

Mr Dorota Richards,  
Administration Officer,  
Office of Environmental Sustainability,  
Environmental Protection Agency,  
Headquarters PO Box 3000,  
Johnstown Castle Estate.  
County Wexford.

7<sup>th</sup> December 2018

Re: Application for Licence Reg No: W0183-02

Dear Ms Richards,

We refer to the Agency's letter dated 12<sup>th</sup> September 2017 in accordance with Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013. The information requested in the letter is set out herein.

1. *An Bord Pleanála's Inspector's Report regarding Planning Permission PL 06f.202468 states that 'The facility will accept waste between 06.30 hours and 20.00 hours Monday to Saturday. Operational hours will be 07.00 hours to 19.00 hours. Waste will not be removed from the facility after 19.00 hours'. Condition 1 of the most recent planning permission for the installation F08A/0981 states that the proposed development shall strictly comply with the conditions of An Bord Pleanála under PL 06f.202468.*

- a. *Provide evidence that the scope of the installation's planning permission covers 24-hour operation 7 days a week.*

In February 2006 the EPA technically amended the licence to allow the acceptance and handling of waste 24 hours a day Monday to Sunday inclusive. Planning permission PL 06f.202468 did not allow 24-hour operation 7 days a week. Starrus Eco Holding Ltd applied for and have been granted permission (FW/18A0079) for 24-hour operation 7 days a week. A copy of the planning permission and the Planner's Report are in Attachment 1.

2. *A drawing indicating the waste storage plan was submitted in the additional information received on the 18<sup>th</sup> July 2017. This drawing doesn't demonstrate the potential maximum storage capacity of IBA at the facility. Please provide a waste storage plan which demonstrates the maximum IBA waste storage capacity in Area 2.*

A drawing showing the proposed IBA storage capacity in Area 2 is in Attachment 2.

3. Confirm whether it is proposed to carry out treatment method (a), (b) and/or (c) as listed in BAT Conclusion No 53 of the Waste Incineration BREF. Provide information which includes:

- a. a description of the selected treatment process(es);
- b. clarification of how the selected treatment(s) meets BAT;
- c. a description of the controls in place regarding dust, odour and accident prevention due to the risk of potential ignition;
- d. the maximum length of time a stockpile will remain in Area 2 when undergoing this treatment: and
- e. the name of any proposed facility for where this treated waste is destined: and
- f. the waste acceptance specification for any end-destination facility.

The treatment will comprise method (b) wet bottom ash treatment with ageing. A review of the Reference Document on the Best Available Techniques for Waste Incineration, in so far as it applies to the proposed acceptance, processing and storage of the incinerator ash, was submitted to the Agency in July 2017. This has been revised to reflect the additional information requested by the Agency above and the amended copy is in Attachment 3.

4. IBA has the potential for dust and odour generation. In the Waste Incineration BREF, Sections 4.6.6 and 4.6.7, Cross Media Effects state that dust controls may be required. The potential impact from dust is increased by the number and types of treatments proposed to take place within Area 2. Provide information regarding

- a. the proposed air extraction and treatment system from Area 2 and/or the entire building
- b. Air Dispersion Modelling on the emission point to atmosphere (A2-1);
- c. the planning permission for the abatement system and associated stack from the waste treatment building: and
- d. whether the emissions from the dust filters currently in situ will form part of the emissions from A2-1.

Section 4.6.6 of the BREF, which is relevant to the proposed treatment process, states that dust controls may be required. Although the provision of dust controls is not mandatory it is proposed, as referred to in Attachment F 1 of the application, to provide the following dust control measures inside the IBA handling area.

The existing 5m internal wall that currently separates the loose SRF storage area from the MSW transfer area will be extended to the roof so that the ash processing area will be fully enclosed. The dust extraction system which was installed in accordance with Condition 3.15.2 (ii) to control occupational dust levels when the C&I and C&D processing lines were in operation will be recommissioned. Details of the proposed system are in Attachment 4. The 3 roller shutters on the doors accessing the proposed ash treatment area will be repaired and will only be opened to allow vehicles to enter and leave the building.

It is not proposed to extract and treat air from Area 1. As stated in Attachment E1 of the application, while the IBA is unlikely to be a significant source of odours, provision has been made for the installation of an odour control system adjacent to the dust suppression.

If required, this will comprise air extraction and filtration as specified in Condition 3.15.1 (ii) of the current licence. The location is shown on Drawing No.3 Emission and Monitoring Locations submitted with the application.

The detailed design of the system will, in accordance with Condition 3.15.1 (ii), be submitted to the Agency for prior approval as a Specified Engineering Works referred to Schedule B of the licence. The results of numerical air dispersion modelling will form part of the SEW submission.

If at some time in the future the Agency determines that the odour control system referred to in Condition 3.15(ii) is required planning approval for this can be accommodated under Article 7 (i) and (ii) of the Planning and Development Regulations 2001, as amended.

5. *The baseline report provided did not identify the relevant hazardous substances at the installation and whether these substances have been identified in the soil and groundwater beneath the installation. The Decommissioning Plan states that there is no evidence of any significant contamination that would require remedial works. Please confirm if you consider:*

*a. diesel, engine oil and lubricating oil to be the only relevant hazardous substances at the installation: and*

*b. that the installation will be returned to greenfield status upon closure.*

Diesel, engine and lubrication will be the only relevant hazardous substances at the installation. The closure and decommissioning works will be carried out in accordance with the Decommissioning Plan. All wastes and raw materials will be removed from the site, the buildings and drains cleaned out and electrical services disconnected. It is not intended to demolish the buildings and therefore the installation will not be returned to greenfield status upon closure.

6. *Clarify if the IBA processing area is required to comply with the Safety, Health and Welfare at Work (Explosive Atmospheres) Regulations 2003. If these regulations are relevant:*

*a. State how they will be complied with in order to prevent accidents:*

*b. Provide an updated ELRA which includes the risk from explosion.*

The IBA processing area will not be required to comply with the Safety, Health and Welfare at Work (Explosive Atmosphere) Regulations 2003.

*In addition to the above, please also provide an updated non-technical summary to reflect the information provided in your reply.*

A non-technical summary is in Attachment 5.

Separately but related we refer to the Agency's notice dated 13<sup>th</sup> August requesting the update the Environmental Impact Statement to meet the requirements of an Environmental Impact Assessment Report in accordance with the 2014 EIA Directive.

For clarification an EIS was not prepared for the proposed development that is the subject of the review application. Fingal County Council has confirmed that the proposed acceptance of the IBA is not a development that required planning permission.

The EIS prepared in 2002 for the original planning application to develop the facility was included in the application as required by section B.6.b.1 (b) of the application form - *Where planning permission has been/is required for the site of the activity, you must submit the most recent EIS associated with a planning application or planning permission for the site of the activity.*

The Agency has not set out the grounds for its determination that the development is of a type for which an Environmental Impact Assessment is required. Reference to Schedule 5 of the Planning and Development Act 2001 as amended confirms that the development falls under *Class 13 Changes, extensions, development and testing*, which includes;

*a) Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-*

*(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and*

*(ii) result in an increase in size greater than 25 per cent, or an amount equal to 50 per cent of the appropriate threshold, whichever is the greater.*

The existing activity comprises authorised development that is already subject to EIA and for which an EIA was completed in 2002. The proposed development will not result in the development falling into another class that is subject to EIA and will not result in any increase in size >25% or an amount equal to 50% of the appropriate threshold and therefore is not a project to which the EIA Directive applies.

  
Jim O'Callaghan

## **Attachment 1**

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## **Attachment 2**

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## **Attachment 3**

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## **Attachment 4**

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## **Attachment 5**

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