

 <p>epa Environmental Protection Agency <i>An Ghníomhaireacht um Chaomhnú Comhshaoil</i></p>	<p>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</p>
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Eimear Cotter, Director
FROM:	Brian Meaney, Inspector, Environmental Licensing Programme
DATE:	13 March 2018
RE:	Technical amendment to Industrial Emissions licence register number W0232-01 held by Dublin Waste to Energy Limited

1. Introduction

Two licence amendment requests were received from Dublin Waste to Energy Limited as follows:

Request no.	Date received	Subject
CR04255	31/8/2017	Permissible volumetric rate of cooling water discharge
CR04506	15/11/2017	Interpretation of permissible temperature rise in cooling water discharge

This memo recommends refusal of CR04255 and partial acceptance of CR04506.

2. Background

A waste licence was granted to Dublin City Council in December 2008. The licence was amended for the purposes of the Industrial Emissions Directive in January 2014. The licence was transferred to Dublin Waste to Energy Limited in October 2014. Technical amendment A was issued in April 2017. The licence is for the operation of incineration plant.

3. Technical amendment requests and assessment

CR04255

The discharge of cooling water at SW-1 is regulated according to Schedule B.2 of the licence as follows:

Volume to be emitted:	Maximum in any one day:	570,000m ³
	Maximum rate per hour:	14,040m ³

The licensee notes that the hourly limit is less than 1/24 of the daily limit. The licensee has requested that a "clerical error" be corrected and an hourly rate of 23,750m³ become authorised.

Assessment

I can find no evidence of a clerical error in this instance.

The Environmental Impact Statement provided with the licence application states that the planned emission of cooling water during normal operation was to be 3.9m³/second. This equates to 14,040m³/hour. The EIS also states that the planned emission during abnormal operation is 6.6 m³/second, equating to 23,760m³/hour which, when multiplied by 24, equates to 570,240m³/day.

It is not appropriate that the discharge volume anticipated during periods of abnormal operation becomes the limit for normal operation.

The request should be refused.

CR04506

The temperature of cooling water discharged at SW-1 is regulated according to Schedule B.2 of the licence as follows:

Temperature rise (ΔT) relative to intake: 9.0°C

Condition 4 provides interpretation as follows:

4.2.1.3 98% of all temperature values over the year, calculated as an hourly average, shall not exceed the emission limit value.

4.2.1.4 No temperature value shall exceed the emission limit value by more than 0.5°C.

The licensee requests that this schedule and these conditions are amended as follows (proposed text in bold):

Temperature rise (ΔT) relative to intake: 9.0°C (**as 1-hour average value**)

4.2.1.3 98% of all temperature values over the year, calculated as an hourly average, shall not exceed the emission limit value.

4.2.1.4 No temperature value, **calculated as an hourly average**, shall exceed the emission limit value by more than 0.5°C.

The licensee has requested that this "clerical error" be corrected.

Assessment

I can find no evidence of a clerical error in this instance.

The change to Schedule B.2 is not necessary. Condition 4.2.1.3 states how the limit value of ΔT 9.0°C is to be interpreted, and this is as an hourly average. The interpretation clause was already moved from Schedule B.2 (where it was in the PD) to condition 4 (in the FD). There is no need to move it back to Schedule B.2.

The proposed change to condition 4.2.1.4 is one to consider making. The reason for the request arising is due to a 3-minute exceedence of the 0.5°C margin. The licensee claims that using instantaneous readings (of which there are 500 per minute) to verify compliance with condition 4.2.1.4 is not practical and is not consistent with the 'hourly average' interpretation provided in condition 4.2.1.3. Aside from the licensee's claims, it is evident that the environmental assessment for the licence was based on a temperature rise of 9°C as a 98%ile of hourly values over a year. Thus it is compatible, in accordance with section 96(1)(b) of the EPA Act 1992 as amended, and reasonable that condition 4.2.1.4 is amended as requested by the licensee.

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

The OEE, through commentary made directly to the on-line change request forms, stated that the changes cannot be accommodated under the existing licence.

5. Appropriate Assessment

The table below 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 that accompanies this report.

List of European sites assessed, their associated qualifying interests and conservation objectives.

European Site [Site code]	Distance from installation	Qualifying interests (* denotes a priority habitat)	Conservation objectives
South Dublin Bay SAC [000210]	230 metres	Mudflats and sandflats not covered by seawater at low tide [1140]	NPWS (2013) Conservation Objectives: South Dublin Bay SAC 000210. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. 22/8/2013.
North Dublin Bay SAC [000206]	2,450 metres	Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Atlantic salt meadows (Glauco-Puccinellietalia maritima) [1330] Mediterranean salt meadows (Juncetalia maritimi) [1410] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with Ammophila arenaria (white dunes) [2120] Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] Petalophyllum ralfsii (Petalwort) [1395]	NPWS (2013) Conservation Objectives: North Dublin Bay SAC 000206. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. 6/11/2013
South Dublin Bay and River Tolka	Adjacent	A046 Light-bellied Brent Goose <i>Branta bernicla hrota</i>	NPWS (2015) Conservation Objectives: South Dublin Bay

<p>Estuary SPA [004024]</p>		<p>A130 Oystercatcher <i>Haematopus ostralegus</i> A137 Ringed Plover <i>Charadrius hiaticula</i> A141 Grey Plover <i>Pluvialis squatarola</i> A143 Knot <i>Calidris canutus</i> A144 Sanderling <i>Calidris alba</i> A149 Dunlin <i>Calidris alpina alpina</i> A157 Bar-tailed Godwit <i>Limosa lapponica</i> A162 Redshank <i>Tringa totanus</i> A179 Black-headed Gull <i>Chroicocephalus ridibundus</i> A192 Roseate Tern <i>Sterna dougallii</i> A193 Common Tern <i>Sterna hirundo</i> A194 Arctic Tern <i>Sterna paradisaea</i> A999 Wetlands</p>	<p>and River Tolka Estuary SPA 004024. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. 9/3/2015.</p>
<p>North Bull Island SPA [004006]</p>	<p>2,450m</p>	<p>Light-bellied Brent Goose (Branta bernicla hrota) [A046] Shelduck (Tadorna tadorna) [A048] Teal (Anas crecca) [A052] Pintail (Anas acuta) [A054] Shoveler (Anas clypeata) [A056] Oystercatcher (Haematopus ostralegus) [A130] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Knot (Calidris canutus) [A143] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Black-tailed Godwit (Limosa limosa) [A156] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160]</p>	<p>NPWS (201□) Conservation Objectives: North Bull Island SPA 004006. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. 9/3/2015.</p>

		Redshank (<i>Tringa totanus</i>) [A162] Turnstone (<i>Arenaria interpres</i>) [A169] Black-headed Gull (<i>Chroicocephalus ridibundus</i>) [A179] Wetland and Waterbirds [A999]	
Howth Head SAC [000202]	7,600m	Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] European dry heaths [4030]	NPWS (2016) Conservation Objectives: Howth Head SAC 000202. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional and Gaeltacht Affairs. 6/12/2016
Rockabill to Dalkey Island SAC [003000]	7,250m	Reefs [1170] <i>Phocoena phocoena</i> (Harbour Porpoise) [1351]	NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. 7/5/2013.
Howth Head Coast SPA [004113]	9,960m	Kittiwake (<i>Rissa tridactyla</i>) [A188]	NPWS (2016) Conservation objectives for Howth Head Coast SPA [004113]. Generic Version 5.0. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs. 15/8/2016.

6. Recommendation

I recommend that no licence amendment is made on foot of change request no. CR04255.

I recommend partial acceptance of change request no. CR04506 and that a 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 Act 1992 as amended ceasing to be satisfied.

Signed

Brian Meaney
Environmental Licensing Programme