



**OFFICE OF
ENVIRONMENTAL
ENFORCEMENT**

Memorandum

To:	Ana Bolger
From:	Emer Cooney
Date:	12 th April 2010
RE:	Amendment of Waste Licence Reg. No. W0122-01 under Section 42B of Waste Management Act 1996, as amended.

At a site inspection (10/09/2009) at Guardian Silver Lining Waste Licence Reg. No. W0122-01, the issue of which wastes the licensee is authorised to accept came up for discussion. On examining the licence and the relevant application documentation, it appears that two errors have been made in the licence:

1. Condition 1.5 states that “Only those waste categories and quantities as specified in Table E1.2 of the application and in Article 16(1) reply dated 12th January 2001 shall be accepted at the facility”.

The Article 16(1) reply dated 12th January 2001 does not contain any list of wastes and does not appear to be relevant here. This condition effectively restricts the facility to only accepting the wastes listed in one table of the application form (Table E.1.2) and no others.

However, the Article 14(2)(b)(ii) reply dated 10th May 2000 contains waste category tables E.1.1, E.1.2 and E.1.3. The letter states “Also enclosed is...a new list under E – Waste Acceptance and Handling”. This list contains all the wastes listed in Section E.1. of the application form, with some additions. It would seem that the reference in Condition 1.5 should be to the Article 14(2)(b)(ii) reply dated 10th May 2000.

2. Table A.1 of Schedule A: Waste Acceptance allows for the acceptance of hazardous waste at the facility, namely, “*Only the materials as specified in Table E1.2 of the application” as stated in the footnote to that table.

This does not allow for the acceptance of waste types (i.e. 120 tonnes per annum each of acid and alkali) that were applied for by submission of the updated Table E.1.2 in the Article 14(2)(b)(ii) reply dated 10th May 2000. The inspector’s report does not mention that these waste types should not be allowed, in fact it mentions these wastes in the context of their use on the waste recovery process that was the principal activity as the time of licensing.

The documentation reviewed includes:

- “Section E. Waste Acceptance and Handling” of original licence application form.
- Article 14(2)(b)(ii) notice dated 19th April 2000 and reply dated 10th May 2000.
- Article 16(1) notice dated 4th December 2000 and reply dated 12th January 2001.
- Inspector’s report and licence.

Recommendation

I recommend that the Agency amends:

1. Condition 1.5 to read

Only those waste categories and quantities as specified in Article 14(2)(b)(ii) reply dated 10th May 2000 - E. Waste Acceptance and Handling - shall be accepted at the facility.

2. The footnote for Table A.1 of Schedule A: Waste Acceptance to read

*Only the materials as specified in Table E1.2 of Article 14(2)(b)(ii) reply dated 10th May 2000 - E. Waste Acceptance and Handling.

Signed: Emer Cooney
Emer Cooney
Inspector

Date: 12/4/2012