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Urgent

Ms Marie O'Connor
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Via e-mail to m.oconnor@epa.ie

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14th July 2021

Re: Technical amendments applications for Starrus Eco Holdings Limited ("SEHL") facilities at Millennium Park (W0183), Cappagh Road (W0261) and Knockharley landfill (W0146) to address temporary waste processing constraints in the Eastern Region.

Dear Ms O'Connor,

Introduction

Beauparc Utilities Group is the parent company for the above referenced EPA licensed facilities, which collectively trade under the business names of Panda/Greenstar and Knockharley.

We wish to apply for technical amendments for temporary increases in tonnages at the SEHL facilities in Millennium Park and Cappagh Road and also at the Knockharley landfill facility in Co. Meath. We seek, as further detailed below, a **temporary** increase in tonnage for a total of 150,000 tonnes, spread across the 3 facilities, for 2021.

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We were unable to submit these applications via the Agency's EDEN web-based system and therefore seek your guidance on how best to proceed with these applications. The background to the need for these applications is set out below.

Need for Temporary Increase in Processing Capacity

The temporary increase in tonnage is needed primarily to allow our business to continue to provide essential support to the Dublin/Eastern Region waste market by processing wastes that would otherwise have been processed by the waste management company, Thornton's Recycling, at their facility at 10 Killeen Rd, Cherry Orchard, Ballyfermot, Co. Dublin, (waste licence reference W044) (the "Thornton's Facility").

The Thornton's Facility experienced a fire on the 9th of January 2021 and has been shut for repairs and re-building since this time. The Thornton's Facility is an essential element of the waste infrastructure within the Dublin and Eastern Waste Management region; it is licensed to process 250,000 tonnes of domestic, commercial, industrial and construction/demolition waste. The processing at Thornton's includes the harvesting of recyclable materials such as paper, cardboard, plastic, metal and wood. In addition, the facility prepares SRF for cement kilns and RDF for EfW facilities.

The impact of the temporary loss of processing capacity at the Thornton's Facility cannot be overstated. The outage has created a major issue for the safe management of a significant portion of waste arisings in the Eastern Region.

Changing Trends in Waste

This loss of the Thornton's facility processing capacity from the eastern region has occurred at a time of highly unusual fluctuations in waste arisings caused as a result of the Covid pandemic. The fluctuations include a significant increase in DIY related skip waste, the sudden variance in commercial and C&D waste arisings, a significant increase in healthcare waste and a rapid expansion of the economy as a result of the re-opening of retail.

The loss of processing capacity has also occurred as the shift towards the circular economy is gaining momentum and increased levels of processing are required to harvest resources, reduce the calorific value of fuel for EfW facilities and increase the biogenic carbon content for SRF users. These changing trends are increasing the demand for processing and therefore increasing demands on existing processing capacity.

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Provision of Essential Processing Cover

In order to provide market stability and ensure that waste is processed and disposed of safely, Beauparc business units, at Millennium Park, Cappagh and Knockharley, have stepped into cover the lost Thornton's processing capacity (for recycling, recovery and disposal) at short notice. However, the continued outage at the Thornton's Facility, in combination with significant instability in waste arisings and outages in some EfW outlets, has led to our 3 aforementioned facilities running at rates which regrettably place us at risk of exceeding our permitted 2021 tonnage limits.

Alternative to Provision of Processing Capacity at Knockharley, Cappagh and Millennium

If Beauparc Utilities companies cease to provide processing cover for Thornton's, the waste will have no other alternative route as there is no other significant processing capacity available within the Eastern Region. As the Agency is aware the two Energy from Waste (EfW) facilities in the State are operating at maximum capacity, as are all remaining landfills. In the absence of sufficient disposal/recovery nationally, the only viable alternative is the export of Refuse Derived Fuel (RDF).

It is not possible to export unprocessed municipal solid waste, or bulky waste, due to technical and permitting constraints at the destination EfW facilities. Therefore, it is necessary to process the MSW prior to export. Processing includes the removal of organic fines, recovery of recyclate and the bailing of waste for shipping. In the absence of Beauparc companies providing processing cover at its facilities there is a significant risk that waste normally processed at the Thornton's facility could remain uncollected, with consequential impacts on public health, national recycling targets etc.

Beauparc's Short and Medium-term Processing Capacity Plan

Beauparc is a proactive company and has predicted processing capacity constraints, in the Eastern region in particular, for a number of years. In order to ensure we have adequate processing capacity for our own needs, we have been active in securing necessary planning and licensing permissions needed to bring additional processing capacity to the market. For example, we have recently secured planning for a range of processing capacities in Knockharley and are currently awaiting the approval of a licence review application.

In 2019 we began the process of applying to Fingal for planning permission to increase the annual waste acceptance rates at the material recovery facilities (MRF) at Cappagh Road and Millennium Business Park from 250,000 tonnes and 270,000 tonnes to 450,000 tonnes at each site.

Directors: Eamon Waters, Brian McCabe
Company Registration No. 605063

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Fingal Council informed Beauparc it would accept planning applications for both proposed developments. The application for the Cappagh Road MRF was submitted in July 2020; however following receipt Fingal decided that, it could not process the application. Fingal advised Beauparc to engage with An Bord Pleanála (Bord) regarding the submission of a Strategic Infrastructure Development (SID) application. This application (SID/01/21) was submitted and was validated by the Bord on 26th May 2021. A decision is due in November 2021. A licence review application for this development will be submitted in the coming days.

In the course of preparing the application for the Millennium Business Park MRF it was identified that one of the processing buildings had not been constructed in accordance with the current planning permission. Therefore, a planning retention application was prepared with the intention of submitting an application for the increased tonnage to Fingal when the retention permission was granted. The retention application (FW21A/0064) was lodged in April 2021. Based on Fingal's decision on the Cappagh development, Beauparc is now preparing an SID application to the Bord and a licence review application to the Agency.

In 2018, Knockharley Landfill Ltd submitted an SID application to the Bord for permission, amongst others, to increase the annual waste intake at the landfill to 450,000. In October 2019 Beauparc submitted a licence review application (W0146-04) to the Agency to accommodate the proposed development. In April 2021 the Bord granted permission (ABP-303211-18) for the development and Beauparc is awaiting a decision on the licence review application.

In addition to the above, we acquired a 22-acre industrial site in Huntstown for the specific purpose of providing additional processing capacity on a greenfield site in North Dublin.

In other words, we have been highly proactive in ensuring we had adequate capacity to manage our own processing needs. Unfortunately, we were unable to predict the temporary loss of the Thornton's facility occurring during a pandemic.

The objective of the temporary increases in the waste acceptance limits is to allow Beauparc to achieve compliance with the relevant licences pending the Agency's decisions on the current Knockharley Landfill Review applications and on the pending Cappagh and Millennium Park licence reviews. As referred to above, planning permission has already been granted for the increase tonnage at Knockharley Landfill and a SID application for the increased tonnage at the Cappagh MRF is before the Bord. In the case of the latter a decision is expected in November 2021. An SID licence review application for the Millennium Park MRF will be submitted shortly.

We are available to meet, at your convenience, to elaborate further on any aspect of the above.

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Given the continued outage at the Thornton's facility we are anxious to progress this matter quickly and we trust that the Agency will agree to accommodate the temporary increase in the waste acceptance quantities by means of a Technical Amendment.

Should you have any additional questions please do not hesitate to contact me at David.tobin@beauparc.ie. David Naughton, copied, will remain Beauparc's EDEN contact.

Yours sincerely,

A handwritten signature in black ink, appearing to read "David Tobin", is written over a thin horizontal line.

David Tobin
Sustainability and Circular Economy Director
Beauparc Utilities Limited

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