

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	<b>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</b>
<b>ENVIRONMENTAL LICENSING PROGRAMME</b>	
<b>TO:</b>	Dr. Eimear Cotter, Director
<b>FROM:</b>	Michelle Reddy, Inspector, Environmental Licensing Programme
<b>DATE:</b>	28 August 2019
<b>RE:</b>	Technical Amendment to Industrial Emissions Licence Register Number: W0167-03, held by Indaver Ireland Limited, Carranstown, Duleek, County Meath.

The Agency received a request on 12<sup>th</sup> April 2019 from Indaver Ireland Limited, Licence Reg. No. W0167-03 to technically amend their Licence.

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

## 1. Background

Indaver Ireland Limited was granted a licence; Reg. No. W0167-01, on 24<sup>th</sup> November 2005 for an installation located at Carranstown, Duleek, Co. Meath.

A revised licence was issued Licence Reg. No. W0167-02, on 16<sup>th</sup> February 2011 and a further revised licence, Licence Reg. No. W0167-03 was issued to Indaver Ireland Limited on 2<sup>nd</sup> June 2015.

The installation is licenced under Class 11.3 of the First Schedule to the EPA Act 1992 as amended. The licence was amended on 21<sup>st</sup> June 2016 (Technical Amendment A) to provide for the storage of metals recovered from the bottom ash and amended again on 30<sup>th</sup> May 2017, (Technical Amendment B) to include List of Waste (LoW) Code 19 02 08 aqueous waste to Schedule A.2 Hazardous Waste Categories and Quantities for Acceptance for Incineration.

## 2. Technical Amendment request

On the 12<sup>th</sup> April 2019, the Agency received a request for a Technical Amendment of IE Licence Reg. No. W0167-03, in order to allow for the removal of Note 4 to Schedule A.1 Waste Categories and Quantities for Acceptance for Incineration which states the quantity of waste permitted to be accepted by Indaver Ireland Limited is limited to 235,000 tonnes per annum up to 31 December 2019 and 220,000 tonnes per annum thereafter.

On 4<sup>th</sup> February 2013 An Bord Pleanála granted permission (Ref. PA0026) under the strategic infrastructure provisions of the Planning & Development Acts for the intake of waste up to 220,000 tonnes per annum. This permission was amended on 1<sup>st</sup> August 2014 to allow an

intake waste of up to 235,000 tonnes per annum until the 31<sup>st</sup> December 2019 .This permission was amended on 3<sup>rd</sup> April 2019 (Ref. ABP-302447-18) to allow an intake of waste of up to 235,000 tonnes per annum on a permanent basis.

The licensee submitted the amendment request on foot of the planning permission granted on the 3<sup>rd</sup> April 2019.

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

I have consulted with the OEE team, in relation to this technical amendment request. The OEE confirmed that the amendment request 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**

*Note 4 to Schedule A.1* Waste Categories and Quantities for Acceptance for Incineration states the quantity of waste permitted to be accepted by Indaver Ireland Limited is limited to 235,000 tonnes per annum up to 31 December 2019 and 220,000 tonnes per annum thereafter. This note was entered into the licence on foot of a planning condition (Ref.PA0026) that was associated with the installation as amended by An Bord Pleanala on the 1<sup>st</sup> August 2014.

An amendment to allow acceptance of increased tonnage from 220,000 tonnes per annum to 235,000 tonnes per annum on a permanent basis was granted by An Board Pleanala (Ref. Board Order ABP-302447-18) on 3<sup>rd</sup> April 2019. This removes the requirement to include Note 4 to Schedule A.1 in the licence.

An Board Pleanala (Ref. ABP-302447-18) determined that a 7% increase in waste throughput would not be likely to have significant effects on the environment, including on any European Site in view of their Conservation Objectives.

The incineration process and associated flue gas cleaning and energy recovery systems will remain unchanged from those authorised under the current licence. The inspectors report for W0167-03 states the main impacts of increasing the waste throughput by 35,000 tonnes per annum ( from 200,000 tonnes to 235,000 tonnes per annum) are:

- 17.5 % increase in raw material usage in the flue gas treatment system;
- 17.5% increase in the generation of incinerator residues (bottom ash, boiler ash and flue gas cleaning residues);
- 17.5% increase in water usage;
- Increase in electrical output from 17 to 21 MW.

The installation is currently licensed to accept 235,000 tonnes per annum up to 31<sup>st</sup> December 2019 and emission limits values are set taking this quantity of waste into consideration and ensuring there is no significant impact on the environment. To continue accepting 235,000 tonnes per annum on a permanent basis will not result in any new or additional emissions that could present a significant risk to the environment.

## 5. Appropriate Assessment

Table 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives.

**Table 1 List of European Sites assessed, their associated qualifying interests and conservation objectives.**

	<b>European Site (site code)</b>	<b>Distance from installation</b>	<b>Qualifying interests</b> (* denotes a priority habitat)	<b>Conservation objectives</b>
1	River Boyne and River Blackwater SAC (002299)	3.4 km from the installation.	<b>Habitats:</b> 7230 Alkaline fens 91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i> )* <b>Species</b> 1106 Salmon ( <i>Salmo salar</i> ) 1355 Otter ( <i>Lutra lutra</i> ) 1099 River Lamprey ( <i>Lampetra fluviatilis</i> )	As per NPWS (2018) Conservation objectives for River Boyne and River Blackwater SAC[002299]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht (dated 21/02/2018).
2	River Boyne and River Blackwater SPA (004232)	3.6 km from the installation.	<b>Birds:</b> A229 Kingfisher ( <i>Alcedo atthis</i> )	As per NPWS (2018) Conservation objectives for River Boyne and River Blackwater SPA [004232]. Generic Version 6.0. Department of Arts, Heritage and the Gaeltacht (dated 21/02/2018).
3	Boyne Estuary SPA (004080)	6.4 km from the installation.	<b>Birds</b> A048 Shelduck ( <i>Tadorna tadorna</i> ) A140 Golden Plover ( <i>Pluvialis apricaria</i> ) A162 Redshank ( <i>Tringa totanus</i> ) A144 Sanderling ( <i>Calidris alba</i> ) A143 Knot ( <i>Calidris canutus</i> ) A156 Black-tailed Godwit ( <i>Limosa limosa</i> ) A195 Little Tern ( <i>Sterna albifrons</i> ) A169 Turnstone ( <i>Arenaria interpres</i> ) A141 Grey Plover ( <i>Pluvialis squatarola</i> )	As per NPWS (2013) Conservation Objectives: Boyne Estuary SPA 004080. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. (dated 26/02/2013)

			<p>A142 Lapwing (<i>Vanellus vanellus</i>)</p> <p>A130 Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p><b>Habitats</b></p> <p>Wetlands</p>	
4	Boyne Coast and Estuary SAC (001957)	7.4 km from the installation.	<p><b>Habitats</b></p> <p>1130 Estuaries</p> <p>1140 Mudflats and sandflats not covered by seawater at low tide</p> <p>1210 Annual vegetation of drift lines</p> <p>1310 Salicornia and other annuals colonising mud and sand</p> <p>1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)</p> <p>2110 Embryonic shifting dunes</p> <p>2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes)</p> <p>2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)*</p>	As per NPWS (2012) Conservation Objectives: Boyne Coast and Estuary SAC 001957. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. (dated 31 October 2012)
5	River Nanny Estuary and Shore SPA (004158)	8.3 km from the installation.	<p><b>Birds</b></p> <p>A143 Knot (<i>Calidris canutus</i>)</p> <p>A144 Sanderling (<i>Calidris alba</i>)</p> <p>A140 Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>A130 Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>A184 Herring Gull (<i>Larus argentatus</i>)</p> <p>A137 Ringed Plover (<i>Charadrius hiaticula</i>)</p> <p><b>Habitats</b></p> <p>Wetlands</p>	As per NPWS (2012) Conservation Objectives: River Nanny Estuary and Shore SPA 004158. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Galetacht

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) at River Boyne & River Blackwater SAC (002299), River Boyne & River Blackwater SPA (004232), Boyne Estuary SPA (004080), Boyne Coast and Estuary SAC (001957) and River Nanny Estuary and Shore SPA (004158).

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.

It has been determined that the proposed activity, in the context of the whole installation, does not have the potential for significant effects on any European site due to the nature and scale of the waste to energy plant operations and the distance between the installation and the designated sites.

## **6. Recommendation**

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0167-03 (held by Indaver Ireland Limited), in accordance with Section 96(1) (b) of 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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Michelle Reddy  
Inspector  
Environmental Licensing Programme