

# INSPECTORS REPORT

**WASTE LICENCE REGISTER NUMBER: 162-1**

**APPLICANT:** Brivin Enterprises Ltd.

**FACILITY:** Westside Waste, Blacklion, Dublin Road, Maynooth, Co. Kildare.

**INSPECTOR'S RECOMMENDATION:** That a waste licence be granted subject to a number of conditions.

## **(1) Introduction**

Brivin Enterprises Ltd. has applied for a waste licence to continue to operate an existing non-hazardous waste transfer station approximately 1 km east of Maynooth Town. The application for this facility was not received until 21/08/01 (prescribed date 01/05/97), hence the facility is unauthorised and does not comply with Section 39 of the Waste Management Act 1996. The facility does not currently have planning permission for its waste activities, however the applicant is in the process of obtaining planning permission for the facility, including its proposed development (i.e. Waste Transfer Building and other infrastructure). An EIS was submitted as part of the licence application (received on 21/08/01), however a revised EIS was received on 20/05/02, and this included details of an amended site boundary and proposals for the development of the facility. The revised EIS was found to be in compliance with the regulations.

The area of the existing facility is approximately 0.55 ha and consists of a concrete yard where waste arriving in skips is sorted into its recyclable components, with the residual waste being sent to landfill. At present, it handles an estimated 45,000 tonnes of waste per annum. The facility mainly accepts commercial waste and construction and demolition waste from domestic sources and all sorting activities take place out in the open. The applicant did not provide clear information on the facility's current operating hours.

The facility is located in a semi-rural environment, with green fields situated to the west and north. A recently refurbished traveller halting site is located about 10m away from the eastern boundary, and a large housing estate is located to the south. The Royal Canal and a railway line separate the facility from this housing estate and the nearest house in the estate is located about 50m from the facility boundary. Tall hedgerows and trees are situated along most of the facility boundary and these generally obscure views of the waste activities taking place there.

The applicant has proposed to construct a building to house all of the waste acceptance, sorting and storage activities, and this will incorporate both acoustic cladding and a dust suppression system to minimise nuisances. A building to house a Civic Waste Facility is also proposed. The applicant has applied to accept up to 70,000 tonnes of waste per annum.

**A plan showing the location and proposed layout of the facility to which the application relates is provided in Appendix 1.**

Having regard to the limited infrastructure at the facility at present, the recommended Proposed Decision (PD) restricts waste activities to the current tonnage of waste which is accepted at the facility (i.e. 45,000tpa) until such time as the Waste Transfer Building is constructed. Waste activities are also to be restricted to the hours specified in the recommended PD during this period. The proposed Waste Transfer Building is required to be constructed within twelve months of the date of grant of the licence or the date of grant of planning permission, whichever is the sooner. Following the construction of the Waste Transfer Building, which will include dust

and noise control measures, the recommended PD allows the facility (including the Civic Waste Facility) to accept a maximum annual tonnage of 70,000 tonnes.

<b>Quantity of waste (tpa) to be accepted</b>	45,000 until Waste Transfer Building is constructed, thereafter 70,000 (maximum).
<b>Environmental Impact Statement Required</b>	Yes. The EIS has been assessed and it complies with the requirements of Article 13 of the Waste Management (Licensing) Regulations.
<b>Number of Submissions Received</b>	5

**SITE VISITS:**

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
31/8/01	Site Notice Check and Inspection	Caoimhín Nolan	Non-compliant site notice
11/10/01	Site Notice Check	Eamonn Merriman	Compliant site notice
25/6/02	Site Inspection and noise monitoring	Caoimhín Nolan & John Gibbons	Significant noise noted

**(2) Facility Development**

The facility presently has a maintenance shed, site office (port-a-cabin style), portaloos, weighbridge, silt trap, oil interceptor and a bunded fuel storage area. The applicant proposes to construct a Waste Transfer Building (approximately 75m x 29m x 11.7m) within which the recyclable waste materials will be removed and the non-recyclable residue waste sent to landfill. In addition to the waste processing areas, the proposed Waste Transfer Building will also incorporate a staff canteen, toilet facilities, administrative offices, a maintenance garage and a waste inspection/quarantine area. Waste types to be processed will mostly comprise of commercial waste and construction and demolition waste, although household and Industrial waste will also be accepted. Household waste generally arrives at the facility mixed with the other waste types and is then removed from these wastes for separate disposal. The processing plant proposed to be used at the facility will include 3 excavators, 1 loading shovel and 1 caterpillar dozer. The recommended PD requires the applicant to have adequate duty and standby capacity for all items of plant deemed critical for the processing of waste. Condition 5.3 of the recommended PD requires that waste processing and storage shall only be carried out within designated areas for those waste types. This Condition also requires that recovered construction and demolition waste shall not be mixed with domestic, commercial or industrial waste.

The applicant has proposed to install additional concrete impervious areas, fencing, fuel tank bunding, a wheelwash and a Civic Waste Facility. The Civic Waste Facility will be open to members of the public and will consist of a building (21m x 17.5m x 9.5m) that will house receptacles for various recyclable wastes (e.g. glass, cans, textiles) and small quantities of domestic waste. At present, all wastewater generated from waste handling and storage areas at the facility discharges to surfacewater via a silt trap and oil interceptor. The recommended PD requires that separate collection systems be provided for wastewater and surface water within twelve months of the date of grant of licence. Wastewater arising from the facility (excluding wastewater generated from employee areas such as toilets and the canteen) will pass through a silt trap and oil interceptor before discharging to the public sewer. A connection to this sewer will have to be made and the nearest point available is located approximately

250m away from the entrance to the facility. In the event of a connection to sewer not being completed, Condition 5.7 allows for wastewater to be tankered off-site for disposal at a location to be agreed with the Agency. Run-off from all outdoor impervious areas will pass through a separate silt trap and oil interceptor prior to discharging to the stream which runs along the eastern boundary of the facility. The recommended PD makes provision for the infrastructure as proposed by the applicant. Pending the completion of separate collection systems for wastewater and clean surface water, Condition 3.12 requires that appropriate infrastructure be provided for the collection of all wastewater at the facility and Condition 5.7 requires that the wastewater be tankered off-site for disposal.

In order to limit the amount of noise nuisance caused by the facility, the recommended PD requires a restriction in the operating hours until such time as the Waste Transfer Building is constructed.

### **(3) Waste Types and Quantities**

The facility currently accepts approximately 45,000 tonnes of waste per annum and the applicant has applied to accept a maximum of 70,000 tpa by the year 2006. The recommended PD allows the facility to accept its current waste quantities (i.e. 45,000 tpa) until such time as the Waste Transfer Building is constructed, and following this a total waste intake of 70,000 tpa is allowed for. The following non-hazardous waste types are to be accepted at the facility: household, commercial, construction and demolition, and industrial.

The recommended PD allows for the facility to undertake the classes of waste activity which the applicant had applied for. These are Classes 11, 12 and 13 of the Third Schedule, and Classes 2, 3, 4 and 13 of the Fourth Schedule of the Act.

### **(4) Emissions to Air**

**Dust:** Dust monitoring carried out as part of the licence application (i.e. at three locations) suggests that dust will not cause a nuisance in the immediate vicinity of the facility (158-224 mg/m<sup>2</sup>/day). The recommended PD requires that within twelve months of the date of grant of the licence that all waste processing will take place indoors. It also requires that dust curtains and an odour/dust suppression system be installed in the Waste Transfer Building, and that a wheelwash be provided at the facility, all of which were proposed by the applicant. Condition 7 requires that site roads and any other areas used by vehicles be sprayed with water in dry weather to minimise airborne dust nuisance. Monitoring requirements and an emission limit value for dust deposition (i.e. 350 mg/m<sup>2</sup>/day) are also set in order to control any fugitive dust emissions from activities on-site. An annual evaluation of the effectiveness of dust and noise control measures is required to be done as part of the AER.

**Odour:** Odour is not perceived to be causing a nuisance at/adjacent to the facility and this may be due to the small quantities of putrescible waste accepted at the facility. It is anticipated that odours will be controlled by the handling and storage of waste indoors and the use of an odour/dust suppression system in the Waste Transfer Building. Potential nuisances such as odour are also controlled by Condition 7.1 of the recommended PD and the applicant will be precluded from storing waste for disposal on-site for longer than 72 hours.

**Noise:** Noise monitoring (i.e. during operational hours) was carried out by the applicant in January 2001 and also by Agency inspectors in June 2002, and both of these sets of results showed that significant noise emissions were arising from the facility. Three noise sensitive receptors are located within 50m of the facility boundary: Parklands Grove Housing Estate to the south, the Royal Canal to the south and a traveller halting site to the east. The recorded levels were generally above the daytime level of 55 dB  $L_{Aeq(30)}$  with a maximum  $L_{Aeq(30)}$  of 69.5 dB being recorded at the Royal Canal. Impulsive noise (e.g. from the banging of skips) was also noted as coming from the facility on 25/6/02. The recommended PD requires that within twelve months of the date of grant of the licence, that all waste processing take place indoors. The Waste Transfer Building and the Civic Waste Facility will be acoustically clad to reduce noise emissions, as proposed by the applicant. In order to limit the amount of noise nuisance caused by the facility prior to the construction of the Waste Transfer Building, the recommended PD requires the applicant to erect a 3m high acoustic screen along the southern boundary (Condition 3.4) and also limits the current operating hours and the quantity of waste accepted. The recommended PD requires the applicant to comply with noise emission limits and to carry out noise monitoring on a quarterly basis. An annual evaluation of the effectiveness of dust and noise control measures is required to be done as part of the AER.

#### **(5) Emissions to Groundwater**

There are no direct emissions to groundwater from the facility, and Condition 6 of the recommended PD forbids any direct discharges. Most of the waste activities at present take place on an area of impervious concrete, however some storage of waste (e.g. segregated metal) and empty skips does take place on pervious hardcore only. One of the fuel tanks used on-site is bunded, but another two fuel tanks are not presently bunded. The recommended PD requires that all areas used for the storage and handling of waste be concreted within twelve months of the date of grant of the licence. In addition, Condition 3 requires that all tanks be bunded.

#### **(6) Emissions to Surface Water**

Surface water run-off generated from concrete yard areas at the facility currently discharges to a stream which runs along the eastern boundary. Monitoring undertaken by the applicant in 2001 demonstrated that the facility was having an impact on the stream, with Ammonia levels increasing from 0.9mg/l upstream to 1.6mg/l downstream. The run-off passes through a silt trap and Class I Full Retention oil interceptor prior to discharging into the stream which is a tributary of the Rye Water. The Rye Water is located about 800m to the north of the facility and has been highlighted by the Eastern Regional Fisheries Board (in the EIS) as a salmonid river. The Rye Water is also included in an area designated as a candidate Special Area of Conservation under the Habitats Directive (92/43/EEC) due to the presence of important habitats and species. I do not consider that the facility is likely to have a significant adverse affect on the integrity of this cSAC and therefore the requirements of the Habitats Directive would not apply to this development. Nevertheless, the recommended PD includes a number of measures that should ensure that the quality of surfacewater is maintained or improved. All wastewater generated at the facility is required to be directed to sewer within twelve months of the date of grant of the licence. Pending the completion of the wastewater collection system, Condition 3.12 requires that appropriate infrastructure be provided for the collection of all wastewater at the facility and Condition 5.7 requires that the wastewater be tankered off-site for

disposal. The recommended PD also specifies emission limit values for discharges to surface water and monitoring to be carried out on the receiving water.

#### **(7) Emissions to Sewer**

At present, all surface water and wastewater arising from waste handling areas at the facility discharges to surface water via an oil interceptor and silt trap. The recommended PD requires that a separate wastewater and surface water collection system be installed within twelve months of the date of grant of the licence. The facility is not connected to any sewer at present but the applicant has proposed to connect it to the public sewer which is operated by Kildare County Council and which is currently located about 250m from the facility. A Section 52 Notice was issued to Kildare County Council in relation to the proposed connection to this sewer and a response from them was received. The County Council state that they have no objection to this proposal, and note that planning permission and a permit for connection to the sewer will have to be applied for by the applicant. Although the Section 52 response did not specify any emission limits or monitoring requirements in relation to proposed emissions to the sewer, the recommended PD does specify emission limits and monitoring requirements based on those specified for a similar sized facility which is licensed in Limerick. Emissions to sewer from the facility will include wastewater generated from the proposed Civic Waste Facility, the Waste Transfer Building (including the canteen, toilets and waste inspection/quarantine areas), the vehicle wash area and also from the wheelwash. The applicant has proposed to direct wastewater through a silt trap and oil interceptor prior to discharge to the sewer, and this is reflected in the recommended PD.

#### **(8) Other Significant Environmental Impacts**

None.

#### **(9) Waste Management, Air Quality and Water Quality Management Plans**

The Waste Management Plan for County Kildare, which was prepared in accordance with the Waste Management Act (1996), was considered in the evaluation of this licence application, however it does not refer to the Brivin Enterprises Ltd. facility. In relation to specific policies on waste disposal, the plan states that Kildare County Council will encourage private sector collectors in the use of approved privately operated disposal facilities. The plan also states that the Council should provide at least 3 no. Civic Amenity sites located as to provide ease of access to the majority of the County's population. The operation of a privately operated waste disposal facility near a main population centre in the County (such as the one covered by the recommended PD), which also includes a Civic Waste Facility, is in keeping with the policies outlined in the waste management plan.

#### **(10) Submissions/Complaints**

A total of five valid submissions were received in relation to the licence application. Appendix 2 provides a list of the submissions received and the responses to each issue raised. I have had regard to all of the submissions in making this recommendation to the Board.

## **(11) Recommendation**

As the facility does not hold a waste licence and its application was submitted after the prescribed date, it is therefore unauthorised, and it is also operating without planning permission. All waste activities are currently being carried out in the open, with little infrastructure in place to control emissions. Based on the noise monitoring results described in Section 4 of this report, I consider that the facility is presently causing a nuisance to nearby sensitive receptors. The recommended PD includes a number of measures to control the operations of this facility, including the provision of infrastructure such as a Waste Transfer Building, a Civic Waste Facility, a wheelwash, wastewater and surface water collection systems, fencing, etc. This infrastructure will be phased in over a period of twelve months, which is the timeframe provided by the applicant. Prior to the construction of the Waste Transfer Station, the recommended PD incorporates a number of measures to minimise the potential for nuisance adjacent to the facility. These include restricting the annual tonnage of waste to be accepted at the facility to its present intake (i.e. 45,000 tpa) and restricting the waste acceptance hours and the hours of operation. Condition 3.4 requires that a 3m high acoustic screen be constructed along the southern boundary of the facility within three months of the date of grant of the licence. This will reduce the noise emissions to the south where two noise sensitive receptors are located (i.e. the Royal Canal and Parklands Grove Housing Estate). A proposal for extending the height of the existing wall near the eastern boundary is also required to be submitted within six months of the date of grant of the licence. In relation to maintaining surface water quality in the Rye Water catchment, the recommended PD requires that wastewater generated at the facility be collected and discharged to sewer, or in the interim period, tankered off-site for disposal.

A comprehensive monitoring programme is required under the Conditions of the recommended PD, and this should ensure ongoing compliance with all of the recommended PD requirements. The recommended PD requires the applicant to manage the facility in a strict and diligent manner. Procedures for acceptance and handling of wastes will ensure that no prohibited wastes are accepted at the facility.

Signed \_\_\_\_\_  
Caoimhín Nolan, Inspector,  
Environmental Management & Planning.

Dated:

## **APPENDIX 1**

### **LOCATION MAP & PROPOSED LAYOUT PLAN (Fig. 2.7.2 & Fig. 1.3.2 of EIS)**

**APPENDIX 2**  
**SUBMISSIONS RECEIVED**



## **Appendix 2: Submissions received**

A total of five valid submissions were received in relation to this waste licence application. An overview of all valid submissions received is provided below. This includes a summary of all of the issues raised in the submissions, and shows how these issues have been addressed in the recommended PD.

### **1. Mary Carter, Parklands Residents Association, 25 Parklands Grove, Maynooth, Co Kildare. Submission received 5<sup>th</sup> September, 2001.**

*This submission includes a number of letters from local residents outlining concerns about the facility.*

- 1) *A number of complaints have been expressed to the Residents Association by residents of Parklands Estate. The level of noise pollution, above that which would be considered reasonable for a commercial site in a residential area, has been increasing with time, and this may be linked to the level of activity at the facility.*
- 2) *The Residents Association has also received complaints regarding the poor air quality experienced by residents of the Parklands Estate at certain times. Noxious odours which have resulted in discomfort to some residents have been attributed to the Westside Waste operation.*

#### **Response:**

- 1) Condition 5.1 of the recommended PD requires that within twelve months of the date of grant of the licence, that all waste processing take place indoors. The Waste Transfer Building and the Civic Waste Facility will be acoustically clad to reduce noise emissions. Condition 5.3 requires that the metal shutter doors of the Waste Transfer Building are closed outside of waste acceptance hours and this will further reduce noise emissions. In order to limit the amount of noise nuisance caused by the facility prior to the construction of the Waste Transfer Building, the recommended PD requires the applicant to erect a 3m high acoustic screen along the southern boundary and also limits the current operating hours and the quantity of waste accepted. The recommended PD requires the applicant to comply with noise emission limits and to carry out noise monitoring.
- 2) Odours will be controlled by the handling and storage of waste indoors and the use of an odour/dust suppression system in the Waste Transfer Building. Potential nuisances such as odour are also controlled by Condition 7.1 of the recommended PD and the applicant will be precluded from storing waste for disposal on-site for longer than 72 hours.

### **2. C. Talbot, A/County Secretary, Kildare County Council, Planning Section, St. Mary's, Naas, Co. Kildare. Submission received 9<sup>th</sup> November, 2001.**

- 1) *No planning permission exists for the use of the site for any type of waste facility.*
- 2) *Kildare County Council have received complaints from the residents of the area regarding the developments.*

#### **Response:**

- 1) Planning permission is a matter for the planning authority.
- 2) Until such time as the Agency makes a decision on the licence application, the responsibility for controlling the operations of this facility and dealing with related complaints lies with the local authority.

**3. Terri Shiel, 20 Parklands Grove, Maynooth, Co. Kildare. Submission received 13<sup>th</sup> March, 2002.**

*This submission includes a copy of the minutes from a residents meeting which highlights concerns regarding the Brivin Enterprises licence application. Apart from the first two issues described below, all other issues relate to information contained in the EIS.*

- 1) *Noise levels have become an increasing problem over the past 12 months.*
- 2) *Waste is not being controlled. Scattered black bags, which have been burst, are evident on the site, and there is an odour problem during the summer months.*
- 3) *No indication of the size of the waste transfer building is given in the EIS and the concern is that it could be an eyesore. The new waste transfer building may well be visible from Parklands.*
- 4) *The opening hours are not adhered to and the facility starts at 6.30am most of the time, and overtime is worked in the summer.*
- 5) *It is not feasible to think that there will be no significant increase in plant requirement given the increase in the proposed volume of waste handling.*
- 6) *Not enough dust samples were taken and increased production will lead to increased dust. What will the impact of increased dust levels have on the fauna/flora? The prevailing wind will be across Parklands Grove Estate. What precautions are to taken to ensure that dust is kept to a minimum.*
- 7) *Not enough noise receptors were used during the monitoring, and during the period of the tests, there was a significant reduction in noise generated by the facility. How high will the blockwork wall along the southern boundary be? Will the current practice of unloading/moving/repairing skips outside now be contained within the building – if not, the increased volume will generate even more noise.*
- 8) *Where does the stream bordering the facility flow into, and what were the actual findings in relation to water quality standards?*
- 9) *The canal is an area of nature conservation. What measures were adopted to ensure that all species of plant and animal on-site were recorded.*
- 10) *Increased truck activity will have a negative impact on tourism.*
- 11) *Where will the new surface water collection system drain to?*
- 12) *The target market for the new facility will not be Maynooth Town.*
- 13) *In relation to alternatives outlined in the EIS, the residents would prefer not only a “do-nothing” option, but to also have the current facility meet all necessary EPA standards without expansion.*

**Response:**

It should be noted that the comments in this submission relate to the original EIS which was submitted on 21<sup>st</sup> August 2001. A revised EIS in support of the licence application was received by the Agency on 20<sup>th</sup> May 2002 and this was found to be in compliance with the regulations.

- 1) See Response no.1 to Submission no. 1.
- 2) Condition 5.2 of the recommended PD requires that detailed written waste acceptance and handling procedures be adopted. Also refer to Response no. 2 to Submission no. 1.
- 3) The revised EIS gives dimension figures for the proposed Waste Transfer Building and the Civic Waste Facility. The existing hedgerows and trees along the facility boundary will largely screen views of the proposed buildings and Condition 5.9 of the recommended PD requires that these be maintained. The precise appearance of the proposed buildings to be constructed at the facility is a matter for the planning authority.
- 4) Condition 1.6 of the recommended PD specifies the waste acceptance hours and hours of operation to be applied at the facility.
- 5) Condition 3.9 of the recommended PD requires that the quantity of waste to be accepted at the facility on a daily basis shall not exceed the duty capacity of the equipment. An increase in the plant required to operate the facility is unlikely to occur in the short term, given that the waste quantities to be accepted at the facility are restricted to their present levels until the Waste Transfer Building is constructed.
- 6) Dust monitoring carried out as part of the licence application (i.e. at three locations) suggests that dust will not cause a nuisance in the immediate vicinity of the facility. The recommended PD requires that within twelve months of the date of grant of the licence that all waste processing will take place indoors. It also requires that dust curtains and an odour/dust suppression system be installed in the Waste Transfer Building, and that a wheelwash be provided at the facility. Condition 7 requires that site roads and any other areas used by vehicles be sprayed with water in dry weather to minimise airborne dust nuisance. Monitoring requirements and an emission limit value for dust deposition (i.e. 350 mg/m<sup>2</sup>/day) are also set in order to control any fugitive dust emissions from activities on-site.
- 7) Noise monitoring (i.e. during operational hours) was carried out by the applicant in January 2001 and also by Agency inspectors in June 2002, and both of these sets of results showed that significant noise emissions were arising from the facility. Condition 3.4.1 requires that the acoustic screen to be constructed along the southern boundary be 3m in height. Condition 5.1 requires that within twelve months of the date of grant of the licence, all waste processing be carried out indoors. Until then, the quantity of waste to be accepted at the facility is restricted to its present level (i.e. 45,000tpa).
- 8) The stream adjacent to the eastern boundary of the facility runs into the Rye Water. Monitoring undertaken by the applicant demonstrated that the facility did not cause a breach to relevant surface water quality standards.
- 9) The EIS highlights the presence of the Royal Canal near the boundary of the facility and also that it is designated as a proposed Natural Heritage Area. An assessment of the flora and fauna at the facility and its environs was included in the EIS.
- 10) Traffic is an issue for the planning authority.
- 11) Following the completion of the wastewater and surface water collection systems, clean surface water from the facility will be allowed to discharge to the stream located near the eastern boundary, following it passing through a silt trap and oil interceptor. The recommended PD also specifies emission limit values for

discharges to surface water and monitoring to be carried out on the receiving water.

- 12) The provision of a Civic Waste Facility at the facility, which is required in the recommended PD, will offer waste recycling and disposal opportunities for the local community.
- 13) The recommended PD requires that measures be put in place, including substantial items of infrastructure (e.g. Waste Transfer Building), that will ensure that the operations of the facility will not cause environmental pollution. Until such time as the Waste Transfer Building is constructed, the waste quantities allowed for under the recommended PD are limited to their present levels (i.e. 45,000tpa). Emission limits are also specified in the recommended PD.

**4. Emmet Stagg T.D., Lodge Park, Straffan, Co. Kildare. Submission received 22<sup>nd</sup> April, 2002.**

- 1) *The facility has been in place without planning permission since planning was refused in 1992 and before that time.*
- 2) *The facility is situated on the banks of the Royal Canal which is an area of high amenity and within 40 metres of a large housing estate (Parklands) and within a few hundred feet of a Residential Caravan Park and a small housing scheme (Blacklion Estate).*
- 3) *Apart from smells and dust blowing into nearby homes, the main complaint concerns noise that starts at 6.30 am and can continue up to 10.00 pm.*
- 4) *I would strongly suggest that this is not an appropriate site for this type of operation and I would urge that a waste licence be refused.*
- 5) *I would also urge that the operator be prosecuted for breaching the Waste Management Act 1996.*

**Response:**

- 1) Planning permission is a matter for the planning authority
- 2) The operation of the facility in accordance with the Conditions of the recommended PD will maintain the amenity value of the Royal Canal and other nearby sensitive receptors.
- 3) See Response no.1 and 2 to Submission no. 1.
- 4) See Response no. 2 above.
- 5) Until such time as the Agency makes a decision on the licence application, the responsibility for controlling the operations of this facility and dealing with related complaints lies with the local authority.

**5. Terry Mc Cahey, 11 Parklands Grove, Maynooth, Co. Kildare. Submission received by email on 23<sup>rd</sup> April, 2002.**

- 1) *The facility has no planning permission and has been in operation for 10 years.*
- 2) *Has asbestos ever been processed at this facility? I also believe there was evidence of medical waste there.*
- 3) *There was an oily residue from the runoff that goes into a stream nearby.*
- 4) *The noise pollution and the dust factor is also a concern of mine as I believe that has increased since I moved here.*
- 5) *I ask you to do all in your power to close this plant down until someone knows what is going on there and can guarantee me that it is safe to live near it.*

**Response:**

- 1) Planning permission is a matter for the planning authority and until such time as the Agency makes a decision on the licence application, the responsibility for controlling the operations of this facility and dealing with related complaints lies with the local authority.
- 2) During the Agency's previous site inspections of this facility, no asbestos or medical waste was observed at the facility. Schedule A of the recommended PD specifies the waste types that can be accepted at the facility and Condition 1.5 requires that no hazardous wastes be accepted, other than those accepted at the Civic Waste Facility. Condition 5.2 also requires the applicant to establish detailed waste acceptance procedures and to carry out inspections of incoming waste.
- 3) Pending the completion of the wastewater collection system, Condition 3.12 requires that appropriate infrastructure be provided for the collection of all wastewater at the facility and Condition 5.7 requires that the wastewater be tankered off-site for disposal. Also refer to Response no. 11 to Submission no. 3.
- 4) See Response no. 1 to Submission no. 1 and Response no. 6 to Submission no. 3.
- 5) See Response no. 13 to Submission no. 3.