

This report has been cleared for Submission to the OCLR Director by the Programme Manager F.Clinton
Signed: Maill Date: 04.06.09



OF

LICENSING & RESOURCE USE

LICENSING PROGRAMME MEMORANDUM

TO:	LAURA BURKE, DIRECTOR
FROM:	Bruce Harper
DATE:	8 th June 2009
Kerry County Council, operating the Listowel Civic Amenity Centre, request a Technical Amendment to their Waste Licence W0224-01	

Licensee request

Following a consultation process with the local residents, the licensee has agreed that domestic mixed waste will not be accepted at the facility. The above licensee wrote to the OCLR in April 2009 requesting the introduction be changed to remove references relating to the acceptance of domestic mixed waste as follows:

Existing Provision	Proposed Technical Amendment
Introduction: The facility will accept household items and also bags of mixed household waste.	Introduction: The facility will accept recyclable household items and will not accept mixed household waste
Introduction: Bags of domestic waste will be deposited into a compactor unit.	Introduction: Mixed household waste will not be accepted at the facility

The licensee did not consult with OEE in relation to this matter prior to this request.

Assessment

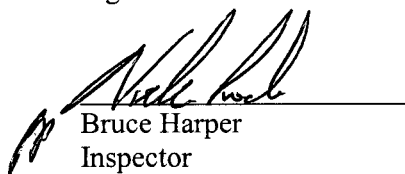
The introduction is not part of the licence and does not purport to be a legal interpretation of the licence. This is clearly stated in the introduction. Any changes to the introduction will not change the licence or the enforceability of the licence.

Schedule A.2 of the licence lists the types of wastes for acceptance at the facility as household waste and hazardous household waste. It is up to the licensee to decide, within the licence's constraints, what waste will and will not be accepted. Should the licensee decide to reduce the scope of waste accepted at the facility, this is the licensee's concern.

Recommendation

I recommend that the requested licence amendments be refused. The EPA OEE inspector for the site, Maria Lenihan, was consulted in relation to this application and her views are reflected in this recommendation.

Signed



Bruce Harper
Inspector
Office of Climate, Licensing & Resource Use