

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

Signed: | *Marie O'Connor* Date: 24/02/2021

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomnú Comhshóis</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO PROPOSED DETERMINATION	
TO: Directors	
FROM: Technical Committee	Environmental Licensing Programme
DATE: 24/02/2021	
RE:	Objection to Proposed Determination for ADVANCED ENVIRONMENTAL SOLUTIONS (IRELAND) LIMITED Cappincur Industrial Estate, Cappincur, Tullamore, Offaly, R35 HP93, IEL Reg: W0104-04

Application Details	
Class of activity:	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.
Location of activity:	Cappincur Industrial Estate, Cappincur, Tullamore, County Offaly
Licence application received:	27 July 2018
PD issued:	17 April 2020
First party objection received:	14 May 2020
Third Party Objection received:	None
Submissions on Objections received:	None

Company

Advanced Environmental Solutions (Ireland) Limited operate a Waste transfer and recovery installation with a current waste acceptance threshold limit of 60,000 tonnes. The waste types accepted include residual waste, commercial and industrial waste and mixed dry recyclables. The licence review application proposes an increase of the waste acceptance threshold from 60,000 to 80,000 tonnes, including an increase in residual waste acceptance from 27,200 tonnes to 40,000 tonnes.

Only one submission was received in relation to the application and this was considered by the Board at PD stage.

Consideration of the Objection

The Technical Committee, comprising of Aisling Connolly (Chair) and Carol O'Sullivan, has considered all of the issues raised in the objection and this report details the Committee's comments and recommendations following the examination of the objections and the documents associated with the industrial emissions licence application.

This report considers the first party objection.

The objection raised is summarised below. However, the original objection should be referred to for greater detail and further expansion of particular points.

First Party Objection

The licensee has made four main points of objection relating to specific Conditions and a Schedule of the Proposed Determination. The points of objection are dealt with in the order below. Some points of objection have been addressed under one heading, where it is considered appropriate to do so.

A.1 Condition 3.17

The licensee objects to Condition 3.17 "*The licensee shall operate a weather monitoring station on the site at a location agreed by the Agency, which records conditions of wind speed and wind direction*".

The licensee notes that the site has no history of odour complaints and that the inclusion of this condition would add unnecessary expense to both purchase & maintain.

Technical Committee's (TC) Evaluation:

The TC considers that the acceptance and presence of an increased tonnage of loose untreated odour-forming waste in the waste treatment building has the potential to cause odour nuisance outside the licence boundary in the event of an accident or breakdown in procedure. A weather station provides the function of recording site-specific data on wind speed and direction during such an event.

The TC recommends that Condition 3.17 not be amended.

Reason for Decision:

The TC has reached its conclusion on the basis of the following consideration:

- a weather station records the wind direction and speed and those records may be called upon in the future to support other data or populate the content of reports.

Recommendation: No change.

A.2 Condition 8.8.9

The licensee objects to Condition 8.8.9 "*The licensee shall maintain a list of the List of Waste codes that are authorised for acceptance at the installation. New waste codes may be added to the list if agreed by the Agency*"

The licensee considers that to specify and maintain an List of Waste (LoW) register at the site would create an unnecessary work load. Further, the licensee considers that gaining authorisation for a requested waste type would take longer than commercially required.

Technical Committee's Evaluation:

The TC considers it is important to maintain a LoW register at the installation to ensure compliance with authorised waste types for acceptance.

The TC considers that OEE are required to agree changes to waste types accepted at the installation. The TC notes that it is a requirement of the existing licence that proposals to accept new waste types must be agreed in advance by the Agency, as provided by Note 1 of Schedule A.2, Table A.2 Waste Categories and Quantities. In order to provide clarity, the TC considers a similar note should be included in *Table A.2.1. List of Waste Codes authorised for waste acceptance*, of the PD. Further, the TC considers Condition 8.8.9 should be reworded to provide further clarity.

The TC recommends that Condition 8.8.9 and Schedule A.2 Waste Acceptance, Table A.2.1. List of Waste Codes authorised for waste acceptance, be amended.

Reason for Decision:

The TC has reached its conclusion on the basis of the following consideration:

- To ensure compliance with the requirements of the licence.
- In the interest of clarity in relation to management of waste authorisation records.

Amend Condition No. 8.8.9 to read as follows:

The licensee shall maintain **an up-to-date list of the LoW codes that are authorised for acceptance at the installation, in accordance with Table A.2.1.**

Amend Schedule A.2 Waste Acceptance, Table A.2.1. List of Waste Codes authorised for waste acceptance to read as follows:

Table A.2.1. List of Waste Codes authorised for waste acceptance

'List of Waste' (LOW) Code ^{Note 1}	Description of LOW
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 04	metallic packaging
15 01 05	composite packaging
15 01 06	mixed packaging
15 01 07	glass packaging
15 01 09	textile packaging
17 01 01	Concrete
17 01 02	Bricks
17 01 03	tiles and ceramics
17 01 07	mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06
17 02 01	Wood
17 02 02	Glass
17 02 03	Plastic
17 04 01	copper, bronze, brass
17 04 02	Aluminium
17 04 03	Lead
17 04 04	Zinc
17 04 05	iron and steel
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10
17 05 04	soil and stones other than those mentioned in 17 05 03
17 08 02	gypsum-based construction materials other than those mentioned in 17 08 01
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01,
20 03 01	mixed municipal waste

20 03 07	bulky waste
<p>Note 1: Any proposals to accept other compatible non-hazardous LoW codes must be agreed in advance by the Agency.</p>	

A.3 Condition 8.10.5

The licensee objects to Condition 8.10.5 *“Where bales of waste are stored, the licensee shall maintain and implement a bale identity and tracking system. Each bale shall be labelled with: -Its date of production; -Its content and LOW code and the name of the location where the bale was produced and its licence register number”*.

The licensee states this is a new condition, citing that to comply with this would place a large strain on their yard resources. The licensee does not see the benefit of such rigorous labelling given the huge volume of bales currently processed at the site. The licensee states that all waste is coded and weighed as it leaves the site as it is.

Technical Committee’s Evaluation:

The TC notes that the requirements of Condition 8.10.5 were inserted into the existing licence as part of Amendment A issued 29/06/2019, in order to bring the licence into line with the Agency's *modus operandi* for addressing fire risk at Waste Transfer Stations.

The TC further notes that BAT 2.c. of the Waste Treatment CID (EU) 2018/1147 requires the licensee to set up and implement a waste tracking system and inventory. In consultation with OEE, the TC considers it is important to maintain the level of bale labelling currently provided for in the licence. However, the TC recommends the inclusion of the provision *“unless otherwise agreed by the Agency”*, to allow for modifications in relation to the extent of labelling in the future should it be considered appropriate.

The TC recommends that Condition 8.10.5 be amended.

Reason for Decision:

The TC has reached its conclusion on the basis of the following considerations:

- To ensure appropriate waste storage on-site.
- In the interest of tracking waste bales in the event of an incident.

<p>Amend Condition No. 8.1.5 to read as follows:</p> <p>Where bales of waste are stored, the licensee shall maintain and implement a bale identity and tracking system. Unless otherwise agreed by the Agency, each bale shall be labelled with:</p> <ul style="list-style-type: none"> • Its date of production; • Its content and LoW code; and
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- The name of the location where the bale was produced and its licence register number.

A.4 Schedule C.2.3. Monitoring of Storm Water Emissions

The licensee requests the removal of the parameters added to the weekly suite of storm water monitoring that are not present in the existing licence.

Technical Committee's Evaluation:

The TC notes that the suite of parameters in the RD are 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). Whilst Total Nitrogen is not listed in the guidance, it is a standard monitored parameter at IE licensed sites and considered necessary by the TC given the history of contamination at this emission point, resulting in the cessation of discharge from SW1 since Q3 2017.

The TC recommends that Schedule C.2.3 not be amended.

Reason for Decision:

The TC has reached its conclusion on the basis of the following considerations:

- To ensure corrective and preventative action is undertaken in the event of a pollution incident on-site.
- In the interest of consistency across IE Licences.

Recommendation: No change.

Environmental Impact Assessment Directive – Reasoned Conclusion Update

The TC has reviewed the assessment in the Inspector's Report and, taking into account all objections received, and the contents of this TC report, the TC considers that the potential significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as respects the matters that come within the functions of the Agency, and as required by Section 83(2A) of the EPA Act 1992 as amended.

It is considered that the monitoring, mitigation and preventative measures proposed in the Inspector's Report, and as detailed in this TC report, will enable the activity to operate without causing environmental pollution, subject to compliance with the licence conditions included in the PD, with the inclusion of the amendments proposed in this report.

Appropriate Assessment – Technical Committee Review

The TC has reviewed the Inspector's Appropriate Assessment in the Inspector's Report and, taking into account all objections received, and the content of this TC report, the TC is satisfied that the Inspector's Report provides an adequate examination and evaluation

of the effects of the activity on the European Site concerned, Charleville Wood SAC (000571), in the light of its conservation objectives.

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the Proposed Determination and
- (ii) subject to the conditions and reasons for same in the Proposed Determination, and
- (iii) subject to the amendments proposed and the reasons set out in this report.

Signed

A handwritten signature in black ink, appearing to read 'Aisling Connolly', is written over a horizontal line. The signature is cursive and somewhat stylized.

Aisling Connolly

for and on behalf of the Technical Committee