

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

Signed: Marie O'Connor Date: 6th April 2022



OFFICE OF ENVIRONMENTAL SUSTAINABILITY

REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO PROPOSED DECISION

TO:	Directors	
FROM:	Technical Committee	Environmental Licensing Programme
DATE:	6 April 2022	
RE:	Objection to Proposed Decision for DUBLIN CITY COUNCIL, St. Margaret's Road, Ballymun, Dublin 11, Waste Reg: W0303-01	

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: 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). D14 Repackaging prior to submission to any of the operations numbered D 1 to D 13. D15 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). R03 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals. R04 Recycling/reclamation of metals and metal Compounds.</p>

	<p>R05 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.</p> <p>R12 Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other 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).</p> <p>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)". [Principal Activity]</p>
Licence application received:	19 June 2019
PD issued:	12 November 2021
First party objection received:	1
Third Party Objection received:	0

Company

Dublin City Council (DCC) applied to the Agency for a Waste licence to operate a civic amenity (Ballymun Recycling Centre), which will be open to the public, for the reception of household waste for recycling. The civic amenity will be located within a new operations depot, being developed by DCC, at St. Margaret's Road, Ballymun, Dublin 11. The depot will include a second waste facility to handle waste from DCC daily operations, such as litter bin collection, street cleaning, and road and housing maintenance. This second facility will be authorised and operated separately to the civic amenity, and is subject to a separate waste licence application, Register Number: W0302-01.

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, comprising of David Matthews (Chair), and Áine Murphy, 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 waste management act licence application. The Technical Committee consulted with the Inspector Jim Johnson, who provided comments on the points raised, and also with Inspectors Carol O'Sullivan and Joe Hunter from the Office of Environmental Enforcement (OEE).

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 two main points of objection relating to specific conditions of the Proposed Decision. The points of objection are dealt with in the order below.

A.1 Condition No. 3.11(i) – Silt Traps and Oil Separators

Condition 3.11(i) states:

3.11 Silt Traps and Oil Separators

The licensee shall, prior to the commencement of the activity, install and maintain silt traps and oil separators at the facility:

(i) Silt traps to ensure that all storm water discharges, other than from roofs, from the facility pass through a silt trap in advance of discharge.

The applicant objects to the wording of condition 3.11(i), as they had not proposed to install silt traps on the stormwater drainage network at the facility. As per the licence application, the applicant had only proposed to install an oil/fuel interceptor on-site. The applicant outlined that a silt trap will be installed off the licensed site boundary, on the stormwater drainage trunk main, at the eastern end of the North City Operations Depot site, prior to discharge into the public storm sewer.

Technical Committee's Evaluation:

The requirement for silt traps on-site is a standard condition in waste licences. The TC has concerns about the potential for silt and contamination to enter the storm water system, due to run-off from the quantities of waste being brought onto the site by members of the public, and therefore is recommending that silt traps be located on-site. The TC is concerned that if the silt traps are located off-site, the applicant may not have access rights to the silt traps to perform routine maintenance. Silt traps require frequent maintenance, because a poorly maintained silt trap will cease to be effective, resulting in silt building up in the pipework, and potentially blocking the drainage system entirely. In addition, Dublin City Council have indicated their intention to transfer the civic amenity licence to a private contractor to operate it on their behalf. This intent was outlined in the Operational Report, which was submitted as part of the licence application. The TC is concerned that there may be issues in the future for a private operator in getting access to external lands to perform maintenance on underground pipework.

It is noted that if the silt traps are located off-site, then the storm water monitoring location SWM1 will be situated before the storm water passes through the silt traps, and therefore any monitoring carried out on the storm water discharge will not be representative of the final discharge entering the public storm sewer.

The TC recommends no change to Condition 3.11(i).

Reason for Decision:

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

- In the interest of protecting the receiving environment.

Recommendation: No change.

A.2 Condition No. 6.11.1 and Schedule C.2.3 Monitoring of Storm Water Emissions

The applicant objects to the requirement to carry out a daily visual inspection of storm water discharges, as specified in Condition 6.11.1 of the PD.

The applicant notes that Condition 6.11.1 specifies a requirement for a visual examination of stormwater discharges to be carried out daily, but that this Condition is not in alignment with the requirement of Schedule C.2.3. *Monitoring of Storm Water Emissions*, as Schedule C.2.3 requires a weekly visual inspection of the stormwater discharge be undertaken. The applicant considers that weekly visual inspection of the stormwater discharge is appropriate, given the nature and risk of the activities at the site, and has requested the Agency to update Condition 6.11.1 to require a weekly visual examination, so that it is aligned with the requirements of Schedule C.2.3. *Monitoring of Storm Water Emissions*.

Technical Committee's Evaluation:

The requirement for a weekly visual inspection of the storm water discharge, as required in Schedule C.2.3. *Monitoring of Storm Water Emissions* has been identified by the TC as a clerical error. The TC considers it best practice to carry out a visual inspection of storm water discharges on a daily basis, as a daily visual check can provide an early indication of contamination of storm water. It is noted that other Recycling Centres licenced by the EPA, such as Kerry County Council, Waste Licence Reg. No. W0225-01, has a licence requirement for a daily visual check on the surface water system. OEE expressed concern about the potential for contamination to enter the storm water system, due to run-off from the quantities of waste being brought onto the site by members of the public, and requested that the visual check on the storm water discharge be carried out on a daily basis. OEE expressed concern that potential contamination could be missed, if checks are only carried out weekly. It is noted that Condition 6.6 of the Proposed Decision allows for the frequency of monitoring to be amended by the Agency, following the evaluation of test results. It is recommended that if after a period of satisfactory monitoring, the applicant still wants to change the visual check to weekly, that they submit a proposal to OEE, in accordance with Condition 6.6.

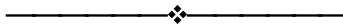
The TC recommends that the requirement for a weekly visual inspection of the storm water discharge, as stated in Schedule C.2.3. *Monitoring of Storm Water Emissions* be amended to daily visual inspection, to align with the requirements of Condition 6.11.1.

Reason for Decision:

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

- To provide for the early detection of any leaks or spills on-site.

Recommendation: Amend <i>Schedule C.2.3 Monitoring of Storm Water Emissions</i> as follows:		
Emission Point Reference No: SWM1 (314727E, 240868N)		
Parameter	Monitoring Frequency	Analysis Method/Technique
Visual inspection	Daily-Weekly	Sample and examine for colour and odour
Suspended solids	Biannually	Standard Method
Total Organic Carbon	Biannually	Standard Method



Appropriate Assessment – Technical Committee Review

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 Sites concerned, namely 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

Handwritten signature of David Matthews in blue ink.

Dr. David Matthews

for and on behalf of the Technical Committee