

Ms Nichola McNamee
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25th January 2005

17-3

re: Proposed extension to the Gortadroma Landfill facility, Co. Limerick

Dear Ms McNamee,

I am to refer to your letter dated 5th January 2005 requesting the observations of the Agency in respect of the above planning application. The development comprises;

- An extension to the existing landfill facility (WL 17-2) at Gortadroma, Ballyhahill, Co. Limerick.

The Agency has received an application and an EIS in relation to this development from Limerick County Council. The development will require a review of the existing waste licence (WL 17-2) in accordance with the Waste Management Acts 1996 to 2003.

The application is currently under assessment and the decision by the Board of the Agency will be forthcoming in due course.

Section 40(4) of the Waste Management Act mandates, *inter alia*, that:

The Agency shall not grant a waste licence unless it is satisfied that—

- (a) *any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment,*
- (b) *the activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,*
- (c) *the best available technology not entailing excessive costs will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,*
- (d) *if the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,*



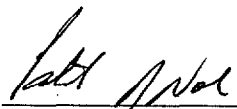
All matters to do with environmental emissions from the activities as detailed in the EIS and licence application documentation will be considered and assessed by the Agency, including the issue of surface water run-off impacting on the stream system in the area surrounding the facility. Where the Agency is of the opinion that the activities cannot be carried on, or conditioned under a review licence, to the extent that permits compliance with a reasonable burden of proof for Section 40(4) of the WMA 1996, then it is debarred from granting a revised licence for such a revised activity. Should the Agency decide to grant a revised licence, it will incorporate conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) will be used in the carrying on of the licensed activities.

With the exemption of the matters detailed above the suitability of the general geographical location of a landfill facility is a matter for An Bord Pleanála.

I am to advise that the general site location is a matter that was considered by the Agency in determining the original waste licence application for which a licence was granted. The Agency is currently considering the licence review application at this time and the proposed areas for extension will be determined for suitability through the licensing procedure. The Agency will assess site suitability with regard to abatement, treatment and control of potential environmental impacts associated with emissions and ensure that appropriate standards are applied. Subject to a licence being granted for the proposed extension the construction site development works will be regulated through licence conditions. The potential for contamination of surface waters during the construction will be considered during the application process and shall be assessed and regulated should a licence be granted for the facility.

I trust this assurance in relation to emission aspects of the waste facility in question as documented in the application documentation and the EIS report submitted, satisfies your requirements at this time. The Agency will inform you in relation to any decision it may make in relation to the application currently before it.

Yours sincerely,



Patrick J Nolan



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Mr. Eoghan Brangan,
Department of Environment &
Local Government,
Custom House,
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6 July 2004

Reg. No. 17-3


Re: Application for a review of a waste licence – Limerick County Council, at a facility located at Gortadroma Landfill Site, Gortadroma, Ballyhahill, Co. Limerick.

Dear Mr. Brangan,

I am to refer to an application for a review of a waste licence, received on 02/07/2004 from Limerick County Council, for a facility/premises located at Gortadroma Landfill Site, Gortadroma, Ballyhahill, Co. Limerick, Reg. No. 17-3.

Please find attached for your information a copy of the Environmental Impact Statement, which accompanied the application.

Yours sincerely,



Ann Bosley

**Programme Officer,
Office of Licensing & Guidance**

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Guardians of the Environment