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SUBMISSION BY FEHILY TIMONEY & COMPANY

IN RELATION TO THE

EPA TECHNICAL GUIDANCE DOCUMENT

**'MUNICIPAL SOLID WASTE – PRE-TREATMENT &
RESIDUALS MANAGEMENT'**

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Abstract: FTC is pleased to have this opportunity to comment on the draft EPA technical guidance document entitled 'Municipal Solid Waste – Pre-treatment & Residuals Management'

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1. INTRODUCTION

Fehily Timoney & Company (FTC) welcomes the publication of the EPA Technical Guidance Document entitled 'Municipal Solid Waste – Pre-treatment & Residuals Management'. FTC feels that the publication of this document in a draft format and the invitation for consultation is a positive step that will allow the relevant stakeholders to offer their opinion on the proposals contained in the draft document.

It is recognised that the achievement of the targets laid down in Directive 1999/31/EC on the landfill of waste is of pressing importance and requires immediate action, especially considering that the first target year is rapidly approaching. Ireland's overall recycling performance in the past number of years can be considered strong, with the achievement of the 'Changing Our Ways' target of 35% MSW recycling ahead of schedule. However, we have tended to concentrate on the more readily recyclable materials, as opposed to the BMW, which has contributed to the squeezed timeframe that we now find ourselves in.

In general, **FTC is in full agreement with the proposals and pre-treatment standards proposed** in the draft document. We have only a small number of points that we wish to raise, mainly to identify some areas within the document which may require further clarification in a finalised version of the guidance document.

These points are outlined in the following section.

2. POINTS FOR CONSIDERATION

2.1 Background Section of Document (pages 2 -14)

The first half of the consultation document describes the background of the need for a guidance document in terms of European and National policy. It is assumed that a similar background section will appear in the finalised guidance document. FTC has a number of minor points in relation to this section outlined as follows.

2.1.1 Composting BAT (page 2)

The reference to the Composting BAT guidance document on page 2 raises the question of the progress of this document – it is understood that a BAT note is in preparation but this is, as yet, unpublished on the EPA website. It may be the case that this note will be published in the near future prior to the final pre-treatment guidance note. However, if this is not the case, reference should be to the 'soon to be published' Composting BAT.

2.1.2 Irish Waste Policy (page 5)

In the second paragraph of the Irish Waste Policy section, the following sentence appears; *'there is a large body of legislation in the area of waste management that tackle the issues of waste from a generic perspective; to a waste stream perspective; to a substance perspective'*.

The exact meaning of this sentence is perhaps lost and it could be restructured.

2.1.3 EU Landfill Directive Obligations (page 6)

Page 6 of the guidance document outlines Ireland's obligations in relation to Directive 1999/31/EC on the landfill of waste by highlighting the volumes of biodegradable municipal waste that can be landfilled nationally in the target years in order to comply with Directive targets. It is stated that, in the target years, approximately 50, 70 and 90% of BMW accepted at landfill facilities must be biologically pre-treated.

This can be construed as clear guidance as to the means of implementation of the Landfill Directive i.e. that the BMW targets are to be applied at each individual landfill facility and, when combined, these will ensure achievement of the national targets.

Is it the intention of the Agency to offer guidance of this nature in this document?

2.1.4 Recovery Rates (page 12)

The second paragraph on page 12 refers to the MSW target of 35 % as laid down in 'Changing Our Ways' and the fact that this has been achieved and exceeded. The paragraph states that; *'a higher recovery rate is technically possible and is now necessary in order to meet EU obligations'*.

Perhaps a clearer reference to the MSW 'target' of 50% in the proposed revision to the Waste Framework Directive should be made here. A reference to the provision for differentiating between 'disposal' and 'recovery' dependant on facility efficiencies,

allowed for under the proposed revision, should also be made here or in some other section of the document.

2.2 Minimum Pre-treatment Obligations (page 14-19)

2.2.1 Existing landfill minimum pre-treatment (page 16)

Perhaps it is necessary to clarify the text in relation to the minimum pre-treatment for existing landfills. A number of questions are raised.

- Is the minimum pre-treatment requirement for landfills accepting waste collected in non-urban areas the implementation of a 2-bin system only? What is determined to be 'equivalent'?
- The text reads as though mechanical treatment of the residual bin in a 2-bin system is required for waste collected in an urban area only and that no mechanical treatment is required for residual waste collected in rural areas – is this the intention?

2.2.2 Figure 5 (page 16)

While Figure 5 clearly shows the flow of material coming from a source segregated base point, a number of points arise.

- The urban/rural differentiation suggested above is not shown in Figure 5
- Figure 5 shows the mechanical treatment of residual waste to reclaim residues prior to biological or thermal treatment – is this order of treatment specified? When considering some MBT 'biodrying' type technologies, the biological treatment step is implemented before the mechanical treatment step
- The broken line from the biological treatment step seems to indicate that biologically treated material from a residual bin may be marketed in the 'compost' market. This is counter to the current viewpoint of Cre where a compost product is only produced from a source separated brown bin (organic waste bin) – a clear linking of the organic bin with the high grade compost market is required. In reality, it is likely that the biologically treated material from the residual bin will only be landfilled or thermally treated. While it is felt that this is the idea that is trying to be presented in Figure 5, some amendments would make this figure clearer.

2.2.3 Incineration (page 17)

The terminology of incineration, waste to energy and thermal treatment seems to be interchangeable in this document. FTC feels that the terms waste to energy and thermal treatment are much broader than incineration alone and can be taken to include technologies such as pyrolysis, gasification and anaerobic digestion as well as mass-burn incineration

FTC feels that clarification as to the terminology used is required in the final document as is clarification on the position of thermal treatment technologies (other than mass-burn incineration) in the pre-treatment loop.

It is also felt that there would be very limited situations whereby pre-incineration biological treatment would occur (perhaps with a biodrying – incineration

configuration). However, if this is proposed, this would be in excess of any minimum treatment for a thermal treatment/incineration phase and would therefore not require verification as suggested in the text.

2.2.4 Stability Standard (page 19)

The draft guidance document states that different standards will be developed for 'compost' to be used in horticultural and landscaping applications. It is presumed that this will be in conjunction with the current development by the Irish composting association, Cre, of a quality standard for compost developed from source separated brown bin material.

In relation to the stability/biodegradability of material destined for landfill i.e. from the residual bin, the standards as outlined in the withdrawn Working Document on the Treatment of Biowaste – 2nd Draft, will be adopted.

FTC feels that these standards are appropriate and are not as 'restrictive' as those observed in, for example, Germany and Austria – given the infancy of the development of mechanical and biological treatments in Ireland, these standards provide the adequate flexibility to allow these industries to become established and experienced in operation.

However, a general point that should be borne in mind is the cost and speed of the test methods to be adopted. This could affect the period of storage of material onsite with knock on effects on facility design, throughput and transport of material.

It is also understood that a different respiration test method is proposed under the Cre standard – similarity in testing, protocols would ensure ease of testing for operators and, as noted, these protocols are being developed.

It should also be borne in mind that other protocols may be applied to facilities, for example, from the Animal By-Products regulations, and it is recommended that consultation with other relevant organisations in relation to the requirements for facility operation e.g. batching requirements etc, be undertaken as part of the protocol development.

3. CONCLUSION

Guidance of the nature of that outlined in the draft document is welcomed by the waste industry as it provides concrete information that can be adopted in the design, planning, operation and bankability of a waste treatment facility.

In summary, FTC has no major comments to make in relation to the content of the guidance document with our main points outlined as follows;

- Typos, mis-spells and grammatical errors
- Minor background points
- Existing landfills – clarification of text
- Amendments to Figure 5
- Incineration references
- Stability Standard

FTC looks forward to the publication of the final guidance document for 'Municipal Solid Waste – Pre-treatment & Residuals Management'.