

This Report has been cleared for submission to the Board by the Programme Manager P. Nolan Signed: N. Keavey Date: 20/04/06

UFFIUE UF LICENSING & **GUIDANCE** 

## INSPECTORS REPORT ON A LICENCE APPLICATION

To:

**DIRECTORS** 

From:

**BERNIE MURRAY** 

- LICENSING UNIT

Date:

19<sup>TH</sup> APRIL 2006

RE:

APPLICATION FOR A WASTE LICENCE FROM GREENSTAR

LTD, LICENCE REGISTER 220-1

## Application Details Type of facility: Waste Transfer Station Class(es) of Activity (P = principal 3<sup>rd</sup> Schedule: Classes 11, 12 and 13 activity):

Quantity of waste managed per

annum:

Classes of Waste:

Location of facility:

Licence application received: Third Party submissions:

EIS Required:

Article 14 Notices sent: Article 14 compliance date:

Article 16 Notices sent:

Article 16 Compliance date:

Site Inspection:

4th Schedule: Classes 2(P), 3, 4, and 13

30,000 tonnes

Household, commercial, industrial and nonhazardous construction & demolition waste

Ramstown, Gorey, Co Wexford.

24th June 2005

Yes 4

Yes

22/09/2005 08/02/2006 08/02/2006

05/04/2006

Site notice inspection 19/07/2005 and Article 8

notice issued.

Amended site notice published 02/08/2005 Site notice in Compliance 29/08/2005

## 1. Facility

Greenstar Ltd has applied for a waste licence for a waste transfer station at Ramstown, Gorey, Co Wexford. The premises was previously owned and operated by

Seamus Kelly and Sons who provided a collection service for commercial, domestic and non-hazardous construction and demolition waste in the South East since 1982 and has been operating at the Gorey facility since 1996. The facility was bought by Greenstar Ltd in 2005 who have applied for a waste licence with a view to increasing the annual volume of waste accepted at the facility from 16,500 tonnes to 30,000 tonnes by 2010.

The existing site covers an area of 0.28 hectares and is located adjacent to Gorey Business Park, an area zoned for industrial and commercial use in the townland of Ramstown, Gorey, within the local authority jurisdiction of Wexford County Council. The Banoge River lies approximately 1.4km to the south-east of the site and branches off into tributaries to the east of the site. The N11 Dublin to Rosslare road lies approximately 300m to the west of the facility. The facility is primarily surrounded by industrial and commercial developments with mixed agriculture and some residential developments.

Classes 11, 12 and 13 of the Third Schedule and Classes 2, 3, 4, and 13 of the Fourth Schedule were applied for. Class 2 of the Fourth Schedule is the principal activity.

The facility currently operates six days a week between 0800 and 1800 Monday to Friday and 0800 to 1400 on Saturday. The applicant proposes to extend the opening hours from 0730 to 1830 Monday to Friday and from 0800 to 1400 on Saturday. However the Health Service Executive have expressed concerns (submission 9.3) with regard to increased noise levels during daytime hours and consequently it is proposed to keep the current limits as provided for under Waste Permit WP/05/15 issued by Wexford County Council on February 8<sup>th</sup> 2006. In the event that the site is operated without nuisance, an extension of operating hours could be considered further.

### 2. Operational Description

The applicant currently accepts 16,500 tonnes of non-hazardous waste per annum and proposes to increase the current tonnage to 30,000 tonnes per annum over a 5 year period. To ensure that the facility meets BAT the RD sets out the infrastructure required prior to commencement of waste licence activities (Condition 3). Condition 11 requires that the applicant notify the agency one month prior to the commencement of the scheduled activities. The RD allows the facility to accept 30,000 tonnes per annum from the date of grant of the licence consisting of domestic (18,000), commercial (6,000), industrial (2,000) and non-hazardous construction & demolition (4,000) waste as detailed in Schedule A. Any variation in the quantity of wastes listed in Schedule A is to be agreed by the Agency, prior to acceptance, subject to the total annual tonnage limit of 30,000 tonnes.

The applicant proposes to construct a new building which will cover the yard area to the west of the existing Recycling Building, consequently all operations will take place indoors.

On site operations will include segregation and bulking of waste, waste storage and transfer into vehicles for recovery/disposal off site. All waste brought to the facility will be tipped onto the floor of the recycling building. The waste will be inspected,

segregated for recycling and then reloaded and sent to various outlets depending on the type and quality of material. Materials not suitable for recycling will be transferred directly to landfill. Municipal waste from kerbside collection will be bulked and sent for further segregation / recycling. Cardboard waste from industrial sources will be segregated, baled, stored on-site until there is a sufficient quantity to warrant shipment to markets in the U.K. Non-hazardous C&D waste comprises masonry, bricks, stone, metal and wood. Both ferrous and non-ferrous metals will be segregated and stored in the metal bay prior to collection by an authorised metal scrap merchant. Wood will be stored for chipping off-site. The remaining C&D material will be placed on the conveyor after which it will pass through the trommel to sift out the fine material. The remaining larger pieces pass along a conveyor onto the picking line.

### 3. Use of Resources

The applicant has provided the following details on annual raw material usage. 5,000l of diesel for on-site vehicle use, 8,000l of road diesel, 400l of hydraulic oil, 50l of engine oil and 26,500 units of electricity.

## 4. Emissions

## 4.1 Emissions to Air

Since the applicant proposes to cover the entire site, all operations will take place indoors thereby minimising fugitive dust and odour emissions to atmosphere. However an increase in waste acceptance could potentially increase the risk of odour and dust nuisance on site. The applicant proposes to install a dust control sprinkler system, which will incorporate odour-reducing agents should they be required. To this end Condition 3.11 and Condition 6.2 requires that waste is stored in suitably covered and enclosed containers within the Waste Transfer Building such that odour nuisances are minimised. It also requires that odour forming waste for disposal/recovery be removed from the facility within 48 hours of its arrival except at bank holiday weekends when such waste is required to be removed within 72 hours of its arrival on site. In addition all waste is required to be handled within the Waste Transfer Building (Condition 8.1): and where putrescible waste will be handled, the floor of the Waste Transfer Building is required to be cleaned on a daily basis. The floor areas of storage bays are required to be washed and cleaned each time such bays are emptied or as a minimum on a weekly basis (Condition 6.3).

## 4.2 Emissions to sewer

There are no emissions to sewer. The foul water from the canteen, toilets and washrooms will be directed to the proposed proprietary wastewater treatment plant (WWTP) to be located in the southwestern corner of the site. The WWTP will be designed to cater for up to 20 permanent staff per day generating 60 litres/head/day. It is planned that there will be 12 permanent staff on site to operate the facility; the treatment will therefore be oversized and will allow for optimum treatment of the effluent. Treated effluent from the WWTP will be discharged to groundwater via the percolation area located to the west of the western boundary wall. The percolation was designed in accordance with SR6:1991 guidelines published by NSAI. The RD requires that this system complies with Agency guidelines (Condition 3.10).

All other waste water generated on site (any leachate generated in the processing building, soiled water from floor washdown and effluent from the proposed wheelwash) will be diverted to 4 underground holding tanks via two 3-chamber interceptors. The RD requires under Condition 3.10 that this trade effluent be tankered off-site in fully enclosed road tankers to an agreed Wastewater Treatment Plant for disposal. In addition, Condition 3.19 requires that trade effluent discharges pass through a silt trap and Class 1 full retention oil separator prior to discharge.

## 4.3 Emissions to surface waters

There are no process emissions to surface water

## 4.4 Storm Water Runoff

Storm water runoff from the roof of the Recycling Building is currently collected and discharged via a down pipe in the south-western corner of the building to a surface water drain at the site entrance. This drain joins another surface water drain serving the Business Park south of the site, which in turn drains in a southerly and a westerly direction to meet a tributary of the Banoge River. This tributary together with the River Banoge are important salmonid watercourses. Furthermore the River Banoge is known to hold populations of lampreys all of which are listed in Annex II of the EU Habitats Directive. The Banoge merges with the Owenavorragh River approximately 4km from the site, which then flows in an easterly direction before discharging to the sea at Courtown. Condition 5.1 states that there shall be no trade effluent, leachate and/or contaminated storm water discharged to surface water drains or surface watercourses.

A surface water sample from the water discharge point located at the front entrance of the site, revealed contaminated water in the surface drain with elevated levels of conductivity (2.41mS/cm), ammonia (30.10mg/l), chloride (416mg/l), sulphate (332mg/l) and ortho-phosphate (4.32 mg/l). This surface water analysis is anomalous, particularly in terms of ammonia and phosphate. Given that flow to the surface water drain is from the roof of the recycling building and has not been in contact with any process area, it should consist of clean rainfall. The licensee is of the view that these anomalies are not reflective of standard operations at the site and state in their submission that they are anxious to determine the source of any contamination to the drain. To this end, Condition 6.15 requires the licensee to submit a report detailing the results of an investigation into the source of the storm water contamination.

The existing yard drainage is directed through two 3-chamber interceptors before discharge to the percolation area to the west of the site however redevelopment of the site will render this drainage as floor drainage and it will be directed through the two interceptors and from there to the underground storage tanks as outlined under section 4.2 above. Condition 3.10 requires that the yard drainage discharge to the percolation tanks be monitored as outlined in Schedule C.2.1 Control of Emissions to Ground. Once the yard area is roofed, the outlet from the discharge holding tank to the percolation area is required to be closed.

The RD (condition 3.19) recommends that with the exception of storm water from the roofs of the facility buildings all stormwater and trade effluent must pass through a silt trap and a Class 1 full retention oil separator prior to discharge.

## 4.5 Emissions to Ground/groundwater

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There are no direct emissions to ground of groundwater and the RD prohibits any such discharges (Condition 5.2). There is a well on site, situated within the recycling building, which supplies water to sanitary services on site. A sample analysis of the water from the site well showed elevated results for conductivity (4.836mS/cm), sodium (920mg/l), sulphate (254mg/l), chloride (1405mg/l), manganese (942µg/l). Manganese is found widely in soils and is a constituent of many groundwaters consequently the slightly elevated level of 0.942 mg/l may not result from contamination in this environment.

According to the applicant the well was constructed by grouting in steel liner into bedrock and it is considered that the well itself and its immediate surrounds at the wellhead are adequately sealed and do not provide an artificial pathway for any contaminants to enter the groundwater. It was reported by the well driller that the overburden beneath the site is composed of some 7m of stiff low permeability clay. The concrete nature of the surface of the yard coupled with the natural clay layer provides a protective barrier to the downward percolation of soiled water at the site.

The applicant states that the elevated levels of sodium, chloride, conductivity and sulphate, is suggestive of saline conditions in the groundwater and one explanation proffered by the applicant is that a tannery operated in this area many years previous. It is considered likely that the tannery used significant quantities of salts in their processes and it is possible that residues of these materials are still present in the overburden and groundwater. Another explanation is that elevated levels of conductivity, chloride, sodium and sulphate are often found in waters adjacent to large and generally new concrete workings such as might exist at new adjacent housing estates and the adjacent industrial estate. High pH and elevated potassium levels are also often associated with such estates however such high levels are not in evidence here, nonetheless they may be contributing factors. Condition 6.16 requires the licensee to ensure that groundwater monitoring well sampling equipment is available/installed on site and is fit for purpose at all times.

There is also a manhole within the recycling building, which according to the applicant has been filled in with concrete and is no longer functional. All drainage from the existing recycling building and the shredder area is directed to the sump in the loading pit located in the southeastern part of the site. Liquid from this area of the site is and will be pumped directly to the contained underground storage tanks. These foul water retention tanks are constructed of precast concrete and there is a separate precast concrete septic tank and soakway servicing the facility toilet.

The applicant states that the site is underlain by rocks of the Campile Formation, which is classified by the GSI as a regionally important aquifer. The vulnerability of the bedrock aquifer is moderate.

### 4.6 Noise

The applicant has submitted results from a baseline noise survey. The daytime acoustic assessment was undertaken between the hours of 10:00 and 13:00 at three site boundary locations N101, N102 and N103 representing the north-western,

western and southern site perimeters respectively. Noise monitoring was also undertaken at four noise sensitive locations (NSLs), NSL101, NSL102, NSL103 and NSL104. NSL101 was measured approximately 100m south of the facility outside the office of a nearby furniture store, NSL102 was measured at the entrance to a housing estate approximately 250m north of the facility, NSL103 was measured at the entrance to a private residence approximately 150m north east of the facility and NSL104 was located within the industrial estate close to the eastern boundary of the waste transfer station. In each instance the monitoring was carried out for a period of 30 minutes.

All of the site boundary locations (N101, N102 and N103) recorded noise levels of 75dB  $L_{Aeq}$ . In each instance the noise levels were attributed to plant. Noise levels of 58, 66 and 70 dB LAeq were recorded at locations NSL101, NSL102 and NSL103 respectively. In the case of NSL101 the noise was attributed to a waste transport truck emptying a load containing some glass, engine noise from the facility and traffic noise unrelated to the facility. The noise levels recorded at NSL102 and NSL103 were both attributed to traffic noise unrelated to the facility, background traffic noise and nearby traffic movements. In both instances noise from the facility was not audible.

An L<sub>Aeq</sub> of 53 dB was recorded at NSL104, the nearest noise sensitive receptor and was attributed to traffic movements within the industrial estate, machinery noise from a development close by, intermittent impact noise and a scraper from the facility. Tonal noise elements were detected at the boundary noise monitoring locations and were attributed to on site machinery noise. While tonal noise elements were detected at noise sensitive locations NSL101, NSL102, NSL103 and NSL104 they were of a different frequency to those detected at site boundary locations N101, N102 and N103 which would eliminate the waste transfer facility as the possible source of these tones. According to the applicant all on-site operations will be totally enclosed by the new building which will reduce noise emissions.

The RD specifies noise limits at NSLs in line with the aforementioned guidance and requires an annual noise survey (Condition 6.17). The noise emission limit values are set in Schedule B

### 4.7 Nuisance

Condition 6 of the RD controls potential nuisances at the facility and requires that a written record of all nuisance inspections be kept.

- Litter
  - According to the applicant commercial and domestic wastes are handled in contained buildings, daily litter patrols are carried out at the site and the yard is regularly swept. When the expanded facility is fully constructed the entire site will be covered and litter will be fully contained. Condition 6.1.1 requires that the litter control provisions proposed by the applicant be applied to control litter at the facility while condition 6.1.3 requires that all vehicles delivering waste to and removing waste and materials from the facility are appropriately covered.
- Dust

The applicant carried out dust monitoring at three on site locations, however the dust deposition sample recorded at D2 was damaged and did not yield results. The dust deposition level recorded at D1 and D3 were elevated (965 mg/m²/day and 459 mg/m²/day respectively). The applicant attributes this to dry weather conditions since the monitoring was carried out during the period June – July 2003. The significantly elevated dust level recorded at D1 was attributed to construction and earth moving works which were taking place to the south of the site during the monitoring period. According to the applicant the proposed enclosure of all waste activities will minimise the risk of future dust emissions from this activity. The applicant also proposes to install a wheelwash at the entrance to the facility. Condition 3.14 requires that the licensee install and provide measures for the control of dust emissions including fugitive dust emissions from the facility.

• Vermin, flies, birds, pests, odour.

According to the applicant a hygiene services company has been contracted to control any potential vermin problem by laying bait boxes in strategic locations through out the facility and records of site visits are kept on file. To date birds have not presented a problem on site, furthermore the upgraded facility will be entirely covered in thereby preventing any nuisance from birds at the facility. Condition 11.3 of the RD requires that records detailing the control and eradication of vermin and fly infestations be kept at the facility. Condition 6.2 requires that waste is stored in suitably covered and enclosed containers within the Waste Transfer Building such that odour nuisances are minimised. It also requires that all waste unsuitable for recovery must be removed off site for disposal within 48 hours of its receipt or within 72 hours at bank holiday weekends. Condition 8.1 requires that the floor of the Waste Transfer Building be cleaned daily during the handling of putrescible waste.

A lot of mitigation of nuisance is dependent on the entire site being roofed in and the external yard areas being converted to internal operation areas. The applicant has applied for Planning Permission and in the event that it is unsuccessful it will not be possible to meet the infrastructural requirements of the licence.

## 5. Cultural Heritage, Habitats & Protected Species.

The applicant details that the site is not covered by any designations for conservation. There are no natural or semi-natural habitats on site. A tributary of the Banoge river runs in a south west direction approximately 120m to the west of the site merging with the River Banoge approximately 3km downstream of the site.

The proposed development area is situated 1km to the south of the medieval town of Gorey and 50m south of the old Gorey Union Workhouse built in the 1800s. On this basis the site merited archaeological assessment. Nothing of archaeological interest was noted in this already developed area. Archaeological sites recorded within 1.5km of the proposed development include the site of a 17<sup>th</sup> century tomb and two holy wells. According to the applicant there will be no impact on archaeology from the proposed development.

## 6. Waste Management, Air Quality and Water Quality Management Plans

The Waste Management Plan for the South East Region 2005 - 2020 states that 'it is the policy of the region that 80 - 85% on average (unless it is deemed unreasonable to do so by the Local Authorities) of all households in the region will have a waste collection provided either by the local authorities and/or private sector by 2008'. 'Not later than 2006 all waste collection services for household, commercial and industrial waste in the region shall comprise of a 2-bin system for dry recyclables and residual waste'. The existing Greenstar Ltd facility is currently providing this service in the region and hopes to extend the service over time.

In relation to the Water Quality Management Plan the applicant does not propose to discharge to surface water.

## 7. Compliance with Directives and Regulations

The facility does not fall under the scope of the Landfill Directive or the IPPC Directive. In relation to the Groundwater Directive the facility will not have any direct emission to groundwater.

## 8. Fit & Proper Person Assessment

The applicant (Greenstar Ltd) states that the applicant company has not been convicted of any offence under the Waste Management Act 1996.

In November 2000 Celtic Waste (now trading as Greenstar Ltd) acquired Noble Waste. In February 2002 Noble Waste Disposal Limited (Waste Licence 53-1) was convicted on 7 charges for non-compliances with their Integrated Waste Management facility located at Fassaroe, Bray, Co Wicklow, under the Waste Management Act, 1996. The charges related to an audit carried out on 12/12/00, just one month after take-over of the facility by Celtic Waste Ltd., and to a site visit and a second audit carried out in February 2001 and March 2001. The total costs to the licensee amounted to: total fines € 6,000, Agency costs € 6,379 and legal costs €3,268.

In October 2001 Celtic Waste acquired Murphy Waste Disposal (Waste Licence 134-1) which in 2003 was convicted on two charges. The charges related to acceptance of waste types not permitted under conditions of the licence and transfer of waste to an inappropriate person. Total fines and costs imposed were €7,330 (fine imposed €500). The prosecution relates to a period very shortly after the take over by Celtic Waste. In 2003, Celtic Waste became Greenstar Ltd.

Seamus Kelly and Sons "Amberlea" Courtnacuddy, Enniscorthy, Co Wexford previously owned the waste transfer station located at Ramstown, Gorey, Co Wexford. Mr Kelly applied to Wexford County Council for a waste permit but was unsuccessful on the basis that the quantities of waste being handled for disposal exceeded the prescribed 5,000 tonnes. He also applied to the EPA for a Waste Licence in March 2004 (Waste Licence No 202-1) however no decision was made in respect of this application by the 24<sup>th</sup> June 2005 when Mr Kelly withdrew the application. In May 2005 the EPA took a prosecution against Mr Kelly who was accused of carrying on unauthorised waste activities at the waste transfer station and recycling facility at Ramstown, Gorey, Co Wexford, however the case was dismissed due to a technical

error. On 1<sup>st</sup> April 2005, Greenstar Ltd acquired the trade and assets of Seamus Kelly and Sons Ltd.

It is recognised that the new owners face some challenges in bringing the site into compliance on takeover. I am of the view that the applicant is applying the necessary changes to operational and management practices sufficient to allow the Agency to avail of the provision set out in Section 40(8) of the Waste Management Acts to deem the applicant, in the case of this application, to be Fit and Proper for the purposes of Section 40(7)(a).

The Company's profit for the financial year 2003 amounted to €4.4 million.

### 9. Submissions

There were four submissions in relation to this application

# 9.1 Submission from the Director of Infrastructure and Emergency Services, Wexford County Council.

The Director of Infrastructure & Emergency Services, Wexford County Council submits that the development overlies a regionally important aquifer, which Wexford County Council has developed as a substantial source of public water supply. This aquifer is presently being developed to increase the rate of abstraction.

He notes that the aquifer vulnerability is moderate and according to the application excavation will be required for foundations and infrastructure. It is deduced from this that the floor-washing tank will be at or above ground level but it is unclear whether this also applies to the sewage treatment plant. Wexford County Council recommend that

- a site investigation be carried out to determine the nature and the depth of the voverburden to bedrock and excavation for a treatment plant be clarified.
- A site sampling point be installed at the point of discharge of surface water from the site to the open drain and that the outfall location and the path of the drain be clearly marked on a map.
- Reception point for floor washings be left to the discretion of Wexford County Council

#### Comment:

According to the applicant it was reported by the well driller that the overburden beneath the site is composed of some 7m of stiff low permeability clay. This would render the subsoil with a moderate vulnerability rating. Condition 3.5 requires that the floors of the building and the hardstanding areas at the facility be concreted and constructed to British Standard 8110 or equivalent. The concrete nature of the surface of the yard coupled with the natural clay layer provides a protective barrier to the downward percolation of soiled water at the site.

There are no process emissions to surface water. Under the proposed expansion it is proposed to construct a building, which will cover the entire yard area. This will mean that the entire surface of the site will be covered in and no precipitation will fall on yard surfaces. All water will be collected in downpipes and discharged as clean water to the surface water drain at the site entrance (SW1). In addition, Schedule C.2.3 requires the licensee to agree the location of the storm water emission point with the Agency in the event that its location should alter following reconfiguration of the building and roof drainage. Condition 6.4 of the RD requires that the licensee submit

an appropriately scaled drawing showing all the monitoring locations stipulated in the licence. The drawing shall include the eight-digit national grid reference of each monitoring point. The path of the drain is provided in Figure No 1.1.2 of the licence application.

Condition 3.10 states that trade effluent stored in the on-site storage tanks shall be tankered off-site to an agreed Waste Water Treatment Plant.

## 9.2 Submission from Eastern Regional Fisheries Board

The Eastern Regional Fisheries Board submits that the watercourse which flows at the rear of Gorey Business Park and the Banoge to which it flows are important salmonid watercourses.

The following are concerns of the Board

- That all drainage water from the internal floor area of the recycling building will be classed as dirty water and be tankered off site for treatment
- All surface waters from the site should be channelled through adequately sized petrol / oil interceptors and be subject to attenuation prior to discharge to waters. The details regarding emptying of oil interceptors and soil traps should be made conditions of any waste licence.
- The wheel-wash is a potential source of suspended solids pollution. The installation and operation of any wheel-wash on site must adequately address this issue and ensure that there is no pollution of any watercourses.
- Systems should be put in place to ensure that there shall be no discharge of suspended solids and any other deleterious matter to watercourses during the construction phase and during any landscaping works.
- Run off from storage bin areas and any areas used for the parking or storage from skips should be treated as dirty / soiled water and that run off from such areas to watercourses is unacceptable. All such run off will need to be collected and taken off site for treatment. The Board ask that the proposed method for treatment of such soiled waters be specified at this stage
- The parking of skips outside bunded areas should not be allowed
- Fuels, oils, greases and hydraulic fluids must be stored in bunded compounds well away from the watercourse. Refuelling of machinery must be carried out in bunded areas.

#### Comment:

The entire yard area will be covered in such that no precipitation will fall on the yard area. In the interim period wastewater such as that generated in the processing building, and effluent from the wheelwash will be diverted to underground holding tanks via a silt trap and Class 1 full retention oil separator. The existing yard drainage is directed through the interceptors and discharged from here to the percolation area. When the site is redeveloped and fully roofed this drainage will comprise floor drainage and will be directed to underground storage tanks via the two interceptors and will be stored there for off-site disposal. In accordance with Condition 3.10 the outlet from the discharge holding tank to the percolation area will be closed once the yard area is roofed. In addition, this trade effluent will be tankered off-site in fully enclosed road tankers to an agreed Wastewater Treatment Plant for disposal. Condition 6.14 stipulates that the drainage system, bunds, silt traps and oil interceptors will 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.

Condition 5.1 also stipulates that no trade effluent leachate and or contaminated storm water shall be discharged to surface water drains and surface watercourses.

Condition 3.8 stipulates that the wheel wash be inspected daily and drained as required. Silt and stones and other accumulated material shall be removed as required from the wheel wash and disposed of appropriately.

All storage and processing of waste will take place indoors, in addition, in accordance with condition 3.5 the floor of the building and the hardstanding areas at the facility shall be concreted and constructed to British Standard 8110 or an alternative as agreed by the Agency.

Condition 3.17 requires that all tank and drum storage areas be bunded, all associated inlets, outlets, vent pipes, valves and gauges be contained within the bunded area and all tanks and drums shall be labelled to clearly indicate their contents. In addition the integrity and water tightness of all the bunding structures and their resistance to penetration by water or other materials stored therein is required to be tested and demonstrated by the licensee at least once every three years.

### 9.3 Submission from the Health Service Executive

Detailed observations in relation to the proposal are

- \*That adequate noise measures will be taken to combat the increased noise levels during daytime hours
- That adequate odour control measures shall be implemented to deal with the additional 15,000 tonnes of rubbish
- That adequate pest control measures are in place on site and frequent inspections of the site shall be carried out by the pest control company
- That adequate preventative measures are implemented to contain leachates
- That adequate measures are implemented for increased dust levels

There were considerable problems in the past until 1998 when the site was under previous ownership. The premises were not properly or efficiently operated and there were problems related to rodent infestation lack of suitable facilities for use as a transfer station, unsatisfactory yard, dust, noise and smell nuisance, unsatisfactory septic tank drainage system and unsatisfactory canteen

### Comment:

It is proposed that the entire yard area will be covered-in such that all processing of waste will take place indoors; this will serve to contain noise sources within the building. In addition the RD requires noise monitoring to be carried out at four Noise Sensitive Locations (NSLs) and the corresponding daytime and nighttime emission limit values have been established under Schedule B3. An annual noise survey is also required.

All commercial and domestic wastes will be handled within the waste processing building which again will significantly reduce odour and dust emissions however additional dust/odour control measures specified in the RD include

- the overnight storage of all waste for disposal in suitably covered and enclosed containers within the Waste Transfer Building and its removal from the facility within 48 hours (condition 6.2)
- the installation and provision of adequate measures for the control of odours and dust emissions including fugitive dust emissions from the facility (Condition 3.14)
- installation of an odour management system which requires that the doors of all buildings processing putrescible waste be closed and the provision of 100% duty capacity and 20% standby capacity, back ups and spares for the air handling ventilation and abatement plant.
- The floor of the waste transfer building is required to 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 are required to be washed down and cleaned each time the bays are cleaned or once a week minimum.

With regard to pest control measures the licensee is required to submit a proposal for a programme for the control and eradication of vermin and fly infestations prior to the commencement of waste activities, (Condition 6.6), and thereafter maintain a record of the programme at the facility, (Condition 11.3). The licensee is required under Condition 6.5 to carry out nuisance monitoring weekly and to maintain a record of all nuisance inspections.

The handling of leachates and trade effluent has been dealt with under Submission 9.2.

## 9.4 Submission from Wexford County Council

Wexford County Council received a letter of complaint and forwarded it to the Agency in relation to this application. In his letter the complainant states that he has had to endure 'obnoxious odours, toxic liquid run-off and wet waste being stacked, stored and retained on this site. Lorries are passing through the complainant's property to gain access to the premises in question leaving a trail of toxic wet waste and other matter'. He also outlines 'a near fatal accident' that occurred when a large mechanical shovel operating on the site of the waste transfer station demolished a boundary wall while pushing 'toxic' waste against it. The complainant's workmen were working adjacent to the wall when the incident happened, there were however no fatalities. The complainant describes the wall in question as being 'totally unsuited for such use' and 'structurally unsound' and is concerned at the possibility of a fatality on site or of serious injury occurring to staff or other members of the public. The letter dated 23<sup>rd</sup> November 2004 is attached for reference.

#### Comment:

All wastes received at this facility are non-hazardous in nature (Schedule A.2) however where hazardous waste is inadvertently received as part of municipal waste it will be segregated and stored within a bunded quarantine area until it can be disposed of at an appropriate facility (Condition 8.2).

Condition 6.1 requires that all vehicles delivering waste to and removing waste and materials from the facility be appropriately covered. Condition 6.2 requires that waste for disposal be removed from the facility within 48 hours of its arrival except at bank

holiday weekends when such waste is required to be removed within 72 hours of its arrival on site. Condition 3.8 requires the provision and maintenance of wheel cleaners at the facility and that they be used on all vehicles leaving the facility in order to ensure that no trade effluent or waste is carried off site.

Condition 3.4 requires that the facility be rendered secure through the installation and maintenance of stockproof fencing and gates. Any damage to the fencing or gates is required to be temporarily repaired by the end of the working day and fully repaired within three working days. A CCTV system is required to be installed and operational at all times to monitor all truck movements into and out of the facility and copies of recordings are required to be kept for a minimum of one year and made available to the Agency on request. This condition also requires that any perimeter wall that also acts as a boundary to a waste processing area should be constructed of materials suitable to withstand standard operations on site and impact from mobile plant.

## 10. Charges

The RD requires the applicant to pay an annual contribution of €9989.00.

#### 11. Recommendation

I have considered all the documentation submitted in relation to this application, and recommend that the Agency grant a licence subject to the conditions set out in the attached RD and for the reasons as drafted.

Signed

DERNIE WILLERY Inspectors name

### **Procedural Note**

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2003.

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## M. T. O'DONOGHUE & CO

SOLICITORS
11, MAIN STREET, GOREY, COUNTY WEXFORD

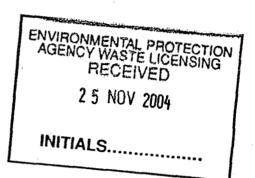
Maeve T. Breen BCL LLB
DIP. DROIT COMPARE
Marcella Byrne - Legal Executive
e-mail: maevebreen@tinet.ie
securemail: mtodonoshue@securemail.ie

Tel. 055-21137/21566 Fax: 055-21725 DX: 48-003 - Gorey VAT NO. F4516945W

Our Ref: O221/04

Your Ref: 23 November, 2004

Environmental Protection Agency, Office of Licensing & Guidance, Environmental Protection Agency, Headquarters, P.O. Box 3000, Johnstown Castle, County Wexford



Re:

Our Client: James Osborne, Gorey Business Park, Ramstown, Gorey, Co. Wexford.

Application EPA Ref. 202-1 -Waste Licence - Waste Transfer Station

Applicant: Seamus Kelly & Sons, Gorey Business Park, Ramstown, Gorey, Co. Wexford.

Seamus Kelly, Amberlea, Courtnacuddy, Co. Wexford.

Dear Sirs,

We act for Mr. Jim Osborne, Gorey Business Park, Ramstown, Gorey, County Wexford.

It is come to our client's attention that Mr. Seamus Kelly Trading as Seamus Kelly & Sons have applied for a Waste Licence for premises at Gorey Business Park, Ramstown, Gorey, County Wexford.

Please note that our client, Mr. James Osborne is the registered owner of the lands and buildings forming the property known as Gorey Business Park, Ramstown, Gorey, County Wexford and the name Gorey Business Park is the registered business name of our client for his business of letting of warehouse units at Ramstown Gorey, Co. Wexford. We enclose a copy of our client's Certificate of Registration dated 25<sup>th</sup> January, 2001.

Mr. Seamus Kelly is not a Tenant of our client and does not lease or hold any property in Gorey Business Park.

Mr. Kelly's use of the name Gorey Business Park in his application for Waste Licence and in the Environmental Impact Assessment prepared by White Young Green, of Bracken Business Park, Bracken Road, Sandyford, Dublin 18 is incorrect and misleading as it gives the impression that Mr. Kelly's business is being carried on at our client's premises which is not the case.

Mr. Kelly's waste disposal business is located adjacent to our client's Business Park but does not form part of Gorey Business Park.

Our client has not applied for a Waste Disposal Licence for his property at Gorey Business Park.

Our client's business is the letting of warehouse units in Gorey Business Park of which our client is the Landlord of each unit let.

Our client has further development plans for his Business Park and wishes to set the record straight.

We would be obliged if you would amend all your records to reflect Mr. Kelly's proper address which is Ramstown, Gorey and confirm that this has been done in writing.

We enclose relevant extracts from Environmental Impact Assessment, Waste Licence Application Form and letter EPA to Mr. Kieran O'Brien, Wexford County Council.

If the foregoing is not immediately rectified, then our client reserves the right to issue proceedings for the protection of the reputation of his business "Gorey Business Park".

Yours faithfully,

M. T. O'Donoghue & Co., Solicitors.

Encl.

cc.
Seamus A. Kelly & Sons,
Amerlea,
Courtnacuddy,
Enniscorthy,
Co. Wexford.

Kieran O'Brien, Wexford County Council, County Hall, Wexford.

Aine Ryan MSc., Principal Environmental Scientist, White Young Green, Bracken Business Park, Bracken Rorad, Sandyford Industrial Estate, Dublin 18.

## M. T. O'DONOGHUE & CO

SOLICITORS
11, MAIN STREET, GOREY, COUNTY WEXFORD

Maeve T. Breen BCL LLB
DIP. DROIT COMPARE
Marcella Byrne - Legal Executive
e-mail: maevebreen@tinet.ie
securemail: mtodonogbue@securemail.ie

Tel. 055-21137/21566 Fax: 055-21725 DX: 48-003 - Gorey VAT NO. F4516945W

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M. T. O'Donoghue & Co., Solicitors.

Encl.

Seamus A. Kelly & Sons, Amerlea, Courtnacuddy, Enniscorthy, Co. Wexford.

Kieran O'Brien, Wexford County Council, County Hall, Wexford.

Aine Ryan MSc., Principal Environmental Scientist, White Young Green, Bracken Business Park, Bracken Rorad, Sandyford Industrial Estate, Dublin 18.

# Registration of Business Names Act, 1963

## CERTIFICATE OF THE DESIGNATION

Business Name

GORRY PURITING TARK

Principal Place of Business

BAMSTOWN GOREY

Listificative CERTIFY that a Statement of Particulars in Respect of the above Business Name pursuant to Section 4 of the above mentioned Act was registered on 25th January, 2001

Datel the 25th January, 2001

Registral of Business Names

Section 7 if the above Ant requires that interever a change is made or occurs in my series particular, registered in respect of any person, that person shall, which one remain there are change, human by icuding by post or delivering in the registrar a knowned in writing in the prescribed form specifying the mature and date of the change signed and where necessary verified in the mature as the mature and captured on registration.

Specific 5 2) provides that "a certificate of registration shall be kept exhibited in a crimplem in position at, in the case of a first of individual, the principal place of business and if the case of a first of individual, the principal place in business and if the case of a first of individual and in every own, in every beauth of the principal of place where the business is normally carted an and if not kept so exhibited in person registered or, in the case of a first, every partner in the first shall be likely on summary sometime to a first not exceeding £180."

If a place is registered under this Act in respect of a business mane course to oney parties bearings and that paine, it shall be the duty of that person are, in the case of a first of every poster who are a parties in the first at the time when it ceased to early on trustness under that name, and also, in the case of a body corporate, of any liquidator, within three months thereafter to send by point be deliver to the regist by a statement in the passer, within three months thereafter to send by point be deliver to the regist by a statement in the passer, the first to shall also find if the deaths default in doing so he shall be it also on automaty convertible or a fine not succeeding \$ 100.

Partie of hospication of change of cereation may be abadied from the REGISTILAR OF BUSINESS NAMES, PARNELL HOUSE, 14 PARNELL SQUARE, DUBLIN 1

## Seamus Kelly & Sons

## **ENVIRONMENTAL IMPACT ASSESSMENT**

For: Waste Recycling Centre Gorey Business Park Gorey Co. Wexford

Prepared By

White Young Green Bracken Business Park Bracken Road Sandyford Dublin 18

### 1. INTRODUCTION

## 1.1 Overview of the Proposed Development

Seamus A. Kelly & Sons (SK&S) operates a waste transfer station at Gorey Business Park, Ramstown, Gorey Co. Wexford.

SK&S operates a collection service for commercial, domestic and construction and demolition waste which services the South East. SK&S provides a progressive service in terms of waste management to the population of the South East area. The business, operates from the Company's transfer station at Gorey Business Park, Ramstown, Gorey, Co. Wexford. The company has provided a waste disposal service to the South East for over 8 years. The SK&S facility currently handles an estimated 16,500 tonnes per annum of non-hazardous waste. The waste is delivered to the SK&S facility where recyclables such as steel and wood are segregated with the residual non-recyclable waste being transferred to landfill. SK&S has also commenced supplying householders in the South East Region with bins for the collection of dry recyclables The company has plans to expand this service significantly in the future.

SK&S is optimistic that it can expand its business and operations and is now applying to the Environmental Protection Agency (EPA) for a licence to handle 30,000 tonnes of waste in 2008 at the Ramstown facility. This Environmental Impact Statement (EIS) has been produced to accompany that licence as required under Article 13(1) of S.I No. 133 of 1997.

This Environmental Impact Statement (EIS) examines the potential impacts and significant effects on the environment of SK&S's existing waste recycling station at Ramstown and the predicted impacts and significant effects of any proposed extension/upgrading to the facility. The prescribed developments that require an EIS are set out in Secton 176 of the Waste Management Act and Article 93 and Schedule 5 of the Local Government (Planning and Development) Regulations, 2001.

#### 1.2 Location and Setting

The location of the site is shown in Figure 1.1.1 and has a National Grid Reference of 3156E, 1586N.

The existing site covers an area of 0.28 hectares and is located in the Gorey Business Park, Ramstown, Gorey, Co. Wexford in the town land of Ramstown. This area lies within the local authority jurisdiction of Wexford County Council.

The Banoge River lies approximately 1.4km to the south-east of the site and branches off in to tributaries to the east of the site. The business park is bounded to the west by the N11 a major

### 4.9 ROADS AND TRAFFIC

## 4.9.1 Proposed Development

It is proposed to almost double the tonnage of waste handled at the SK&S facility from 16,500 to 30,000 tonnes over five years. It is expected that there will continual advances in the machinery and vehicles used at this facility which will allow for greater efficiencies. In general, material is brought to the site in relatively small vehicles including skips, trailers, hook loaders etc. It is also true that waste is generally exported from the site in the most economically feasible quantities in large vehicles capable of carrying 20 tonnes per vehicle

Given that the quantity of waste is expected to almost double it is estimated, as a worst case scenario, that traffic associated with the site will also double. It is therefore expected that the proposed facility will generate 74 vehicle trips during the morning and evening peak hours. On this basis this would increase the heavy goods flow in and out of the industrial estate by 10%. It should be noted however, that the Business Park is still being developed. As more units are developed there will be increased traffic thereby reducing SK&S's contribution to overall traffic levels in the Business Park.

#### 4.10 LANDSCAPE AND VISUAL AMENITIES

## 4.10.1 Specific Characteristics of the Proposal

The proposed development involves the up-grading of an existing Recycling Centre to increase the tonnage of material handled and recycled. The following features are relevant to the potential landscape and visual impacts from the facility:

- Retention of the building housing the staff offices, recycling and storage.
- Retention of the skip storage area, metal storage area, baled cardboard storage area, fuel storage container and rubble and timber bays;
- Retention of all boundary features
- Construction of a new recycling building to cover the entire yard area.

### 4.10.2 Potential Impacts

#### 4.10.2.1 Landscape Character

The site is located in Gorey Business Park which contains commercial, retail and light industrial units. Outside the business park, surrounding area consists of agricultural land and individual residential properties and a residential estate. The existing site does not detract from the visual character of the surrounding landscape. The proposed developments on the site will not be significantly obtrusive and will not be negatively distracting.

The area in which the site is zoned for Industry. The proposed development is in agreement with the provision "To Provide for Industrial Uses".

The proposed development will not impact on any tree preservation orders or protected structures in the area.

#### 4.10.2.2 Visual Impacts

The development will not obstruct or impinge on the scenic route, sensitive area or vulnerable area, as identified in the Wexford Development Plan.

The proposed development will not involve the construction of any structures, which will be visible from outside the site.

There will be no visual impacts from the construction of the weighbridge and fuel tank.

B. GE	CNERAL										
B.1 Applicant's Details	If the applicant is a body corporate, the follow information must be attached as Attachment a) a Certified Copy of the Certificate of Incorporation or Memorandum and Article Association;										
Name*: SEAMUS KELLYA SONS Address: GOREY BUSINESS AARK RANSTOWN GOREY	b) the Company's Registration Number from the Companies Registry Office; and c) a list of the Company Directors.										
Tel: 0644467 Fax: 0644467	State the interest of the applicant in the land which is subject to the application. The applicant is (please check):										
* This should be the name of the applicant which is; current on the date this Waste Licence Application is lodged with the Agency.	Landowner  Lessee  Prospective Purchaser										
Name and Address for Correspondence (it must be noted that all correspondence or communications will be conducted through the correspondence name and address provided.  Only application documentation submitted by the applicant and by the nominated person will be deemed to have come from the applicant.)	Other (please specify)  Name and address of all occupiers of the land on which the Activity is situated (if different from applicant named above).  Name: AS ABOA										
Name: SEAMUS KELY Address: "AMBERLEA"  COMEXEDED  Tel: SEL 4416	Address:  Tel:  Fax:										
Fax: OSU LULISE  Address of registered or principal office of Body Corporate (if applicable)	Name: NOT APPLICABLE Address:										
Address: Not APRICARIE	Tel: Fax:										
Tel: Fax:	Name and address of the current* owner(s) and lessees of the land, buildings and ancillary plant on which the activity is or will be situated (if different from applicant named above).  A drawing showing the above details should										

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be included.	
Name: NOT APPLICABLE Address:	B.2 Location of Activity
	Name: SEAMUS KELLY + SONS
Tel: Fax:	Address*: GOREY RUSINESS PARK RAMSTOWN GOREY
Name: NOT APPLICABLE Address:	CO WEXENCE  Tel: 054 4467  Fax: 054 44468
	* Include any townland
Tel: Fax:	National Grid Reference (8 digit 4E,4N)  3156 E 1586 N
Name: NOT APPLABLE Address: Tel: Fax:	A Site Plan must be provided. It should be noted that the Site Plan will legally define the area to which the waste licence will relate. Waste disposal operations by the applicant outside the area of the licence will be an offence under s39 of the Waste Management Act 1996. Accordingly, it is vital that the boundary of the activity is clearly marked and identified.
Name: NOT APPLICABLE Address:	Original maps of the relevant area, such as maps from the Ordnance Discovery Series, from which the site grid reference can be read and confirmed, must be included in <b>Attachment B.2.</b>
Tel:	The applicant should tick the appropriate box below to identify whether the activity is located within the Shannon Free Airport Development Company (SFADCo.) area.
Name: Not Applicable Address:	Within SFDACo. Area Yes No
Tel: Fax:	B.3 Planning Authority Give the name of the planning authority in whose functional area the activity is or will be carried out.
*Current at the time the application is submitted	Name: WEXFOX COUNTY COUNCIL Address: COUNTY HALL SPANELL RD
ApfrmJuly17.doc 13/08/2003	Page 10 of 64

WEXFORD T	2016
Tel: 053 76504	)
Has the Planning Authorotification from the a	prity received written
to The Environmental Waste Licence under A Management (Licensin	Protection Agency for a article 9 of the Waste
Planning Authorit	y notified Yes

Planning Permission relating to this application:-

has bee	n obtaine	ed	6 0 ()	W
is being	processe	ed		
is not y	et applied	l for		
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Attachment B.3 should contain all current planning permissions, including a copy of all conditions. Copies of any EIS should also be enclosed. For existing activities, Attachment B.3 should also contain copies of all licences and permits in force at the time of submission. Where planning permission is not required for the development, provide reasons, relevant correspondence, etc.

## B.4 Sanitary Authority

In the case of a discharge of any trade effluent or other matter (other than domestic sewage or storm water) to a sewer of a sanitary authority, give the name of the sanitary authority in which the sewer is vested or by which it is controlled and the waste water treatment plant (if any) to which the sewer discharges.

### Name:

ApfrmJuly17.doc 13/08/2003

Address: WEXFORD COUNTY COUNCIL
A
SPANFIL RD
WEXFORD TOWN
Tel: 053 76500
Fax: 053 43406
<u>rax: 0,0 40400</u>
Waste water treatment plant
Name: NOT APPLICABLE
Address:
Tel:
Fax:
In the case of a discharge of any trade effluent or
other matter to a sewer not vested or controlled by a
sanitary authority, give the name and address of the
owner(s) of the sewer and the waste water treatment
plant (if any) to which the sewer discharges.
Name: NOT APPLICABLE
Address:
Address
Tel:
Fax:
Name: NOT APPLICABLE
Address:
Tel:
Fax:
Waste water treatment plant
Name: NOT APPLICABLE
Address:

The applicant must enclose, as Attachment B.4, a copy of any effluent discharge licence and/or agreement between the applicant and the body with responsibility for the sewer.



## B.5 Notices and Advertisements

Articles 6 and 7 of the Waste Management (Licensing) Regulations 1997 as amended requires all applicants to advertise the application in a newspaper and by way of a site notice. See Guidance Note.

Attachment B.5 should contain a copy of the site notice and a drawing showing its location on site. The original application must include the complete newspaper complete newspaper in which the advertisement was placed. The relevant page of the newspaper containing the advertisement should be included with the five copies of the application. Where the Waste Management (Licensing) Regulations 1997 as amended require notice of the application to be given to the Planning Authority, a copy of this notice should also be included.





PO Box 3000, Johnstown Castle Estate County Wexford, Ireland Bosca Poist 3000, Eastát Chaisleán Bhaile Sheáin Contae Loch Garman, Éire

T: +353 53 60600 F: +353 53 60699 E: info@epa.ie

Lo Call: 1890 33 55 99

Mr Kieran O'Brien
Director of Services (Environment)
Wexford County Council
County Hall
Wexford

1 June, 2004

202-1

Dear Mr O'Brien,

I refer to previous correspondence in relation to the Waste Licence application, register number 202-1 by Seamus Kelly & Sons in relation to a facility/premises located at Seamus Kelly & Sons, Gorey Business Park, Ramstown, Gorey, Co Wexford.

Please include the enclosed documentation in the copy of the correspondence file associated with this application, which is available for public inspection at your offices.

Your co-operation in this matter is greatly appreciated. Should you have any difficulties please do not hesitate to contact me.

Yours sincerely

Tracey Berney
Programme Officer

Office of Licensing & Guidance

Encl.