

**Noeleen Keavey**

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**Subject:** FW: Clashford Recovery WMP 2005/25  
**Attachments:** Signed S55 Issued.pdf; Cover letter for S55.pdf

**From:** James McCaldin [<mailto:james.mccaldin@meathcoco.ie>]  
**Sent:** 30 March 2017 13:33  
**To:** Ewa Babiarczyk <[E.Babiarczyk@epa.ie](mailto:E.Babiarczyk@epa.ie)>  
**Cc:** Brian Meaney <[B.Meaney@epa.ie](mailto:B.Meaney@epa.ie)>  
**Subject:** Clashford Recovery WMP 2005/25

Hi Ewa,

As requested, I am keeping you informed. The cover letter and notice attached has been posted to Larry Kiernan, PH.

Regards,

James.

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## **MEATH COUNTY COUNCIL**

### **Notice under Section 55 of the Waste Management Act, 1996 as amended.**

**Mr Larry Kiernan  
Larry Kiernan Plant Hire & Civil Engineering  
Grougha,  
Ring Commons,  
Balbriggan,  
Co. Dublin**

1. Whereas it appears to Meath County Council that it is necessary to require measures to be taken by you to prevent or limit environmental pollution caused or likely to be caused at **Clashford Recovery Facility Limited, Ring Commons, Naul, Co. Meath, Folio Numbers: MH32513F, MH18808F, & MH30460F** in the townland of Naul, Co. Meath.
2. The measures which appear to Meath County Council to be necessary in order to prevent such environmental pollution are as set out on the Schedule overleaf.
3. Representations regarding the terms of this Notice may be made by you to The Administrative Officer, Environment Section, Meath County Council, County Hall, Railway Street, Navan, Co. Meath within 14 (Fourteen) days from the date of this Notice and the Council may, after consideration of any such representations, amend a provision of the Notice, or may confirm or revoke the Notice and inform you of such amendment, confirmation or revocation. You are advised to engage professional services for consultancy advice in this matter.

#### **Note**

4. Where notice under this Section is not complied within the period specified in the Notice the person on whom it was served shall be guilty of an offence and Meath County Council may take such steps as to secure compliance with the Notice, and may recover any expense thereby incurred as a simple contract debt in any court of competent jurisdiction.

**Environment Order No. AO2789/2017**

<u>Measures to be taken</u>	<u>Date to be Complied by:</u>
1. Cease importation of waste on lands at Clashford Recovery, Naul, Co. Meath also as defined by WMP 2005/25	10 <sup>th</sup> May 2017
2. Close and secure Waste Facility WMP 2005/25 at your property located at Clashford Recovery, Naul, Co. Meath.	10 <sup>th</sup> May 2017
3. Ensure additional borehole is formed to South section of Folio MH30460F as agreed on site by EPA/ Meath County Council staff with Permit Holder. Take water samples & submit results to Environment Office, Meath County Council.	10 <sup>th</sup> May 2017
4. Form access to attenuation pond as as agreed on site by EPA/ Meath County Council staff with Permit Holder.	10 <sup>th</sup> May 2017

SIGNED:

  
 APPROVED OFFICER

DATE:

29<sup>th</sup> March 2017

Environment Order No. AO2789/2017



## Comhairle Chontae na Mí

Halla an Chontae, An Uaimh, Co. na Mí, C15 AW81  
Fón: 046 - 9097000 / Fax: 046 - 9097001  
E-mail: customerservice@meathcoco.ie  
Web: www.meath.ie



## Meath County Council

County Hall, Navan, Co. Meath, C15 AW81  
Tel: 046-9097000 / Fax No: 046 - 9097001  
E - Mail: customerservice@meathcoco.ie  
Web: www.meath.ie  
Registration No: 00172770

**Mr Larry Kiernan**  
**Larry Kiernan Plant Hire & Civil Engineering**  
**Grougha**  
**Ring Commons**  
**Balbriggan**  
**Co. Dublin**

**Environment Department**

**Our Ref: WM20/2017**

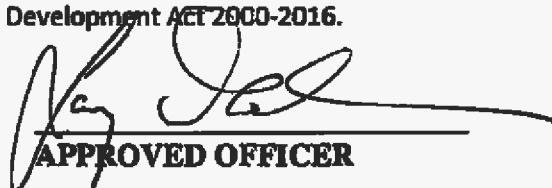
**29<sup>th</sup> March 2017**

Dear Mr Kiernan,

Following inspections by Waste Enforcement Officers at your premises at Clashford Recovery Facility Limited, Ring Commons, Naul, Co. Meath, please see below which forms the basis of the attached Notice under Section 55 of the Waste Management Act, 1996 as amended.

- There is no record of planning permission for the recovery of waste for these lands. A recent planning application has been granted under AA 161106 which permits the development of a hay and straw barn, machinery storage shed, horse stables, dung shed and soiled water tank to the north east of the site.
- The legal status of the waste recovery works carried out to date, the development is unauthorised.
- The recovery of these lands constitutes development and requires planning permission in accordance with Section 3 of the Planning and Development Act 2000 -2016.
- In addition to the requirement for planning permission, the nature and extent of works carried out to date also trigger the requirement for EIA. Having regard to the information provided it is known that the volume of material recovered to date has been in excess of 25,000 tonnes per annum. Under Schedule 5 (11) (b) of the Planning and Development Regulations 2001-2015, EIA is required for 'installations for the disposal of waste with an annual intake greater than 25,000 tonnes.'
- Permit Holder shall require retrospective planning permission. Retrospective planning permission for developments requiring EIA *cannot* be determined by Meath County Council (the Local Authority) under Section 177(b) of the Planning and Development Act 2000-2016, the owner or person operating the lands shall be notified as part of any notice that they must apply to An Bord Pleanála for substitute consent.
- Permit Holder was advised of the requirement to apply for substitute consent under the Planning and Development Act 2000-2016.

**SIGNED:**

  
**APPROVED OFFICER**

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