


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

Signed: Marie O'Connor Date: 1st March 2022

 <p>Environmental Protection Agency An Ghnóthaireacht um Chaomhnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO PROPOSED DECISION	
TO:	Directors
FROM:	Technical Committee Environmental Licensing Programme
DATE:	1 st March 2022
RE:	Objection to Proposed Decision for DUBLIN CITY COUNCIL St. Margaret's Road, Ballymun, Dublin 11, Waste Reg: W0302-01

Application Details	
Classes of Activity (under Waste Management Act 1996 as amended):	<p>WMA Activity under the 3rd and 4th Schedule of the Waste Management Act 1992 as amended</p> <p>D13 Blending or mixing prior to submission to any of the operations numbered D 1 to D 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12)</p> <p>D14 Repackaging prior to submission to any of the operation numbered D 1 to D 13.</p> <p>D15 [Principal Activity] Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage (being preliminary storage according to the definition of "collection" in section 5(1), pending collection on the site where the waste is produced.</p> <p>R12 Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other</p>

	R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11)
	R13 Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).
Licence application received:	12 th June 2019
PD issued:	21 st October 2021
First party objection received:	1
Third Party Objection received:	0
Submissions on Objections received:	0

Company

The licence application relates to the operation of a waste transfer station by Dublin City Council (DCC), referred to as North City Operations Depot (NCOD). The facility will handle waste from DCC daily operations such as street sweeping, street bin collection, gully sucking, housing and roads maintenance and river cleaning. These operations will generate waste materials that will need to be handled, and temporarily stored on-site before being transferred off-site for disposal or recovery.

There was one submission received in relation to the application, this was considered by the Board at proposed decision (PD) stage.

Consideration of the Objection

The Technical Committee (TC), comprising of Áine Murphy (Chair) and David Matthews, has considered all of the issues raised in the objection, has engaged with the licensing Inspector and this report details the committee's comments and recommendations following the examination of the objections and the documents associated with the waste management act licence application.

This report considers one 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 applicant has made four points of objection relating to specific conditions and schedules of the PD. The points of objection are dealt with in the order below.

A.1 Condition No. 3.12 Fire-water Retention

Condition 3.12 Fire-water Retention states:

- 3.12.1 The licensee shall carry out a risk assessment to determine if the activity should have a fire-water retention facility. The licensee shall submit a report to the Agency for approval on the findings and recommendations of the assessment prior to the commencement of the activity.*
- 3.12.2 In the event that a significant risk exists for the release of contaminated fire-water, the licensee shall, based on the findings of the risk assessment, prepare and implement, with the approval of the Agency, a suitable risk management programme. The risk management programme shall be fully implemented within three months of date of notification by the Agency.*
- 3.12.3 The licensee shall examine (based upon the findings of the risk assessment in Condition 3.12.1) as part of the risk management programme in Condition 3.12.2 the need to provide automatic diversion of storm water for collection.*
- 3.12.4 The licensee shall have regard to any guidelines issued by the Agency with regard to firewater retention when carrying out the requirements of Conditions 3.12.1 and 3.12.2.*

The applicant refers to 'Attachment 9-1 Environmental Management Techniques' of the licence application and outlines that DCC considers the risk of a fire occurring to be very low, and accordingly the generation of potentially contaminated fire-water run-off, to also be very low.

The main points made as part of the objection are as follows:

- Fire risk at the proposed NCOD is low due to the nature of the waste types to be accepted at the facility, namely street cleaning wastes, gully cleaning wastes, inert road maintenance waste, bulky waste and street bin waste.
- There is a very slight potential for a fire to occur in street bin waste as a result of the widespread use of street bins and the variability of waste which could be placed within, such as cigarette butts or other potential ignition sources.
- The risk of a fire occurring in waste, particularly street bin waste, at the NCOD facility is very low, as any small fire would likely have burnt out in a street bin prior to collection and the typically 'wet' nature of mixed municipal waste would not provide a highly combustible source. In addition, oxygen availability for a fire would be limited inside the compactors and the compactors will be removed from the depot on a regular basis.
- DCC has advised that they have experienced no incidence of fires occurring from waste materials in street bin collections, gully/street cleaning, road maintenance or housing maintenance in recent years and would consider the risk of a fire occurring as being very low.

The applicant objects to Condition 3.12 in the PD and requests that it is removed.

Technical Committee's Evaluation:

The TC notes that the applicant submitted information regarding measures to minimise the impact on the environment of an accidental emission or spillage in attachment 9-1 of

the licence application. Condition 3.12 of the PD is a standard condition in waste licences. This condition requires the licensee to carry out a risk assessment to determine if the activity should have a fire-water retention facility and subsequently submit a report to the Agency for approval on the findings and recommendations of the assessment, prior to the commencement of the activity. While the applicant considers the activity to be of low risk for a fire occurring, the TC considers it is best practice to undertake a risk assessment to assess the risk posed by the activities on-site, in accordance with the Agency's guidance document 'Guidance Note to Industry on Fire Water Retention Facilities'. The TC recommends no change to Condition 3.12.

Reason for Decision:

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

- In the interest of protecting the receiving environment in the event of an incident involving a fire on-site.

Recommendation: No change

A.2 Condition 6.11.1 and Schedule C.2.3 Monitoring of Storm Water Emissions

The applicant objects to the requirement to carry out:

1. Daily visual inspections of storm water discharges as specified in Condition 6.11.1 and *Schedule C.2.3 Monitoring of Storm Water Emissions* of the PD.
2. Weekly monitoring of storm water discharges for suspended solids (SS) and total organic carbon (TOC) by standard method as specified in *Schedule C.2.3 Monitoring of Storm Water Emissions* of the PD.

The applicant explains that the designated monitoring point for stormwater discharges, SWM1, is located in the roadway inside the entrance gate to the depot from St. Margaret's Road. The applicant indicates that daily visual inspections and weekly monitoring from this manhole location is considered a safety risk, given the frequency of incoming vehicles to the depot and the manual handling risks this presents for DCC staff.

The applicant proposes that visual inspections are undertaken on an 'as required' basis, and that SS and TOC are monitored continuously by installing a continuous monitor at SWM1. The applicant indicates that a continuous monitor will be programmed to alert DCC staff to any exceedance of trigger levels which will be established in accordance with condition 6.11.2 of the PD. As the notification will be immediate, the applicant argues that this will eliminate the requirement for manual daily inspections. The applicant advises that this proposed alternative will reduce the manual handling requirements for opening the manhole at SWM1 daily and will reduce the safety risk posed to DCC staff from vehicles accessing the depot.

Technical Committee's Evaluation:

The TC notes that the storm water discharge monitoring point location SWM1 (Grid coordinates: 315136E, 240813N) specified in *Schedule C.2.3 Monitoring of Storm Water Emissions* was proposed by the applicant in 'Attachment 7-7 Storm Water Discharges' as part of the licence application.

Condition 3.8 of the PD states that "The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. The requirement with regard to off-site points is subject to the prior agreement of the landowner(s) concerned." Based on the objection received from the applicant, the TC understands that the provision of safe and permanent access to SWM1 may not be possible. On this basis, the TC recommends monitoring point reference SWM1 and the associated coordinates are removed from *Schedule C.2.3 Monitoring of Storm Water Emissions* and replaced with the emission point reference SW1, along with a subscript note stating, "monitoring location to be approved by the Agency".

The TC does not agree with the applicant that visual inspections could be undertaken as required. Condition 6.11.1 and the technique specified in *Schedule C.2.3 Monitoring of Storm Water Emissions* of the PD are standard requirements in waste licences which can provide an early indication of contamination of storm water. The TC considers it best practice to carry out a daily visual inspection of storm water discharges.

The TC considers that continuous monitoring of SS and TOC in stormwater discharges is acceptable, however, given that the storm water discharge monitoring point location SWM1 is required to be moved, the applicant may no longer require a change to the monitoring frequency and analysis method/technique once the location of the monitoring point location has moved. The TC notes that Condition 6.6 of the PD provides for the frequency, methods and scope of monitoring to be amended as required or approved by the Agency, following the evaluation of test results.

Reason for Decision:

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

- In the interest of protecting the health and safety of staff at the facility and EPA staff attending on-site.

Recommendation: Amend <i>Schedule C.2.3 Monitoring of Storm Water Emissions</i> as follows:		
Emission Point Reference No: SW1 ^{Note 1} SWM1 (315136E, 240813N)		
Parameter	Monitoring Frequency	Analysis Method/Technique
Visual Inspection	Daily	Sample and examine for colour and odour.
Suspended Solids	Weekly	Standard method
Total Organic Carbon (TOC)	Weekly	Standard method
Note 1: Monitoring location to be approved by the Agency.		

A.3 Schedule B.3 Emissions to Sewer

The applicant objects to the daily and hourly volumetric flow limits for emissions to sewer specified in the PD. The applicant outlined that *Schedule B.3 Emissions to Sewer* sets a

maximum flow limit of 26.5m³/day and 12.5m³/hr of effluent emissions to be discharged to sewer. In addition, the applicant notes *Schedule C.3.2 Monitoring of Emissions to Sewer* specifies continuous flow rate monitoring of emissions to sewer.

The applicant refers to documentation submitted as part of the licence application, in particular 'Attachment 4-8-1 Operational Report'. The applicant quotes an excerpt from this report "*All the foul effluent from the NCOD waste licensed area will be combined with the domestic effluent from the rest of the NCOD site (including the civic amenity site) and discharged to the Irish Water network at the eastern boundary of the overall site*". The applicant argues that the total volume of effluent that will be monitored at the sewer emission monitoring point (SEM1) will include the volume of sewer emissions from the waste licensed area as well as the total volume of domestic effluent generated in the depot offices, workshops and the civic amenity site, which are outside of the waste licensed area.

In addition, the applicant highlights that the total quantity of effluent calculated and submitted as part of the licence application also includes wash-water generated in the general vehicle washing bays in the south-east corner of the overall site (outside of the waste licenced area). This quantity of wash-water from the vehicle wash bays was included in the calculation of the effluent from the waste licensed area to avoid having to obtain a separate Trade Effluent Discharge Licence from Irish Water for the vehicle wash bay effluent alone. The applicant indicates that in consultation with Irish Water the total foul loading for the overall site (trade effluent + domestic effluent) was calculated at a peak design flow of 148.8m³/day. The applicant makes reference to Attachment-7-3-3-Sewer Discharge Consent and asserts that this is evidence that Irish Water confirmed on 09/10/2017 that the proposed connection to the Irish Water network based on the calculations provided could be facilitated.

The applicant reiterated that the flow limit for effluent emissions as set out in the PD cannot be complied with through continuous flow monitoring at SEM1. The applicant proposes that continuous flow monitoring is carried out at alternative locations to accurately monitor the quantity of trade effluent being discharged into the Irish Water network. Two alternative locations are proposed:

1. Total effluent passing manhole south of road gully waste bay – SEM2 (ING – E315003, N240863), comprising:
 - a. Trade effluent from waste licensed area
 - b. Domestic effluent contribution upstream of waste licensed area
2. Trade effluent discharge from the vehicle washing bay only – SEM3 (ING – E315130, N240808).

Drawings of the locations of the proposed alternative sewer emission monitoring points (SEM2 and SEM3) were provided as part of the objection.

The applicant states that "*The total quantity of foul effluent passing SEM2 and SEM3 is still estimated to be in excess of 26.5m³/day, given the contribution of domestic effluent from the workshops and the civic amenity site upstream of the waste licensed area. This contribution from domestic effluent is calculated as up to a maximum of 3m³/day. Therefore, the revised maximum volume of foul effluent passing these two points (SEM 2 and SEM3) is estimated as 29.5m³/day (revised maximum hourly discharge of 15.5m³/hr).*"

Therefore, the applicant proposes that continuous flow monitoring of effluent emissions will be undertaken at SEM2 and SEM3, and these effluent emissions will be subject to the flow limit of 29.5m³/day and 15.5m³/hr. The applicant requests the Agency amend *Schedule B.3* accordingly.

Technical Committee's Evaluation:

The TC notes that the following was proposed by the applicant in 'Attachment 7.3.1 – Emissions to Sewer' as part of the licence application:

1. The flow ELVs 26.5 m³/day and 12.5 m³/hr for treated effluent discharging from emission point SE1 into Irish Water's sewers.
2. The monitoring point location SEM1 (Grid coordinates: 315133E, 240818N) for the sewer emission point SE1.

Irish Water, under Section 52 of the Waste Management Act 1996, as amended, gave its consent for the discharge to sewer from the facility, specifying certain ELVs, as well certain other conditions and monitoring requirements. The flow limits, ELVs and monitoring requirements have been incorporated into the PD. The applicant has not provided a revised consent from Irish Water which permits the proposed increase in the volume of trade effluent to be emitted from emission point SE1 as part of the objection. For an increase in sewer discharges to be considered by the Agency consent from Irish Water is required.

The TC notes the applicant's intention to use two alternative monitoring point locations in place of the sewer monitoring location SEM1. There are no coordinates listed in *Schedule C.3.2 Monitoring of Emissions to Sewer* for SEM1 but to facilitate a future change in the monitoring location, the TC recommends that a subscript note is added stating, "monitoring location to be approved by the Agency". The TC recommends that *Schedule C.3.2 Monitoring of Emissions to Sewer* is amended.

Reason for Decision:

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

- To ensure compliance with treated effluent flow limits and emission limit values as consented by Irish Water, and monitoring location as approved by the Agency.

Recommendation: Amend *Schedule C.3.2 Monitoring of Emissions to Sewer* as follows:

Emission Point Reference No: SE1 ^{Note 1}

Note 1: Monitoring location to be approved by the Agency.

A.4 Schedule C.3.1 Control of Emissions to Sewer

The applicant objects to the requirement to provide a Class I Full Retention Interceptor as key equipment listed under *Schedule C.3.1 Control of Emissions to Sewer* of the PD. The applicant notes that its Civil Engineer has specified the inclusion of a Class I By-pass Interceptor on the foul drainage network as shown in drawings and details submitted as part of the licence application. In addition, the applicant draws attention to the inclusion

of a Class 1 By-pass Interceptor in the foul network layout drawings submitted to Irish Water as part of the detailed design connection application that has subsequently been approved.

The applicant requests that the Agency amend *Schedule C.3.1* of the PD to reflect the use of a Class 1 By-pass Interceptor, instead of a Class I Full Retention Interceptor.

Technical Committee’s Evaluation:

The TC notes that drawings including a Class 1 By-pass Interceptor in the foul network layout drawings were submitted to Irish Water as part of the detailed design connection application that has subsequently been approved. The TC considers that a Class 1 By-pass Interceptor is suitable for dealing with discharges to sewer as the proposed waste activities pose a low risk from spillages. The TC considers that a Class I By-pass Interceptor will provide adequate protection to the environment. The TC recommends *that Schedule C.3.1 Control of Emissions to Sewer* of the PD be amended as specified below.

Reason for Decision:

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

- To ensure compliance with treated effluent control requirements.

Recommendation: Amend <i>Schedule C.3.1 Control of Emissions to Sewer</i> as follows:		
Control Parameter	Monitoring	Key Equipment
Suspended solids & Mineral oils/Total hydrocarbons	Suspended solids/silt & Mineral oils/Total hydrocarbons removal	Vertical screens/Class I By-pass Interceptor full retention interceptor

Appropriate Assessment

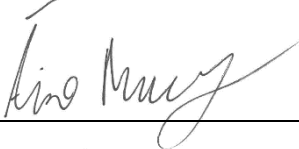
The TC has reviewed the Inspector’s Appropriate Assessment Screening in the Inspector’s Report and, taking into account all objections received, and the content of this TC report, the TC is satisfied that the Inspector’s Report provides an adequate examination and evaluation of the effects of the activities on the European Site(s) concerned, North Bull Island SPA (004006), South Dublin Bay and River Tolka Estuary SPA (004024), South Dublin Bay SAC (000210), and North Dublin Bay SAC (000206), in the light of their 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 decision and
- (ii) subject to the conditions and reasons for same in the proposed decision, and
- (iii) subject to the amendments proposed and the reasons set out in this report.

Signed,



Áine Murphy

for and on behalf of the Technical Committee