

This Report has been cleared for submission to the Director by Programme Manager, Marie O'Connor.

Signed: Noeleen Keavey

Date: 03/04/2020



OFFICE OF ENVIRONMENTAL SUSTAINABILITY

INSPECTOR'S REPORT ON AN INDUSTRIAL EMISSIONS LICENCE REVIEW, LICENCE REGISTER NUMBER W0104-04

TO: EIMEAR COTTER

FROM: Róisín Griffin

DATE: 3 April 2020

Licensee: Advanced Environmental Solutions (Ireland) Limited
CRO number: 224173 status: normal
Location/address: The site is located at Cappincur Industrial Estate, Cappincur, Tullamore, County Offaly. The installation is located on 1.1ha. The N52 Tullamore ring road runs along the western boundary. The installation is at the edge of a small industrial estate with a mixture of industry and agricultural land immediately surrounding it. The nearest residential dwellings are 120m north east and 100 north west of the site.
Application date: 27/07/2018

Class of activity (under EPA Act 1992 as amended): 11.4 (b)(ii) – Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, (other than activities to which the Urban Waste Water Treatment Regulations 2001 (S.I. No. 254 of 2001) apply): pre-treatment of waste for incineration or co-incineration;

Category of activity under IED (2010/75/EU): 5.3 (b) (ii) Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities, and excluding activities covered by Directive 91/271/EEC: (ii) pre-treatment of waste for incineration or co-incineration

European Directives/Regulations (and international legal instruments) relevant to this assessment are listed in the appendix of this report.

Main Commission Implementing Decision (CID): CID (EU) 2018/1147 Waste Treatment (CID):

Any other relevant BREF documents/CID(s)/national BAT notes are listed in the appendix of this report

Activity description/background: Waste transfer and recovery installation with a current waste acceptance threshold limit of 60,000 tonnes. This licence review application proposes an increase of the waste acceptance threshold from 60,000 to 80,000 tonnes.

Types of waste accepted: Municipal Solid Waste (MSW), Commercial and Industrial Waste, List of Waste (LOW) codes are detailed in the appendix of this report.

Additional information received: Yes (20/12/2019)

No of submissions received: One	
EIS submitted: Yes 27/07/2018	NIS submitted: Yes 20/12/2019
Site visit: 10/10/2019	Site notice check: 24/08/2018

1. Activity description/background

Advanced Environmental Solutions (Ireland) Ltd is authorised to accept municipal solid waste; commercial and industrial waste and construction and demolition waste. Recovery operations of dry recyclable waste include screening; sorting of paper, card and plastics on a manual picking line; ferrous/non-ferrous metal separation and baling. Construction and demolition waste is sorted and bulked; and municipal solid waste is also bulked for transport off - site.

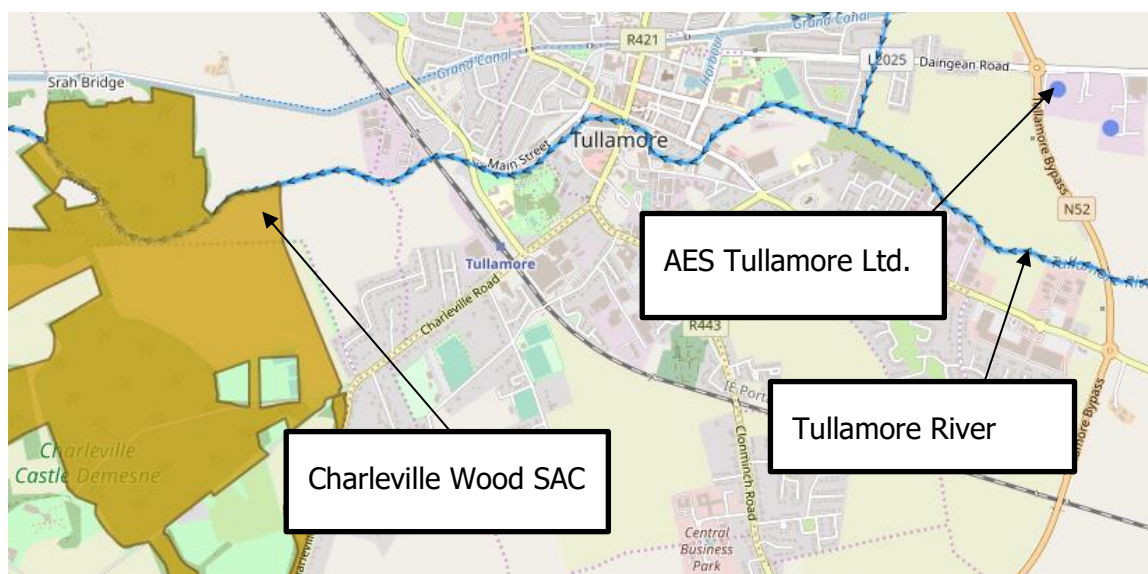


Figure 1 Map of site location

2. Scope of Review

Proposed change	Details/comment
Proposed increase in the waste acceptance threshold	<i>Increase of the total waste acceptance threshold from 60,000 tonnes to 80,000 tonnes per annum. No infrastructural changes or changes in overall waste type proposed.</i>

Table 1 :Current and proposed total waste acceptance thresholds by waste type

Waste Type	List of Waste (LoW) Description	<i>Current</i> max tonnes per annum (tpa)	<i>Proposed</i> max tonnes per annum (tpa)
Municipal Solid Waste (MSW)	20 03 01, 20 03 07	27,200	40,000
Construction & Demolition (C&D)	17 01 01, 17 01 02 17 01 03, 17 01 07 17 02 01, 17 02 02 17 02 03, 17 04 01 17 04 02, 17 04 03 17 04 04, 17 04 05 17 04 07, 17 04 11 17 05 04, 17 08 02 17 09 04	4,800	20,000
Mixed Dry Recyclables/Commercial & Industrial/ Other	15 01 01, 15 01 02 15 01 03, 15 01 04 15 01 05, 15 01 06 15 01 07, 15 01 09	28,000	20,000
	Total	60,000	80,000

Note: Mixed Dry Recyclables, Commercial & Industrial and 'other' waste types will consist of mixed dry recyclables and waste packaging

A *Duty Capacity Report* was completed in April 2012 to ascertain the maximum throughput of waste at the installation.

Mixed Dry Recyclables

It was noted in the *Duty Capacity Report* that the mixed dry recyclable mechanical plant was almost at its capacity of 30,000 tonnes. The licensed current waste acceptance threshold for mixed dry recyclable waste types is 28,000 tonnes. The licensee is proposing to reduce this threshold to 20,000 in the current review application.

Municipal Solid Waste and Construction & Demolition (C&D)

Municipal Solid waste and Construction & Demolition (C&D) waste are received into the same reception area at the north east of the building. The *Duty Capacity Report* states there is a temporary storage capacity of approximately 203 tonnes in this area. The licensee is proposing to increase the residual waste acceptance from 27,200 tonnes to 40,000 tonnes; and the C&D waste acceptance from 4,800 tonnes to 20,000 tonnes. This increase equates to an 87.5 % increase from the acceptance thresholds currently licensed for residual and C&D wastes combined.

The proposed increase in tonnage accepted of residual and C&D waste could result in an average daily acceptance of 208 tonnes. This could prove challenging for the

licensee if not managed accordingly, given the storage capacity in this area noted in the *Duty Capacity Report* is 203 tonnes.

The combined proposed increase in tonnage for the overall installation equates to 33%.

3. Licence History

Table 2 :Licence History

Licence	Details	Date
<i>W0104-03 IE amendment</i>	<i>IE Amendment to bring it into conformity with the Industrial Emissions Directive (IED) (2010/75/EC).</i>	<i>16 December 2015</i>
<i>W0104-03</i>	<i>Revised licence to increase waste acceptance threshold from 50,000 to 60,000</i>	<i>21 February 2014</i>
<i>W0104-02</i>	<i>Revised licence to increase waste acceptance threshold from 24,500 to 50,000 tonnes.</i>	<i>07 October 2009</i>
<i>W0104 - 01</i>	<i>Original Waste licence issued. There have been no amendments, reviews or transfers of this licence.</i>	<i>01 March 2004</i>

4. Compliance and Complaints Record

There has not been a complaint made to the Agency since 2013. The Agency received a complaint regarding noise at night time at the site in 2013. It was established that the site was not operational during the hours to which the complaint related, and as such the complaint was resolved.

There were no significant non-compliance issues in relation to the operation of this installation under the current licence (W0104-03).

The licensee was prosecuted under the previous licence (W0104-02) in September 2013. This related to breaches of the waste acceptance tonnage limit.

Non-compliances were recorded in 2015 relating to access to monitoring points, incorrectly assigned List of Waste codes and inadequate site plans.

Non-compliances were recorded in 2016 relating to surface water trigger level exceedances

Non-compliances were recorded in 2017 in relation to delays in pipeline integrity assessment repairs, and submission of requested documentation.

The licensee ceased discharging storm water from SW1 to the surface water land drain in 2017 due to trigger level exceedances in ammonia and currently tankers storm water off-site for appropriate disposal.

5. Best Available Techniques

Section 86A(3) of the EPA Act 1992 as amended, requires that the Agency shall apply BAT conclusions as a reference for attaching one or more conditions to an Industrial

Emissions Directive (IED) licence. Therefore, BAT for the installation was assessed against the BAT conclusions contained in the relevant Commission Implementing decision (CID)/BREF documents specified on page one of this report. The table in the appendix sets out a summary of how the BAT conclusions published in the CID have been considered in the licence.

For existing installations, for which a CID on BAT conclusions is published, article 21(3) of the IED (in relation to the main activity of the installation) requires that within four years, the EPA must ensure that 'all permit/licence conditions for the installation concerned are reconsidered, and where necessary updated' and 'ensure compliance with the BAT'.

The assessment has demonstrated that the installation will comply with all applicable BAT Conclusion requirements specified in the CID and will be in line with the guidance specified in the relevant BREF Documents, and also be in accordance with the guidance specified in the relevant national BAT notes (as detailed on page one of this report, and in the appendices).

I consider that the applicable BAT Conclusion requirements are addressed through: (i) the technologies and techniques as described in the application; (ii) the standard conditions specified in the RD.

6. Planning Permission, EIAR and EIA Requirements

6.1 EIA Screening

In accordance with Section 83(2A) of the EPA Act 1992 as amended the Agency must ensure that before a licence or revised licence is granted, that the application is made subject to an environmental impact assessment (EIA), where the activity meets the criteria outlined in Section 83 (2A)(b) and 83(2A)(c). In accordance with the EIA Screening Determination, the Agency has determined that the activity is likely to have a significant effect on the environment, and accordingly is carrying out an assessment for the purposes of EIA.

6.2 Planning Status

Several planning permissions have been granted for this site since 1994 with details provided in the application form.

AES Ireland Ltd. obtained planning permission (17/240) from Offaly County Council on 15/01/2018 in relation to the increase of annual waste acceptance from 60,000 tonnes to 80,000 tonnes per annum.

The licensee submitted the Environmental Impact Assessment Report (EIAR) associated with the planning application.

6.3 Content of EIAR and licence application

I have considered and examined the content of the licence application, the EIAR and other relevant material submitted with it.

Further information was sought from the applicant on the following issue:

- Appropriate Assessment Stage 2 Natura Impact Statement in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011.

On receipt of further information from the applicant, all the documentation received was examined and I consider that the EIAR complies with the requirements of the *EPA (Industrial Emissions) (Licensing) Regulations 2013* when considered in conjunction

with the additional material submitted with the application when supplemented by my assessment, as contained in this report.

6.4 Environmental Impact Assessment Directive

Having specific regard to EIA, this Inspector’s report as a whole is intended to identify, describe and assess for the Agency the likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following environmental factors: Population and human health, biodiversity, soil, water, air, climate, the landscape, material assets and cultural heritage.

This Inspector’s report addresses the interaction between those effects and the related development forming part of the wider project. The cumulative effects, with other developments in the vicinity of the activity have also been considered, as regards the combined effects of emissions. The main mitigation measures proposed to address the range of predicted significant effects arising from the activity have been outlined. This Inspector’s report proposes conclusions to the Agency in relation to such effects.

In preparing this Inspector’s report I have considered and examined:

- the existing licence, Register Number: W0104-03
- the review application, Register Number: W0104-04 and the supporting documentation received from the applicant;
- the EIAR;
- the submission received;
- the documents associated with the assessments carried out by Offaly County Council planning authority, the Decision Maker’s statement by Anna Maria Delaney, Chief Executive on EIA, and grant of planning permission; and the issues that interact with the matters that were considered by that authority and which relate to the activity.

While the environmental factors have been considered throughout my entire assessment, the following table identifies, for ease of reference, the sections of this report where each environmental factor has been predominantly discussed.

Table of Environmental Factors

Table 3: Environmental Factors

Environmental Factor	Addressed in the following Sections:
Population & Human Health	Emissions to Air, Discharges to Water and Ground, Noise, Waste, Other matters relating to EIA
Biodiversity	Emissions to Air, Discharges to Water and Ground, Noise, Waste, Other matters relating to EIA
Land	Discharges to Water and Ground, Other matters relating to EIA
Water	Discharges to Water and Ground, Other matters relating to EIA
Air	Emissions to Air, Other matters relating to EIA
Climate	Emissions to Air, Other matters relating to EIA

Environmental Factor	Addressed in the following Sections:
Landscape	Other matters relating to EIA
Material Assets	Use of Resources, Other matters relating to EIA

6.5 Consultation with Competent Authorities

Consultation was carried out between Offaly County Council and the Agency under the relevant section of the EPA Act 1992 as amended as amended.

Offaly County Council responded and were satisfied that AES Ireland Ltd. have planning permission for the activity described in the licence application. The planning authority did not raise any issues in relation to the licence application and EIAR.

Offaly County Council did not provide any observations to the Agency on the licence application and EIAR.

7. Submissions

While the main points raised in the submission are briefly summarised in the table below, the original submission should be referred to for greater detail and expansion of points.

The issues raised in the submission are noted and addressed in this Inspectors Report and the submission was taken into consideration during the preparation of the Recommended Determination.

Submissions			
1	Name & Position: <i>Mr Declan Mulhare, Principal Environmental Health Officer</i>	Organisation: <i>Environmental Health Service, HSE Dublin-Mid Leinster</i>	Date received: <i>07 September 2018</i>
	Issues raised: <i>HSE Dublin Mid Leinster was concerned with public health and environmental concerns. Impacts on land, water, air noise and material assets were highlighted. HSE Dublin Mid Leinster is satisfied that no significant impacts are likely when the measures outlined in the EIAR are adhered to.</i>	Agency response: <i>All relevant impacts have been assessed in this report.</i>	

8. Emissions to Air

There are no main emissions to air.

This section addresses the following:

- Greenhouse gases and climate impact

- Fugitive dust
- Odour

8.1 Climate Impact

Climate change is a significant global issue which affects weather and environmental conditions (air, water and soil) which consequently affects human resources (population and human health) and amenities (material assets and cultural heritage) as well as biodiversity and habitats (flora and fauna). Climate change is caused by warming of the climate system by enhanced levels of atmospheric greenhouse gases (GHG) due to human activities.

GHG emissions associated with the proposed activity include electricity usage for on-site processing and indirect emissions linked to heavy goods vehicles movements transporting waste to and from the site.

Regarding reducing the climate impact of the installation under IED, the RD requires an energy efficiency audit and an assessment of resource use efficiency to be undertaken in accordance with Condition 7.

I am satisfied that there will not be significant effects on climate from the operation of the activity when the installation is operating in accordance with the conditions of the Recommended Decision.

8.2 Fugitive Dust

Dust generation is associated mainly with vehicle movements and the handling of construction and demolition waste within the installation.

For the purposes of EIA, the environmental factors potentially affected by accidental fugitive dust emissions from the activity include: **Population and human health, biodiversity and air**. Dust arising from the activity could have the potential to deposit beyond the site boundary, causing nuisance for those living nearby. However, the likelihood of a fugitive emission of this kind is considered low given the measures outlined in the "Prevention of Accidents" section (Section 13) and considering the proposed conditions discussed below.

Assessment and mitigation

The RD provides for the unloading and processing of all waste to occur within the waste transfer buildings and for the installation of dust curtains. Yard areas will be dampened down during dry weather.

The current licence requires ambient dust monitoring at four locations at the installation with an emission limit value for ambient dust of 350 mg/m²/day. (Schedule B.5 Ambient Dust Emissions). There have been no exceedances of emission limit values or complaints relating to dust associated with site activities under the current licence. Condition 5.5 of the RD requires the licensee to ensure that dust or dust abatement measures from the activity do not cause impairment/interference to the environment.

It is not anticipated that the increase in waste acceptance tonnage, coupled with the mitigation measures at the installation, will result in significant changes in the ambient dust deposition.

8.3 Odour

The loading, unloading, processing and storage of waste will take place indoors. There is no outdoor storage of potentially odour forming waste. Due to the presence of loose untreated waste, the ambient air within the building is likely to be odorous.

Assessment and mitigation

There have been no complaints relating to odour associated with site activities under the current licence. Condition 5.3 of the RD requires the licensee to ensure that no odours from the activities carried on at the site shall result in an impairment/interference beyond the installation boundary.

Odour management systems currently in place and proposed in the RD to mitigate against fugitive odour emissions include:

- The removal off-site of potentially odour forming waste within 48 hours of arrival;
- Storage in suitably covered/enclosed containers;
- Daily cleaning schedule of the floor areas containing odour forming or putrescible waste;
- Dust and odour curtains installed at entry/exit points of the waste transfer building;
- Fast action doors installed at entry/exit points used by vehicles containing odorous waste
- All buildings containing potentially odorous waste shall be maintained at negative air pressure with extracted gases subject to further treatment, as agreed by the Agency.

For the purposes of EIA, the environmental factors potentially affected by odour emissions from the activity include: **Population and human health, biodiversity and air**. Accidental odour emissions arising from the activity could have the potential to cause nuisance beyond the site boundary. However, the likelihood of a fugitive emission of this kind is considered low given the measures outlined in the "Prevention of Accidents" section (Section 13) and considering the proposed conditions discussed above.

There are no other sources of significant odour emissions in the general vicinity of the industrial estate or surrounding environs. There are no other developments, installations/facilities or activities in the vicinity which are likely to give rise to odours that could lead to likely or significant cumulative effects from odour beyond the installation boundary.

Conclusion

Based on the above assessment, I consider that the odour emissions from the activity are not likely to have a significant effect on the environment when the installation is operating in accordance with the conditions of the Recommended Determination.

Overall Conclusions in relation to effects of air emissions from the activity on the environment

I am satisfied that there will not be significant effects on climate, air quality, human health, biodiversity or any other aspect of the environment from air emissions arising from the operation of the activity when operated in accordance with the conditions of the Recommended Determination.

9. Discharges to Water and Ground

9.1 Discharges to Waters

9.1.1 Emissions to surface waters

There are no process emissions to surface waters at the installation.

Sanitary effluent

All sanitary effluent produced at the installation is directed to treatment on-site in a moving bed biological reactor system. Treated wastewater is then pumped to a chamber (27m³) of a holding tank at the north east of the main building. It is then ultimately tankered off for further treatment at Tullamore waste water treatment plant Reg. No. D0039-01.

Trade effluent

The trade effluent from within the waste transfer buildings is collected separately and tankered off-site for onward treatment as required by the current licence. There is no authorised discharge of treated trade effluent in the current licence or in the RD.

9.1.2 Storm water discharges to waters

The table below gives details on installation's storm water discharges to surface waters.

Storm water discharge point details			
Emission Reference	Proposed / Existing	Monitored parameters (monitoring frequency)	Trigger levels established (Y/N)
<i>SW-1</i>	<i>Existing</i>	<i>Visual (daily); pH, conductivity & temperature (weekly); Total Suspended Solids (TSS), total ammonia, total Nitrogen, total organic carbon (quarterly)</i>	<i>Y</i>
Drainage areas:			
		<i>External non- process yards, site roads and walkways, car parks.</i>	
Abatement:			
		<i>Class I -full retention interceptor</i>	
Receiving water:			
		<i>Manmade land drain that ultimately flows to the Tullamore river.</i>	

Assessment and mitigation

All storm water from yards, hardstanding and car parks drain via a network of drainage channels and underground pipelines to SW1 at the south of the site. The licensee harvests some roof water for use on-site; however the installation maintains the network to also collect the roof water and directs it via the storm water drainage system to SW1.

SW1 discharges to a land drain that ultimately leads to the Tullamore river which is located approximately 750 m south of the discharge point. The section of the river to which the drain enters the Tullamore river is currently under review by the Agency in terms of river waterbodies risk under the Water Framework Directive (WFD). The

current Environmental Objective date for the river to reach 'Good' Status under the WFD is 2027.

The licensee currently operates trigger levels that have been agreed with the OEE since February 2015.

Condition 6.11.2 of the RD requires the licensee to maintain appropriate trigger values for parameters including total organic carbon, chemical oxygen demand, total suspended solids and total ammonia in accordance with Agency *Guidance on the setting of trigger values for storm water discharges to offsite surface waters at EPA licensed IPPC and waste facilities (2012)*. The RD requires the licensee to maintain the storm water collection system and have a response programme to address any exceedance of the trigger values such that storm waters exceeding these levels will be diverted for retention and further tankered off-site for appropriate disposal.

The RD storm water discharge is visually inspected daily and that the parameters listed in Schedule C.2.3 (*Monitoring of Storm Water Emissions*) are monitored and assessed against the set trigger values.

The current licence and the RD, authorises the discharge of clean uncontaminated storm water and roof water only to the receiving water. In addition, emissions of environmental significance to water are not authorised, as required in the current licence and the RD.

The licensee ceased discharging storm water from SW1 from Q3 2017 due to consistent exceedances in ammonia trigger levels. The source of the ammonia contamination was not determined by the licensee. Storm water is currently collected in the storm water interceptor and tankered off site for further treatment and disposal off-site. The licensee does not intend to discharge storm water from SW1 until it can be demonstrated that the storm water is uncontaminated.

Standard conditions in the RD, such as Condition 2.2.2.10 (Corrective and preventative action) and Condition 11 (Incident Notification) will ensure there will be no significant environmental effects on the receiving water.

Whilst the current licence and the RD requires the surface water management infrastructure to prevent discharges of contaminated surface water or trade effluent into the surface water drainage system, Condition 3.26.2 of the RD further necessitates the licensee to ensure that process effluent from within the waste transfer buildings is physically segregated from and managed separately to clean uncontaminated storm water.

For the purposes of EIA, the environmental factors potentially affected by storm water discharges to waters include: **Water, soil, biodiversity, and population & human health.**

The potential direct and indirect effects on water relate to an emergency from an accidental spill or loss of control on site (e.g. fire). If the emissions cause an exceedance of water quality standards in the immediate receiving water and further downstream, this could have potential effects on water quality, biodiversity and human health.

The RD contains standard conditions in relation to the storage and management of materials and wastes. The RD also requires that accident and emergency response procedures are put in place. The likelihood of accidental emissions is considered low given the measures outlined in the "Prevention of Accidents" section (Section 13) and considering the proposed conditions discussed above.

It is therefore considered that there will be no significant cumulative effect from storm water emissions from other activities/developments to the Tullamore River. I am satisfied that no indirect effects are likely because of these surface water emissions from the activity.

Based on the above assessment, I consider that the storm water emissions are not likely to have a significant effect on the environment when the installation is operating in accordance with the conditions of the Recommended Determination

9.2 Emissions to Sewer

9.2.1 Process emissions to sewer

There are no process emissions to sewer at the installation.

9.3 Discharges to ground/groundwater

There are no process emissions to ground/groundwater at the installation.

10. Noise

The main source of noise at the installation is vehicle movement, processing line and the vehicle wheel wash. The site is located at the western edge of the industrial estate. The Tullamore - Daingean road runs adjacent to the site at the western side and the local authority dog pound lies to the south. Agricultural land also surrounds the site at the north and south. The nearest residential dwellings are approximately 125m and 140m distance away to the northwest and northeast respectively. A residential dwelling lies 300m to the west, beyond the Tullamore - Daingean road.

Assessment and Mitigation

As part of the current licence, a noise monitoring survey is carried out annually at four individual installation boundary locations, as well as at one noise sensitive location (NSL) approximately 300m to the west.

Levels for daytime boundary limits at LA_{eq} ranged from 59 dB to (A) to 67 dB (A). The day time LA_{eq} levels at the NSL ranged from 63-67 dB. However, all exceedances were attributed to road traffic and vehicle movements not related to the site operation. Tonal noise was not detected at any of the site boundary locations.

During the site visit undertaken on 10/10/2019, the dominant noises heard were road noise from the nearby Tullamore- Daingean ring road, and the vehicle wheel wash when standing close to it.

There has been no history of noise complaints at the installation. One noise related complaint was received to the Agency but it was established that the source of the noise was not the licensed site. (See Section 4)

Standard noise conditions and emission limit values, which apply at the single noise sensitive location and four boundary locations, have been included in the RD. In

accordance with the EPA document Guidance Note for Noise: Licence Applications, Surveys and Assessments in relation to Scheduled Activities (NG4) (2016), the day time ELV has been changed from 55dB LAeq to 55dB LAr, to allow for corrections for tonal noise, and an evening time ELV has been introduced.

For the purposes of EIA, the environmental factors potentially affected by noise emissions from the activity include: **population & human health** and **biodiversity**.

Noise arising from site could have the potential to cause nuisance for those living near the activity or on noise sensitive species near the site.

Accidental noise emissions could occur if the installation entry/exit points are not kept closed, or if process machinery or vehicles are not maintained or operated appropriately, causing noise ELV exceedances at the noise sensitive locations. However, the likelihood of accidental noise emissions occurring is considered low considering the measures outlined in the "Prevention of Accidents" section below and in light of the proposed standard conditions discussed above.

It is therefore considered that *direct* significant effects as a result of noise from the activity are unlikely.

The Tullamore Daingean road is a source of noise in the vicinity of the installation, however it is unlikely the installation activities combined with the road noise source will generate noise to an extent that could lead to significant *cumulative* effects beyond the site boundary.

Overall Conclusions in relation to effects of noise emissions from the activity on the environment:

Based on the above assessment and the controls in place, I am satisfied that there will not be significant effects on the environment from noise from the activity when the installation is operating in accordance with the conditions of the Recommended Determination.

11. Waste Generation

The activity does not produce a significant amount of waste.

Waste generated on-site includes canteen waste and sanitary effluent. Sanitary effluent is tankered offsite as required by the licence. This is further discussed in Section 9.3.

The RD requires that disposal or recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.

For the purposes of EIA, the environmental factors potentially affected by waste generated by the activity include: **material assets; biodiversity, population & human health and air**.

The description, assessment and mitigation of these effects, including the risk of accidents reflect those discussed in Section 8 (Air) and Section 9 (Discharges to waters).

If dealt with in accordance with the conditions of the RD, the management of waste generated at the installation will be in accordance with the requirements of IED Article 11(e) of the Industrial Emissions Directive.

There are standard conditions in the RD pertaining to the storage and management of waste generated by the activity.

Overall Conclusions in relation to effects of the generation of waste from the activity on the environment

Based on the above assessment and the mitigation measures in place, I am satisfied that there will not be significant effects on the environment from the generation of wastes from the operation of the activity when the installation is operating in accordance with the conditions of the Recommended Determination.

12. Use of Resources

The applicant has provided a list of resources consumed at the installation; these are listed in the review application form.

The operation of the installation involves the consumption of water, oil and electricity. The estimated quantities forecast to be consumed with the increased tonnage limit per annum are given below:

Resource	Quantity per annum
Electricity	400,000 kWh
Water	100 m ³
Gas oil	526 m ³

Hazardous Materials

400 tonnes of diesel (H351, H411) will be used throughout the course of the year for use with the plant machinery on site. None of the above substances are emitted directly to the environment.

For the purposes of EIA, the environmental factor potentially affected by resource use is **material assets**.

Assessment and mitigation

The use of natural resources by the activities will not be significant.

Diesel tanks onsite will be bunded appropriately with 110% sufficient volume.

Condition 7 of the licence provides for the efficient use of resources and energy in all site operations. This condition also requires an energy audit to be carried out and repeated at intervals as required by the Agency. The BREF on Energy Efficiency should be referred to in the context of the Resource Use and Energy Programme.

Overall Conclusions in relation to effects of the use of resources by the activity on the environment

I am satisfied that there will not be significant effects on the environment from the use of natural resources from the operation of the activity when the installation is operating in accordance with the conditions of the Recommended Determination.

13. Prevention of Accidents

Potential accidents & measures for prevention/limitation of consequences	
Potential for an accident or hazardous/ emergency to arise from activities at the installation	<p>Potential for fire due to large quantities of waste storage.</p> <p>Potential for ground and surface water contamination from contaminated storm water.</p> <p>Potential for release of contaminated firewater.</p>
Preventative/Mitigation measures to reduce the likelihood of accidents and mitigate the effects of the consequences of an accident at the installation.	<p>Waste and material type accepted to be stored and managed on site in accordance with the IE licence requirements.</p> <p>Appropriate firefighting facilities/training and fire risk assessment.</p> <p>Provision and maintenance of adequate bunding and pipeline integrity.</p>
Additional measures provided for in the RD	<p>Waste storage plan (Condition 8.10)</p> <p>Accident prevention and emergency response requirements (Condition 9).</p> <p>Integrity of tanks and pipeline to be assessed every 3 years and maintenance carried out as required (Condition 6.9)</p> <p>Storm water discharge points to be visually monitored and provision of shut off valve. (Condition 6.11.1 & Schedule C.3.</p> <p>Fire water retention risk assessment (Condition 3.12)</p>

Condition 9 of the RD requires procedures to be put in place to prevent accidents with a possible impact on the environment and to respond to emergencies to minimise the impact on the environment. Particularly, the RD requires that the licensee submits an Environmental Liabilities Risk assessment (ELRA) (see Fit and Proper Person Assessment section below for further details).

The risk of accidents and their consequences, and the preventative and mitigation measures listed in the table above, have been considered in full in the assessments carried out throughout this report.

It is considered that the conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

14. Cessation of activity

The application details a range of measures to be employed upon cessation of the activity. Condition 10 of the RD requires the proper closure of the activity with the aim of protecting the environment. A Closure, Restoration and Aftercare Management Plan (CRAMP) has also been submitted with the application. (see Fit and Proper Person Assessment section below for further details).

Baseline Report

Article 22(2) of the IED requires that where the activity involves the use, production or release of relevant hazardous substances and having regard to the possibility of soil and groundwater contamination at the site of the installation, the operator shall prepare and submit to the competent authority a baseline report before the revision of a licence.

A baseline report in accordance with Section 86B of the EPA Act 1992 as amended was not provided with the licence application. However, a baseline screening assessment was undertaken by the applicant in accordance with Stages 1 to 3 of the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions.

The applicant states that the activity does involve the use of hazardous substances except for a small amount of diesel for use on plant machinery and vehicles on site. The proposed increase in waste acceptance will not require either the provision of additional diesel storage tanks, or any new diesel handling procedures. Limited quantities will be stored on site at any one time and materials will be stored in designated areas on hardstanding with minimal if any risk of soil/groundwater contamination.

Considering the small quantities of substances used, the location of these substances on the site, in view of the soil and groundwater characteristics, and the measures to be taken to prevent accidents and incidents, the possibility of soil and groundwater contamination at the site of the installation is low. Having regard to the possibility of soil and groundwater contamination and to the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU the Agency is satisfied that a baseline report is not required.

The measures to be taken upon cessation of the activity have been considered in full in the assessments carried out throughout this report.

I am satisfied that there will not be significant effects on the environment from the measures that will be taken upon cessation of the activity when the installation has been operated in accordance with the conditions of the Recommended Determination.

15. Other matters relating to EIA

15.1 Effects on landscape, material assets and cultural heritage

(a) Disturbance of archaeology and architecture from the operation of the activity

Any loss of archaeological or architectural heritage could impact negatively on population. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on site and are not controlled by the Agency. The planning authority has considered the effect to be acceptable.

There are no buildings or features of architectural significance and no known archaeological features at or near the site of the installation, and it is very difficult to envisage any pathway by which emissions from the operation of the activity could impact any feature which might be present.

(b) Landscape, visual and cultural effects

Any disturbance of the landscape or the cultural heritage of an area has the potential to impact on the population and their enjoyment of the surrounding area. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on site and are not controlled by the Agency. The planning authority has considered the effects to be acceptable.

The installation is in an agricultural area that is not highly populated. Emissions from the operation of the activity will not affect the agricultural landscape and culture of the area.

No mitigation measures have been proposed in relation to (a) and (b) above.

Overall Conclusions in relation to effects on landscape, material assets and cultural heritage from the activity

I am satisfied that there will not be significant effects on landscape, material assets and cultural heritage from the operation of the activity.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution.

15.2 Interaction of effects

I have considered the interaction between population & human health, biodiversity, soil, water, air, climate, landscape, material assets, cultural heritage and the interaction of the likely effects identified throughout this report.

The interaction between factors as a result of the operation of the installation are summarised below:

Interaction of effects

	Climate	Traffic	Soils	Water	Biodiversity	Air	Noise	Population	Material Assets
Climate		✓							
Traffic						✓		✓	
Soils									
Water					✓				
Biodiversity									
Air								✓	
Noise								✓	

Based on the assessment carried out throughout this report, and the mitigation measures proposed (including the relevant conditions in the licence), I do not consider that the interactions identified are likely to cause or exacerbate any potentially significant environmental effects of the activity.

16. Reasoned Conclusion on Environmental Impact Assessment

Having regard to the effects (and interactions) identified, described and assessed throughout this report, I consider that the mitigation measures proposed will enable the activity to operate without causing environmental pollution. I also consider that the potential effects on the environment identified above, even if they occur, are unlikely to damage the environment, and the risk of them occurring is not unacceptable.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

17. Appropriate Assessment

Appendix 3 lists the European site assessed and its associated qualifying interests and conservation objectives, along with the assessment of the effects of the activity on the European Site.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the proposed 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 Charleville Wood SAC (Site Code: 000571).

The proposed 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 cannot be excluded, on the basis of objective information, that the proposed activities individually or in combination with other plans or projects, will have a significant effect on a European Site and accordingly determined that an Appropriate Assessment of the proposed activity was required, and for this reason determined to require the applicant to submit a Natura Impact Statement. The reason for the decision is based on the possibility that significant effects are likely as a result of the hydrological connectivity from the installation through the Charleville Wood SAC (Site Code: 000571).

An Inspector's Appropriate Assessment has been completed and has determined, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the proposed activity, individually or in combination with other plans or projects, will not adversely affect the integrity of the European Site Charleville Wood SAC, having regard to its conservation objectives and will not affect the preservation of the site at favourable conservation status if carried out in accordance with this determination and the conditions attached hereto for the following reasons:

- Condition 5 of the licence requires that no specified emission from the installation shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this licence. There shall be no other emissions of environmental significance.

- The licensee is required to protect the storm water drainage system by adhering to the appropriate waste acceptance, processing and storage conditions. The conditions require the licensee to discharge only uncontaminated storm water to the storm water drainage system.
- The licence also requires the setting of appropriate trigger values for set parameters at the storm water discharge. This will ensure that corrective and preventative action is undertaken in the event of a breach of a trigger value.
- The licence contains standard conditions relating to the provision and maintenance of pipeline, tank and bund integrity.
- While there is potential for accidents and unplanned releases from the installation, it is considered that the conditions of the licence in relation to bunding and the protection of surface water and groundwater, are sufficient to ensure that accidental emissions from the activity will not impact on the qualifying interests of European sites. Furthermore, the licence specifies accident prevention and emergency response requirements.

Considering the foregoing reasons, no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the European sites assessed.

18. Fit & Proper Person Assessment

The Fit & Proper Person test requires three elements of examination:

Technical Ability

The licensee has provided details of the qualifications, technical knowledge and experience of key personnel. The licence application also includes information on the on-site management structure. It is considered that the licensee has demonstrated the technical knowledge required.

Legal Standing

Neither the licensee nor any relevant person has relevant convictions under the Environmental Protection Agency Act 1992 as amended, or under any other relevant environmental legislation.

Financial Provision/Strength

The licence category and proposed installation was assessed for the requirements of Environmental Liabilities Risk Assessment (ELRA), Closure, Restoration and Aftercare Management Plan (CRAMP) and Financial Provision (FP), in accordance with Agency guidance. Under this assessment it has been determined that ELRA, CRAMP and FP were required.

A revised ELRA and a Decommissioning Management Plan (DMP) were submitted as part of this the current licence and review application respectively. Both were costed in accordance with the Agency’s latest guidance.

In 2015, under the current licence W0104-03, the licensee commissioned an ELRA for the installation which was costed at approximately €37,1880.

The applicant submitted a DMP as part of this licence review application. The costs were estimated at €55,220. A review of both the DMP and ELRA, as well as approval of Financial Provision, is required under the RD.

Fit & Proper Conclusion

It is my view, and having regard to the conditions of the RD, that the applicant can be deemed a Fit & Proper Person for this review application.

19. Cross Office Consultation

I have consulted with the following staff in relation to this assessment:

Mr Larry Kavanagh	Office of Environmental Enforcement	Financial charges
Mr Nigel Hayes	Office of Environmental Assessment	Surface water quality
Ms. Anthea Southey	Office of Environmental Enforcement	Licence compliance

20. Charges

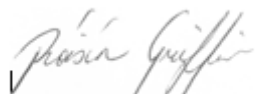
The annual enforcement charge recommended in the RD is €10,582, which reflects the anticipated enforcement effort required and the cost of monitoring. This represents an increase when compared to the Agency’s 2019 enforcement charge of €9,916. A revised scheme is now implemented which facilitates full cost recovery for the EPA based on the ‘polluter pays principle’ which ensures that fees are consistent across licensed activities of a similar risk category, and that charging is more responsive to the performance history of the installation.

21. Recommendation

The RD specifies the necessary measures to provide that the installation shall be operated in accordance with the requirements of Section 83(5) of the EPA Act 1992 as amended and has regard to the NIS and EIAR. The RD gives effect to the requirements of the Environmental Protection Agency Acts 1992 as amended and has regard to submissions made.

I recommend that a Proposed Determination be issued subject to the conditions and for the reasons as drafted in the RD.

Signed

A handwritten signature in cursive script, appearing to read 'Róisín Griffin'.

Róisín Griffin

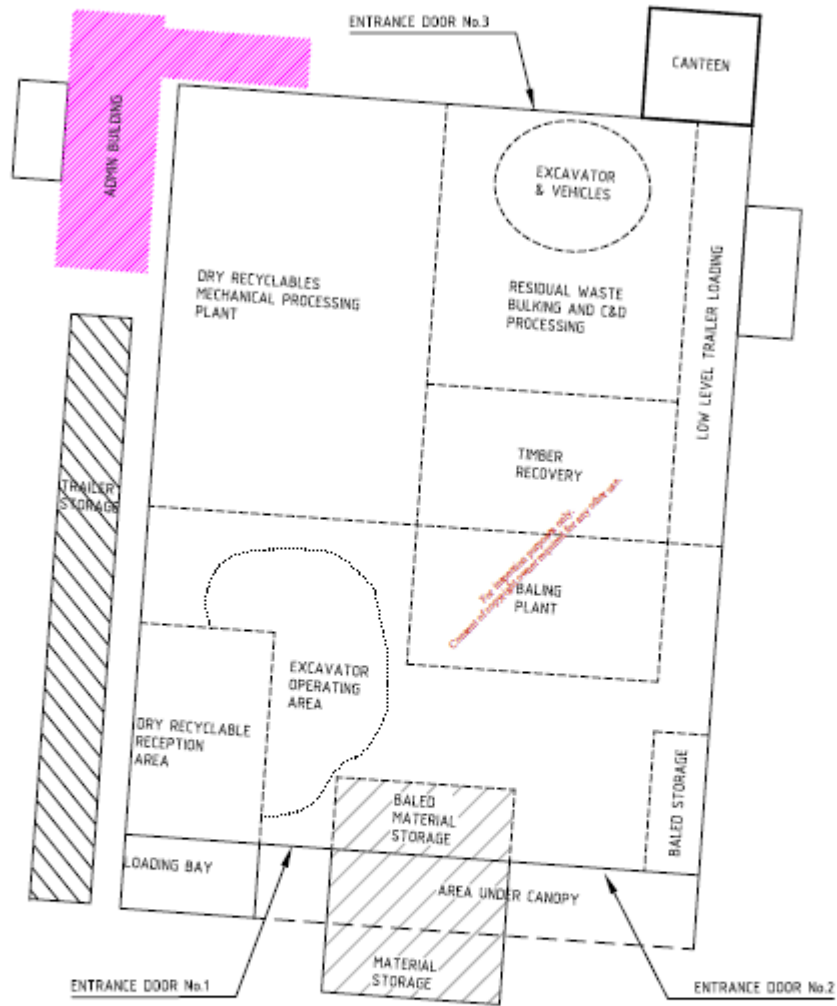
Procedural Note

If no objections are received to the Proposed Determination on the application, a licence will be granted in accordance with Section 87(4) of the Environmental Protection Agency Acts 1992 as amended as soon as may be after the expiration of the appropriate period.

Appendices

1. Site Layout Drawing

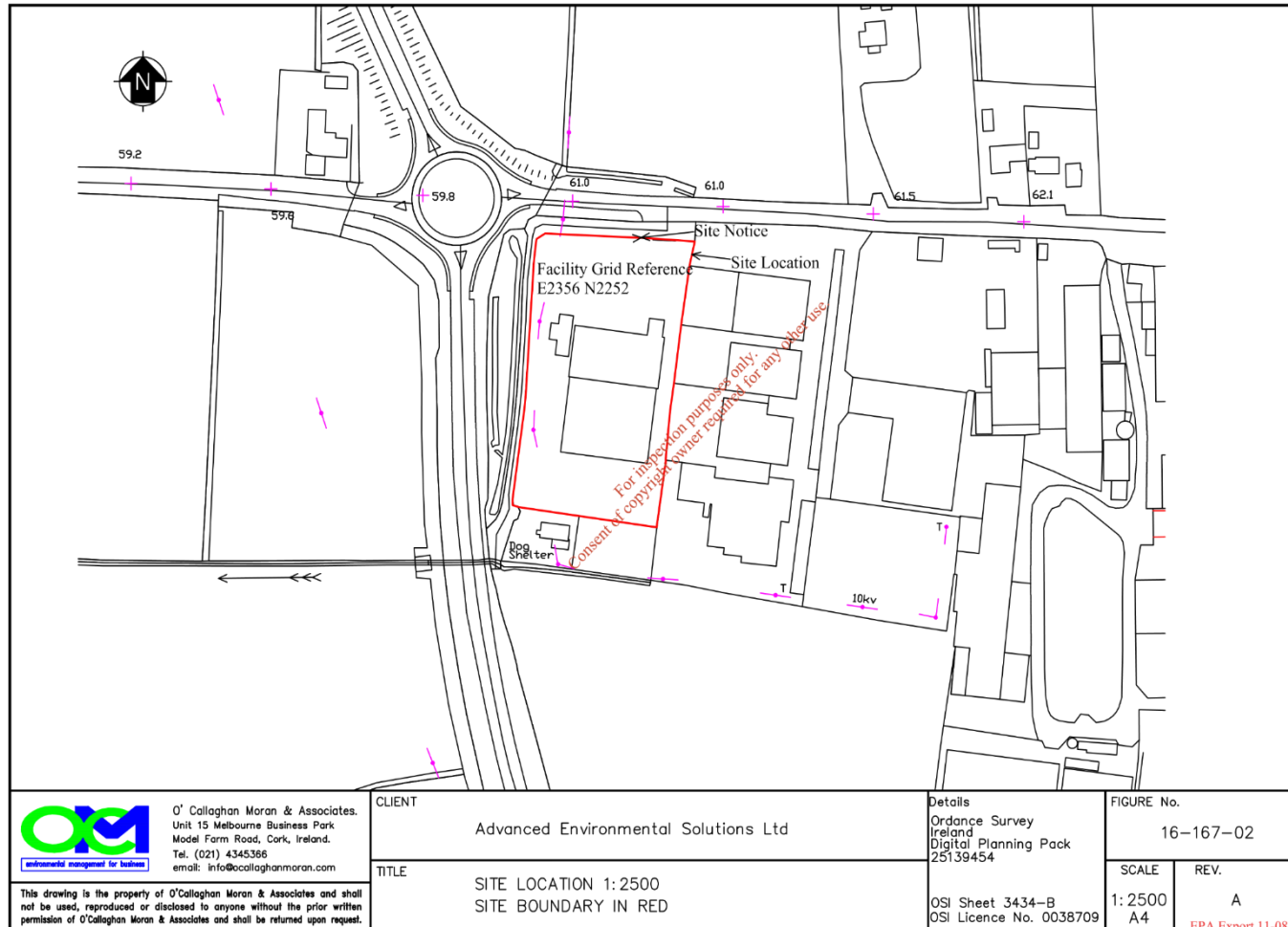
(Application Form 4.3 - Waste Capacity Calculations - Processing Capacity Report)



PROCESSING BUILDING LAYOUT

Scale 1:250

2. Site Location (Application Form-Site Map-3.2.3 Site Location 1 2)



3. Appropriate assessment table

Assessment of the effects on European site Charleville Wood SAC and proposed mitigation measures.

Site Code	Site Name	Distance from Project	Qualifying Interests (* denotes priority habitat)	Conservation Objectives
000571	Charleville Wood SAC	Approximately 3 km	<p><i>Habitat:</i></p> <p>[91A0] Old sessile oak woods with Ilex (Holly) and Blechnum (Fern)</p> <p><i>Species:</i></p> <p>[1016] Vertigo moulinsiana (Snail)</p>	<p><i>NPWS (2018) Conservation objectives for Charleville Wood SAC [000571]. Generic Version</i></p> <p><i>6.0. Department of Culture, Heritage and the Gaeltacht.</i></p>

Assessment:

Discharge to surface water

There is a potential that surface water runoff from the installation could become contaminated from contact with waste or trade effluent. This contaminated surface water could then have an impact on the adjacent surface water drain, which ultimately drains to the Tullamore River. This could potentially have a significant effect on the European Site.

Mitigation:

- Condition 8.8 requires the licensee to protect the storm water drainage system by adhering to the appropriate waste acceptance, processing and storage conditions.
- Condition 3.26.2 of the licence ensures that process effluent from within the waste transfer buildings is physically segregated from and managed separately to clean uncontaminated storm water.
- The licence contains standard conditions relating to the provision and maintenance of pipeline, tank and bund integrity.
- While there is potential for accidents and unplanned releases from the installation, the conditions of the licence specify accident prevention and emergency response procedures in relation to the protection of storm water. These conditions are sufficient to ensure accidental emissions do not have a significant effect.
- Condition 5 of the licence requires that there shall be no emissions of environmental significance from the installation. Condition 6 and Schedule C set out the monitoring requirements for emissions to water, which include a daily visual check of the discharge from SW1.

4. Relevant European (and international) legal instruments

The following Irish and European and international legal instruments are regarded as relevant to this application assessment and have been considered in the drafting of the Recommended Determination.
Industrial Emissions Directive (IED) (2010/75/EU)
Environmental Impact Assessment (EIA) Directive (2011/92/EU as amended by 2014/52/EU)
Habitats Directive (92/43/EEC) & Birds Directive (79/409/EC)
Water Framework Directive [2000/60/EC]
Environmental Liability Directive (2004/35/CE)
Waste Framework Directive (2008/98/EC)
Energy Efficiency Directive.

5. Other BREF documents and National BAT notes relevant to this assessment

Horizontal BREF	Publication date
Reference Document on the Best Available Techniques on Emissions from Storage	July 2006
Reference Document on the Best Available Techniques for Energy Efficiency	February 2009
National BAT notes	Publication date
BAT Guidance Note – Waste Sector (Transfer & Materials Recovery)	December 2011

6. List of Waste codes

'List of Waste' (LOW) Code	LOW Description, before treatment	Applicant's Description of Waste Accepted
15 01 01	paper and cardboard packaging	Mixed Dry Recyclables
15 01 02	plastic packaging	Mixed Dry Recyclables
15 01 03	wooden packaging	Mixed Dry Recyclables
15 01 04	metallic packaging	Mixed Dry Recyclables
15 01 05	composite packaging	Mixed Dry Recyclables
15 01 06	mixed packaging	Mixed Dry Recyclables
15 01 07	glass packaging	Mixed Dry Recyclables
15 01 09	textile packaging	Mixed Dry Recyclables
17 01 01	Concrete	C&D
17 01 02	Bricks	C&D
17 01 03	tiles and ceramics	C&D
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06	C&D
17 02 01	Wood	C&D
17 02 02	Glass	C&D
17 02 03	Plastic	C&D
17 04 01	copper, bronze, brass	C&D
17 04 02	Aluminium	C&D
17 04 03	Lead	C&D
17 04 04	Zinc	C&D
17 04 05	iron and steel	C&D
17 04 07	mixed metals	C&D
17 04 11	cables other than those mentioned in 17 04 10	C&D
17 05 04	soil and stones other than those mentioned in 17 05 03	C&D
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01	C&D
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01,	C&D
20 03 01	mixed municipal waste	MDR/refuse derived fuel/ soli recovered fuel/residual waste
20 03 07	bulky waste	Residual Waste/non-recyclable/non-recoverable waste