

From: Ken Kavanagh <Kkavanagh@kildarecoco.ie>
Sent: Monday 1 March 2021 13:11
To: Licensing Staff <licensing@epa.ie>
Cc: Ciara Corrigan <Ccorrigan@kildarecoco.ie>; Colm Flynn <CFlynn@kildarecoco.ie>; Neil Gallagher <Ngallagher@kildarecoco.ie>
Subject: Dunlavin Land Restoration Waste Licence Application - Ref No: W0309-01

**For Attn of Environmental Licensing Programme, Office of Environmental Sustainability,
Environmental Protection Agency, Johnstown Castle Estate, Co. Wexford**

Ref : Dunlavin Land Restoration Limited, c/o Maguire Haulage Ltd. At Usk, Kilcullen, Kildare, W91 NY24
- Reference No: W0309-01

Observations in relation to Waste Licence application W0309 from Kildare County Council's Environment Dept are attached.

Regards

From: Ciara Corrigan <Ccorrigan@kildarecoco.ie>
Sent: Monday 1 March 2021 09:56
To: Colm Flynn <CFlynn@kildarecoco.ie>
Subject: Reply to EPA re Dunlavin Land Restoration Waste Licence Application

Hi Colm,

Please find attached proposed submission to the EPA re Dunlavin Land Restoration Ltd Waste Licence Application.

Kind Regards,

Ciara

Tá an ríomhphost seo príobháideach agus ní ceadmhach úsáid an ríomhphoist seo d'éinne ach don té ar seoladh chuige é. D'fhéadfadh go mbeadh eolas ann atá faoi phribhléid agus rúnda de réir an dlí. Munar duit an ríomhphost seo, déan teagmháil leis an seoltóir chomh luath agus is féidir. D'fhéadfadh nach iad tuairimí Chomhairle Contae Chill Dara na tuairimí atá curtha in iúl sa ríomhphost seo. Déanann Comhairle Contae Chill Dara iarracht ríomhphoist a chosaint ó víris. Mar sin féin, moltar duit gach ríomhphost a scanadh, mar ní ghlacann an Chomhairle aon dliteanas i leith damáiste do do chórais. Le haghaidh eolas ar do chearta príobháideachta agus ar conas a bhainistímid sonraí pearsanta, logáil isteach ar <http://kildare.ie/CountyCouncil/YourCouncil/GovernanceandCompliance/DataProtection/> Chun do chuid sonraí pearsanta a nuashonrú cuir ríomhphost chugainn ag customercare@kildarecoco.ie Caithfidh tú deis a thógáil don Chomhairle cé thú féin a chinntiú trí cruthúnas céannachta agus/nó seoladh a sholáthar, sula ndéanaimid aon athruithe.

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Date: 1st March 2021

Report to: licensing@epa.ie

Environmental Licensing Programme, Office of Environmental Sustainability, Environmental Protection Agency, Johnstown Castle Estate, Co. Wexford

Applicant: Dunlavin Land Restoration Ltd C/O Maguire Haulage Ltd

Location: Usk, Kilcullen, Co. Kildare, W91 NY24

Re: Observations in relation to Waste Licence application W0309-01, Dunlavin Land Restoration Limited C/O Maguire Haulage Ltd, for the recovery of inert soil and stone for restoration of the site at Usk, Kilcullen Co. Kildare.

Please note the following observations in relation to the **Dunlavin Land Restoration Limited C/O Maguire Haulage Ltd.**, Waste Licence Application, Ref No. WO308-01:

In 2017 one of the landowners of the quarry at Usk, Kilcullen, Co. Kildare engaged a haulier to bring subsoil/clay into his site. The site did not have any waste authorisation.

A Waste Enforcement officer from Kildare County Council inspected the site and found that waste was being dumped in the north west side of the quarry in Usk. The area of the site was approximately 3 acres. The landowner and haulier attempted to cover up the illegally deposited waste on the site by covering it with subsoil. Kildare County Council issued a Section 55 Notice on the landowner; however, the landowner did not comply.

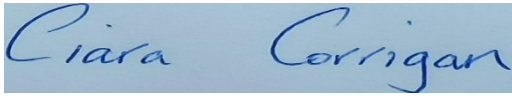
Kildare County Council instructed that trial holes be dug at the site. The Waste Enforcement Officer found that the site was filled with mixed waste.

Legal action was taken against the landowner under Section 32, 39 and 55 of the Waste Management Act 1996, as amended. The court ruled in favour of Kildare County Council and the landowner was found guilty under Section 32, 39 and Section 55 of the Waste Management Act 1996, as amended.

In 2018 Maguire Haulage Ltd removed all the illegally deposited waste from the site and brought the waste to an authorised facility. Documentary proof was provided showing the waste went to an authorised facility. The case was closed.

Aside from the above incident of unauthorized waste activity on this site, Kildare County Council Env Dept have no concerns regarding the proposed development. We are

satisfied that the general operation of the development will be suitably covered under the conditions imposed under the grant of planning permission 19/949 to the same party.

Signed: 

Date:01/03/2021

Ciara Corrigan, A.E.S.



Colm Flynn, Senior Executive Engineer

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SEE