Industrial Estate in relation to European Sites within a 15 km radius.

4.2. Assessment Criteria

4.2.1. Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as “stepping stones” between Natura 2000 sites.

Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as ponds, woodlands and important hedgerows were taken into account during the rest of the AA process.

The Glenasmole Valley SAC and Rye Water-Carton SAC are also proposed Natural Heritage Areas. There are seven other pNHAs located within 15km of the proposed development site:

- 000128 Liffey Valley
- 000211 Slade of Saggart and Crooksling Glen
- 000991 Dodder Valley
- 001212 Lugmore Glen
- 001394 Killeel Wood
- 002103 Royal Canal
- 002104 Grand Canal

All pNHAs are over 5 km from the site and have no hydrological connectivity and limited biological connectivity.

## 5. Identification of Potential Impacts & Assessment of Significance

### 5.1. Potential Impacts

This section uses the information collected on the sensitivity of each Natura 2000 site and describes any likely significant effects of implementation of the Project. This assumes the absence of any controls, conditions or assumption mitigation measures.

There is limited hydrological connectivity and limited relevant biological connectivity with the Natura 2000 sites considered in the pre-screening section of this assessment. Therefore there would be no impacts on the Natura 2000 Network.

### 5.2. Assessment of Potential Cumulative Effects

Cumulative impacts or effects are changes in the environment that result from numerous human-induced, small-scale alterations. Cumulative impacts can be thought of as occurring through two main pathways: first, through persistent additions or losses of the same materials or resource, and second, through the compounding effects as a result of the coming together of two or more effects.

As part of the Screening for an Appropriate Assessment, in addition to the proposed works, other relevant projects and plans in the region must also be considered at this stage. This step aims to identify at this early

stage any possible significant in-combination or cumulative effects / impacts of the proposed development with other such plans and projects on the Natura 2000 sites.

A review of the South Dublin County Council website and planning section for the last 3 years was undertaken for the area at Whitestown Industrial Estate which returned 2 records.

SD15A/0032 refers to permission for a family drive through restaurant and petrol station forecourt. An AA Screening report was prepared for this project and a finding of no significant impacts was included, therefore, there will be no in-combination impacts.

SD15A/0385 refers to permission for increasing the height of the roof by approximately 0.9m; increasing the height of the plantroom by approximately 1.7m; alterations to the external perimeter of building and modifications to the building interior. The works will also include the installation of two new extract air fans and associated ductwork on the roof, together with all associated works. This application will be covered by the existing Integrated Pollution Control Licence Ref: P0079-03. The works will not impact the surrounding aquatic environment, therefore, there will be no in-combination impacts.

There will be no significant impacts from the proposed development on any European Sites and therefore in-combination effects can be ruled out.

The South Dublin County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of influence of the project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any in-combination impacts with Plans or Projects for the area of City West in which the development site is located, would be avoided.

Any new applications for the general project area will be assessed on a case by case basis by South Dublin County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

## 6. Screening Statement

The Wicklow Mountains SAC and SPA can be screened out at this stage due to the distance of removal at 4.76 km and 7.5 km respectively, and the lack of biological connectivity with the proposed development site. Similarly, there is no hydrological connectivity and limited relevant biological connectivity with the Glenasmole Valley SAC, the Ryewater Valley/Carton SAC or Knocksink Wood SAC.

The proposed development site has limited hydrological connectivity with Dublin Bay and wastewater will be directed to the municipal sewer and therefore there would be no impacts on the Natura 2000 sites located downstream in Dublin Bay.

It has been objectively concluded by Moore Group Environmental Services that:

1. The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The implementation of the project will not have a direct impact on the European sites considered in this assessment.
3. The project, alone or in combination with other projects or plans, is not likely to have a significant effect on any European sites in view of their conservation objectives.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.

A finding of no significant effects report is presented in Appendix A in accordance with the EU Commission's methodological guidance (European Commission, 2001).

## 7. References

Department of the Environment, Heritage and Local Government (2010) Guidance on Appropriate Assessment of Plans and Projects in Ireland (as amended February 2010).

European Commission (2000) Managing Natura 2000 sites: the provisions of Article 6 of the 'Habitats' Directive 92/43/EEC.

European Commission Environment DG (2001) Assessment of plans and projects significantly affecting Natura 2000 sites: Methodological guidance on the provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC. European Commission, Brussels.

European Commission (2007) Guidance document on Article 6(4) of the 'Habitats Directive' 92/43/EEC: Clarification of the concepts of: alternative solutions, imperative reasons of overriding public interests, compensatory measures, overall coherence and opinion of the Commission. European Commission, Brussels.

NPWS (2013) The Status of EU Protected Habitats and Species in Ireland. National Parks and Wildlife Service, Department of the Environment, Heritage and Local Government, Dublin.

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**Appendix A**  
**FINDING OF NO SIGNIFICANT EFFECTS REPORT**

Finding no significant effects report matrix

**Name of project or plan**

Reclamation of Refrigerant Gases at the Harp Refrigerants facility at Whitestown Industrial Estate, Dublin 24.

**Name and location of the Natura 2000 site(s)**

There are five Natura 2000 sites located within 15km of the Project site:

- 000725 Knocksink Wood SAC
- 001209 Glenasmole Valley SAC
- 001398 Ryewater Valley/Carton SAC
- 002122 Wicklow Mountains SAC
- 004040 Wicklow Mountains SPA

The Wicklow Mountains SAC and SPA can be screened out at this stage due to the distance of removal at 4.76 km and 7.5 km respectively, and the lack of biological connectivity with the proposed development site. Similarly, there is no hydrological connectivity and limited relevant biological connectivity with the Glenasmole Valley SAC, the Ryewater Valley/Carton SAC or Knocksink Wood SAC.

The Whitestown Stream passes through Whitestown Industrial Estate c. 60 m from the subject site and discharges to the Dodder River c. 3 km downstream. The following sites within Dublin Bay are located over 15 km downstream of the River Dodder:

- 000206 North Dublin Bay SAC
- 004006 North Bull Island SPA
- 000210 South Dublin Bay SAC
- 004024 South Dublin Bay and River Tolka Estuary SPA
- 003000 Rockabill to Dalkey Islands SAC

The proposed development site has no hydrological connectivity with Dublin Bay and wastewater will be directed to the municipal sewer and therefore there would be no impacts on the Natura 2000 sites located downstream in Dublin Bay.

**Description of the project or plan**

Harp Refrigerants are applying to the EPA for a Waste Licence for the reclamation of refrigerant gases at their existing facility at Whitestown Industrial Estate, Tallaght, Dublin 24. Section B of the waste licence application form refers to Appropriate Assessment.

The wastes that will be accepted onto the site for storage and reclamation will be limited to refrigerant gases, halons and fluorinated greenhouse gases.

Activity will involve gases being delivered to the site in cylinders, sampled to check refrigerant type, weighed/logged and sorted by type. Each type of gas will be put into reclamation unit which will work like



a whiskey distillation plant and remove impurities. This will produce 'virgin' like gas suitable for reuse. The wastes from this process are oils/molecular sieves (small volumes) which will be disposed of appropriately.

There will be no process emissions from the current or proposed activity.

Discharges to sewer are from welfare facilities only. Sewer is connected to local authority sewer network.

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Spill kits, drip tray in place in the event of leak from a delivery/collection vehicle or the diesel powered pallet truck.

Noise emissions limited to a few extra vehicles in the industrial estate which should not exceed background noise levels

No air emissions.

Potential for litter should be limited as only cylinders will be accepted onto the site.

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**Is the project or plan directly connected with or necessary to the management of the site(s)**

No

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**Are there other projects or plans that together with the projects or plan being assessed could affect the site**

A review of the South Dublin County Council website and planning section for the last 3 years was undertaken for the area at Whitestown Industrial Estate which returned 2 records.

SD15A/0032 refers to permission for a family drive through restaurant and petrol station forecourt. An AA Screening report was prepared for this project and a finding of no significant impacts was included, therefore, there will be no in-combination impacts.

SD15A/0385 refers to permission for increasing the height of the roof by approximately 0.9m; increasing the height of the plantroom by approximately 1.7m; alterations to the external perimeter of building and modifications to the building interior. The works will also include the installation of two new extract air fans and associated ductwork on the roof, together with all associated works. This application will be covered by the existing Integrated Pollution Control Licence Ref: P0079-03. The works will not impact the surrounding aquatic environment, therefore, there will be no in-combination impacts.

There will be no significant impacts from the proposed development on any European Sites and therefore in-combination effects can be ruled out.

The South Dublin County Development Plan in complying with the requirements of the Habitats Directive requires that all Projects and Plans that could affect the Natura 2000 sites in the same zone of influence of the project site would be initially screened for Appropriate Assessment and if requiring Stage 2 AA, that

appropriate employable mitigation measures would be put in place to avoid, reduce or ameliorate negative impacts. In this way any in-combination impacts with Plans or Projects for the area of City West in which the development site is located, would be avoided.

Any new applications for the general project area will be assessed on a case by case basis by South Dublin County Council which will determine the requirement for AA Screening as per the requirements of Article 6(3) of the Habitats Directive.

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### ***The assessment of significance of effects***

#### **Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site.**

There is no hydrological connectivity and limited biological connectivity to the majority of the Natura 2000 sites considered and there would be no direct, indirect or cumulative impacts on these sites.

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#### **Explain why these effects are not considered significant.**

There is limited hydrological connectivity and limited relevant biological connectivity to the majority of the Natura 2000 sites considered and there would be no direct, indirect or cumulative impacts on these sites.

The proposed development site has limited hydrological connectivity with Dublin Bay and wastewater will be directed to the municipal sewer and therefore there would be no impacts on the Natura 2000 sites located downstream in Dublin Bay.

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#### **List of agencies consulted: provide contact name and telephone or e-mail address**

South Dublin County Council (SDCC) was consulted as part of pre-planning scoping.

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#### **Response to consultation**

N/A

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### ***Data collected to carry out the assessment***

#### **Who carried out the assessment**

Moore Group Environmental Services.

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#### **Sources of data**

NPWS database of designated sites at [www.npws.ie](http://www.npws.ie)

National Biodiversity Data Centre database <http://maps.biodiversityireland.ie>

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**Level of assessment completed**

Desktop Assessment.

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**Where can the full results of the assessment be accessed and viewed**

South Dublin County Council Planning Section.

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**Overall Conclusions**

The Wicklow Mountains SAC and SPA can be screened out at this stage due to the distance of removal at 4.76 km and 7.5 km respectively, and the lack of biological connectivity with the proposed development site. Similarly, there is no hydrological connectivity and limited relevant biological connectivity with the Glenasmole Valley SAC, the Ryewater Valley/Carton SAC or Knocksink Wood SAC.

The proposed development site has limited hydrological connectivity with Dublin Bay and wastewater will be directed to the municipal sewer and therefore there would be no impacts on the Natura 2000 sites located downstream in Dublin Bay.

It has been objectively concluded by Moore Group Environmental Services that:

1. The project is not directly connected with, or necessary to the conservation management of the European sites considered in this assessment.
2. The implementation of the project will not have a direct impact on the European sites considered in this assessment.
3. The project, alone or in combination with other projects or plans, is not likely to have a significant effect on any European sites in view of their conservation objectives.

It is the view of Moore Group Environmental Services that it is not necessary to undertake any further stage of the Appropriate Assessment process.