

 <p>epa Environmental Protection Agency <i>An Ghníomhaireacht um Chaomhú Comhshaoil</i></p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Sharon Finegan, Director
FROM:	Aisling Connolly, Inspector, Environmental Licensing Programme
DATE:	16/05/2022
RE:	Technical Amendment to Waste Licence Register Number: W0304-01, held by Packaging Laundry Limited, for a facility located at Unit C4, Oldcourt Industrial Estate, Boghall Road, Bray, County Wicklow.

The Agency received a request on 24 May 2021 from Packaging Laundry Limited, Licence Reg. No. W0304-01 to technically amend its Licence. The request relates to minor increases in the emission limit values (ELVs) for biological oxygen demand (BOD) and chemical oxygen demand (COD), and an increase in the maximum volume of effluent to be emitted from the facility's discharge to sewer.

This memo recommends that the change may be accommodated by a Technical Amendment, in accordance with Section 42B(c) of the Waste Management Act 1996, as amended.

1. Background

Packaging Laundry Limited was granted a licence, Reg. No. W0304-01, on 15 October 2020 for a facility located at Unit C4, Oldcourt Industrial Estate, Boghall Road, Bray, County Wicklow. The facility is licenced under Waste Recovery Activities R04 (principal activity)¹, R05², R13³, R03⁴ and R12⁵ of the Fourth Schedule of the Waste Management Act.

The main activity carried out at the facility under the licence (Reg. No. W0304-01) is the acceptance of Intermediate Bulk Containers (IBCs) from customers for cleaning, inspection and refurbishment. Other waste activities carried out include the reconditioning of steel and plastic drums, as well as the recovery of wooden pallets and cardboard packaging.

¹ Recycling/reclamation of metals and metal compounds.

² Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.

³ Storage of waste pending any of the operations numbered R1 to R12 (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)".

⁴ 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.

⁵ Exchange of waste for submission to any of the operations numbered R1 to R11 (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).

2. Technical Amendment Request

On the 24 May 2021, the Agency received a request for a Technical Amendment of Licence Reg. No. W0304-01, in order to allow for an increase in the emission limit values (ELVs) for biological oxygen demand (BOD) and chemical oxygen demand (COD), and an increase in the maximum volume of effluent to be emitted from the facility's discharge to sewer. The request was accompanied by a letter of consent from Irish Water dated 27 April 2021.

In order to accommodate variances in the quantity of discharge effluent, authorised under the licence as wash water from the IBC/steel drum washing process carried out onsite, the licensee proposes to amend the licence as follows;

Parameter	Schedule	Current	Proposed
Volume of effluent to be emitted	B.3	5 m ³ (maximum in any one day) 0.5 m ³ (maximum rate per hour)	10 m ³ (maximum in any one day) 1 m ³ (maximum rate per hour)
cBOD, 5 days with Inhibition (Carbonaceous BOD)		1000 mg/L 5 Kg/day	1500 mg/L 15 Kg/day
COD - Cr		3000 mg/L 15 Kg/day	4500 mg/L 45 Kg/day

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

I have consulted with the OEE Inspector Ciaran Cuddihy, in relation to this technical amendment request. The OEE confirmed that the proposed increase in ELVs and maximum volume to be emitted from the facility's discharge to sewer 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 amendment request was assessed against the relevant criteria in the Agency's guidelines for licence amendments⁶. Changes to ELVs for an emission to sewer subject to Irish Water (IW) approval, is identified as an alteration which may be accommodated by TA.

The facility discharges to Irish Water's sewer network in the Shanganagh agglomeration (Waste Water Discharge Licence Reg. No. D0038-02). A letter of support from IW has been provided as part of the TA application, confirming that IW is satisfied with the licensee's proposed changes. As part of the assessment of the TA request, the written consent was examined and found to concur with the requested changes.

⁶ EPA Guidance for Licensees on Requests for Alterations to the installation/facility (EPA, June 2019).

The proposed increase in effluent volume and concentration of BOD and COD is not considered environmentally significant in the context of the volume and buffering capacity provided by the Shanganagh sewer network. Following the increase in effluent volume emitted per day from the facility from 5 to 10 m³, the facilities discharge still accounts for less than 0.1% of the average hydraulic load in the Shanganagh sewer network.

Furthermore, it must also be determined if the changes would impact on the receiving waters, i.e. the Irish Sea. The most recent Annual Environmental Report (AER) for Shanganagh demonstrates effluent monitoring passed overall compliance for both COD and BOD. The Waste Water Treatment Plant (WWTP) provides secondary treatment, in accordance with Best Available Techniques (BAT). The minor increase in concentrations from the facility is therefore not considered to have an impact on the receiving waters.

Section 42B of the Waste Management Act:

Section 42B of the Waste Management Act states that

“The Agency may amend a licence or revised licence for the purposes of:

- (a) correcting any clerical error therein,
- (b) facilitating the doing of anything pursuant to a condition attached to the licence where the doing of that thing may reasonably be regarded as having been contemplated by the terms of the condition or the terms of the licence taken as a whole but which was not expressly provided for in the condition, or
- (c) otherwise facilitating the operation of the licence and the making of the amendment does not result in the relevant requirements of Section 40(4) ceasing to be satisfied.”

It is considered that the proposed amendment request may be accommodated under Section 42B(c). To amend the licence under this criterion, two parts need to be satisfied; Part (i) otherwise facilitating the operation of the licence, and Part (ii) does not result in the relevant requirements of Section 40(4) ceasing to be satisfied. The changes proposed to accommodate the increased volume of discharge and increased BOD and COD ELVs for wash water from the on-site washing activity, as approved by IW, is considered as otherwise facilitating the operation of the Licence. The increase in discharge from the facility to sewer will not result in the relevant requirements of Section 40(4) ceasing to be satisfied.

Based on the above assessment, it is recommended that the changes to the licence to accommodate an increase in the ELVs for BOD and COD and an increase in the maximum volume of effluent discharged to sewer be accommodated by Technical Amendment. It is considered that the proposed revisions are in accordance with Agency guidelines for licence amendments⁶. The proposed amendments will satisfy the criteria under Section 42B(c) of the Waste Management Act 1996 allowing the Agency to amend a licence or revised licence.

The recommended amendment (RA) provides for the increase in the ELVs for BOD and COD and an increase in the maximum volume of effluent discharged to sewer. The specific changes relate to the following schedule of the licence:

- Schedule B.3 – Increase in volume of effluent to be emitted and ELVs for BOD and COD.

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 **Rockabill to Dalkey Island SAC (003000)**, **Dalkey Islands SPA (004172)**, **Bray Head SAC (000714)**.

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 reasons:

- the installation is not within any European Site;
- the discharge to sewer from the facility is to the Shanganagh WWTP, which is subject to an EPA Waste Water Discharge Licence (Reg. No. D0038-02); and
- given the distance to the European Sites, the nature of the receiving environment, and capacity on the Shanganagh sewer network, the proposed changes will not have an impact on the European Sites listed above.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence Reg. No. W0304-01 (held by Packaging Laundry Limited), in accordance with Section 42B(c) of the Waste Management Act 1996, 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 40(4) of the Waste Management Act 1996 as amended, ceasing to be satisfied.

Signed,



Aisling Connolly
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 WWTP discharge (D0038-02)	Qualifying interests (* denotes a priority habitat)	Conservation objectives
1	Rockabill to Dalkey Island SAC (003000)	0.2 km north of the Shanganagh WWTP primary discharge (D0038-02).	Habitats: 1170 Reefs Species 1351 Harbour Porpoise (<i>Phocoena phocoena</i>)	As per NPWS (2013) Conservation Objectives: Rockabill to Dalkey Island SAC 003000. Version 1. Department of Arts, Heritage and the Gaeltacht (dated 07/05/2013).
2	Dalkey Islands SPA (004172)	2.6 km north of the Shanganagh WWTP primary discharge (D0038-02).	Birds: A192 Roseate Tern (<i>Sterna dougallii</i>) A194 Arctic Tern (<i>Sterna paradisaea</i>) A193 Common Tern (<i>Sterna hirundo</i>)	As per NPWS (2022) Conservation objectives for Dalkey Islands SPA 004172. Generic Version 9.0. Department of Housing, Local Government and Heritage (dated 26/01/2022).
3	Bray Head SAC (000714)	5.4 km south of the Shanganagh WWTP primary discharge (D0038-02).	Habitats: 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths	As per NPWS (2017) Conservation Objectives: Bray Head SAC 000714. Version 1. Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs (dated 11/04/2017).