

Dr. Emma Sweeney
Senior Environmental Scientist
Tobin Consulting Engineers
Market Square
Castlebar
Co. Mayo

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

Cigireacht Réigiúnach, Teach Mhic Chumascaigh
Dea-Radharc, Bóthar Cluain Sceach
Baile Atha 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

20th April 2009

Reg. No. W0256-01

re: **Lennon Quarries Ltd., Glencastle, Bunnahowen, Ballina, Co. Mayo**
Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations, 2004 to 2008

Dear Dr. Sweeney,

I am to refer to the above referenced application for a waste licence relating to a facility at Tallagh, Belmullet, Co. Mayo. 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 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:

1. The Agency considers that in order for a waste soils facility to classify as waste recovery, there needs to be a planning, amenity, further development, safety or landscaping imperative supporting the need for the waste filling/deposition works, i.e. beneficial use. Identify the proposed after-use of the raised land and demonstrate the resulting benefit in this case. Your response should include a supporting statement as to the purpose of the works from an independent agricultural advisor, engineer, landscape architect or other technical expert.

Failure to qualify as waste recovery would necessitate the identification of relevant disposal classes in accordance with the Third Schedule of the Waste Management Acts 1996 to 2008, and the submission of the appropriate disposal fee in accordance with the Waste Management (Licensing) Regulations, 2004 to 2008. Please clarify and update the relevant sections of the licence application as necessary.

2. Provide written confirmation from the Planning Authority as to whether planning permission and/or an Environmental Impact Statement (EIS) is required for the proposed development, having regard to the scale and duration of the activity (total capacity approximately 600,000 tonnes to be deposited over 24 years), and the fact that the projected annual acceptance of waste is just under the 25,000 tonnes threshold for Environmental Impact Assessment (disposal or recovery >25,000 tonnes requires an EIS in accordance with European Communities (Environmental Impact Assessment) Regulations 1989, as amended).

If an Environmental Impact Assessment is deemed necessary, please submit an EIS to the Agency in accordance with Article 13 of the Waste Management (Licensing) Regulations, 2004 to 2008.

3. It is noted that the site is owned by Erris Farm Services Co-Op Society Limited, and is on long-term lease to Lennon Quarries Limited. Provide evidence of the landowners permission to use the lands for the proposed development and clarify the duration of the leasehold agreement.

4. Waste Types

Wastes considered acceptable for recovery at a waste soils recovery facility are generally limited to uncontaminated natural soils, sub-soils, stone and rock (EWC Code 17 05 04). As shown in the table below, a number of additional waste streams have been requested in the licence application.

EWC Code	Waste Description
01 04 09	Waste sand and clay
01 04 10	Dusty and powdery wastes, other than those mentioned in 01 04 07
01 04 12	Tailings and other wastes from washing and cleaning of minerals, other than those mentioned in 01 04 07 & 01 04 11
17 01 01	Concrete
17 01 02	Bricks
17 01 03	Tiles & Ceramics
17 01 07	Mixture of concrete, bricks, tiles & ceramics
17 05 06	Dredging Spoil, other than those mentioned in 17 05 05
17 09 04	Mixed C&D wastes, other than those mentioned in 17 09 01, 17 09, 02 & 17, 09 03

(i) Please identify the sources and quantities of the proposed waste streams and their proposed function in the fill/deposition.

(ii) Evaluate the leachate generation potential of the proposed waste streams, and justify the proposal to accept the requested waste types at this facility, having regard to the lack of engineered bottom/side liner to afford protection to underlying soils, groundwater and adjoining surface waters.

5. Provide a proposed testing regime for waste acceptance at the facility, having regard to EC Council Decision 2003/33/EC.

6. Protection of Surface Waters and Groundwater

(i) Describe the existing or proposed arrangements necessary to give effect to Articles 3, 4, 5, 6 and 7 of Council Directive 80/68/EEC on the protection of groundwater against the risk of pollution by certain dangerous substances, and Article 6 of Council Directive 2006/118/EC on the protection of groundwater against pollution and deterioration.

(ii) Provide an assessment of the impact of the proposed activities on surface waters and groundwater to include, *inter alia*, topography, meteorological data, existing water quality, risk to water quality (leachability of the proposed wastes), geology, hydrology and hydrogeology.

(iii) Confirm whether there are any groundwater supply wells in the vicinity of the site.

7. Provide design details of the proposed 5 no. settlement lagoons at the facility. Guidelines for settlement lagoons are given in *Environmental Management Guidelines – Environmental Management in the Extractive Industry (Non-Scheduled Minerals) (EPA 2006)*, which is available to download from the Agency's website (www.epa.ie).
8. In *Table I.2(i) Surface Water Quality*, clarify whether the Ammoniacal Nitrogen concentration recorded at location SW-3 was 0.64mg/l or 0.064mg/l (as shown on the certificate of analysis in Attachment I.2).
9. Provide a description of the phasing sequence for waste deposition at the facility.
10. Submit a revised drawing identifying the proposed environmental monitoring locations (Drawing No. 2084-2606 Rev. A), as discussed on site on 20th March 2009.
11. Identify the disposal/recovery destinations (including relevant waste permit/licence details) for wastes collected at the waste quarantine area (wood, metals, plastic, etc.).
12. Submit a copy of the 2008 Annual Environmental Report required under Waste Permit PER 144.
13. Submit a copy of Lennon Quarries Limited's current waste collection permit.

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

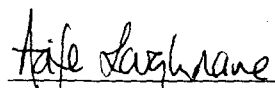
In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within six weeks of the date of this notice. In addition please submit two (2) copies of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.

Where an EIS is required, please submit (1) original plus one, (1) hardcopy, and fifteen (15) copies in electronic searchable PDF format on a CD-ROM.

Please note that the application's register number is **W0256-01**. 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,



Aoife Loughmane

Inspector

Office of Climate, Licensing & Resource Use