

**ENVIRONMENTAL LICENSING PROGRAMME**

TO:	Ms Eimear Cotter, Director
FROM:	Suzanne Wylde, Inspector, Environmental Licensing Programme
DATE:	8 January 2019
RE:	Technical Amendment to Industrial Emissions Licence Register Number: W0003-03, held by South Dublin County Council, Ballymount Road, Walkinstown, Dublin 12.

## 1. Background

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

The Agency received a request on 10<sup>th</sup> August 2018 from South Dublin County Council, licence register number W0003-03, to technically amend their licence. The request relates to the request to be permitted to store odorous waste overnight at this waste transfer station in Ballymount. The facility is operated by Starrus Eco Holdings Ltd (T/A Greenstar).

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

## 2. Technical Amendment request

The licensee is requesting that waste be allowed to be stored overnight at the installation. Condition 5.3.5 of the licence requires that all waste accepted into the baling centre whether for treatment or transfer, shall be dispatched from the installation on the day of waste acceptance, except where waste is dealt with in accordance with the contingency arrangements required by this licence.

Condition 5.3.5 *Notwithstanding Condition 1.7, all waste accepted into the Baling Centre, whether for treatment or transfer, shall be dispatched from the installation on the day of acceptance, except where the waste is dealt with in accordance with the contingency arrangements required in the licence.*

The licensee has requested that Condition 5.3.5 be amended as follows to allow for overnight storage of waste:

*Notwithstanding Condition 1.7, all waste accepted into the Baling Centre, whether for treatment or transfer, shall be dispatched from the installation with 48 hours of arrival or 72 hours in the case of a public holiday.*

The current Condition 5.4 requires the floor of the building be cleared of all waste at the end of the working day. The operational hours specified in the licence are 0630 to 2130. To comply with the current Condition 5.4, waste acceptance typically stops before 1600 to ensure that all wastes can be removed from the building before 2130. Currently, waste collection vehicles serving the facility that have not completed their collection runs and returned to the site before 1600, are diverted to the nearby Starrus Eco Holdings Ltd Materials Recovery Facility at Ballymount (W0039-02), which is permitted to accept waste on a 24-hour basis.

Condition 5.4.1 *Notwithstanding Condition 1.7, all waste accepted into the Bailing Centre, whether for treatment or transfer, shall be dispatched from the installation with 48 hours of arrival or 72 hours in the case of a public holiday.*

It should be noted that the odour abatement in place at the W0003-03 facility is suitable for the storage of this type of waste. It is preferential to have overnight storage of waste at the W0003-03 facility given that the appropriate odour management system is in place. Given the odour abatement in place, this proposed change should not alter their ability to comply with the requirements of the licence.

The licensee has requested that Condition 5.4.1 be amended as follows:

*The floor of the Bailing Centre shall be washed and cleared daily. The floor of the temporary waste storage bay shall be washed down weekly.*

This requested change is to ensure that the licensee can comply with the conditions of their licence, should they be permitted to store waste over night at their facility.

In addition to the changes requested above, the licensee has requested that Condition 7.1 be amended, as per the technical amendment attached to allow flexibility around public holidays.

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

I have consulted with the OEE enforcement team (Carol O'Sullivan), in relation to this technical amendment request. The OEE confirmed that the proposed request cannot be accommodated under the existing licence. The OEE noted that approving this change request would be environmentally beneficial as it is preferential to store this type of waste overnight at the W0003-03 facility, given the appropriate odour management system that is in place.

The OEE confirmed that no legal proceedings are in train.

### **4. Appropriate Assessment**

The table below lists the European Sites assessed, their associated qualifying interests and conservation objectives.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Site(s) listed in the table below.

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans

or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required. This determination is based on the fact that the proposed amendments will not result in a material change to the nature of the discharges from the agglomeration.

Site Name and code	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives
Glenasmole Valley SAC (001209)	<b>Habitats</b> 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) 7220 Petrifying springs with tufa formation (Cratoneurion)*	National Parks and Wildlife Service, Department of Culture Heritage and the Gaeltacht. Dated 21 <sup>st</sup> February 2018
Wicklow Mountains SAC (002122)	<b>Habitats</b> 3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with Erica tetralix 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 Calaminarian grasslands of the Violetalia calaminariae 6230 Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) 8210 Calcareous rocky slopes with chasmophytic vegetation 8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles <b>Species</b> 1355 Otter ( <i>Lutra lutra</i> )	National Parks and Wildlife Service, Department of Culture Heritage and the Gaeltacht. Dated 31 <sup>st</sup> February 2017 (Version 1)
South Dublin Bay SAC (000210)	<b>Habitats</b> 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes	National Parks and Wildlife Service, Department of Culture Heritage and the Gaeltacht. Dated 22 <sup>nd</sup> August 2013 (Version 1)
Wicklow Mountains SPA (004040)	<b>Birds</b> A098 Merlin ( <i>Falco columbarius</i> ) A103 Peregrine ( <i>Falco peregrinus</i> )	National Parks and Wildlife Service, Department of Culture Heritage and the Gaeltacht. Dated 21 <sup>st</sup> February 2018
South Dublin Bay and River Tolka Estuary SPA (004024)	<b>Birds</b> A144 Sanderling ( <i>Calidris alba</i> ) A157 Bar-tailed Godwit ( <i>Limosa lapponica</i> ) A149 Dunlin ( <i>Calidris alpina</i> ) A162 Redshank ( <i>Tringa totanus</i> ) A179 Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) A143 Knot ( <i>Calidris canutus</i> ) A192 Roseate Tern ( <i>Sterna dougallii</i> ) A046 Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) A141 Grey Plover ( <i>Pluvialis squatarola</i> ) A130 Oystercatcher ( <i>Haematopus ostralegus</i> ) A194 Arctic Tern ( <i>Sterna paradisaea</i> ) A193 Common Tern ( <i>Sterna hirundo</i> ) A137 Ringed Plover ( <i>Charadrius hiaticula</i> ) <b>Habitats</b> Wetlands	National Parks and Wildlife Service, Department of Culture Heritage and the Gaeltacht. Dated 9 <sup>th</sup> March 2015 (Version 1)

## **5. Recommendation**

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0003-03 (held by South Dublin County Council), in accordance with Section 96(1)(c) the EPA Act 1992 as amended.

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

Signed,



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**Suzanne Wylde**

Inspector

Environmental Licensing Programme