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Environmental Protection Agency
An Ghníomhaireacht um Chaomhánú Comhshaoil

Mr Andrew Lawless
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Reg. No. 11-1

re: Notice of Amendment for the purposes of Section 76(4) of the Waste Management Acts 1996 to 2005 for a facility at Ballymurtagh Landfill Facility, Ballymurtagh, Ballygahan Upper, Ballygahan Lower, Tinnahinch, Co. Wicklow.

Dear Mr Lawless,

As you are probably aware the Protection of the Environment Act 2003 made a number of amendments to the provisions of the Environmental Protection Agency Acts 1992 /Waste Management Acts 1996 and 2001. One of these amendments was to give effect to the requirements of Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC). In this regard the provisions of these Acts have been amended to include a requirement that the Agency examine all licences granted prior to the coming into force of the Protection of the Environment Act 2003 in July 2003. The purpose of the examination is to establish if licences, in respect of activities listed in the Annex 1 to the IPPC Directive, comply with the requirements of that Directive. The requirement provisions are set out in Section 76 of the Waste Management Acts 1996 to 2005.

The Agency has examined the terms of the licence/revised licence granted to Wicklow County Council on 3rd April 2001 in respect of the facility located at Ballymurtagh Landfill Facility, Ballymurtagh, Ballygahan Upper, Ballygahan Lower, Tinnahinch, Co. Wicklow, for the purposes of determining if the licence complies with the requirements of the Directive or whether it requires to be reviewed or amended as provided for in the legislation.

Having completed its examination, the Agency has determined that the terms of your licence Reg. No. 11-1 are not in full compliance with the Directive. I am also to confirm that the Agency is of the opinion that conformity with the Directive can be achieved by an amendment to the licence as provided for in Section 76(4) of the Waste Management Acts, 1996 and 2005.

Please find attached amendments to the conditions of your licence Reg. No. 11-1, which are necessary to achieve the necessary conformity with the Directive: These amendments form part of your licence and must be read in conjunction with your existing licence.

However, it should be noted that no alteration to, or reconstruction in respect of, the activity or any part thereof, shall be carried out or commenced without prior notice to, and without the agreement of, the Agency as required under the conditions of your existing licence.

Yours sincerely,

Ann Bosley
Programme Officer
Office of Licensing & Guidance

Encl.

