

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Sharon Finegan, Director
FROM:	Eoin McCaffrey, Inspector, Environmental Licensing Programme
DATE:	10 December 2021
RE:	Technical Amendment to Industrial Emissions Licence Register Number: W0054-02, held by SCRL Limited, 6A Westgate Business Park, Upper Ballymount Road, Ballymount, Dublin, D24 WFK5.

The Agency received a request on 18/10/2021 from SRCL Ltd., Licence Reg. No. W0054-02 to technically amend its Industrial Emissions Licence (IEL). The request relates to an adjustment to the balance of quantities of hazardous waste types accepted on site without an increase in the overall tonnage accepted.

This memo recommends that the change may be accommodated by a Technical Amendment (TA), in accordance with Section 96(1)(c) of Environmental Protection Agency Act 1992 as amended.

1. Background

Eco-Safe Systems Limited was granted a licence, Reg. No. W0054-01, on 21/12/1999 for an installation located at Unit 1A, Allied Industrial Estate, Kylemore Road, Ballyfermot, Dublin 10. The installation is licenced under Class 11.6¹, 11.1² and 11.2³ (b), (d) and (f) of the First Schedule to the EPA Act 1992 as amended.

A revised licence, Licence Reg. No. W0054-02, was issued to Eco-Safe Systems Limited on 01/08/2003. This licence was transferred to SRCL Limited on the 06/09/2013.

The licensee is authorised to recover and dispose of up to 11,357 tonnes per annum of hazardous waste and 500 tonnes of non-hazardous waste. This hazardous waste is made up of healthcare risk related waste (sharps, infectious material, lab waste, surgical equipment) and industrial hazardous waste including asbestos.

¹ Temporary storage or hazardous waste, pending any activities referred to in paragraph 11.2, 11.3, 11.5 or 11.7 with a total capacity exceeding 50 tonnes, other than temporary storage, pending collection, on the site where the waste is generated.

² The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity in this Schedule in respect of which a licence or revised licence Under Part IV is in force or in respect of which a licence under the said Part is or will be required.

³ Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physio-chemical treatment, or repackaging prior to submission to any other activities listed in paragraph 11.2 or 11.3, or the recycling/reclamation of inorganic materials other than metals or metal compounds.

Licence W0054-02 has been amended on four previous occasions, the latest of which on the 07/01/2014 was for the purposes of Section 82A(11)⁴ of the EPA Act 1992 as amended. Technical Amendment C (TA C) to the licence (dated 18/01/2012) was for the purpose of adjusting the balance of hazardous waste types accepted at the installation which is the basis for this current amendment request.

2. Technical Amendment request

On the 18/10/2021, the Agency received a request for a Technical Amendment (TA) of IE Licence Reg. No. W0054-02 to allow for an adjustment of the quantities of hazardous waste accepted at the installation. The overall tonnage of waste authorised for acceptance at the installation will not increase as a result of the proposed change.

The existing licence allows for the acceptance of 2,072 tonnes of hazardous healthcare risk waste and 9,025 tonnes of industrial hazardous waste. The request will increase the hazardous healthcare risk waste accepted by 1,000 tonnes to 3,072 tonnes with a corresponding decrease in the industrial hazardous waste accepted to 8,025 tonnes. A similar amendment request was granted to the licensee in TA C issued on 18/01/2012.

The licensee also requests that provision be made in the licence for future adjustments to the balance of hazardous waste quantities accepted on site by way of Agency approval under the licence, subject to total limits staying the same.

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

I have consulted with the OEE Inspector, Lisa Noone, in relation to this technical amendment request. The OEE confirmed that the proposed request to adjust the balance of hazardous waste types accepted on-site cannot be accommodated under the existing licence. OEE has confirmed that there are no legal proceedings in train in respect of this licence.

4. Assessment

The proposed amendment requests were assessed against the relevant criteria in the Agency's guidelines for licence amendments⁵.

The amendment is sought given the increase in healthcare related hazardous waste arising from the ongoing Covid pandemic. The individual hazardous waste acceptance limits approved under W0054-02 and amended by TA C and the proposed new limits as part of this request are detailed in Table 1 below. The overall hazardous waste limits remain the same.

⁴ This amendment gives effect to the requirements of Directive 2010/75/EU (Industrial Emissions Directive).

⁵ Guidance on Requests for Alterations to a Licensed Industrial or Waste Activity (EPA, June 2019).

Table 1: Previous and proposed hazardous waste tonnage balances at the installation

Haz waste type	W0054-02 (tonnes)	TA C (tonnes)	Proposed change (tonnes)
Sharps, healthcare risk waste, lab waste	7,072	2,072	3,072
HEPA filters, obsolete healthcare equipment	260	260	260
Hazardous Wastes (types listed in Attachment D3 – Activity 5 of licence application form).	4,025	9,025	8,025
Total	11,357	11,357	11,357

The impact of accepting and processing 7,072 tonnes per annum of hazardous healthcare waste at the installation was previously assessed for revised licence W0054-02. Given the proposed change is to increase the acceptance of hazardous healthcare risk waste from 2,072 to 3,072 tonnes per annum with no increase in the overall hazardous waste limit, no increase in emissions, and no change to the nature of the operations or activities that were considered in relation to the revised licence application (W0054-02), this change can be accommodated by way of a TA.

The licensee also requests that provision be made in the licence for future adjustments to individual hazardous waste type limits in Schedule A by way of Agency approval. Such provision would be on the basis that the total limits for hazardous waste acceptance in Schedule A remain unchanged. Given the impact of the total limits on hazardous waste acceptance have already been assessed as part of licence W0054-02, it is considered that flexibility should be provided in the licence for this type of change request to be accommodated by way of Agency approval.

Summary:

Section 96 (1) of the EPA Act 1992 as amended states that “*The Agency may amend a licence or revised licence for the purposes of:*

- (c) *otherwise facilitating the operation of the licence and the making of the amendment does not result in the relevant requirements of section 83(5) ceasing to be satisfied.”*

It is considered that the proposed amendment request may be accommodated under Section 96(1)(c). To amend the licence under this criterion, two parts need to be satisfied, (i) *otherwise facilitating the operation of the licence* and (ii) *does not result in the relevant requirements of Section 83(5) ceasing to be satisfied.*

The amendment to the limits of authorised hazardous waste types accepted at the installation will not change the nature of the operations or activities from those already considered during the previous licence review/technical amendment processes, will not increase emissions from the installation and will not result in an increase in the total hazardous waste acceptance limit. The changes requested can therefore be contemplated as *otherwise facilitating the operation of the licence* and will also *not result in the relevant requirements of Section 83(5) ceasing to be satisfied.*

Based on the above assessment, it is recommended that the changes to the limits of individual authorised hazardous waste types and the provision of a mechanism in the licence for such requests to be considered for approval under the licence in future, be accommodated by Technical Amendment providing the overall total waste limits remain unchanged. It is considered that the proposed revisions are in accordance with Agency guidelines for licence amendments and will satisfy the criteria under Section 96(1)(c) of the EPA Act 1996, as amended, allowing the Agency to amend a licence or revised licence.

The RA provides for the changes requested to Table A.1 and Table A.2 in *Schedule A Waste Acceptance* of the licence. The RA also provides for the inclusion of Condition 1.12, which provides clarity to the licensee regarding proposed changes to the licensable activity that will require prior notice to, and approval by the Agency before commencement.

5. Appropriate Assessment

Appendix 1 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 activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at South Dublin Bay SAC (000210), North Dublin Bay SAC (000206), North Dublin Bay and River Tolka Estuary SPA (004024) and North Bull Island SPA (004006).

The activities are 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 activities, 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 activities was not required.

This determination is based on the following:

- This installation is not located within any European Site;
- There will be no change in emissions from the installation and the amendment will not substantially change the nature or extent of the operations at the installation from what was considered when the revised licence Reg. no. W0054-02 was granted; and
- The change will not result in any increase in the overall waste limit accepted at the installation from that considered when revised licence Reg no. W0054-02 was granted.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0054-02 (held by SRCL Limited), in accordance with Section 96(1)(c) of the EPA Act 1992 as amended.

I recommend that the licence amendment be approved as set out in the attached recommended Technical Amendment. The making of the amendment will not result in the relevant requirements of Section 83(5) of the EPA Act 1992 as amended, ceasing to be satisfied.

Signed,

Handwritten signature of Eoin McCaffrey in blue ink.

Eoin McCaffrey
Inspector
Environmental Licensing Programme

Appendix 1: List of European Sites assessed, their associated qualifying interests and conservation objectives.

	European Site (site code)	Distance/ Direction from installation/	Qualifying interests (* denotes a priority habitat)	Conservation objectives
1	South Dublin Bay SAC (000210)	8.6 km 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	As per NPWS (2013) Conservation Objectives: South Dublin Bay SAC [000210]. Version 1. National Parks and Wildlife Services, Department of Arts, Heritage and the Gaeltacht (dated 22/08/2013).
2	North Dublin Bay SAC (000206)	11.1 km 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>)	As per NPWS (2013) Conservation Objectives: North Dublin Bay SAC [000206]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht (06/11/2013).
3	South Dublin Bay and River Tolka Estuary SPA (004024)	8 km 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>)	As per NPWS (2015) Conservation Objectives: South Dublin Bay and River Tolka Estuary SPA [004024]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht (09/03/2015).

				<p>A193 Common Tern (<i>Sterna hirundo</i>) A137 Ringed Plover (<i>Charadrius hiaticula</i>)</p> <p>Habitats A999 Wetland and Waterbirds</p>	
4	North Island (004006)	Bull SPA	11.1 km east of the installation.	<p>Birds A160 Curlew (<i>Numenius arquata</i>) A149 Dunlin (<i>Calidris alpina</i>) 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>)</p> <p>Habitats A999 Wetland and waterbirds</p>	As per NPWS (2015) Conservation Objectives: North Bull Island SPA [004006]. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht (09/03/2015).