



Environmental Protection Agency  
An Ghníomhaireacht um Chaomhú Comhshaoil

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01/8/2007

Re: Planning Application by Cork City Council for an Inert Landfill at Beaumont Quarry, Churchyard Lane, Ballinlough/Ballintemple, Cork City (W0141-02)

Dear Mr. Ryan,

I refer to your letter of 20/07/07 regarding the above proposed inert landfill site.

The Agency has received and is assessing an application for a waste licence (W0141-02), received from Cork City Council, to operate an inert landfill facility at Beaumont Quarry, Churchyard Lane, Ballinlough/Ballintemple, Cork City.

All aspects of the operation and safe closure of the facility in so far as they may relate to environmental pollution from the licensable activities are considered by the Agency in its determination process.

Section 40 (4) of the Waste Management Acts 1996 to 2005 mandates, *inter alia*, that:

*The Agency shall not grant a waste licence unless it is satisfied that-*

- (a) *any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment,*
- (b) *the activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,*
- (bb) *if the activity concerned involves the landfill of waste, the activity, carried on in accordance with such conditions as may be attached to the licence, will comply the Council Directive 1999/31/EC on the landfill of waste,*



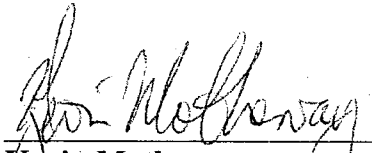
- (c) *the best available techniques will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,*
- (cc) *the activity concerned is consistent with the objectives of the relevant waste management plan or the hazardous waste management plan, as the case may be, and will not prejudice measures taken or to be taken by the relevant local authority or authorities for the purpose of the implementation of any such plan,*
- (d) *if the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,*
- (e) *the applicant has complied with any requirements under section 53,*
- (f) *energy will be used efficiently in the carrying on of the activity concerned,*
- (g) *any noise from the activity concerned will comply with, or will not result in the contravention of, any regulations under section 106 of the Act of 1992,*
- (h) *necessary measures will be taken to prevent accidents in the carrying on of the activity concerned and, where an accident occurs, to limit its consequences for the environment,*
- (i) *necessary measures will be taken upon the permanent cessation of the activity concerned (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to a satisfactory state.*

All matters to do with environmental emissions from activities detailed in an EIS and licence application are considered and assessed by the Agency. Where the Agency is of the opinion that the activities cannot be carried on, or conditioned under a licence, to the extent that permits compliance with a reasonable burden of proof for Section 40 (4) of the WMA 1996, then it is debarred from granting a licence for such an operation. Should the Agency decide to grant a licence in respect of each of the activities, it incorporates conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) are used in the carrying on of activities.

I must stress that the Agency consideration does not extend to any impacts or emissions associated with road use external to the controlled sites.

If you have any specific queries that you feel the EPA can address, please let us know and we will endeavour to answer them.

Yours sincerely



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**Kevin Motherway,**  
**Environmental Licensing Programme,**  
**Office of Climate Change, Licensing and Resource Use**