

Headquarters  
P.O. Box 3000  
Johnstown Castle Estate  
County Wexford  
Ireland

TECHNICAL AMENDMENT B  
TO  
INDUSTRIAL EMISSIONS LICENCE

<b>Licence Register Number:</b>	P0986-01
<b>Company Register Number:</b>	511659
<b>Licensee:</b>	Timoleague Agri Gen Limited
<b>Location of Installation:</b>	Barryshall Timoleague Bandon County Cork

## **Reasons for the Decision**

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of Licence Reg. No. P0986-01 granted on 15/11/2016 and Clerical Amendment A granted on 10/10/2022 as well as any amendments noted herein, any emissions from the activity will comply with and not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Act 1992 as amended.

The Agency has applied the Commission Implementing Decision of 10/08/2018 establishing Best Available Techniques (BAT) Conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for waste treatment (CID 2018/1147) as a reference when setting licence conditions and schedules.

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. In this context, particular attention was paid to the European Sites: Courtmacsherry Estuary SAC (001230), Clonakilty Bay SAC (000091), Kilkeran Lake and Castlefreke Dunes SAC (001061), Courtmacsherry Bay SPA (004219), Seven Heads SPA (004191), Clonakilty Bay SPA (004081) and Galley Head to Duneen Point SPA (004190).

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.

This determination is based on the following reasons:

- 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 Treatment (CID 2018/1147). 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; and
- the proposed changes do not substantially change the nature or extent of the operations at the installation.

## **Technical Amendment**

In pursuance of the powers conferred on it by Section 96(1)(c) of the Environmental Protection Agency Act 1992 as amended, the Agency amends the licence, granted to Timoleague Agri Gen Limited, for an installation located at Barryshall, Timoleague, Bandon, County Cork.

Henceforth, the licence shall be read in conjunction with Clerical Amendment A issued on 10/10/2022 and the amendments set out below.

This technical amendment is limited to the following: Glossary of Terms, Conditions and Schedules:

# Amendments

## Amended Glossary of Terms

*Insert the following into the Glossary of Terms, of the existing licence or where relevant replace the existing term:*

All terms in this amendment should be interpreted in accordance with the definitions in the Environmental Protection Agency Act 1992 as amended, unless otherwise defined in the glossary.

<b>Accident</b>	For the purpose of this licence an accident means an unplanned event that may result in pollution.
<b>Animal By-Product</b>	Means entire bodies or parts of animals, products of animal origin or other products obtained from animals, which are not intended for human consumption, including oocytes, embryos and semen.
<b>Anaerobic Digestion</b>	The biological decomposition of biodegradable waste in the absence of oxygen and under controlled conditions by the action of micro-organisms in order to produce digestate and a combustible gas.
<b>Approval</b>	Approval in writing/electronically.
<b>BAT</b>	Best Available Techniques (BAT), as described in the Commission Implementing Decision (CID) 2018/1147 of 10 August 2018 establishing best available techniques (BAT) conclusions for waste treatment (CID 2018/1147), under Directive 2010/75/EU of the European Parliament and of the Council. Reference to BAT numbers in the conditions of this licence are references to the BAT Conclusions according to how they are numbered in the aforementioned CID.
<b>Biodegradable waste</b>	Any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food, garden waste, sewage sludge, paper and paperboard, including biowaste.
<b>Biodegradable municipal waste (BMW)</b>	The biodegradable component of municipal waste, typically composed of food and garden waste, wood, paper, cardboard and textiles.
<b>Biogas</b>	Combustible gas generated during the anaerobic digestion of waste and typically containing 50-75% methane, 30-45% carbon dioxide as well as other contaminants such as hydrogen sulphide, oxygen, nitrogen and ammonia.

<b>Biological treatment</b>	Biological treatment involves composting, anaerobic digestion, mechanical biological treatment or any other process for stabilising and sanitising biodegradable waste, including pre-treatment processes.
<b>Biowaste</b>	Biodegradable garden and park waste, food and kitchen waste from households, offices, restaurants, wholesale, canteens, caterers and retail premises and comparable waste from food processing plants.
<b>Channelled emissions</b>	Emissions of pollutants into the environment through any kind of duct, pipe, stack, etc. This also includes emissions from open-top biofilters.
<b>CID</b>	Commission Implementing Decision (CID) 2018/1147 of 10 August 2018 establishing best available techniques (BAT) conclusions for waste treatment, under Directive 2010/75/EU of the European Parliament and of the Council.
<b>Continuous measurement</b>	Measurement using an ‘automated measuring system’ permanently installed on site.
<b>Digestate</b>	The treated output, sanitised and free from offensive odours, from anaerobic digestion of biodegradable waste including, whether combined or separated, the solid/fibrous and liquid/liquor fractions.
<b>Diffuse Emissions</b>	Non-channelled emissions which can result from ‘area’ sources (e.g. tanks) or ‘point’ sources (e.g. pipe flanges).
<b>Direct discharge</b>	Discharge to a receiving water body without further downstream waste water treatment.
<b>EMS</b>	Environment Management System. The aspect of the organisation’s overall management structure that addresses immediate and long-term impacts of its products, services and processes on the environment.
<b>Existing plant</b>	A plant that is not a new plant.
<b>Flaring</b>	High-temperature oxidation to burn combustible compounds of waste gases from industrial operations with an open flame. Flaring is primarily used for burning off flammable gas for safety reasons or during non-routine operating conditions.
<b>Fugitive emissions</b>	Diffuse emissions from ‘point’ sources.
<b>Garden Waste</b>	Means waste vegetative or organic material, including grass cuttings, waste material from pruning, leaves, plants, flowers and other similar small, or light, organic matter, produced from the care and maintenance of landscaped areas, gardens and parks.
<b>Hazardous waste</b>	Hazardous waste as defined in point 2 of Article 3 of Directive 2008/98/EC.

<b>Indirect discharge</b>	Discharge which is not a direct discharge.
<b>Installation Manager</b>	The licensee or an authorised representative of the licensee with the appropriate seniority and authority to ensure compliance with the licence.
<b>Liquid biodegradable waste</b>	Waste of biological origin with a relatively high water content (e.g. fat separator contents, organic sludges, catering waste).
<b>List of Wastes (LoW)</b>	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2014/955/EU, as amended by any subsequent amendment published in the Official Journal of the European Community.
<b>Municipal Waste</b>	As defined in Section 5(1) of the Waste Management Act 1996, as amended.
<b>New plant</b>	A plant first permitted at the site of the installation following the publication of the CID 2018/1147 or a complete replacement of a plant following the publication of the CID 2018/1147.
<b>Odour Concentration</b>	Number of European Odour Units (OU <sub>E</sub> ) in one cubic metre at standard conditions measured by dynamic olfactometry according to EN 13725.
<b>Odour-sensitive location</b>	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other premises or area of high amenity which for its proper enjoyment requires the absence of odour at nuisance levels.
<b>Output</b>	The treated waste exiting the waste treatment plant.
<b>Periodic measurement</b>	Measurement at specified time intervals using manual or automated methods.
<b>Potential emissions</b>	Emissions which take place only under abnormal operating conditions. Examples include emissions from overpressure valves, bursting discs, and emergency generators.
<b>Recovery</b>	Recovery as defined in Article 3(15) of Directive 2008/98/EC.
<b>Residues management plan</b>	A residues management plan is part of the EMS (see BAT 1) and is an asset of measures to (1) minimise the generation of residues arising from the treatment of waste; (2) optimise the reuse, regeneration, recycling and/or recovery of energy of the residues, and (3) ensure the proper disposal of residues.
<b>Sensitive receptor</b>	Area which needs special protection, such as: -residential areas:

	-areas where human activities are carried out (e.g. neighbouring workplaces, schools, daycare centres, recreational areas, hospitals or nursing homes).
<b>SPA</b>	Special Protection Area designated under the Birds Directive, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.
<b>Temporary storage</b>	In relation to waste is a period of less than six months as defined in the Waste Management Act 1996, as amended.
<b>Uisce Éireann</b>	Uisce Éireann, Colvill House, 24/26 Talbot Street, Dublin 1.
<b>Waste holder</b>	Waste holder as defined in Article 3(6) of Directive 2008/98/EC of the European Parliament and of the Council.
<b>Waste input</b>	The incoming waste to be treated in the waste treatment plant.

## Amended Conditions

*Replace Conditions 2.2, of the existing licence with the following:*

### 2.2 Environmental Management System (EMS)

- 2.2.1 The licensee shall maintain and implement an Environmental Management System (EMS), within six months of date of grant of this technical amendment. The EMS shall be reviewed by senior management for suitability, adequacy and effectiveness and updated on an annual basis.
- 2.2.2 The EMS shall include, as a minimum, the following elements:
- 2.2.2.1 A statement of the commitment, leadership and accountability of management, including senior management for the implementation of an effective EMS.
  - 2.2.2.2 An environmental policy, defined by Management, that includes a commitment to continuous improvement of the environmental performance of the installation.
  - 2.2.2.3 Management and Reporting Structure and responsibility for environmental aspects, including for the planning and provision of financial and human resources to manage and implement the EMS.
  - 2.2.2.4 An analysis of the organisation's regulatory and environmental obligations, including the potential risks to the environment from the activity.
  - 2.2.2.5 The maintenance of an inventory of waste gas streams that incorporates all of the features in BAT 3 of CID 2018/1147.
  - 2.2.2.6 Waste stream management using all of the techniques listed in BAT 2 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
  - 2.2.2.7 An accident and incident management plan using all of the techniques listed in BAT 21 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
  - 2.2.2.8 An odour management plan that incorporates all of the elements listed in BAT 12 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
  - 2.2.2.9 The maintenance of a residues management plan in order to reduce the quantity of waste sent for disposal, to be done in accordance with BAT 24 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
  - 2.2.2.10 The procedures required by this licence, including procedures for:
    - 2.2.2.10.1 ensuring compliance with environmental legislation;
    - 2.2.2.10.2 ensuring employee awareness of and involvement in complying with environmental legislation; and



2.2.2.10.3 checking performance and developing performance indicators by sectoral benchmarking on a regular basis, including for energy efficiency.

2.2.2.11 Schedule of Environmental Objectives and Targets

The licensee shall maintain and implement a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, as referred to in the conditions of this licence, including an evaluation of practicable options for:

- (i) energy and resource efficiency;
- (ii) the reduction in water consumption;
- (iii) the use of cleaner technology, cleaner production;
- (iv) odour and noise management;
- (v) the prevention, reduction and minimisation of waste including waste reduction targets;
- (vi) the impacts from eventual decommissioning of the installation;
- (vii) a monitoring and measurement programme.

The Schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The Schedule shall be reviewed annually.

2.2.2.12 Environmental Management Programme (EMP)

The licensee shall maintain and implement an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.11 above. The EMP shall include:

- designation of responsibility for targets;
- the means by which they may be achieved; and
- the time within which they may be achieved.

The EMP shall be reviewed annually.

A report on the programme, including the success in meeting agreed targets and an evaluation of non-conformities and associated corrective actions and the potential for further non-conformities to occur shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.13 Documentation

- (i) The licensee shall maintain and implement an environmental management documentation system.

- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.14 Corrective and Preventative Action

- (i) The licensee shall maintain and implement procedures to ensure that corrective and preventative action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective and preventative action in the event of a reported non-conformity with this licence shall be defined.
- (ii) Where a breach of one or more of the conditions of this licence occurs, the licensee shall without delay take measures to restore compliance with the conditions of this licence in the shortest possible time and initiate any feasible preventative actions to prevent recurrence of the breach.
- (iii) All corrective and preventative actions shall be documented.

2.2.2.15 Internal Audits

The licensee shall maintain and implement a programme for independent internal audits of the EMS. Such audits shall be carried out at least once every three years. The audit programme shall determine whether or not the EMS is being implemented and maintained properly, and in accordance with the requirements of this licence. Audit reports and records of the resultant corrective and preventative actions shall be maintained as part of the EMS in accordance with Condition 2.2.2.13 above.

2.2.2.16 Awareness, Training and Competence

The licensee shall maintain and implement procedures for identifying training needs, and for providing appropriate training and communication to all personnel whose work can have a significant effect upon the environment to ensure awareness and competence in their work area. Appropriate records of training shall be maintained.

2.2.2.17 Public Awareness and Communications Programme

- 2.2.2.17.1 The licensee shall maintain and implement a Public Awareness and Communications Programme to ensure that members of the public can obtain information at the installation, at all reasonable times, concerning the environmental performance of the installation.

2.2.2.17.2 The programme shall be approved by the Agency and a report on the programme shall be prepared and submitted to the Agency annually.

2.2.2.18 Maintenance Programme

The licensee shall maintain and implement a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1). The maintenance programme shall use appropriate techniques and measures to ensure the optimisation of energy efficiency in plant and equipment.

2.2.2.19 Effective Process Control

The licensee shall maintain and implement a programme to ensure there is adequate control of processes under all modes of operation. The programme shall identify the key indicator parameters for process control performance, as well as identifying methods for measuring and controlling these parameters. Abnormal process operating conditions shall be documented, and analysed to identify any necessary corrective action.

## New Conditions

*Append the following to Condition 3, of the existing licence:*

- 3.29 The licensee shall ensure that all infrastructure and all equipment required under this licence has been and is:
- (i) installed;
  - (ii) commissioned;
  - (iii) present on site; and
  - (iv) maintained in full working order.
- 3.30 Where any Condition/Schedule of this licence specifies any later deadline for installation of any piece of infrastructure or equipment, Condition 3.29 shall apply as and from the deadline specified.

## Amended Conditions

*Replace Condition 5.2, of the existing licence to read as follows:*

- 5.2 Emissions, including emissions giving rise to odours, from the activities carried on at the site shall not result in an impairment of, or an interference with amenities or the environment beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary.

*Append the following to Condition 6, of the existing licence:*

### 6.21 Odour Management Plan

- 6.21.1 The licensee shall prepare, maintain and implement, to the satisfaction of the Agency, an Odour Management Plan, in line with the elements listed in BAT 12 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 6.21.2 The plan shall be submitted within six months of the date of grant of this Technical Amendment.
- 6.21.3 The plan shall outline odour reduction and abatement measures.
- 6.21.4 The plan shall ensure all potential sources of odour at the installation are identified and potentially odorous emissions and nuisance caused by odour are prevented. The plan shall as a minimum address the odour abatement system and the storage and handling of wastes and other materials with a potential for causing odour.
- 6.21.5 The plan shall be prepared in accordance with the Agency's Odour Emissions Guidance Note (Air Guidance Note AG9).
- 6.21.6 The plan shall be reviewed annually.

### 6.22 Odour

- 6.22.1 The licensee shall carry out a weekly odour survey of the site operations.
- 6.22.2 The licensee shall use one or a combination of the techniques listed in BAT 13 of CID 2018/1147 in order to prevent or, where that is not practicable to reduce odour emissions, within six months of date of grant of this Technical Amendment.
- 6.22.3 The odour survey programme shall be undertaken in accordance with the methodology specified in 'Air Guidance Note 5 (AG5) Odour Impact Assessment Guidance for EPA Licensed Sites' as published by the Agency.

- 6.23 The licensee shall prepare and implement a programme, to the satisfaction of the Agency, for the identification and reduction of diffuse emissions to air using an appropriate combination of best available techniques listed in BAT 14 of CID 2018/1147, within six months of date of grant of this Technical Amendment. This programme shall be included in the Environmental Management Programme.

- 6.24 The licensee shall use one or a combination of the techniques listed in BAT 18 of CID 2018/1147, in order to minimise noise emissions, within six months of date of grant of this Technical Amendment.
- 6.25 In order to use materials efficiently, the licensee shall try to substitute materials with waste in accordance with BAT 22 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 6.26 In order to reduce channelled emissions to air of odorous compounds, including H<sub>2</sub>S and NH<sub>3</sub>, the licensee shall use one or a combination of the techniques listed in BAT 34 of CID 2018/1147, within twelve months of date of grant of this Technical Amendment.
- 6.27 In order to reduce emissions to air and to improve the overall environmental performance, the licensee shall monitor and/or control the key waste and process parameters as described in BAT 38 of CID 2018/1147, within six months of date of grant of this Technical Amendment.

*Append the following to Condition 7, of the existing licence:*

- 7.5 The licensee shall monitor the consumption of water, energy and raw materials, as well as the generation of residues and wastewater annually, in accordance with the techniques listed in BAT 11 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 7.6 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible, using an appropriate combination of the techniques listed in BAT 19 of CID 2018/1147, within six months of date of grant of this Technical Amendment. In order to optimise water consumption, to reduce the volume of waste water generated and to prevent or, where that is not practicable, to reduce emissions to soil and water, reductions in water usage shall be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 7.7 In order to use energy efficiently, the licensee shall use both of the techniques listed in BAT 23 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 7.8 In order to reduce the generation of waste water and to reduce water usage, the licensee shall use all of the techniques listed in BAT 35, within six months of date of grant of this Technical Amendment.

*Append the following to Condition 8, of the existing licence:*

- 8.3 Waste Acceptance and Characterisation Procedure
- 8.3.9 In order to reduce odour emissions and to improve overall environmental performance, the licensee shall select the waste input as described in BAT 33 of CID 2018/1147.

- 8.3.10 Each container of waste accepted at the installation shall, as part of the waste tracking system, be labelled with, at least, a unique identifier, its date of arrival and List of Waste code.
- 8.3.11 The licensee shall maintain a list of the List of Waste codes that are authorised for acceptance at the installation. New waste codes may be added to the list, if approved by the Agency.
- 8.7 Biogas treatment
- 8.7.5 The flare shall only be used for safety reasons, or for non-routine operating conditions by using both of the techniques listed in BAT 15 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 8.7.6 In order to reduce emission to air from the flare, when flaring is unavoidable, the licensee shall use both of the techniques listed in BAT 16 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 8.20 The Waste and Materials Storage Plan shall incorporate the techniques listed in BAT 4 of CID 2018/1147, within six months of date of grant of this Technical Amendment.
- 8.21 The licensee shall establish and implement waste handling and transfer procedures in accordance with BAT 5 of CID 2018/1147, within six months of date of grant of this Technical Amendment.

*Append the following to Condition 11, of the existing licence:*

- 11.14 The licensee shall submit the reports, proposals and submissions required by this licence by the deadlines specified. The licensee shall not be in compliance with the requirements of this condition unless and until it has submitted every report, proposal and submission, the deadline for which has passed.
- 11.15 The licensee shall carry out every action required by the Agency, and arising out of such reports, proposals or submissions, by such deadline as the Agency may specify. The licensee shall not be in compliance with the requirements of this condition unless and until it has carried out every such action.
- 11.16 The licensee shall identify the technique, or combination of techniques where required, used for each BAT referenced in the Waste Treatment CID 2018/1147. The licensee shall prepare a report setting out the selected technique(s) used and submit this report as part of the AER.



This technical amendment shall be cited as Amendment B, to the licence.

**Sealed by the Seal of the Agency on this the 2<sup>nd</sup> day of July 2024**

**PRESENT when the seal of the Agency was affixed hereto:**

  
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**Tara Gillen, Authorised Person**

