

23.10.2018

Mr Kealan Reynolds,
Environmental Protection Agency,
John Moore Street,
Castlebar,
Mayo.

Re: Extension of W0285-01

Dear Mr. Reynolds,

Bio Agrigas Limited (Waste Licence W0285-01) received its licence on 12 November 2015. At this stage the site is not constructed and Bio Agrigas Limited is applying to the Environmental Protection Agency for an extension of the licence in order to start construction and start operating. A decision has been made to build the facility and it has to be operational by September 2019 in order to claim support under REFIT 3.

The plant construction has been delayed due to a few factors such as

1. Technology provider securing professional indemnity insurance and this will be resolved in the coming weeks.
2. Uncertainty on Government policy on biomethane supports; and
3. The slow roll out of brown bins.

Biomethane Policy Uncertainty

The AD plant will be supported by REFIT 3 and has to be operational by September 2019. There has been much discussion on an alternative support for biogas plants for the use of biomethane. It was widely expected that a more favourable support was going to be announced in October 2017, but it was not. The Government decided that it needed more time to review options for the biomethane support. At this stage the Government has still not announced if there will be a support for biomethane. This has created much uncertainty in the biogas sector and at this stage Bio Agrigas Limited cannot wait any longer as it decided it will be supported by REFIT 3; however the biogas plant has to be operational by Sept 2019 to avail of this support.

Brown Bins

The main feedstock for the plant will be brown bin material. The roll out of the brown bins has been slower than predicted. The Government Regulatory Impact Statement done by Indecon for the household food waste regulation made a prediction that by 2015 the amount of brown bin material collected from households. The actual tonnes collected in 2015 were 57% below the prediction.

In relation to commercial brown bin, after 8 years of the commercial food waste regulations, the amount collected is still only about a third of the potential.

In August 2018, the Minister published a Circular – WPO8/18 on the *Enforcement of the National Waste Priority Household and Commercial Waste Management Compliance*. The Minister called on all Local Authorities to undertake enforcement action in line with the WERLAs.

The Competition and Consumer Protection Commission (CCPC) has published its report assessing the household waste collection market. In the report there is a section on brown bins, which has states the following:

- To date, the rollout has been slow.
- The CCPC has estimated that by 2016 only 50% of all households with a scheduled service had an organic bin,
- 19 of the 31 local authorities had provision rates below 50%.
- Cavan, Donegal, Kilkenny, Mayo, Monaghan, Roscommon and Westmeath are also highlighted as having rates less than 20%.

The limited provision of brown bins in some areas, which is a mandatory condition of operator permits, illustrates a lack of compliance with the current Regulations and raises questions about the supporting enforcement regime.

Full report at <https://www.ccpc.ie/business/ccpc-report-recommends-introduction-of-economic-regulation-in-thehousehold-waste-collection-market/>

Yours Sincerely,


Thomas Flynn

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