

Headquarters,
P.O. Box 3000,
Johnstown Castle Estate
County Wexford, Ireland

WASTE LICENCE
PROPOSED DECISION

Waste Licence	110-1
Register Number:	
Applicant:	Peat Ash Limited
Location of Facility:	Cloniffeen, Shannonbridge, Co. Offaly

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Reasons for the Decision

The Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence any emissions from the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Act, 1996.

In reaching this decision the Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

Part I Activities Licensed

In pursuance of the powers conferred on it by the Waste Management Act, 1996, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Act to grant this Waste Licence to Peat Ash Limited, 27 Lower Fitzwilliam St., Dublin 2 to carry on the waste activity listed below at Cloniffeen, Shannonbridge, Co. Offaly subject to eleven conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence.

Licensed waste disposal activities, in accordance with the Third Schedule of the Waste Management Act, 1996

Class 1: Deposit on, in or under land (including landfill).

This activity is limited to the deposition of pond ash from the existing ash ponds at the ESB power station in Shannonbridge, Co.Offaly and the deposition of agreed development/restoration materials.

INTERPRETATION

Act	The Waste Management Act, 1996 (No. 10 of 1996).
Adequate lighting	20 lux measured at ground level.
Agreement	Agreement in writing.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of the waste licence application.
Application	The application by the licensee for this waste licence, including any other material submitted to the Agency in writing by the licensee between the date of the application and the date of grant of this licence.
Appropriate facility	A waste management facility, duly authorised under relevant law and technically suitable.
Ash ponds	Ponds which are enclosed by embankments and to which an ash slurry is pumped.
Condition	A condition of this licence. In any case where this licence refers to a numbered condition, the reference shall be taken to mean the condition and any sub-condition therein which the context of the reference requires that reference is made to
Containment boom	A boom which can contain spillages and prevent these from entering drains or watercourses.
Cover material	Peat harvested from the facility, clay sourced within the facility or other cover material the use of which has been subject to a proposal made by the licensee and agreed by the Agency.
Daytime	8.00 a.m. to 10.00 p.m.
Documentation	Any report, record, result, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence
Drawing	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
Emission	As defined in Section 5 (1) of the Act.
Emission Limit Value	Those limits, including concentration limits and deposition levels established in Schedule F.
Environmental Pollution	As defined in Section 5 (1) of the Act.
ESB	Electricity Supply Board
Facility	That area or areas defined under Condition 1.2

Hazardous Waste	As defined in Section 4 (2) of the Act.
Incident	Any reference to an incident in this licence means an incident as defined in Condition 3.1.
Landfill	As defined in Section 5 (1) of the Act.
Leachate	Any liquid percolating through the deposited waste and emitted from or contained within a landfill as defined in Section 5 (1) of the Act.
Licence	A Waste Licence issued in accordance with the Act.
Licensee	Peat Ash Limited, 27 Lower Fitzwilliam St., Dublin 2.
Liquid Waste	Any waste in liquid form and containing less than 20% dry matter
Local Authority	Offaly County Council
Maintain	Keep in a fit state, including such regular inspection, servicing and repair as may be necessary to adequately perform its function.
Monthly	At least 12 times per year, at approximately monthly intervals.
Night-time	10.00 p.m. to 8.00 a.m.
Non-hazardous waste	Non-Hazardous Waste is any waste which is not a hazardous waste as defined in the Act.
Pond ash	The settled ash remaining in the ash ponds after the supernatant has been taken off.
Quarterly	A period of three calendar months, the first period of which commences on the date of grant of this licence
Recovery	As defined in Section 4 (4) of the Act.
Sample(s)	Unless the context of this licence indicates to the contrary, samples shall include measurements by electronic instruments
Sludge	The accumulation of solids resulting from chemical coagulation, flocculation and/or sedimentation after water or wastewater treatment with between 2% and 14% dry matter.
Specified Emissions	Those emissions listed in Schedule F: Emission Limits of this licence.
Specified Engineering Works	Those engineering works listed in Schedule D: Specified Engineering Works of this licence.
Submit	Unless the context of this licence indicates otherwise, submit in writing to the Agency for its agreement
Waste	As defined in Section 4(1) of the Act.
Waste disposal activity	Includes the activities referred to in Section 4 of the Act and listed in the Third Schedule thereto.

Working Day	8.00 a.m. to 6.00 p.m. Monday to Friday.
Working Face	The area of the site in which waste other than cover material or material for the purposes of the construction of specified engineering works is being deposited.

Part II CONDITIONS

CONDITION 1 SCOPE

- 1.1. Waste activities at the facility shall be restricted to those listed and described in Part I: Activities Licensed and required by the licence.
- 1.2. Waste activities shall be restricted to the area of land outlined in blue on Drawing No. P004B820-DI-024 and entitled 'Ownership Plan' of the application. Any reference in this licence to "facility" shall mean the area thus outlined in blue.
- 1.3. Every plan, programme or proposal submitted to the Agency for its agreement pursuant to any condition of this licence shall include a proposed timescale for its implementation. The Agency may modify or alter any such plan, programme or proposal in so far as it considers such modification or alteration to be necessary. Every plan, programme or proposal shall be carried out within the timescale fixed by the Agency but shall not be undertaken without the agreement of the Agency.
- 1.4. This licence is for the purposes of waste licensing under the Waste Management Act 1996 only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.
- 1.5. Where the Agency considers that a non-compliance with the Conditions of this licence has occurred, it may serve a notice on the licensee specifying:
 - a) that only those wastes as specified, if any, in the notice are to be accepted at the facility after the date set down in the notice;
 - b) that the licensee shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within the time-scale contained in the notice; and,
 - c) that the licensee shall carry out any other requirement specified in the notice.

When the notice has been complied with, the licensee shall provide written confirmation that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written confirmation is received from the Agency that the notice is withdrawn.

Reason: *To clarify the scope of this licence.*

CONDITION 2 MANAGEMENT OF THE ACTIVITY

2.1 Environmental Management System

2.1.1 The licensee shall within eighteen months from the date of grant of this licence, submit to the Agency for its agreement a proposal for a documented Environmental Management System (EMS) for the facility. Following the agreement of the Agency, the licensee shall establish and maintain such a system. The EMS shall be updated on an annual basis with amendments being submitted to the Agency for its agreement.

2.1.2 The EMS shall include as a minimum those elements specified in the Conditions 2.2 to 2.7 below:

2.2 Schedule of Environmental Objectives and Targets

2.2.1 The licensee shall, within twelve months from the date of grant of this licence, submit to the Agency for its agreement a Schedule of Objectives and Targets. The objectives should be specific and the targets measurable.

2.2.2 The Schedule shall address a five year period as a minimum and shall be reviewed and submitted annually to the Agency for its agreement.

2.3 Environmental Management Programme

2.3.1 The licensee shall, within twelve months from the date of grant of this licence, submit to the Agency for its agreement an Environmental Management Programme (EMP). The EMP shall include a time-scale for achieving the Schedule of Objectives and Targets and shall comply with any other guidance issued by the Agency.

2.3.2 The EMP shall include, as a minimum, the information specified in Schedule B: Content of the Environmental Management Programme. The EMP shall be reviewed and submitted to the Agency for its agreement annually.

2.4 Corrective Action

2.4.1 Prior to the date of commencement of the licensed activity, the licensee shall establish and maintain written Corrective Action Procedures to ensure that corrective action is taken should specified requirements to this licence not be fulfilled.

2.5 Awareness and Training

2.5.1 Prior to the date of commencement of the licensed activity, the licensee shall establish and maintain Awareness and Training Procedures for identifying training needs and for providing appropriate training, for personnel whose work is related to the licensed facility. Written records of training shall be maintained.

2.6 Management Structure

2.6.1 At least three months prior to the date of commencement of the licensed activity, the licensee shall submit written details of the management structure of the facility for the agreement of the Agency. Any proposed changes in the management structure shall be submitted in writing to the Agency for its

agreement. Written details of the management structure shall include the following information:

- a) the names of all persons who are to provide the management and supervision of the waste activities authorised by the licence;
- b) details of the responsibilities for each individual named under a) above;
- c) details of the relevant experience, competence and qualifications held by each of the persons nominated under a) above; and
- d) contingency arrangements for the absences of the named persons from the facility.

2.7 Communications

2.7.1 At least three months prior to the date of commencement of the licensed activity, the licensee shall submit to the Agency for its agreement a Communications Programme to ensure that members of the public can obtain information concerning the environmental performance of the facility at all reasonable times.

2.8 Annual Environmental Report

2.8.1 The licensee shall submit to the Agency for its agreement, within thirteen months from the date of grant of this licence, and within one month of the end of each year thereafter, an Annual Environmental Report (AER).

2.8.2 The AER shall include as a minimum the information specified in Schedule B: Content of Annual Environmental Report and shall be prepared in accordance with any relevant written guidance issued by the Agency.

2.9 The licensee shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a suitably qualified and experienced deputy, shall be present at all times during the operation of the facility.

2.10 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and/or experience, as required and shall be aware of the requirements of this licence.

Reason: *To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.*

CONDITION 3 NOTIFICATION AND RECORD KEEPING

3.1 The licensee shall make written records of the following incidents:

- a) any nuisance caused by the activity
- b) any emission which does not comply with the requirements of this licence;
- c) any trigger level specified in this licence which is attained or exceeded;

- d) any indication that environmental pollution has, or may have, taken place; and
 - e) any emergency.
- 3.2 The written record shall include all aspects described in Condition 10.6(a-e).
- 3.3 Unless otherwise instructed in writing by the Agency, the licensee shall:
- a) notify the Agency as soon as practicable and in any case not later than 10.00 am the following working day after the occurrence of any incident;
 - b) submit the written record required by this condition to the Agency as soon as practicable and in any case within five working days after the occurrence of any incident; and
 - c) in the event of any incident which relates to discharges to surface water, notify the Local Authority and the Shannon Regional Fisheries Board as soon as practicable and in any case not later than 10:00am on the following working day after such an incident.
- 3.4 Should any further actions be taken after the date of written notification, as a result of an incident occurring, the licensee shall forward a written report of those actions to the Agency as soon as practicable and no later than ten days after the initiation of those actions.
- 3.5 Unless otherwise agreed by the Agency, all documentation submitted to the Agency shall:
- (a) be sent to the Agency's headquarters;
 - (b) comprise one original and three copies;
 - (c) be formatted in accordance with any written instruction or guidance issued by the Agency;
 - (d) include whatever information as is specified in writing by the Agency;
 - (e) be identified by a unique code, indicate any modification or amendment, and be correctly dated to reflect any such modification or amendment;
 - (f) be submitted in accordance to the relevant reporting frequencies specified by this licence; and
 - (g) in the case of results of any environmental monitoring, be accompanied by a written interpretation setting out their significance.
- 3.6 Copies of all environmental monitoring data obtained by the licensee which relates to the facility shall be forwarded to the Agency at the frequencies set out in Schedule C: Recording and Reporting to the Agency of this licence.
- 3.7 Unless otherwise agreed with the Agency, all documentation and records required to be made under this licence, shall be retained by the licensee.
- 3.8 The licensee shall provide additional copies of any documentation and records referred to in this licence to the Agency upon written request, within the time specified in writing by the Agency.
- 3.9 The licensee shall keep the following documents at the facility office referred to in Condition 4.6.
- a) the current waste licence relating to the facility;

- b) the current EMS for the facility;
 - c) the previous year's AER for the facility;
 - d) all written procedures produced by the licensee which relate to the licensed activities.
- 3.10 The licensee shall maintain a written record for each load of waste arriving at the facility. The licensee shall record the following:
- a) the name of the carrier;
 - b) the vehicle registration number;
 - c) a description of the waste;
 - d) the quantity of the waste, recorded in tonnes;
 - e) the name of the person checking the load; and,
 - f) where loads or wastes are removed or rejected, details of the date of occurrence, the types of waste and the facility to which they were removed.
- 3.11 The licensee shall maintain a written record of the type and quantity, recorded in tonnes, of all wastes disposed of at the facility.
- 3.12 The licensee shall maintain a written record of all complaints relating to the operation of the activity. Each such record shall give details of the following:
- a) date and time of the complaint;
 - b) the name of the complainant;
 - c) details of the nature of the complaint;
 - d) actions taken on foot of the complaint and the results of such actions; and,
 - e) the response made to each complainant.

Reason : *To provide for the notification of incidents, to update information on the activity and to provide for the keeping of records.*

CONDITION 4 SITE INFRASTRUCTURE

- 4.1 The licensee shall establish all infrastructure referred to in this licence prior to the commencement of the licensed activities or as instructed by the Agency.
- 4.2 Site Notice Board
- 4.2.1 Prior to the date of commencement of the licensed activity, the licensee shall provide and maintain a Site Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the identification board shall be 1200 mm by 750 mm.
- 4.2.2 The board shall clearly show:
- a) the name and telephone number of the facility;
 - b) the normal hours of opening;
 - c) the name, address and telephone number of the licence holder;
 - d) an emergency out of hours contact telephone number;

- e) the name, address and telephone number of the operator of the facility;
- f) the licence reference number;
- g) where and when environmental monitoring information relating to the facility can be obtained.

4.3 Site Security

4.3.1 Prior to the date of commencement of the licensed activity, security gates and palisade fencing shall be erected at the landfill entrance and security fencing shall be provided along the access roads as shown in Drawing No. P004B820-DI-005 entitled 'Road and Site Entrance Layout'. In addition and prior to the commencement of the licensed activity, the licensee shall provide security fencing around the perimeter of the entire facility of a type consisting of wooden post and chain-link fencing. The specifications for the security gates, palisade fencing, access road security fencing and wooden post and chain-link fencing shall be as specified in Drawing No. P004B820-DI-019.

4.3.2 The licensee shall remedy any defect in the gates and/or fencing as follows:

- a) a temporary repair shall be made by the end of the working day; and,
- b) a repair to the standard of the original gates and/or fencing shall be undertaken within three working days or as otherwise agreed with the Agency.

4.3.3 Gates shall be locked shut when the facility is unsupervised.

4.4 Facility Access

4.4.1 Unless otherwise agreed with the Agency, all waste materials permitted to be accepted at this facility under this licence shall be transported via the existing site roads at the Shannonbridge ESB power station, via the disused old Dublin Road, Bord na Mona access road and along the R357 to the disposal site entrance as outlined in Drawing No. P004B820-DI-005 entitled 'Road and Site Entrance Layout'. All plant shall access the facility via the site entrance unless otherwise agreed with the Agency.

4.5 Site Roads

4.5.1 Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.

4.6 The licensee shall provide and maintain an office on the facility, at the location shown in Drawing No. P004B820-DI-002 entitled 'Site Plan'. Unless otherwise agreed with the Agency, the office shall be constructed as shown in Drawing No. P004B820-DI-018 entitled 'Site Office, Wheelwash, Holding lagoon & Road Details' and maintained in a manner suitable for the processing and storing of documentation.

4.7 The licensee shall put in place measures which ensure that the facility manager or a suitably qualified and experienced deputy shall be contactable at all times during the operation of the facility. This shall include the provision and maintenance of a telephone and facsimile at a location agreed with the Agency.

4.8 Fuel Storage

4.8.1 No fuel shall be stored on the facility unless and in accordance with the prior agreement of the Agency.

4.9 Wheelwash

- 4.9.1 The licensee shall establish and maintain a wheelwash at the facility in accordance with the specification shown in Drawing No. P004B820-DI-018 entitled 'Site Office, Wheelwash, Holding lagoon & Road Details'. Unless otherwise agreed with the Agency the location of the wheelwash shall be as shown on Drawing No. P004B820-DI-002 entitled 'Site Plan'.
- 4.9.2 The wheelwash shall be inspected on a daily basis and drained as required. Silt, stones and other accumulated material shall be removed as required from the wheel cleaner and disposed of at the working face or to a skip for removal off-site. Unless otherwise agreed with the Agency, the wheelwash water shall be recycled or drain to the leachate collection system.
- 4.10 The licensee shall provide and use adequate lighting during the operation of the facility in hours of darkness.
- 4.11 Landfill Lining
- 4.11.1. The landfill liner shall be a composite liner consisting of a basal mineral layer of at least 1m in thickness with a permeability of less than or equal to 1×10^{-9} m/s (or equivalent protection as agreed by the Agency) overlain by a 2mm thick high density polyethylene (HDPE) layer. The side walls shall be designed and constructed to achieve an equivalent protection.
- 4.12 Leachate Management
- 4.12.1 The landfill liner shall be overlain by a leachate collection layer. The leachate collection layer shall be installed such that it is at least 50 centimetres deep, that it shall not damage the integrity of the landfill liner, and that it shall be adequately filtered from deposited waste. The collection layer shall have a minimum hydraulic conductivity of 1×10^{-3} metres per second. Leachate collection pipework shall be perforated, smooth bore and laid to a self-cleansing gradient.
- 4.12.2 A leachate storage lagoon shall be lined as per Condition 4.11.1. The leachate lagoon shall be designed so as to preclude back-flooding from the Curraghmore Outfall.
- 4.12.3 A leachate level monitoring point shall be provided in the leachate storage lagoon and at least two leachate monitoring wells shall be provided in each cell located at the lowest point in the leachate collection pipework for that cell.
- 4.12.4 All surface water run-off from an active cell and any leachate generated will be directed to the leachate lagoon.
- 4.12.5 Leachate levels in the waste shall not exceed a level of 1.0m over the HDPE liner at any point.
- 4.12.6 Recirculation of leachate or other contaminated water shall not be undertaken without the prior agreement of the Agency.
- 4.12.7 A minimum freeboard of 0.5m shall be maintained in the leachate storage lagoon at all times.
- 4.12.8 Leachate shall not be tankered/sent off-site without the prior agreement of the Agency.
- 4.13 Surface Water Management
- 4.13.1 Prior to the date of commencement of the licensed activity drainage ditches in the surrounding peatlands will be closed off and/or diverted such that surface water ingress to the ash disposal area is minimised.

4.14 Groundwater Management

4.14.1 At least one month prior to the commencement of the licensed activity, the licensee shall install a groundwater management system agreed by the Agency to minimise groundwater ingress to the facility.

4.14.2 At least one month prior to the commencement of the licensed activity, the licensee shall provide and install a groundwater monitoring borehole downgradient of the proposed landfill between BH1 and BH2 as shown on Drawing No. P004B820-DI-007 entitled 'Boreholes, Trial pits, Ground & Surface Water Monitoring Points'. The location of this borehole shall have the prior agreement of the Agency.

4.15 Specified Engineering Works

4.15.1 The licensee shall submit written proposals for all Specified Engineering Works, as defined in Schedule D: Specified Engineering Works, to the Agency for its agreement prior to the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.

4.15.2 All specified engineering works shall be supervised by a competent person(s) agreed in advance by the Agency and that person, or persons, shall be present at all times during which relevant works are being undertaken.

4.15.3 Following the completion of all specified engineering works, the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall include the following information;

- a) a description of the works;
- b) as-built drawings of the works;
- c) records and results of all tests carried out (including failures);
- d) where relevant a drawing and sections showing the location of all samples and tests carried out;
- e) where relevant daily records sheets/diary;
- f) name(s) of contractor(s)/individual(s) responsible for undertaking the engineering works;
- g) name(s) of individual(s) responsible for supervision of works and for quality assurance validation of works;
- h) records of any problems and the remedial works carried out; and
- i) any other information requested in writing by the Agency.

4.16 The mitigation measures specified in Section K.3 of the Environmental Impact Statement in relation to archaeological features shall be implemented prior to the commencement of the development. This shall include the appointment of an archaeological consultant, the undertaking of a survey of any features within the facility, the establishment of an archaeological monitoring programme and the provision for any follow-up actions/measures. On completion of any developments a report of the results of any archaeological monitoring shall be submitted to Dúchas and copied to the Agency.

4.17 The licensee shall provide and maintain a fixed benchmark referenced in situ to Ordinance Datum prior to the date of commencement of the licensed activity.

4.18 Facility Boundary/Screening Embankment

4.18.1 At least three months prior to the commencement of the licensed activity, the licensee shall submit a proposal for the construction of a screening embankment along the boundary of the site which runs parallel to the regional road R357. This proposal shall make provision for the reuse of materials present at the site and shall also include proposals for the landscaping of the embankment.

Reason: *To provide for the protection of the environment.*

CONDITION 5 WASTE MANAGEMENT

- 5.1. No hazardous wastes or liquid wastes shall be disposed of at the facility.
- 5.2. Other than materials imported to or generated within the facility for development and restoration purposes as agreed with the Agency, only pond ash from the existing ash ponds at the ESB power station in Shannonbridge, Co.Offaly shall be disposed of in the landfill.
- 5.3. Subject to Condition 5.1 and 5.2, only those Waste Types and quantities listed in Schedule G of this licence shall be disposed of in the landfill unless the prior written agreement of the Agency has been obtained.
- 5.4. Waste Acceptance Procedures
 - 5.4.1. Prior to the date of commencement of the licensed activity, the licensee shall establish and maintain written procedures for the handling of waste.
- 5.5. All wastes shall be checked at the working face to ensure that they comply with the requirements of the licence and a record of such inspections shall be maintained. Any wastes deemed to be in contravention of this licence and/or unsuitable for recovery or disposal at this facility shall be removed for recovery or disposal at an appropriate alternative facility.
- 5.6. The quantity of wastes to be accepted for disposal at the landfill, shall not exceed 100,000 tonnes per annum, unless otherwise agreed in advance with the Agency.
- 5.7. Wastes shall not be deposited in any cell or part of the landfill without the prior agreement of the Agency.
- 5.8. Waste shall only be accepted at the facility between the hours of 8.00 a.m to 6.00 p.m Monday to Friday inclusive unless otherwise agreed in advance with the Agency.
- 5.9. Unless the prior agreement of the Agency is given, the following shall apply at the landfill:
 - a) pond ash shall only be deposited in specially engineered cells, the locations of which are shown on Drawing No. P004B820-DI-002 entitled "Site Plan";
 - b) pond ash deposition shall commence at Cell Number 1 and thereafter move sequentially to Cell Number 7. This cell numbering system is depicted in Drawing No. P004B820-DI-002 entitled "Site Plan".
 - c) there shall be only one active cell at the facility at any one time and only one working face may receive pond ash at any one time;
 - d) all waste deposited at a working face shall be compacted as soon as is practicable and at any rate prior to the end of the working day or the commencement of pond ash deposition in the alternative working face.
 - e) adequate layers of peat (intermediate cover) shall be placed at appropriate depths over the compacted ash material deposited on a working face;
 - f) pond ash shall be deposited in an active cell until the restoration height as agreed with the Agency under Condition 8.1, and allowing for the emplacement of the final capping and/or restoration layer, is achieved;

- g) a temporary cap shall be placed on the active cell if pond ash deposition is to cease for a period exceeding one week or as instructed by the Agency and,
 - h) pond ash shall not be unloaded at the facility during periods of adverse wind conditions.
- 5.10. Any cover material at any location within the facility which is eroded, washed off or otherwise removed shall be replaced by the end of the working day.
- 5.11. A vehicle as agreed with the Agency shall be used for compacting all waste other than that used for restoration or construction purposes.
- 5.12. Wastes once deposited and covered shall not be excavated, disturbed or otherwise picked over without the prior agreement from the Agency.

Reason: *To provide for the acceptance and management of wastes authorised under this waste licence.*

CONDITION 6 ENVIRONMENTAL NUISANCES

- 6.1. The licensee shall, at a minimum of one week intervals, inspect the facility and its immediate surrounds for nuisances. Written records shall be made of all inspections and any actions taken as a result of those inspections.
- 6.2. The road network in the vicinity of the facility shall be kept free from any debris caused by vehicles entering or leaving the facility. Any such debris or deposited materials shall be removed without delay.
- 6.3. Any waste placed on or in the vicinity of the facility, other than in accordance with the requirements of this licence, shall be removed by the licensee immediately and in any event by 10:00am of the next working day, after such waste is discovered. Such waste shall be disposed of at an appropriate facility.
- 6.4. The licensee shall ensure that all vehicles delivering waste to and removing waste and materials from the facility are appropriately covered.
- 6.5. Dust Control
- 6.5.1. In dry weather, site roads and any other areas from which dust is likely to arise shall be sprayed with water as and when required to minimise airborne dust nuisance.
 - 6.5.2. Prior to exiting the facility, all waste vehicles shall use the wheelwash.
- 6.6. The licensee shall ensure that vermin, birds, flies, mud, dust and odours do not give rise to nuisance at the facility or the immediate area of the facility. Any method used by the licensee to control any such nuisance shall not cause environmental pollution or contravene any national statutory protection granted in respect of protected species.
- 6.7. The licensee shall ensure that the temporary storage of restoration and development materials do not give rise to nuisance.

Reason: *To provide for the control of nuisance.*

CONDITION 7 EMISSIONS AND ENVIRONMENTAL IMPACTS

- 7.1. No specified emission from the facility shall exceed the emission limit values set out in Schedule F: Emission Limits of this licence. There shall be no other emissions of environmental significance.
- 7.2. All treatment/abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer. Written records of the calibrations and maintenance shall be made and kept by the licensee.
- 7.3. The licensee shall ensure that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the facility boundary.
- 7.4. There shall be no clearly audible tonal or impulsive component in the noise emissions from the activity measured at noise sensitive locations.
- 7.5. There shall be no direct emissions to groundwater.
- 7.6. Emissions to Surface Water
- 7.6.1. Leachate Storage/Treatment Plant Discharge
- 7.6.1.1. Leachate shall only be discharged from the leachate lagoon/leachate treatment plant to the Curraghmore Outfall when there are at least 100 dilutions available in the receiving water.
- 7.6.1.2. All discharges from the leachate lagoon/leachate treatment plant to the Curraghmore Outfall shall meet the emission limit values specified in Schedule F, Table F.3.
- 7.6.1.3. No substance shall be discharged in a manner, or at a concentration which, following initial dilution causes tainting of fish or shellfish.
- 7.6.2. Surface water run-off from outside active ash disposal areas (but within the facility)
- 7.6.2.1. All discharges from outside the active ash disposal areas (but within the facility) to the Curraghmore Outfall shall meet the emission limit values specified in Schedule F, Table F.4.
- 7.7. Emission limit values for emissions to water in this licence shall be interpreted in the following way:-
- 7.7.1. Non-Continuous monitoring
- 7.7.1.1. Leachate Storage/Treatment Plant Discharge
- No pH value shall deviate from the specified range.
 - For parameters other than flow and pH, eight out of ten consecutive results, calculated as daily mean concentration or mass emission values on the basis of flow proportional composite sampling shall not

exceed the emission limit value. No individual sample shall exceed 1.2 times the emission limit value.

- For parameters other than flow and pH, no grab samples shall exceed the emission limit value.

7.7.1.2. Surface water run-off from outside active ash disposal areas

- Eight out of ten consecutive results, on the basis of 24 hour flow proportional composite sampling, shall not exceed the emission limit value. No individual daily result similarly calculated shall exceed 1.5 times the emission limit value.
- 75% of grab samples for each monitored discharge shall not exceed the emission limit value, and no individual grab sample value shall exceed three times the emission limit value.

Reason: *To control emissions from the facility and provide for the protection of the environment.*

CONDITION 8 RESTORATION AND AFTERCARE

8.1. Restoration and Aftercare Plan

8.1.1. Within three months of the date of commencement of pond ash deposition, the licensee shall submit to the Agency for agreement a Restoration and Aftercare Plan for the facility. The restoration plan shall, inter alia, provide for a method statement for the emplacement of the final capping/restoration layer(s), dust control measures, landscaping plans, seeding, tree planting, the ecological monitoring of restored cells and restoration of the leachate lagoon. In addition, the licensee shall resubmit Drawing No. P004B820-DI-004 entitled 'Final Contours of Landfill Cells' to reflect the revised pre and post settlement (final) landform contours.

8.1.2. The licensee shall update these schemes when required by the Agency. No amendments may be implemented without the written agreement of the Agency.

8.2. Apart from the removal of hedgerow to facilitate the facility entrance, the existing hedgerow network which forms the boundary of the facility shall be retained by the licensee.

8.3. Completed areas of the landfill shall be profiled so that no depressions exist in which water may accumulate. Any depressions arising after profiling shall be rectified by the emplacement of suitable capping or restoration materials.

8.4. No material or object that is incompatible with the proposed restoration of the facility shall be present within one metre of the final soil surface levels.

Reason: *To provide for the restoration and aftercare of the facility.*

CONDITION 9 ENVIRONMENTAL MONITORING

- 9.1. The licensee shall carry out such monitoring and at such locations and frequencies as set out in Schedule E: Monitoring and as specified in the Conditions of this licence. All monitoring, unless otherwise specified in this licence or instructed otherwise by the Agency, shall commence at least one month prior to the date of commencement of the licensed activity.
- 9.2. Prior to the date of commencement of the licensed activity, the licensee shall ensure that the mains water supply is extended to the dwelling located opposite the landfill as described in Section F.3 of the EIS.
- 9.3. At least three months prior to the date of commencement of the licensed activity, the licensee shall submit to the Agency for its agreement a proposal on monitoring of leachate levels within the active cell, the leachate lagoon and any capped cells. The report shall include a drawing showing all leachate monitoring locations. The drawing shall also contain a unique reference number and a twelve figure national grid reference for each monitoring point.
- 9.4. Discharges from the Leachate Lagoon/Leachate Treatment Plant to the Curraghmore Outfall
 - 9.4.1. At least one month prior to the first discharge from the lagoon/leachate treatment plant, the acute toxicity of the undiluted final treated leachate to four aquatic species from different trophic levels shall be determined by standardised and internationally accepted procedures and carried out by a competent laboratory. The testing shall be undertaken by a date agreed with the Agency. Thereafter the two most sensitive trophic levels shall be used for toxicity testing from time to time as agreed by the Agency. A proposal for toxicity testing shall be submitted to the Agency for its agreement at least one month prior to the date of commencement of the licensed activity.
- 9.5. Prior to the commencement of waste activities the licensee shall make arrangements for representative meteorological data to be collated for the facility to fulfil the requirements of Schedule E.4: Meteorological Monitoring.
- 9.6. The licensee shall provide safe and permanent access to all on-site sampling and monitoring points and off-site points as required by the Agency. All ditches and drains located around the perimeter of the facility are to be kept clear such that monitoring can be carried out successfully.
- 9.7. The licensee shall maintain all sampling and monitoring points, and clearly label and name (including national grid number) all sampling and monitoring locations, so that they may be used for representative sampling and monitoring.
- 9.8. Monitoring and analysis equipment shall be operated and maintained in accordance with the manufacturers instructions (if any) so that all monitoring results accurately reflect any emission or discharge or environmental parameter.
- 9.9. The licensee shall amend the frequency, locations, methods and scope of monitoring, sampling, analyses and investigations only upon the written instruction of the Agency and shall provide such information concerning such amendments as may be requested in writing by the Agency. Such alterations shall be carried out within any timescale nominated by the Agency.
- 9.10. Prior to the date of commencement of the licensed activity, the following information shall be submitted to the Agency for its agreement: the names, qualifications and a

summary of relevant experience of all persons that will carry out all sampling and monitoring as required by this licence and who carry out the interpretation of the results of such sampling and monitoring. Any proposed changes to the above shall be submitted in writing to the Agency for its agreement.

- 9.11. A topographical survey of the facility shall be carried out within six months of the date of commencement of pond ash deposition in cell number two. It shall be repeated annually thereafter. The survey shall also assess slope stability and integrity and be in accordance with any written instructions issued by the Agency.
- 9.12. Unless otherwise agreed with the Agency, a biological assessment of the Curraghmore Outfall shall be undertaken on a biannual basis. This assessment shall use appropriate biological methods for the assessment of rivers and streams and shall examine species abundance and diversity. The report shall include a drawing showing the location of monitoring points, each identified by a unique number and a twelve figure grid reference.
- 9.13. Unless otherwise agreed in advance with the Agency, monitoring infrastructure which proves to be unsuitable for its purpose shall be replaced within three months of monitoring results indicating that the monitoring infrastructure is damaged or unsuitable.
- 9.14. Within six months of the date of commencement of the licensed activity, the licensee shall submit to the Agency an updated appropriately scaled drawing(s) showing the location of all the monitoring locations that are stipulated in this licence.

Reason: *To ensure compliance with the requirements of other conditions of this licence by provision of a satisfactory system of measurement and monitoring of emissions.*

CONDITION 10 CONTINGENCY ARRANGEMENTS

- 10.1. The licensee shall, at least three months prior to the date of commencement of the licensed activity, submit a written Emergency Response Procedure (ERP) to the Agency for its agreement. The ERP shall address any emergency situations which may originate on the facility and shall include provision for minimising the effects of any emergency on the environment.
- 10.2. The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be disposed of at an appropriate facility.
- 10.3. All significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.
- 10.4. No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency. Immediate action shall be taken to extinguish it and the appropriate authorities notified.
- 10.5. In the event that monitoring of local wells indicates that the facility is having a significant adverse effect the quantity and/or quality of the water supply this shall be treated as an incident. The licensee shall submit to the Agency for its agreement and within a time specified in writing by the Agency, written proposals for the provision of an alternative supply of water to those affected.
- 10.6. Unless otherwise notified in writing by the Agency, in the event that any monitoring, sampling, complaints or observations indicate that an incident has, or may have, taken place, the licensee shall immediately:

- a) identify the date, time and place of the incident;
- b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission;
- c) isolate the source of the emission;
- d) evaluate the environmental pollution, if any, caused by the incident;
- e) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
- f) provide a proposal to the Agency for its agreement within one month to:
 - i) identify and put in place measures to avoid reoccurrence of the incident; and
 - ii) identify and put in place any other appropriate remedial action.

Reason: *To provide for the protection of the environment.*

CONDITION 11 CHARGES AND FINANCIAL PROVISIONS

11.1 Agency Charges

- 11.1.1 The licensee shall pay to the Agency an annual contribution of £11,006 or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2000 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2000, the licensee shall pay a pro rata amount from the date of this licence to 31st December 2000. This amount shall be paid to the Agency within one month of the date of grant of this licence.
- 11.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased or decreased the licensee shall contribute such sums as determined by the Agency to defraying its costs.

11.2 Financial Provision for Closure, Restoration and Aftercare

- 11.2.1 The licensee shall arrange for the completion of a comprehensive and fully costed Environmental Liabilities Risk Assessment for the facility which will address liabilities arising from the carrying on of the activities to which this licence relates. A report on this assessment shall be submitted to the Agency for its agreement within six months of date of grant of this licence.
- 11.2.2 Within nine months of the date of grant of this licence, the licensee shall make a Proposal for Financial Provision to the Agency for its agreement to cover any liabilities incurred by the licensee in carrying on the activities to which this licence relates. Such provision shall be maintained by the licensee unless otherwise agreed by the Agency.
- 11.2.3 The amount of financial provision, held under condition 11.2.2 shall be reviewed and revised as necessary, but at least annually. Any proposal for such a revision shall be submitted to the Agency for its agreement.
- 11.2.4 The licensee shall within two weeks of purchase, renewal or revision of the financial provision required under condition 11.2.2, forward to the Agency written proof of such indemnity.

Reason: *To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

SCHEDULE A :Content of the Environmental Management Programme

Environmental Management Programme

Items specified to be contained in an Environmental Management Plan in the Landfill Operational Practices Manual published by the Agency, or otherwise as agreed with the Agency

Objectives and Targets for improving the environmental performance of the facility which shall include:

- the recovery/recycling/reuse of pond ash waste
- timescale for achieving the objectives and targets
- designation of Responsibility for achieving Objectives and Targets

Waste Handling and Acceptance Procedures

Other items specified by the Agency

SCHEDULE B :Content of the Annual Environmental Report

Annual Environmental Report Content ^{NOTE 1}

Reporting Period.

Waste activities carried out at the facility.

Quantity and Composition of waste received, disposed of and recovered during the reporting period and each previous year.

Calculated remaining capacity of the facility and year in which final capacity is expected to be reached.

Methods of deposition of waste.

Summary report on emissions.

Summary of results and interpretations of environmental monitoring, including plans and any updates of all monitoring locations including 12 digit grid references.

Resource and energy consumption summary.

Proposed development of the facility and timescale of such development.

Volume of leachate produced and volume of leachate discharged off-site.

Report on development works undertaken during the reporting period, and a timescale for those proposed during the coming year.

Report on restoration of completed cells/ phases.

Site survey showing existing levels of the facility at the end of the reporting period.

Estimated annual and cumulative quantity of indirect emissions to groundwater.

Monthly water balance calculation and interpretation.

Schedule of Environmental Objectives and Targets for the forthcoming year.

Report on the progress towards achievement of the Environmental Objectives and Targets contained in previous year's report.

Full title and a written summary of any procedures developed by the licensee in the year which relates to the facility operation.

Tank, pipeline and bund testing and inspection report.

Reported incidents and Complaints summaries.

Review of Nuisance Controls.

Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information.

Any other items specified by the Agency.

NOTE 1 Content to be revised subject to the agreement of the Agency after cessation of waste acceptance at the facility.

SCHEDULE C :Recording and Reporting to the Agency

Table C.1 Recurring Reports

Report	Reporting Frequency ^{Note1}	Report Submission Date
Environmental Management System Updates	Annually	One month after the end of the year reported on.
Annual Environment Report (AER)	Annually	Thirteen months from the date of grant of licence and one month after the end of each year thereafter.
Record of incidents	As they occur	Within five days of the incident.
Specified Engineering Works reports	As they arise	Prior to the works commencing.
Monitoring of Surface Water Quality	Quarterly	Ten days after end of the quarter being reported on.
Monitoring of Groundwater Quality	Quarterly	Ten days after end of the quarter being reported on.
Monitoring of Leachate	Quarterly	Ten days after end of the quarter being reported on.
Meteorological Monitoring	Annually	One month after end of the year being reported on.
Biological Monitoring	Bi-annually	Ten days after the period being reported on
Dust Monitoring	Three times a year	Ten days after the period being reported on
Noise Monitoring	Annually	One month after end of the year being reported on.
Any other monitoring	As they occur	Within ten days of obtaining results.

Note 1: Unless altered at the request of the Agency

SCHEDULE D :Specified Engineering Works

Specified Engineering Works

Screening embankment

Stockpiling of restoration/development materials

Landfill lining.

Installation of groundwater control and/or monitoring systems.

Installation of surface water management, collection, treatment, storage, monitoring and control systems

Development of Phases and future Cells of the facility including preparatory works and lining.

Landfill cap installation, including temporary and intermediate capping, installation and all other containment works (including any containment works relating to leachate control).

Installation of leachate management, collection, detection, storage, treatment, monitoring and control systems.

Restoration and Aftercare Works.

Provision of environmental monitoring infrastructure.

Replacement of environmental monitoring infrastructure.

Any other works notified in writing by the Agency.

SCHEDULE E :Monitoring

Monitoring to be carried out as specified below.

E.1 Dust

Dust monitoring shall be carried out at dust monitoring locations No. 1, No. 2 and No. 3 as specified in Figure No.1 entitled 'Dust Monitoring Sites, Scale :1/7500' which was received by the Agency on 23/12/99. In addition, dust monitoring shall be carried out at a dust sensitive location which shall have the prior agreement of the Agency.

Table E.1.1 Dust Monitoring Frequency and Technique

Parameter (mg/m ² /day)	Monitoring Frequency	Analysis Method/Technique
Dust Deposition	Three times a year ^{Note 2}	Standard Method ^{Note 1}

Note 1: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute). A modification (not included in the standard) which 2 methoxy ethanol may be employed to eliminate interference due to algae growth in the gauge.

Note 2: Twice during the period May to September, or as otherwise specified in writing by the Agency.

E.2 Noise

Noise monitoring shall be carried out at noise monitoring locations No. 1, No. 2 and No. 3 as specified in Drawing No. P004B820-DI-012 entitled 'Noise Survey Locations'. In addition, noise monitoring shall be carried out at a noise sensitive location which shall have the prior agreement of the Agency.

Table E.2.1 Noise Monitoring Frequency and Technique

Parameter	Monitoring Frequency ^{Note 2}	Analysis Method/Technique
L(A) _{Eq} [30 minutes]	Annual	Standard ^{Note 1}
L(A) ₁₀ [30 minutes]	Annual	Standard ^{Note 1}
L(A) ₉₀ [30 minutes]	Annual	Standard ^{Note 1}
Frequency Analysis(1/3 Octave band analysis)	Annual	Standard ^{Note 1}

Note 1: "International Standards Organisation. ISO 1996. Acoustics - description and Measurement of Environmental noise. Parts 1, 2 and 3."

Note 2: The first monitoring event shall occur within three months of the date of commencement of pond ash deposition.

E.3 Surface Water, Groundwater and Leachate

Surface water monitoring locations

Surface water monitoring shall be carried out at the surface water monitoring locations SW1, SW2, SW3 and SW4 as specified in Drawing No. P004B820-DI-007 entitled 'Boreholes, Trialpits, Ground & Surface Water Monitoring Points'. In addition, biological monitoring stations shall be agreed with the Agency as part of Condition 9.12.

Discharges to Surface Water Monitoring Locations

The location(s) of the monitoring stations for discharges to surface water from the Leachate Lagoon/Leachate Treatment Plant to the Curraghmore Outfall shall have the prior agreement of the Agency. The surface water run-off monitoring locations shall be agreed with the Agency.

Flow monitoring locations

The locations for flow measurements/estimates for (i) discharges (m³/s) from the Leachate Lagoon/Leachate Treatment Plant and (ii) the Curraghmore Outfall upstream (m³/s and level) of the discharge from Leachate Lagoon/Leachate Treatment Plant shall have the prior agreement of the Agency.

Groundwater monitoring locations

Groundwater monitoring shall be carried out at the groundwater monitoring locations BH1, BH2, BH3(Double nested piezometer), BH4, BH5, BH6, BH8, BH9 and BH10 as specified in Drawing No. P004B820-DI-007 entitled 'Boreholes, Trialpits, Ground & Surface Water Monitoring Points'. In addition, groundwater monitoring shall also be undertaken at the groundwater monitoring borehole agreed as per Condition 4.14.2. A review of the number of boreholes to be monitored shall take place upon receipt of a representative number of sampling results.

Leachate Monitoring Locations

The locations for monitoring of leachate levels in the leachate lagoon, active cells and filled cells shall be agreed with the Agency as per Condition 9.3.

Table E.3.1 Surface water, Groundwater and Leachate - Parameters/Frequency

Parameter ^{Note 1}	SURFACE WATER	GROUNDWATER	LEACHATE ^{Note 2}
Visual Inspection/Odour	Weekly	Quarterly	Quarterly
Groundwater Level	Not Applicable	Monthly	Not Applicable
Leachate Level	Not Applicable	Not Applicable	Weekly
Dissolved Oxygen	Quarterly	Not Applicable	Not Applicable
Electrical Conductivity	Quarterly	Quarterly	Quarterly
PH	Quarterly ^{Note 3}	Quarterly	Quarterly
Temperature	Quarterly	Quarterly	Quarterly
Total Suspended Solids	Quarterly ^{Note 3}	Quarterly	Quarterly
Ammoniacal Nitrogen	Quarterly ^{Note 3}	Quarterly	Quarterly
Total Oxidised Nitrogen	Annually	Quarterly	Quarterly
COD	Quarterly	Not Applicable	Quarterly
Total Phosphorus / orthophosphate	Annually ^{Note 3}	Annually	Annually
Calcium	Annually	Annually	Annually
Magnesium	Annually	Annually	Annually
Sulphates	Annually	Annually	Annually
Silica	Annually	Annually	Annually
Metals ^{Note 4}	Annually	Annually	Annually
Toxicity ^{Note 5}	Not Applicable	Not Applicable	Annually
Biological assessment ^{Note 6}	Bi-annual	Not Applicable	Not Applicable

Note 1: All the analysis shall be carried out by a competent laboratory using standard and internationally accepted procedures. The testing laboratory and the testing procedures shall be agreed in writing with the Agency in advance.

Note 2: Other than leachate level, the leachate parameters listed in this table shall be undertaken in the active cell, leachate lagoon and for leachate discharged to the Curraghmore Outfall.

- Note 3: This monitoring and analysis shall apply to discharges of surface water from outside the active ash disposal area to the Curraghmore Outfall.
- Note 4: The analysis for metals shall be undertaken using ICP/MS and shall include as a minimum aluminium, chromium, cadmium, copper, lead, nickel, zinc, selenium, iron, manganese, mercury and molybdenum.
- Note 5: This parameter shall only apply to the discharge from the leachate storage lagoon and monitoring shall commence as agreed through Condition 9.4.1.
- Note 6: This assessment should be carried out on a bi-annual basis, preferably during May and September at the locations to be agreed with the Agency under Condition 9.12.

E.4 Meteorological Monitoring

Table E.4.1 Meteorological Monitoring:
Data to be obtained from a meteorological station to be agreed with the Agency.

Parameter	Monitoring Frequency	Analysis Method/Technique
Precipitation Volume	Daily	Standard
Temperature (min/max.)	Daily	Standard
Wind Force and Direction	Daily	Standard
Evaporation	Daily	Standard
Evapotranspiration	Daily	Standard
Humidity	Daily	Standard
Atmospheric Pressure	Daily	Standard

SCHEDULE F :Emission Limits

F.1 Noise Emissions: (Measured at Noise Sensitive Locations).

Day dB(A) L_{Aeq}(30 minutes)	Night dB(A) L_{Aeq}(30 minutes)
55	45

F.2 Dust Deposition Limits: (Measured at Dust Sensitive Locations).

Level (mg/m² /day)^{Note 1}
350

Note 1: 30 day composite sample with the results expressed as mg/m² /day.

F.3 Leachate Storage/Leachate Treatment Plant Emissions to Curraghmore Outfall

Emission Point Reference Number: Locations to be agreed with the Agency
 Time of Emission: Only when 100 dilutions of effluent available in Curraghmore Outfall.

Parameter	Limit
pH	6 to 9
Suspended Solids	35 mg/l
Toxicity Units	5

F.4 Surface Water Discharge Limits:

Emission Point Reference Number: Locations to be agreed with the Agency

Parameter	Limit
Suspended Solids	35 mg/l

SCHEDULE G : Waste Acceptance

Table G.1 Waste Categories and Quantities

WASTE TYPE	MAXIMUM TONNES PER ANNUM
Pond ash from the existing ash ponds at the ESB power station in Shannonbridge, Co.Offaly	100,000
Capping and restoration materials	To be agreed in advance with the Agency

Signed on behalf of the Agency
 on the 17 th day of July, 2000

 Larry Kavanagh **Authorised Person**