

Comhairle
Chondae
Chill Dara
Naomh Mhuire
An Nás



Kildare
County
Council
St. Mary's
Naas

E-mail: secretar@kildarecoco.ie
Main Switch
Phone: (045) 873800
Fax: (045) 876875

This matter is being dealt with by:

Date:

Your Ref:

Our Ref:

WASTE MANAGEMENT ACT 1996
and
WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number:

71/2002

Mr. Nick Beale,
General Manager,
Readymix (Dublin) Ltd.,
5/23 East Wall Road,
Dublin, 3.

In pursuance of the powers conferred on it by the Waste Management Act 1996 and the Waste Management (Permit) Regulations 1998, Kildare County Council hereby grants a waste permit under article 5(1) of the said regulations to Readymix (Dublin) Ltd., 5/23 East Wall Road, Dublin, 3, to carry on the waste activity listed below at Walshestown Sand Pit, Naas, Co. Kildare, 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.

Condition 1: SCOPE:

- 1.1 This Waste Permit is issued under the Waste Management (Permit) Regulations 1998 to Readymix (Dublin) Ltd, Walshestown, Naas, Co Kildare for lands at Readymix (Dublin) Ltd, Walshestown, Naas, Co Kildare. This permit is strictly non-transferable.
- 1.2 This permit is granted for a period not exceeding 36 months from the date of issue.
- 1.3 For the purpose of these conditions the site is defined as the area outlined in red on Drg No. A465 – 004 - 1 submitted with the permit application and shall take place only as specified in the application as modified and/or controlled by the terms of this permit.
- 1.4 Finished levels shall be in accordance with Drawing No. A465 – 003 submitted with the application or as amended by Kildare County Council.
- 1.5 Should environmental pollution occur at the site, this permit may be reviewed by Kildare County Council.
- 1.6 The permit holder shall be responsible for ensuring that the waste activities shall be 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.
- 1.7 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.
- 1.8 Should the permit holder wish to “dispose” of inert materials at the site then a waste licence from the EPA is required and the permit shall be considered invalid once said licence has been issued. **This permit is solely for the recovery of concrete based materials to restore / raise the land.** This permit does not constitute a disposal activity.

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. 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 shall only be accepted at the site between the hours of 8 am and 6 p.m., Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 8am and 2pm on Saturday

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 Engineer, Environment Section, St Mary's, Naas, Co Kildare.
Telephone (045) 873800, Fax: (045) 879772
- 3.2 The operator 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 names of the carriers and the vehicle registration numbers
- 3.3 The operator 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 Annual Environmental Report AER**

- 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.

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 Only inert subsoil, topsoil, sand, gravel, clay, marls, and stone and inert concrete waste, shall be used to restore / raise the site. All material shall be deposited inside the site boundary. The permit holder shall ensure adequate steps are taken to prevent acceptance of any other waste types.
- 4.2 Any materials not complying with condition 4.1 shall be removed from the site and disposed of at an alternative approved facility.
- 4.3 The sources of all wastes shall be notified to, and approved by Kildare County Council prior to their acceptance at the site. A minimum notice of three working days shall be given in writing to the Council of commencement of waste activities at the site.
- 4.4 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.
- 4.5 The permit holder shall not allow any over-spill of waste outside the site perimeter or into surface water drains, as outlined on the site plan submitted with the permit application.

- 4.6 Only Readymix Trucks carrying waste concrete or blocks from Readymix concrete or block batching plants shall enter and deposit waste on the site unless otherwise agreed with Kildare County Council.

REASON: To provide for the acceptance and management of wastes authorised under this permit

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
- 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 shall be removed without delay. Wheel washing 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 operator 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 Act 1996, 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 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 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. In the event of pollution of waters in the vicinity of the site, or of leachate discharge onto adjoining lands, input of waste onto the site shall cease, and remedial measures shall be carried out immediately as directed by the Council.

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 and used for agricultural purposes.
- 7.2 Prior to seeding, topsoil shall be spread evenly over the site to a minimum depth, after firming, of 150 – 200 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 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:

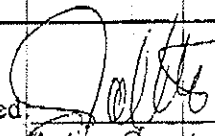
- 8.1 In the event that any monitoring, sampling or observations indicate that contamination has, or may have, taken place, the operator shall immediately:
- a) identify the date time and place of contamination
 - b) carry out an immediate investigation to identify the nature, source and cause of the 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 Prior to the commencement of waste activities on the site, the permit holder is to lodge with Kildare County Council an amount of EUR20,000 or an equivalent bond or other approved financial provision. This security may be used wholly or partly by Kildare County Council at its absolute discretion on any of the matters, terms, or conditions of this permit including road repairs and or pollution control. Any amount not so used by the Council will be released to the permit holder on receipt by the council of the final report referred to in Condition 3.4.
- 9.2 The permit holder shall pay an annual contribution of EUR450 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. 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 LA to defray costs.

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

Signed: 
Acting County Secretary,
Kildare County Council.

Date: 13 June 2002.



27th July 2007

Golder Associates Ireland,
Town Centre House,
Dublin Road,
Naas,
Co. Kildare

**RE: WASTE MANAGEMENT ACTS 1996 TO 2005
WASTE MANAGEMENT (PERMIT) REGULATIONS 1998
APPLICATION FOR A WASTE PERMIT 236/2006**

Dear Sir/Madam,

I refer to the application for a waste permit that you made on behalf of Readymix Plc under the above Regulations submitted to the Environment Section on the 8/6/2006.

Kildare County Council assessed your application and referred a copy of your application to the Environmental Protection Agency (EPA) for their advice as to whether it would be appropriate to issue a waste permit in this instance.

Kildare County Council informed the EPA that the facility had previously operated under a Waste Permit.

The EPA advised Kildare County Council that due to the nature and scale of the activity proposed a Waste Licence under the Waste Management Acts 1996 – 2005 would be required.

However the EPA also advised that given the unique circumstances, that if a valid waste licence application is received by the EPA for the site, then Kildare County Council can issue a 6 month Waste Permit for your site with the possibility of further extension should there be a delay in the processing of the waste licence application.



Therefore in order to receive a Waste Permit for the site at Walshestown, Naas, Co. Kildare, it is necessary to first submit a valid Waste Licence Application to the EPA. If you have any queries relating to the Waste Licence Application please contact the Office of Licensing and Guidance, Headquarters, PO Box 3000, Johnstown Castle Estate, Co. Wexford.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'K. Kavanagh', written over a horizontal line.

K Kavanagh,
Senior Executive Officer.

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

Waste Permit Register Number: 236/2006

Cemex (ROI) Ltd.,
Block A1,
East point Business Park,
Dublin 3.

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 Cemex (ROI) Ltd., Block A1, East Point Business Park, Dublin 3 for lands at Walshestown, 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

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 2008

And

THE WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: WP 236/2006

Applicant:

Cemex (ROI) Ltd,
Block A1,
East Point Business Park,
Dublin 3

Location of Facility:

Walshestown,
Naas,
Co. Kildare

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ACTIVITIES PERMITTED

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2008 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to Cemex (ROI) Ltd, Block A1, East Point Business Park, Dublin 3 for lands at Walshestown, 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

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 Cemex (ROI) Ltd, Block A1, East Point Business Park, Dublin 3 to raise the site at Walshestown, 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.
- 1.3 For the purpose of these conditions the site is defined as the area outlined in broken red lines on the Site Layout Plan titled Proposed Restoration Surface (temporary waste permit), drawing no. RM/03 received on 18/6/2008, except where altered or amended by conditions of this waste permit.
- 1.4 The finished contours of the site shall be as submitted on the Site Layout Plan, titled Proposed Restoration Surface (temporary waste permit), drawing no. RM/03 received on 18/6/2008.
- 1.5 Should environmental pollution occur at the site, this permit may be reviewed by 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 waste 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 and conditions attached to Planning Permissions for the site. 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.

- 1.10 Should the permit holder wish to “dispose” of waste materials at the site then a waste licence from the Environment Protection Agency (EPA) is required and the permit shall be revoked. **This permit is solely for the recovery of soil based materials to raise the site.** This permit does not constitute a disposal activity.

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 Saturdays, 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:-

- 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 2008. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit

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| REASON: To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records |
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Condition 4: MATERIALS ACCEPTANCE AND HANDLING:

- 4.1 A minimum notice of five (5) working days shall be given in writing to Kildare County Council of the commencement of waste activities at the site.
- 4.2 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.
- 4.3 The permit holder shall erect markers indicating the finished levels at sufficient locations around the site to ensure that design finished levels are not exceeded during filling operations.
- 4.4 **Only Waste Materials in accordance with 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. No other waste types 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.**
- 4.5 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.
- 4.6 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.
- 4.7 **The sole source of waste soil and stone shall be from the Dowdenstown road widening scheme.**
- 4.8 A soil analysis shall be carried out on a representative sample of material from brownfield excavation, and Kildare County Council may require that further analysis of the material 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 permit holder shall not allow any over-spill of waste soil and subsoil outside the site perimeter, or into surface water drains, streams or any other waste courses. All other drains or watercourses around the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage.

- 4.11 The raising of the site shall not have any impact on existing land drains, watercourses and adjacent properties in terms of flooding.
- 4.12 No skips, open containers, compactors or dumptrucks shall deposit waste on the site. A maximum of 40 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

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. A wheel wash shall be provided to prevent materials being carried out onto the road. Any debris on the road network shall be removed by a suction sweeper without delay. 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 2008, 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 2008

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.

Company Owner/Manager
Ready Mix Ltd
Walshestown
Naas
Co. Kildare

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
Ceanncheathrú, Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire
T: +353 53 916 0600
F: +353 53 916 0699
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

31st October 2008

Re: Waste Management (Facility Permit and Registration) Regulations 2007 (SI 821 of 2007) (as amended by S.I. 86 of 2008)

Dear Sir/Madam

I wish to advise you that the above regulations amend and replace the Waste Management (Permit) Regulations, 1998 (S.I. 165 of 1998). In particular, I would draw your attention to Part 1, Classes 5,6,7 and 10 of the Third Schedule of the new permit regulations. These classes introduce thresholds for certain recovery activities previously permitted by Local Authorities. Any activity that is above these new thresholds will pass from the Local Authority to the EPA for regulation by way of a waste licence. The thresholds and activities requiring a waste licence from the EPA are as follows:

- Class 5 - the recovery of >100,000 tonnes total of natural soils to land
- Class 6 - recovery of >50,000 tonnes total inert waste to land
- Class 7 - recovery of >50,000 tonnes of inert C& D waste or >15% residual to disposal
- Class 10 - recovery of >50,000 tonnes of non-hazardous waste and with <15% residual to onward disposal

(Note: When considering these thresholds please have regard to the footnote to Part 1 of the Third Schedule of the new facility permit regulations)

It has come to our attention, through correspondence with the Local Authority in your area, that your facility may exceed one of the applicable thresholds. Three options available to you are outlined below:

1. Apply to the EPA for a licence prior to the 13th of February 2009 or before the expiration of your current permit (whichever is sooner).




2. Reduce your capacity below the applicable threshold and continue to operate under a permit issued by the Local Authority.
3. Cease the activity by the 13th of February 2009.

I should further advise that provided a valid application is made by the due date (13/02/2009), your existing permit will continue to apply until a decision in respect of the application is made. For further details on how to apply to the EPA for a waste licence please visit our website www.epa.ie.

You are required to advise the EPA by 01/12/2008, which of the three options you are likely to take.

Should you require further assistance do not hesitate to contact me at 053-9160600 or one of my colleagues, Dr. Jonathan Derham or Ms. Yvonne Furlong.

Yours sincerely,


Dr Karen Creed
Inspector
Environmental Licensing Programme

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LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963

DECLARATION OF DECISION TO GRANT A PERMISSION UNDER SECTION 26 OF THE ACT.

8359
?

COUNCIL OF THE COUNTY OF KILDARE.

REF. NO. 8359

COUNTY ENGINEER'S OFFICE,
St. Mary's,
Naas,
Co. Kildare.

REGISTERED POST:

to/ Messrs. Roadstone Ltd.,

Naas Road,

DUBLIN, 12

In pursuance of the powers conferred upon them by the above mentioned Act, the Kildare County Council have by Order dated 16/12/69 decided to grant permission for the development of land, namely: operation of

gravel pit at Blackhall, Naas

subject to the conditions set out in column 1 of the Schedule hereto. The reasons for the imposition of the said conditions are set out in column 2 of the Schedule.

If there is no appeal against the said decision, a grant of permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to the Minister for Local Government (See footnote).

It should be noted that until a grant of permission has been issued the development in question is NOT AUTHORISED and work should not be commenced.

DATE: 17th December, 1969

SIGNED:

[Signature]
COUNTY SECRETARY
KILDARE COUNTY COUNCIL

SCHEDULE

| COLUMN 1 - CONDITIONS | COLUMN 2 - REASONS FOR CONDITIONS |
|--|---|
| 1. Development to be carried out in a manner that it will not interfere with the amenities of the area. 2. Stream in front of site to be culverted and kept clean to the Council's satisfaction. 3. When development has been completed reinstatement works to be carried out to the land to the satisfaction of Kildare County Council. 4. Developer to supply necessary gravel, at the discretion of the Co. Engineer for the reinforcement of the section of roadway between Miss Burke's of Blackhall, Naas and Beggars End, Naas, in respect of the proportion of the maintenance costs which could be cont/d. | 1. To protect the amenities of the area. 2. To protect the public road. 3. To ensure proper development and to protect the amenities of the area. 4. To protect the public road. |

An appeal against a decision of a planning authority under Section 26 of the Act of 1963 may be made to the Minister for Local Government. The applicant for permission may appeal within one month beginning on the day of receipt by him of the decision. Any other person may appeal to the Minister within three weeks beginning on the date of the decision. Appeal should be addressed to the Secretary, Department of Local Government, Dublin.

SCHEDULE

CONDITIONS

REASONS FOR CONDITIONS

regarded as excessive maintenance cost on that section of the road, and in proportion to the utilisation thereof by traffic generated by the Development by Messrs. Roadstone, for which permission is herein granted.

SIGNED

P. J. Hallan
COUNTY SECRETARY
KILDARE COUNTY COUNCIL

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LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT, 1963

COUNTY COUNCIL OF THE COUNTY OF KILDARE

County Engineer's Office,
St. Mary's,
Naas,
Co. Kildare.

REF. NO. 340/76

REGISTERED POST

Readymix Idmited,
5 - 23 East Wall Road,
DUBLIN, 3.

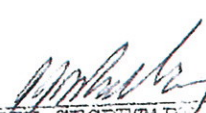
Application by Readymix Idmited
of 5 - 23 East Wall Road, Dublin, 3.
on 25/3/1976 for a permission for extraction of sand
and gravel at Walshestown, Naas, Co. Kildare.

A permission has been granted for the development described above, subject to the following conditions:

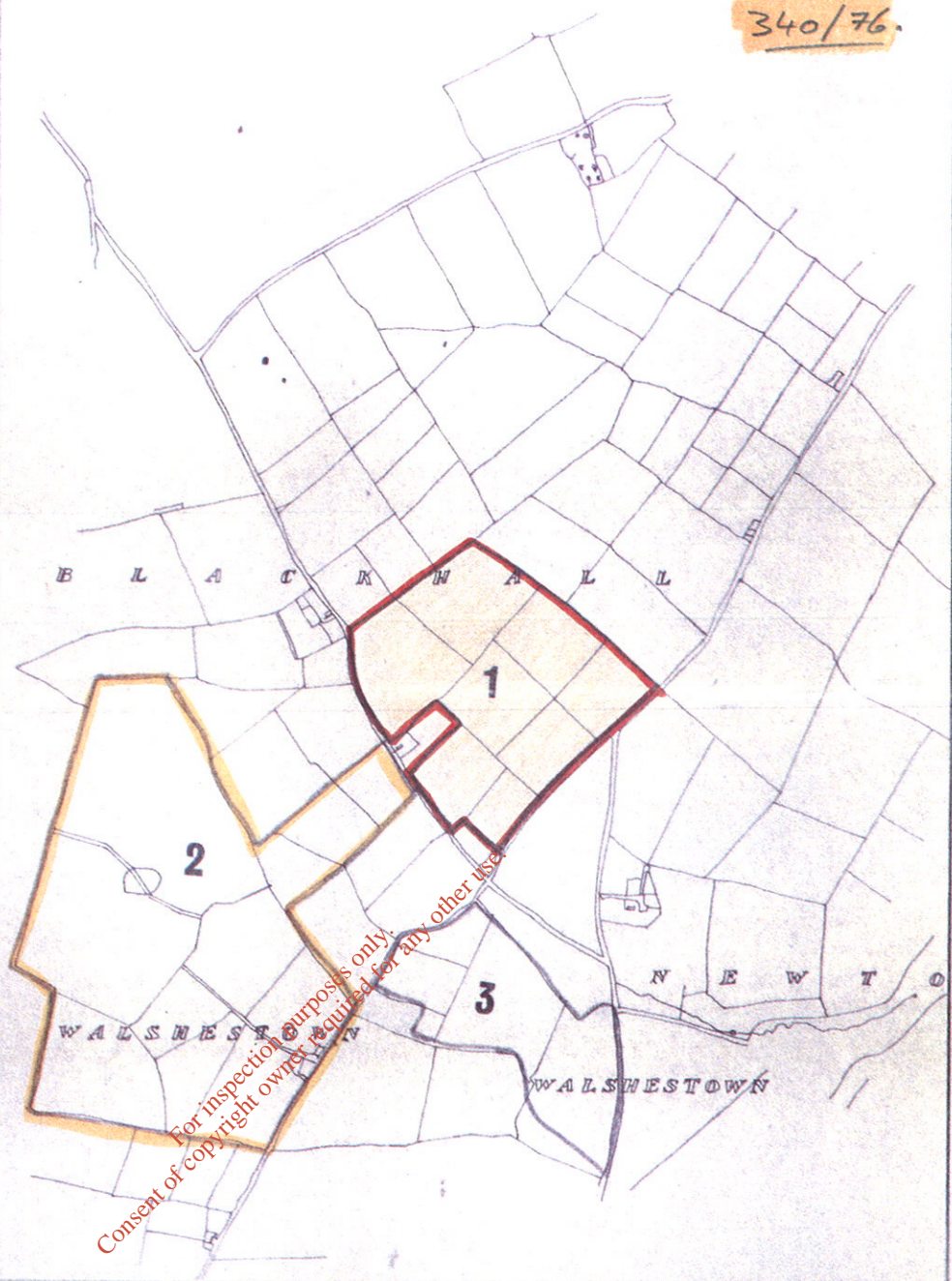
1. The development shall be carried out in accordance with the plans lodged by the applicant on 25/3/1976 save as the conditions hereunder otherwise require.
2. Two warning signs to be erected on either side of entrance. Type and size to be agreed with the County Council.
3. The development shall be discontinued on the expiration of a period of four years from the date of the aforementioned order unless before that date permission for its retention is granted by the Planning Authority, or by the Minister on Appeal.
4. All access to the sites to be from the existing site road.
5. Excavation not to come nearer than 40' to the public road.
6. Developer to be responsible for the periodic removal of sand and gravel which as a result of this development might fall on the public road.
7. Landscaping and restoration programme to be carried out in accordance with Drawing No. 75 - 121 - 11 lodged with Kildare County Council on the 25/3/1976

DATE: 2nd July, 1976.

SIGNED: _____


COUNTY SECRETARY
KILDARE COUNTY COUNCIL

340/76.



| | |
|---|---------------------------------|
| CLIENT READYMIX LTD. | |
| JOB LAND AT BLACKHALL & WALSHWESTOWN NAAS | |
| DRAWING TITLE SITE MAP | |
| DATE 12-2-76 | SCALES 6" TO 1 mile @ 1:2500 |
| DRAWN P.B. | DRAWING NO. 75-121-6 |
| CHECKED | |

collen

Collen Bros. (Dublin) Limited
 Building and Civil Engineering Contractors
 East Wall
 Dublin 3 Ireland

AN BORD PLEANÁLA

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS, 1963 TO 1993

County Kildare

Planning Register Reference Number: 96/100

APPEAL by G. O'Sullivan care of Reid Associates of 2 Arran Square, off Lincoln Lane, Dublin and by Readymix (Manufacturing) Limited care of Frank L. Benson and Partners of Moira House, 14 to 15 Trinity Street, Dublin against the decision made on the 10th day of April, 1996 by the Council of the County of Kildare to refuse permission to the said Readymix (Manufacturing) Limited for development comprising the extraction of gravel from an area of 17.2 hectares (42.5 acres) on an overall site of 18.1 hectares (44.6 acres) at Bawnogue, Tipperkevin and Walshestown, Naas County Kildare in accordance with plans and particulars lodged with the said Council:

DECISION: Pursuant to the Local Government (Planning and Development) Acts, 1963 to 1993, it is hereby decided, for the reason set out in the First Schedule hereto, to grant permission for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said permission is hereby granted subject to the said conditions.

FIRST SCHEDULE

Having regard to the location of a large part of the site within an area designated as an "Extractive Industry Zone" in the East Kildare Uplands Plan in the current Kildare County Development Plan, the location of the remaining area of the site immediately adjacent to the "Extractive Industry Zone", the established extractive and related activities in the area, the screening provided by the topography of the site and its environs and the pattern of vegetation in the area, it is considered that, subject to compliance with the conditions set out in the Second Schedule, the proposed development would not seriously injure the amenities of the area, would not have an adverse impact on the bloodstock industry or the amenities of residential property in the area and would be otherwise in accordance with the proper planning and development of the area.

PLANNING DEPARTMENT
08 NOV 1996
RECEIVED

SECOND SCHEDULE

1. This development shall be carried out in accordance with the plans and particulars and the Environmental Impact Statement lodged with the planning authority on the 30th day of January, 1996, except as may otherwise be required in order to comply with the following conditions.

Reason: To clarify the nature and extent of the development.

2. The carrying out on the site of any of the following operations is specifically excluded from this grant of permission:
 - (a) washing of sand or gravel,
 - (b) crushing of sand or gravel, and
 - (c) the extraction of sand or gravel by blasting.

Reason: To clarify the subject of the permission in the interest of residential amenity.

3. All on-site operations, including any stripping operations associated with the proposed development shall be carried out only between 0800 hours and 1800 hours on Mondays to Fridays and between 0800 hours and 1300 hours on Saturdays. No such operations shall be carried out on Sundays or on public holidays.

Reason: In the interest of the amenities of property in the vicinity.

4. 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 interest of the amenities of property in the vicinity.

WQC

5. The total dust emission arising from all the 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: To protect the amenities of property in the vicinity.

6. The developer shall monitor the matters set out in conditions numbers 4 and 5 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 in writing with the planning authority prior to the 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: In the interest of the amenities of property in the vicinity.

7. No excavation work shall be carried out below bedrock or below a level of at least two metres above the level of the water table at the place of excavation, except with a prior grant of permission.

Reason: In the interest of public health, safety and amenity.

8. No excavation shall be carried out within 12 metres of the roadside boundary or within 12 metres of the remaining site boundaries.

Reason: In the interest of the amenities of the area.

9. No existing access shall be used or no new access shall be opened to serve the development through the roadside boundary of the development site.

Reason: In the interest of traffic safety and the amenities of the area.

PLANNING
08 NOV 1996
RECEIVED

10. The site of the proposed development shall be restored in accordance with a scheme which shall include detailed plans and particulars and which shall provide for phased and final restoration, profiling and landscaping and which shall be submitted to and agreed in writing with the planning authority prior to the commencement of development. The restoration, profiling and landscaping scheme shall include the following:

- (a) provisions for the removal from the site of structures and plant associated with the extraction operations and of waste materials that are not required for restoration purposes,
- (b) details of the nature of any filling materials which may have to be imported into the site for restoration purposes and the method and timing of any filling operations arising from such importation,
- (c) provisions for the suitable preparation and grading of the area to be restored, by the use of imported materials, waste materials or overburden materials,
- (d) provisions for spreading over the area to be restored, the subsoil and topsoil or imported subsoil and topsoil, if required,
- (e) details of the final surface levels of the restored area, which levels shall be such as to allow satisfactory drainage of and outfall from the site and provisions for the restoration of natural surface and subsoil drainage of the area to be restored,
- (f) details of the slopes to which the faces of the pit shall be graded,
- (g) details of the aftercare measures, such as cultivation, seeding, planting and subsequent maintenance and management, which it is proposed to take in order to render such area of land restored under this condition suitable for use which shall be appropriate to the area, and
- (h) a detailed programme for the implementation of the restoration operations required by this condition, including an indication of the dates relative to the progress of the gravel extraction by which each phase of the restoration shall be completed.

Reason: To minimise the area of worked-out land arising from the carrying out of the gravel extraction operation and to secure satisfactory restoration of the site, in the interest of orderly development and the visual amenities of the area.

11. Prior to the commencement of development a detailed landscaping scheme, which will include measures for the protection of existing trees and hedgerows to be retained along the boundaries of the site, the provision of woodland planting on the unexcavated areas along the eastern and northern boundaries prior to the commencement of development, landscaping arrangements where necessary of stock piles and a programme for its implementation shall be submitted to and agreed in writing with the planning authority.

Reason: In the interest of the amenities of the area.

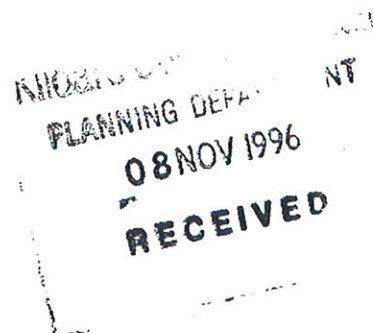
12. The developer shall facilitate the planning authority in preserving, recording or otherwise protecting archaeological materials or features that may exist within the site. In this regard the developer shall notify the planning authority at least four weeks in advance of any soil-stripping phases of the development, employ a suitably qualified archaeologist to monitor all soil-stripping phases of the development and provide satisfactory arrangements for the recording and removal of any archaeological material if it may be considered appropriate to remove.

Reason: In order to conserve the archaeological heritage of the site and to secure the preservation of any remains that may exist within it.

13. Prior to the 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 and final restoration and making safe the site in accordance with the plans and particulars and with 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 the security shall be as agreed between the Council and the developer or, in default of agreement, shall be determined by An Bord Pleanála.

Reason: To ensure the satisfactory completion of the development.

MP

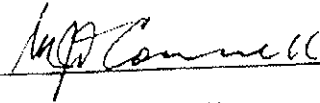


14. The developer shall pay a sum of money to Kildare County Council as a contribution towards expenditure that was and/or that is proposed to be incurred by the Council in respect of improvements to the road network facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be as agreed between the developer and the Council or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the Council in respect of improvements to the road network facilitating the proposed development.

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Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.

Dated this 6th day of November 1996.



THE SITE



LAND HISTORIC BY READYMIX



EXISTING READYMIX PIT



VISUAL BARRIER



SIGNIFICANT VEGETATION



SIGNIFICANT VIEWS INTO SITE



RESIDENTIAL PROPERTY WITH HIGH IMPACT



RESIDENTIAL PROPERTY WITH MODERATE IMPACT



RESIDENTIAL PROPERTY WITH LOW IMPACT



RESIDENTIAL PROPERTY WITH NO VIEW OF SITE



DERELICT PROPERTY



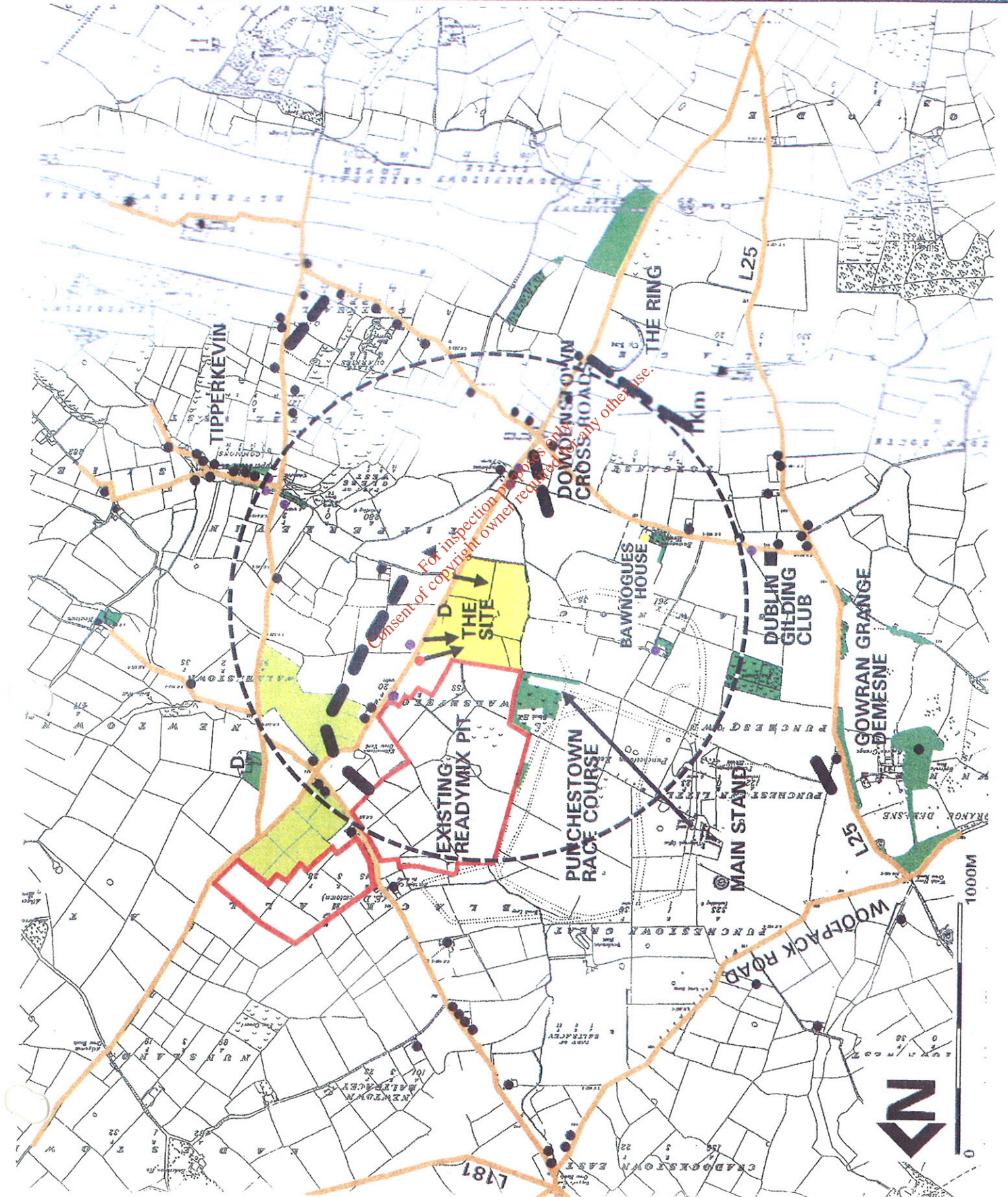
VISUAL IMPACT FROM RESIDENTIAL PROPERTIES

MAP 2

WALSHESTOWN NAAS, CO. KILDARE

SAND & GRAVEL PIT READYMIX SOUTH-EAST LTD

FERGUSON



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The site will be worked as an extension of the existing Readymix operation, with the working face being progressively extended in accordance with the phasing of the excavations. The excavated areas will be graded, topsoiled, seeded and planted in accordance with the restoration plans submitted herewith, and will be reinstated to agricultural land use. Readymix has previously restored parts of the worked out sections of the Walshestown operation.

2.9 Ancillary Development

No additional ancillary works will be required on the subject site in connection with the extraction of gravel. It is proposed that the processing of the aggregates will occur wholly at the existing aggregate plant on the adjoining Readymix lands at Walshestown.

2.10 Site Infrastructure

It is anticipated that site infrastructure similar to that utilised at the Readymix pit at Blackhall will be utilised in the operation of the subject site. This comprises the ground conveyor and the hopper. It is not envisaged that there will be any requirement for the provision of additional site infrastructure.

2.11 Site Accessibility - Ingress And Egress

Access to and from the site will occur via the adjoining Readymix lands. No access points will be required to the public road network from the site.

2.12 Traffic Implications

It is anticipated that the proposed operation will produce approximately 600,000 tonnes of excavated material per year, equating to present levels of extraction at Walshestown. Truck movements at present are in the order of 95 per day in both directions. It is not envisaged that there will be any additional truck movements generated as a result of the extraction of gravel from the application site as output will not increase.

These movements will occur over the hours of operation of the site and from observations and experience of established practices on the adjoining site, it is estimated that there will be no real peak hour traffic, but rather an even spread of traffic in and out of the site throughout the working day.