



Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

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2<sup>nd</sup> February 2009

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 Kilmartin, Coynes Cross, Newcastle, Co. Wicklow. 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. Specify, by reference to the relevant European Waste Catalogue (EWC) codes, the quantity and nature of the wastes proposed to be accepted at the facility including C&D materials for site engineering works. Clarify whether it is proposed to process waste for site engineering works (i.e. screen and/or crush) on site. Please update the relevant sections of the application form as necessary;
2. Provide an update on the status of the planning application for the proposed development;
3. Justify the use of the volume to weight conversion factor of 1.8 tonnes per 1m<sup>3</sup> of clays and soils;
4. Provide a drawing showing sequencing of phases and update the description of the sequencing of the proposed land development works, as necessary;
5. Given the revised waste quantities identified in your planning appeal to An Bord Pleanála, update Drawing CE04561-08-2A Cross- Sections Through Infill and identify whether there will be any change in the development footprint;
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. Given that the noise surveys were conducted during daytime, justify the proposed operating hours of 07:30 to 19:30 Monday to Friday and 07:30 to 15:00 on Saturdays;
8. Provide details of proposed typical retention times of surface water run-off in proposed settlement ponds prior to discharge to receiving waters;
9. Given that SW1, the upstream ambient monitoring location on the Kilmartin stream was inaccessible on 21/02/08, propose a new upstream ambient monitoring point on the Kilmartin stream or confirm that access will be available;
10. Identify the capacity ( $m^3$ ) of the proposed stormwater storage sump at the waste quarantine area;
11. Submit details of the expected disposal/recovery options for any residual waste streams (metals, timber, plastic, etc.,) inadvertently delivered to the facility and contaminated stormwater which may arise at the facility;
12. Provide a copy of the company's most recent annual audited accounts in order to confirm company as "fit and proper";
13. 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. Submit Drawing CE04561-08-01A which was omitted from the EIS as submitted;
2. Update the description of the sequencing of the proposed land development works in Section 3.1.3 of the EIS as necessary.

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 **W0252-01**. 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,

Loretta Joyce

Inspector

Office of Climate, Licensing & Resource Use