

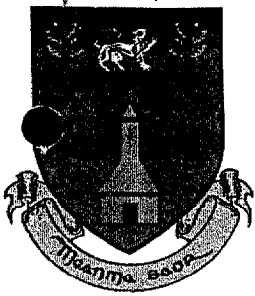
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Submission on Proposed Decision of the EPA to Refuse Waste Licence Application for
Remediation of Unauthorised Landfill Sites at Blessington, Co. Wicklow (Ref 213-1)

APPENDIX A

WICKLOW COUNTY COUNCIL SECTION 55 NOTICE DATED 7 JULY 2004

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Comhairle Chontae Chill Mhantáin

Wicklow County Council

Aras An Chontae
Cill Mhantáin
Telefón : (0404) 20100
Fax No : (0404) 67792
Intl VPN : 181 2100
E-Mail: envserv@wicklowcoco.ie
Web: www.wicklow.ie

Your Ref:

Our Ref:

07 July 2004

Pat Martin,
Director – Pits and Quarries,
Roadstone Dublin Ltd.,
Fortunestown,
Tallaght,
Dublin 24

Re: Supplemental Notice under Section 55, Waste Management Acts, 1996 to 2003

Dear Sirs,

I enclose herewith, Supplemental Notice under Section 55 of the Waste Management Acts, 1996 to 2003.

You should arrange to comply with the terms of this notice, failing which the Council will have no alternative but to initiate legal proceedings in this regard.

Mise le meas,

Jackie Carroll,
A/Senior Executive Officer,
Environmental and Water Services Section.

WICKLOW COUNTY COUNCIL

Supplemental Notice under Section 55 of the Waste Management Acts, 1996 to 2003.

Roadstone Dublin Ltd.,
Fortunestown,
Tallaght,
Dublin 24.

1. Whereas it appears to Wicklow County Council that waste has been and is being held, recovered or disposed of on lands owned by Roadstone Dublin Ltd., at Dillonsdown, New Paddocks, Foxes Covert and Deerpark, Blessington in a manner that is causing or is likely to cause environmental pollution, in contravention of Sections 32 and 39 of the Waste Management Acts, 1996 to 2003 and it is necessary to require measures to be taken by Roadstone Dublin Ltd. to prevent or limit environmental pollution at these locations.

2. In July 2003, Wicklow County Council issued a Section 55 notice to Roadstone Dublin Ltd. The specific measures included the following:

To undertake an environmental risk assessment and arising from the risk assessment

- To propose a remedy to the Council
- That will remove or mitigate the identified risks
- Repair to an acceptable level damage caused and
- Remediate the environmental status of the affected areas.

3. Wicklow County Councils considered position on the remediation of illegal landfills takes account of the site specific nature of each proposed solution and that site remediation plans could involve all or some of the following integrated activities:

- The excavation of waste bodies on the site including contaminated surrounding soils
- The segregation of waste from the soils and surrounding material.
- The segregation of the waste into specific fractions
- The processing of the waste fractions to alter characterisation and waste category
- The removal of waste fractions to authorised facilities for disposal, processing or reuse
- The construction of a properly engineered contained repository area on the site where residual waste and contaminated soils may be stored
- The grading and capping of the former illegal landfill areas to reduce water ingress into those soils
- The installation of down gradient monitoring boreholes to monitor changes over time
- On going monitoring of the site for an agreed period.

4. It is the Councils considered technical opinion that the risk assessment and the proposed remediation scheme submitted by Roadstone Dublin Ltd. are consistent with the above considered position and provide an appropriate method to remedy the environmental risk that has been created. Roadstone Dublin Limited has technically

consulted with Wicklow County Council regarding the preparation of a remediation plan for the Blessington site.

5. Subsequent to the response of Roadstone Dublin Ltd to the Section 55 notice, Wicklow County Council now requires Roadstone Dublin Ltd. to carry out additional measures which appear to Wicklow County Council to be necessary to remove or mitigate the identified environmental risks. The critical elements of environmental remediation planning for this site will conform to the general measures as set out on the attached schedule.
6. Representations regarding the terms of this supplemental Notice may be made by Roadstone Dublin Ltd., in writing, to the Director of Environmental and Water Services, Wicklow County Council, County Buildings, Wicklow Town, Co. Wicklow within 14 (fourteen) days from the date of this Notice and the Council may, after consideration of any such representations, amend a provision of the Notice, or may confirm or revoke the Notice and inform Roadstone Dublin Ltd. of such amendment, confirmation or revocation.

Note:

Where Notice under this Section is not complied with within the period specified in the Notice, the person on whom it was served shall be guilty of an offence and Wicklow County Council may take such steps as to secure compliance with the Notice, and may recover any expenses thereby incurred as a simple contract debt in any court of competent jurisdiction.

SIGNED: _____

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MICHAEL NICHOLSON
DIRECTOR OF ENVIRONMENTAL AND WATER SERVICES

DATE _____

7th July 2004

SCHEDULE OF MEASURES

**Lands at Dillonsdown, New Paddocks, Foxes Covert and Deerpark, Blessington,
Co. Wicklow.**

MEASURES TO BE TAKEN	SPECIFIED PERIOD FROM SERVICE OF NOTICE WITHIN WHICH TO COMPLY
To undertake to make application to the Environmental Protection Agency for a licence to implement the measures specified within two months of date of this notice.	14 days
To undertake to implement the following measures and to operate the facility in accordance with the terms and conditions of the necessary statutory consents as issued.	14 days
To undertake to excavate and take all measures as are necessary to safely dispose or recover all waste that is likely to cause environmental pollution from all areas within the Roadstone Blessington site. This will also include the excavation and safe disposal or recovery of soils contiguous to the waste.	14 days
To undertake to ensure that waste excavation, waste handling and waste disposal or recovery is carried out in a manner that will not result in environmental pollution. Relevant aspects to be controlled include the containment collection and management of leachates, the control and management of landfill gases, odour control, vermin control and any other environmental aspects that arise as a result of excavation works required.	14 days
To undertake to construct a facility on site for the temporary storage and segregation of excavated materials. This facility will have the capability to identify and classify waste categories in accordance with European Waste Catalogue	14 days
To undertake to segregate the excavated materials into designated fractions. The designated fractions will, at a minimum, include hazardous and non-hazardous material, materials suitable for recovery, materials suitable for recycling and residual waste.	14 days
To undertake to remove hazardous waste off site for treatment in appropriate off site facilities and to remove recoverable and recyclable materials off site for reuse and / or to appropriate facilities.	14 days
To undertake to construct an engineered facility within the Blessington site that will environmentally isolate and contain the residual waste fraction.	14 days
To undertake to restore the areas where waste has been excavated to agreed contours using clean soils.	14 days
To undertake to maintain, and where necessary extend the existing monitoring platform that is currently in place to monitor groundwater quality and landfill gas.	14 days

<p>To undertake to implement a programme to monitor specified parameters in a manner that will facilitate the continuous evaluation of environmental status of the site and that such a programme will remain in place until the status of the site is satisfactory. To confirm the operational status of this programme, including the submission of data generated, within two months of the date of this notice and the programme will remain in place until the appropriate authorisation is received to commence remediation works on the site.</p>	<p>2 months</p>
<p>To undertake to employ a suitably qualified and experienced facility manager who shall be designated as the person in charge within two months of the date of this notice.</p>	<p>2 months</p>

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