

---

## MINUTES OF THE ENVIRONMENT STRATEGIC POLICY COMMITTEE MEETING HELD ON 28<sup>th</sup> June 2017

---

1. Minutes of the meeting held on 26<sup>th</sup> April 2017.

**Order: Agreed**

2. Matters Arising

The Chairperson advised the Committee that he has written to the Waste Operators to present at this meeting and a number of responses were received which were circulated to the members.

The Operators are not in a position to attend the meeting but Greyhound recycling offered to meet the Chair.

**Order: Noted**

3. Correspondence

**None.**

4. Chairperson's Business

**None.**

5. Minutes of the Litter Subcommittee held on 19<sup>th</sup> May 2017

**Order: Agreed**

6. To fill a Sectoral vacancy on the Climate Change Subcommittee.

**Order: Defer to September meeting**

7. Report on incident on 7<sup>th</sup> June 2017 at the Dublin Waste to Energy facility

Mr. Dick Brady, Assistant Chief Executive referred to the report that was circulated and made the following points.

- On 7<sup>th</sup> into 8<sup>th</sup> June there was an incident at the facility involving lime leakage
- 11 individuals were taken to hospital as a precaution
- The Health and Safety Authority and the Environment Protection Agency were informed of the incident
- The process was shut down in an orderly fashion after the incident.
- The HSA issued a notice that no further hot commissioning could take place until investigations are complete.

- We are waiting for the HSA to report.

Members raised the following questions / issues

- When will the hot testing recommence and when will reports issue from the EPA / HSA (CO'M)
- Has DCC received feedback from the EPA / HSA on what happened (AK)
- The EPA was previously requested to present to this Committee and this request was declined. The EPA should be asked to attend the next meeting to report on this incident (MM)
- Will the EPA & HSA as the statutory authorities write separate reports (NO'M)
- Members should be apprised of correspondence from the EPA / HSA (CC)

Mr. Dick Brady responded

- DCC does not know when the EPA / HSA reports will be completed.
- Separate reports will be written by the EPA/HSA

**Order: Report Noted. The Environment Protection Agency and the Health and Safety Authority to be invited to the September meeting to present reports on the June 7<sup>th</sup> incident and subsequent findings.**

8. Covanta's response to issues raised by the Committee.

The Chair referred to the response that was circulated, albeit with little time for consideration.

The Assistant Chief Executive requested that any technical questions that Members may have are submitted in writing.

Members raised the following points / questions.

- Raising the Newstalk interview in the body of a response to questions raised is muddying the water somewhat and this issue should have been dealt with (by Covanta) under separate cover (AK)
- Joe McCarthy stated that he was the individual in the Newstalk interview.
- All his opinions are based on scientific research (JMCC)
- Communication was not received by him from Mr. Erikson or Covanta (JMCC)
- There is no further information offered in this report with the exception of a reference to .44kgs of carbon per tonne of waste in the other Irish incinerator. (JMCC)
- Industry norms found in the BAT reference sets the range between .35kgs – 3kgs per tonne depending on the makeup of the waste. (JMCC)
- Several elements of fact have not been given by Covanta (JMCC)
- The actual amount of carbon used, this information is to hand, the difference in carbon usage for line 1 & 2 is required (JMCC)
- 100% of the flue gas residue was recirculated in Poolbeg which is wrong (JMCC)
- What % will be recirculated, the reply that it will be set in accordance with BAT is not what the Committee requested, exact figures are required (JMCC)

- The 100 % recirculation is probably why the flu gas ash burst out of the hopper. I have asked the EPA & HSA to investigate this. (JMCC)
- The figures on the amounts of carbon used in the plant should be on record.(JMCC)

The Assistant Chief Executive responded.

- This Committee does not have parliamentary privilege and we must be careful in what is said.
- Any questions members may have should be submitted in writing and response will be sought from Covanta.
- Could Mr McCarthy forward the details of his research into Carbon usage.
- Could Mr McCarthy set out clearly his questions are and set out what he believes to be industry norms.
- Restated his request for Mr. McCarthy's references to be submitted for consideration this will help the Committee to understand the points that are being raised.

**Order: Figures on how much carbon is being used per tonne on a daily basis, the Percentage of flue gas residue that is being recirculated & how much carbon has been used to date.**

#### 9. Site Specific Major emergency Plan

Mr. Dick Brady advised the Committee that this document which has been agreed between Covanta and the EPA is for noting. As the Plan was agreed between the EPA and Covanta the Committee has no influence in relation to what has been agreed.

Members raised the following issues.

- The document is terrible, it is not possible to search in the format that it is presented , the pagination is different to the index making it hard to read (JMCC)
- There are 13 emergency response procedures in the plan (JMCC)
- This is an aspiration document that describes what an emergency response might be. (JMCC)
- Would like to see the approval granted by the EPA (JMCC)
- Was the fire brigade called when the lime leak occurred (JMCC)
- The emergency response procedure was not followed when the lime leak occurred. What was the sequence of events from when the leak occurred until the individuals concerned presented at St. Vincent's Hospital. (JMCC)
- We need to see a practical document to see what the procedure is when an emergency arises (CC)
- Could we have some details on the cladding on the building (CC)
- The date on the Emergency Plan is 25<sup>th</sup> April, is there an explanation why it did not issue to the Committee until 24<sup>th</sup> June (JMCC)

James Nolan & Dick Brady responded

- It is our understanding the Major Emergency plan has been approved as drafted (JN)

- It is not for DCC to comment on the formatting of documents that have been agreed with a statutory body (JN)
- There is currently a HSA investigation in relation to the incident on 7<sup>th</sup> / 8<sup>th</sup> June (DB)
- The HSA's report should cover all aspects of the incident and the incident handling (DB)
- It would be premature for DCC to make any comment in relation to the incident in advance of the HSA's report issuing. (DB)
- The plan was submitted to the EPA on 25<sup>th</sup> April (JN)
- The detail in relation to the cladding has been requested and we await a reply. (DB)

**Order: Noted. Issues raised to be followed up, approval from the EPA in relation to Emergency response plan, the HSA's report, report on the cladding**

#### 10. Dublin Waste to Energy Project update report

James Nolan updated the members that

- Responsibility for the management of the website has transferred to Dublin Waste to Energy Limited.
- There is an error in the report, construction phase monitoring reports are not on the website but we are working to restore them.
- Construction work is ongoing but commissioning has ceased until the EPA & HSA complete their investigations
- Operation commenced on 1<sup>st</sup> June and ceased on 7<sup>th</sup> June. The EPA is undertaking a review of the processing of material during the first week.
- There have been a number of submissions to the EPA, one in relation to the temperature calibration, the EPA has asked for a review of this.
- The EPA sought an explanation in relation to interruptions at the facility.

Members raised the following issues.

- Information that is publically available on the EPA portal gives a root cause analysis of 3 events, event 3 was the major one (JMCC)
- The cause of the incident that resulted in casualties was the release of lime ash from the bottom of the bag house filter (JMCC)
- This committee requested that all reports / exchanges between the EPA and Covanta be made available on the DWtE website. (JMCC)
- Any documents sent to the EPA from Covanta should be circulated to the committee immediately (JMCC)
- Covanta have been found non compliant in 3 respects and the EPA has issued 3 non compliance notices (JMCC)
- Problems in relation to temperature, bag house filter problems and lime leak were not reported to the EPA in a timely manner (JMCC)
- Covanta produced a root cause analysis of the problems from 1<sup>st</sup> to 8<sup>th</sup> June which is a public document. (JMCC)

#### **Event 1**

- On 1<sup>st</sup> June between 7pm and 12.00 midnight 109 tonnes of waste was burned (JMCC)

- There was a boiler drum alarm at 9.20 because the water had run out from the feedstock; it was restarted 2 hours later and the drum level control failed at 12.30. The bag house pressure dropped at 2.53 and the plant was shut down (JMCC)
- A non compliance notice issued, this should be listed in the DWtE update report (JMCC)

### **Event 2**

- On Monday 5<sup>th</sup> through 6<sup>th</sup> June 144 tonnes of waste was fired from 4.31am – 11.00 am. At 11.00 am the bag house pressure dropped because there was visual lime on the ground in the vicinity of bag house. At 12.12 burner control was adjusted which cause a dip in temperature. A non compliance has issued by the EPA for not advising that the temperature dipped below 850C. A requirement of the licence is that temperature must not be below 850C while waste is being burned. (JMCC)

### **Event 3**

- On 7<sup>th</sup> June waste firing commenced at 16.10, 104 tonnes of waste was burned. (JMCC)
- At 20.43 the bag house pressure failed again. (JMCC)
- At 22.30 incineration resumed and at 22.39 the line stopped due to a major release of lime which caused the casualties. (JMCC)
- Taking all 3 incidents together we find the operation of the plant was under reasonable control, the bag house had repeated failings; repairs were made which were not sufficient. (JMCC)
- 1-2 cubic metres of lime ash were released which equates to 3.5 – 4 tonnes of lime ash. (JMCC)
- We cannot conclude anything, this is a matter for the EPA / HSA & this committee has no role in terms of compliance (NOM)
- Mr. McCarthy is raising issues which he is entitled to do (MM)
- Can the events logs and non compliance notices issue to the Committee (RM)
- I have made no conclusions whatsoever, I've been putting fact before the Committee (JMCC)
- John Daly is the source on the quantum of lime released, he did so in an interview with RTE (JMCC)
- What is not mentioned is that the release was in fact fly ash; fly ash contains lime and powdered activated carbon, the PAC had been absorbing dioxins and mercury (JMCC)
- The standard procedure for reporting major incidents did not take place, staff drove in their cars or other cars to St. Vincent's some 5 hours after the incident. (JMCC)
- The expected emergency procedure was not followed by the staff. (JMCC)
- Waste remained on the grate while the plant was closed (JMCC)
- Was DCC aware that the non compliance notices issued & how are non compliance notices published. The non compliance notices should have been brought to the attention of the Committee by DCC. This committee needs to hear what Mr. McCarthy has to say on these issues (events) (MM)
- What was the client representative observing during these failings / non compliances during start up. (JMCC)

- Where are the reports from Covanta, DCC Management, CDM Smith and Exova on commissioning / start up. (JMCC)

James Nolan and Dick Brady responded

- The statutory body (EPA) has not responded in relation to the 3 events (JN)
- We are drawing conclusions from submissions made to the EPA, the EPA has not responded to the submissions yet (DB)
- The documents are with the statutory authorities who will be examining all of the issues. (DB)
- It is premature for this committee to arrive at a conclusion before the statutory authorities issue their reports (DB)
- DCC was aware of the root cause analysis report but not aware of the non compliance notices that issued (JN)
- James Nolan to revert on how non compliance notices are published
- There are time frames for the CDM etc, reports. This has been discussed previously. CR report is based on a performance demonstration test which is to be carried out over a 30 day period. The 30 day period has not commenced. The report will issue to the committee when completed. (JN)
- In relation to the Exova report there is a commissioning process with the CEMS system in the plant. There are guidelines from the EPA in respect of the CEMS. The facility has to be operational for a period of time and then the in stack testing is undertaken by Exova, this has not taken place yet so the report can't issue. (JN)

Mr. Brady referred to the email from Mr. McCarthy in relation to outstanding items.

- Report on CEMS commissioning process – This process is set out in the document that was sent to members
- Copy of Departmental Guidelines on the payment to the Chair of the CGF Committee. – A report issued the meeting held on 5<sup>th</sup> April 2017.
- Detailed technical commissioning plan for the incinerator – A report issued the meeting held on 5<sup>th</sup> April 2017.
- Paper on how powdered activated carbon is managed, monitored and controlled to include the planned dosages – Dealt with earlier on at this meeting, for further report.
- Client representatives report – James covered this at this meeting
- Laboratory Testing protocol – Explanation given earlier
- Exova Protocol – Issued at the meeting held on 26<sup>th</sup> April 2017. This document was not finalised and agreed with the EPA. Protocol will issue to the committee when completed
- Covanta website to make available all correspondence with the EPA – This is not a requirement of the licence granted.
- Single timeline of the phases of commissioning for all audiences – DCC has specific requirement for the CR team to report on. In relation to the phases and timelines, the commissioning plan was issued to the committee in February 2017
- A clear and unambiguous report on the handling and storage of fly / bottom ash - A report issued at the meeting held on 5<sup>th</sup> April 2017.
- Copy of the fire safety plan for the incinerator – This was dealt with earlier

Mr. Joe McCarthy responded

- The Environment SPC is charged with oversight of the project and sufficiently detailed information should be provided to fulfil this role.
- The Capita report recommended that there should be frank disclosure of project information, interaction between CDM smith & Management, Covanta and the EPA, this is not being provided.
- For example the fire safety plan, what was issued to the Committee was a copy of a generic fire safety plan for Dublin and not the fire safety plan for the incinerator.
- The Exova protocol was a generic protocol and not specific to the plant
- The material that the committee is given is not issued with a reasonable time for consideration.

Councillor Naoise Ó'Muirí advised that all material is being pursued and it distributed when as soon as it arrives in all cases.

Mr. Brady responded

- There is an impression being given that information is not being given to the committee. He read through a list of 10 or 12 items outstanding and the vast majority of what was sought issued to in report form, in some instances a number of months ago.
- Other elements of reports sought, explanations have been given as to why reports are not available.
- It is not DCC's intention to withhold information from this committee.

**Order: Noted –Follow up actions – Details of non compliance notices and how they are published. Sequence of events when the lime leak occurred. The EPA to be invited to present on the 3 non compliance events.**

#### 11. Community Gain Grant information and report

Mr. Vincent advised the committee that the Community Gain Liaison Committee agreed to furnish details of grants awarded as set out in the report that was circulated.

**Order: Report Noted.**

#### 12. Draft River Basement Management Plan 2018-2021

Gerry O'Connell, Engineer in charge, Flood Defence Unit, presented to the Committee on the Draft River Basement Management Plan 2018-2021 and outlined the purpose of the plan and made the following points

- Bring rivers, lakes & tidal estuaries to a good ecological status
- Address pressures on Water Quality
- There will be significant public consultation
- Despite significant investment there is still some way to go to achieve a good ecological status
- 45% of rivers & 55% of lakes are less than good status
- Pressures on achieving good status include Agriculture, Forestry, and Industry etc.
- The quality in Ireland is comparable with other EU members
- It is hoped that the RBMP will be adopted by December 2017.

The role of the Local Authority (DCC) is

- Coordinate delivery of measures at regional and local level
- Tracking progress and effectiveness of measures
- Annual reporting of progress
- Ensuring public and stakeholder engagement in implementation
- Integrated approach across functional areas
- Supporting national policy development and implementation

Gerry further explained

- Gerry's office will be making submissions on the plan.
- 7 rivers are in DCC's administrative area with most being of moderate to poor status
- Most of the coastal areas in DCC's area are of good status.
- Estuaries are of moderate status
- Ground waters are of good status

Members thanked Gerry for his presentation and raised the following questions

- Is Dublin City Council the lead Authority in relation to the Liffey, what can be done in terms of its perceived low quality. (NOM)
- Can we have more information on LAWCO, what do they actually do and how would community groups engage with LAWCO (RM)
- In relation to the Poddle river, could we have an overview on what is planned (MM)

Gerry O'Connell responded

- Each Local Authority is responsible for its own area; the problem with the Liffey is that much of the damage occurs upstream.
- The major threats on the Liffey are agriculture, discharges from wastewater treatment plants and combined sewer overflows it is hoped a reasonable standard will be reached by 2020
- LAWCO will be in contact with the Area Offices to get details of residents associations with a view to bringing an awareness of the plan and to try to get linkages between various bodies (state) and people
- Each river will have a plan and as the plan is developed LAWCO will endeavour to keep community involvement.
- LAWCO can advise on sourcing funding.
- The Poddle is generally underground in the City, there will be a plan for the river that will focus on the parts of the river that are visible which are mainly in the administrative area of South Dublin. The plan is to get the water quality up to good status.

**Order: Presentation Noted**

### 13. Naniken River Flooding Event report

Cllr O'Moore queried if any measures have been explored to avoid / reduce the risk of the flooding on the Clontarf Road.



Gerry O'Connell advised that meetings will be held with the Parks Department to explore options to reduce the risk of flooding.

**Order: Report Noted**

14. Climate Change Strategy update report.

Dr. Gerry Wardell gave a verbal update to the Committee on the progress of the Climate Change Strategy for Dublin

- The Strategy will cover the 4 Dublin Local Authorities
- The strategy was agreed by the SPC and the City Council in 2016.
- 4 Action Plans are currently being developed
- CODEMA has recruited an additional 3 staff to assist the action plan preparation
- Local Authority staff from the various disciplines in partnership with CODEMA is developing actions that are currently being carried out.
- The technical staff for the 4 DLA's are having a workshop (tomorrow) to share expertise and identify gaps. A further workshop will be held in September.
- The staff in Dublin City Council are putting in a huge effort.
- A skeleton action plan should be ready for the November SPC.
- A joint meeting of the 4 DLA's Environment SPC is to be held

**Order: Report Noted.**

15. A.O.B.

Councillor O'Moore raised the issue of the introduction of the pay by weight waste charges and made the following points.

- The previous government committed to introducing a waiver scheme for low income families/ families with disabilities – This did not happen
- The Minister does have the authority to set prices as the industry has been privatised
- We need to see a reduction in waste produced by industry
- Elderly people are being forced by waste operators to conduct their business on line.
- Something will have to be done such as a waiver for those on medical cards.

**Order: Noted**

**In attendance**

**Members**

Councillor Claire Byrne

Councillor Ciaran Cuffe

Councillor Andrew Keegan

Joe McCarthy, An Taisce

Robert Moss, Dublin City PPN

Councillor Michael Mullooly

Councillor Ciaran O'Moore

Councillor Naoise Ó'Muirí

**Apologies**

Robert Colleran, Dublin Docklands Business Forum

William Brennan, Dublin City PPN

Councillor Mannix Flynn

Councillor Edel Moran

**Absent**

Councillor Declan Flanagan

Councillor Michael O'Brien

**Outside bodies**

Dr. Gerry Wardell, CODEMA

**Officials**

Dick Brady, Assistant Chief Executive

Vincent Norton, Executive Manager

James Nolan, Project Engineer

Gerry O'Connell, Senior executive Engineer

Ciaran McGoldrick, A/Senior Staff Officer

Mary O'Meara, Staff Officer

Owen Sweeney, Staff Officer

**Councillor Naoise Ó'Muirí**  
**Chairperson, 29<sup>th</sup> June 2017.**