

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Dr Eimear Cotter, Director
FROM:	Roisin Griffin, Inspector, Environmental Licensing Programme
DATE:	17 June 2021
RE:	Agency initiated Technical Amendment to Industrial Emissions Licence Register Number: W0205-01, held by Green Circular Economy Unlimited Company, Crag Avenue, Clondalkin Industrial Estate, Clondalkin, Dublin 22.

The Office of Environmental Enforcement (OEE) requested the Environmental Licensing Programme (ELP) to amend or review the licence W0205-01 for Green Circular Economy Unlimited Company at the materials recovery facility at Crag Avenue, Clondalkin Industrial Estate, Clondalkin, Dublin 22 on 22nd May 2018.

The OEE requested that the licence be amended or reviewed to clarify the activities and wastes (waste types and quantities) which may be accepted at the installation.

This memo recommends that the change may be accommodated by a technical amendment, in accordance with Section 96 (1)(b) of EPA Acts 1992, as amended.

1. Background

Green Circular Economy Unlimited Company was granted a waste licence on 28th May 2007 for an installation located at Crag Avenue, Clondalkin Industrial Estate, Clondalkin, Dublin 22.

The licence was amended for the purposes of Section 82A (11) of the EPA Acts 1992, as amended, on 16th December 2015. This amendment gives effect to the requirements of Directive 2010/75/EU (Industrial Emissions Directive). The installation is licensed under 11.2(b) of the First Schedule to the EPA Act (1992), as amended. The licence was also amended on 29th June 2016 to incorporate fire risk assessment and waste storage plan conditions following the publication of the EPA guidance document "*Guidance on Fire Safety at Non-Hazardous Waste Transfer Stations*".

The licence is for the operation of a materials recovery facility for non-hazardous waste and a transfer station for household hazardous waste at the location above. The installation is licensed to accept 250,000 tonnes of waste per annum consisting of commercial and industrial, segregated household waste, construction and demolition waste and a small fraction of household hazardous waste.

2. Technical Amendment request

The licence held by Green Circular Economy Unlimited Company Recycling and Recovery provides for the acceptance of 250,000 tonnes of waste per annum as per *Schedule A.2 Waste Acceptance* of their licence (Appendix 1). The OEE has identified an inconsistency in the current licence which compromises the enforceability of the licence. *Schedule A.2 Waste*

Acceptance does not explicitly provide for the acceptance of mixed municipal waste, List of Waste (LoW) code 20 03 01. Mixed municipal waste by its nature contains putrescible material, and the schedule includes a note 3 to exclude putrescible waste. However, Condition 8.3.5 of the licence refers to the '*reception, processing and storage of mixed waste containing putrescible materials*'.

The licensee has indicated to the OEE that they consider that the licence application, supporting documentation, the licensing Inspectors Report and the conditions of the licence refer to the acceptance of mixed waste containing putrescible materials.

3. Assessment

The licence application, submitted to the Agency on 8th April 2004 stated that in terms of the mixed commercial and industrial waste type, a breakdown of three waste streams to be accepted at installation was listed:

- mixed commercial and industrial (heavy processing described)
- mixed commercial and industrial (dry recyclables)
- mixed commercial and industrial (source separated organic waste).

The application listed amongst other LoW codes the acceptance of LoW code 20 03 01 (mixed municipal waste) and LoW code 20 01 08 (biodegradable kitchen and canteen waste) under the heading of commercial and industrial waste.

During the application process the Agency requested further clarification on the the tonnage of organic waste in each waste type applied for, and the total tonnage of organic waste to be accepted at the installation per annum.

The applicant clarified that of the total mixed commercial and industrial waste type proposed (224,000 tonnes), an estimated 10-15%¹ (22,400 – 33,600 tonnes) of this would be organic content.

Schedule A.2 Waste Acceptance of the licence subsequently includes a note 3 specifying the exclusion of putrescible waste for Dry Recyclable Household, Commercial and Industrial non hazardous waste types. The schedule does allow for the acceptance of 33,600 tonnes of a specific waste type limited to biodegradable waste LoW code 20 01 08.

The Inspector's report and the conditions of the licence refer to the acceptance of waste containing putrescibles, i.e. mixed municipal waste and biodegradable waste.

It is proposed to remove the reference to Note 3 from the Commercial and Industrial waste types listed *Schedule A.2 Waste Acceptance*. This would allow for the acceptance of mixed municipal waste, as was intended by the original application and the conditions of the licence.

¹ The applicant estimated this percentage from surveys contained in the 2001 EPA National Waste Database Report. The compositional surveys taken on mixed commercial and industrial waste going to landfill was comprised of 20.6% organic content. The compositional surveys taken on recovered household commercial and household waste was 6.8%.

Additionally, it should be noted that Condition 8.3.5 of the current licence is stated below and allows for the acceptance of waste containing putrescible materials:

Waste Recovery Building 2 shall be used for the reception, processing and storage of mixed waste containing putrescible materials in addition to construction and demolition wastes.

Condition 6.3.3 of the licence includes a comprehensive list of requirements for the licensee to install and provide adequate measures for the control of odour and dust emissions from the activity. The licensee has complied with these requirements and has installed a carbon based odour abatement system appropriate for the abatement of odours from waste containing putrescible materials.

The OEE have advised that the installation accepts approximately 60,000 – 70,000 tonnes of mixed municipal waste per annum, including household waste.

The proposed amendment will allow the licensee to regularise their waste acceptance activities. The additional notes 1 & 2 of *Schedule A.2 Waste Acceptance* allow for the quantities of compatible non-hazardous waste to be accepted and for the quantities on individual waste types to be agreed with the Agency. It should be noted the tonnages listed in the proposed technical amendment reflect the most recent approvals from OEE regarding quantities of compatible waste types accepted.

In accordance with Section 96(2) of the Environmental Protection Agency Act 1992 as amended, it was appropriate to consult with the licensee. I consulted with licensee to inform them of the proposed Technical Amendment to amend '*Schedule A.2 Waste Acceptance*' to facilitate the acceptance of putrescible waste in the different waste types received at the installation. No submission was received after consultation.

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

I have consulted with the OEE licence enforcement team (Carol O'Sullivan, Caroline Kelly) for the licence, in relation to this technical amendment request. The OEE confirmed that the change cannot be accommodated under the existing licence. The OEE noted that a significant number of odour complaints have been received in the past, arising from waste containing putrescible materials being processed at the facility. The licensee has installed an appropriate odour management system at the installation and this has resulted in a decrease in the number of odour complaints received in relation to the installation.

OEE have confirmed that there are legal proceedings in train in respect of this licence, in relation to odour nuisance, and hardstanding/infrastructural issues.

5. Appropriate Assessment

Appendix 2 lists the European Sites assessed, their associated qualifying interests and conservation objectives.

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 Rye Water

Valley/Carton SAC, Glenasmole Valley SAC, Wicklow Mountains SAC, South Dublin Bay SAC, North Dublin Bay SAC, South Dublin Bay and River Tolka Estuary SPA, Wicklow Mountains SPA and North Bull Island SPA.

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required. This determination is based on the fact that the proposed amendments will not result in a material change to the nature of the discharges from the installation.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0205-01 (held by Green Circular Economy Unlimited Company), in accordance with Section 96(1)(b) of the EPA Acts 1992 to 2013.

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 Acts 1992 to 2012 ceasing to be satisfied.

Signed,



Róisín Griffin

Inspector

Environmental Licensing Programme

APPENDIX 1: WASTE ACCEPTANCE SCHEDULE OF THE LICENCE

A.2 Waste Acceptance

Table A.2 Waste Categories and Quantities

WASTE TYPE		MAXIMUM ^{Note 2} (TONNES PER ANNUM)
Non-Hazardous Wastes ^{Note 1}	Dry Recyclable Household ^{Note 3}	20,000
	Commercial ^{Note 3}	95,200
	Industrial ^{Note 3}	95,200
	Biodegradable Waste (EWC 20.01.08)	33,600 ^{Note 4}
	Construction & Demolition	3,000
Non Hazardous Waste Total		247,000
Hazardous Waste Total ^{Note 5}		3,000
20 01 21 Fluorescent Tubes and other mercury-containing waste		
20 01 27 Paints, inks, adhesives and resins containing dangerous substances		
20 01 34 Batteries and accumulators other than those mentioned in 20 01 33		
20 01 35 Discarded electrical and electronic equipment other than those mentioned in 20 01 21 & 20 01 23 containing hazardous components		
20 01 36 Discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35		
TOTAL		250,000

- Note 1:** Any proposals to accept other compatible non-hazardous waste types must be agreed in advance by the Agency.
- Note 2:** The limitation on individual non-hazardous waste types may be varied with the agreement of the Agency subject to the total limit for non-hazardous waste staying the same.
- Note 3:** Excluding putrescible waste.
- Note 4:** Maximum quantity of putrescible waste shall not exceed 33,600 tonnes per annum, of which a maximum of 2,500 tonnes/annum may be Waste Edible Oil and Fat (EWC 20 01 25), unless otherwise agreed by the Agency.
- Note 5:** Hazardous waste types as detailed, or as may otherwise be agreed in advance by the Agency.

Appendix 2: List of European Sites assessed, their associated qualifying interests and conservation objectives.

	European Site (site code)	Distance/ Direction from activity	Qualifying interests (* denotes a priority habitat)	Conservation objectives
1	Rye Water Valley/Cartron SAC (001398)	7km northeast of the installation.	Habitats: 7220 Petrifying springs with tufa formation (Cratoneurion)* Species 1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>) 1014 Narrow-mouthed Whorl Snail (<i>Vertigo angustior</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001398.pdf
2	Glenasmole Valley SAC (0012090)	8km south of the installation	Habitats: 6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites) 6410 Molinia meadows on calcareous, peaty or clayey-silt-laden soils (Molinion caeruleae) 7220 Petrifying springs with tufa formation (Cratoneurion)*	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001209.pdf
3	Wicklow Mountains SAC (002122)	10km south of the installation.	Habitats: 3110 Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) 3160 Natural dystrophic lakes and ponds 4010 Northern Atlantic wet heaths with Erica tetralix 4030 European dry heaths 4060 Alpine and Boreal heaths 6130 Calaminarian grasslands of the Violetalia calaminariae 6230 Species-rich Nardus grasslands, on siliceous substrates in mountain areas (and submountain areas, in Continental Europe)* 7130 Blanket bogs (* if active bog) 8110 Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani) 8210 Calcareous rocky slopes with chasmophytic vegetation 8220 Siliceous rocky slopes with chasmophytic vegetation 91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles Species 1355 Otter (<i>Lutra lutra</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO002122.pdf

4	South Dublin Bay SAC (000210)	11km east of the installation	Habitats 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 2110 Embryonic shifting dunes	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000210.pdf
5	North Dublin Bay SAC (000206)	14km east of the installation	Habitats 1140 Mudflats and sandflats not covered by seawater at low tide 1210 Annual vegetation of drift lines 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) 1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>) 2110 Embryonic shifting dunes 2120 Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) 2130 Fixed coastal dunes with herbaceous vegetation (grey dunes)* 2190 Humid dune slacks Species 1395 Petalwort (<i>Petalophyllum ralfsii</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000206.pdf
6	South Dublin Bay and River Tolka Estuary SPA (004024)	11km east of the installation	Birds A144 Sanderling (<i>Calidris alba</i>) A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A149 Dunlin (<i>Calidris alpina</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A143 Knot (<i>Calidris canutus</i>) A192 Roseate Tern (<i>Sterna dougallii</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>) Habitats Wetlands	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004024.pdf
7	Wicklow Mountains SPA (004040)	12km south of the installation	Birds A098 Merlin (<i>Falco columbarius</i>) A103 Peregrine (<i>Falco peregrinus</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004040.pdf
8	North Bull Island SPA (004006)	14km east of the installation	Birds A160 Curlew (<i>Numenius arquata</i>) A149 Dunlin (<i>Calidris alpina</i>)	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004006.pdf

			A157 Bar-tailed Godwit (<i>Limosa lapponica</i>) A162 Redshank (<i>Tringa totanus</i>) A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>) A144 Sanderling (<i>Calidris alba</i>) A156 Black-tailed Godwit (<i>Limosa limosa</i>) A143 Knot (<i>Calidris canutus</i>) A169 Turnstone (<i>Arenaria interpres</i>) A054 Pintail (<i>Anas acuta</i>) A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>) A048 Shelduck (<i>Tadorna tadorna</i>) A052 Teal (<i>Anas crecca</i>) A141 Grey Plover (<i>Pluvialis squatarola</i>) A056 Shoveler (<i>Anas clypeata</i>) A130 Oystercatcher (<i>Haematopus ostralegus</i>) A140 Golden Plover (<i>Pluvialis apricaria</i>) Habitats Wetlands	
--	--	--	---	--