

Sub on Obj. 1



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23rd October 2006

Ref. No: 11278

Licensing Unit,
Office of Licensing and Guidance,
Environmental Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
Co. Wexford.



Re: **Listowel Proposed Civic Amenity Centre, Tanavalla Industrial Estate, Garryantanvally, Tralee Road, Listowel, Co. Kerry.**

Licence Application No. W0224-01

To Whom It May Concern:

On behalf of our clients, a party to third party objections to the Agency's proposed decision in respect to the above referenced waste licence application; we wish to make a submission in writing to the Agency on these objections.

A copy of the objections is attached herewith.

We wish to make the following submissions:

Submission on Objection 3(a)

The area is not primarily residential. It is primarily a rural setting with a low density of residential housing. The proposed location of the Civic Amenity facility is in an industrial estate, located within the rural area and consequently is suitable for such a facility.

It is fully correct to describe the area as an industrial estate. The postal address of the estate is Tanavalla Industrial Estate, Garryantanvally, Listowel. Please refer to Photo No.1 attached, which clearly shows the nameplate of the estate displayed at the main entrance to the estate.

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Submission on Objection 4

The area is by no means unsuitable for the purpose of vehicular traffic, carrying waste to and from the facility.

It is incorrect to imply that vehicles that carry waste are a "severe traffic hazard" based on their description in this objection as "slow-moving vehicles".

Cattle lorries and tractors & trailers, which transport cattle, drive in and out of the estate on a continuous basis. Also, delivery lorries frequent other industrial units in the estate regularly.

In the interest of traffic safety, conditions set out in the Second Schedule of the Decision to Grant Permission for the Listowel Livestock Mart, outlined the requirement of a right-hand turning lane to be provided at the junction onto the public road (N69) and the requirement of resurfacing the road with blacktop, to the satisfaction of the Roads Department of Kerry County Council. Both these conditions have been complied with. See Photo No. 2

Submission on Objection 5

Objection No.5 appears to be at variance with Objection No.3 (a).

Objection No. 3(a) states, "By no stretch of the imagination cannot it be described as an industrial estate"

Objection No.5 state, "The existence of such a facility is entirely inappropriate in an industrial Estate area" and goes on to suggest, "The locating of such a civic amenity would seriously undermine the possible future development of the Estate"

It is difficult to make a submission on this objection as the contradictory nature of Objection No. 5 and Objection No. 3(a) prove to perplex the exact nature of the objectors Objections in this particular case.

It is appropriate to point out here, that the process of applying for a waste licence application eradicates the requirement of applying for planning permission when the local authority themselves are the applicants.

The Waste Licence application process, extends the same opportunities to the public of placing any objection with regard to the development of a Waste Management Facility:

- A site notice is erected
- An ad is placed in the newspaper
- EPA issues proposed decision to grant or refuse a Waste Licence
- 28 days are allowed for receipt of objections from the Applicant or Third Parties

Submission on Objection 6

The Civic Amenity Site is located within an Industrial Estate. This industrial estate also houses the Listowel Livestock Mart. The mart given the nature of its business, deals in the sale live animals from the agricultural sector.

This facility in itself has its own issues in terms of waste management. Odours and the likelihood of attracting vermin due to the existence of possible slurry, cow manure, urine etc are normally associated with such a live animal facility. The mart has procedures for dealing with these issues, which are part of the management practice and are incorporated in the design of the facility.

The mart itself was deemed a suitable activity for this Industrial estate. Vermin control is dealt with by the mart and will be dealt with in the Civic Amenity site by means of a vermin control company. This is outlined in the licence application in Attachment C2 and in the Condition 2.2 of the proposed decision to grant the licence. The suggestion of cross contamination is not explained nor has it any basis. Sound management practices of the facility will alleviate any risks. Condition 6.17.1 of the proposed decision also sets down relevant management practices.

The industrial estate is located outside of Listowel Town in a primarily rural setting. The density of housing is low in the surrounding areas. In selecting a location for a civic amenity site the prime objective is to provide a facility that serves the public and provides an easily accessible facility for all to use. Typically these facilities are located within towns and villages adjacent to the greater extent of the population.

However, as is the case with many such amenities, they are located on the outskirts of towns but within accessible range. The proposed site for the Listowel Civic Amenity has good access, has the necessary infrastructure already in place within the industrial estate and does not detract from the area. Trained personnel will operate the facility. An EMS will be established and an EMP maintained for the facility. Please refer to Attachment C.2 of the licence application and to Condition 2.2 of the proposed decision.

The design of the facility and the operation of same in accordance with the licence requirements insures that there is no risk to adjoining properties. The type of compactor or skip to be used for the receipt of domestic residual waste will be a sealed compactor unit, the exact specification of which will be decided by the operator of the facility. It should be noted that the domestic residuals will be deposited in a sealed compactor. Condition 3.19.5 of the proposed decision outlines the requirement to clear compactors of municipal waste at the end of each working day. Please refer also to Attachment H.3 of the licence application and Condition 3.17 of the proposed decision.

Taking account of the facility design, proposed licence conditions, EMS, EMP and strict environmental controls imposed by the proposed licence, it is clear that this facility does not pose any risk to the general public nor local residents. On the contrary it provides much-needed civic amenity site for the Town of Listowel and its immediate environs.

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Submission on Objection 7

The hours of operation of the proposed facility are clearly outlined in Attachment C.3 of the licence application. Condition 1.6 of the proposed decision also clearly outlines the allowable waste acceptance hours and hours of operation.

Any other assumptions have no basis.

The civic Amenity site will receive a range of domestic waste including recyclables such as plastic, timber, paper, textiles, green waste, WEE, Household Hazardous Waste etc. It will also receive mixed municipal waste. This mixed domestic waste will be deposited in sealed compactors and will be collected and transferred to landfill by licensed haulers. Also, various recycling operators will collect the substantial quantity of recyclable materials on a regular basis.

The general management, infrastructure and operation of the facility are set down in Condition 2 & 3 of the proposed decision. In these Conditions, the necessity of a trained operator and an Environmental Management System are set down, the timing of receipt and removal of wastes are set down and the operating times of the facility are set down.

The operators of the facility cannot control indiscriminate dumping by the general public. However the facility operation can provide a deterrent in the form of CCTV cameras and adequate lighting of the facility.

Given the layout of the access road, the facility location is in full view from the main road. There is a much greater risk of indiscriminate dumping occurring in the rural landscape where there is no deterrent or control.

One of the primary objectives of providing a Civic Amenity Site is to give the general public a location to deposit their waste and so minimise indiscriminate dumping. The EPA is satisfied with the facility design and proposed operational procedures. Any concerns that were raised during the application process have been dealt with and finalised in conditions set down in the proposed licence.

The facility is proposed to accept specific named domestic waste and recyclables. The type and quantity are limited in the proposed licence. The licence is for operation of a civic amenity site and nothing else. Should landfills close, it is the responsibility of the Local Authority to provide an alternative disposal site. To suggest that the Civic Amenity site will become a dump is grossly misleading and not possible under the terms of the licence and conditions.

Submission on Objection 8

The design of the foul water and surface water system was developed during the licence application process. It is proposed to store foul water on site in appropriately designed underground tanks and remove for treatment off site on a regular basis as and when required. This information was included in a submission to the EPA and is

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on the record to be viewed. Since the effluent is being treated off site there is no requirement for on site treatment plant or percolation.

The surface water pipe outfalls and connects to an existing surface water pipe that connects to a perimeter drain which ultimately joining the River Feale. The surface water passes through an interceptor prior to discharge to the perimeter drain. This is shown on Drawing 10599-2001 Rev B.

Submission on Objection 9

Contour maps, cross section drawings or longitudinal section drawings are not required for completion of the Waste Licence Application.

The only requirements to this effect is Condition 3.22 to the proposed decision on the Application:

- 3.22.1 The licensee shall submit proposals for all Specified Engineering Works, as defined in Schedule D: Specified Engineering Works, of the licence, to the Agency for its agreement at least two months in advance, of the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.
- 3.22.2 All specified engineering works shall be supervised by a competent person(s) and that person, or persons, shall be present at all times during which relevant works are being undertaken
- 3.22.3 Following the completion of all specified engineering works; the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall, as appropriate, include the following information: -
- (i) A description of the works
 - (ii) As-built drawings of the works:
 - (iii) Any other information requested in writing by the Agency

On the 28th March 2006, the Senior Inspector to the Licence Application forwarded a notice requesting additional information, in accordance with Article 14(2)(b)(ii) of the Regulations. This additional information included revisions to Drawing No. 10599-0001. In relation to drawings 10599-0001 and 10599-2001 the correct locations for the hazardous goods and bring bank areas are outlined in Drawing No. 10599-2001.

Accordingly, Drawing No. 10599-0001 is now replaced with revised Drawing No. 10599-0001 Rev. B

This was outlined in part B (1) of a document prepared in April 2006 for the Environmental Protection Agency "Article 12 Compliance Requirements"

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Plans and particulars lodged with the application regarding the layout of the facility, the storage containers and the proposed buildings on site, contain adequate information to meet the requirements of the Agency for completing a Waste Application Licence application.

There are no statutory requirements regarding the inclusion of details of building size or layout of the proposed activities. Having said that, more than sufficient information was submitted with the applications regarding the site layout. It is difficult to ascertain what other layout details could possibly be included with the application. Please refer to Drawings: 10599-0001 Rev B; 10599-1001 Rev A; 10599-4001 Rev A.

It is the Applicants view that there are sufficient provisions made in the application and sufficient conditions attached to the proposed decision regarding regulation of access to the bring bank and hazardous goods areas and their effective management.

Please refer to:

- Waste Licence Application, Volume 2, Attachment C.1
- Waste Licence Application, Volume 2, Attachment D.1.j
- Waste Licence Application, Volume 2, Attachment D.2.b, Figure D.2.1
- Waste Licence Application, Article 12 Compliance Requirements, Part B (2)
- Waste Licence Application, Article 12 Compliance Requirements, Part B (3)
- Waste Licence Application, Article 12 Compliance Requirements, flow Diagram, p3, Unit Operation for the Acceptance of Household Hazardous Waste
- 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 2005, Condition 2.1.1, Condition 2.1.2, Condition 3.5.1, Condition 3.5.2, Condition 3.5.3, Condition 3.5.4, Condition 3.6, Condition 3.15, Condition 3.19.

Submission on Objection 10

Similar to a planning application, it is not a requirement of the Waste Licence Application to submit a landscaping plan or to convey any intentions of choice of shrubbery for the facility at this stage of the application process.

The objectors have expressed their view that proper landscaping and shrubbery should be taken into consideration by the authority in view of the proposed location of the facility. The applicant would like to point out that the proposed location for the facility is in the middle of an industrial estate, where neighbouring industrial units and Listowel Livestock Mart have little or no landscaping and shrubbery.

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Submission on Objection 11

The proposed facility is located within Tanavalla Industrial Estate. This industrial estate has a variety of industrial buildings, which already have planning permission.

The layout of roads and front entrance are designed to cater for industrial traffic, including lorries and machinery.

The Industrial estate is located within a rural area but within the influence of Listowel Town. There are residential houses adjacent to the Industrial Estate. Some of the residences pre date the estate and a number of new homes have been dealt in recent times in full knowledge of the industrial estate existing. The applicant would again like to point out that the suggestion that this is not an industrial estate is not logical. Furthermore the objectors, in Objection 5, confirm, "*this proposed civic amenity site is located within a small industrial estate*"

Attachment E of the licence application and Condition 5 of the proposed decision, deal with issues such as noise, dust etc. There are recorded noise levels available for the existing vacant site based on monitoring that was carried out during the preparation of the licence application. Schedule B of the proposed decision includes specific levels of allowable noise for the operational phase of the new facility. The levels permitted will be monitored on a regular basis. The noise generated by the compactors will be infrequent, not continuous and will occur only during operational hours of the facility.

If noise is a primary concern then it is clear that the movement of vehicles and machinery to other premises within the industrial estate would be more of a concern. It should be noted that an industrial estate by definition will have industrial activity and consequently there will be noise from machinery, trucks and vehicles as is normal. The industrial estate has planning for such uses.

The proposed licence conditions include for monitoring and control of noise and the Local Authority will have to comply with the conditions at all times.

Submission on Objection 12

Drawing 10599-0001 Rev B shows the location of the receptacles and storage areas for Household Hazardous Waste. Such waste will be stored in appropriately and will be contained in a bunded and weatherproof structure. Please refer to Conditions 3.5, 3.6 and 3.19.7

The Household Hazardous Waste storage area will have both primary and secondary containment. Furthermore the trained operatives at the facility will assist the public in the disposal of materials into the appropriate container. The Household Hazardous Waste will be kept on site until such time as the licensed collection operator removes the waste. The regularity of the collection services will depend on the volume of material that is deposited and will be agreed by the facility operator as part of the management of the overall facility.

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It is essential to note that hazardous waste to be accepted at the facility is Household Hazardous Waste only. Industrial, commercial or medical hazardous wastes will not be accepted.

The Household Hazardous Wastes that can be deposited on are outlined in Attachment D.1.p and Attachment H.1 of the licence application.

The suggestion that the CA site will become a dump is misleading and has no basis, as the proposed facility would be a licensed and controlled and have a defined function to deal with specific wastes.

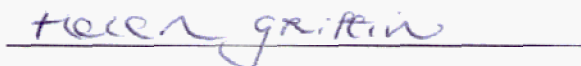
Submission on Objection 13

As outlined in Condition 3.2, the green waste will be removed off site within 48 hours. The fact that the green waste will be housed within sealed units means that there will be no exposure to weather and odours will be avoided. Given that the waste will be turned around on site quickly little decomposition will occur that would contribute to odours. The sealed units will also avoid leachate and run off on site and avoid the attraction of rodents or other vermin. As already outlined, the management system for the facility includes a rodent control contract

The license application and the proposed license conditions include measures for the safe and appropriate management of Green Waste. The conditions of the licence and the adherence thereto will be the subject of audits by the Local Authority and the EPA. An Annual Environmental Report will also be required to record and address any issues during the operation of the facility. The trained staff has a duty to operate the facility in accordance with the licence as do the Local Authority

If you have any queries please do not hesitate to contact me

Sincerely,



Helen Griffin
Malachy Walsh and Partners



Photo No. 1



Photo No. 2

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 is the area of land outlined in red on Drawing No. 10599-008 Rev A of the application. Any reference in this licence to facility shall mean the area thus outlined in red. 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
- (i) 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
 - (ii) 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 With the exception of emergencies or as may be agreed by the Agency, waste shall be accepted at and despatched from the facility only between the hours of 0830 to 1900 Monday to Friday inclusive and 0830 to 1330 on Saturdays.
- 1.6.2 The facility shall be operated only during the hours of 0800 to 1930 Monday to Friday inclusive and 0800 to 1400 on Saturdays.
- 1.6.3 The facility shall not operate or accept/despatch waste on Sundays or on Public Holidays without the agreement of the Agency.
- 1.7 This licence is for the purposes of waste licensing under the Waste Management Acts 1996 to 2005 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 a FAS waste management training programme or equivalent agreed by the Agency.

2.2 Environmental Management System (EMS)

- 2.2.1 The licensee shall establish and maintain an Environmental Management System (EMS) 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 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:

- (i) designation of responsibility for targets;
- (ii) the means by which they may be achieved;
- (iii) 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 11.8).

3.2 Facility 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: -

- (i) the name and telephone number of the facility;
- (ii) the normal hours of opening;
- (iii) the name of the licence holder;
- (iv) an emergency out of hours contact telephone number;
- (v) the licence reference number; and
- (vi) where environmental information relating to the facility can be obtained.

3.2.3 A plan of the facility clearly identifying the location of each storage and treatment area shall be displayed as close as is possible to the entrance to the facility. The plan shall be displayed on a durable material such that it is legible at all times. The plan shall be replaced as material changes to the facility are made.

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 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.

3.5 Tank, Container and Drum Storage Areas

3.5.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds should be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).

3.5.2 All tanks, and container 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.

3.5.3 All drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal.

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

3.6 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.

- (ii) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

3.13 Facility Roads and Site Surfaces

- 3.13.1 Effective site roads shall be provided and maintained to ensure the safe and nuisance free movement of vehicles within the facility.
- 3.13.2 The licensee shall provide, and maintain an impermeable concrete surface in the areas of the facility as described in Section D.1.b-*Site Roads* of the application, all concreted surfaces shall be constructed to British Standard 8110 or an alternative as agreed by the Agency. The licensee shall remedy any defect in concrete surfaces within five working days.

3.14 Facility Office

- 3.14.1 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.
- 3.14.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.

3.15 Waste Inspection and Quarantine Areas

- 3.15.1 A Waste Inspection Area and a bunded Waste Quarantine Area shall be provided and maintained at the facility.
- 3.15.2 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.
- 3.15.3 Drainage from these areas shall in accordance with plans as shown in Drawing No. 10599-2001 Rev. A.

3.16 Weighbridge

- 3.16.1 The licensee shall provide and maintain a weighbridge at the facility.

3.17 Waste handling, ventilation and processing plant

- 3.17.1 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:-
- (i) 100% duty capacity;
 - (ii) 20% standby capacity available on a routine basis; and
 - (iii) Provision of contingency arrangements and/or back up and spares in the case of breakdown of critical equipment.
- 3.17.2 In advance, of the commencement of waste activities 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.
- 3.17.3 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.

3.22 Specified Engineering Works

- 3.22.1 The licensee shall submit proposals for all Specified Engineering Works, as defined in *Schedule D: Specified Engineering Works*, of this licence, to the Agency for its agreement at least two months in advance, of the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.
- 3.22.2 All specified engineering works shall be supervised by a competent person(s) and that person, or persons, shall be present at all times during which relevant works are being undertaken.
- 3.22.3 Following the completion of all specified engineering works; the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall, as appropriate, include the following information:-
- (i) A description of the works;
 - (ii) As-built drawings of the works;
 - (iii) Any other information requested in writing by the Agency.

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 waters in this licence shall be interpreted in the following way:-
- 4.1.1 Discrete Sampling
- For parameters other than pH and temperature, no grab sample value shall exceed 1.2 times the emission limit value.
- 4.2 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.
- 4.3 Noise
- Noise from the facility shall not give rise to sound pressure levels (Leq, T) measured at noise sensitive locations N1-N5 as indicated in Figure.1 of the noise survey report submitted as part of the application or as otherwise agreed by the Agency, that exceed the limit value(s).
- 4.4 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.

facilities shall be put in place. Agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Agency.

- 6.4 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission or discharge.
- 6.5 All treatment/abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.6 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.
- 6.7 All tanks and pipelines shall be maintained impervious to the materials carried by or stored therein. The integrity and water tightness of all underground pipes, bunding structures and containers and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee prior to use. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 6.8 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
- A visual examination of the storm water discharge shall be carried out daily. A log of such inspections shall be maintained.
- 6.10 Noise
- 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 The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the environmental monitoring data generated as a result of this licence.
- 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 10.00 a.m. of the next working day after such waste is discovered.
- 6.12.3 The licensee shall ensure that all vehicles removing waste and materials from the facility are appropriately covered.
- 6.13 Dust and Odour Control
- 6.13.1 All waste for disposal stored overnight at the facility, shall be stored in suitably covered and enclosed containers, and shall be removed from the facility within forty-eight hours, except at Public Holiday weekends. At Public Holiday weekends, waste for disposal shall be removed within seventy-two hours of its arrival on site.

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 on-site 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 Waste Acceptance and Characterisation Procedures
- 8.2.1 Waste acceptance procedures shall be carried out in accordance with Section D.2 of the application and Section B of the Article 14 compliance information submitted to the Agency on the 27th April 2006 unless otherwise agreed by the Agency.
- 8.2.2 Waste arriving at the facility shall be directed to clearly marked waste storage areas.
- 8.2.3 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 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 that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.4 The licensee shall ensure that waste in advance, of 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.
- 8.5 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run – off.
- 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 10. 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, investigation or submit certification, as requested by the Agency, to confirm that there is no 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 in advance, of 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 Office of Environmental Enforcement, Regional Inspectorate, Inniscarra, County Cork, tel (021) 487 5540, 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 emission, which does not comply with the requirements of this licence.
 - 11.2.2 Any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control & Monitoring*, of this licence which is likely to lead to loss of control of the abatement system.
 - 11.2.3 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 In the case of any incident which relates to discharges to water, the licensee shall notify the relevant section of the Local Authority and the South Western Regional Fisheries Board as soon as practicable after such an incident.
- 11.4 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.
- 11.5 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.

- 11.9.9 The tonnages and EWC Code for the waste materials recovered/disposed on-site.
- 11.10 Waste Recovery Reports
- 11.10.1 The licensee shall as part of the EMP 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:-
- (i) 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;
 - (ii) the recovery of metal waste and WEEE;
 - (iii) the recovery of Construction and Demolition Waste;
 - (iv) the removal off-site for recovery of biodegradable or green waste at the facility having regard to good practice and sustainability, and
 - (v) the separation of recyclable materials from the waste.
- 11.11 A record shall be kept of each consignment of wastewater, leachate and/or contaminated storm water removed from the facility. The record shall include the following:-
- (i) the name of the carrier;
 - (ii) the date and time of removal of wastewater, leachate and/or contaminated storm water from the facility;
 - (iii) the volume of wastewater, leachate and/or contaminated storm water, in cubic metres, removed from the facility on each occasion;
 - (iv) the name and address of the Waste Water Treatment Plant to which the wastewater, leachate and/or contaminated storm water was transported; and
 - (v) any incidents or spillages of wastewater, leachate and/or contaminated storm water during its removal or transportation.

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 €3133.50, 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 2005. The first payment shall be a pro-rata amount for the period from the date of commencement of enforcement 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 2005, and all such payments shall be made within one month of the date upon which demanded by the Agency.

SCHEDULE A: Limitations

A.1

The following waste related processes are authorised:

- i. Depositing, sorting, compacting, segregation, packaging
- ii. Storage of waste
- iii. Bulking and transfer

No addition to these processes are permitted unless agreed in advance by the Agency.

A.2 Waste Acceptance

Table A.1 Waste Categories and Quantities

WASTE TYPE ^{Note 1}	MAXIMUM (TONNES PER ANNUM)
Household	12667
Household Hazardous ^{Note 2}	83
TOTAL	12750

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

Note 2: Household Hazardous waste types as listed in Table H.1.2 of the additional information submitted to the Agency on the 6th July 2006, or as may otherwise be agreed in writing.

SCHEDULE C: Control & Monitoring

C.1.1 Control of Emissions to Air

There shall be no Emissions to Air of environmental significance.



C.1.2 Monitoring of Emissions to Air

There shall be no Emissions to Air of environmental significance.



C.2.1 Control of Emissions to Water

There shall be no Emissions to Water of environmental significance.



C.2.2 Monitoring of Emissions to Water

There shall be no Emissions to Water of environmental significance.



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Table C.4 Noise Monitoring

Controlled by Condition 4.3 and Condition 6.10

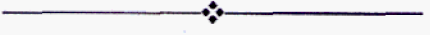


C.5 Ambient Monitoring

Air Monitoring

Location: D1-D4

Parameter	Monitoring Frequency	Analysis Method/Technique
Dust Deposition (mg/m ² /day)	Annually	To be agreed by the Agency



Receiving Water Monitoring

Location: Upstream and downstream of storm water entry point (exact locations to be agreed in advance by the Agency)

Parameter	Monitoring Frequency ^{Note 1}	Analysis Method/Technique
Total Suspended Solids	Annually	To be agreed by the Agency
Ammonia	Annually	To be agreed by the Agency
Conductivity	Annually	To be agreed by the Agency
Biological Quality (Q) Rating/Q Index	As requested by the Agency	To be agreed by the Agency

Note 1: Monitoring period - June to September.



SCHEDULE D: Specified Engineering Works

Specified Engineering Works
Development of the facility including installation of waste handling, processing, recycling/recovery infrastructure
Installation drainage network including of silt traps and oil interceptors.
Installation of hardstanding areas.
Any other works notified in writing by the Agency.

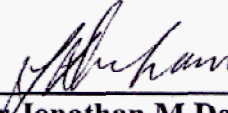
SCHEDULE F: Annual Environmental Report

Annual Environmental Report Content ^{Note 1}

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.
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.
Noise monitoring report summary.
Ambient monitoring summary.
Tank and pipeline testing and inspection report.
Reported incidents summary.
Energy efficiency audit report summary.
Volume of trade effluent/leachate and/or contaminated stormwater produced and volume transported off-site.
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.
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.
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 30th day of August, 2006



Dr Jonathan M Derham
Authorised Person