

**ATTACHMENT B3 – PLANNING PERMISSION**

Restoration of the application site is being undertaken in accordance with the requirements of Conditions 12, 13 and 14 of planning permission 93/592 granted by Kildare County Council on 7 January 1994.

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Local Government (Planning & Development) Acts  
County Council of the County of Kildare

Comhairle  
Chondae  
Chill Dara  
Planning Section  
St. Mary's, Naas.  
Phone (045) 873829  
Fax (045) 879772



Date: 13/5/98

Our Ref: JD/PD/1467/97

ITEM 12

**REGISTERED POST**

Readymix (Manufacturing) Ltd  
Frank L Benson & Partners  
69 - 71 St. Stephens Green  
Dublin 2

Recd:	C. J. Benson
Action:	1. 10/10/98
Proj:	2. 10/10/98
Job No:	

PLANNING REGISTER NUMBER:  
APPLICATION RECEIPT DATE:

97/1467  
15/10/97

In pursuance of the powers conferred upon them by the above mentioned Acts, Kildare County Council have by order **GRANTED PERMISSION** to the above named for the development of land namely:- Permission for the extraction of sand and gravel from an area of approximately 6.02 hectares (14.9 acres) on an overall site of 7.36 hectares (18.2 acres) approximately as an extension of the existing extraction area, at Blackhall, Walshestown, Naas, co. Kildare This application for planning permission will be accompanied by an Environmental Impact Statement. The E.I.S. and any further information in relation to the proposed development which may be furnished to Kildare County Council in the course of the consideration of the application by the Planning Authority will be available at the offices of the Planning Authority, subject to the 14 conditions set out in the Schedule attached.

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Date: 13/5/98

Signed:   
COUNTY SECRETARY  
KILDARE COUNTY COUNCIL

NOTE: The permission herein granted shall, on the expiration of the period of 5 years beginning on the date of the granting of permission, cease to have effect as regards:- (1) In case the development to which the permission relates is not commenced during the period, the entire development, and (2) In case such development is so commenced, so much thereof as is not completed within that period.

It should also be noted in the case of an outline permission that this permission is subject to the subsequent approval of the Planning Authority and that until such approval has been obtained to detailed plans of the development proposed, the development is **NOT AUTHORISED**.



RE: Permission for the extraction of sand and gravel from an area of approximately 6.02 hectares (14.9 acres) on an overall site of 7.36 hectares (18.2 acres) approximately as an extension of the existing extraction area, at Blackhall, Walshestown, Naas, co. Kildare. This application for planning permission will be accompanied by an Environmental Impact Statement. The E.I.S. and any further information in relation to the proposed development which may be furnished to Kildare County Council in the course of the consideration of the application by the Planning Authority will be available at the offices of the Planning Authority. - Ref. No: 1467/97

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1. The development shall be carried out in accordance with drawings and specifications submitted to the Planning Authority on 15/10/97 and 5/2/98 except where altered or amended by conditions in this permission.

REASON: To enable the Planning Authority to check the proposed development when completed by reference to approved particulars.

2. This permission, shall cease to have effect 7 years after the date of grant of permission except for compliance with the conditions of this permission which relate to restoration of the site.

REASON: To enable the Planning Authority to reassess the impact of the development on the area having regard to the policies and objectives of the development plan at that time in the interests of the proper planning and development of the area.

3. Excavated material shall be transported off the site by means of the conveyor system proposed. No material shall be taken from the site by road.

REASON: In the interests of traffic safety.

4. The on site operations associated with the proposed development shall be carried out only between 0800 hours and 1800 hours Monday to Friday and between 0800 hours and 1300 hours on Saturdays. No such operations shall be carried out on Sundays or public holidays.

REASON: In the interests of amenities of the area.

5. The equivalent continuous sound Level (Leq) attributable to all on-site operations associated with the proposed development shall not exceed 50 dB (A) when measured outside any inhabited house in the vicinity of the site.

REASON: In the interests of amenities of the area.

Date: 13th May, 1998

Cont'd/.





Ref. No: 1467/97

6. The total dust emission arising from all on site operations associated with the proposed development shall not exceed 130 milligrams per square metre per day, averaged over a continuous period of 30 days, when measured as deposition of insoluble particulate matter at any position along the boundary of the site.

REASON: In the interests of amenities of the area.

7. The developer shall monitor the matters set out in conditions numbers 5 and 6 above and shall provide and install necessary monitoring equipment. Details of the monitoring arrangements, including locations and frequency of monitoring shall be submitted to and agreed with the Planning Authority prior to commencement of development. All data obtained from the monitoring shall be made available to the Planning Authority. The Planning Authority shall be afforded the opportunity at all times during working hours, to inspect and check on all apparatus and equipment used to carry out monitoring and recording operations.

REASON: To ensure effective monitoring in the interests of the amenities of the area.

8. The site of the proposed development shall be restored in accordance with the phased restoration programme submitted with the E.I.S. with the following additions:  
(a) The existing internal hedgerow to be removed from the site during excavation shall be reinstated as part of the restoration plan.

REASON: In the interests of orderly development and the visual amenities of the area.

9. Excavation shall not take place below a level of at least one metre above the water table level at the point of excavation.

REASON: In the interests of public health, safety and amenity.

10. The proposed development shall not impair existing land or road drainage.

REASON: To prevent interference with existing land or road drainage in the interests of proper development.

11. Before development is commenced the developer to arrange for the payment to Kildare County Council of contribution of £25,000 towards expenditure which the Council has or may incur in respect of the provision of road improvements which facilitate the proposed development.

Date: 13th May, 1998

Cont'd/.



Local Government (Planning & Development) Acts  
County Council of the County of Kildare

Comhairle  
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Planning Section  
St. Mary's, Naas.  
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Ref. No: 1467/97

Cont'd/.

11. REASON: The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.
12. Prior to commencement of development, the developer shall lodge with Kildare County Council a cash deposit, a bond of an insurance company, or other security to secure the reinstatement decommissioning and final restoration and making safety the site in accordance with the plans and particulars and the terms and conditions set out in this order, coupled with an agreement empowering the Council to apply such security or part thereof to the satisfactory completion of the said works. The form and amount of such security shall be agreed in writing prior to commencement of development.

REASON: To ensure the satisfactory completion of the development.

13. A monitoring well shall be established in the eastern part of the proposed extension area. This well shall be used to monitor ground water regime in the area. Before development is commenced full details of the well, its location, etc. shall be submitted to an agreed with the Planning Authority.

REASON: In the interests of protecting ground water supplied in the area as development progresses.

14. (a) Before development is commenced the developer shall contact the Water Division of Dublin Corporation to arrange for trial hole excavations to determine the exact location of the Water Culvert.  
(b) A wayleave shall be maintained extending for a distance of 10 metres either side of the Water Culvert.  
(c) A durable 'marker fence' indicating the position of the western boundary line to the wayleave shall be erected by the developer and shall remain in place until the final ground restoration is complete.  
(d) Ground restoration proposed in the E.I.S. report shall commence from the western boundary line of the way leave and extend at a 1 vert: 2 horizontal slope to the proposed pit floor.  
(e) Ground restoration of the 1:2 slope shall commence immediately after sand and gravel extraction has been completed, and not at the end of the 2 - 3 year time period anticipated as the extraction life span.

REASON: To ensure the continued safe passage of the water Culvert through the site.

Date: 13th May, 1998

Signed: \_\_\_\_\_

COUNTY SECRETARY

**LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE**



RECEIPT NO:

AMOUNT: £

Planning Section,  
St. Mary's, Naas.  
Phone (045) 97071  
Fax (045) 79772

MANAGER'S ORDER NO: 484

REGISTER REFERENCE NO: 93/592

APPLICANT'S NAME: Readymix (Manu) Limited

ADDRESS: c/o Thomas L Maguire  
6 Railway Tce, Dublin Rd.,  
Naas, Co. Kildare.

NATURE OF APPLICATION: Permission for the Retention of portion of extraction area and new extraction area of sand and gravel on 8.1 hectare site adjoining our existing sand and gravel pit. This application is accompanied by an Environmental Impact Statement


LOCATION OF DEVELOPMENT: Blackhall, Naas

RECOMMENDATION: That Permission be granted

ORDER: Pursuant to the provisions of the Local Government (Planning & Development) Acts 1963/90 and the Regulations made thereunder, and having considered only the proper planning and development of the area, regard being had to the provisions of the County Development Plan and other relevant matters referred to in Section 26 of the said Act of 1963 and reports from Council's Technical Officers thereon, the Council hereby decides to grant Permission for the said development subject to the 19 conditions set out on the attached schedule, and the applicant be notified accordingly.

Made this 7th day of January 1994

Signed:

  
County Manager  
Kildare County Council

COUNTY MANAGER'S ORDER NO. P 484A


Considered Order No. P 484 of the Council made on the 7th day of January 1994 and no appeal having been taken against the terms of the decision therein contained.

ORDER: The Council hereby grants to the applicant <VAR1> under the above Acts for the development referred to in the above application subject to the said conditions.

Made this day of

1994

Signed:

  
County Manager  
Kildare County Council



**LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE**

Planning Section,  
St. Mary's, Naas.  
Phone (045) 97071  
Fax (045) 79772



RE/ Retention of portion of extraction area and new extraction area of sand and gravel on 8.1 hectare site adjoining our existing sand and gravel pit at Blackhall, Naas, Co. Kildare. This application is accompanied by an Environmental Impact Statement - Ref. 592/93

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1. The development shall be carried out in accordance with documentation submitted to the Planning Authority on 8/6/93, 16/11/93, 23/11/93, 25/11/93, 3/12/93 and 8/12/93 except where altered or amended by conditions in this permission.

REASON: To enable the Planning Authority to check the proposed development when completed, by reference to approved particulars.

2. This permission is limited to a period of 7 years, from the date of this permission.

REASON To permit a review in the light of the facts and circumstances then existing.

3. The following works shall be completed, to the written satisfaction of the Planning Authority, before extraction commences:

- (a) A fixed sprinkler system shall be installed at the exit gate to damp down any dry load before it leaves the site.
- (b) The hopper at the conveyer loading point shall be covered on three sides by dust preventative screens.
- (c) The exposed conveyor belt shall be fitted with wind boards or other dust suppression facility.

REASON In the interest of proper planning and development and to ensure that the residential amenity and traffic safety of the area is protected by the implementation of appropriate measures to control dust emissions.

4. (a) The on-site operations associated with the proposed development shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays, inclusive, and between 0800 hours and 1400 hours on Saturdays.  
No such operations shall be carried out on Sundays or on public holidays.

cont'd  
Date: 7th January 1994



**CAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE**



Planning Section,  
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Phone (045) 97071  
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cont'd  
592/93

4.cont'd

- (b) The equivalent continuous sound level (leq) attributable to the on-site operations associated with the proposed development shall, when measured outside any inhabited dwelling in the vicinity i.e. within 500 metres of the site boundaries, not exceed 50 dB(A) over the period 0800 hours to 1800 hours on Monday to Fridays, inclusive, or over the period 0800 hours to 1400 hours on Saturdays.

REASON In the interests of proper development and to prevent noise nuisance, and in the interest of the protection of the amenities of residential and other properties in the vicinity.

5. The developer shall employ, at his/her expense, a qualified professional archaeologist, acceptable to the National Monuments Advisory Council of the Office of Public Works, and to the Planning Authority to supervise the investigation of:
- (a) the area between the new post and wire fence, south of the ringfort and the gravel pit.
- (b) the area of at least 9 small circular features close to the north-west field fence of the roadside field, and adjacent to the old gravel pit.

Such archaeologist shall be empowered to halt development when he/she considers it necessary and shall record all artifacts, remains and archaeological data discovered during such work, and shall report on his/her findings to the Planning Authority and to the Office of Public Works within three months of the date of commencement of excavation works. No development of any kind shall take place on site and no plant brought onto site until the archaeologist has been engaged.

REASON The site contains items of possible archaeological importance, as defined by the Office of Public Works, and it is reasonable, and in accordance with the provisions of the County Development Plan that any archaeological strata or artifacts be recorded before development is commenced.

6. Before development is commenced the developer to arrange for the payment to Kildare County Council a contribution of £15,000 towards expenditure which the Council has or may incur in respect of the provision of road improvement services which facilitate the proposed development.

cont'd  
Date: 7th January 1994



**CAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE**

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592/93

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St. Mary's, Naas.  
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6. cont'd

REASON:

The provision of such services in the area facilitate the proposed development and it is considered reasonable that the developer should contribute to the cost of providing same.

7. (a) All sides of the excavation adjacent to land not required for quarrying operations shall be left with slope(s) not steeper than 1 vertical to 2 horizontal.
- (b) The new pit face to the south-west, south-east and north-east of the Ringfort shall be sloped at a maximum angle of 1 vertical to 2 horizontal.
- (c) No excavation shall take place within 12 metres of any boundary of the site, with the exception of the boundary with the existing pit.

REASON

To ensure the restoration of the site in the interests of visual amenity and for possible future agricultural use.

8. No new access shall be taken onto the public road.

REASON

In the interest of traffic safety.

9. The carrying out on the site of any of the following operations is specifically excluded from this grant of permission:

- (a) washing of sand and gravel,  
(b) crushing of sand and gravel, and  
(c) extraction of sand and gravel by blasting  
(d) works and operations involving materials brought from outside the site.

REASON

To clarify the subject of the permission, in the interest of residential amenity.

10. The wheels of all vehicles transporting sand/gravel from the site onto the public road shall, prior to the exit of such vehicles onto the public road, be washed in a wheel washing facility, which shall be constructed, installed and operated in accordance with the detailed requirements of the Planning Authority. The applicant to ensure that all public roadways in the vicinity of the site are swept clear of all loose material daily, and that all loose material is removed from the road verges.

REASON

To ensure traffic safety, and in the interest of amenity and convenience.

cont'd  
Date: 7th January 1994



**CAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE**

cont'd  
592/93

Planning Section,  
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11. During excavation work the following shall be provided to <sup>4</sup> standard satisfactory to the Planning Authority: <sub>^</sub>

- (a) A hose capacity that is considered adequate by the Planning Authority shall be maintained in the pit area to damp down stockpiles/waste piles and equipment during periods of dry windy weather to prevent the emission of fugitive dust etc.
- (b) Water sprays for damping purposes shall be used at the hopper(s), screens, stockpiles, waste piles, equipment and on the haul road during dry weather to prevent dust emissions.

REASON In the interest of proper development.

12. The site of the proposed development shall be restored within 1 year of the expiration of this permission, or of the permanent cessation of operations before this date. This work shall be carried out and completed to the satisfaction of the Planning Authority generally in accordance with the plans and particulars submitted on 16/11/93, as modified to include the following:

- (a) the removal from the site of structures and plant associated with the extraction operations and waste materials that are not required for restoration purposes.
- (b) the suitable preparation and grading of the area to be restored, by the use of overburden materials, waste materials or imported materials.
- (c) the spreading, over the area to be restored, of subsoil and topsoil, or imported subsoil and topsoil, if required.

REASON To secure the satisfactory restoration of the site, in the interest of orderly development and the visual amenities of the area.

13. All existing topsoil, removed in the course of working, shall be separately retained from waste materials so that it can readily be re-used by spreading evenly over the worked surface or back-filled.

REASON To ensure the restoration of the site in the interests of visual amenity and for possible future agricultural use.

cont'd  
Date: 7th January 1994



AL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE

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592/93

Planning Section,  
St. Mary's, Naas.  
Phone (045) 97071  
Fax (045) 79772



14. Without the prior written consent of the Planning Authority, no waste material shall be deposited above the general level of the ground, apart from that proposed in the submitted documentation, but shall be used to fill in and restore areas which have been excavated below that general level.

REASON To ensure that the visual amenity of the area is protected.

15. A belt of screen planting at least 4m in width and comprised of fast growing broadleaved deciduous species trees, planted in a "woodland" pattern, shall be provided inside the south-eastern (roadside) boundary of the site. Such planting shall be carried out in the first planting season following commencement of the development and shall be maintained, and any unsuccessful or damaged specimens shall be replaced for a period of 5 years.

REASON In order to ensure that the development is adequately screened from outside the site, during operation of the pit, in the interest of the amenity of the area.

16. The developer shall carry out the landscaping and planting scheme submitted on the 16/11/93 with the following alterations:

- (a) the developer shall, within 3 months of the date of this permission, provide details of the proposed species and densities of planting, for the written consent of the Planning Authority.
- (b) the developer shall, within 3 months of the date of this permission, provide details of measures for the strengthening where necessary of all existing boundary hedges, for the written consent of the Planning Authority.
- (c) the developer shall, within 3 months of the date of this permission, provide details of proposals for the planting of new hedgerows to produce a natural field size for the area of not greater than 10 acres, for the written consent of the Planning Authority.
- (d) the developer shall, within 3 months of the date of this permission, provide details of planting of that part of the site visible from the PuncHESTOWN Race Course direction, for the written consent of the Planning Authority.

cont'd  
Date: 7th January 1994

LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACTS 1963/1990  
COUNTY COUNCIL OF THE COUNTY OF KILDARE



cont'd  
592/93

Planning Section,  
St. Mary's, Naas.  
Phone (045) 97071  
Fax (045) 79772

16. cont'd

The proposed planting, as agreed, shall be carried out and completed within 2 years of the expiration of this permission, or of the permanent cessation of operations before this date, whichever is the sooner.

REASON In the interest of the natural finished appearance of the development, as seen from within, and outside the site, and in long range views, and in the interest of proper planning and development.

17. (a) Excavation shall not take place below a level at least 2 metres above the highest level of the water table at the place of excavation.  
(b) No excavation shall take place below bedrock level.

REASON To ensure proper development.

18. The developer shall ensure that no vehicles which exceed the legal maximum axle weight shall use the public road.

REASON To ensure that the road system serving the development is protected, in the interest of the proper planning and development of the area.

19. The proposed development shall not impair existing land or road drainage.

REASON: To prevent interference with existing land or road drainage in the interests of proper development.

Date: 7th January 1994

Signed

  
COUNTY MANAGER



Rec 10/06/2008



**WASTE MANAGEMENT ACT 1996 – 2007**  
**and**  
**WASTE MANAGEMENT ( PERMIT) REGULATIONS 1998**

**Waste Permit Register Number: 328/2008**

John Behan,  
(as nominee of Behan's Land Restoration),  
Blackhall,  
Punchestown,  
Naas,  
Co. Kildare.

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2007 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to John Behan (as nominee of Behan's Land Restoration), Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

Activity 5      The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

Permitted Waste Activity, in accordance with the Fourth Schedule of the Waste Management Acts 1996-2007

Class 4:          Recycling and reclamation of other inorganic materials

Class 10:        The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system.

Class 11:        Use of waste obtained from any activity referred to in a preceding paragraph of this schedule



Class 13: Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced.

**NOTE**

**THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.**

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# WASTE PERMIT

ISSUED UNDER

THE WASTE MANAGEMENT ACTS 1996 to 2007

And

THE WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: **WP 328/2008**

**Applicant:**

**John Behan (as nominee of Behan's Land  
Restoration)  
Blackhall,  
Punchestown,  
Naas,  
Co. Kildare**

**Location of Facility:**

**Blackhall,  
Punchestown,  
Naas,  
Co. Kildare**

**CONTENTS:**

**Pg**

ACTIVITIES PERMITTED		3
CONDITION 1	SCOPE	4
CONDITION 2	MANAGEMENT OF THE ACTIVITY	5
CONDITION 3	NOTIFICATION AND RECORD KEEPING	6
CONDITION 4	WASTE ACCEPTANCE AND HANDLING	7
CONDITION 5	ENVIRONMENTAL NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS	9
CONDITION 6	ENVIRONMENTAL MONITORING	10
CONDITION 7	RESTORATION AND AFTERCARE	12
CONDITION 8	CONTINGENCY ARRANGEMENTS	12
CONDITION 9	CHARGES AND FINANCIAL PROVISIONS	13

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## ACTIVITIES PERMITTED

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2007 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to John Behan, (as nominee of Behan's Land Restoration), Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

### Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

- Activity 5      The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

### Permitted Waste Activity, in accordance with the Fourth Schedule of the Waste Management Acts 1996-2007

- Class 4      Recycling and reclamation of other inorganic materials
- Class 10      The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system.
- Class 11      Use of waste obtained from any activity referred to in a preceding paragraph of this schedule
- Class 13      Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced.

### NOTE

**THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.**



**Condition 1: SCOPE:**

- 1.1 This Waste Permit is issued under the Waste Management (Permit) Regulations 1998 to John Behan, (as nominee of Behan's Land Restoration), Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co. Kildare. This permit is strictly non-transferable.
- 1.2 This permit is granted for a period not exceeding 6 months from the date of issue. This permit may be reviewed at any time by Kildare County Council.
- 1.3 For the purpose of these conditions, the site is defined as the area outlined in red on the Site Layout Plan, titled Waste Permit Application Area, Drawing Number D02 scale 1:10,560, received on the 1/4/2008, except where altered or amended by conditions of this waste permit.
- 1.4 The area outlined in red on the Site Layout Plan, titled Waste Permit Application Area, drawing Number D02 scale 1:10,560, received on the 1/4/2008, shall be raised with soil and subsoil. The area shall not be raised greater than 2 metres over its existing level as shown on Site Plan titled Existing Layout Form drawing number D03A submitted on the 1/4/2008. The hardstanding area located within the site shall be used for the storage, screening and crushing of concrete.
- 1.5 The stream and pond located on the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage. Prior to filling in the area of the stream and pond and carrying out drainage works on the stream and pond, it is necessary to await written approval from the Environmental Protection Agency or Kildare County Council
- 1.6 The permit holder shall apply to the Environmental Protection Agency (EPA) for a waste licence for the site.
- 1.7 Should environmental pollution occur at the site, this permit may be reviewed by Kildare County Council.
- 1.8 The permit holder shall be responsible for ensuring that the waste activities are controlled, operated and maintained in strict accordance with the terms of the application as modified and/or controlled by the conditions attached to the permit. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Kildare County Council shall be notified of any such breach by telephone/fax and full details shall be forwarded in writing on the next working day.
- 1.9 Where Kildare County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve a notice on the permit holder specifying:-
  - (a) that only those wastes as specified, if any, in the notice are to be accepted at the facility after the date specified in the notice; and
  - (b) that the permit holder shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within any time-scale contained in the notice.



When the notice has been complied with, the permit holder shall provide written confirmation to the local authority that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written confirmation is received from the Council that the notice is withdrawn.

REASON: To clarify the scope of this permit.

### **Condition 2: MANAGEMENT OF THE ACTIVITY**

- 2.1 The permit holder shall acquaint all staff, employees, lessees and agents, including replacement personnel, of the provisions and conditions of this permit.
- 2.2 A copy of the permit must be kept on site at all times.
- 2.3 The site shall be adequately manned and supervised at all times during filling operations. It shall be maintained to the satisfaction of the Council and adequate precautions shall be taken to prevent unauthorised access to the site.
- 2.4 Waste soils shall only be accepted at the site between the hours of 08.00 and 18.00, Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 08.00 and 14.00 on Saturday, unless otherwise agreed by Kildare County Council.

REASON: To make provision for the proper management of the activity

### Condition 3: NOTIFICATION AND RECORD KEEPING:

- 3.1 All communication with Kildare County Council shall be addressed to Senior Executive Officer, Environment Section, Aras Chill Dara, Devoy Park, Naas, Co Kildare.
- Telephone (045) 980588, Fax: (045) 980587
- 3.2 The permit holder shall maintain a written record for each load of waste arriving at the site. The operator shall record and make available on site the following details:-
- Origin of the load;
  - Description of the material in each load;
  - The quantity of the materials, estimated in tonnes and recorded in loads;
  - Where loads are removed or rejected, details of the date and time of occurrence, the type of material, and the place to which they were removed.
  - The date and time of all waste deliveries to the site
  - The names of the carriers and the vehicle registration numbers.
- 3.3 The permit holder shall maintain a written record of all complaints of an environmental nature related to the site. Each such record shall give details of the following:-
- Date and time of complaint;
  - Name of complainant;
  - Details of the nature of the complaint;
  - Action taken on foot of the complaint;
  - Response to each complainant.
- 3.4 The permit holder shall submit a report to Kildare County Council, which shall include the information compiled in 3.2 and 3.3 above. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit. This report shall be submitted for the preceding calendar year by no later than 28 February of each year and within one month of waste activities ceasing on the site. **The report shall be called The Annual Report (AR).**
- 3.5 The permit holder shall immediately notify Kildare County Council by telephone of any incident which occurs as a result of the activity on the site, and which:-
- Has the potential for environmental contamination of surface water or ground water, or
  - Poses an environmental threat to air or land, or
  - Requires an emergency response by the Council.

Full details shall be forwarded in writing on the next working day.



- 3.6 The permit holder shall make all records maintained on site available to Kildare County Council staff at all reasonable times, and shall provide any relevant information when so requested by an authorised person of Kildare County Council.
- 3.7 Within one month of waste activities ceasing on the site, the permit holder shall submit a report to Kildare County Council which shall include the information contained in the written records described above, and details of any impositions or convictions imposed under the Waste Management Acts 1996 to 2007. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit

REASON: To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records

#### Condition 4: MATERIALS ACCEPTANCE AND HANDLING:

- 4.1 Prior to the commencement of waste activities the permit holder shall erect a post and wire fence along the boundary of the waste permitted site.
- 4.2 The permit holder shall erect markers indicating the finished levels at sufficient locations around the site to ensure that levels are not exceeded during filling operations.  
**Please Note:-The area shall not be raised greater than 2 metres over its existing level.**
- 4.3 **Only European Waste Catalogue (2002 edition) code reference:-  
 17 05 04: soil and stones other than those mentioned in 17 05 03, may be accepted to restore the site. All material shall be deposited inside the site boundary.**
- 4.4 **Only European Waste Catalogue (2002 edition) code reference:-  
 17 01 01: concrete may be stored in the hardstanding area of the site prior to screening and crushing for secondary aggregate.**
- 4.5 **No waste types other than those outlined in condition 4.3 and 4.4 shall be accepted or deposited at this facility. The permit holder shall ensure that adequate steps are taken to prevent acceptance of any other waste types. All material shall be deposited inside the site boundary of the site.**
- 4.6 All waste arriving at the facility shall be subject to a visual inspection by the permit holder, or his staff, employees, lessees or agents. Materials other than those permitted shall be removed immediately from the site. Such waste shall be disposed of (or

328/2008



recovered) at an alternative facility with an appropriate waste permit or waste licence. Following delivery of such unauthorised waste to the site, Kildare County Council shall be immediately notified by telephone, fax or e-mail and full details shall be forwarded in writing on the next working day.

- 4.7 The permit holder shall remove immediately any waste placed on or in the vicinity of the site other than in accordance with the requirements of the permit. This waste shall be placed in a quarantine area. This waste material shall be removed from the site within 2 weeks of arrival to the site and shall be disposed of (or recovered) at an alternative facility with an appropriate waste permit or waste licence.
- 4.8 The sources of all wastes shall be notified to Kildare County Council prior to their acceptance at the site. A soil analysis shall be carried out on a representative sample of material from each source brownfield excavation, and Kildare County Council may require that further analysis of the material from certain sources be carried out.
- 4.9 The site shall be adequately secured so as to avoid “flytipping”. Any such “flytipped” loads of waste shall be removed immediately by the owner of the site to an appropriate facility.
- 4.10 The entrance to the site shall be constructed prior to commencement of the importation of waste onto the site.
- 4.11 The permit holder shall not allow any over-spill of waste outside the site perimeter or into surface water drains or streams or any other water courses. The drains or streams or other watercourses around the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage.
- 4.12 No skips, open containers, compactors or dumptrucks shall deposit waste on the site. A maximum of 60 trucks a day shall enter and deposit material on the site unless otherwise agreed in advance with Kildare County Council and records of these shall be kept in strict accordance with condition 3.2. Kildare County Council may at any time instruct the permit holder to reduce the number of trucks depositing waste on the site in the event that proper road haulage procedures are not put in place.
- 4.13 **All hauliers importing waste to the facility shall hold a valid waste collection permit in accordance with the relevant Waste Management (Collection Permit) Regulations from the relevant authority where the waste was collected.**

REASON:	To provide for the acceptance and management of wastes authorised under this permit
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**Condition 5: NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS:**

- 5.1 The permit holder shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness, and other nuisances during the course of the works which would result in a significant impairment of or a significant interference with amenities or the environment beyond the site boundary. If unacceptable levels occur, the permit holder shall abide by the Council's abatement requirements, which may include immediate cessation of operations
- 5.2 The road network in the vicinity of the site shall be kept free of any debris caused by vehicles entering or leaving the facility. Any such debris on the road network shall be removed by a suction sweeper without delay. A wheel wash shall be provided to prevent materials being carried out onto the road. The permit holder shall take adequate steps to ensure that no material of any sort can fall or be blown from vehicles delivering waste to the site.
- 5.3 Vehicles shall not be allowed to queue or park on the public road. Provision shall be made within the confines of the site for turning of vehicles. Car parking space shall be provided for all staff and visitors to the site, on a durable surface within the curtilage of the site. Adequate turning area is to be provided within the site, which is capable of accommodating the tipper trucks using the site.
- 5.4 The permit holder shall ensure that waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent lands, on watercourses, on field drains or any other drainage system including the public roadway.
- 5.5 All loose litter accumulated within the site and its environs shall be removed and appropriately disposed of at an appropriate facility on a daily basis.
- 5.6 In dry weather appropriate measures shall be taken to reduce / eliminate airborne dust nuisance.
- 5.7 The permit holder shall ensure that the activities at the site shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the site boundary.

REASON: To provide for the control of nuisances and emissions from the facility, and to provide for the protection of the environment

## **Condition 6: ENVIRONMENTAL MONITORING**

- 6.1 Authorised staff of Kildare County Council shall have access to the site at all reasonable times, for the purpose of their functions under the Waste Management Acts 1996 to 2007, including such inspections, monitoring and investigations as are deemed necessary by the Council.
- 6.2 If so requested by Kildare County Council, the permit holder shall at his/her own expense make available a suitable excavator for the purposes of excavating trial holes in the waste material deposited on site, and shall arrange for the excavator to carry out whatever works are required by the Council on the site.
- 6.3 If so requested by Kildare County Council, the permit holder shall, at his/her own expense, carry out such further investigations and monitoring of the facility as required by the Council. The scope, detail, and programme, including report structure and reporting schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the Council.
- 6.4 In the event that any monitoring or observations indicate a pollution incident has occurred resulting from waste activities on site, acceptance of waste onto the site shall cease and remedial measures shall be carried out immediately as directed by Kildare County Council.
- 6.5 The permit holder shall keep records of all monitoring carried out and shall retain such records for a minimum period of three years. These records shall be available for inspection at the site office during normal working hours by Authorised Officers of Kildare County Council and any other person authorised under Section 14 of the Waste Management Acts 1996 to 2007



- 6.6 The permit holder shall carry out and submit to Kildare County Council such monitoring at such locations and frequencies as set out below and as specified in the conditions of this permit. The permit holder shall provide safe access to all on-site and off-site sampling and monitoring points.

### Surface Water

Surface water monitoring locations shall be as indicated on the Environmental Monitoring Locations Site Layout Plan, Drawing No. D03, scale 1:2500 submitted on the 1/4/2007

Surface water monitoring locations

Station	Designation
SW1	As shown on the Environmental Monitoring Locations Site Layout Plan
SW2	As shown on the Environmental Monitoring Locations Site Layout Plan

Surface Water monitoring frequency and technique

Parameter	Monitoring Frequency	Analysis method
PH	Annual	Standard
SS	Annual	Standard
BOD	Annual	Standard
COD	Annual	Standard

REASON: To ensure compliance with the requirements of the conditions of this licence

**Condition 7: RESTORATION AND AFTERCARE**

- 7.1 As soon as is practicable following completion of the waste activities, the site shall be seeded with grass.
- 7.2 Prior to seeding, topsoil shall be spread evenly over the site to a minimum depth, after firming, of 200 – 250 mm. The topsoil shall be good quality, and shall comply with BS 3882 : 1991. The topsoil shall not be spread in wet conditions. The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Seed shall be spread at a minimum rate of 30 grams per square metre.
- 7.3 The applicant remains responsible for the proper nuisance free operation of all drainage systems on site, and for ensuring that no pollution of groundwaters shall occur at any time as a result of the proposed filling / waste recovery operation.

REASON: To provide for the restoration and aftercare of the facility

**Condition 8: CONTINGENCY ARRANGEMENTS:**

- 8.1 In the event that any monitoring, sampling or observations indicate that contamination has, or may have, taken place, the operator shall immediately:
- identify the date, time and place of contamination,
  - carry out an immediate investigation to identify the nature, source and cause of the incident and any emission,
  - isolate the source of the emission,
  - evaluate the environmental pollution, if any,
  - identify and execute measures to minimise the emissions and effects thereof,
  - identify and put in place measures to avoid reoccurrence,
  - identify and put in place any other appropriate remedial action, and
  - maintain a written record of the above.

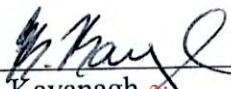
REASON: To provide for immediate action in the event of contamination taking place.



**Condition 9: FINANCIAL PROVISIONS:**

9.1 The permit holder shall pay a contribution of EUR600 to Kildare County Council towards the cost of inspecting, monitoring or otherwise performing any functions in relation to the permit activity. The Permit Holder shall pay to Kildare County Council this amount within 30 days of receipt of this permit and thereafter on an annual basis while the waste permit is active. In the event that the frequency or extent of monitoring or other functions carried out by Kildare County Council needs to be increased for whatever reason the permit holder shall contribute such sums as are determined by the Local Authority to defray costs.

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

Signed:   
K. Kavanagh  
Senior Executive Officer,  
Kildare County Council.

Date: 5/6/2008

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Rec 27/11/2007

**WASTE MANAGEMENT ACT 1996 - 2005**  
and  
**WASTE MANAGEMENT ( PERMIT) REGULATIONS 1998**

**Waste Permit Register Number: 305/2007**

Mr. John Behan,  
Blackhall,  
Punchestown,  
Naas,  
Co. Kildare.

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2005 and the Waste Management (Permit) Regulations 1998, Kildare County Council hereby grants this waste permit under article 5(1) of the said regulations to John Behan, as nominee of Behan's Land Restoration Ltd., Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co Kildare, to carry on the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

**Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998**

- Activity 5      The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

**NOTE**

**THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.**



# WASTE PERMIT

ISSUED UNDER

THE WASTE MANAGEMENT ACTS 1996 to 2005

And

THE WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: **WP 305/2007**

**Applicant:**

**John Behan, as nominee of Behan's Land  
Restoration Ltd  
Blackhall,  
Punchestown,  
Naas,  
Co. Kildare**

**Location of Facility:**

**Blackhall,  
Punchestown,  
Naas,  
Co. Kildare**

WP 305/2007

**CONTENTS:**

	<b>Pg</b>
ACTIVITIES PERMITTED	3
CONDITION 1 SCOPE	4
CONDITION 2 MANAGEMENT OF THE ACTIVITY	5
CONDITION 3 NOTIFICATION AND RECORD KEEPING	6
CONDITION 4 WASTE ACCEPTANCE AND HANDLING	7
CONDITION 5 ENVIRONMENTAL NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS	9
CONDITION 6 ENVIRONMENTAL MONITORING	10
CONDITION 7 RESTORATION AND AFTERCARE	12
CONDITION 8 CONTINGENCY ARRANGEMENTS	12
CONDITION 9 CHARGES AND FINANCIAL PROVISIONS	13



## ACTIVITIES PERMITTED

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2005 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to John Behan, as nominee of Behan's Land Restoration Ltd., Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

### Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

- Activity 5      The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

### Permitted Waste Activity, in accordance with the Forth Schedule of the Waste Management Acts 1996-2005

- Class 4      Recycling and reclamation of other inorganic materials
- Class 10:      The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system.
- Class 13      Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced.

### NOTE

**THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.**

**Condition 1: SCOPE:**

- 1.1 This Waste Permit is issued under the Waste Management (Permit) Regulations 1998 to John Behan, as nominee of Behan's Land Restoration Ltd, Blackhall, Punchestown, Naas, Co. Kildare for lands at Blackhall, Punchestown, Naas, Co. Kildare. This permit is strictly non-transferable.
- 1.2 This permit is granted for a period not exceeding 6 months from the date of issue. This permit may be reviewed at any time by Kildare County Council.
- 1.3 For the purpose of these conditions, the site is defined as the area outlined in red on the Site Layout Plan, titled Waste Permit Application Area, Drawing Number D02 scale 1:10,560, received on the 17/10/2007 except where altered or amended by conditions of this waste permit.
- 1.4 The area outlined in red on the Site Layout Plan, titled Waste Permit Application Area, drawing Number D02 scale 1:10,560, received on the 17/10/2007, shall be raised with soil and subsoil. The area shall not be raised greater than 2 metres over its existing level. The hardstanding area located within the site shall be used for the storage and crushing of concrete.
- 1.5 The stream and pond located on the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage. Prior to filling in the area of the stream and pond it shall be necessary to submit a report to the Environment Section of Kildare County Council from a competent drainage engineer detailing the drainage works proposed.
- 1.6 The permit holder shall apply to the Environmental Protection Agency (EPA) for a waste licence for the site.
- 1.7 Should environmental pollution occur at the site, this permit may be reviewed by Kildare County Council.
- 1.8 The permit holder shall be responsible for ensuring that the waste activities are controlled, operated and maintained in strict accordance with the terms of the application as modified and/or controlled by the conditions attached to the permit. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Kildare County Council shall be notified of any such breach by telephone/fax and full details shall be forwarded in writing on the next working day.
- 1.9 Where Kildare County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve a notice on the permit holder specifying:-
  - (a) that only those wastes as specified, if any, in the notice are to be accepted at the facility after the date specified in the notice; and



- (b) that the permit holder shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within any time-scale contained in the notice.

When the notice has been complied with, the permit holder shall provide written confirmation to the local authority that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written confirmation is received from the Council that the notice is withdrawn.

REASON: To clarify the scope of this permit.

### Condition 2: MANAGEMENT OF THE ACTIVITY

- 2.1 The permit holder shall acquaint all staff, employees, lessees and agents, including replacement personnel, of the provisions and conditions of this permit.
- 2.2 A copy of the permit must be kept on site at all times.
- 2.3 The site shall be adequately manned and supervised at all times during filling operations. It shall be maintained to the satisfaction of the Council and adequate precautions shall be taken to prevent unauthorised access to the site.
- 2.4 Waste soils shall only be accepted at the site between the hours of 08.00 and 18.00, Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 08.00 and 14.00 on Saturday, unless otherwise agreed by Kildare County Council.

REASON: To make provision for the proper management of the activity

### Condition 3: NOTIFICATION AND RECORD KEEPING:

3.1 All communication with Kildare County Council shall be addressed to Senior Executive Officer, Environment Section, Aras Chill Dara, Devoy Park, Naas, Co Kildare.

Telephone (045) 980588, Fax: (045) 980587

3.2 The permit holder shall maintain a written record for each load of waste arriving at the site. The operator shall record and make available on site the following details:-

- a) Origin of the load;
- b) Description of the material in each load;
- c) The quantity of the materials, estimated in tonnes and recorded in loads;
- d) Where loads are removed or rejected, details of the date and time of occurrence, the type of material, and the place to which they were removed.
- e) The date and time of all waste deliveries to the site
- f) The names of the carriers and the vehicle registration numbers.

3.3 The permit holder shall maintain a written record of all complaints of an environmental nature related to the site. Each such record shall give details of the following: -

- a) Date and time of complaint;
- b) Name of complainant;
- c) Details of the nature of the complaint;
- d) Action taken on foot of the complaint;
- e) Response to each complainant.

3.4 The permit holder shall submit a report to Kildare County Council, which shall include the information compiled in 3.2 and 3.3 above. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit. This report shall be submitted for the preceding calendar year by no later than 28 February of each year and within one month of waste activities ceasing on the site. **The report shall be called The Annual Report (AR).**

3.5 The permit holder shall immediately notify Kildare County Council by telephone of any incident which occurs as a result of the activity on the site, and which:-



- Has the potential for environmental contamination of surface water or ground water, or
- Poses an environmental threat to air or land, or
- Requires an emergency response by the Council.

Full details shall be forwarded in writing on the next working day.

- 3.6 The permit holder shall make all records maintained on site available to Kildare County Council staff at all reasonable times, and shall provide any relevant information when so requested by an authorised person of Kildare County Council.
- 3.7 Within one month of waste activities ceasing on the site, the permit holder shall submit a report to Kildare County Council which shall include the information contained in the written records described above, and details of any impositions or convictions imposed under the Waste Management Acts 1996 to 2005. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit

**REASON:** To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records

#### **Condition 4: MATERIALS ACCEPTANCE AND HANDLING:**

- 4.1 Prior to the commencement of waste activities the permit holder shall erect a post and wire fence along the boundary of the waste permitted site.
- 4.2 The permit holder shall erect markers indicating the finished levels at sufficient locations around the site to ensure that levels are not exceeded during filling operations.  
**Please Note:-The area shall not be raised greater than 2 metres over its existing level.**
- 4.3 **Only European Waste Catalogue (2002 edition) code reference:-  
 17 05 04: soil and stones other than those mentioned in 17 05 03, may be accepted to restore the site. All material shall be deposited inside the site boundary.**
- 4.4 **Only European Waste Catalogue (2002 edition) code reference:-  
 17 01 01: concrete may be stored in the hardstanding area of the site prior to crushing for secondary aggregate.**
- 4.5 **No waste types other than those outlined in condition 4.3 and 4.4 shall be accepted or deposited at this facility. The permit holder shall ensure that**



**adequate steps are taken to prevent acceptance of any other waste types. All material shall be deposited inside the site boundary.**

- 4.6 All waste arriving at the facility shall be subject to a visual inspection by the permit holder, or his staff, employees, lessees or agents. Materials other than those permitted shall be removed immediately from the site. Such waste shall be disposed of (or recovered) at an alternative facility with an appropriate waste permit or waste licence. Following delivery of such unauthorised waste to the site, Kildare County Council shall be immediately notified by telephone, fax or e-mail and full details shall be forwarded in writing on the next working day.
- 4.7 The permit holder shall remove immediately any waste placed on or in the vicinity of the site other than in accordance with the requirements of the permit. If such waste is discovered it shall be taken to a facility with a waste licence or waste permit authorising acceptance of such waste.
- 4.8 The sources of all wastes shall be notified to Kildare County Council prior to their acceptance at the site. A soil analysis shall be carried out on a representative sample of material from each source brownfield excavation, and Kildare County Council may require that further analysis of the material from certain sources be carried out.
- 4.9 The site shall be adequately secured so as to avoid “flytipping”. Any such “flytipped” loads of waste shall be removed immediately by the owner of the site to an appropriate facility.
- 4.10 The entrance to the site shall be constructed prior to commencement of the importation of waste onto the site.
- 4.11 The permit holder shall not allow any over-spill of waste outside the site perimeter or into surface water drains or streams or any other water courses. The drains or streams or other watercourses around the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage.
- 4.12 No skips, open containers, compactors or dumptrucks shall deposit waste on the site. A maximum of 60 trucks a day shall enter and deposit material on the site unless otherwise agreed in advance with Kildare County Council and records of these shall be kept in strict accordance with condition 3.2. Kildare County Council may at any time instruct the permit holder to reduce the number of trucks depositing waste on the site in the event that proper road haulage procedures are not put in place.
- 4.13 **All hauliers importing waste to the facility shall hold a valid waste collection permit in accordance with the Waste Management (Collection Permit) Regulations 2001 from the relevant authority where the waste was collected.**

<b>REASON:</b> To provide for the acceptance and management of wastes authorised under this permit
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**Condition 5: NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS:**

- 5.1 The permit holder shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness, and other nuisances during the course of the works which would result in a significant impairment of or a significant interference with amenities or the environment beyond the site boundary. If unacceptable levels occur, the permit holder shall abide by the Council's abatement requirements, which may include immediate cessation of operations
- 5.2 The road network in the vicinity of the site shall be kept free of any debris caused by vehicles entering or leaving the facility. Any such debris on the road network shall be removed by a suction sweeper without delay. A wheel wash shall be provided to prevent materials being carried out onto the road. The permit holder shall take adequate steps to ensure that no material of any sort can fall or be blown from vehicles delivering waste to the site.
- 5.3 Vehicles shall not be allowed to queue or park on the public road. Provision shall be made within the confines of the site for turning of vehicles. Car parking space shall be provided for all staff and visitors to the site, on a durable surface within the curtilage of the site. Adequate turning area is to be provided within the site, which is capable of accommodating the tipper trucks using the site.
- 5.4 The permit holder shall ensure that waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent lands, on watercourses, on field drains or any other drainage system including the public roadway.
- 5.5 All loose litter accumulated within the site and its environs shall be removed and appropriately disposed of at an appropriate facility on a daily basis.
- 5.6 In dry weather appropriate measures shall be taken to reduce / eliminate airborne dust nuisance.
- 5.7 The permit holder shall ensure that the activities at the site shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the site boundary.

**REASON:** To provide for the control of nuisances and emissions from the facility, and to provide for the protection of the environment

## **Condition 6: ENVIRONMENTAL MONITORING**

- 6.1 Authorised staff of Kildare County Council shall have access to the site at all reasonable times, for the purpose of their functions under the Waste Management Acts 1996 to 2005, including such inspections, monitoring and investigations as are deemed necessary by the Council.
- 6.2 If so requested by Kildare County Council, the permit holder shall at his/her own expense make available a suitable excavator for the purposes of excavating trial holes in the waste material deposited on site, and shall arrange for the excavator to carry out whatever works are required by the Council on the site.
- 6.3 If so requested by Kildare County Council, the permit holder shall, at his/her own expense, carry out such further investigations and monitoring of the facility as required by the Council. The scope, detail, and programme, including report structure and reporting schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the Council.
- 6.4 In the event that any monitoring or observations indicate a pollution incident has occurred resulting from waste activities on site, acceptance of waste onto the site shall cease and remedial measures shall be carried out immediately as directed by Kildare County Council.
- 6.5 The permit holder shall keep records of all monitoring carried out and shall retain such records for a minimum period of three years. These records shall be available for inspection at the site office during normal working hours by Authorised Officers of Kildare County Council and any other person authorised under Section 14 of the Waste Management Acts 1996 to 2005
- 6.6 The permit holder shall carry out such monitoring at such locations and frequencies as set out below and as specified in the conditions of this permit. The permit holder shall provide safe access to all on-site and off-site sampling and monitoring points.**



## Surface Water

Surface water monitoring locations shall be as indicated on the 2007 Environmental Monitoring Locations Site Layout Plan, titled Existing Site Layout, scale 1:2500 submitted on the 17/10/2007

Surface water monitoring locations

Station	Designation
SW1	As shown on the 2007 Environmental Monitoring Locations Site Layout Plan
SW2	As shown on the 2007 Environmental Monitoring Locations Site Layout Plan

Surface Water monitoring frequency and technique

Parameter	Monitoring Frequency	Analysis method
PH	Annual	Standard
SS	Annual	Standard
BOD	Annual	Standard
COD	Annual	Standard

REASON: To ensure compliance with the requirements of the conditions of this licence

**Condition 7: RESTORATION AND AFTERCARE**

- 7.1 As soon as is practicable following completion of the waste activities, the site shall be seeded with grass.
- 7.2 Prior to seeding, topsoil shall be spread evenly over the site to a minimum depth, after firming, of 200 – 250 mm. The topsoil shall be good quality, and shall comply with BS 3882 : 1991. The topsoil shall not be spread in wet conditions. The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Seed shall be spread at a minimum rate of 30 grams per square metre.
- 7.3 The applicant remains responsible for the proper nuisance free operation of all drainage systems on site, and for ensuring that no pollution of groundwaters shall occur at any time as a result of the proposed filling / waste recovery operation.

REASON: To provide for the restoration and aftercare of the facility

**Condition 8: CONTINGENCY ARRANGEMENTS:**

- 8.1 In the event that any monitoring, sampling or observations indicate that contamination has, or may have, taken place, the operator shall immediately:
- a) identify the date, time and place of contamination,
  - b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission,
  - c) isolate the source of the emission,
  - d) evaluate the environmental pollution, if any,
  - e) identify and execute measures to minimise the emissions and effects thereof,
  - f) identify and put in place measures to avoid reoccurrence,
  - g) identify and put in place any other appropriate remedial action, and
  - h) maintain a written record of the above.

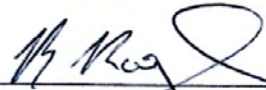
REASON: To provide for immediate action in the event of contamination taking place.



**Condition 9: FINANCIAL PROVISIONS:**

- 9.1 The permit holder shall pay an annual contribution of EUR600 to Kildare County Council towards the cost of inspecting, monitoring or otherwise performing any functions in relation to the permit activity. The Permit Holder shall pay to Kildare County Council this amount within 30 days of receipt of this permit and thereafter on an annual basis while the waste permit is active. In the event that the frequency or extent of monitoring or other functions carried out by Kildare County Council needs to be increased for whatever reason the permit holder shall contribute such sums as are determined by the Local Authority to defray costs.

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

Signed: 

K. Kavanagh, Senior Executive Officer,  
Kildare County Council.

Date: 22 / 11 / 2007