

 <p>epa Environmental Protection Agency <i>An Ghníomhaireacht um Chaomhnú Comhshaoil</i></p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Dr Eimear Cotter, Director
FROM:	Caitríona Collins, Senior Inspector, Environmental Licensing Programme
DATE:	24 February 2020
RE:	Technical Amendment to Industrial Emissions Licence Register Number: W0183-01, held by Starrus Eco Holdings Limited, Ballymount Road Upper, Dublin 24.

The Agency received a request on 10 January 2020 from Starrus Eco Holdings Limited, Licence Reg. No. W0183-01 to technically amend their licence. The request relates to the use of a new building, for the acceptance and segregation of skip waste, to allow for the expansion of recycling capacity. There is no proposal to accept any waste types or quantities over and above what is currently authorised in licence Reg. No. W0183-01.

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

Greenstar Limited was granted a waste licence; Reg. No. W0183-01, on 15 April 2004 for an installation located at Millennium Business Park, Grange, Ballycoolin, Dublin 11. The licence was transferred to Starrus Eco Holdings on 4 March 2014 and was amended for the purposes of Section 82A(11) of the EPA Act 1992 as amended, on 16 December 2015. This amendment gives effect to the requirements of Directive 2010/75/EU (Industrial Emissions Directive).

The installation is licenced under 11.4(b) (recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day) and 11.1 (recovery or disposal of waste) of the First Schedule to the EPA Act 1992 as amended.

The licence for Starrus Eco Holdings is for the recovery and disposal of waste at a materials recovery facility and transfer station. A total quantity of 220,000 tonnes per annum of non hazardous municipal waste (100,000 tonnes), commercial and industrial waste (90,000 tonnes) and construction and demolition waste (30,000 tonnes) is authorised. The licence also provides for the acceptance of 50,000 tonnes of biowaste for treatment at a biowaste treatment facility but this operation has not proceeded to date and the licensee has no plans to do so. The overall tonnage of waste authorised under the current licence is 270,000 tonnes per annum.

2. Technical Amendment request

On the 10 January 2020, the Agency received a request for a Technical Amendment of IE Licence Reg. No. W0183-01, in order to allow for the commencement of use of a new building for the treatment and processing of construction and demolition (C&D) waste.

The licensee is proposing to move the C&D waste (skip waste) processing operation from the existing building to a new building that has been constructed onsite. Planning permission (Ref: FW18A/0079) was granted on 31 October 2018 for the construction of the new building. An EIAR was not submitted and was not required as part of the planning application.

Considering that the biowaste treatment facility has not proceeded onsite and it not planned to proceed, the licensee has indicated that it wishes the 50,000 tonnes per annum of biowaste authorised under the current licence be distributed among the non-hazardous municipal waste, commercial and industrial waste and construction and demolition waste. i.e. that the overall authorised tonnage of those waste types be 270,000. This does not alter the overall tonnage of waste authorised under the current licence.

There will be no new emission points at the new building. No odour emissions will arise as the nature of the waste (construction and demolition waste) to be processed is that is it non-odour forming.

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

I have consulted with the OEE Inspector, Carol O' Sullivan, in relation to this technical amendment request. The OEE confirmed that the proposal to move C&D waste processing into a newly constructed building cannot be accommodated under the existing licence, as the conditions of the licence do not relate to more than one building for that waste type. As such, the licence must be amended to accommodate a waste treatment activity taking place in more than one building. OEE has confirmed that there are no legal proceedings in train in respect of this licence.

4. Assessment

The licensee has not proceeded to develop the biowaste treatment activity, that was provided for in the current licence. Instead, it has decided to expand its operation for the treatment of skip waste i.e. commercial and industrial waste and construction and demolition waste. These waste types are currently treated in the original waste recovery and transfer building, along with the municipal waste. The licensee has now constructed a new waste recovery and transfer building for the treatment of skip waste (commercial and industrial waste and construction and demolition waste). The current licence is restricted by reference to the "waste recovery/transfer building" (singular) and "biowaste treatment building". Therefore, the conditions of the current licence cannot accommodate the treatment of commercial and industrial waste and construction and demolition waste in more than one building. In order to accommodate the proposals of the licensee, amendments to relevant conditions and schedules of the licence are necessary to accommodate such activity in more than one building.

In addition, given that the biowaste treatment activity has not proceeded and is not intended to proceed, the distribution of the authorised biowaste tonnages among the other waste types will not change the overall authorised tonnage of the licence. Therefore, it is appropriate that

all references to biowaste treatment be removed from the licence and the associated tonnage (50,000 tonnes per annum) be distributed among the other waste types. This can be accommodated by appropriate amendments to Conditions and Schedules of the licence as follows:

	Amend/Delete	Reason
Introduction to licence	Amend	Remove reference to biowaste treatment
Conditions		
3.15.4	Delete	No longer relevant
4.3.2	Delete	No longer relevant
4.3.4	Delete	No longer relevant
4.3.6	Delete	No longer relevant
4.3.7	Delete	No longer relevant
10.3	Delete	No longer relevant
10.4	Delete	No longer relevant
3.13.4	Amend	Remove reference to biowaste treatment and add reference to waste recovery and transfer buildings (plural)
3.15.1	Amend	Add reference to waste recovery and transfer buildings (plural)
3.15.2	Amend	Add reference to waste recovery and transfer buildings (plural)
3.15.3	Amend	Add reference to waste recovery and transfer buildings (plural)
4.2.3	Amend	Remove reference to biowaste treatment and add reference to waste recovery and transfer buildings (plural)
4.3.1	Amend	Add reference to waste recovery and transfer buildings (plural)
6.5.1	Amend	Add reference to waste recovery and transfer buildings (plural)
6.5.3.1	Amend	Add reference to waste recovery and transfer buildings (plural)
7.10.2	Amend	Remove reference to biowaste treatment and add reference to waste recovery and transfer buildings (plural)
9.6	Amend	Remove reference to biowaste treatment and add reference to waste recovery and transfer buildings (plural)
Schedules		
C.4	Delete	No longer relevant
D.5	Delete	No longer relevant
F	Delete	No longer relevant
A	Amend	Remove reference to 50,000 tonnes biowaste and update Table A.1 to reflect overall tonnage authorised

5. Appropriate Assessment

The table below lists the 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
South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024)	9.1 km southeast of the installation	Habitats: Wetland and Waterbirds Species Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Oystercatcher (<i>Haematopus ostralegus</i>) Ringed Plover (<i>Charadrius hiaticula</i>) Grey Plover (<i>Pluvialis squatarola</i>) Knot (<i>Calidris canutus</i>) Sanderling (<i>Calidris alba</i>) Dunlin (<i>Calidris alpina</i>) Bar-tailed Godwit (<i>Limosa lapponica</i>) Redshank (<i>Tringa totanus</i>) Black-headed Gull (<i>Chroicocephalus ridibundus</i>) Roseate Tern (<i>Sterna dougallii</i>)	As per NPWS (2015) Conservation objectives for South Dublin Bay and River Tolka Estuary SPA 004024. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 09/03/2015).

European Site (site code)	Distance/ Direction from installation	Qualifying interests (* denotes a priority habitat)	Conservation objectives
		Common Tern (<i>Sterna hirundo</i>) Arctic Tern (<i>Sterna paradisaea</i>)	
Malahide Estuary SPA (Site Code: 004025)	11.2 km northeast of the installation	Habitats: Wetland and Waterbirds Species: Great Crested Grebe (<i>Podiceps cristatus</i>) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Shelduck (<i>Tadorna tadorna</i>) Pintail (<i>Anas acuta</i>) Goldeneye (<i>Bucephala clangula</i>) Red-breasted Merganser (<i>Mergus serrator</i>) Oystercatcher (<i>Haematopus ostralegus</i>) Golden Plover (<i>Pluvialis apricaria</i>) Grey Plover (<i>Pluvialis squatarola</i>) Knot (<i>Calidris canutus</i>) Dunlin (<i>Calidris alpina</i>) Black-tailed Godwit (<i>Limosa limosa</i>) Bar-tailed Godwit (<i>Limosa lapponica</i>) Redshank (<i>Tringa totanus</i>)	As per NPWS (2013) Conservation objectives for Malahide Estuary SPA 004025. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 16/08/2013).
North Bull Island SPA (Site Code: 004006)	11.7 km east of the installation	Habitats: Wetland and Waterbirds Species: Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Shelduck (<i>Tadorna tadorna</i>) Teal (<i>Anas crecca</i>) Pintail (<i>Anas acuta</i>) Shoveler (<i>Anas clypeata</i>) Oystercatcher (<i>Haematopus ostralegus</i>) Golden Plover (<i>Pluvialis apricaria</i>) Grey Plover (<i>Pluvialis squatarola</i>) Knot (<i>Calidris canutus</i>) Sanderling (<i>Calidris alba</i>) Dunlin (<i>Calidris alpina</i>) Black-tailed Godwit (<i>Limosa limosa</i>) Bar-tailed Godwit (<i>Limosa lapponica</i>) Curlew (<i>Numenius arquata</i>) Redshank (<i>Tringa totanus</i>) Turnstone (<i>Arenaria interpres</i>) Black-headed Gull (<i>Chroicocephalus ridibundus</i>)	As per NPWS (2015) Conservation objectives for North Bull Island SPA 004006. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 09/03/2015).
Baldoye Bay SPA (Site Code: 004016)	13.2km east of the installation	Habitats: Wetland and Waterbirds Species: Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Shelduck (<i>Tadorna tadorna</i>) Ringed Plover (<i>Charadrius hiaticula</i>) Golden Plover (<i>Pluvialis apricaria</i>) Grey Plover (<i>Pluvialis squatarola</i>) Bar-tailed Godwit (<i>Limosa lapponica</i>)	As per NPWS (2013) Conservation objectives for Baldoye Bay SPA 004016. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 27/02/2013).
Rogerstown Estuary SPA (Site Code: 004015)	14.6 km northeast of the installation	Habitats: Wetland and Waterbirds Species: Greylag Goose (<i>Anser anser</i>) Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) Shelduck (<i>Tadorna tadorna</i>) Shoveler (<i>Anas clypeata</i>) Oystercatcher (<i>Haematopus ostralegus</i>) Ringed Plover (<i>Charadrius hiaticula</i>) Grey Plover (<i>Pluvialis squatarola</i>)	As per NPWS (2013) Conservation objectives for Rogerstown Estuary SPA 004015. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 20/05/2013).

European Site (site code)	Distance/ Direction from installation	Qualifying interests (* denotes a priority habitat)	Conservation objectives
		Knot (<i>Calidris canutus</i>) Dunlin (<i>Calidris alpina</i>) Black-tailed Godwit (<i>Limosa limosa</i>) Redshank (<i>Tringa totanus</i>)	
River Water Valley/Cartron SAC (Site Code: 001398)	10.9km southwest of the installation	Habitats: Petrifying springs with tufa formation (Cratoneurion) Species: Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>) Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)	As per NPWS (2018) Conservation objectives for River Water Valley/Cartron SAC 001398. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht (dated 21/02/2018).
Malahide Estuary SAC (Site Code: 000205)	11.1 km northeast of the installation	Habitats: Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>) Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes)	As per NPWS (2013) Conservation objectives for Malahide Estuary SAC 000205. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 27/05/2013).
South Dublin Bay SAC (Site Code: 000210)	11.7 km southeast of the installation	Habitats: Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Salicornia and other annuals colonising mud and sand [1310] Embryonic shifting dunes [2110]	As per NPWS (2013) Conservation objectives for South Dublin Bay SAC 000210. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 22/08/2013).
North Dublin Bay SAC (Site Code: 000206)	11.8 km east of the installation	Habitats: Mudflats and sandflats not covered by seawater at low tide Annual vegetation of drift lines Salicornia and other annuals colonising mud and sand Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>) Embryonic shifting dunes Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes) Humid dune slacks Species: <i>Petalophyllum ralfsii</i> (Petalwort)	As per NPWS (2013) Conservation objectives for North Dublin Bay SAC 000206. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 06/11/2013).
Baldoyle Bay SAC (Site Code: 000199)	13.1 km east of the installation	Habitats: Mudflats and sandflats not covered by seawater at low tide	As per NPWS (2012) Conservation objectives for Baldoyle Bay SAC

European Site (site code)	Distance/ Direction from installation	Qualifying interests (* denotes a priority habitat)	Conservation objectives
		Salicornia and other annuals colonising mud and sand Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	000199. Version 1.0. Department of Arts, Heritage and the Gaeltacht (dated 19/11/2012).
Rogerstown Estuary SAC (Site Code: 000208)	13.9 km northeast of the installation	Habitats: Estuaries Mudflats and sandflats not covered by seawater at low tide Salicornia and other annuals colonising mud and sand] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritima</i>) Mediterranean salt meadows (<i>Juncetalia maritimi</i>) Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) Fixed coastal dunes with herbaceous vegetation (grey dunes)	As per NPWS (2013) Conservation objectives for Rogerstown Estuary SAC 000208. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 14/08/2013).

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 Sites at South Dublin Bay and River Tolka Estuary SPA (Site Code: 004024), Malahide Estuary (Broadmeadow/Swords) SPA (Site Code: 004025), North Bull Island SPA (Site Code: 004006), Baldoyle Bay SPA (Site Code: 004016), Rogerstown Estuary SPA (Site Code: 004015), River Water Valley/Carton SAC (Site Code: 001398), Malahide Estuary SAC (Site Code: 000205), South Dublin Bay SAC (Site Code: 000210), North Dublin Bay SAC (Site Code: 000206), Baldoyle Bay SAC (Site Code: 000199) and Rogerstown Estuary SAC (Site Code: 000208).

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. The reasons for this determination are as follows:

- The installation is not located within the above European Sites.
- There will be no emissions of environmental significance from the activity.
- The activity will not result in damage to, or loss of, species and habitats of this European Site.
- The technical amendment, as requested, will not change the nature of the consent.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0183-01 (held by Starrus Eco Holdings 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,

Caitríona Collins

Caitríona Collins
Senior Inspector
Environmental Licensing Programme