



Mr John Sheils
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03/07/09

W0262-01

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 from Kiernan Sand & Gravel Ltd for a waste licence relating to a facility at, Foxtown, Summerhill, Co. Meath. 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

Section A: Non- Technical Summary

Update the non-technical summary to reflect the information provided in response to this notice.

Section B: General

1. Clarify the amount of C&D waste currently being processed (existing capacity) in the North East Region and the amount of C&D waste likely to be generated during the period 2005 – 2010. From this information, clarify the required capacity for C&D waste processing facilities in the region and confirm the requirement for the applicant's facility.

Section D: Infrastructure and Operation

1. Submit details on the design of the waste quarantine, waste inspection and waste processing areas. In particular clarify the extent of impervious hard standing the applicant proposes to install in these areas and justify any proposal not to



- employ impervious hard standing. Clarify the timeframes for implementation of any relevant construction works.
2. Explain how surface water run-off (including that which may become contaminated) from the waste quarantine, inspection and processing areas will be controlled/managed. Clarify the timeframes for implementation for any relevant works.
 3. Clarify if the applicant proposes to install phone, fax or email facilities at the site office.

Section H: Materials Handling

1. Review the waste acceptance procedure in regard to Council Decision 2003/33/EC and provide details on what compliance testing on incoming materials the applicant proposes to carry out.
2. Submit attachment H.2.1 Log Book Details.
3. Clarify what wastes will be generated at the facility, e.g. waste oils and non-inert C&D waste unintentionally imported to the site, and complete table H.1(i). Any lack of an estimate of the waste likely to arise should be justified.

Section I: Existing Environment & Impact of the Facility

1. Surface Water:

- (i) Clarify if there are records of historic flooding in the vicinity of the site and confirm that the proposed development is not considered to be at risk of flooding the site itself or adjoining lands.
- (ii) Explain the nature of the pond of water at the southern end of the site. This should include clarifying whether the pond of water is surface water or groundwater in origin. Submit the results of analysis of water quality in the pond.
- (iii) Explain how water drains from the old silt ponds and determine what effect drainage from old silt ponds might have on the restoration project.

2. Groundwater:

- (i) Clarify the aquifer classification and vulnerability, if available, for the sand and gravel deposits at the site.
- (ii) Clarify if the groundwater flow direction was determined from water levels in the on-site wells and submit the relevant data accordingly. Submit a groundwater flow contour map and include the details of the wells on it. Confirm the suitability of use of the on-site wells for groundwater monitoring, in particular for the dug well. Identify the depth to bedrock in the wells.
- (iii) Provide details of analysis of groundwater quality down-gradient of the site at phase 1, where infilling has already commenced, and phase 3. Submit details of groundwater analysis from the dug well (GW2).
- (iv) Identify the water supply source for nearby houses (particularly those by the eastern boundary) and confirm if any use groundwater.
- (v) Explain the exceedances of the Agency's Interim Guideline Values identified in the groundwater monitoring data, e.g. faecal coliforms, phosphorus and iron.



- (vi) Submit a full copy of the ground investigation study of the lands currently under restoration (trial pits and visual assessment) identified in the application and clarify when the work was undertaken.

Section L: Statutory Requirements

1. Confirm that the restoration project conforms to BAT (*Best Available Techniques*). It is a requirement of Section 40 (4)(c) of the Waste Management Acts 1996 to 2008 that the facility operates in accordance with BAT notwithstanding the fact that it will handle inert waste. BAT for this activity is taken to be represented by the guidance given in the Agency's *Draft BAT Guidance Note for the Waste Sector: Landfill Activities (April 2003)* and the Agency's *Landfill Manuals*, insofar as it relates to the waste recovery activities at this facility.
2. Clarify how the applicant will ensure groundwater quality and quantity will be protected as per the requirements of the Water Framework Directive (2000/60/EC) and the Groundwater Directives (2006/118/EC & 80/68/EC).
3. Submit details of last year's audited accounts in order to demonstrate that the applicant is in position to meet any financial commitments or liabilities that may have been or will be incurred in carrying on the activity or in consequence of ceasing to carry out the activity. Explain how the restoration works will be financed, including the final decommissioning phase.

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 (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.

Please note that the application's register number is **W0262-01**. 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,

Mr John McEntagart
Inspector
Office of Climate, Licensing & Resource Use

