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John Sheils
John Sheils Planning and Environmental Ltd
31 Athlumney Castle
Navan
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17th June 2009

W0264-01

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations

Dear Mr. Sheils

I am to refer to the above referenced application for a waste licence relating to a facility at Sand and Gravel Merchants Ltd, Thornberry, Kill, Co. Kildare. 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:

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. Provide confirmation in writing from the relevant Planning Authority that an Environmental Impact Assessment/ Environmental Impact Statement was not required to be prepared to accompany the planning application for the Sand and Gravel Merchants Ltd, Thornberry, Kill, Co. Kildare.
2. Provide details of the history of the site and provide information on the surrounding environment.
3. What is total area of the site proposed for waste licensing?
4. Clarify the current waste acceptance amounts at the facility. Conflicting figures are given in the application form. What is the maximum quantity of waste, in tonnes, to be accepted on site annually? In your response give a break down of

the different waste types accepted. Also specify the quantity of recycled aggregates expected to be exported off site.

5. Submit details of the expected disposal/recovery options for any residual waste streams (metal, timber, plastic, etc.,) and contaminated stormwater from the facility.
6. Identify whether the recycled aggregates produced at the facility will meet a recognised standard for recovered waste streams (e.g. IS EN 13285 for unbound recycled aggregates).
7. Clarify the timeframe in which it is expected to fill the void space at the site.
8. Provide evidence of permission to use the lands for the proposed development.
9. Provide written procedures for the acceptance and handling of all wastes at the facility, having regard to *EC Council Decision 2003/33/EC*.
10. Are inert construction and demolition wastes being used for land restoration?
11. Provide information on the distance between the facility and the nearest sensitive receptors.
12. Provide a copy of the company's most recent annual audited accounts.
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.
14. An 'Assessment of filled subsoils for waste licence application at Thornberry, Kill, County Kildare – Final report' was submitted as part of the licence application.
 - a. Clarify the following statement from the report; 'The material is organised in layers owing to its emplacement as horizontal 'lifts' of fill'.
 - b. This report also states that plastic bags, wire and pipes were found as part of the fill. Provide further information on these findings.
15. Is the facility located in or near any designated sites? State the distance to the nearest designated site and provide details of any potential impacts on the site.
16. Propose a location for a storm water monitoring point. In your response provide a map highlighting the location of the monitoring point.
17. Describe the existing or proposed arrangements necessary to give effect to Articles 3,4,5,6, and 7 of Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against the risk of pollution by certain dangerous

the protection of groundwater against the risk of pollution by certain dangerous substances, and Article 6 of Directive 2006/118/EC on the protection of groundwater against pollution and deterioration.

18. Provide summary details of known ground and/or groundwater contamination, historical or current, on or under the site. Full details including all relevant investigative studies, assessments, or reports, monitoring results, location and design of monitoring installations, appropriately scaled plans/drawings ($\leq A3$), documentation, including containment engineering, remedial works, and any other supporting information should be included.


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. 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 one original plus one copy within **four weeks** of the date of this notice. In addition please submit two 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.

Please note that the application's register number is **W0264-01**. Please direct all correspondence in relation to this matter to *Sonja Smith, 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,



Yvonne Furlong

Inspector
Office of Climate, Licensing & Resource Use

Cc. Mr. Tom Gavin, Sand and Gravel Merchants Ltd, Thornberry, Kill, Co. Kildare.

