Application for a Licence Amendment – Replacement of Utility (Standby Boiler)

***Prepared for*:**

Irving Oil

Ref: 306-25X0093 R0

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1 INTRODUCTION

In January 2000, the EPA granted Integrated Pollution Control (IPC) license No. P0266-01 to Irving Oil Whitegate Refinery[1]. The licence was amended to an Integrated Pollution Prevention and Control (IPPC) license in November 2005 to bring it into conformity with the provisions and requirements of Directive 96/61/EC and the corresponding Irish legislation.

In 2012, the EPA granted a revised licence to Irving Oil Whitegate Refinery (P0266-02) to accommodate the installation of an amine sulphuric acid unit to replace the sulphur recovery unit, and in December 2013 the EPA amended the licence to an Industrial Emissions licence. In mid-2017, the EPA initiated a review of the licence to incorporate the requirements of the *European Commission Implementing Decision on BAT conclusions for refining of mineral oil and gas* (2014/738/EU) and the applicable BAT conclusions, and the revised licence (P0266-03) was granted to Irving Oil Whitegate Refinery on 17th October 2018.

2 DESCRIPTION OF ALTERATION

2.1 Overview

The purpose of this application is to request an amendment to IOW's IE licence to accommodate the installation of a standby boiler to replace the existing boiler unit SG-5 with a smaller boiler unit.

The existing SG-5 boiler unit is within a dedicated building and the associated stack is sized for the SG-5 boiler unit, and therefore it is not feasible to accommodate the installation of the standby boiler within the footprint of the boiler house, or to utilise the existing stack. Therefore, IOW proposes to install the standby boiler in the utilities area beside the existing boiler, with the standby boiler discharging via a unit-specific stack.

Therefore, the specific amendments to the IE licence (described in Section 5) comprise:

- A change to the reference to the boiler discharging via licensed emission point A1-2.
- A change to the minimum discharge height for the stack associated with licensed emission point A1-2.
- A change to the volumetric flow rate for the boiler discharging via licensed emission point A1-2.
- A change to the emission limit values for oxides of sulphur, nitrogen oxides, and carbon monoxide for the boiler discharging via licensed emission point A1-2.
- A change (reduction) to the licensed emission limits in terms of both volume flow rate and the emission limit value for oxides of nitrogen.

[1] The name of the licensee has changed several times since the licence was first granted.

2.2 Boilers & Steam Supply

Historically the steam demand at the refinery has been met by a combination of three boilers:

- 2 no. water tube boilers, with rated steam capacities of approximately 12 tonnes and 21 tonnes per hour, designated as SG-4 and SG-6, respectively.
- 1 no. waste heat boiler associated with the CHP plant, which had a steam capacity of approximately 13.5 tonnes per hour, designated as SG-5.

As part of the inspection and maintenance programme for the waste heat boiler, it was temporarily taken out of service. However, given the age and condition of the unit, it has not proven to be technically feasible or cost effective to return it into service.

The normal demand for steam at the refinery is approximately 21 tonnes per hour to 23 tonnes per hour, which can be met by the two boilers that remain in service. However, to provide the refinery with sufficient steam when the larger of the two boilers is taken out of service for statutory maintenance, IOW requires additional steam generating capacity. Therefore, IOW plans to provide the steam generating capacity of boiler SG-5 (which is not in service) with a standby boiler that has a steam generating capacity of (approximately) 12 tonnes per hour.

2.3 Standby Boiler Unit

The standby boiler unit has a nominal steam output of 12 tonnes per hour and a nominal natural gas consumption rate of 850 Nm^3/h.

As the rated thermal input capacity of the standby boiler is greater than 1 MW (but less than 50 MW) it qualifies as a medium combustion plant under the *European Union (Medium Combustion Plants) Regulations,* 2017. The relevant emission limits for new medium combustion plants other than engines and gas turbines from Table 1, Part 2 of Schedule 2 to the Regulations are summarised in Table 1.

Table 1: Emission limit values for new medium combustion plants other than engines and gas turbines

Pollutant	Natural Gas
SO_2	-
NO_X	100 mg/Nm^3
Dust	-

Table 1 shows that:

1. the limit on nitrogen oxides for a new unit firing on natural gas is 100 mg/m^3, whereas the limit for an existing unit also firing on natural gas (such as SG-4, SG-5 and SG-6) is 200 mg/m^3
2. there are no emission limit values under the Regulations for either sulphur dioxide or dust for new units firing on natural gas

2.4 Installation & Commissioning Phase

The installation of the standby boiler represents a minor change in the infrastructure at the site; boiler SG-5 will remain in-situ, and the standby boiler will be located in a footprint of approximately 40 m^2 in the utilities area of the site, adjacent to the three existing boilers (the two that remain in service, and the boiler not in service). The installation of the standby boiler will not alter IOW's production process. To facilitate the installation of the standby boiler, the utilities supplies (natural gas, water, electrical supply) will be modified to connect to the standby unit.

Once the boiler has been installed and connected to the natural gas, water and electricity supplies, and the steam outlet from the boiler has been connected, it will be commissioned to ensure that it operates (1) in accordance with the manufacturer's / supplier's specification, (2) in accordance with IOW's operating requirements, and (3) in accordance with the emission limit values on emissions to atmosphere under IOW's Industrial Emissions licence.

2.5 Operational Phase

The standby boiler will serve primarily as a standby source of steam for the refinery when either boiler SG-4 or SG-6 are taken out of service for statutory inspection or maintenance, or are otherwise unavailable to provide steam to the refinery.

2.6 Decommissioning Phase

IOW intends to operate the standby boiler for the foreseeable future, to cater for both its steam demand for the statutory inspection and maintenance on its steam generating plant, and to cater for other periods when the two existing boilers may be unavailable to provide steam to the site. If and when the boiler is no longer required at the refinery, it will be disconnected from the steam outlet and the natural gas, water, and electricity supplies, transferred to an HGV and trailer by crane, and removed from the site.

The standby boiler is a largely self-contained unit requiring little infrastructure, and therefore its removal from the site will not constitute or require any significant decommissioning. The minor decommissioning works – disconnecting the services to and from the boiler – are similar to other routine works at the refinery, and will be documented and advised to the EPA as per the conditions of IOW's licence.

2.7 Environmental Footprint

The installation of the standby boiler:

- does not require any new licensed emission points to atmosphere, to surface water or to sewer under the Industrial Emissions licence
- does not introduce any new parameters discharged to atmosphere, surface water or sewer under the Industrial Emissions licence
- does not require any *increase* to any emission limit values in the Industrial Emissions licence
- does not result in the generation of any new or additional waste streams
- does not introduce any new sources of noise likely to adversely impact on noise sensitive or other off-site receptors

The emissions profile of the standby boiler will differ from that of the existing boiler due to both the smaller scale of emissions and the characteristics of the stack. A screening assessment of the emission profile of the altered licensed emission point indicates that the ground level concentrations close to the emission point will likely increase compared to those from the current stack, but that they will decrease with distance compared to the current stack due to the reduction in the overall mass emission.

The installation of the standby boiler will also not adversely affect the environmental risk of the site. The *Environmental Liability Risk Assessment*, required under Condition 12.2.2 of the licence, was updated in October 2023 and submitted to the EPA. The installation of the standby boiler does not alter the conclusions in the ELRA as to the environmental risk.

2.8 Summary

As noted in Section2.2, there are three boiler units under the IE licence (SG-4, SG-5, and SG-6). To accommodate IOW's plan to introduce the standby boiler unit to meet its steam demand, it intends to assign the existing licensed emission point for SG-5 to the standby boiler, thereby removing the SG-5 unit from the licence. The characteristics of the boiler units relevant to this application are summarised in Table 2.

Table 2: Summary of Boiler Units

-		SG-4	SG-5	SG-6	Standby boiler
Description		Boiler no. 4 under IE licence	Boiler no. 5 (in boiler mode) under IE licence	Boiler no. 6 under IE licence	Standby boiler
Emission points	Current	A1-1	A1-2	A1-3	n/a
	Future	A1-1	n/a	A1-3	A1-2
Current licence limits	Volume flow rate (Nm^3/h)	13,400	17,500	27,000	n/a
	Oxides of sulphur (mg/m^3)	35	35	35	n/a
	Nitrogen oxides (mg/m^3)	200	200	200	n/a
	Carbon monoxide (mg/m^3)	20	20	20	n/a
Future licence limits	Volume flow rate (Nm^3/h)	13,400	n/a	27,000	10,500
	Oxides of sulphur (mg/m^3)	35	n/a	35	-
	Nitrogen oxides (mg/m^3)	200	n/a	200	100
	Carbon monoxide (mg/m^3)	20	n/a	20	-

3 EPA GUIDANCE ON ALTERATIONS

In June 2019, the EPA published its latest *Guidance on Requests for Alterations to Licensed Industrial or Waste Activity* which provides guidance to licensees that intend to make an alteration to their installation / facility, which may include, for example, changes in site management, the processes carried out, the fuels or other raw materials that are used, and alterations that may change (increase) emissions which may have a significant impact on the environment.

The EPA's guidance sets out three mechanisms for seeking approval for an alteration to a licensable activity / installation:

1. Request for approval
2. Licence amendment
3. Licence review

Sections 4, 5, and of this *application for a licence amendment* summarise the assessment against the EPA's guidance.

4 SCREENING FOR LICENCE REVIEW

4.1 Class of Activity

The refinery is licensed to carry out two licensed activities under the *Protection of the Environment Act*, as amended:

- activity 9.3.1: the operation of mineral oil and gas refineries
- activity 2.1: combustion of fuels in installations with a total rated thermal input of 50 MW or more

The alteration to the site boilers does not require any new class of activity, or any change to the existing classes of activity.

4.2 Emission Points

Table 3 lists the licensed emission points to atmosphere, comprising:

- the existing 3 no. boiler units, including one emission point that also serves the CHP plant when operating in CHP mode – A1-2
- 12 no. production / process combustion units
- 3 no. gas compressors
- the amine sulphuric acid (ASA) abatement plant

Table 3: Licensed Emission Points to Atmosphere

Ref.	Emission Point	Ref.	Emission Point
A1-1	SG-4 boiler no. 4	A2-7	F202 AN powerformer preheat heater
A1-2	CHP plant (in CHP mode) SG-5 boiler no. 5 (in boiler mode)	A2-8	F206/207 naphtha hydrofiner / debutaniser reboiler heater
A1-3	SG-6 boiler no. 6	A2-9	F203 powerformer regen heater
A2-1	F401 furnace stack	A2-10	F801/802 hydrotreater preheat heater
A2-2	F402 furnace stack	A2-11	F901 furnace stack
A2-3	F501 furnace stack	A2-12	C201A recycle gas compressor
A2-4	F204 powerformer stabiliser reboiler heater	A2-13	C201B recycle gas compressor
A2-5	F201 powerformer preheat heater	A2-14	C202 recycle gas compressor
A2-6	F202Bx/Cx powerformer reheat heater	A2-18	ASA plant

IOW's proposal is to retain all the existing licensed emission points, including emission point A1-2 associated with the CHP plant and boiler SG-5 and to utilise it for the new standby boiler. The proposal also accounts for the characteristics of the emission point within the licence being adjusted to reflect the different characteristics of the new, smaller unit.

Under this approach:

- the total number of licensed emission points to atmosphere will not increase,
- the total number of boiler (and combustion) emission points to atmosphere will not increase,
- no new main emission points will be introduced, and
- as described in Sections 4.3 and 4.4, neither the total specified emissions for any emission parameter, nor the overall total emissions from the site will increase.

4.3 Total Specified Emissions

The licensed parameters associated with the boiler emission points are oxides of sulphur, nitrogen oxides, and carbon monoxide, together with the maximum volumetric flow rate. The corresponding emission limit values for the three existing boilers (and the CHP plant) are summarised in Table 4, together with the equivalent mass emission when operating at the limit values.

Under IOW's proposed amendment to the licence, the boiler unit SG-5 will be replaced with the new smaller boiler unit, and the CHP unit will be removed[2]. The corresponding boiler emissions associated with this configuration, based on the applicable emission limit values for firing on natural gas from the *Medium Combustion Plant Regulations* are summarised in Table 5.

[2] The physical unit will remain in situ.

Table 4: Current Licensed Boiler Emissions

-		A1-1 (SG-4)	A1-2		A1-3 (SG-6)	Total licensed mass emission
			SG-5 (boiler)	SG-5 (CHP)		
Current licence limits (mg/m^3)	Volume flow rate (Nm^3/h)	13,400	17,500	82,700	27,000	-
	Oxides of sulphur	35	35	35	35	-
	Nitrogen oxides	200	200	450	200	-
	Carbon monoxide	20	20	100	20	-
Equivalent mass emission (kg/h)	Oxides of sulphur	0.47	0.61	2.89	0.95	2.03 Note 1 4.31 Note 2
	Nitrogen oxides	2.68	3.50	37.22	5.40	11.58 Note 1 45.30 Note 2
	Carbon monoxide	0.27	0.35	8.27	0.54	1.16 Note 1 9.08 Note 2

Note 1: Operating in boiler mode.
Note 2: Operating in CHP mode.

Table 5: Proposed Future Licensed Boiler Emissions

-		A1-1 (SG-4)	A1-2		A1-3 (SG-6)	Total licensed mass emission
			Standby boiler	CHP		
Proposed licence limits (mg/m^3)	Volume flow rate (Nm^3/h)	13,400	10,500	-	27,000	-
	Oxides of sulphur	35	-	-	35	-
	Nitrogen oxides	200	100	-	200	-
	Carbon monoxide	20	-	-	20	-
Equivalent mass emission (kg/h)	Oxides of sulphur	0.47	-	-	0.95	1.41
	Nitrogen oxides	2.68	1.05	-	5.40	9.13
	Carbon monoxide	0.27	-	-	0.54	0.81

Under the proposed configuration the licensed mass emission of each of the parameters reduces:

1. There is an overall reduction in licensed emissions from the new, standby boiler fired on natural gas, compared to the existing boiler (SG-5) firing on natural gas.
2. There is a greater reduction in licensed emissions associated with the removal of the CHP plant.
3. For nitrogen oxides (the largest mass emission of the three parameters), the current licensed mass emission is 11.58 kg/h when emission point A1-2 operates in boiler mode, and is 45.30 kg/h when emission point A1-2 operates in CHP mode. Under the proposed configuration, the licensed mass emission of nitrogen oxides will be 9.13 kg/h with the standby boiler fired on natural gas.

Therefore, both the installation of the standby boiler, and the cumulative effect of installing the standby boiler and removing the CHP plant, result in a *reduction* in the total specified emissions associated with the boiler combustion plant. As noted in the EPA's guidance:

> *Specified emissions are those emissions listed in the Schedule of a licence. A technical amendment may only be carried out where no net increase in mass flow (kg/hr) is permitted, for any emission parameter, on an installation-wide basis.*

Similarly, as there are no BAT associated emission limits for either sulphur dioxide or carbon monoxide for medium combustion plant fired on natural gas, the licensed emissions of sulphur dioxide and carbon monoxide will also reduce by virtue of boiler unit SG-5 no longer being in service.

Therefore, in our opinion, the installation of the standby boiler unit and the associated reduction in specified emissions satisfies the EPA's criteria for accommodating the change via a licence amendment.

4.4 Overall Total Emissions

As described in Section 4.3, the total specified emissions for each of the licensed parameters – oxides of sulphur, nitrogen oxides, and carbon monoxide – do not increase, either significantly or at all. Rather, the total emissions from the boiler emission points reduce.

Further, the proposed change to the boilers and the associated removal of the CHP plant from the licence do not introduce or change any of the minor emission points to atmosphere, and there are no fugitive emissions associated with the combustion units. Therefore, the total emissions (main + minor + fugitive emissions) of each of the licensed parameters reduces.

As in the case of the *total specified emissions* (Section 4.3), in our opinion, the replacement of the boiler unit and the associated reduction in overall total emissions satisfies the EPA's criteria for accommodating the change via a licence amendment.

4.5 Planning

In March 2025, IOW applied to Cork County Council for a declaration of exempted development under Section 5 of the *Planning and Development Act* for the installation of the standby boiler. In April 2025, the Council issued its declaration, confirming that the installation of the standby boiler in an existing utilities area that refinery constitutes *exempted* development.

A copy of the declaration from Cork County Council is included in Appendix 4.

4.6 Natura Impact Statement

In 2009, the (then) Department of the Environment, Heritage and Local Government[3] (DEHLG) published *Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*, which was intended to assist and guide the relevant authorities on the application of Articles 6(3) and 6(4) of the Habitats Directive. The guidance was subsequently updated in 2010, which included replacing the term *Statement for Appropriate Assessment* with *Natura Impact Statement*.

The DEHLG guidance sets out the context for conducting environmental assessments under the Habitats Directive, and the particular requirements under Articles 6(3) and 6(4), taking into account the clarifications arising from the European Court of Justice's legal proceedings against Ireland. The guidance sets out the four stages in the Appropriate Assessment process:

1. Stage 1 – Screening for Appropriate Assessment
2. Stage 2 – Appropriate Assessment (and the submission of a Natura Impact Statement)
3. Stage 3 – Alternative Solutions
4. Stage 4 – Imperative Reasons of Overriding Public Interest (IROPI) Derogation

As described in Section 4.7, the screening for Appropriate Assessment for the replacement of the existing SG-5 boiler with the new, smaller boiler, coupled with the removal of the CHP plant from the licence, concluded that:

> *In our opinion, an appropriate assessment of the proposed alteration (the installation of the standby boiler) is not required, as it can be **excluded**, on the basis of objective scientific information, that the proposed alteration individually or in combination with other plans or projects, is likely to have a significant effect on a European site.*

Therefore, the assessment of the alteration can be concluded at Stage 1 of the four-stage process and a Natura Impact Statement is not required.

4.7 Appropriate Assessment

Regulation 42 of the *European Communities (Birds and Natural Habitats) Regulations*, 2011, as amended, which consolidated *the European Communities (Natural Habitats) Regulations*[4] and *the European Communities (Birds and Natural Habitats) (Control of Recreational Activities) Regulations*, requires a public authority to undertake:

> *…a screening for Appropriate Assessment of a plan or project for which an application for consent is received … which is not directly connected with or necessary to the management of the site as a European Site.*

[3] DEHLG has undergone several changes in the interim and, in 2016 the *Environment* function / division was transferred to the Department of Communications, Energy and Natural Resources (DCENR). DCENR has also changed in the interim and, at the time of carrying out this assessment, was the Department of Communications, Climate Action and Environment (DCCAE).

[4] These Regulations gave effect to Council Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora – the Habitats Directive

In our opinion it is prudent to conduct a screening for Appropriate Assessment of the alteration to the licence. This screening, appended to this application (Appendix 3), concludes that:

> *In our opinion, an appropriate assessment of the proposed alteration (the installation the standby boiler) is not required, as it can be **excluded**, on the basis of objective scientific information, that the proposed alteration individually or in combination with other plans or projects, is likely to have a significant effect on a European site.*

4.8 Best Available Techniques

Both the existing boiler unit (SG-5) and the new, standby boiler unit qualify as medium combustion plants under the *European Union (Medium Combustion Plants) Regulations*, 2017. As part of the most recent licence review to incorporate the requirements of the *BAT Conclusions for Refining of Mineral Oil and Gas*, the activities at the refinery were assessed by both IOW and the EPA against the relevant BAT conclusions, as shown in Table 6.

Table 6: Activities & BAT assessment under Licence ReviewP0266-03

EPA Act 1992 as amended - Class of Activity	Activity	BAT Conclusions / reference document
9.3	Desalting, catalytic reforming process, isomerisation process, distillation process, products treatment process, flares	Refineries BATC CWW BATC BREF on Energy Efficiency
9.3	Storage and handling process	Refineries BATC BREF on emissions from storage
9.3	Combustion units burning refinery fuels (furnaces, heaters – 220 MW)	Refineries BATC BREF on Energy Efficiency
9.3	Amine Sulphuric Acid plant	Refineries BATC
9.3	Waste water treatment plant	Refineries BATC CWW BATC
2.1	CHP burning refinery fuels (20.37 MW)	Refineries BATC
2.1	Combustion units burning natural gas (58 MW)	Medium combustion plant directive

In its consideration of the application for the licence review, the EPA examined the applicable BAT conclusions and techniques, and while it did not specifically comment on the medium combustion plant in the corresponding *Inspector's Report*, it noted that *the applicable conclusions on BAT are addressed through the technologies and techniques as described in the review documentation, as well as the conditions specified in the RD*.

The new standby boiler unit is a medium combustion plant and has been designed and supplied to IOW to meet the relevant requirements of the *Medium Combustion Plant Directive* and the corresponding Irish legislation. In particular, it has been designed to achieve the required emission limit values set out under the Directive and Irish legislation, as described in Sections 2.3 and 4.3.

In our opinion, the operation of a medium combustion plant to provide the refinery with its steam demand does not conflict with the Directive or Irish legislation, or the general principles of BAT.

4.9 Energy Efficiency

The standby boiler unit is a newer, smaller unit capable of supplying steam to meet the refinery's demand, with a reduced fuel consumption. Therefore, in the context of the boilers, the proposed change will not adversely impact on the energy efficiency of the refinery.

The removal of the CHP plant, necessitated by the removal of the SG-5 boiler from service, will alter the energy *sources* at the refinery. Since the CHP plant was taken offline in 2017, the electricity that would otherwise have been generated in the plant has been imported from the grid, and while this has nominally increased the electricity consumption at the site, there has been a corresponding reduction in fuel consumption.

4.10 Environmental Risk

The alteration to the site boilers will not adversely affect the environmental risk of the site. The Environmental Liability Risk Assessment, required under Condition 12.2.2 of the licence, was updated in October 2023. There were no significant changes to the ELRA in 2023, and the alteration to the site boilers does not alter the conclusions in the ELRA as to the environmental risk, nor does it require any change to the corresponding financial provisions.

4.11 Capacity Limitations

There are no capacity limitations specified in the licence. Nonetheless, the change to the combustion plant and associated emission point does not significantly increase (or alter) the level of activity at the site.

4.12 Operating Hours

There are no limitations on the operating hours specified in the licence. Nonetheless, the change to the combustion plant and associated emission point, and the amendment to the licence, does not require or introduce an extension of the current operating hours.

4.13 Waste Activities

The licensed activities carried out at the site are not waste activities under the Waste Incineration Directive or the Industrial Emissions Directive. The change to the combustion plant and emission points does not involve the incineration or co-incineration of waste materials.

4.14 Transboundary Impact

There are no transboundary impacts associated with the operation of the facility, and the change to the combustion plant and emission points does not introduce any transboundary impacts.

4.15 Substantial Change

The EPA's guidance provides the following endnote in the context of a substantial change:

> *Substantial change means a change in the nature or functioning, or an extension, of an installation or combustion plant, waste incineration or waste co-incineration plant which may have significant adverse effects on human health or the environment (refer Section 98A(5) of the EPA Act 1992 as amended)*

The change to the combustion plants and emission points, and the proposed alteration to the licence conditions (set out in Section 5.1), does not result in a substantial change in the nature or functioning, or an extension of the installation. As noted in Section 4.13, there are no waste incineration or waste co-incineration plants at the site and the proposed change to the licence condition does not introduce such plants.

4.16 Regularise On-going Breach of Licence

The purpose of this application is to facilitate IOW's requirements for steam, as described in Section 2.

4.17 Summary & Conclusion

Table 7 summarises the assessment against the screening criteria for a licence review. As the answer to each of the criteria under the screening assessment (1 to 16) is negative, the installation of standby boiler does not require a Licence Review and, in our opinion, should be accommodated by means of a Licence Amendment (see Section 5).

Table 7: Screening Questions – Licence Review

No.	Does the proposed alteration…	Response
1.	Require a new class of activity or process?	No
2.	Cause new/ additional main emission point?	No
3.	Increase or change specified emissions significantly?	No
4.	Increase significantly the overall total emissions from the installation/facility?	No
5.	Involve development or proposed development that has already been granted planning permission or requires a grant of planning permission and was/is subject to EIA by the Planning Authority or An Bord Pleanála?	No
6.	Require the preparation of a Natura Impact Statement (NIS) for consideration by any planning / public authority?	No
7.	Indicate that the EPA should conduct an Appropriate Assessment (on foot of a screening for Appropriate Assessment)?	No
8.	Conflict with BAT as set out in the relevant BAT conclusions?	No
9.	Adversely affects the energy efficiency of the installation / facility?	No
10.	Adversely affects the environmental risk of the installation / facility significantly?	No
11.	Cause an increase above the capacity limitations specified in a licence?	No

No.	Does the proposed alteration…	Response
12.	Require an extension of operating hours (where controlled by the licence) for an installation/ facility where the public is likely to have an interest in such an extension?	No
13.	Involve the incineration or co-incineration of waste materials displaying hazardous properties that were not previously authorised (as per the WID / IED)?	No
14.	Introduce materials or techniques which adversely alter the probability, magnitude and duration or complexity of the site transboundary impact?	No
15.	Constitute a substantial change?	No
16.	Regularise an on-going breach of a licence condition?	No
17.	Does the proposed alteration require a change to a condition or schedule of the Licence?	Yes

5 SCREENING FOR LICENCE AMENDMENT

5.1 Change to a Licence Condition

The replacement of the existing boiler with the new boiler necessitates an amendment to the licence to reflect the change in characteristics associated with the licensed emission point (A1-2), and to reflect the removal of the CHP plant operation from the licence. Therefore, we propose that IOW's licence is as follows (the changes are shown in bold italics):

Schedule B: Emissions, Monitoring and Control

B.1 Emissions to Air

B.1.1 Combustion units using natural gas

Emission Point Reference No.	A1-1	A1-2	A1-3
Location	SG-4 Boiler No. 4	***Standby boiler***	SG-6 Boiler No. 6
Volume to be emitted (maximum rate per hour)	13,400 m^3	***10,500 m^3***	27,000 m^3
Minimum discharges height above ground	30 m	***12.98 m***	40 m

Parameter	Emission Limit Value		Monitoring	
	A1-1 & A1-3	A1-2	Frequency	Analysis Method/ Technique
Oxides of sulphur (as SO_2)	35	-	Annually	Standard Method
Nitrogen oxides (as NO_2)	200 Note 2	***100***	Annually	Standard Method
Carbon monoxide	20	-	Annually	Standard Method

Note 1: Gasoil may be used during start-up.
Note 2: The emission limit value shall be 450 mg/m^3 until 1st January 2025.

As the standby boiler will be fired on natural gas rather than refinery fuel gas, the proposed amendment to the licence also includes the following:

- removal of the table associated with emission point A1-2 (CHP mode) in Schedule B.1.2 *Combustion units using refinery fuel gas (RFG)*; the remaining tables under Schedule B.1.2 associated with emission points A2-1 to A2-11, inclusive, should be *retained*.
- removal of emission point A1-2 from the *Integrated emission management* table in Schedule B.1.2.

5.2 Section 96(1) of the POE Act

Section 96(1) of the *Protection of the Environment Act* sets out the circumstances in which the EPA may amend a licence, namely:

> *(1) The Agency may amend a licence or revised licence for the purposes of—*
>
> *(a) correcting any clerical error therein,*
>
> *(b) facilitating the doing of any thing pursuant to a condition attached to the licence where the doing of that thing may reasonably by 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.*

IOW has not identified and is not seeking to correct any clerical errors in the licence, and no changes are required to facilitate the doing of any thing pursuant to a condition of the licence that had been contemplated by the licence but which had not been expressly provided for.

Nonetheless, in our opinion it is reasonable to consider that an IE licence is intended to facilitate the replacement of existing plant and equipment, including plant and equipment associated with licensed emission points, provided that either the replacement equipment is of a similar scale and nature to the original, or that it is a smaller item with a corresponding smaller environmental footprint.

5.3 Summary & Conclusion

Based on the assessment in Section 5.2, in our opinion the proposed amendment to the licence satisfy both the requirements of Section 96(1) of the Act and the EPA's guidance, and should be accommodated by means of a Licence Amendment.

6 SCREENING FOR REQUEST FOR APPROVAL

The EPA's guidance identifies the types of changes that may be accommodated under a request for approval, namely:

- New minor emission points
- Changes anticipated and annunciated in the conditions of the licence
- Material substitution for environmental reasons
- New raw materials
- Trials of new products and processes
- New products and new processes
- Replacement of process plant / utilities
- New waste treatment process
- Commissioning stage approvals
- Short term changes to operating hours
- Short term emissions (depending on time, nature and volumes involved)
- New packaging facility/ warehouse (not subject to EIA)

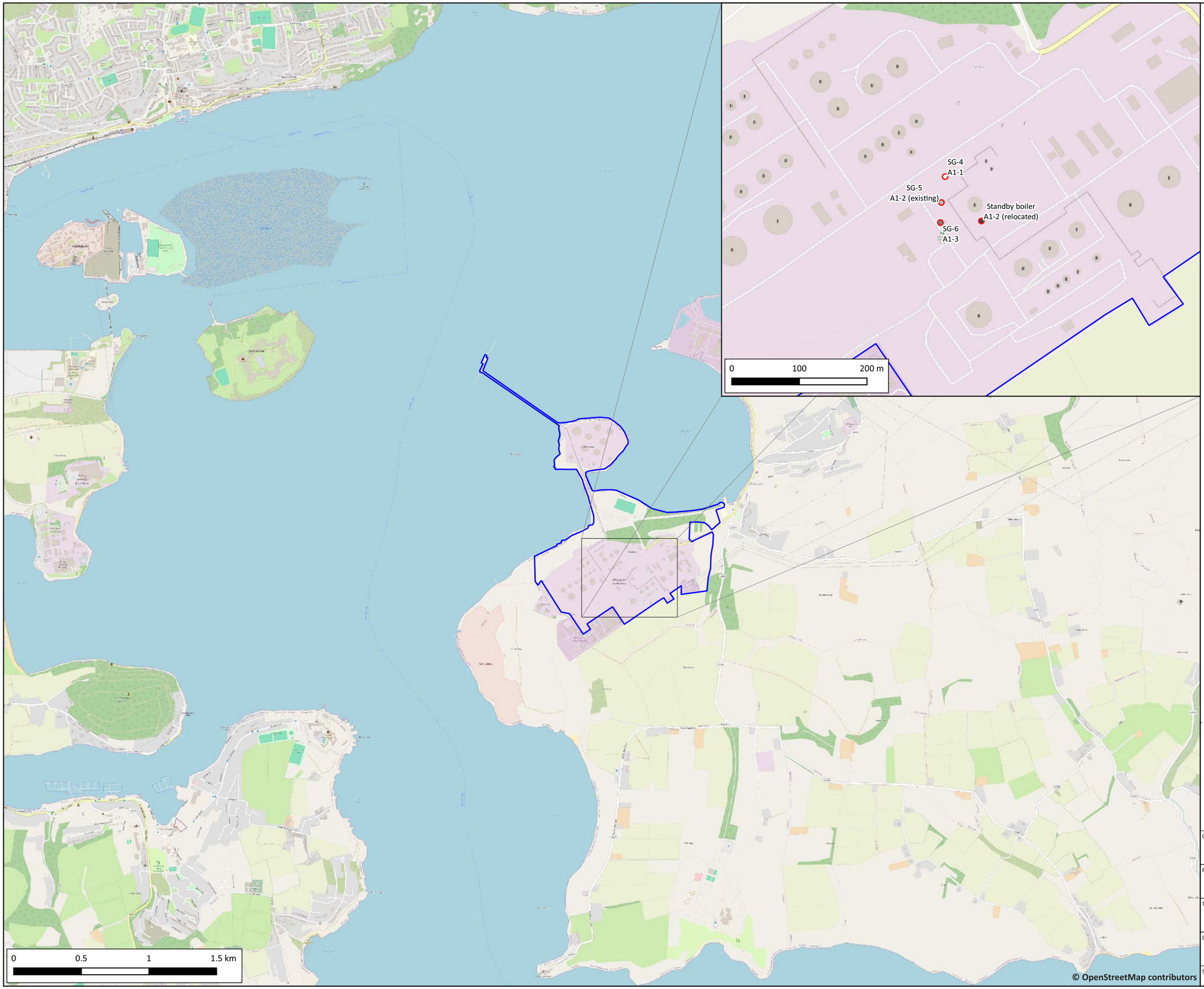
While the installation of the standby boiler represents a *replacement of process plant / utilities*, in the context of the EPA's guidance we consider that it is more appropriate to accommodate the change under a Licence Amendment, for the reasons set out in Sections 4 and 5.

7 SUMMARY

Based on our assessment of the replacement of the existing boiler with the new boiler to cater for IOW's long term steam demand against the EPA's criteria and guidance, Irving Oil considers that it can be accommodated under the existing Industrial Emissions Licence via a Licence Amendment.

* * * * *

APPENDIX 1: LOCATION OF BOILERS



Legend

P0266-03 Irving Oil Whitegate Refinery

Boilers & emisison points

- SG-4
- SG-5
- SG-6
- Standby boiler

N

Byrne Ó Cléirigh Ltd.

30A Westland Square
Pearse Street, Dublin 2, D02 PN76, Ireland
t: 353 1 677 0733 | f: +353 1 677 0729 | e: info@boc.ie
www.boc.ie

Client	**Irving Oil**
Project	**Application for licence amendment (standby boiler)**
Title	**Location of boiler emission points**
Drg No	**306-25X0093 R0 Appendix 1**
Rev	R0
Scale	1:25,000
FBS	07.02.10
Date	09 May 2025

APPENDIX 2: AIR DISPERSION MODELLING ASSESSMENT

See separate report

306-25X0094 R0 Air Dispersion Modelling Assessment in support of Application for a Licence Amendment – Standby Boiler

APPENDIX 3: SCREENING FOR APPROPRIATE ASSESSMENT

See separate report:

> *306-25X0095 R0 Screening for Appropriate Assessment in Support of Application for a Licence Amendment – Standby Boiler*

APPENDIX 4: DECLARATION OF EXEMPTED DEVELOPMENT

Comhairle Contae Chorcaí
Cork County Council

Pleanáil agus Forbairt,
Halla an Chontae,
Bóthar Charraig Ruacháin,
Corcaigh T12 R2NC.
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Carrigrohane Road, Cork T12 R2NC.
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Email: planninginfo@corkcoco.ie
Web: www.corkcoco.ie

Irving Oil Whitegate Refinery Limited,
C/O HW Planning,
5 Joyce House,
Barrack Square,
Ballincollig,
Co. Cork.

HWP hw planning
25 APR 2025
RECEIVED

24th April, 2025

REF: D/235/25
LOCATION: Whitegate Refinery, Corkbeg, Whitegate, Midleton, Co. Cork.

RE: DECLARATION OF EXEMPTED DEVELOPMENT UNDER SECTION 5 OF THE PLANNING & DEVELOPMENT ACT 2000 - 2010.

Dear Sir/Madam,

On the basis of the information submitted by you on 28th March, 2025 the Planning Authority, having considered whether the installation of a new replacement boiler in an existing utilities area at **Irving Oil Whitegate Refinery, Corkbeg, Whitegate, Midleton, Co. Cork** is or is not development or is or is not exempted development, has declared that it is **exempted development.**

Reason for Decision

The Planning Authority in considering this referral, had particular regard to:

- the details submitted to the Planning Authority on the 28th March, 2025
- Sections 2, 3, 4 and 5 of the Planning and Development Act, 2000, as amended.
- Article 3, 6, 9 and Schedule 2, Part 1, Class 21 of the Planning and Development Regulations, 2001, as amended.

And Whereas the Planning Authority hereby concludes that the installation of a new replacement boiler in an existing utilities area at Irving Oil Whitegate Refinery, Corkbeg, Whitegate, Midleton, Co. Cork **is development and is exempted development.**

Please note that under Section 5 Subsection 3(a) where a declaration is issued under this section, any person issued with a declaration under subsection 2(a) may, on payment to the Board of such fee as may be prescribed, refer a declaration for review by the Board within 4 weeks of the date of the issuing of the declaration.

Yours faithfully,

Cde Baróid

CATHAL DE BAROID,
ADMINISTRATIVE OFFICER,
PLANNING DEPARTMENT.

In order to process your query, it may be necessary for Cork County Council to collect Personal information from you. Such information will be processed in line with our privacy statement which is available to view at https://www.corkcoco.ie/privacy-statement-cork-county-council