

**Waste Management Acts, 1996 to 2010**

**NOTIFICATION OF A PROPOSED DECISION ON A REVIEW OF A WASTE LICENCE  
 IN ACCORDANCE WITH SECTION 42(2) OF THE WASTE MANAGEMENT ACTS, 1996 TO 2010**

In pursuance of the powers conferred on it by the above mentioned Acts, the Environmental Protection Agency (the Agency) proposes, under Section 46(8)(a) of the said Acts, to determine the application for a review of a waste licence.

**Waste Licence Register No:** W0199-02  
**Applicant:** Bord na Mona Energy Limited, Leabeg, Tullamore, County Offaly.  
**Facility:** Srahmore Peat Deposition Site, Srahmore and Attavally, Bangor-Erris, County Mayo.

The application was submitted by the licensee on 18/05/2009.

**Proposed Decision:** It is proposed, for the reasons hereinafter set out, to grant a waste licence to the above named applicant to carry on the following activities at the above named facility, subject to twelve Conditions:

*Licensed waste disposal activities in accordance with the Third Schedule of the Waste Management Acts, 1996 to 2010:*

<b>Class 1.</b>	<b>Deposit on, in or under land (including landfill). [Principal Activity]</b> This activity is limited to the deposit of peat and associated natural material.
<b>Class 4.</b>	<b>Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons.</b> This activity is limited to the operation of the silt settlement lagoons.
<b>Class 13.</b>	<b>Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.</b> This activity is limited to the storage of peat and associated natural material prior to deposit on site.

**Proposed Licence:** A copy of the proposed licence, including the reasons for the proposed decision, the proposed (twelve) Conditions and the reasons therefor and associated schedules attached thereto accompanies this notification. A copy of the proposed licence may also be obtained from the Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

### **OBJECTIONS & ORAL HEARINGS**

Any person may object to the proposed decision, in accordance with Section 42 of the Waste Management Acts, 1996 to 2010, at any time no later than 5.00 pm on **23<sup>rd</sup> June 2010**. A person making an objection may also request an oral hearing of the objection, in accordance with Section 42 of the Acts, at any time no later than the date specified above. It is important to note that any objection to a proposed decision/request for an oral hearing must be **received by the Agency before the appropriate period expires**.

An objection/request for an oral hearing must be made on-line on the Agency's website at [www.epa.ie](http://www.epa.ie) or by sending the objection or request by prepaid post to the Agency, or by leaving the objection or request with an employee of the Agency at the principal offices of the Agency in Wexford during office hours, i.e. 9.00 a.m. to 5.00 p.m. Monday to Friday.

An objection against the proposed decision must state in full the grounds of the objection. An objection and a request for an oral hearing of an objection must each be accompanied by the appropriate fee and also comply with the other statutory requirements set out in the Waste Management Acts, 1996 to 2010 and the Waste Management (Licensing) Regulations, S.I. No. 395 of 2004. Extracts from the Acts and the Regulations accompany this notification. For the purposes of making an objection and/or a request for an oral hearing, the address of the principal office of the Agency is **P.O. Box 3000, Johnstown Castle Estate, County Wexford**.

In the event that;

- (a) no objection is taken against the proposed decision or
- (b) an objection or objections is or are taken against the proposed decision and the objection or objections is or are withdrawn,

the decision of the Agency will be in accordance with the proposed decision and will be issued as soon as may be after the appropriate period expires.

Signed on behalf of the Agency:  
on the 27<sup>th</sup> day of May, 2010

  
\_\_\_\_\_  
Dr. Tom McLoughlin, Authorised Person

**re: Proposed Decisions of the Environmental Protection Agency in respect of Waste Licence applications**

**Fees for the making of Objections and Oral Hearing requests**

**Fees for making an Objection:**

- Article 42 (1) A fee shall be paid to the Agency in respect of the making of an objection.
- (2) Subject to sub-article (3), the fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the appropriate mention of objection in column (2) of the said Part of the Schedule.
- (3) Where an objection is made to the Agency by -
- (a) A local authority,
  - (b) A planning authority,
  - (c) A sanitary authority,
  - (d) The Central Fisheries Board,
  - (e) An Taisce - The National Trust for Ireland,
  - (f) Failte Ireland,
  - (g) In the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Limited, that Company, a reduced fee shall be payable in respect of the said objection, in accordance with sub-article (2).

**Fees for making a request for an Oral Hearing** (payable *in addition to* the fee payable for making the associated objection)

- Article 44 (1) A fee shall be paid to the Agency in respect of a request for an oral hearing of an objection. (See table of fees below).
- (2) The fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the mention of a request for an oral hearing in column (2) of the said Part of the Schedule.

**Table of Fees for Objections and Requests for Oral Hearings**

(1)	(2)	(3) Amount of fee (€)
Article 42	Objection by the applicant or licensee	€500
	Objection by an authority or body mentioned in Article 42(3)	€100
	Objection by any other person	€200
Article 44	Request for an oral hearing	€100

**Making an Objection and requesting an Oral Hearing of an objection on a Proposed Decision of the Environmental Protection Agency on a Waste Licence Application.**

**Extracts from the relevant sections of the Waste Management Acts, 1996 to 2010.**

*Section*

- 42(2) Before making a decision under *Section 40* in respect of an application made to it for the grant of a waste licence, or *under Section 46(2)* in consequence of a review of a waste licence that has been conducted by it under that section, the Agency shall give notice in writing to—
- (a) the applicant or the holder of the licence, as the case may be,
  - (b) any person who has made a written submission to it in relation to the application or the review, in accordance with regulations under this Part,
  - (c) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on, and
  - (d) such other persons as may be prescribed,
- of the decision it proposes to make in respect of the application or in consequence of the review and, where the decision so notified is a decision to grant a waste licence or a revised waste licence, shall specify where a copy of the proposed licence or revised licence may be obtained.
- 42(3) Any person may, subject to compliance with the requirements of any regulations under *Sections 45* and *50*, and at any time before the expiration of the appropriate period, make an objection to the Agency in relation to a decision referred to in *subsection (2)* that it proposes to make.
- 42(4) An objection shall—
- (a) be made in writing,
  - (b) state the name and address of the objector,
  - (c) state the subject matter of the objection,
  - (d) state in full the grounds of objection and the reasons, considerations and arguments on which they are based, and
  - (e) be accompanied by such fee (if any) as may be payable in respect of the making of such objection in accordance with regulations *under Section 50*.
- 42(5) (a) An objection which does not comply with the requirements of *subsection (4)* shall be invalid.  
(b) The requirement of *subsection (4) (d)* shall apply whether or not the objector requests, or proposes to request, under *subsection (9)* an oral hearing of the objection.
- 42(6) An objection shall be accompanied by such documents, particulars, or other information relating to the objection as the objector considers necessary or appropriate.
- 42(7) Without prejudice to the provisions of any regulations under *Section 45*, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds of objection stated in the objection, and any such elaboration, submissions or further grounds of objection that is or are received by the Agency shall not be considered by it.
- 42(8) Any documents, particulars or other information submitted by an objector, other than such documents, particulars or other information which accompanied the objection or which were furnished to the Agency under and in accordance with a requirement of, or made pursuant to, regulations under *Section 45*, shall not be considered by the Agency.
- 42(9) (a) A person making an objection under *subsection (3)* may request an oral hearing of the objection.  
(b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under *Section 50*.

- (ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.
  - (c) A request for an oral hearing of an objection shall be made within the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.
- 42(10) An objection, or a request for an oral hearing under subsection (9), shall be made—
  - (a) by sending the objection or request by prepaid post to the Agency, or
  - (b) by leaving the objection or request with an employee of the Agency, at the principal office of the Agency, during office hours, or
  - (c) by such other means as may be prescribed.
- 42(11) (a) Where a request for an oral hearing of an objection is made in accordance with *subsection (9)*, or otherwise where an objection has been made, the Agency shall have an absolute discretion to hold an oral hearing in relation to the objection and, if it decides to hold such a hearing, it shall give notice in writing of that decision to—
  - (i) the applicant or the holder of the licence, as the case may be,
  - (ii) where relevant, the local authority in whose functional area the activity, the subject matter of the pro-posed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on,
  - (iii) any person who requested an oral hearing, and
  - (iv) such other person as may be prescribed.
 (b) Where the Agency decides not to hold an oral hearing under this subsection, it shall give notice in writing of its decision to the person who requested the oral hearing.
- 42(12) In this section “the appropriate period” means the period of 28 days beginning on the day on which notification is sent under subsection (2) in respect of the matter concerned.
- 42A ***Calculation of appropriate period and other time limits over holidays***

When calculating the appropriate period (within the meaning of Section 42) or any other time limit under this Act or in any regulations made under this Act, the period between the 24<sup>th</sup> day of December and the 1<sup>st</sup> day of January, both days inclusive, shall be disregarded.
- 43(1) (a) Where
  - (i) no objection is made in accordance with Section 42(3) to the Agency in relation to a decision that it proposes to make in respect of an application made to it for the grant of a waste licence or in consequence of a review conducted by it of a waste licence, or
  - (ii) any objection or objections that has or have been so made to it in relation thereto is or are withdrawn,
 the decision of the Agency in relation to that application or in consequence of the review shall be that as notified by it under Section 42(2).
  - (b) Where the decision of the Agency is to grant a waste licence or a revised waste licence, such a licence shall be granted by it as soon as may be after the making of the decision.



Headquarters  
P.O. Box 3000  
Johnstown Castle Estate  
County Wexford  
Ireland

**WASTE LICENCE  
Proposed Decision**

<b>Licence Register Number:</b>	<b>W0199-02</b>
<b>Licensee:</b>	<b>Bord na Móna Energy Limited</b>
<b>Location of Facility:</b>	<b>Srahmore Peat Deposition Site, Srahmore and Attavally, Bangor-Erris, County Mayo.</b>

## **INTRODUCTION**

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

Bord na Móna Energy Limited (BnM) is applying for a review of its waste licence (licence Reg. No. W0199-01) for the peat disposal facility at Srahmore Peat Deposition Site, Srahmore, near Bangor, County Mayo. The application relates to the placement of a further 75,000 tonnes of peat waste excavated from the development of the pipeline to service the Shell Corrib Gas Field Terminal (IPPC Licence Reg. No. P0738-01) at the nearby Bellanaboy Bridge site. The peat will be transported by road in trucks to the BnM deposit area. It is anticipated that the transport and deposit of peat will take place over a 3 to 4 month period, spread out over one or two years.

The Srahmore facilities will comprise, *inter alia*, a peat reception area, fuel services, truck parking, internal haul roads, sedimentation ponds, wheelwash, weighbridge, office and support buildings. Peat delivered to the site will be deposited by the haulage trucks in a reception area and then transferred by loader to special low ground-bearing-pressure tractors & trailers (Haku units) for transport to the deposit area. Peat will be placed in a layer c. 1.5m thick in a shallow 63 ha bowl structure in the Srahmore bog (63 ha includes the area for depositing peat, not the whole site) and allowed to re-vegetate.

All drainage from the site will be collected in sedimentation lagoons prior to discharge to local river systems. The rehabilitation plan for the site is in keeping with the overall BnM rehabilitation plan for the Mayo cut-over bogs, which are controlled under IPPC licence Reg. No. P0505-01.

The licence sets out in detail the conditions under which Bord na Móna Energy Limited will operate and manage this facility.

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## ***Glossary of Terms***

All terms in this licence should be interpreted in accordance with the definitions in the Environmental Protection Agency Acts 1992 to 2007 / Waste Management Acts 1996 to 2010, unless otherwise defined in the section.

<b>Adequate lighting</b>	20 lux measured at ground level.
<b>AER</b>	Annual Environmental Report.
<b>Agreement</b>	Agreement in writing.
<b>Annually</b>	At approximately twelve-monthly intervals.
<b>Application</b>	The application by the licensee for this licence.
<b>Appropriate Facility</b>	A waste management facility, duly authorised under relevant law and technically suitable.
<b>Attachment</b>	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
<b>BAT</b>	Best Available Techniques.
<b>Biannually</b>	All or part of a period of six consecutive months.
<b>Biennially</b>	Once every two years.
<b>BOD</b>	5 day Biochemical Oxygen Demand (without nitrification suppression).
<b>CEN</b>	Comité Européen De Normalisation – European Committee for Standardisation.
<b>COD</b>	Chemical Oxygen Demand.
<b>Construction and demolition (C&amp;D) waste</b>	Wastes that arise from construction, renovation and demolition activities: Chapter 17 of the EWC or as otherwise may be agreed.
<b>Containment boom</b>	A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
<b>Daily</b>	During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
<b>Day</b>	Any 24 hour period.
<b>Daytime</b>	0800 hrs to 2100 hrs.

<b>dB(A)</b>	Decibels (A weighted).
<b>DO</b>	Dissolved oxygen.
<b>Documentation</b>	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
<b>Drawing</b>	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
<b>EMP</b>	Environmental Management Programme.
<b>Emission limits</b>	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> of this licence.
<b>Environmental damage</b>	As defined in Directive 2004/35/EC.
<b>EPA</b>	Environmental Protection Agency.
<b>European Waste Catalogue (EWC)</b>	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2000/532/EC and any subsequent amendment published in the Official Journal of the European Community.
<b>Facility</b>	Any site or premises used for the purpose of the recovery or disposal of waste.
<b>Fortnightly</b>	A minimum of 24 times per year, at approximately two week intervals.
<b>Green waste</b>	Waste wood (excluding timber), plant matter such as grass cuttings, and other vegetation.
<b>ha</b>	Hectare.
<b>Hours of operation</b>	The hours during which the facility is authorised to be operational.
<b>Hours of waste acceptance</b>	The hours during which the facility is authorised to accept waste.
<b>ICP</b>	Inductively coupled plasma spectroscopy.

<b>Incident</b>	The following shall constitute as incident for the purposes of this licence: (i) an emergency; (ii) any emission which does not comply with the requirements of this licence; (iii) any exceedance of the daily duty capacity of the waste handling equipment; (iv) any trigger level specified in this licence which is attained or exceeded; and, (v) any indication that environmental pollution has, or may have, taken place.
<b>Industrial waste</b>	As defined in Section 5(1) of the Waste Management Acts 1996 to 2010.
<b>Inert waste</b>	Waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater.
<b>Initial development works</b>	Such works, actions or constructions as may be specified which, for the purposes of environmental protection and safe construction and operation of the facility, have to be carried out in the initial stages of site development, and in any case prior to the commencement of acceptance of waste for disposal.
<b>Landfill Directive</b>	Council Directive 1999/31/EC.
<b>Landfill footprint</b>	The area of the facility where waste is deposited.
<b>L<sub>eq</sub></b>	Equivalent continuous sound level.
<b>Licensee</b>	Bord na Móna Energy Limited, Leabeg, Tullamore, County Offaly.
<b>Liquid waste</b>	Any waste in liquid form and containing less than 2% dry matter.
<b>List I</b>	As listed in the EC Directives 2006/11/EC and 80/68/EEC and amendments.
<b>List II</b>	As listed in the EC Directives 2006/11/EC and 80/68/EEC and amendments.
<b>Local Authority</b>	Mayo County Council.
<b>Maintain</b>	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.
<b>Mass flow limit</b>	An emission limit value expressed as the maximum mass of a substance that can be emitted per unit time.

<b>Mass flow threshold</b>	A mass flow rate above which a concentration limit applies.
<b>Mobile Plant</b>	Self-propelled machinery used for the emplacement of wastes or for the construction of specified engineering works.
<b>Monthly</b>	A minimum of 12 times per year, at intervals of approximately one month.
<b>Night-time</b>	2100 hrs to 0800 hrs.
<b>Noise-sensitive location (NSL)</b>	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
<b>Oil separator</b>	Device installed according to the International Standard I.S. EN 858-2:2003 (Separator system for light liquids, (e.g. oil and petrol) – Part 2: Selection of normal size, installation, operation and maintenance).
<b>PDA</b>	Peat Deposit Area.
<b>PRTR</b>	Pollutant Release and Transfer Register.
<b>Quarterly</b>	At approximately three – monthly intervals.
<b>Regional Fisheries Board</b>	North West Regional Fisheries Board.
<b>Sample(s)</b>	Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
<b>Sanitary effluent</b>	Wastewater from facility toilet, washroom and canteen facilities.
<b>SSRS</b>	Small Stream Risk Score.
<b>SOP</b>	Standard operating procedure.
<b>Specified emissions</b>	Those emissions listed in <i>Schedule B: Emission Limits</i> of this licence.
<b>Standard method</b>	A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent); or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of “Standard Methods for the Examination of Water and Wastewater” (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.
<b>Storm water</b>	Rain water run-off from roof and non-process areas.

<b>The Agency</b>	Environmental Protection Agency.
<b>TOC</b>	Total organic carbon.
<b>Trade effluent</b>	Trade effluent has the meaning given in the Water Services Act, 2007.
<b>Trigger level</b>	A parameter value, the achievement or exceedance of which requires certain actions to be taken by the licensee.
<b>Water Services Authority</b>	Mayo County Council.
<b>Weekly</b>	During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.
<b>Working Face</b>	The area of the site in which waste is being deposited.
<b>WWTP</b>	Waste water treatment plant.

## ***Decision & Reasons for the Decision***

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2010.

In reaching this decision the Environmental Protection Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

### ***Part I Schedule of Activities Licensed***

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2010, the Environmental Protection Agency (the Agency) proposes, under Section 46(8) of the said Acts to grant this Waste Licence to Bord na Móna Energy Limited, Leabeg, Tullamore, County Offaly to carry on the waste activities listed below at Srahmore Peat Deposition Site, Srahmore and Attavally, Bangor-Erris, County Mayo subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence. For the purpose of Article 48 of the Waste Management Licensing Regulations, 2004 (S.I. No. 395 of 2004) this facility is classed as a non-hazardous waste landfill.

#### **Licensed Waste Disposal Activities, in accordance with the Third Schedule of the Waste Management Acts 1996 to 2010**

<b>Class 1.</b>	<b>Deposit on, in or under land (including landfill). [Principal Activity]</b> This activity is limited to the deposit of peat and associated natural material.
<b>Class 4.</b>	<b>Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons.</b> This activity is limited to the operation of the silt settlement lagoons.
<b>Class 13.</b>	<b>Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.</b> This activity is limited to the storage of peat and associated natural material prior to deposit on site.

### ***Part II Schedule of Activities Refused***

None of the proposed activities as set out in the licence application have been refused.

## ***Part III Conditions***

### **Condition 1. Scope**

- 1.1 Waste activities at this facility shall be restricted to those listed and described in *Part I Schedule of Activities Licensed*, and shall be as set out in the licence application or as modified under Condition 1.4 of this licence and subject to the conditions of this licence.
- 1.2 Activities at this facility shall be limited as set out in *Schedule A: Limitations* of this licence.
- 1.3 For the purposes of this licence, the facility authorised by this licence is the area of land outlined in red on Drawing No. 4903-2604, submitted 09/10/2009. Any reference in this licence to “facility” shall mean the area thus outlined in red. The licensed activities shall be carried on only within the area outlined.
- 1.4 No alteration to, or reconstruction in respect of, the activity, or any part thereof, that would, or is likely to, result in
- (i) a material change or increase in:
    - the nature or quantity of any emission;
    - the abatement/treatment or recovery systems;
    - the range of processes to be carried out;
    - the fuels, raw materials, intermediates, products or wastes generated, or
  - (ii) any changes in:
    - site management, infrastructure or control with adverse environmental significance;
- shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.
- 1.5 The facility shall be controlled, operated and maintained, and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.6 This licence is for purposes of waste licensing under the Waste Management Acts 1996 to 2010 only and nothing in this licence shall be construed as negating the licensee’s statutory obligations, or requirements under any other enactments or regulations.
- 1.7 This licence is being granted in substitution for the waste licence granted to the licensee on 29/10/2004 (Register No: W0199-01). The previous waste licence (Register No: W0199-01) is superseded by this licence.
- 1.8 Waste Acceptance Hours and Hours of Operation
- 1.8.1 Waste may be accepted at the facility peat reception area only between the hours of 0700hrs and 1900hrs Monday to Friday inclusive and 0700hrs to 1600hrs on Saturdays.
  - 1.8.2 Waste handling operations at the facility may take place only during the hours of 0700hrs and 2100hrs Monday to Friday inclusive and 0700hrs to 1800hrs on Saturdays.
  - 1.8.3 Waste shall not be accepted at the facility on Sundays or Bank Holidays.

<b>Reason:</b> To clarify the scope of this licence.
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## Condition 2. Management of the Facility

### 2.1 Facility Management

2.1.1 The licensee shall employ a suitable qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced deputy shall be present on the facility at all times during its operation or as otherwise required by the Agency.

2.1.2 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence. In addition, the facility manager and his/her deputy shall successfully complete a FAS waste management training programme or a Certificate in Compost Facility Operation or equivalent agreed by the Agency.

### 2.2 Environmental Management System (EMS)

2.2.1 The licensee shall maintain an Environmental Management System (EMS) in advance of the commencement of the activity. The EMS shall be updated on an annual basis.

2.2.2 The EMS shall include, as a minimum, the following elements:

2.2.2.1 Management and Reporting Structure.

2.2.2.2 Schedule of Environmental Objectives and Targets

The licensee shall maintain a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, including an evaluation of practicable options, for energy and resource efficiency, the use of cleaner technology, cleaner production, and the prevention, reduction and minimisation of waste and shall include waste reduction targets. The schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The schedule shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

2.2.2.3 Environmental Management Programme (EMP)

The licensee shall maintain an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.2. Once agreed the EMP shall be maintained by the licensee. It shall include:

- designation of responsibility for targets;
- the means by which they may be achieved;
- the time within which they may be achieved.

The EMP shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.4 Documentation

- (i) The licensee shall maintain an environmental management documentation system which shall be to the satisfaction of the Agency.
- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.



#### 2.2.2.5 Corrective Action

The licensee shall establish procedures to ensure that corrective action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined.

#### 2.2.2.6 Awareness and Training

The licensee shall maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment. Appropriate records of training shall be maintained.

#### 2.2.2.7 Communications Programme

The licensee shall maintain a Public Awareness and Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility.

#### 2.2.2.8 Maintenance Programme

The licensee shall maintain a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1 above).

#### 2.2.2.9 Efficient Process Control

The licensee shall maintain a programme to ensure there is adequate control of processes under all modes of operation. The programme shall identify the key indicator parameters for process control performance, as well as identifying methods for measuring and controlling these parameters. Abnormal process operating conditions shall be documented, and analysed to identify any necessary corrective action.

<p><b>Reason:</b> <i>To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.</i></p>
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### Condition 3. Infrastructure and Operation

- 3.1 The licensee shall establish and maintain, for each component of the facility, all infrastructure referred to in this licence in advance of the re-commencement of the licensed activities in that component, or as required by the conditions of this licence. Infrastructure specified in the application that relates to the environmental performance of the installation and is not specified in the licence, shall be installed in accordance with the schedule submitted in the application.
- 3.2 One month prior to the commencement of site re-development, associated with the re-commencement of peat deposition activities, the licensee shall submit to the Agency for its agreement a construction schedule, sequence and timescale (Construction Plan) incorporating the requirements of this licence. The Construction Plan shall have regard to the following development phases: (i) Initial Development Works (ii) Main infrastructure development works (pre acceptance of waste for disposal), and (iii) future/planned works (e.g. future deposit bay development/phasing/closure).

- 3.3 The initial developments works at the site shall include any necessary upgrade or maintenance required on surface water silt ponds and associated surface water management infrastructure, including outfalls.
- 3.4 Following the completion of all surface water management infrastructure works, the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall include the following information:-
- a) A description of the works;
  - b) As-built drawings of the works;
  - c) Records and results of all tests carried out (including failures);
  - d) Records of any problems and the remedial works carried out to resolve those problems; and
  - e) Any other information requested in writing by the Agency.
- 3.5 Facility Notice Board
- 3.5.1 The licensee shall, within one month of the date of grant of this licence, provide an Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm. The notice board shall be maintained thereafter.
- 3.5.2 The board shall clearly show:
- (i) the name and telephone number of the facility;
  - (ii) the normal hours of opening;
  - (iii) the name of the licence holder;
  - (iv) an emergency out of hours contact telephone number;
  - (v) the licence reference number; and
  - (vi) where environmental information relating to the facility can be obtained.
- 3.6 The licensee shall have regard to the guidance given in the Environmental Protection Agency Landfill Manuals (Site Design, Operational Practices, Monitoring, Site Investigations, and Restoration and Aftercare), as may be relevant, in the development, operation and closure of the facility.
- 3.7 Facility Security
- 3.7.1 Gates shall be locked shut when the facility is unsupervised.
- 3.7.2 The licensee shall remedy any defect in the gates as follows:
- (i) A temporary repair shall be made by the end of the working day; and
  - (ii) A repair to the standard of the original gates shall be undertaken within three working days.
- 3.8 Facility Roads and Hardstanding
- 3.8.1 Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.
- 3.8.2 The facility entrance and hardstanding areas shall be appropriately paved and maintained in a fit and clean condition.
- 3.9 Facility Office
- 3.9.1 The licensee shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.

- 3.9.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.
- 3.10 Waste Inspection and Quarantine Areas
- 3.10.1 A waste quarantine area shall be provided and maintained at the facility. The peat reception area shall act as a waste inspection area.
- 3.10.2 These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of peat and subsequent quarantine if required. The peat reception area and the waste quarantine area shall be clearly identified and segregated from each other.
- 3.10.3 Drainage from the peat reception area and the waste quarantine area shall be directed to the surface water management system.
- 3.11 Weighbridge and Wheel Cleaner
- 3.11.1 The licensee shall provide and maintain a weighbridge and wheel cleaners at the facility.
- 3.11.2 The wheel cleaners shall be used by all vehicles leaving the facility as required to ensure that no process water or waste is carried off-site. All water from the wheel cleaning area shall be directed to the leachate management system.
- 3.12 Groundwater
- 3.12.1 All wells and boreholes shall be adequately sealed to prevent surface contamination and, as may be appropriate, decommissioned according to the UK Environment Agency guidelines "Decommissioning Redundant Boreholes and Wells" (or as otherwise may be agreed by the Agency). All wellheads, shall be adequately protected to prevent contamination or physical damage.
- 3.12.2 Groundwater monitoring wells shall be constructed having regard to the guidance given in the Agency's landfill manual "Landfill Monitoring".
- 3.13 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.
- 3.14 Replacement of infrastructure:- Monitoring infrastructure which is damaged or proves to be unsuitable for its purpose shall be replaced within one month of it being damaged or recognised as being unsuitable.
- 3.15 In the case of composite sampling of aqueous emissions from the operation of the facility, a separate composite sample or homogeneous sub-sample (of sufficient volume as advised) shall be retained as required for EPA use.
- 3.16 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. The requirement with regard to off-site points is subject to the prior agreement of the landowner(s) concerned.
- 3.17 All silt ponds serving the operational areas of the facility shall achieve the following performance criteria:
- Maximum flow velocity < 10 cms<sup>-1</sup>
  - Silt design capacity of lagoons, minimum 75 m<sup>3</sup> per nett ha of bog serviced.

- 3.18 Flow regulators shall be fitted to the inlets to all silt ponds to ensure the design flow capacity of the ponds is not exceeded in flood events. Flows in excess of the design capacity of the ponds shall be discharged to the Area 7 controlled overflow zone, or as otherwise may be agreed by the Agency.
- 3.19 Tank, Container and Drum Storage Areas
- 3.19.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).
- 3.19.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
- (i) 110% of the capacity of the largest tank or drum within the bunded area; or
  - (ii) 25% of the total volume of substance that could be stored within the bunded area.
- 3.19.3 All drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal.
- 3.19.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 3.19.5 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 3.20 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used, the absorbent material shall be disposed of at an appropriate facility.
- 3.21 Silt Traps and Oil Separators
- The licensee shall install and maintain silt traps and oil separators at the facility to ensure that all storm water discharges from the service, peat reception and waste quarantine areas pass through a silt trap and oil separator in advance of discharge. The separator shall be a Class I full retention separator and the silt traps and separator shall be in accordance with I.S. EN-858-2: 2003 (separator systems for light liquids).
- 3.22 All pumps sumps, storage tanks, lagoons or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separators, shall be fitted with high liquid level alarms (or oil detectors as appropriate).
- 3.23 The storage area for mobile fuelling bogies shall be appropriately bunded and secured at night-time. All mobile fuelling units shall be returned to this secure area each night-time or when not in use. A spill kit shall be available at this location. All refuelling operations shall be the sole responsibility of specifically designated and trained person(s).
- 3.24 The set-down area for the road haulage fleet fuelling trailer/truck is to be fully bunded. Crash barriers/bollards shall be appropriately located around this unit. All refuelling operations shall be the sole responsibility of specifically designated and trained person(s). Re-fuelling operations are to take place within a bunded/run-off control area.
- 3.25 All fuelling guns for refuelling units shall be fitted with overflow shut-off mechanisms, and 'auto-fill' clips on fuel gun triggers are to be disabled. All fuelling units must remain locked when not in use.
- 3.26 The licensee shall maintain a log of bi-annual inspections of all tractor transported fuelling units/bowsers. These inspections as a minimum should record any damage or leaks or flaws in bowsers that could result in accidental spillage.
- 3.27 The provision of a catchment system to collect any leaks from flanges and valves of all over-ground pipes used to transport material other than water shall be examined. This shall be incorporated into a Schedule of Environmental Objectives and Targets set out in Condition 2 of this licence for the reduction in fugitive emissions.
- 3.28 The licensee shall maintain in a prominent location on the site a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.

- 3.29 Other than re-fuelling, greasing, oil top-up and emergency repair, all vehicle/fleet maintenance is to be undertaken off-site.

**Reason:** *To provide for appropriate operation of the facility to ensure protection of the environment.*

## Condition 4. Interpretation

- 4.1 Emission limit values for emissions to waters in this licence shall be interpreted in the following way:

4.1.1 Composite Sampling

Eight out of ten consecutive composite results, based on flow proportional composite sampling, shall not exceed the emission limit value. No individual results similarly calculated shall exceed 1.2 times the emission limit value.

4.1.2 Discrete Sampling

No grab sample value shall exceed 1.2 times the emission limit value.

- 4.2 Noise

Noise from the facility shall not give rise to sound pressure levels (Leq, 15 minutes) measured at NSLs of the facility which exceed the limit value(s).

- 4.3 Dust and Particulate Matter

Dust and particulate matters from the activity shall not give rise to deposition levels which exceed the limit value(s).

**Reason:** *To clarify the interpretation of limit values fixed under the licence.*

## Condition 5. Emissions

- 5.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this licence. There shall be no other emissions of environmental significance.
- 5.2 No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary.
- 5.3 No substance shall be discharged in a manner, or at a concentration, that, following initial dilution, causes tainting of fish or shellfish.
- 5.4 There shall be no persistent tonal or impulsive component to noise measured at noise sensitive locations.
- 5.5 The licensee shall ensure that all or any of the following:
- Vermin
  - Birds
  - Flies
  - Mud
  - Dust

- Litter

associated with the activity do not result in an impairment of, or an interference with, amenities or the environment at the facility or beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary. Any method used by the licensee to control or prevent any such impairment/interference shall not cause environmental pollution.

- 5.6 The road network in the vicinity of the facility shall be kept free from any debris caused by vehicles entering or leaving the facility. Any such debris or deposited materials shall be removed without delay.

**Reason:** *To provide for the protection of the environment by way of control and limitation of emissions and to provide for the requirements of the Water Services Authority in accordance with Section 52 of the Waste Management Acts 1996 to 2010.*

## Condition 6. Control and Monitoring

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring* of this licence.
- 6.1.1 Analyses shall be undertaken by competent staff in accordance with documented operating procedures.
- 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.
- 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
- 6.1.4 Where any analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the Schedules to this licence; and
  - (ii) any reference measurements for the calibration of automated measurement systems;
- shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards that will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.3 All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the activity is being carried on unless alternative sampling or monitoring has been agreed in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable, and alternative sampling and monitoring facilities shall be put in place. The use of alternative equipment, other than in emergency situations, shall be as agreed by the Agency.
- 6.4 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission/discharge (or ambient conditions where that is the monitoring objective).
- 6.5 The licensee shall ensure that groundwater monitoring well sampling equipment is available/installed on-site and is fit for purpose at all times. The sampling equipment shall be to Agency specifications.
- 6.6 All treatment/abatement and emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.

- 6.7 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 6.8 Following completion of filling in each bay and bi-annually thereafter until the site has been successfully rehabilitated (refer Condition 10), the licensee shall carry out a stability assessment of the placed material. This assessment is to be supported by field measurements as necessary. The results of this assessment are to be reported annually at the same date as the AER.
- 6.9 Air
- 6.9.1 The licensee shall maintain a dust monitoring network as per *Schedule C: Control & Monitoring* of this licence.
- 6.9.2 In relation to Dust Control the licensee shall, prior to the acceptance of peat to the facility reception area, implement procedures to ensure that:
- (i) in dry weather, site pavement/roads used by vehicles shall be sprayed with water as and when required to minimise airborne dust nuisance,
  - (ii) loose peat handling is prevented in strong wind conditions,
  - (iii) where possible machinery use grassed/surfaced trackways,
  - (iv) headlands/turning areas/trackways are kept clean and free of loose peat,
  - (v) moving machinery maintains slow speeds when travelling along dusty headlands/exposed peat,
  - (vi) all trucks leaving the facility shall pass through the wheel wash.
- 6.10 Water
- 6.10.1 The integrity and water tightness of all underground pipes, tanks, bunding structures and containers and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee prior to use. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 6.10.2 The drainage system (i.e., gullies, manholes, any visible drainage conduits and such other aspects as may be agreed) and bunds, silt traps and oil separators shall be inspected weekly and desludged as necessary. All sludge and drainage from these operations shall be collected for safe disposal. The drainage system, bunds, silt traps and oil interceptors shall be properly maintained at all times.
- 6.10.3 The washing-down of plant and equipment shall take place in designated areas with suitable systems for the collection, containment and treatment of the resulting wastes and washings.
- 6.10.4 Silt Ponds
- (i) Prior to the commencement of the Construction Plan, the licensee shall prepare an operational procedure for de-silting of the silt ponds. The procedure shall as a minimum provide for visual inspection of all ponds on a weekly basis. The de-silting roster shall be based on recommendations of such visual inspection. A log of visual inspection and de-silting shall be maintained and a summary report on the de-silting programme shall be included in the AER.
  - (ii) Silt ponds serving operational bogs shall be cleaned as a minimum three times a year, at least once before winter and once in spring, and more frequently as inspections may dictate.

- 6.10.5 In respect of silt control the licensee shall, prior to the commencement of the construction plan for the facility prepare and implement procedures to ensure that:
- (i) drainage manholes are protected and maintained free of excessive peat,
  - (ii) headlands are kept clean and free of excessive loose peat,
  - (iii) all new manholes and outfalls are set well back from turning grounds and drivers of bog plant do not turn short (over drains) at headlands,
  - (iv) silt run-off, while piping or ditching, is minimised,
  - (v) outfalls are blocked or controlled to minimise silt discharge during cleaning operations,
  - (vi) drains are ditched in dry weather,
  - (vii) while ditching, outfalls are blocked and ditching shall be completed towards outfall,
  - (viii) machine operations involved in moving the peat from the high fields to the deposit area do so in a manner that prevents excessive loss of material to intervening drains.

A copy of these procedures shall be maintained on site for inspection by Agency personnel

6.10.6 Storm Water

A visual examination of the storm water discharges shall be carried out daily. A log of such inspections, shall be maintained.

6.11 Ground Water

The licensee shall maintain a groundwater monitoring network around the site. The location and design of these monitoring points shall be in accordance with Agency guidelines. Groundwater monitoring shall take place as specified in *Schedule C: Control & Monitoring* of this licence and results reported as part of the AER.

6.12 Noise

6.12.1 The licensee shall carry out a noise survey of the site operations during weeks 2, 6 and 12 after the commencement of waste acceptance. The survey programme shall be undertaken in accordance with the methodology specified in the 'Environmental Noise Survey Guidance Document' as published by the Agency. The survey program must include measurement during the morning start-up period (0700hrs to 0900hrs) and the evening period (1800hrs to 2100hrs). A record of the survey results shall be available for inspection by any authorised persons of the Agency, at all reasonable times and a summary report of this record shall be included as part of the AER.

6.12.2 Excessive revving of truck motors during morning start-up shall be prevented. Vehicle engines shall not be left running when not in use.

6.13 Pollutant Release and Transfer Register (PRTR)

The licensee shall prepare and report a PRTR for the site. The substance and/or wastes to be included in the PRTR shall be as agreed by the Agency each year by reference to EC Regulations No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.

6.14 The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the monitoring data generated as a result of this licence.

**Reason:** *To provide for the protection of the environment by way of treatment and monitoring of emissions in accordance with Section 52 of the Waste Management Acts 1996 to 2010.*



## Condition 7. Resource Use and Energy Efficiency

- 7.1 Prior to the acceptance of waste for deposit at the facility the licensee shall establish and operate a program to measure resources and energy use. This program shall also identify actions or measures that will be implemented to maximise efficiency of use of resources and energy at this facility. A copy of this program shall be available on-site for inspection by authorised persons of the Agency and a summary report of consumption figures as well as efficiency measures/actions/innovations shall be submitted as part of the Annual Environmental Report.

**Reason:** *To provide for the efficient use of resources and energy in all site operations.*

## Condition 8. Materials Handling

- 8.1 Disposal or recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.
- 8.2 Landfill Waste Acceptance Procedures
- 8.2.1 Waste shall only be accepted at the facility from holders of valid waste collection permits, unless exempted or excluded, issued under the Waste Management (Collection Permit) Regulations 2007, or as may be amended.
- 8.2.2 Waste arriving at the facility shall have its documentation checked at the point of entry to the facility and subject to this verification, weighed, recorded and directed to the peat reception area/working face/quarantine area as appropriate.
- 8.2.3 All wastes shall be checked at the working face. Any wastes not suitable for acceptance shall be removed for recovery or disposal at an appropriate alternative facility. Such waste shall be stored in the Waste Quarantine Area only. No waste shall be stored in the Waste Quarantine Area for more than three months.
- 8.3 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. The waste shall be transported from the site of the activity to the site of recovery/disposal only in a manner that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.4 The licensee shall ensure that, in advance of transfer to another person, waste shall be classified, packaged and labelled in accordance with National, European and any other standards which are in force in relation to such labelling.
- 8.5 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.6 Waste shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste shall be clearly labelled and appropriately segregated.
- 8.7 No waste classified as green list waste in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended) shall be consigned for recovery without the agreement of the Agency.
- 8.8 Waste for disposal/recovery off-site shall be analysed in accordance with *Schedule C: Control & Monitoring* of this licence.

- 8.9 Unless approved in writing, in advance, by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.
- 8.10 The licensee shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14th June 2006 on shipments of waste and associated national regulations.

**Reason:** *To provide for the appropriate handling of material and the protection of the environment.*

## **Condition 9. Accident Prevention and Emergency Response**

- 9.1 The licensee shall ensure that a documented Accident Prevention Procedure is in place that addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.2 The licensee shall ensure that a documented Emergency Response Procedure is in place, that addresses any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.3 Incidents
- 9.3.1 In the event of an incident the licensee shall immediately:
- (i) carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
  - (ii) isolate the source of any such emission;
  - (iii) evaluate the environmental pollution, if any, caused by the incident;
  - (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
  - (v) identify the date, time and place of the incident;
  - (vi) notify the Agency and other relevant authorities.
- 9.3.2 The licensee shall provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency, to:
- (i) identify and put in place measures to avoid recurrence of the incident; and
  - (ii) identify and put in place any other appropriate remedial actions.

**Reason:** *To provide for the protection of the environment.*

## **Condition 10. Bog & PDA Rehabilitation and Aftercare**

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution.

- 10.2 Following completion of filling of the PDA, the licensee shall implement the agreed bog rehabilitation plan (refer Condition 10.3).
- 10.3 Bog Rehabilitation Plan:
- 10.3.1 The licensee shall update, to the satisfaction of the Agency, the plan for permanent rehabilitation of all the boglands within the licensed area. This plan shall be fully detailed and costed and shall be submitted to the Agency for agreement prior to the commencement of deposit of waste in the PDA.
- 10.3.2 The plan shall be reviewed every two years and proposed amendments thereto notified to the Agency for agreement as part of the AER. No amendments may be implemented without the agreement of the Agency.
- 10.3.3 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Decommissioning Management Plans and Financial Provision when implementing Condition 10.3.1 above.
- 10.4 The Rehabilitation Plan shall include, as a minimum, the following:
- (i) a scope statement for the plan; to include outcome of consultations with relevant Agencies, Authorities and affected parties (to be identified by the licensee);
  - (ii) the criteria which define the successful rehabilitation of the activity or part thereof, which ensures minimum impact to the environment;
  - (iii) a programme to achieve the stated criteria;
  - (iv) where relevant, a test programme to demonstrate the successful implementation of the rehabilitation plan;
  - (v) a program for aftercare and maintenance; and
  - (vi) details of the costings for the plan and the financial provisions to underwrite those costs.
- 10.5 A final validation report to include a certificate of completion for the Rehabilitation Plan, for all or part of the site as necessary, shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

**Reason:** *To make provision for the proper closure of the activity ensuring protection of the environment.*

## **Condition 11. Notification, Records and Reports**

- 11.1 The licensee shall notify the Agency, in writing, one month in advance of the intended date of re-commencement of acceptance of waste for Scheduled Disposal/Recovery activities at the facility (waste used in the facility construction excepted).
- 11.2 The licence shall notify the Agency by both telephone and facsimile, if available, to the Agency's headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:
- (i) any release of environmental significance to atmosphere from any potential emissions point including bypasses;
  - (ii) any emission that does not comply with the requirements of this licence;
  - (iii) any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control and Monitoring* of this licence, which is likely to lead to loss of control of the abatement system; and
  - (iv) any incident with the potential for environmental contamination of surface water or groundwater, or posing an environment threat to air or land, or requiring an emergency response by the Local Authority.

- The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.
- 11.3 In the case of any incident relating to discharges to water, the licensee shall notify the Local and Water Services Authority and the Regional Fisheries Board as soon as practicable after such an incident.
- 11.4 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to manage the incident, minimise wastes generated and the effect on the environment, and avoid recurrence. The licensee shall, as soon as practicable following incident notification, submit to the Agency the incident record.
- 11.5 In the case of any incident which has the potential to impact the conservation objectives of NHA and/or SAC areas having taken place, the licensee shall notify the relevant local office of the the Heritage Section of the Department of Environment, Heritage & Local Government as soon as practicable after such an incident.
- 11.6 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.7 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility.
- 11.8 The licensee shall as a minimum keep the following documents at the site:
- (i) the licences relating to the facility;
  - (ii) the current EMS for the facility;
  - (iii) the previous year's AER for the facility;
  - (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility;
  - (v) relevant correspondence with the Agency;
  - (vi) up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;
  - (vii) up to date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment;
  - (viii) any elements of the licence application or EIS documentation referenced in this licence.
- This documentation shall be available to the Agency for inspection at all reasonable times.
- 11.9 The licensee shall submit to the Agency, by the 31<sup>st</sup> March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report* of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.10 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:
- (i) the tonnages and EWC Code for the waste materials imported and/or sent off-site for disposal/recovery;
  - (ii) the names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);

- (iii) details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required;
  - (iv) written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site;
  - (v) details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record;
  - (vi) details of any rejected consignments;
  - (vii) details of any approved waste mixing;
  - (viii) the results of any waste analyses required under *Schedule C: Control & Monitoring*, of this licence; and
  - (ix) the tonnage and EWC Code for the waste materials recovered/disposed on-site.
- 11.11 The licensee shall submit report(s) as required by the conditions of this licence to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency.
- 11.12 All reports shall be certified accurate and representative by the facility manager or a nominated, suitably qualified and experienced deputy.
- 11.13 In the event that any analyses or observations made on the quality or appearance of surface water runoff should indicate that contamination has taken place, the licensee shall
- (i) carry out an immediate investigation to identify and isolate the source of the contamination,
  - (ii) put in place measures to prevent further contamination and to minimise the effects of any contamination on the environment,
  - (iii) and notify the Agency as soon as is practicable.

**Reason:** *To provide for the collection and reporting of adequate information on the activity.*

## Condition 12. Financial Charges and Provisions

### 12.1 Agency Charges

- 12.1.1 The licensee shall pay to the Agency an annual contribution of €10,186.72, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Acts 1996 to 2010. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Acts 1996 to 2010, and all such payments shall be made within one month of the date upon which demanded by the Agency.
- 12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

## 12.2 Cost of landfill of waste

12.2.1 In accordance with the provisions of Section 53A of the Waste Management Acts 1996 to 2008, the licensee shall ensure the costs involved in the setting up and operation of the facility, as well as the costs of closure and after-care (including cost of provision of financial security) for a period of at least 30 years (post closure) shall be covered by the price to be charged for the disposal of waste at the facility. The statement required under Section 53A(5) of said Acts is to be included as part of the AER.

## 12.3 Environmental Liabilities

12.3.1 The licensee shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.

12.3.2 The licensee shall arrange for the completion, by an independent and appropriate qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) to address the liabilities from past and present activities. The assessment shall include those liabilities and costs identified in Condition 10 for execution of the Bog & PDA Rehabilitation Plan. A report on this assessment shall be submitted to the Agency for agreement prior to the acceptance of peat to the PDA. The ELRA shall be reviewed as necessary to reflect any significant change on site, and in any case every three years following initial agreement. The results of the review shall be notified as part of the AER.

12.3.3 In advance of the commencement of the activity, the licensee shall, to the satisfaction of the Agency, make financial provision to cover any liabilities identified in Condition 12.3.2. The amount of indemnity held shall be reviewed and revised as necessary, but at least annually. Proof of renewal or revision of such financial indemnity shall be included in the annual 'Statement of Measures' report identified in Condition 12.3.1.

12.3.4 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Decommissioning Management Plans and Financial Provision when implementing Conditions 12.3.2 and 12.3.3 above.

**Reason:** *To provide for adequate financing for monitoring and financial provisions for measures to protect the environment Section 52 of the Waste Management Acts 1996 to 2010.*

## SCHEDULE A: Limitations

### A.1

The following waste related processes are authorised:

- i. the deposit of peat and associated natural material;
- ii. the operation of the silt settlement lagoons;
- iii. the storage of peat and associated natural material prior to deposit on site.

No additions to these processes are permitted unless agreed in advance with the Agency.

### A.2 Waste Acceptance

Table A.1 Waste Categories and Quantities

WASTE TYPE	MAXIMUM (m <sup>3</sup> ) <sup>NOTE 1</sup>
Peat and associated natural materials	75,000
<b>TOTAL</b>	<b>75,000</b>

Note 1: Freshly excavated peat has a density approximately equal to 1 (1m<sup>3</sup> peat ≈ 1t).

## SCHEDULE B: Emission Limits

### B.1 Emissions to Air

#### Dust Deposition Limits:

**Locations:** Measured at the monitoring points indicated DM-01, DM-02, DM-03, DM-04 and DM-05 on Drawing No. 4903-2606 of the application (or as may be amended under Condition 6.7).

Level (mg/m <sup>2</sup> /day) <sup>Note 1</sup>
350

Note 1: 30 day composite sample with the results expressed as mg/m<sup>2</sup>/day.

### B.2 Emissions to Water

**Emission Point Reference No's.:** Location 7 [Grid Reference: E083978 N324026],  
S5-1 [Grid reference: E084859 N323115],  
S5-2 [Grid reference: E084189 N323106].

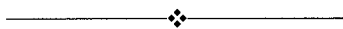
**Location:** As noted on Figure 1 [*Regional Surface Water Monitoring Location Plan*] submitted 09/10/2009.

**Receiving water:** S5-1 & S5-2 to Owenmore River.  
Location 7 to Munkin River.

Parameter	Emission Limit Value
Suspended Solids	35mg/l

**B.3 Emissions to Sewer**

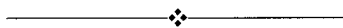
There shall be no process effluent emissions to sewer.



**B.4 Noise Emissions**

Daytime dB(A) L <sub>Aeq</sub> (15 minutes)	Night-time dB(A) L <sub>Aeq</sub> (15 minutes)
55 <sup>Note 1</sup>	45 <sup>Note 1</sup>

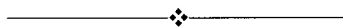
**Note 1:** There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity of any noise-sensitive location.



**SCHEDULE C: Control & Monitoring**

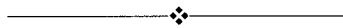
**C.1.1. Control of Emissions to Air**

There shall be no emissions to air of environmental significance.



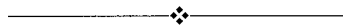
**C.1.2. Monitoring of Emissions to Air**

There shall be no emissions to air of environmental significance.



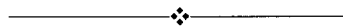
**C.2.1. Control of Emissions to Water**

There shall be no emissions to water of environmental significance.



**C.2.2. Monitoring of Emissions to Water**

There shall be no emissions to water of environmental significance.





**C.2.3. Monitoring of Storm Water Emissions**

Emission Point Reference No.:

Location 7

Parameter	Monitoring Frequency	Analysis Method/Technique
Flow	Continuous	On-line flow meter with recorder
pH	Weekly <sup>Note 1</sup>	pH electrode/meter and recorder
Visual Inspection	Twice Daily	-
Conductivity	Continuous	Slectrode/meter and recorder
Chemical Oxygen Demand	Weekly <sup>Note 1</sup>	Standard Method
Biochemical Oxygen Demand	Quarterly	Standard Method
Suspended Solids	Daily <sup>Note 1</sup>	Gravimetric
Total Dissolved Solids	Weekly <sup>Note 1</sup>	Standard Method
Nitrite (as N)	Monthly	Standard Method
Nitrates (as N)	Monthly	Standard Method
Ammonia (as N)	Weekly <sup>Note 1</sup>	Ion selective electrode
Total Phosphorus (as P)	Monthly	Standard Method
Oils, fats & greases	Quarterly	Standard Method

**Note 1:** The licensee shall maintain a composite sampler. All samples shall be collected on a 7 day 24 hour flow proportional composite sampling basis (or equivalent approved).



Emission Point Reference No's.:

S5-1 &amp; S5-2

Parameter	Monitoring Frequency <sup>Note 1</sup>	Analysis Method/Technique
pH	Weekly	pH electrode/meter
Suspended solids	Weekly (at least 2 of the sampling occasions per month to follow a heavy rainfall event)	Standard Method
COD	Weekly	Standard Method
Total Ammonia	Weekly	Standard Method
Conductivity	Weekly	Standard Method
Visual Inspection	Daily	Not Applicable

**Note 1:** Based on Grab Sample.



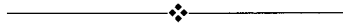
**C.2.4. Control of Storm Water Emissions to Water**

**Emission Control Location:** All on-site settlement lagoons/ponds

**Description of Treatment:** Sedimentation

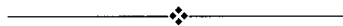
Control Parameter	Monitoring	Key Equipment <sup>Note 1</sup>
Residence time & flow restriction	Flow rate, depth	Flow meter, overflow alarm, emergency storage/overflow area (prior to lagoons/ponds)

**Note 1:** The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.



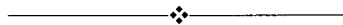
**C.3.1. Control of Emissions to Sewer**

There shall be no process effluent emissions to sewer.



**C.3.2. Monitoring of Emissions to Sewer**

There shall be no process effluent emissions to sewer.



**C.4 Waste Monitoring**

Not Applicable



**C.5 Noise Monitoring**

No additional noise monitoring is required in this schedule (refer to Condition 6.12).



**C.6 Ambient Monitoring**

**C.6.1 Air Monitoring**

**Location:** DM-01 [Grid Reference: E082819 N324659]  
 DM-02 [Grid Reference: E084992 N324136]  
 DM-03 [Grid Reference: E085213 N323243]  
 DM-04 [Grid Reference: E084478 N323040]  
 DM-05 [Grid Reference: E084026 N323286]  
 As per Drawing Ref: 4903-2606 (or as may be amended under Condition 6.7)

Parameter	Monitoring Frequency	Analysis Method/Technique
Dust deposition	Monthly	Bergerhoff



**C.6.2 Groundwater Monitoring**

**Location:** BH1A, BH1B, BH2A, BH2B, BH3A, BH3B, BH4A, and BH4B.

Parameter	Monitoring Frequency	Analysis Method/Technique
COD	Biannually	Standard Method
Nitrate	Biannually	Standard Method
Total Ammonia	Biannually	Standard Method
Conductivity	Biannually	Standard Method
Diesel Range Organics	Biannually	GC-MS

**Note 1:** Where appropriate all the analyses shall be carried out by a competent laboratory using standard and internationally accepted procedures.

**C.6.3 Receiving Water Monitoring****Monitoring**

**Location:** Munkin River: two locations, upstream and downstream of discharge from emission point *Location 7*, as per Figure 1, *Regional Surface Water Monitoring Location Plan*, submitted 09/10/2009.

Parameter	Monitoring Frequency	Analysis Method/Techniques
Suspended Solids	Monthly	Standard Method
Ammonia	Monthly	Standard Method
Small Stream Risk Score (SSRS)	Annually <sup>Note 1</sup>	To be agreed by the Agency

**Note 1:** Monitoring period – June to September.



## SCHEDULE D: Annual Environmental Report

Annual Environmental Report Content <small>Note 1</small>
Emissions from the facility.
Waste management record.
Resource consumption summary.
Complaints summary.
Schedule of Environmental Objectives and Targets.
Environmental management programme – report for previous year.
Environmental management programme – proposal for current year.
Pollutant Release and Transfer Register – report for previous year.
Pollutant Release and Transfer Register – proposal for current year.
Noise monitoring report summary.
Ambient monitoring summary.
Tank and pipeline testing and inspection report.
Reported incidents summary.
Energy efficiency audit report summary.
Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated.
Development/Infrastructural works summary (completed in previous year or prepared for current year).
Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information.
Review of Bog & PDA Rehabilitation Plan.
Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).
Environmental Liabilities Risk Assessment Review (every three years or more frequently as dictated by relevant on-site change including financial provisions).
Any other items specified by the Agency.

**Note 1:** Content may be revised subject to the agreement of the Agency.

Signed on behalf of the said Agency  
On the 27<sup>th</sup> day of May, 2010

  
Dr. Tom McLoughlin, **Authorised Person**