

**ATTACHMENT L**  
**STATUTORY REQUIREMENTS**

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In direct response section L of the IPPC application form, PTTE wish to confirm the following details;

As stated in Section 83(5)(a)(i) to (v) and (vii) to (x) of the EPA Acts, 1992 and 2003;

5. *The Agency shall not grant a licence or revised licence for an activity –*

(a) *unless it is satisfied that –*

- (i) *Any emissions from the activity will not result in the contravention of any relevant air quality standard specified under section 50 of the Air Pollution Act 1987, and will comply with any relevant emission limit value specified under section 51 of the Air Pollution Act 1987,*

PT Technologies Europe (PTTE) is not eligible for an air emissions licence under the Air Pollution Act 1987. However, the facility does discharge VOCs and particulates during the Lube making operations from one emission point which occurs strictly on a batch basis two to three times per week. In addition, there may also be some fugitive emissions from within the main building. PTTE is therefore committed to ensure these emissions are controlled and reduced to acceptable levels and will not contravene any relevant air quality standards. This will be achieved by means by abatement techniques on the emission point (bag house filter unit) and best handling methods for solvent delivery to product (automated dispensing system) to minimise fugitive emissions, already employed at the facility.

- (ii) *Any emissions from the activity will comply with, or will not result in the contravention of, any relevant quality standard for waters, trade effluents and sewage effluents and standards in relation to treatment of such effluents prescribed under section 26 of the Local Government (Water Pollution) Act 1977,*

PTTE do not discharge trade effluent from the facility. All domestic sewage is discharged to on-site waste water treatment system. Only yard water run-off is discharged to surface water drains followed by discharge to soak away points at the facility site boundaries. Yard water run-off will not contravene any relevant quality standards for waters.

- (iii) *Any emissions from the activity or any premises, plant, methods, processes, operating procedures or other factors which affect such emissions will comply with, or will not result in the contravention of, any relevant standard including any standard for an environmental medium prescribed under regulations made under the European Communities Act 1972, or under any other enactment,*

The only specified emissions from the PTTE facility of any significance will be emissions to air (VOCs and particulates) as already discussed in (i) above. These emissions will be further controlled by means of abatement and/or raw material substitution where required.

- (iv) Any noise from the activity will comply with, or will not result in the contravention of, any regulations under section 106,*

Noise monitoring carried out at the facility in 2013 did not show significant levels and were not in the nuisance noise level category. PTTE will ensure noise emissions will be at acceptable levels at the site boundaries.

- (v) Any emissions from the activity will not cause significant environmental pollution,*

Apart from noise, air emissions and yard water run-off to soak-away previously discussed above, there will be no other emissions from the facility of any environmental significance.

- (vi) The best available techniques will be used to prevent or eliminate or, where that is not practicable, generally to reduce an emission from the activity.*

PTTE is agreeable to using best available techniques where appropriate to reduce emissions from the facility if deemed necessary in terms of approaching air quality standard thresholds. Although due to the nature of the facility operations, this instance is highly unlikely.

- (vii) Having regard to Part III of the Act of 1996, production of waste in the carrying on of the activity will be prevented or minimised or, where waste is produced, it will be recovered or, where that is not technically or economically possible, disposed of in a manner which will prevent or minimise any impact on the environment,*

PTTE will continually assess their waste management practices in line with the principals of 'reduce, reuse and recycle'. Where waste cannot be prevented or recovered or recycled, then it shall be disposed of appropriately. PTTE already have secured methods to reuse captured waste powders in the manufacture of Lube product at the facility thereby eliminating some hazardous waste disposal/recovery off-site. In addition, PTTE have replaced the large scale use of IBCs and drums for three of their most widely used solvent based raw materials and replaced it with bulk storage tanks. This effectively prevents much packaging waste (empty IBCs and metal drums) as the solvent can now be purchased in bulk and transferred to the vertical storage vessels on-site in the bund store.

- (viii) Energy will be used efficiently in the carrying on of the activity,*

PTTE will continually use energy in efficient ways as part of facility operations. An environmental management system (EMS) accredited to ISO14001:2004 is adopted at the facility to assess new methods for energy efficiency as part of compliance with proposed licence conditions.

- (ix) Necessary measures will be taken to prevent accidents in the carrying on of the activity and, where an accident occurs, to limit its consequences for the environment and, in so far as it does have such consequences, to remedy those consequences,*

PTTE have adopted stringent measures to prevent accidents and to minimise their environmental impacts in the unlikely event of their occurrence. Please refer to Attachment J of this application for such details. PTTE will review these measures and implement a formal Accident Prevention Plan (APP) or policy in order to ensure accidents are prevented or controlled efficiently as per the proposed IPPC licence conditions upon grant of same.

- (x) Necessary measures will be taken upon the permanent cessation of the activity (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to a satisfactory state, and*

PTTE have identified a Closure Plan and associated Residuals Management Plan as part of this application. Please refer to Attachment K of this application for the proposed details. PTTE will enter into an agreed closure plan including an agreeable financial bond with the Agency as part of compliance conditions with the licence upon grant of same. PTTE are not intending to close the site for the foreseeable future.

As stated in the IPPC application form;

*Indicate whether or not the activity is carried out, or may be carried out on, or is located such that it is liable to have an adverse effect on the integrity of –*

- (a) a site placed on a list in accordance with Part 3 of S.I. 477 of 2011, or  
(b) a site where consultation has been initiated in accordance with Article 5 of the EU Habitats Directive (92/43/EEC), or  
(c) a European Site as defined in Regulation 2(1) of S.I. 477 of 2011.*

The PTTE facility is located in an industrial/commercial area 1km east of Watergrasshill town. There are other commercial/industrial units approximately east of the site in a designated commercial business park. The land immediately north, south and west is agricultural fields (improved grassland type). There is also some ribbon development dwellings along the Middleton road immediately north of the site. There is no identified priority flora and fauna species or priority natural habitat of note on or in the immediate surrounds of the facility. Having researched the NPWS.ie map viewer tool, there are no Special Protection Areas, proposed Natural Heritage Areas, Natural Heritage Areas or Special Areas of Conservation within 10km of the site boundary.

The facility enjoys full planning permissions for all existing development at the site, the details of which are included in Attachment B.6. During these planning applications and determinations, there was no requirement for Screening Assessments undertaken by the competent authority i.e. Cork County Council.

As part of this application to the Agency, communication was made with the National Parks and Wildlife Service (NPWS) in relation to a possible Screening Assessment as this consultation is typical in these situations. Subsequent advice was given by the NPWS that any Screening Assessment is to be carried out directly by the competent authority themselves and therefore no further action was taken. Evidence of this communication is attached to this section for further details.

Nevertheless, due to the location and nature of the facility (being at least 10km distance away from any Natura 2000 site), it is reasonable to expect that it will not have any adverse effect on any site or land that is listed in accordance with Part 3 of S.I. 477 of 2011, sites that are listed under the Habitats Directive (92/43/EEC) or a European Site as defined in Regulation 2(1) of S.I. 477 of 2011.

*Indicate whether or not the activity is liable to have an adverse effect on water quality in light of the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009).*

The site discharges storm water run-off from the roof, yard and car park areas to existing soakaway points along the four site boundaries. Therefore, the activity will not have any adverse effect on surface water quality by virtue of no discharge to surface water bodies.

*Indicate whether or not the activity is liable to have an adverse effect on water quality in light of the European Communities Environmental Objectives (Ground Water) Regulations 2010 (S.I. No. 9 of 2010).*

Four samples of storm water run-off taken at the car park and rear site areas from drain points were found to be typical of run-off from these areas and not significant. These emissions were not deemed to be pollutant off-site to ground or groundwater.

*Indicate whether any of the substances specified in the Schedule of the EPA (Industrial Emissions)(Licensing) 2013, S.I. No. 137 of 2013, are discharged by the activity to the relevant medium.*

PTTE have assessed this schedule and the following emissions relevant to PTTE are listed substances as specified in the Schedule of the EPA (Industrial Emissions)( Licensing) 2013.

- Air - (4) Volatile Organic Compounds (VOCs).
- Air – (6) Dust including fine particulate matter.

PTTE will not discharge substances included in the schedule above to water.

PTTE will discharge VOCs and particulates to air as part of product operations (Lube product manufacture) but will ensure the emissions will be below the relevant air quality thresholds.

*Indicate if the best environmental practices are in place for control of diffuse emissions from the installation as set out in the following legislation;*

**(a) a BAT Conclusions Implementing Decision published by the EC.**

There is no actual BAT guidance specific to the industry model associated with PTTE which is engaged in solvent impregnation.

**(b) a specification prepared by the Agency in accordance with Section 5 of the Environmental Protection Agency Act 1992 as amended;**

There will be only discharges to air from one point source small stack and general fugitive emissions also. There will be no discharges of trade effluent or other matter to surface waters. The proposed activity will use best environmental practices in order to control diffuse emissions to air from the installation.

**(c) the Urban Waste Water Treatment Regulation 2001 (S.I. No. 254 of 2001) as amended by the Urban Waste Water Treatment (Amendment) Regulations 2004 (S.I. No. 440 of 2004) or any future amendment thereof;**

PTTE is not engaged in urban waste water treatment and therefore, these regulations are not applicable to the proposed activity by PTTE.

**(d) the European Communities (Good Agricultural Practice for Protection of Waters) Regulations 20 (S.I. No. 610 of 2010) or any future amendment thereof;**

There are no proposals to spread wastes or matter on lands as a result of the proposed facility operations. The facility will not be engaged in any agricultural practices. Hence, these regulations are not applicable to the proposed activity by PTTE.

**(e) Local Government (Water Pollution) Act, 1977 (Control of Cadmium Discharges) Regulations 1985 (S.I. No. 294 of 1985);**

There will be no discharges to surface water of any trade effluent or any diffuse matter containing cadmium from the facility. Hence, these regulations are not applicable to the proposed activity by PTTE.

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- (f) *Local Government (Water Pollution) Act, 1977 (Control of Hexachlorocyclohexane and Mercury Discharges) Regulations 1986 (S.I. No. 55 of 1986);*

There will be no discharges to surface water of any trade effluent or any diffuse matter containing mercury or hexachlorocyclohexane from the facility. Hence, these regulations are not applicable to the proposed activity by PTTE.

- (g) *the Local Government (Water Pollution) Acts, 1977 and 1990 (Control of Carbon Tetrachloride, DDT and Pentachlorophenol Discharges) Regulations 1994 (S.I. No. 43 of 1994); and,*

There will be no discharges to surface water of any trade effluent or any diffuse matter containing Carbon Tetrachloride, DDT and/or Pentachlorophenol from the facility. Hence, these regulations are not applicable to the proposed activity by PTTE.

- (h) *measures or controls identified in a pollution reduction plan for the river basin district prepared in accordance with Part V of the EC Environmental Objectives (Surface Waters) Regulations 2009 S.I. No. 272 of 2009 for the reduction of pollution by priority substances or the ceasing or phasing out of emissions, discharges and losses of priority hazardous substances.*

There will be no discharges to surface water of any trade effluent or any diffuse matter containing priority substances or hazardous substances. The facility will not impact on any river basic district. Hence, these regulations are not applicable to the proposed activity by PTTE.

### **Fit and Proper Person.**

Neither the applicant or other relevant person has been convicted under the PoE Act, the Waste Management Act 1996, the Local Government (Water pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.

The management at PTTE have been involved in product manufacture for several years to date and are well experienced at this activity.

PTTE are dedicated to meet financial commitments and environmental protection measures as may be required in the course of the licence being granted with conditions attached.

## Copy of Communications e-mail with NPWS

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## Nally Environmental

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**From:** Nature Conservation <Nature.Conservation@ahg.gov.ie>  
**Sent:** 11 July 2013 14:52  
**To:** Nally Environmental  
**Subject:** RE: Information Request  
**Attachments:** Excerpt from the BNH Regs 2011.doc; Untitled attachment 00032.txt; Untitled attachment 00035.htm

Dear Niall,

Thank you for your e-mail. As the EPA are the competent authority they will carry out the appropriate assessment, the first step of which is to screen the application to assess whether a Natura Impact Statement (NIS) is required. If so, it is the applicants responsibility to produce the NIS.

I hope this helps clarify the matter. The attached excerpt from the Birds and Natural Habitats regulations 2011 may also help clarify the process.

Regards,

Dave Farrell  
Site Designations Unit  
NPWS

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**From:** Nally Environmental [<mailto:info@nallyenvironmental.ie>]  
**Sent:** 10 July 2013 12:51  
**To:** Nature Conservation  
**Subject:** Information Request

Dear Sir/Madam,

I am working for a client at present with a view to submitting an IPPC licence for an existing factory at Meenane, Watergrasshill, Co Cork.

The existing facility has full planning permissions in place, but the EPA on their IPPC licence application form asks for a Screening for Appropriate Assessment to be conducted as part of the application.

I accessed the NPWS map viewer and note there are no Natura 2000 designated sites within 10km of the applicant site.

I attach a site location map for your reference and would appreciate any assistance or info from your office either by phone call or e-mails.

Thanking you in advance

Best regards

Niall

Niall Nally  
Nally Environmental

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**Excerpt from the European Communities (Birds and Natural Habitats) Regulations 2011**

***Screening for Appropriate Assessment and Appropriate Assessment of implications for European Sites***

**42. (1) A screening for Appropriate Assessment of a plan or project for which an application for consent is received, or which a public authority wishes to undertake or adopt, and which is not directly connected with or necessary to the management of the site as a European Site, shall be carried out by the public authority to assess, in view of best scientific knowledge and in view of the conservation objectives of the site, if that plan or project, individually or in combination with other plans or projects is likely to have a significant effect on the European site.**

**(2) A public authority shall carry out a screening for Appropriate Assessment under paragraph (1) before consent for a plan or project is given, or a decision to undertake or adopt a plan or project is taken.**

**(3) At any time following an application for consent for a plan or project, a public authority may give a notice in writing to the applicant, directing him or her to—**

**(a) furnish a Natura Impact Statement and the applicant shall furnish the statement within the period specified in the notice, and**

**(b) furnish any additional information that the public authority considers necessary for the purposes of this Regulation.**

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