

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	Micheál Lehane, Director
FROM:	Jennifer Cope, Inspector, Environmental Licensing Programme
DATE:	28/06/2023
RE:	Agency initiated Technical Amendment to Industrial Emissions Licence Register No. W0282-01 held by Glanpower Limited, for a facility located at Derryclure Energy Centre, Derryclure, Tullamore, County Offaly to comply with the Commission Implementing Decision establishing best available techniques (BAT) conclusions for Waste Incineration (CID 2019/2010/EU).

1. Background

The Agency, in accordance with Regulation 96(1)(c) of the Environmental Protection Agency Act 1992 as amended, proposes to amend the IE licence Register No. W0282-01 granted to Glanpower Limited at Derryclure Energy Centre, Derryclure, Tullamore, County Offaly.

The amendment relates to updating the licence conditions and emission limit values to ensure that the operation of the installation is in line with the Commission Implementing Decision establishing best available techniques (BAT) conclusions for Waste Incineration (CID 2019/2010/EU) (WI CID).

Article 14(3) of the Industrial Emissions Directive (IED) makes BAT conclusions the mandatory reference for setting permit conditions and Article 21 of the IED requires that licence Conditions and/or Schedules be **'reconsidered and, if necessary, updated'** within 4 years of publication of the CID relevant to the main activity. The installation must comply with those conditions within 4 years following the publication of the relevant CID.

2. Engagement with the waste incineration sector

Regulation 96(2) of the Environmental Protection Agency Act 1992 as amended allows the Agency to consult with the licensee before amending a licence.

The Agency engaged with the waste incineration sector, including the licensees, and the industry group The Confederation of European Waste-to-Energy (CEWEP). A workshop was held on 14/9/2022, which was attended by licensees and stakeholders including the CEWEP. The workshop covered the process for examining the licences, and the requirements for filling in the WI BAT conclusion CID assessment document. A cover letter and the WI BAT conclusion CID assessment document were emailed to the licensees on 14/09/2022 following the workshop.

On 27/04/2023 Glanpower Limited, IE licence Register No. W0282-01 was advised that the EPA has decided to amend its licence under Regulation 96(1)(c) of the Environmental Protection Agency Act 1992 as amended, to incorporate the requirements of the Commission Implementing Decision (CID) on Best Available Techniques (BAT) conclusions for waste incineration (2019/2010/EU). All correspondence was made available on the EPA website.

3. Changes required through Technical Amendment

The Agency has reconsidered the existing waste incineration licence, which authorises a non-hazardous waste incineration plant with a capacity exceeding 3 tonnes per hour, which indicates that the WI CID requirements need to be incorporated into the existing licence (W0282-01 Glanpower Limited).

The overall requirements are to ensure that emissions do not exceed those set out in the WI CID, the operation of the installation is in line with the latest developments in best available techniques (BAT), and to ensure that a high level of protection of the environment is achieved. The specific changes to the licence, in order to fulfil the requirements, are set out in Appendices 1 and 2 of this report.

Section 96(1) of the EPA Act:

Section 96(1) of the EPA 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 83(5) ceasing to be satisfied”.

It is considered that the proposed amendment may be accommodated under Section 96(1)(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 83(5) ceasing to be satisfied. The changes proposed will impose the same or stricter limits and control on the licensee to ensure compliance with the WI CID and are considered as otherwise facilitating the operation of the licences and will 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 licence be accommodated by Technical Amendment. The proposed amendments will satisfy the criteria under Section 96(1)(c) of the EPA Act 1992 as amended allowing the Agency to amend a licence or revised licence.

The Recommended Amendment (RA) provides for the incorporation of the requirements of the Commission Implementing Decision (CID) on Best Available Techniques (BAT) conclusions for Waste Incineration (BAT) (2019/2010/EU). The specific changes relate to the conditions and schedules of the licence, as specified in Appendix 1 of this report. Appendix 2 outlines the changes required through technical amendment for the installation.

4. Appropriate Assessment

Appendix 3 lists the European Sites assessed, their associated qualifying interests and conservation objectives for the installation.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site.

The activity is 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 activity, 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 activity was not required.

The reasons for this determination are as follows:

- The installation is not located within any European site;
- This amendment is for the purposes of updating the licence to ensure compliance with the Commission Implementing Decision for Waste Incineration CID (2019/2010/EU). This amendment updates the licence conditions and maintains or tightens the emission limit values to ensure the operation of the installation is in line with the latest developments in best available techniques (BAT) and to achieve a high level of protection of the environment;
- The proposed changes do not substantially change the nature or extent of the operations at the installation.

5. Recommendation

This memo recommends that the changes be accommodated by a Technical Amendment of the W0282-01 Glanpower Limited licence, 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,



Jennifer Cope
Inspector
Environmental Licensing Programme

Appendix 1: Specific conditions in the TA to address BAT conclusion requirements

CID/BREF/BAT Document	Section	Additional requirements introduced into TA	Glossary/Condition/Schedule
	Definitions	Additional definitions included in the Glossary Of Terms	Glossary Of Terms
	BAT 1, BAT 9, BAT 11, BAT 18, BAT 23, BAT 37	Additional Management Systems requirements	Condition 2.3, Condition 3.28, Condition 6.14
	BAT 1	Choosing/designing any new plant/infrastructure	Condition 3
	BAT 2, BAT 19, BAT 20	Determine gross electrical efficiency, gross energy efficiency or boiler efficiency, Use of heat recovery boiler, Measure to increase energy efficiency and BAT-AEEL	Condition 7
	BAT 3	Monitoring of emissions to air	Schedule C
	BAT 4	Monitoring of emissions to air	Schedule C
	BAT 5	Monitoring channelled emissions to air during OTNOC.	Condition 6
	BAT 7, BAT 14, BAT 15	Reduce content of unburnt substances in slags and bottom ashes and reduce emissions to air. BAT-AEPLs for TOC or loss on ignition	Condition 3 and Schedule C.8
	BAT 16	Operational procedures to limit shutdown and start-up operations	Condition 3
	BAT 17	Appropriate design, operation and maintenance of Flue-gas cleaning (FGC) system	Condition 3
	BAT 21	Reduction of diffuse emissions using all of the techniques in BAT 21.	Condition 6.8
	BAT-AELs for waste incineration	Interpretation of emission limit values, BAT-AELs	Condition 4.1, Schedule B

Appendix 2: Changes required through technical amendment for W0282-01 Glanpower Limited

BAT conclusions (Waste Incineration CID) (Fuel Type)	Reg. No. W0281- 01 Glanpower Limited, MW (Electrical Efficiency (EE))	Changes required through technical amendment
Waste Incineration CID (Waste)	W0282-01, Glanpower Limited (EE 41.4%)	Updated the glossary of terms. Updated the EMS. Update Pyrolysis Plant operations – additional requirements condition in line with the WI CID. Requirement to ensure that the flue gas cleaning system is operated within its design range. Update of reference to emissions to air parameter from TOC to TVOC. Update of condition to refer to the Waste Incineration Regulations and the WI CID. Requirement for odour, noise, OTNOC management plans. Update of the Interpretation Condition in line with the WI CID. Inclusion of BAT-AEEL in line with the WI CID. Maintain/tighten ELV's in line with the WI CID. Update monitoring frequency, analysis method and technique for required parameters in line with the WI CID.

Appendix 3: List of European Sites assessed, their associated qualifying interests and conservation objectives for W0282-01, Glanpower Limited

Site Name (site code)	Distance To (km)	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives
Charleville Wood SAC (000571)	3.3 km northwest of the installation	Habitats	NPWS (2021) Conservation Objectives: Charleville Wood SAC 000571. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
		91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)*	
		Species	
		1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)	
River Barrow and River Nore SAC (002162)	5.9 km south of the installation	Habitats	NPWS (2011) Conservation Objectives: River Barrow and River Nore SAC 002162. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
		1130 Estuaries	
		1140 Mudflats and sandflats not covered by seawater at low tide	
		1170 Reefs	
		1310 <i>Salicornia</i> and other annuals colonising mud and sand	
		1330 Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>)	
		1410 Mediterranean salt meadows (<i>Juncetalia maritimi</i>)	
		3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation	
		4030 European dry heaths	

	6430 Hydrophilous tall herb fringe communities of plains and of the montane to alpine levels	
	7220 Petrifying springs with tufa formation (Cratoneurion)*	
	91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	
	91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, <i>Alnion incanae</i> , <i>Salicion albae</i>)*	
	Species	
	1096 Brook Lamprey (<i>Lampetra planeri</i>)	
	1355 Otter (<i>Lutra lutra</i>)	
	1103 Twaite Shad (<i>Alosa fallax fallax</i>)	
	1099 River Lamprey (<i>Lampetra fluviatilis</i>)	
	1095 Sea Lamprey (<i>Petromyzon marinus</i>)	
	1106 Atlantic Salmon (<i>Salmo salar</i>)	

		1092 White-clawed Crayfish (<i>Austropotamobius pallipes</i>)	
		1029 Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>)	
		1990 Nore Pearl Mussel (<i>Margaritifera durrovensis</i>)	
		1016 Desmoulin's Whorl Snail (<i>Vertigo moulinsiana</i>)	
		1421 Killarney Fern (<i>Trichomanes speciosum</i>)	
Clonaslee Eskers and Derry Bog SAC (000859)	10.9 km southwest of the installation	Habitats	NPWS (2019) Conservation Objectives: Clonaslee Eskers and Derry Bog SAC 000859. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
		7220 Petrifying springs with tufa formation (Cratoneurion)*	
		7230 Alkaline fens	
		Species	
		1013 Geyer's Whorl Snail (<i>Vertigo geyeri</i>)	
Slieve Bloom Mountains SAC (000412)	11.23 km southwest of the installation	Habitats	NPWS (2016) Conservation Objectives: Slieve Bloom Mountains SAC 000412. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
		4010 Northern Atlantic wet heaths with <i>Erica tetralix</i>	
		7130 Blanket bogs (* if active bog)	

		91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*	
Clara Bog SAC (000572)	12.2 km northwest of the installation	Habitats	NPWS (2016) Conservation Objectives: Clara Bog SAC 000572. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage, Regional, Rural and Gaeltacht Affairs.
		6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates (Festuco-Brometalia) (* important orchid sites)	
		7110 Active raised bogs*	
		7120 Degraded raised bogs still capable of natural regeneration	
		7150 Depressions on peat substrates of the Rhynchosporion	
		91D0 Bog woodland*	
Raheenmore Bog SAC (000582)	13.5 km northwest of the installation	Habitats	NPWS (2015) Conservation Objectives: Raheenmore Bog SAC 000582. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
		7110 Active raised bogs*	
		7120 Degraded raised bogs still capable of natural regeneration	
		7150 Depressions on peat substrates of the Rhynchosporion	
Slieve Bloom Mountains SPA(004160)	10. km southwest of the installation	Birds	NPWS (2022) Conservation Objectives: Slieve Bloom Mountains SPA 004160. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage.
		A082 Hen Harrier (<i>Circus cyaneus</i>)	