

Buchpa Limited
59 Avoca Park
Blackrock
Co Dublin
wnorse@agar.ie

18th May 2009

Ms Loretta Joyce
Inspector
Office of Climate, Licensing & Resource Use
Environmental Protection Agency
McCumiskey House
Richview
Clonskeagh Road
Dublin 14

Re: W0252-01 - Waste Licence Application

Dear Ms Joyce,

I refer to the above mentioned Waste Licence Application and now write to outline our responses to the various third party submissions as per the following pages.

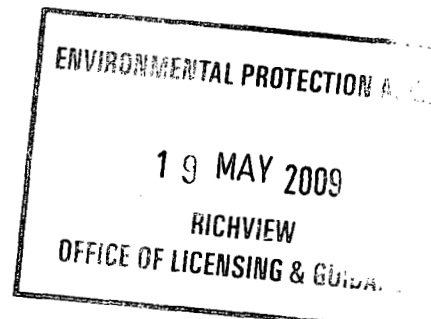
In addition, I would like to confirm that Buchpa Ltd. wrote to all neighbours in the vicinity of the proposed facility on 16th December 2008 (copy letter enclosed) and that this letter was hand delivered on that day by the undersigned. A number of verbal discussions also took place at this time and various queries were answered.

I trust the above is in order, however, should you have any queries please let me know.

Yours sincerely,



William J. Norse
For & on behalf of Buchpa Limited
Tel: 086 2996627



Buchpa Limited
59 Avoca Park
Blackrock
Co Dublin
wnorse@agar.ie

COPY

16th December 2008

**Re: Land Restoration Project at Kilmartin, Coynes Cross,
Newcastle, Co Wicklow**

To whom it may concern,

We write to inform you that Buchpa Limited (William & Philip Norse & Patricia Hedderman (nee Norse)) intend to continue the existing land restoration project on our lands at the above address. As part of this process we have recently lodged an application with the Environmental Protection Agency (EPA) for a Waste Licence.

As you may be aware we have been operating an **identical activity** for the past 17 months under a waste permit granted by Wicklow County Council and we hope you will agree that this has been run without undue disturbance to you, our neighbours.

An Environmental Impact Statement (EIS) has been prepared to accompany the Waste Licence Application and describes the proposed operation in great detail. In broad terms it will comprise the reclamation of the existing steep sided valley with recovered clean inert clays, soil and stone only (**exactly as per the existing operation**).

The facility will be designed and operated in compliance with EU and national environmental legislation. The facility will also operate in strict compliance with the environmental standards set out in the Waste Licence that may be issued by the EPA. The EPA will also monitor the operation of the site on an ongoing basis.

A truck wheel-cleaning system will be installed on site and road-sweeping will be provided also, if required.

We would like to stress again that the application relates to the importation of CLEAN CLAYS, SOIL & STONE ONLY as per the current activity.

We would be happy to discuss queries or concerns you may have regarding any aspect of this proposed development. In this regard please contact William Norse either on **086 2996627** or in writing at the above postal or email addresses.

Yours faithfully,

William Norse
for and on behalf of Buchpa Limited

Submission 1: 11th December 2008

From: Breege Cardiff

John Cardiff

Marie Creavin

Martin Creavin

Ann Allison

Neville Allison

Nature of Development

Dr Jonathan Derham (Licensing, EPA Wexford) advised Buchpa Ltd. verbally that the proposed facility is deemed to be a recovery operation.

Waste Permit

The waste permit allowed us to improve the poor drainage characteristics of the soil.

National Waste Policy

The licence application is not in reference to C&D waste but for clean clays and soils only.

Need for Development

Current demand for our facility from public and private infrastructure providers indicates that there is a need for a site of the planned scale and quality in the area. An Bord Pleanala accepted this evidence as part of the planning appeal process.

Current Capacity in Co. Wicklow

Some of the 15 permits referred to in Submission 1 are permitted to accept very few loads per day and many of the permitted sites have poor access and are comparatively remote from the source of the material.

Scale of the Development

As per the planning permission granted by An Bord Pleanala the planned development will accommodate 2,146,718 t of excavated natural materials at a maximum rate of 1,134,000 t per year.

The finished height will not exceed 55mOD at any part and this is well below the existing road levels.

Hours of operation

The hours of operation outlined in the licensing application are to allow flexibility in the running of the site. Under the Wicklow County Council permit the site was in operation between 8 am and 6 pm Monday to Friday, and between 8 am and 12 am on Saturdays.

Competency to Operate

The Director on site has lifelong knowledge of the site and was running the site successfully for 17 months under a Wicklow County Council waste permit. The other directors have years of experience dealing with administrative, regulative, planning and financial issues.

The bulldozer operator has many years of experience operating County Council waste permitted sites. Representatives of the Environment Section of Wicklow Co. Council recommended the bulldozer driver to Buchpa at the outset of the waste permit operation as a highly competent operator. This recommendation was borne out by the quality of his work for Buchpa.

Complaints

Buchpa was notified of only one complaint during the 17 months of the waste permit operation. This complaint was received after the licence application was submitted to the EPA. The complaint was investigated on the same day by Wicklow County Council; and it was found to be without substance.

Buchpa did not allow trucks to queue on the public road at any stage. Measures to deal with dirt or dust were always in place.

Visual Impact

As stated above, the finished level of the planned development will not exceed 55mOD and is some distance below the existing road levels.

For inspection purposes only
Consent of copyright owner required for any reuse.

Submission 2: 16th December 2008

From: Brid McGrath

Gerry McGrath

1. Purpose

The proposed facility is clearly outlined in the Waste Licence application.

2. Planning process

Buchpa has communicated with the local residents with regard to this development by way of written correspondence and a visit from one of the Directors.

3. Scale

The site is characterised by excellent road infrastructure and its relative distance from neighbouring dwellings.

4. Pollution

Wicklow County Council can confirm that the road was kept clean at all times. In addition, the Waste Licence application specifies measures to protect the stream to the south of the site to ensure that a risk of water pollution will never arise.

5. Visual Amenity

The activity is located in a deep valley and is not visible from the N11. Therefore the visual impact of the planned development will be minimal.

6. Public Need for the Facility

There is a current and a projected demand for the facility.

For inspection purposes only.
Consent of copyright owner required for any other use.

Submission 3: 16th December 2008

From: Julia MacNamara

Not in Accordance with Good Environmental Practice

The Waste Licence application is not in reference to C&D waste but for clean clays and soils only.

Scale and Health Hazard

See notes above on Submissions 1 and 2.

Deceptive Reasons for Landfilling

Buchpa Ltd. did not deceive the local community and has communicated with local residents by way of written correspondence and a Director calling in to meet residents individually. Most local residents stated that they were happy with the way in which Buchpa Ltd. operated the site, and that they trusted Buchpa Ltd. to continue in this manner.

The Norse family have farmed the site for generations and the steep valley sides are difficult and hazardous to operate modern farm machinery on.

Flora and Fauna

The planned development poses no threat to local flora and fauna and will not affect local water drainage patterns. The Kilcoole Nature Reserve is located at a distance of a couple of km.

For inspection purposes only.
Consent of applicant owner required for any reuse.

Submission 4: 15th December 2008

From: Earl Gollogly

Mary Rose Glennon

1. Buchpa Ltd. is not a shelf company. Buchpa Ltd. successfully ran the waste permitted site for 17 months. The three Directors are members of the Norse family, whose family have lived and farmed at Kilmartin for more than 100 years.
2. The licence application has not misrepresented Buchpa's intentions in any way.
3. We do not understand this point or its relevance to this application and Buchpa Ltd.
4. Buchpa Ltd. is a bona fide trading and solvent company as evidenced by the confidential financial information previously submitted to EPA on 31st March 2009.
5. The view from the N11 will not be impaired by the planned development.

For inspection purposes only.
Consent of copyright owner required for any other use.

Submission 6: 16th December 2008

From: Gerard Glynn

Many of the permitted sites have low capacity, poor access and they are comparatively remote from the source of the material.

The site of the planned development will be restored properly in as short a time frame as possible as per the measures outlined in the application and Article 14 reply.

The road infrastructure leading to and from the site is excellent.

*For inspection purposes only.
Consent of copyright owner required for any other use.*

Submission 7: 17th December 2008

From: Mary Woolley

Scale

See notes on previous Submissions.

Truck wheel-cleaning facilities which are provided for under the licence application will greatly reduce the need for road sweeping. Wicklow County Council frequently inspected the waste permitted site and they always found the road to be clean.

Pollution

See notes on earlier Submissions.

Visual Impact

See notes on earlier Submissions.

Planning Process

The site notice was displayed properly. A Wicklow County Council planning official inspected it (and may have photographic evidence of the notice in situ).

For inspection purposes only.
Consent of copyright owner required for any other use.