

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Eimear Cotter, Director
FROM:	Suzanne Wylde, Inspector, Environmental Licensing Programme
DATE:	11 April 2019
RE:	Technical Amendment to Industrial Emissions Licence Register Number: W0232-01, held by Dublin Waste to Energy Ltd, Arthur Cox Building, Earlsfort Terrace, Dublin 2.

The Agency received a request on 7 December 2018 from Dublin Waste to Energy Ltd, Licence Register Number W0232-01, to technically amend their licence. The request relates to the addition of two List of Waste (LoW) codes for non hazardous sludges.

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

1. Background

The licensee operates a non-hazardous waste to energy plant (incinerator) at Poolbeg in Dublin City. Dublin City Council was granted Waste Licence Register Number W0232-01 on 1 December 2008 for a facility located at Pigeon House Road, Poolbeg, Dublin 4. The licence was amended for the purposes of Section 76A(11) of the Waste Management Act, 1996 as amended, on 7 January 2014. The amendment gave effect to the requirements of the Industrial Emissions Directive (2010/75/EU) and the licence became an Industrial Emissions licence. The licence was also amended on 11 April 2017 (Technical Amendment A) and 27 March 2018 (Technical Amendment B).

The Industrial Emissions licence was transferred to Dublin Waste to Energy Limited on 31 October 2014. The licensee is authorised to carry out waste activities including waste incineration under Classes 11.3(a) and 11.1 of the First Schedule to the EPA Act, 1992 as amended.

2. Technical Amendment request

The Agency received a request for a Technical Amendment of IE licence W0232-01, on 7 December 2018 requesting the inclusion of two new LoW codes. The codes requested were as follows:

- 07 02 12 - Sludges from on-site effluent treatment other than those mentioned in 07 02 11*
- 07 05 12 - Sludges from on-site effluent treatment other than those mentioned in 07 05 11*

The sludges originate in wastes from the manufacture, formulation, supply and use (MFSU) of plastics, synthetic rubber and man-made fibres and the MFSU of pharmaceuticals. Both sludge types are non hazardous.

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

I have consulted with the OEE in relation to this technical amendment request. The OEE confirmed that the proposed technical amendment cannot be accommodated under the existing licence. OEE has confirmed that there are no legal proceedings in train in respect of this licence.

4. Assessment

Dublin Waste to Energy Ltd is already licensed to accept non-hazardous sludges of a similar nature to those requested to be included through this procedure.

The licensee stated, in the technical amendment request, that the Air Pollution Control System at the installation will be able to control the emissions through automatically adjusting the dosage rates for the lime, activated carbon and ammonia water, as it currently does, to ensure the emission limit values in the licence for the installation remain within the licence limits. The total volume of these sludges represents less than 0.5% of the total volume accepted at the incinerator per annum.

The addition of these sludges will not require any new infrastructure or new emission points. They will not change the overall quantity of waste accepted at the installation.

The licensee submitted the analysis of the sludges as part of their request for the amendment and requested that the names of the companies producing the sludges remain confidential. The licensee stated in their request that "*Details of each facility will be sent under separate cover*". It should be noted that while the names of the companies are not required for my assessment of the request, the licensee omitted to submit the information under separate cover.

Finally, the proposed amendment does not contravene the requirements of Chapter IV *Special provisions for waste incineration plants and waste co-incineration plants* of the Directive 2010/75/EU.

5. Appropriate Assessment

Appendix 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives along with the assessment of the effects of the activity on the European Sites.

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 Appendix 1.

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 amendment will not result in a material change to the nature of the discharges or the activity.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0232-01 (held by Dublin Waste to Energy Ltd), in accordance with Section 96(1)(c) of the EPA Act 1992 as amended.

I recommend that the licence amendment be approved as set out in the attached recommended Technical Amendment C. 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,



Suzanne Wylde

Inspector
Environmental Licensing Programme

Appendix 1: List of European Sites assessed, their associated qualifying interests and conservation objectives.

	European Site (site code)	Distance & direction from installation	Qualifying interests (* denotes a priority habitat)	Conservation objectives
1	South Dublin Bay SAC (000210)	200m south of the installation	Habitats 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	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf
2	North Dublin Bay SAC (00XXXX)	2km north of the installation	Habitats 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 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* 2190 Humid dune slacks Species 1395 Petalwort (<i>Petalophyllum ralfsii</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf
3	Rockabill to Dalkey Island SAC (03000)	6km east of the installation	Habitats 1170 Reefs Species 1351 Harbour Porpoise (<i>Phocoena phocoena</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO003000.pdf
4	Howth Head SAC (000202)	6km north of the installation	Habitats 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000202.pdf
5	Baldoyle Bay SAC (000199)	7km north of the installation	Habitats 1140 Mudflats and sandflats not covered by seawater at low tide 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000199.pdf
6	South Dublin Bay and River Tolka Estuary SPA (004024)	200m south of the installation	Birds 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>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf

			<p>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>)</p> <p>Habitats Wetlands</p>	
7	North Bull Island SPA (004006)	2km north-east of the installation	<p>Birds A160 Curlew (<i>Numenius arquata</i>) A149 Dunlin (<i>Calidris alpina</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A144 Sanderling (<i>Calidris alba</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A143 Knot (<i>Calidris canutus</i>) A169 Turnstone (<i>Arenaria interpres</i>) A054 Pintail (<i>Anas acuta</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A052 Teal (<i>Anas crecca</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A056 Shoveler (<i>Anas clypeata</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>Habitats Wetlands</p>	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf
8	Baldoyle Bay SPA (004016)	7km north of the installation	<p>Birds A137 Ringed Plover (<i>Charadrius hiaticula</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</p> <p>Habitats Wetlands</p>	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004016.pdf

9	Dalkey Islands SPA (004172)	9km south of the installation	Birds A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A192 Roseate Tern (<i>Sterna dougallii</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004172.pdf
10	Howth Head Coast SPA (004113)	9km north of the installation	Birds A188 Kittiwake (<i>Rissa tridactyla</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004113.pdf