

Behans Land Restoration Limited
c/o John Barnett & Associates
7 Dundrum Business Park
Windy Arbour
Dundrum
Dublin 14

Regional Inspectorate
McCumiskey House, Richview,
Clonskeagh Road, Dublin 14, Ireland

Cigireacht Réigiúnach, Teach Mhic Chumascaigh
Dea-Radharc, Bóthar Cluain Sceach
Baile Átha Cliath 14, Éire

T: +353 1 268 0100
F: +353 1 268 0199
E: info@epa.ie
W: www.epa.ie

LoCall: 1890 33 55 99

26th August 2008

W0247-01

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations

Dear Sir/Madam,

I am to refer to the above referenced application for a waste licence relating to a facility at Blackhall, Punchestown, Naas, Co. Kildare. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 and Article 13 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to take the steps and supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. The Agency notes a discrepancy between the classes of activity identified in Tables B.7.1 and H.1(A) of the application form, and those classes identified in the public notices issued under Section B.6. Please clarify the classes of activity and update the relevant sections of the application form as necessary.
2. Quantity & Nature of Waste
 - (i) Specify, by reference to the relevant European Waste Catalogue codes, the quantity and nature of the wastes expected to be accepted at the facility.
 - (ii) The Agency notes a discrepancy in the quantities of waste materials identified in the following sections of the application form:
 - Table B.7.2: maximum 400,000 TPA,
 - Table H.1(A): 420,000 TPA,
 - Table H.1(B): 320,000 TPA; and
 - Table H.1(C): 345,000 TPA.Please clarify and update the relevant sections of the application form as necessary.
 - (iii) Specify the quantity of recycled aggregates expected to be exported off-site.

3. Update Section B.7.4 of the application form in light of the proposal to operate the site as an inert waste recovery facility.
4. Provide evidence of permission to use the lands owned by the estate of Mrs Josephine Behan (deceased) for the proposed development.
5. Update Drawing EMP5 *Environmental Monitoring Locations* to clarify the location of surface water monitoring points SW1 & SW2.
6. Provide written procedures for the acceptance and handling of all wastes at the facility, having regard to EC Council Decision 2003/33/EC.
7. Drainage from hardstanding areas
 - (i) Identify the capacity of the proposed contaminated stormwater storage tank at the waste quarantine area.
 - (ii) Describe the mechanism by which contaminated stormwater will be diverted to the storage tank in the event of suspect material being held at the quarantine area.
8. Provide outline proposals for the upgrade or replacement of the existing wheel wash at the facility, including proposals for the provision of a silt trap and oil interceptor (if discharging the wash water to ground), or recycling the wash water. If the wash water is to be discharged to ground, identify the discharge location on a suitably scaled map.
9. Provide details of the existing subsoil drain located in the north-west section of the site (indicated as Phase 3 on the restoration plan).
10. Groundwater
 - (i) Provide details of the depth of the groundwater ponds on the site.
 - (ii) Provide details (including any sampling results) if available, of the groundwater borehole located to the rear of the site, south-east of Well 2 and close to dust monitoring station D3.
11. Submit details of the expected disposal/recovery options for any residual waste streams (metals, timber, plastic, etc.) and contaminated stormwater from the facility.
12. Identify whether the recycled aggregates produced at the facility will meet a recognised standard for recovered waste streams (e.g. IS EN 13285 for unbound recycled aggregates).
13. Provide a copy of the company's most recent annual audited accounts.
14. Provide an assessment of the costs of the implementation and completion of the proposed restoration and aftercare plan, and a statement or details of provisions made for the underwriting of these costs.

ARTICLE 13 COMPLIANCE REQUIREMENTS



1. In accordance with Schedule 6 of the Planning & Development Regulations (S.I. No. 600 of 2000), please provide an indication of any difficulties (technical deficiencies or lack of know-how) encountered in compiling the required information.

Your reply to this notice should include a revised non-technical summary (Application Form and EIS), which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of a one original plus one hardcopy **within four weeks** of the date of this notice. In addition submit fifteen copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0247-01**. Please direct all correspondence in relation to this matter to *Administration, Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,

A handwritten signature in cursive script, reading 'Aoife Loughane', is written over a horizontal line.

Aoife Loughane

Inspector

Office of Climate, Licensing & Resource Use