

INSPECTORS REPORT WASTE LICENCE REGISTER NUMBER 165-1

Applicant: Celtic Waste Ltd.

Facility: Ballynagran Residual Landfill, Ballynagran, Coolbeg and Kilcandra, Co. Wicklow.

Recommendation: The recommended Proposed Decision as submitted to the Board be approved.

(1) Introduction:

The application from Celtic Waste Ltd. is for the development of a new landfill and associated infrastructure at Ballynagran, Coolbeg and Kilcandra, Co. Wicklow. The proposed facility is an engineered landfill for the disposal of residual non-hazardous household, commercial and industrial waste. The facility may accept up to 175,000 tonnes of waste per annum for disposal and 28,000 tonnes per annum for recovery and will have an operating life of approximately 15 years. The envisaged waste catchment of the proposed facility is the east Leinster seaboard and this includes Co. Wicklow, north Wexford and south Dublin.

The location of the site is in a rural area approximately 5km south west of Wicklow town and the property is bounded to the south by a county road (L111/L113). Access to the facility will be approximately 270 metres west of the intersection of the county road with the N11 National primary Road (Beehive Junction). The site boundary is similar to that selected for a central landfill in 1993 by Wicklow Co. Co. which was the subject of a withdrawn waste licence application (Reg. No. 5-1).

The landfill will be located within a 128 hectare site and the area to be landfilled will occupy approximately 21 hectares (17% of total). It is envisaged the landfill will consist of 5 separate phases containing a total of 21 separate cells. Phase I will be constructed in the initial development programme and it is expected that the remaining phases will be constructed at approximately 3-year intervals.

The proposed site is located in an area of agricultural grassland and arable land. There are twelve houses within 500 metres of the landfill footprint and the nearest residential property is approximately 300 metres from the landfill footprint. It is proposed that a minimum distance of 100 metres within which no waste will be deposited be maintained between the landfill footprint and the facility boundary. Overhead power lines (10kV & 38 kV) pass through the facility and run adjacent to the proposed landfill footprint. **A plan showing the location of the facility to which the application relates is provided in Appendix 1.**

Quantity of waste to be accepted (tpa)	175,000 for disposal, 28,000 for recovery
Environmental Impact Statement Required and Valid	Yes. I carried out an assessment of the EIS and I consider that it complies with the EIA Regulations.
Number of Valid Submissions Received	20

SITE VISITS:

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
06/11/01	Site notice compliance	D. Masterson	Site Notice in compliance with Regulations
14/12/01	Site inspection	M. Henry & C. Nolan	Inspect facility and surrounds

(2) Facility Development

The infrastructure proposed for the facility includes the following: lined cells, 2 weighbridges, a wheelwash, a waste quarantine and inspection area, site accommodation, a maintenance building, a sewage waste water treatment system, fuel storage, leachate collection and storage, landfill gas collection and flaring, surface water drainage system and site security. The installation and provision of all infrastructure is controlled by Condition 3 of the recommended PD. The applicant has proposed to extract gravel from a borrow pit(s) at the south eastern corner of the proposed site for use in the construction of the facility.

Phasing

The landfill is to be developed in 5 phases with each phase containing a number of cells. A total of 21 cells are planned for the 5 phases and it is proposed to progressively develop the waste disposal area from south east to north west. This should orient the active faces away from the N11 and landscaping of the facility is required to commence within the first planting season.

Lining System

The recommended PD requires that all cells within the waste disposal area, the leachate lagoon and the surface water lagoon are lined. Condition 3 contains the specifications for the lined areas.

Leachate Management

The leachate collection system within the cells will comprise a network of drainage pipes within the leachate drainage layer and the leachate will be transferred to the leachate lagoon via a series of pumps/sumps. The pumping of leachate will be controlled by a SCADA system. Leachate will be removed from the leachate lagoon and transported by tanker from the site for treatment at a wastewater treatment plant which will have to be agreed with the Agency (Condition 5.9). The applicant received an indication from Dublin City Council that they would be prepared to consider the possibility of treating leachate at the Ringsend WWTP. Leachate recirculation cannot be undertaken without the prior agreement of the Agency.

Landfill Gas Management

The landfill will initially have a passive gas venting network and the recommended PD requires the applicant to install an active landfill gas collection and flaring system within six months of the date on which waste is first deposited in the landfill. The flare must be an enclosed type flare and the applicant will also be required to undertake a feasibility study on the utilisation of landfill gas as an energy resource.

Capping System

Condition 4 of the recommended PD contains the final capping specifications for the landfill. Filled cells will be required to be permanently capped within twelve months of being filled to the required level.

Restoration and Aftercare

The applicant has proposed that the landfill area be progressively re-instated to semi-natural grassland with an extensive hedgerow network and pockets of woodland. Condition 4 of the recommended PD requires a detailed restoration and aftercare plan to be submitted to the Agency for its agreement. The maximum post settlement height (108mOD) of the facility will occur in the last phase of the development i.e. Phase 5. The facility will in places extend to a maximum height of 17-18 metres above existing ground levels. However, it is considered that the phased development of the facility together with the landscaping and other measures required by the recommended PD will minimise the visual impact of the landfill.

Nuisance Control

Environmental nuisances are controlled by Condition 7 of the recommended PD.

(3) Waste Types/Quantities/Hours of Waste acceptance

In accordance with the Landfill Directive, all wastes accepted at the facility will be required to undergo treatment prior to acceptance. The applicant applied to dispose a total of 180,000 tonnes of waste per annum at the facility. However, the recommended PD does not allow the disposal of 5,000 tonnes of industrial sludge as I consider it is not appropriate for sludges to be disposed of at a residual landfill. Therefore, the applicant will be allowed to dispose of 175,000 tonnes of waste and this comprises of 62,500 tonnes of household waste, 67,500 tonnes of commercial waste and 45,000 tonnes of industrial waste. In addition, Schedule A allows the annual acceptance of up to 28,000 tonnes of recycled construction and demolition waste of a suitable nature for the purposes of recovery and restoration of the facility.

The applicant applied to accept waste at the facility between the hours of 8.00am and 6.00pm Monday to Saturday with pre-opening and post closure activities taking place for up to one hour on either side of the waste acceptance hours. The recommended PD provides for these hours of waste acceptance while the operational hours are limited to 7.00am to 7.00pm (Monday to Saturday).

(4) Emissions to Air, including noise

Air

The current air quality in the vicinity of the proposed facility is good. Dust deposition levels measured at four locations in June/July 2001 ranged from 63 to 73mg/m²/d. The recommended PD sets a limit of 350mg/m²/d for dust deposition. As the potential for dust generation is likely to increase during periods when the facility is being constructed, dust monitoring is required to be carried out on a monthly basis during such periods (quarterly for other periods).

The applicant undertook monitoring for sulphur dioxide, nitrogen dioxide, methane and carbon dioxide. The results of this survey concluded that concentrations of the parameters analysed were typical of a rural environment. Landfill gas will initially be passively vented to atmosphere and within six months of the date of deposition of waste an active landfill gas management system (collection and flaring) is required to be installed. The recommended PD requires the applicant to monitor (Schedule D) and comply with the emission limit values for the enclosed landfill gas flare (Schedule C). Perimeter landfill gas monitoring boreholes will be constructed around the landfill

footprint (45m intervals) in order to monitor any migrating landfill gas and all enclosed on-site buildings will be fitted with a permanent gas monitoring system.

Potential nuisances such as odour are controlled by Condition 7 of the recommended PD and the applicant will be required to undertake weekly odour inspections in addition to carrying out odour monitoring (Schedule D).

Noise

It is likely that the construction, operation and restoration of the facility will occur concurrently once sufficient waste volumes have been accepted. Noise will arise from the construction of the different infrastructural elements of the project and once operational, traffic and site machinery are likely to contribute to the existing noise environment. The recommended PD requires the use of low noise plant, the fitting of acoustic panels/silencers on all heavy plant and machinery and the setting of speed restrictions on internal site roads. The applicant will be required to comply with daytime and night-time noise emission limit values at the nearest noise sensitive locations. Schedule D requires the licensee to undertake noise monitoring on a quarterly basis.

(5) Emissions to Groundwater

The proposed site is situated within the structural domain of the Leinster Massif, which includes Cambrian to Ordovician meta-sedimentary rocks and the Leinster Granite. The meta-sediments principally consist of siltstones and mudstones and mapping of the bedrock geology shows that the site is primarily underlain by the Ballylane, Oaklands and Kilmacrea Formations. The GSI categorise the bedrock aquifer of the Ballylane, Oaklands and Kilmacrea Formations as P1 ('poor' aquifer, generally unproductive except for local zones) and L1 ('local' aquifer, moderately productive but only in local zones). The overburden comprises mainly of glacial till and lenses of sands and gravels are found throughout the overburden sequence. Based on the thickness of the overburden beneath the landfill footprint, the vulnerability of the bedrock aquifer ranges from low to high. According to the GSI response matrix for landfills and having regard to the aquifer category and vulnerability rating (R1 to R2¹), the siting of a landfill at the proposed location is acceptable. The direction of groundwater flow in the bedrock is considered to be in a south/south easterly direction. The applicant sampled 9 private wells located within 500m of the facility boundary and the recommended PD requires the applicant to submit a programme to the Agency for the monitoring of all private wells in the vicinity of the proposed facility, subject to agreement from the landowners (Condition 8). Groundwater trigger levels have also been specified for pH, ammonia, TOC, chloride and potassium subject to an annual review.

(6) Emissions to Surface Waters

The proposed facility is drained in a southerly direction by three small streams which merge to form the Three Mile Water river. Two of the streams are on the western side of the site (referred to as 'Kilcandra' and 'Ballynagran' streams) and the stream on the eastern side of the site is known as the 'Long Ford' stream. The Three Mile Water river enters the sea at Magherabeg Dunes approximately 5km south east of the proposed site. The results of surface water samples taken from the streams in the vicinity of the proposed site and from the Three Mile Water river indicate that the

quality is generally good. However, elevated ammonia levels (Max. of 4.3 mg/l) were recorded in samples taken on 12/12/01. The EPA Water Quality Report 1998-2000 for the Three Mile Water river indicated that, of a total length surveyed of 6.5km, 4.0km was unpolluted, 2.0km was slightly polluted and 0.5km was moderately polluted.

The recommended PD contains various measures to be taken to ensure the protection of surface water quality. These include the construction of the surface water management infrastructure and surface water lagoon prior to the commencement of any other construction (apart from the site access roads), the provision of an oil interceptor and the installation of an isolating penstock on the outlet from the surface water lagoon (Condition 3.16). Monitoring of the surface water discharge together with flow monitoring in the perimeter stream is also required under the recommended PD in order to determine a discharge regime.

(7) Other Significant Environmental Impacts of the Development

Communication with local residents

The recommended PD requires the licensee to submit details of a Communications Programme which should include provision for informing and involving the local community.

Ecology

The proposed site is not covered by any nature conservation designations. Three sites designated under the EU Habitats Directive (i.e. cSAC's) are located within 5km of the site. A candidate SAC is located at Magherabeg Dunes approximately 5km south east of the proposed site while Glenealy Woods is located 1km north of the site and part of this proposed Natural Heritage Area is a Nature Reserve and a candidate SAC. 'The Murrrough', which lies approximately 5km north east of the site is a candidate SAC and part of this is a proposed Natural Heritage Area. I do not consider that the facility is likely to have a significant adverse affect on the integrity of the cSAC's and therefore the requirements of the Habitats Directive do not apply to this development. The applicant will be required to carry out a number of mitigation measures in relation to the protection of habitats/ecology at the proposed facility (Condition 5.6). For example, a wetland at the centre of the site will be removed as part of the proposed development and the applicant has proposed to create a new pond/wetland to help compensate for the loss of this wetland (Condition 5.6.3).

Archaeological

The remains of a castle ('*MacDermots castle*') is sited on the eastern boundary of the proposed site but there will be no direct impact on it as it is outside the landfill footprint and areas of construction. Also, the presence of a possible '*fulacht fiadh*' and flint flakes were noted to the east of the landfill footprint. The recommended PD requires (i) the applicant to consult with Dúchas prior to the development of any undisturbed area at the site and (ii) monitoring by a suitably qualified archaeologist (Condition 8).

(8) Waste Management, Air Quality and Water Quality Plans

The Waste Management Plan for County Wicklow (adopted in April 2000) refers to the need for landfill space in the county for domestic, commercial and industrial waste and it stated that this need will continue despite the implementation of maximum

recycling in the shortest possible timeframe. The Plan also states that there is a need to ensure the provision of a new landfill for municipal and similar non-hazardous household, commercial and industrial waste.

The Wicklow County Development Plan states that it is the policy objective of the Council to *'have regard to its duty under Section 38(1) of the 1996 Waste Management Act, to provide and operate, or arrange for the provision of, such facilities as may be required for the recovery and disposal of household waste arising within its functional area'*.

There are no relevant air or water quality management plans.

(9) Submissions

A total of 20 valid submissions were received by the Agency in relation to this application. I have had regard to the submissions in making my recommendation to the Board. Below is a summary of the main concerns raised in the submissions. The specific details in some submissions are highlighted to give an overview of the concerns raised.

1. Surface Water:

- *Surface waters arising from areas affected by the landfill should be directed to a surface water pond. The pond should be of sufficient size to facilitate the clarification of stormwater in the event of elevated suspended solids*
- *All watercourses within the study are tributaries of the Three Mile Water River which is a salmonid river.*
- *Duchas stated that no information seems to be available on the amount of surface water arising over the 21 ha site which will be discharged into the Three Mile Water river and ultimately the sea at Magherabeg SAC. If the developer can ensure that there will be no damage to the water quality, then Duchas should not object to the development.*

Inspectors Response:

The recommended PD contains a number of conditions in relation to the control and management of surface water from the facility. These include (amongst other things) the requirement to provide surface water management infrastructure (including a surface water lagoon) prior to the commencement of construction works at the facility, run-off from impervious surfaces must pass through an oil interceptor, regular monitoring of the discharge from the surface water lagoon must take place and the applicant must comply with emission limit values on the discharge from the surface water lagoon during the construction period and subsequently. The Three Mile Water River is not designated as a salmonid river under the Salmonid Water Quality Regulations 1988 but the Eastern Regional Fisheries Board (personal communication) consider it to be regarded as a salmonid water. It is considered that compliance with the conditions of the recommended PD in relation to surface water management should ensure adequate protection of surface water courses in the vicinity of the site.

2. Leachate Management:

- *Collected liquid from the wheelwash and waste inspection/quarantine areas should be pumped to the leachate lagoon*
- *The treatment/handling of leachate has not been adequately addressed in the EIS and no waste licence should be issued until the leachate issue is resolved.*
- *Details should be provided on the quantity of leachate which will be produced, no. of tanker movements, provisions for dealing with leachate spillages on the public roads and their impacts and provisions for dealing with leachate upon closure.*
- *A copy of the agreement between the applicant and the LA that has agreed to accept the leachate should be provided together with details on the proposed transportation route.*
- *Duchas state that the transportation of leachate by tanker is not sustainable after the 'dump' ceases to operate. There is a high risk from overflow and contaminated water entering the adjacent stream and Three Mile Water river. A long term leachate management strategy should be developed together with a suitable surface water and ground water monitoring programme.*

Inspectors Response:

The management of leachate arising at the facility is provided for in the recommended PD. For example, leachate management infrastructure is required under Condition 3.14 and drainage from other areas (e.g. wheelwash and waste inspection/quarantine areas) must be directed to the leachate lagoon. Leachate handling procedures are also required to be developed under the terms of the recommended PD and these procedures must address the removal of leachate from the leachate lagoon and its subsequent transport/discharge to an agreed WWTP. The applicant received an indication from Dublin City Council that they would be prepared to consider the possibility of treating leachate at the Ringsend WWTP. The recommended PD requires (prior to the acceptance of waste at the facility) a report to be submitted to the Agency for its agreement on the off-site WWTP to be used, details of its capacity and level of treatment provided, contingency arrangements proposed together with a report on the provision of infrastructure for the on-site treatment of leachate. Details on the expected quantities and quality of the leachate arising from the proposed facility were provided in the EIS. The proposed facility will be an engineered landfill with appropriate leachate and surface water management infrastructure and this should ensure adequate protection of nearby surface water courses.

3. Waste Licence Application/EIS

- *Clarification was requested in relation to whether 2 waste licence applications relate to the same location*
- *The newspaper advertisements and public notices are misleading and inaccurate in that they are promoted as an application for a 'Residual Landfill'. Given that the facility will accept and landfill unsorted waste, the current application should be rejected and a new application lodged with correctly worded advertisements and public notices. The EPA should provide*

an explanation of the terms, rubbish dump, landfill and residual landfill. The Article 12 information submitted by the applicant stating that 'the residual landfill at Ballynagran is supported by the Wicklow Waste Management Plan' is incorrect.

- *The EIS/Waste Licence application and the Additional Information depend on references to previous reports including (a) Preliminary report on Waste Management Strategy and Development of Facilities for East Wicklow and (b) an uncertified EIS on the East Wicklow Landfill at this location. Both of these reports which were rejected by Wicklow Co. Co. do not appear to form part of this application and will have to be consulted. Also, information on the site selection process is not generally available.*
- *Do the EIA Regulations allow a developer to provide references to data/information?*
- *Reference is made to alternatives studied by Wicklow Co. Co. but no information is provided on the alternatives studied by Celtic Waste Ltd and therefore the EIS is not in compliance with the EIA regulations. The application by Celtic Waste is based on an EIS that was conducted by MCO' Sullivan in 1996 and which was flawed. No public consultation for the people of the area took place on the drafting of the Celtic Waste EIS.*
- *Also significant demographic changes have occurred since the EIS was carried out e.g. 20 new houses mostly relying on deep wells for domestic water supply have been constructed.*
- *Submissions by Ballynagran & Coolbeg Action Group state that there is an absence of specific environmental protection measures and that the Agency is tolerant in accepting, without further enquiry, inadequate responses to questions put to the developer by the Agency. The developer is on numerous occasions stating that it will supply the information as soon as it becomes available after a decision on the granting of a waste licence. Such post factum supply of information would seem to circumvent the public consultation process and thereby be potentially liable to judicial challenge by the public. It refers to the following specific points:*
 - (i) *The fully costed Environmental Liabilities Risk Assessment as requested by the Agency has not been submitted*
 - (ii) *Inadequate information on the site selection process has been provided in response to the Agency request, the site selection process lacks integrity and the public consultation process in this regard is flawed*
 - (iii) *The response to the Agency's request for further information on the biological treatment proposed is not satisfactory*
 - (iv) *Details on the fate of leachate arising from the proposed development have not been provided. Significant differences in the leachate/soiled water estimates exist between information provided on waste licence application Reg. No. 5-1 and this waste licence application (Reg. No. 165-1).*
 - (v) *The developer has not provided the results of additional pumping tests to confirm the confined nature of the bedrock, hydrogeological considerations have been seriously neglected by the applicant and an expert should be*

commissioned to study groundwater in the area and in a 2km radius of site. There is independent hydrogeological evidence that the aquifer under the site is classified as locally important and is liable to damage during preparation of the site.

(vi) The 'coming' development of the N11 will bring about a new situation and there has been no mention of the impact of proposed facility on road users nor on the negative environmental interaction of major works on 2 neighbouring locations.

Inspectors Response:

The application in question (Reg. No. 165-1) relates to a proposed site at Ballynagran, Coolbeg and Kilcandra, Co. Wicklow. The site boundary is similar to the site selected for a central landfill in 1993 by Wicklow Co. Co. and this was the subject of a withdrawn waste licence application (Reg. No. 5-1).

This waste licence application (Reg. No. 165-1) and EIS refer to the development of a residual landfill at the proposed site. In relation to this, Condition 1 of the recommended PD requires that all waste accepted for disposal at the facility be subjected to treatment in accordance with the Landfill Directive. The definition of 'treatment' in the Landfill Directive includes physical, thermal, chemical and biological processes and includes the sorting of waste. The Waste Management Plan also states that there is a need to ensure the provision of a new landfill for municipal and similar non-hazardous household, commercial and industrial waste.

There is no restriction on the applicant providing references to data/information when preparing an EIS. For example, the applicant included information on previous studies in relation to groundwater/hydrogeology at the site which were conducted on behalf of Wicklow Co. Co.

Details on alternatives were included in the information submitted in the waste licence application/EIS by Celtic Waste Ltd. The process of consultation by the applicant with members of the public and nearby residents is a matter for the applicant. The EIS and waste licence application was made available to the public by the Agency.

Details on groundwater pumping trials were included in the information submitted in the application/EIS. A door to door well survey was carried out in 2001 and the recommended PD requires a private well survey subject to the landowners agreement. The applicant (in the information submitted on 20/02/02) identified 12 houses within a 500m radius of the landfill footprint. Further information on geology/hydrogeology is provided in Section 5 above ('Emissions to Groundwater').

As stated earlier, I am satisfied that the environmental impact assessment carried out by Celtic Waste Ltd. was adequate for an assessment of any likely significant effects on the environment. I consider that sufficient information was provided in the waste licence application, EIS and subsequent responses to allow an assessment of the impacts on the environment. I am satisfied that compliance with the conditions of the recommended PD will ensure that the requirements of Section 40(4) of the WMA 1996 are not contravened. In relation to the specific points raised by Ballynagran & Coolbeg Action Group, I consider that:

- (i) the applicant's response to the Agency's request for an Environmental Liabilities Risk Assessment stated that CWL consider *'that the preparation of such an assessment at this stage is premature and could not be fully comprehensive without knowing the conditions of the waste licence'....'the applicant will carry out the required assessment when the licence conditions have been finalised, prior to the acceptance of any waste'*. I consider that this issue is adequately provided for in the recommended PD by the requirement to submit such an assessment (together with a proposal for Financial Provision). Condition 2.4 of the recommended PD will also allow local residents to comment on such proposals and this information will also be available to the public.
- (ii) Details on alternative sites were included in the EIS/subsequent responses.
- (iii) The EIS referred to the reservation of a 2 hectare area at the facility for the future provision of a biological treatment facility for biodegradable waste. It stated that the scale and type of biological treatment to be carried out will be determined following the completion of feasibility studies and market analyses. The Agency requested (in an Article 14 Notice) the applicant to provide details on the biological treatment proposed for the facility. The applicant responded (in its Article 14 response) by stating that any future biological treatment *'will be subject to a separate planning application and a review of the waste licence for the site and does not form part of this waste licence application'*. Therefore, the biological treatment of waste (other than the possible future pre-treatment of leachate) is not provided for in the recommended PD.
- (iv) The issue of leachate treatment has been dealt with in the response to earlier submissions.
- (v) The issue of groundwater/geology/hydrogeology has been dealt with in the response to earlier submissions.
- (vi) Details on traffic were included in the EIS.

4. Miscellaneous

- *Duchas requested that monitoring results be sent to them on a yearly basis*
- *A letter from Ballynagran & Coolbeg Action Group was sent to the Planning section of Wicklow Co. Co. (Cc'd to Agency) requesting clarification on the status of the planning application. The application is in contravention of the Co. Development Plan.*
- *The EPA's Draft Manual on Site Selection should be finalised to (i) include details on the lifespan of the facility (max. 15 years) and (ii) state that all geology/hydrogeological investigations should be undertaken by an independent hydrogeologist. The site selection criteria and process should be transparent and available to the public and should be dependent on the type of waste to be accepted.*
- *Two submissions from Mr. Val Cosgrave requested (i) copies/details of typical 'EPA approved' plans/programmes including Communications Programmes, waste acceptance/handling procedures, restoration/aftercare plan, emergency response procedure, environmental liabilities risk assessment, details of*

pesticides, herbicides and vermin control, number and copies of notifications to Local Authorities by EPA in relation to the irregular movement of waste together with actions taken by EPA and (ii) a lengthy list of evidence and data sources/information relied on by the EPA in relation to many topics including BATNEEC, Groundwater Directive, Lining/Capping systems, groundwater monitoring locations, after use of site, corrective actions, buffer zones, financial provisions and cumulative effects. The information was requested under the Access to Information on the Environment Regulations, SI 125 of 1998. The information requested should be forwarded and a decision on the application should be suspended for a period of 6 months.

- *One submission requested confirmation that the EPA currently has sufficient resources and personnel available to properly monitor waste activity, enforce compliance with waste licences and permits issued and to deal with unlicensed activities.*
- *A submission received from Ballynagran & Coolbeg Action Group requested that previous information submitted by them to the Agency be treated as submissions and the Group also requested replies to their questions and how the EPA have addressed the problems.*

Inspectors Response:

It is not considered necessary for monitoring results to be submitted to Duchas as such information will be available for viewing, or upon request by the Agency. The issues referred to above in relation to planning are a matter for the planning authority and the parties involved. It is likely that the Agency's Draft Manual on site selection will be finalised in the near future and the issues raised above should be taken into account in the finalisation of this publication by the Agency. As noted earlier, I consider that sufficient information was provided in the waste licence application, EIS and subsequent responses to allow an assessment of the impacts on the environment. I am satisfied that compliance with the conditions of the recommended PD will ensure that the requirements of Section 40(4) of the WMA 1996 are not contravened. Mr. Cosgrave was informed by the Agency that the file relating to this application would be available for inspection at the Agency's headquarters and at Wicklow Co. Co.'s offices. All valid submissions received by the Agency in relation to waste licence application 165-1 have been taken into account in making the recommendation. Persons/groups making valid submissions were informed in writing by the Agency that their information would be treated as a submission. Information submitted to the Agency in relation to waste licence applications together with information related to the enforcement of waste licences is made available for inspection by members of the public by the Agency. This information is exempt from the requirements of the *Access to Information on the Environment Regulations, SI 125 of 1998*. Enforcement of waste licences is a matter for the Agency and in the event of non-compliances with the conditions of a waste licence, the Agency will take appropriate enforcement action. The enforcement of waste permits together with the policing of illegal dumping/unauthorised activities is a matter for Local Authorities.

Signed _____

Dated:

Dr. Michael Henry
Inspector, Environmental Management & Planning

APPENDIX 1
LOCATION MAP & LAYOUT PLAN