

Waste Management Acts, 1996 to 2003

**NOTIFICATION OF A PROPOSED DECISION ON AN APPLICATION FOR A WASTE LICENCE
IN ACCORDANCE WITH SECTION 42(2) OF THE WASTE MANAGEMENT ACTS, 1996 TO 2003.**

In pursuance of the powers conferred on it by the above mentioned Acts, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Acts, to determine the following waste licence application:

Waste Licence Register No: 214-1
Applicant: Ted O'Donoghue and Sons Limited, Mountain View House,
 Knockpogue, Waterfall, County Cork.
Facility: Ted O'Donoghue and Sons Limited., Knockpogue, Waterfall, County
 Cork.

The application was submitted by the applicant on 09/12/2004.

Proposed Decision: It is proposed, for the reasons hereinafter set out, to grant a waste licence to the above named applicant to carry on the following activities at the above named facility, subject to twelve Conditions:

*Licensed waste disposal activities in accordance with the Third Schedule
of the Waste Management Acts, 1996 to 2003:*

Class 11.	Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 12.	Repackaging prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 13.	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.

*Licensed waste recovery activities in accordance with the Fourth Schedule
of the Waste Management Acts, 1996 to 2003:*

Class 2.	Recycling or reclamation of organic substances, which are not used as solvents (including composting and other biological processes).
Class 3.	Recycling or reclamation of metals and metal compounds.
Class 4	Recycling or reclamation of other inorganic materials.
Class 13.	Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced.

Proposed Licence A copy of the proposed licence, including the reasons for the proposed decision, the proposed (twelve) Conditions and the reasons therefor and associated schedules attached thereto accompanies this notification. A copy of the proposed licence may also be obtained from the Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

OBJECTIONS & ORAL HEARINGS

Any person may object to the proposed decision, in accordance with Section 42 of the Waste Management Acts, 1996 to 2003, at any time no later than 12 September 2005. A person making an objection may also request an oral hearing of the objection, in accordance with Section 42 of the Acts, at any time no later than the date specified above. It is important to note that any objection to a proposed decision/request for an oral hearing must be received by the Agency before the appropriate period expires.



An objection/request for an oral hearing must be made either by sending the objection or request by prepaid post to the Agency, or by leaving the objection or request with an employee of the Agency at the principal offices of the Agency in Wexford during office hours, i.e. 9.00 a.m. to 5.00 p.m. Monday to Friday.

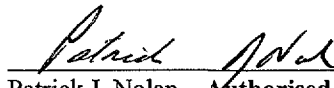
An objection against the proposed decision must state in full the grounds of the objection. An objection and a request for an oral hearing of an objection must each be accompanied by the appropriate fee and also comply with the other statutory requirements set out in the Waste Management Acts, 1996 to 2003 and the Waste Management (Licensing) Regulations, S.I. No. 395 of 2004. Extracts from the Acts and the Regulations accompany this notification. For the purposes of making an objection and/or a request for an oral hearing, the address of the principal office of the Agency is **P.O. Box 3000, Johnstown Castle Estate, County Wexford.**

In the event that;

- (a) no objection is taken against the proposed decision or
- (b) an objection or objections is or are taken against the proposed decision and the objection or objections is or are withdrawn,

the decision of the Agency will be in accordance with the proposed decision and will be issued as soon as may be after the appropriate period expires.

Signed on behalf of the Agency:
on the 16th day of August, 2005


Patrick J. Nolan, **Authorised Person**

re: Proposed Decisions of the Environmental Protection Agency in respect of Waste Licence applications

Fees for the making of Objections and Oral Hearing requests

Fees for making an Objection:

- Article 42 (1) A fee shall be paid to the Agency in respect of the making of an objection.
- (2) Subject to sub-article (3), the fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the appropriate mention of objection in column (2) of the said Part of the Schedule.
- (3) Where an objection is made to the Agency by -
- (a) a local authority,
 - (b) a planning authority
 - (c) a sanitary authority,
 - (d) the Central Fisheries Board,
 - (e) An Taisce - The National Trust for Ireland,
 - (f) Failte Ireland,
 - (g) in the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Limited, that Company,
- a reduced fee shall be payable in respect of the said objection, in accordance with sub-article (2).

Fees for making a request for an Oral Hearing (payable *in addition to* the fee payable for making the associated objection)

- Article 44 (1) A fee shall be paid to the Agency in respect of a request for an oral hearing of an objection. (See table of fees below).
- (1) The fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the mention of a request for an oral hearing in column (2) of the said Part of the Schedule.

Table of Fees for Objections and Requests for Oral Hearings

(1)	(2)	(3) Amount of fee (€)
Article 42	Objection by the applicant or licensee	€500
	Objection by an authority or body mentioned in Article 42(3)	€100
	Objection by any other person	€200
Article 44	Request for an oral hearing	€100

**Making an Objection and
requesting an Oral Hearing of an objection
on a Proposed Decision of the Environmental Protection Agency on a
Waste Licence Application**

Extracts from the relevant sections of the Waste Management Acts, 1996 to 2003

Section

- 42(2) Before making a decision under *Section 40* in respect of an application made to it for the grant of a waste licence, or *under Section 46(2)* in consequence of a review of a waste licence that has been conducted by it under that section, the Agency shall give notice in writing to—
- (a) the applicant or the holder of the licence, as the case may be,
 - (b) any person who has made a written submission to it in relation to the application or the review, in accordance with regulations under this Part,
 - (c) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on, and
 - (d) such other persons as may be prescribed,
- of the decision it proposes to make in respect of the application or in consequence of the review and, where the decision so notified is a decision to grant a waste licence or a revised waste licence, shall specify where a copy of the proposed licence or revised licence may be obtained.
- 42(3) Any person may, subject to compliance with the requirements of any regulations under *Sections 45* and *50*, and at any time before the expiration of the appropriate period, make an objection to the Agency in relation to a decision referred to in *subsection (2)* that it proposes to make.
- 42(4) An objection shall—
- (a) be made in writing,
 - (b) state the name and address of the objector,
 - (c) state the subject matter of the objection,
 - (d) state in full the grounds of objection and the reasons, considerations and arguments on which they are based, and
 - (e) be accompanied by such fee (if any) as may be payable in respect of the making of such objection in accordance with regulations *under Section 50*.
- 42(5) (a) An objection which does not comply with the requirements of *subsection (4)* shall be invalid.
(b) The requirement of *subsection (4) (d)* shall apply whether or not the objector requests, or proposes to request, under *subsection (9)* an oral hearing of the objection.
- 42(6) An objection shall be accompanied by such documents, particulars, or other information relating to the objection as the objector considers necessary or appropriate.
- 42(7) Without prejudice to the provisions of any regulations under *Section 45*, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds of objection stated in the objection, and any such elaboration, submissions or further grounds of objection that is or are received by the Agency shall not be considered by it.
- 42(8) Any documents, particulars or other information submitted by an objector, other than such documents, particulars or other information which accompanied the objection or which were furnished to the Agency under and in accordance with a requirement of, or made pursuant to, regulations under *Section 45*, shall not be considered by the Agency.
- 42(9) (a) A person making an objection under *subsection (3)* may request an oral hearing of the objection.
(b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under *Section 50*.

(ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.

(c) A request for an oral hearing of an objection shall be made within the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.

42(10) An objection, or a request for an oral hearing under subsection (9), shall be made—

- (a) by sending the objection or request by prepaid post to the Agency, or
- (b) by leaving the objection or request with an employee of the Agency, at the principal office of the Agency, during office hours, or
- (c) by such other means as may be prescribed.

42(11) (a) Where a request for an oral hearing of an objection is made in accordance with subsection (9), or otherwise where an objection has been made, the Agency shall have an absolute discretion to hold an oral hearing in relation to the objection and, if it decides to hold such a hearing, it shall give notice in writing of that decision to—

- (i) the applicant or the holder of the licence, as the case may be,
- (ii) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on,
- (iii) any person who requested an oral hearing, and
- (iv) such other person as may be prescribed.

(b) Where the Agency decides not to hold an oral hearing under this subsection, it shall give notice in writing of its decision to the person who requested the oral hearing.

42(12) In this section “the appropriate period” means the period of 28 days beginning on the day on which notification is sent under subsection (2) in respect of the matter concerned.

42A ***Calculation of appropriate period and other time limits over holidays***

When calculating the appropriate period (within the meaning of Section 42) or any other time limit under this Act or in any regulations made under this Act, the period between the 24th day of December and the 1st day of January, both days inclusive, shall be disregarded.

43(1) (a) Where

- (i) no objection is made in accordance with Section 42(3) to the Agency in relation to a decision that it proposes to make in respect of an application made to it for the grant of a waste licence or in consequence of a review conducted by it of a waste licence, or
- (ii) any objection or objections that has or have been so made to it in relation thereto is or are withdrawn,

the decision of the Agency in relation to that application or in consequence of the review shall be that as notified by it under Section 42(2).

(b) Where the decision of the Agency is to grant a waste licence or a revised waste licence, such a licence shall be granted by it as soon as may be after the making of the decision.



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

**WASTE LICENCE
Proposed Decision**

Licence Register Number:	214-1
Applicant/Licensee:	Ted O' Donoghue & Sons Limited
Location of Facility:	Knockpogue, Waterfall, County Cork

INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

Ted O'Donoghue & Sons Limited is situated approximately 6.5km from Cork City. The facility is a non-hazardous materials recovery facility consisting of a waste transfer building, small workshop, wheelwash and concreted yard. The facility accepts 23,000 tonnes per annum (tpa) of waste comprising 12,880tpa household waste, 1,840tpa commercial waste, 7,514tpa construction & demolition waste and 766tpa industrial waste. All waste handling and storage will take place indoors apart from wood shredding and the subsequent wood chippings stored outside will be covered. Hours of operation are Monday to Friday 0600 to 2000 and Saturday 0600 to 1700.

The licence sets out in detail the conditions under which Ted O'Donoghue & Sons Limited will operate and manage this facility.

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Glossary of Terms

All terms in this licence should be interpreted in accordance with the definitions in the Waste Management Acts 1996 to 2003, (the Acts), unless otherwise defined in this section.

Aerosol	A suspension of solid or liquid particles in a gaseous medium.
Adequate lighting	20 lux measured at ground level.
AER	Annual Environmental Report.
Agreement	Agreement in writing.
Annually	At approximately twelve monthly intervals.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
Application	The application by the licensee for this licence.
Appropriate facility	A waste management facility, duly authorised under relevant law and technically suitable.
BAT	Best Available Techniques.
Bi-annually	All or part of a period of six consecutive months.
Biodegradable waste	Any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food, garden waste, sewage sludge, paper and paperboard.
Biennially	Once every two years.
BOD	5 day Biochemical Oxygen Demand.
CEN	Comité Européen De Normalisation – European Committee for Standardisation
COD	Chemical Oxygen Demand.
Construction and Demolition Waste	Wastes that arise from construction, renovation and demolition activities: Chapter 17 of the EWC or as otherwise may be agreed.
Containment boom	A boom which can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
Daily	During all days of plant operation, and in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
Day	Any 24 hour period.
Daytime	0800 hrs to 2200 hrs.
dB(A)	Decibels (A weighted).
DO	Dissolved Oxygen.

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.
EMP	Environmental Management Programme.
Emission Limits	Those limits, including concentration limits and deposition rates established in <i>Schedule B: Emission Limits</i> , of this licence.
Emergency	Those occurrences defined in Condition 9.3.
Environmental Damage	Has the meaning given it in Directive 2004/35/EC.
EPA	Environmental Protection Agency.
European Waste Catalogue (EWC)	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2000/532/EC and any subsequent amendment published in the Official Journal of the European Community.
Facility	Any site or premises used for the purposes of the recovery or disposal of waste.
Fortnightly	A minimum of 24 times per year, at approximately two-week intervals.
GC/MS	Gas Chromatography/Mass Spectroscopy.
Green waste	Waste wood (excluding timber), plant matter such as grass cuttings, and other vegetation.
Heavy Metals	This term is to be interpreted as set out in "Parameters of Water Quality, Interpretation and Standards" published by the Agency in 2001. ISBN 1-84095-015-3.
HFO	Heavy Fuel Oil.
Hours of Operation	The hours during which the facility is authorised to be operational.
Hours of Waste Acceptance	The hours during which the facility is authorised to accept waste.
ICP	Inductively Coupled Plasma Spectroscopy.
Incident	The following shall constitute an incident for the purposes of this licence: <ul style="list-style-type: none">a) an emergency;b) any emission which does not comply with the requirements of this licence;c) any exceedence of the daily duty capacity of the waste handling equipment;d) any trigger level specified in this licence which is attained or exceeded; and,e) any indication that environmental pollution has, or may have, taken place.
Industrial Waste	As defined in Section 5(1) of the Waste Management Acts 1996 to 2003.

Inert waste	Waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater.
Installation	A stationary technical unit or plant where the activity concerned referred to in the First Schedule of EPA Acts 1992 and 2003 is or will be carried on, and shall be deemed to include any directly associated activity, which has a technical connection with the activity and is carried out on the site of the activity.
IPPC	Integrated Pollution Prevention & Control.
K	Kelvin.
kPa	Kilo Pascals.
Landfill Directive	Council Directive 1999/31/EC.
Leq	Equivalent continuous sound level.
Licence	A Waste Licence issued in accordance with the Acts.
Licensee	Ted O Donoghue & Sons Ltd.
Liquid Waste	Any waste in liquid form and containing less than 2% dry matter.
List I	As listed in the EC Directives 76/464/EEC and 80/68/EEC and amendments.
List II	As listed in the EC Directives 76/464/EEC and 80/68/EEC and amendments.
Local Authority	Cork County Council.
Maintain	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to adequately perform its function.
Mass Flow Limit	An Emission Limit Value, which is expressed as the maximum mass of a substance, which can be emitted per unit time.
Mass Flow Threshold	A mass flow rate, above which, a concentration limit applies.
Monthly	A minimum of 12 times per year, at approximately monthly intervals.
Municipal waste	As defined in Section 5(1) of the Act.
Night-time	2200 hrs to 0800 hrs.
Noise Sensitive Location (NSL)	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
Oil Separator	Device installed according to the International Standard I.S.EN 858-2:2003 (Separator systems for light liquids, (e.g. oil and petrol)-Part 2:Selection of nominal size, installation, operation and maintenance.

PER	Pollution Emission Register.
Quarterly	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
Recyclable Materials	Those waste types, such as cardboard, batteries, gas cylinders, etc, which may be recycled.
Regional Fisheries Board	Southern Regional Fisheries Board.
Sanitary Authority	Cork County Council.
Sanitary Effluent	Waste water from facility toilet, washroom and canteen facilities
Sample(s)	Unless the context of this licence indicates to the contrary, samples shall include measurements by electronic instruments.
SOP	Standard Operating Procedure.
Specified Emissions	Those emissions listed in <i>Schedule B: Emission Limits</i> of this licence.
Standard Method	A National, European or internationally recognised procedure (eg, I.S. EN, ISO, CEN, BS or equivalent), as an in-house documented procedure based on the above references, a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater", (prepared and published jointly by A.P.H.A., A.W.W.A & W.E.F), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or, an alternative method as may be agreed by the Agency.
Storm Water	Rain water run-off from roof and non-process areas.
The Agency	Environmental Protection Agency.
TA Luft	Technical Instructions on Air Quality Control - TA Luft in accordance with art. 48 of the Federal Immission Control Law (BImSchG) dated 15 March 1974 (BGBl. I p.721). Federal Ministry for Environment, Bonn 1986, including the amendment for Classification of Organic Substances according to section 3.1.7 TA.Luft, published in July 1997.
TOC	Total Organic Carbon.
Trade Effluent	Trade Effluent has the meaning given in the water pollution Acts 1977 and 1990
Weekly	During all weeks of plant operation, and in the case of emissions, when emissions are taking place, with at least one measurement in any one week.
White Goods	Refrigerators, cookers, ovens and other similar appliances.
WWTP	Waste Water Treatment Plant.

Decision & Reasons for the Decisions

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 will not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2003.

Recommended Decision

In reaching this decision the Environmental Protection Agency has considered the application and supporting documentation received from the applicant, and the report of its inspector.

Part I Schedule of Activities Licensed

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2003, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Act to grant this Waste Licence to Ted O'Donoghue & Sons Limited to carry on the waste activities listed below at Knockpogue, Waterfall, County Cork subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence. For the purposes of Article 48 of the Waste Management Licensing Regulations 2004 (S.I. No. 395) this facility is classed as a non-hazardous waste Materials Recovery Facility.

Licensed Waste Disposal Activities, in accordance with the Third Schedule of the Waste Management Acts 1996 to 2003

Class 11.	Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 12.	Repackaging prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 13.	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.

Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Acts 1996 to 2003

Class 2.	Recycling or reclamation of organic substances, which are not used as solvents (including composting and other biological processes).
Class 3.	Recycling or reclamation of metals and metal compounds.
Class 4	Recycling or reclamation of other inorganic materials.
Class 13.	Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced.

Part II Schedule of Activities Refused

None of the proposed activities as set out in the licence application have been refused.

Part III Conditions

Condition 1. Scope

- 1.1 Waste activities at this facility shall be restricted to those listed and described in Part I Activities Licensed and shall be as set out in the licence application or as modified under Condition 1.5 of this licence and subject to the conditions of this licence.
- 1.2 Activities at this facility shall be limited as set out in *Schedule A: Limitations*, of this licence.
- 1.3 The facility shall be controlled, operated, and maintained and emissions shall take place as set out in this licence. All programmes required to be carried out under the terms of this licence, become part of this licence.
- 1.4 For the purposes of this licence, the facility authorised by this licence, is the area of land outlined in red on Drawing No. 15516_1_1 of the application and including the soil berm surrounding the site. Any reference in this licence to "facility" shall mean the area thus outlined in red and including the soil berm. The licensed activities shall be the carried on only within the area outlined.
- 1.5 No alteration to, or reconstruction in respect of, the activity or any part thereof which would, or is likely to, result in
- (a) a material change or increase in:
- The nature or quantity of any emission,
 - The abatement/treatment or recovery systems,
 - The range of processes to be carried out,
 - The fuels, raw materials, intermediates, products or wastes generated, or
- (b) any changes in:
- Site management infrastructure or control with adverse environmental significance,
- shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.
- 1.6 Waste Acceptance Hours and Hours of Operation
- 1.6.1 Waste shall be accepted at the facility only between the hours of 0600 and 1800 Monday to Friday inclusive and 0800 to 1700 on Saturdays or otherwise with prior approval of the Agency.
- 1.6.2 The facility shall be operated only between the hours of 0600 to 2000 Monday to Friday inclusive and 0800 to 1800 on Saturdays.
- 1.6.3 Waste shall not be accepted at the facility on Sundays or on Bank Holidays.
- 1.7 This licence is for the purposes of waste licensing under the Waste Management Acts 1996 to 2003 only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.

Reason: To clarify the scope of this licence.

Condition 2. Management of the Facility

2.1 Facility Management

2.1.1 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 nominated, suitably qualified and experienced, deputy shall be present on the facility at all times during its operation or as otherwise required by the Agency.

2.1.2 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience, as required and shall be aware of the requirements of this licence. In addition, the facility manager and his/her deputy shall successfully complete FAS waste management training programme or equivalent agreed with the Agency.

2.2 Environmental Management System (EMS)

2.2.1 The licensee shall establish and maintain an Environmental Management System (EMS) within six months of the date of grant of this licence. The EMS shall be updated on an annual basis.

2.2.2 The EMS shall include as a minimum the following elements:

2.2.2.1 Management and Reporting Structure.

2.2.2.2 Schedule of Environmental Objectives and Targets.

The licensee shall prepare a Schedule of Environmental Objectives and Targets. The Schedule shall as a minimum provide for a review of all operations and processes, including an evaluation of practicable options, for energy and resource efficiency, the options available for the operation of the shredder to be indoors or enclosed, the use of cleaner technology, cleaner production, and the prevention, reduction and minimisation of waste, and shall include waste reduction targets. The Schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The Schedule shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

2.2.2.3 Environmental Management Programme (EMP)

The licensee shall, not later than six months from the date of grant of this licence, submit to the Agency for agreement an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.2. Once agreed the EMP shall be established and maintained by the licensee. It shall include:

- (a) designation of responsibility for targets;
- (b) the means by which they may be achieved;
- (c) the time within which they may be achieved.

The EMP shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER) (Condition 11.10).

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.4 Documentation

- (i) The licensee shall establish and maintain an environmental management documentation system, which shall be to the satisfaction of the Agency.
- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.5 Corrective Action

The licensee shall establish procedures to ensure that corrective action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined.

2.2.2.6 Awareness and Training

The licensee shall establish and maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment. Appropriate records of training shall be maintained.

2.2.2.7 Communications Programme

The licensee shall establish and maintain a Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility.

2.2.2.8 Maintenance Programme

The licensee shall within six months of the date of grant of this licence establish and maintain a structured programme for maintenance, based on technical descriptions of equipment. This programme shall be supported by appropriate record keeping systems and diagnostic testing. The licensee shall clearly allocate responsibility for the planning and execution of all aspects of this programme.

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. Infrastructure and Operation

- 3.1 The licensee shall establish all infrastructure referred to in this licence prior to an increase in waste volume accepted at the facility from that of present levels, or as required by the conditions of this licence.

3.2 Notice Board

3.2.1 The licensee shall provide and maintain a Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm.

3.2.2 The board shall clearly show: -

- a) the name and telephone number of the facility;
- b) the normal hours of opening;
- c) the name of the licence holder;
- d) an emergency out of hours contact telephone number;
- e) the licence reference number; and
- f) where environmental information relating to the facility can be obtained.

3.3 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.

3.4 Monitoring infrastructure, which is damaged or proves to be unsuitable for its purpose shall be replaced within one months of it being damaged or recognised as being unsuitable.

3.5 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.

3.6 Tank and Drum Storage Areas

3.6.1 All tank and drum storage areas shall be rendered impervious to the materials stored therein.

3.6.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:-

- (i) 110% of the capacity of the largest tank or drum within the bunded area; or
- (ii) 25% of the total volume of substance which could be stored within the bunded area

3.6.3 All drainage from bunded areas shall be diverted for collection and safe disposal.

3.6.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.

3.6.5 The integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee at least once every three years. This testing shall be carried out in accordance with any guidance published by the Agency.

3.7 Facility Security

3.7.1 Security and stockproof fencing and gates shall be installed and maintained. The base of the fencing shall be set in the ground. Subject to the implementation of the restoration and aftercare plan and to the agreement of the Agency, the requirement for such site security may be removed.

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

- 3.7.3 The licensee shall remedy any defect in the gates and/or fencing as follows:-
- (i) A temporary repair shall be made by the end of the working day; and
 - (ii) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.
- 3.8 Facility Roads and Site Surfaces
- 3.8.1 Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.
- 3.8.2 Surface areas of the facility, as indicated in Drawing No. 2 (1100-03), shall be concreted and constructed to British Standard 8110 within three months of the date of grant of the licence, or an alternative as agreed by the Agency.
- 3.9 Facility Office
- 3.9.1 The licensee shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.
- 3.9.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.
- 3.10 Waste Inspection and Quarantine Areas
- 3.10.1 A Waste Inspection Area and a Waste Quarantine Area shall be provided and maintained at the facility.
- 3.10.2 These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area and the waste quarantine area shall be clearly identified and segregated from each other.
- 3.10.3 Drainage from these areas shall be directed to the Waste Transfer building drainage collection sump as shown in Drawing No. 1100-01.
- 3.11 Weighbridge and Wheel Cleaner
- 3.11.1 The licensee shall provide and maintain a weighbridge and wheel wash at the facility.
- 3.11.2 The wheel wash shall be used as required by all vehicles leaving the facility to ensure that no waste is carried off-site. All water from the wheel cleaning area shall be directed to the surface water drainage network.
- 3.11.3 The wheel-wash 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-wash and disposed of appropriately.
- 3.12 Waste handling, ventilation and processing plant
- 3.12.1 Items of plant deemed critical to the efficient and adequate processing of waste at the facility (including inter alia waste loading vehicles and ejector trailers) shall be provided on the following basis: -
- a) 100% duty capacity;
 - b) 20% standby capacity available on a routine basis; and
 - c) Provision of contingency arrangements and/or back up and spares in the case of breakdown of critical equipment.
- 3.12.2 Within three months from the date of grant of this licence, the licensee shall provide a report for the agreement of the Agency detailing the duty and standby capacity in tonnes per day, of all waste handling and processing equipment to be used at the facility. These capacities shall be

based on the licensed waste intake, as per *Schedule A: Limitations*, of this licence.

3.12.3 The quantity of waste to be accepted at the facility on a daily basis shall not exceed the duty capacity of the equipment at the facility. Any exceedence of this intake shall be treated as an incident.

3.13 Wastewater Treatment System

3.13.1 The licensee shall provide, and maintain, within three months of the date of grant of the licence, a Wastewater Treatment System at the facility for the treatment of sanitary effluent arising on-site. The specification of the treatment plant shall be as in Appendix No 6 of the application. The percolation area shall satisfy the criteria set out in the Wastewater Treatment Manual, Treatment Systems for Single Houses, published by the Environmental Protection Agency, having regard to drinking water wells.

3.13.2 Trade effluent stored in the internal drainage collection sump shall be tankered off-site in fully enclosed road tankers to a facility agreed by the Agency.

3.14 Construction and Demolition Waste Recovery Area

3.14.1 The construction and demolition waste recovery area shall be as described in Attachment D.2.1 and updated in Section B of the Article 14 response and specified in Drawing No. 1100-03 Rev.1.

3.14.2 Only Construction and Demolition waste shall be accepted at this Area. Wastes, which are capable of being recovered, shall be separated and shall be stored temporarily in this area prior to being subjected to other recovery activities at the facility or transport off the facility.

3.15 Green Waste

3.15.1 Green waste and shredded timber when stored externally of the transfer building shall be placed in covered skip/s or as otherwise agreed by the Agency.

3.15.2 Timber and wood waste shall be shredded directly into a skip before transfer to the covered skip.

3.16 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.

3.17 Silt Traps and Oil Separators

The licensee shall install and maintain silt traps and oil separator at the facility within three months of the date of grant of the licence to ensure that all storm water discharges from the facility pass through a silt trap and oil separator prior to discharge. The separator shall be a Class I full retention separator and the silt traps and separator shall be in accordance with I.S. EN 858-2:2003 (separator systems for light liquids)

3.18 Firewater Retention

In the event of a fire or a spillage to storm water, the site storm water shall be diverted to the containment pond. Firewater infrastructure as described in Attachment Number 5 and Drawing Number 05-050-01-A of the application shall be in place within six months of the date of grant of the licence. The licensee shall provide for automatic diversion of storm water to the containment pond in the event of a fire. The licensee shall have regard to any guidelines issued by the Agency with regard to firewater retention.

- 3.19 All pump sumps, the waste transfer building drainage collection sump, storage tanks, or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separator, shall be fitted with high liquid level alarms (or oil detectors as appropriate) within six months from the date of grant of this licence.
- 3.20 All wellheads, whose locations are shown on Map F.1.1, Annex 1 of the licence application shall be adequately protected to prevent contamination or physical damage within six months from the date of grant of this licence (if required).
- 3.21 The 3m-soil berm as shown in Drawing Number 05-050-02 Rev. A (or equivalent approved), shall be maintained at the facility. Landscaping of this berm and other boundary areas of the site shall be as described in Attachment F Section F.1.11 of the application unless otherwise agreed by the Agency.
- 3.22 No waste shall be burnt within the boundaries of the facility.

REASON: To provide for appropriate operation of the facility to ensure protection of the environment.

Condition 4. Interpretation

- 4.1 Emission limit values for emissions to atmosphere in this licence shall be interpreted in the following way:
- 4.1.1 Continuous Monitoring:
- (i) No 24-hour mean value shall exceed the emission limit value.
 - (ii) 97% of all 30 minute mean values taken continuously over an annual period shall not exceed 1.2 times the emission limit value.
 - (iii) No 30-minute mean value shall exceed twice the emission limit value.
- 4.1.2 For Non-Continuous Monitoring
- (i) For any parameter where, due to sampling/analytical limitations, a 30-minute sample is inappropriate, a suitable sampling period should be employed and the value obtained therein shall not exceed the emission limit value.
 - (ii) For flow, no hourly or daily mean value, calculated on the basis of appropriate spot readings, shall exceed the relevant limit value.
 - (iii) For all other parameters, no 30-minute mean value shall exceed the emission limit value.
- 4.2 Emission limit values for emissions to waters in this licence shall be interpreted in the following way: -
- 4.2.1 Continuous monitoring:
- (i) No flow value shall exceed the specified limit.
 - (ii) No pH value shall deviate from the specified range.
 - (iii) No temperature value shall exceed the limit value.

- 4.2.2 Composite Sampling:
- (i) No pH value shall deviate from the specified range.
 - (ii) For parameters other than pH and flow, eight out of ten consecutive composite results, based on flow proportional composite sampling, shall not exceed the emission limit value. No individual result similarly calculated shall exceed 1.2 times the emission limit value.
- 4.2.3 Discrete Sampling
- For parameters other than pH and temperature, no grab sample value shall exceed 1.2 times the emission limit value.
- 4.3 Where the ability to measure a parameter is affected by mixing before emission, then, with agreement from the Agency, the parameter may be assessed before mixing takes place.
- 4.4 Noise
- 4.4.1 Noise from the facility shall not give rise to sound pressure levels (Leq, 30 minutes) measured at noise sensitive locations, which exceed the limit value(s).
- 4.5 Dust and Particulate Matter
- Dust and particulate matter from the activity shall not give rise to deposition levels which exceed the limit value(s).

Reason: To clarify the interpretation of limit values fixed under the licence.

Condition 5. Emissions

- 5.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this licence. There shall be no other emissions of environmental significance.
- 5.2 The licensee shall ensure that the activities shall be carried out in a manner such that emissions including odours do not result in significant impairment of, and/or significant interference with amenities or the environment beyond the facility boundary.
- 5.3 No substance shall be discharged in a manner, or at a concentration, which, following initial dilution, causes tainting of fish or shellfish.
- 5.4 The licensee shall ensure that vermin, birds, flies, mud, dust, litter and odours do not give rise to nuisance at the facility or in the immediate area of facility. Any method used by the licensee to control any such nuisance shall not cause environmental pollution.
- 5.5 Dust and Particulate Matter
- Dust from the facility shall not give rise to a deposition level, which exceeds the limit value of 350(mg/m²/day). Particulate matter concentrations shall not exceed 50 (µg/m³).

Reason: To provide for the protection of the environment by way of control and limitation of emissions

Condition 6. Control and Monitoring

- 6.1. The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring*, of this licence:
 - 6.1.1. Analysis shall be undertaken by competent staff in accordance with documented operating procedures.
 - 6.1.2. Such procedures shall be assessed for their suitability for the test matrix and performance characteristics determined.
 - 6.1.3. Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
 - 6.1.4. Where analysis is sub-contracted it shall be to a competent laboratory.
- 6.2. All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the activity is being carried on unless alternative sampling or monitoring has been agreed in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable, and alternative sampling and monitoring facilities shall be put in place. Agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Agency.
- 6.3. Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission or discharge.
- 6.4. All treatment/abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.5. The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 6.6. The licensee shall prepare a programme, to the satisfaction of the Agency, for the identification and reduction of fugitive emissions. This programme shall be included in the Environmental Management Programme.
- 6.7. The integrity and water tightness of all underground pipes and tanks and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. The licensee shall maintain a written record of all integrity tests and any maintenance or remedial work arising from them. Integrity and water tightness of the waste transfer building drainage sump shall be conducted within three months of the date of grant of this licence.
- 6.8. Process Effluent
 - 6.8.1. The drainage system, bunds, silt traps and oil separators shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal.
- 6.9. Storm water
 - 6.9.1. A visual examination of the storm water discharge shall be carried out daily. A log of such inspections shall be maintained.

- 6.9.2. The drainage system, bunds, silt traps and oil separators shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal.
- 6.10. Ground Water
- 6.10.1. The licensee shall within twelve months of date of grant of this licence arrange for the carrying out, by an appropriately qualified consultant/professional, of a comprehensive hydrogeological investigation of the site. The scope, detail and programme, including report structure and reporting schedule, for this investigation must be agreed by the Agency prior to implementation. Any recommendations arising from a report or reports on this investigation must be implemented within such a period to be agreed by the Agency.
- 6.11. Noise
- 6.11.1. The licensee shall carry out a noise survey of the site operations annually. The survey programme shall be undertaken in accordance with the methodology specified in the 'Environmental Noise Survey Guidance Document' as published by the Agency.
- 6.11.2. The transfer building roller shutter door must be kept closed during the operation of the trommel unless otherwise agreed by the Agency.
- 6.11.3. Operation of the shredder shall only be between the hours of 0900 and 1800 or otherwise as agreed by the Agency.
- 6.12. Litter Control
- 6.12.1. The measures and infrastructure as described in the Application documentation shall be applied to control litter at the facility.
- 6.12.2. All loose litter or other waste, placed on or in the vicinity of the facility, other than in accordance with the requirements of this licence, shall be removed, subject to the agreement of the landowners, immediately and in any event by 10.00am of the next working day after such waste is discovered.
- 6.12.3. The licensee shall not accept waste at the facility from vehicles that are not appropriately covered. All vehicles removing waste from the facility must be appropriately covered.
- 6.13. Dust/Odour Control
- 6.13.1. All waste for disposal stored overnight at the facility, shall be stored in suitably covered and enclosed containers within the Waste Transfer Building, and shall be removed from the facility within forty-eight hours, except at Bank Holiday weekends. At Bank Holiday weekends, waste for disposal shall be removed within seventy-two hours of its arrival on site.
- 6.13.2. In dry weather, site roads and any other areas used by vehicles shall be sprayed with water as and when required to minimise airborne dust nuisance.
- 6.13.3. Within six months of the date of grant of this licence, the licensee shall install and provide adequate measures for the control of odours and dust emissions, including fugitive dust emissions, from the facility. Such measures shall at a minimum include the following: -
- 6.13.3.1. The provision of a mist-air system as described in appendix 18 of the application.
- 6.13.3.2. Installation of an odour management system.

- 6.13.3.3. Provision of 100% duty capacity and 20% stand by capacity, back ups and spares must be provided for the air handling, ventilation and abatement plant.
- 6.14. Operational Controls
- 6.14.1. The floor of the waste transfer building shall be cleaned on a weekly basis and on a daily basis where putrescible waste is handled. The floor of the storage bays for recovered wastes shall be cleaned on each occasion such bays are emptied, or as a minimum on a weekly basis.
- 6.14.2. Scavenging shall not be permitted at the facility.
- 6.14.3. There shall be no casual public access to the facility.
- 6.14.4. The licensee shall provide and use adequate lighting during the operation of the facility in hours of darkness.
- 6.14.5. Fuels shall be stored only at appropriately bunded locations on the facility.
- 6.14.6. All tanks and drums shall be labelled to clearly indicate their contents.
- 6.15. Monitoring Locations
- 6.15.1. Within three months of the date of grant of this licence, the licensee shall submit to the Agency an appropriately scaled drawing(s) showing all the monitoring locations that are stipulated in this licence including any noise sensitive locations and surface water locations. The drawing shall include the eight-digit national grid reference of each monitoring point.
- 6.16. Nuisance Monitoring
- 6.16.1. The licensee shall, at a minimum of one-week intervals, inspect the facility and its immediate surrounds for nuisances caused by litter, vermin, birds, flies, mud, dust and odours. The licensee shall maintain a record of all nuisance inspections.

Reason: To provide for the protection of the environment by way of treatment and monitoring of emissions.

Condition 7. Resource Use and Energy Efficiency

- 7.1 The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall be carried out in accordance with the guidance published by the Agency; "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency.
- 7.2 The audit shall identify all opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 7.3 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into Schedule of Environmental Objectives and Targets.
- 7.4 The licensee shall undertake an assessment of the efficiency of use of raw materials in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for

this type of activity. Where improvements are identified, these shall be incorporated into the Schedule of Environmental Objectives and Targets.

Reason: To provide for the efficient use of resources and energy in all site operations.

Condition 8. Materials Handling

- 8.1 Disposal or recovery of waste shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.
- 8.2 All waste processing shall be carried out inside the waste transfer building, apart from the shredding of timber and green waste unless otherwise agreed with the Agency.
- 8.3 Waste Acceptance and Characterisation Procedures
- 8.3.1 Waste shall only be accepted at the facility, from Local Authority waste collection or transport vehicles or holders of waste permits, unless exempted or excluded, issued under the Waste Management (Collection Permit) Regulations 2001. Copies of these waste collection permits must be maintained at the facility.
- 8.3.2 Within six months of the date of grant of this licence, the licensee shall establish and maintain detailed written procedures for the acceptance and handling of wastes.
- 8.3.3 Waste arriving at the facility shall be inspected at the point of entry to the facility and subject to this inspection, weighed, documented and directed to the Waste Transfer Building. Each load of waste arriving at the Waste Transfer Building shall be inspected upon tipping within this building. Only after such inspections shall the waste be processed for disposal or recovery.
- 8.3.4 Any waste deemed unsuitable for processing at the facility and/or in contravention of this licence shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition.
- 8.3.5 Waste shall be accepted at the facility only from known customers or new customers subject to initial waste profiling and waste characterisation off-site. The written records of this off-site waste profiling and characterisation shall be retained by the licensee for all active customers and for a two year period following termination of licensee/customer agreements.
- 8.4 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. The waste shall be transported only from the site of the activity to the site of recovery/disposal in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.5 The licensee shall ensure that waste prior to transfer to another person shall be classified packaged and labelled in accordance with National, European and any other standards which are in force in relation to such labelling.

- 8.6 Waste shall be stored in designated areas, protected as may be appropriate, against spillage and leachate run-off. The waste is to be clearly labelled and appropriately segregated.
- 8.7 No waste classified as green list waste in accordance with the EU Transfrontier Shipment of Waste Regulations (Council Regulation EEC No.259/1993, as amended) shall be consigned for recovery without the agreement of the Agency.
- 8.8 Unless approved in writing by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.

Reason: To provide for the appropriate handling of materials and the protection of the environment.

Condition 9. Accident Prevention and Emergency Response

- 9.1 The licensee shall, six months of date of grant of this licence, ensure that a documented Accident Prevention Policy is in place, which will address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.2 The licensee shall, within six months of date of grant of this licence, ensure that a documented Emergency Response Procedure is in place, which shall address any emergency situation, which may originate on-site. This Procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.3 Emergencies
- 9.3.1. In the event of a complete breakdown of equipment or any other occurrence which results in the closure of the transfer station building, any waste arriving at or already collected at the facility shall be transferred directly to appropriate landfill sites or any other appropriate facility until such time as the transfer station building is returned to a fully operational status. Such a breakdown event will be treated as an emergency and rectified as soon as possible.
- 9.3.2. 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.
- 9.3.3. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.
- 9.4 In the event of an incident the licensee shall immediately:-
- (i) isolate the source of any such emission;
 - (ii) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
 - (iii) evaluate the environmental pollution, if any, caused by the incident;
 - (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
 - (v) identify the date, time and place of the incident;

- (vi) provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed with the Agency to:-
- identify and put in place measures to avoid reoccurrence of the incident; and
 - identify and put in place any other appropriate remedial action.

Reason: To provide for the protection of the environment.

Condition 10. Decommissioning, Closure, Restoration and Aftercare

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery, any soil, subsoils, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

Reason: To make provision for the proper closure of the activity ensuring protection of the environment.

Condition 11. Notifications, Records and Reports

- 11.1 The licensee shall notify the Agency, in writing, one month prior to the intended date of commencement of the Scheduled Activity
- 11.2 The licensee shall notify the Agency by both telephone and either facsimile or electronic mail, if available, to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:
- 11.2.1 Any release of environmental significance to atmosphere from any potential emission point including bypasses.
 - 11.2.2 Any emission, which does not comply with the requirements of this licence.
 - 11.2.3 Any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control & Monitoring* which is likely to lead to loss of control of the abatement system.
 - 11.2.4 Any incident, with the potential for environmental contamination of surface water or groundwater, or posing an environmental threat to air or land, or requiring an emergency response by the Local Authority.

The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.

11.3 Waste Recovery Reports

11.3.1 The licensee shall as part of the AER submit a report on the contribution by this facility to the achievement of the recovery targets stated in national and European Union waste policies and shall include the following: -

- (a) proposals for the contribution of the facility to the achievement of targets for the reduction of biodegradable waste to landfill as specified in the Landfill Directive;
- (b) the separation of recyclable materials from the waste;
- (c) the recovery of Construction and Demolition Waste;
- (d) the recovery of metal waste and white goods;

11.4 A record of all inspections of incoming waste loads shall be maintained.

11.5 In the case of any incident which relates to discharges to water, the licensee shall notify the Local Authority and the Southern Regional Fisheries Board as soon as practicable after such an incident.

11.6 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to; manage the incident, minimise wastes generated and the effect on the environment, and avoid recurrence. The licensee shall as soon as practicable following incident notification, submit to the Agency the incident record.

11.7 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.

11.8 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility.

11.9 The licensee shall as a minimum keep the following documents at the site:-

- (i) the licences relating to the facility;
- (ii) the current EMS for the facility;
- (iii) the previous year's AER for the facility;
- (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility;
- (v) relevant correspondence with the Agency;
- (vi) an up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points

and this documentation shall be available to the Agency for inspection at all reasonable times.

- 11.10 The licensee shall submit to the Agency, by the 31st March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report*, of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.11 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:
- (i) The tonnages and EWC Code for the waste materials imported and/or sent off-site for disposal/recovery.
 - (ii) The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number).
 - (iii) Details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required.
 - (iv) Written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site.
 - (v) Details of all wastes consigned abroad for Recovery and classified as 'Green' in accordance with the EU Transfrontier Shipment of Waste Regulations (Council Regulation EEC No. 259/1993, as amended). The rationale for the classification must form part of the record.
 - (vi) Details of any rejected consignments.
 - (vii) Details of any approved waste mixing.
 - (viii) The tonnages and EWC Code for the waste materials recovered/disposed on-site.

Reason: To provide for the collection and reporting of adequate information on the activity.

Condition 12. Financial Charges and Provisions

12.1 Agency Charges

- 12.1.1 The licensee shall pay to the Agency an annual contribution of €8,574, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Acts 1996 to 2003. The first payment shall be a pro-rata amount for the period from the date of this licence to the 31st day of December, and shall be paid to the Agency within one month from the date of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Acts 1996 to 2003, and all such payments shall be made within one month of the date upon which demanded by the Agency.

12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased the licensee shall contribute such sums as determined by the Agency to defraying its costs in regard to items not covered by the said annual contribution.

12.2 Environmental Liabilities

12.2.1 The licensee shall as part of the AER provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.

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

SCHEDULE A: Limitations

A.1

The following waste related processes are authorised:

- i. Shredding, crushing, baling, repackaging processes
- ii. C & D waste recovery (incl. crushing, screening, sorting, blending)
- iii. Storage of non-hazardous waste
- iv. Recovery of dry recyclables

No addition to these processes is permitted unless agreed in advance with the Agency.



A.2 Waste Acceptance

Table A.1 Waste Categories and Quantities

WASTE TYPE ^{Note 1}	MAXIMUM (TONNES PER ANNUM) ^{Note 2}
Household	12880
Commercial	1840
Construction & Demolition	7514
Industrial non-Hazardous Solids	766
TOTAL	23000

Note 1: Any proposals to accept other compatible waste streams must be agreed in advance with the Agency and the total amount of waste must be within that specified.

Note 2: The individual limitation on waste streams may be varied with the agreement of the Agency subject to the overall total limit staying the same.



SCHEDULE B: Emission Limits

B.1 Emissions to Air

There are no Emissions to Air of environmental significance.



B.2 Emissions to Water

There are no Emissions to Water of environmental significance.



B.3 Emission to Sewer

There are no Process Effluent Emissions to Sewer.



B.4 Noise Emissions

Daytime dB(A) $L_{Aeq}(30 \text{ minutes})$	Night-time dB(A) $L_{Aeq}(30 \text{ minutes})$
55 ^{Note 1}	45 ^{Note 1}

Note 1: There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise sensitive location.



SCHEDULE C: Control & Monitoring

C.1.1 Control of Emissions to Air

There are no Emissions to Air of environmental significance.



C.1.2 Monitoring of Emissions to Air

There are no Emissions to Air of environmental significance.



C.2.1 Control of Emissions to Water

There are no Emissions to Water of environmental significance.



C.2.2 Monitoring of Emissions to Water

There are no Emissions to Water of environmental significance.



C.2.3 Control of Storm Water Emission

There are no Emissions to Storm Water of environmental significance.



C.2.4 Monitoring of Storm Water Emission

Emission Point Reference No.: SW1 (Map F.1.1)

PARAMETER ^{Note 1}	SURFACE WATER Monitoring Frequency
Visual	Daily
Mineral Oils	Monthly
Total Suspended Solids	Monthly
Total Ammonia (NH4-N)	Quarterly
BOD ^{Note 2}	Annually
Total P/orthophosphate	Annually
Faecal Coliforms	Annually

Note 1: All the analysis shall be carried out by a competent laboratory using standard and internationally accepted procedures.

Note 2: Where there is evident gross contamination, additional samples should be analysed and the full suite of parameters shown tested.



C.3.1 Control of Emissions to Sewer

There are no Process Effluent Emissions to Sewer.



C.3.2 Monitoring of Emissions to Sewer

There are no Process Effluent Emissions to Sewer.



C.4 Waste Monitoring

There is no Requirement for Waste Monitoring on site.



C.5 Noise Monitoring

There is no additional noise monitoring required in this schedule.

**C.6 Ambient Monitoring****Air Monitoring**

Location: A2-1, A2-2, A2-3, A2-4, Drawing No. 9 - Map F.1.1 (or as may be amended under Condition 6.5)

Parameter	Monitoring Frequency	Analysis Method/Technique
Dust Deposition ^{Note 1}	Biannually ^{Note 3}	Bergerhoff ^{Note 4}
Odour ^{Note 2}	Biannually	See ^{Note 5}

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

Note 2: Appropriate meteorological monitoring to be carried out concurrently.

Note 3: Twice during the period May to September, or as otherwise specified in writing by the Agency.

Note 4: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute)

Note 5: Odour measurements shall be by olfactometric measurement and analysis for mercaptans, hydrogen sulphide, ammonia, amines as set out in Table F.4.3.



Groundwater Monitoring

Location: GW1

Parameter	Monitoring Frequency	Analysis Method/Technique
pH	Annual	pH electrode/meter
Nitrate	Annual	Standard Method
Total Ammonia	Annual	Standard Method
Conductivity	Annual	Standard Method
Chloride	Annual	Standard Method
Faecal Coliforms	Annual	Standard Method



Receiving Water Monitoring

Location: SW2, SW3 (Map I. Rev. a)

Parameter	Monitoring Frequency ^{Note 1}	Analysis Method/Technique
Biological Quality (Q) Rating/Q Index	Annually	To be agreed with the Agency

Note 1: Monitoring period - June to September.



SCHEDULE D: Annual Environmental Report**Annual Environmental Report Content** Note 1

Emissions from the facility.
Waste management record.
Resource consumption summary.
Complaints summary.
Schedule of Environmental Objectives and Targets.
Environmental management programme – report for previous year.
Environmental management programme – proposal for current year.
Pollution emission register – report for previous year.
Pollution emission register – proposal for current year.
Noise monitoring report summary.
Ambient monitoring summary.
Tank and pipeline testing and inspection report.
Reported incidents summary.
Energy efficiency audit report summary.
Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated.
Report on progress made and proposals being developed to minimise water demand and the volume of trade effluent discharge.
Development / Infrastructural works summary (completed in previous year or prepared for current year).
Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information.
Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).
Waste activities carried out at the facility.
Quantity and Composition of waste recovered, received and disposed of during the reporting period and each previous year (relevant EWC codes to be used).
Full title and a written summary of any procedures developed by the licensee in the year, which relates to the facility operation.
Waste Recovery Report.
Review of Nuisance Controls.
Any other items specified by the Agency.

Note 1: Content may be revised subject to the agreement of the Agency.

Signed on behalf of the said Agency
on the 16th day of August, 2005



Patrick J. Nolan, Authorised Person

off
214-1

Extract from the 455th Licensing Meeting of the Agency, held 26 July 2005, in Headquarters, Johnstown Castle Estate, Wexford

3. **Recommended Decision on an Application for a Waste Licence**

Licensee: **Ted O'Donoghue & Sons Ltd
Knockpogue
Waterfall
Co Cork**

Register of Licence No: **214-1**

The Directors considered a recommendation from the Office of Licensing and Guidance that the Agency approve the recommended decision to grant a waste licence. The following documentation was submitted: recommended decision; summary report of the Inspector. A copy of the licence application was tabled.

P Larkin gave a presentation.

Inspector's Report

The Directors noted the Inspector's Report.

In the Inspector's Report:

P.2 Operational Description: Clarify hours of operation

Recommended Decision

Condition

- 1.6.2 Clarify hours of operation
- 6.11.3 Clarify hours of operation of the shredder
- 8 Clarify waste is to be transferred to licensed facilities only
- 12.1 Clarify breakdown of Agency Charges

The Directors approved the recommended decision to grant a licence, as modified, to Ted O'Donoghue & Sons Ltd, Knockpogue, Waterfall, Co Cork, Register of Licence No 214-1, subject to the conditions as set out in the licence document.