 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	<b>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</b>
<b>WATER, ENERGY AND BUSINESS SUPPORT PROGRAMME</b>	
TO:	David Flynn, Director
FROM:	Niamh Connolly and Katelyn Grant, Inspectors, Water, Energy and Business Support Programme
DATE:	15/07/2024
RE:	Agency initiated Technical Amendment (TA) to Industrial Emissions (IE) licence Register No. W0082-03, held by Starrus Eco Holdings Limited, for an installation located at Ballykeefe, Dock Road, County Limerick, to comply with the Commission Implementing Decision establishing best available techniques (BAT) conclusions for Waste Treatment (CID 2018/1147).

## 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. W0082-03, granted to Starrus Eco Holdings Limited, Ballykeefe, Dock Road, County Limerick.

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 Treatment (CID 2018/1147) (WT 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 Treatment 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 Treatment sector, including the licensees, O'Callaghan Moran & Associates, JFK Environmental Limited, Enviroguide Consulting, RPS Group, and NRG. A workshop was held on 21/11/2023, which was attended by licensees and stakeholders including O'Callaghan Moran & Associates, Enviroguide Consulting, RPS Group, and NRG. The workshop covered the process for examining the licences, and the requirements for filling in the WT BAT conclusion CID assessment document. A cover letter and the WT BAT conclusion CID assessment document were emailed to the licensees on 22/11/2023, following the workshop.

On 02/04/2024, Starrus Eco Holdings Limited, W0082-03 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 Treatment (CID 2018/1147). The public were invited to participate via newspaper notice, which was published on 02/04/2024,

however, no submissions were received. All correspondence was made available on the EPA website.

### **3. Changes required through Technical Amendments**

The Agency has reconsidered the existing licence for sub-sector pre-treatment of waste for incineration or co-incineration (Classes 11.4 b (ii)), which indicates that the WT CID requirements need to be incorporated into the existing licence (W0082-03, Starrus Eco Holdings Limited).

The overall requirements are to ensure that emissions do not exceed those set out in the WT CID, 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 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 WT 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 Treatment (CID 2018/1147). 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 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.

## 5. Recommendation

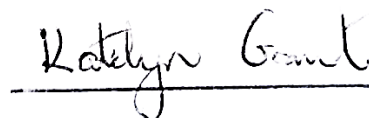
This memo recommends that the changes be accommodated by a Technical Amendment of the W0082-03, Starrus Eco Holdings Limited licence in accordance with Section 96(1)(c) of the EPA Act 1992 as amended.

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,



Niamh Connolly  
Inspector  
Water, Energy and Business Support Programme



Katelyn Grant  
Inspector  
Water, Energy and Business Support Programme

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

<b>CID/BREF/BAT Document</b>	<b>Section</b>	<b>Additional requirements introduced into TA</b>	<b>Glossary/Condition/Schedule</b>
Waste Treatment CID 2018/1147	Definitions	Additional definitions included in the Glossary of Terms.	Glossary of Terms
	BAT 1	Requirement for EMS to be updated.	Condition 2
	BAT 2, 3, 12, 21, 24	Use of BAT techniques to improve the overall environmental performance.  Requirement to use BAT techniques to prevent or limit the environmental consequences of accidents or incidents.	Condition 2
	BAT 12, 13, 14, 18	Use of BAT techniques to reduce emissions to water and air, requirement to implement an odour management plan, use of BAT techniques to reduce noise, dust and odour emissions.	Condition 6
	BAT 6, 7	Requirements to monitor emissions to water, and monitor/control key waste and process parameters.	Condition 6, Schedule C
	BAT 11, 19, 23	Requirement to monitor annual consumption of water, energy and raw materials.  Requirement to use BAT techniques to increase energy efficiency and water use efficiency.  Requirement to use materials efficiently and reduce the quantity of waste sent for disposal.	Condition 7
	BAT 4, 5	Reduce storage of waste, handling and storage of waste	Condition 8
		Requirement to identify BAT techniques used and submit as part of the AER.	Condition 11

**Appendix 2: Changes required through technical amendment for W0082-03, Starrus Eco Holdings Limited.**

<b>BAT conclusions (WT CID)</b>	<b>Reg. No.</b>	<b>Changes required through technical amendment</b>
CID 2018/1147	W0082-03, Starrus Eco Holdings Limited	Updated glossary of terms.
		EMS updated in the licence.
		Emissions to air conditions tightened in line with the WT CID using BAT techniques.
		Updated emissions to water conditions in line with the WT CID.
		Updated licence to incorporate use of BAT techniques to increase energy and water use efficiency.

**Appendix 3: List of European Sites assessed, their associated qualifying interests and conservation objectives for W0082-03, Starrus Eco Holdings Limited.**

Site Name and Code	Distance To SAC/SPA (km)	Qualifying Interests	Citation
		(* denotes a priority habitat)	
Lower River Shannon SAC (002165)	0.01 North	<b>Habitats</b>	NPWS (2012) Conservation Objectives: Lower River Shannon SAC 002165. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
		1110 Sandbanks which are slightly covered by sea water all the time	
		1130 Estuaries	
		1140 Mudflats and sandflats not covered by seawater at low tide	
		1150 Coastal lagoons*	
		1160 Large shallow inlets and bays	
		1170 Reefs	
		1220 Perennial vegetation of stony banks	
		1230 Vegetated sea cliffs of the Atlantic and Baltic coasts	
		1310 <i>Salicornia</i> and other annuals colonising mud and sand	
		1330 Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</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>Callitricho-Batrachion</i> vegetation	
		6410 <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils ( <i>Molinion caeruleae</i> )	
		91E0 Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (Alno-Padion, Alnion incanae, Salicion albae)*	
		<b>Species</b>	
1029 Freshwater Pearl Mussel ( <i>Margaritifera margaritifera</i> )			
1095 Sea Lamprey ( <i>Petromyzon marinus</i> )			

		1096 Brook Lamprey ( <i>Lampetra planeri</i> )	
		1099 River Lamprey ( <i>Lampetra fluviatilis</i> )	
		1106 Atlantic Salmon ( <i>Salmo salar</i> ) only in freshwater	
		1349 Common Bottlenose Dolphin ( <i>Tursiops truncatus</i> )	
		1355 Otter ( <i>Lutra lutra</i> )	
Tory Hill SAC (000439)	11.55 South	<b>Habitats</b>	NPWS (2018) Conservation Objectives: Tory Hill SAC 000439. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
		6210 Semi-natural dry grasslands and scrubland facies on calcareous substrates ( <i>Festuco-Brometalia</i> ) (* important orchid sites)	
		7210 Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae*	
		7230 Alkaline fens	
Askeaton Fen Complex SAC (002279)	12.14 West	<b>Habitats</b>	NPWS (2018) Conservation Objectives: Askeaton Fen Complex SAC 002279. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
		7210 Calcareous fens with <i>Cladium mariscus</i> and species of the Caricion davallianae*	
		7230 Alkaline fens	
Glenomra Wood SAC (001013)	12.65 North East	<b>Habitats</b>	NPWS (2018) Conservation Objectives: Glenomra Wood SAC 001013. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
		91A0 Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles	
Curraghchase Woods SAC (000174)	14.14 South West	<b>Habitats</b>	NPWS (2023) Conservation Objectives: Curraghchase Woods SAC 000174. Version 2. 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> (Alno-Padion, Alnion incanae, Salicion albae)*	
		91J0 <i>Taxus baccata</i> woods of the British Isles*	
		<b>Species</b>	
		1016 Desmoulin's Whorl Snail ( <i>Vertigo moulinsiana</i> )	
		1303 Lesser Horseshoe Bat ( <i>Rhinolophus hipposideros</i> )	

Ratty River Cave SAC (002316)	14.32 North West	<b>Habitats</b>	NPWS (2018) Conservation Objectives: Ratty River Cave SAC 002316. Version 1. National Parks and Wildlife Service, Department of Culture, Heritage and the Gaeltacht.
		8310 Caves not open to the public	
		<b>Species</b>	
		1303 Lesser Horseshoe Bat ( <i>Rhinolophus hipposideros</i> )	
River Shannon and River Fergus Estuaries SPA (004077)	0.03 North	<b>Birds</b>	NPWS (2012) Conservation Objectives: River Shannon and River Fergus Estuaries SPA 004077. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
		A017 Cormorant ( <i>Phalacrocorax carbo</i> )	
		A038 Whooper Swan ( <i>Cygnus cygnus</i> )	
		A046 Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> )	
		A048 Shelduck ( <i>Tadorna tadorna</i> )	
		A050 Wigeon ( <i>Anas penelope</i> )	
		A052 Teal ( <i>Anas crecca</i> )	
		A054 Pintail ( <i>Anas acuta</i> )	
		A056 Shoveler ( <i>Anas clypeata</i> )	
		A062 Scaup ( <i>Aythya marila</i> )	
		A137 Ringed Plover ( <i>Charadrius hiaticula</i> )	
		A140 Golden Plover ( <i>Pluvialis apricaria</i> )	
		A141 Grey Plover ( <i>Pluvialis squatarola</i> )	
		A142 Lapwing ( <i>Vanellus vanellus</i> )	
		A143 Knot ( <i>Calidris canutus</i> )	
		A149 Dunlin ( <i>Calidris alpina</i> )	
		A156 Black-tailed Godwit ( <i>Limosa limosa</i> )	
		A157 Bar-tailed Godwit ( <i>Limosa lapponica</i> )	
		A160 Curlew ( <i>Numenius arquata</i> )	
		A162 Redshank ( <i>Tringa totanus</i> )	
A164 Greenshank ( <i>Tringa nebularia</i> )			
A179 Black-headed Gull ( <i>Chroicocephalus ridibundus</i> )			
		<b>Habitats</b>	
		A999 Wetlands	