

ARTICLE 14 RESPONSE

APPENDIX 4

**Waste Permit No.s 71/2002 and 236/2006, KCC Site Inspection
Sheet & Drawing No. 8.11**

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Comhairle
Chondae
Chill Dara
omh Mhuire
An Nás



Kildare
County
Council
St. Mary's
Naas

E-mail: secretar@kildarecoco.ie
Main Switch
Phone: (045) 873800
Fax: (045) 876875

This matter is being dealt with by:

Date:

Your Ref:

Our Ref:

WASTE MANAGEMENT ACT 1996
and
WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: 71/2002

Mr. Nick Beale,
General Manager,
Readymix (Dublin) Ltd.,
5/23 East Wall Road,
Dublin, 3.

In pursuance of the powers conferred on it by the Waste Management Act 1996 and the Waste Management (Permit) Regulations 1998, Kildare County Council hereby grants a waste permit under article 5(1) of the said regulations to Readymix (Dublin) Ltd., 5/23 East Wall Road, Dublin, 3, to carry on the waste activity listed below at Walshestown Sand Pit, Naas, Co. Kildare, subject to nine conditions, with the reasons therefor set out in the permit.

**Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the
Waste Management (Permit) Regulations, 1998**

Activity 5 The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

NOTE

THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.

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WASTE PERMIT

ISSUED UNDER

THE WASTE MANAGEMENT ACT 1996

And

THE WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: _____

Applicant:

**Readymix(Dublin) Ltd
Walshestown
Naas,
Co Kildare**

Location of Facility:

Readymix(Dublin) Ltd
Walshestown
Naas
Co Kildare

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ACTIVITIES PERMITTED

In pursuance of the powers conferred on it by the Waste Management Act 1996 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to Readymix (Dublin) Ltd, Walshestown, Naas, Co Kildare to carry on at Readymix(Dublin) Ltd, Walshestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

- Activity 5 The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

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NOTE

THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDR OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.

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Condition 1: SCOPE:

- 1.1 This Waste Permit is issued under the Waste Management (Permit) Regulations 1998 to Readymix(Dublin) Ltd, Walshestown, Naas, Co Kildare for lands at Readymix (Dublin) Ltd, Walshestown, Naas, Co Kildare. This permit is strictly non-transferable.
- 1.2 This permit is granted for a period not exceeding 36 months from the date of issue.
- 1.3 For the purpose of these conditions the site is defined as the area outlined in red on Drg No. A465 – 004 - 1 submitted with the permit application and shall take place only as specified in the application as modified and/or controlled by the terms of this permit.
- 1.4 Finished levels shall be in accordance with Drawing No. A465 – 003 submitted with the application or as amended by Kildare County Council.
- 1.5 Should environmental pollution occur at the site, this permit may be reviewed by Kildare County Council.
- 1.6 The permit holder shall be responsible for ensuring that the waste activities shall be controlled, operated and maintained in strict accordance with the terms of the application as modified and/or controlled by the conditions attached to the permit. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Kildare County Council shall be notified of any such breach by telephone/fax, and full details shall be forwarded in writing on the next working day.
- 1.7 Where Kildare County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve a notice on the permit holder specifying;
 - (a) that only those wastes as specified, if any, in the notice are to be accepted at the facility after the date specified in the notice; and
 - (b) that the permit holder shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within any time-scale contained in the notice.

When the notice has been complied with, the permit holder shall provide written confirmation to the local authority that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written confirmation is received from the Council that the notice is withdrawn.

- 1.8 Should the permit holder wish to “dispose” of inert materials at the site then a waste licence from the EPA is required and the permit shall be considered invalid once said licence has been issued. **This permit is solely for the recovery of concrete based materials to restore / raise the land.** This permit does not constitute a disposal activity.

REASON: To clarify the scope of this permit.

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Condition 2: MANAGEMENT OF THE ACTIVITY

- 2.1 The permit holder shall acquaint all staff, employees, lessees and agents, including replacement personnel, of the provisions and conditions of this permit.
- 2.2 A copy of the permit must be kept on site at all times.
- 2.3 The site shall be adequately manned and supervised at all times. It shall be maintained to the satisfaction of the Council, and adequate precautions shall be taken to prevent unauthorised access to the site.
- 2.4 Waste shall only be accepted at the site between the hours of 8 am and 6 pm, Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 8am and 2pm on Saturday

REASON: To make provision for the proper management of the activity

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Condition 3: NOTIFICATION AND RECORD KEEPING:

3.1 All communication with Kildare County Council shall be addressed to Senior Engineer, Environment Section, St Mary's, Naas, Co Kildare.

Telephone (045) 873800, Fax: (045) 879772

3.2 The operator shall maintain a written record for each load of waste arriving at the site. The operator shall record and make available on site the following details.

- a) Origin of the load
- b) Description of the material in each load;
- c) The quantity of the materials, estimated in tonnes and recorded in loads;
- d) Where loads are removed or rejected, details of the date and time of occurrence, the type of material, and the place to which they were removed.
- e) The names of the carriers and the vehicle registration numbers

3.3 The operator shall maintain a written record of all complaints of an environmental nature related to the site. Each such record shall give details of the following.

- a) Date and time of complaint;
- b) Name of complainant;
- c) Details of the nature of the complaint;
- d) Action taken on foot of the complaint;
- e) Response to each complainant.

3.4 The permit holder shall submit a report to Kildare County Council which shall include the information compiled in 3.2 and 3.3 above. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit. This report shall be submitted for the preceding calendar year by no later than 28 February of each year and within one month of waste activities ceasing on the site. **The report shall be called Annual Environmental Report AER**

3.5 The permit holder shall immediately notify Kildare County Council by telephone of any incident which occurs as a result of the activity on the site, and which:

- Has the potential for environmental contamination of surface water or ground water, or
- Poses an environmental threat to air or land, or
- Requires an emergency response by the Council

Full details shall be forwarded in writing on the next working day.

3.6 The permit holder shall make all records maintained on site available to Kildare County Council staff at all reasonable times, and shall provide any relevant information when so requested by an authorised person of Kildare County Council.

REASON: To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records

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Condition 4: MATERIALS ACCEPTANCE AND HANDLING:

- 4.1 Only inert subsoil, topsoil, sand, gravel, clay, marls, and stone and inert concrete waste, shall be used to restore / raise the site. All material shall be deposited inside the site boundary.
The permit holder shall ensure adequate steps are taken to prevent acceptance of any other waste types.
- 4.2 Any materials not complying with condition 4.1 shall be removed from the site and disposed of at an alternative approved facility.
- 4.3 The sources of all wastes shall be notified to ,and approved by Kildare County Council prior to their acceptance at the site. A minimum notice of three working days shall be given in writing to the Council of commencement of waste activities at the site.
- 4.4 The site shall be adequately secured so as to avoid “flytipping”. Any such “flytipped” loads of waste shall be removed immediately by the owner of the site to an appropriate facility.
- 4.5 The permit holder shall not allow any over-spill of waste outside the site perimeter or into surface water drains, as outlined on the site plan submitted with the permit application.
- 4.6 Only Readymix Trucks carrying waste concrete or blocks from Readymix concrete or block batching plants shall enter and deposit waste on the site unless otherwise agreed with Kildare County Council.

REASON: To provide for the acceptance and management of wastes authorised under this permit

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Condition 5: NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS:

- 5.1 The permit holder shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness, and other nuisances during the course of the works which would result in a significant impairment of or a significant interference with amenities or the environment beyond the site boundary
- 5.2 The road network in the vicinity of the site shall be kept free of any debris caused by vehicles entering or leaving the facility. Any such debris shall be removed without delay. Wheel washing shall be provided to prevent materials being carried out onto the road. The permit holder shall take adequate steps to ensure that no material of any sort can fall or be blown from vehicles delivering waste to the site.
- 5.3 Vehicles shall not be allowed to queue or park on the public road. Provision shall be made within the confines of the site for turning of vehicles. Car parking space shall be provided for all staff and visitors to the site, on a durable surface within the curtilage of the site. Adequate turning area is to be provided within the site which is capable of accomodating the tipper trucks using the site
- 5.4 The permit holder shall ensure that waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent lands, on watercourses, on field drains or any other drainage system including the public roadway.
- 5.5 All loose litter accumulated within the site and its environs shall be removed and appropriately disposed of at an appropriate facility on a daily basis.
- 5.6 In dry weather appropriate measures shall be taken to reduce / eliminate airborne dust nuisance.
- 5.7 The operator shall ensure that the activities at the site shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the site boundary.

REASON: To provide for the control of nuisances and emissions from the facility, and to provide for the protection of the environment

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Condition 6: ENVIRONMENTAL MONITORING

- 6.1 Authorised staff of Kildare County Council shall have access to the site at all reasonable times, for the purpose of their functions under the Waste Management Act 1996, including such inspections, monitoring and investigations as are deemed necessary by the council
- 6.2 If so requested by Kildare County Council, the permit holder shall at his own expense make available a suitable excavator for the purposes of excavating trial holes in the waste material deposited on site, and shall arrange for the excavator to carry out whatever works are required by the Council on the site.
- 6.3 If so requested by Kildare County Council, the permit holder shall, at his own expense, carry out such further investigations and monitoring of the facility as required by the Council. The scope, detail, and programme, including report structure and reporting schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the Council. In the event of pollution of waters in the vicinity of the site, or of leachate discharge onto adjoining lands, input of waste onto the site shall cease, and remedial measures shall be carried out immediately as directed by the Council.

REASON: To ensure compliance with the requirements of the conditions of this licence

Condition 7: RESTORATION AND AFTERCARE

- 7.1 As soon as is practicable following completion of the waste activities, the site shall be seeded with grass and used for agricultural purposes .
- 7.2 Prior to seeding , topsoil shall be spread evenly over the site to a minimum depth, after firming, of 150 – 200 mm. The topsoil shall be good quality, and shall comply with BS 3882 : 1991. The topsoil shall not be spread in wet conditions. The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Seed shall be spread at a minimum rate of 30 grams per square metre.
- 7.3 The applicant remains responsible for the for the proper nuisance free operation of all drainage systems on site, and for ensuring that no pollution of groundwaters shall occur at any time as a result of the proposed filling / waste recovery operation.

REASON: To provide for the restoration and aftercare of the facility

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Condition 8: CONTINGENCY ARRANGEMENTS:

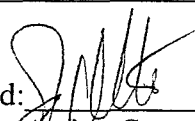
- 8.1 In the event that any monitoring, sampling or observations indicate that contamination has, or may have, taken place, the operator shall immediately:
- a) identify the date time and place of contamination
 - b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission
 - c) isolate the source of the emission
 - d) evaluate the environmental pollution if any
 - e) identify and execute measures to minimise the emissions and effects thereof
 - f) identify and put in place measures to avoid reoccurrence
 - g) identify and put in place any other appropriate remedial action, and
 - h) maintain a written record of the above.

REASON: To provide for immediate action in the event of contamination taking place.

Condition 9: FINANCIAL PROVISIONS:

- 9.1 Prior to the commencement of waste activities on the site, the permit holder is to lodge with Kildare County Council an amount of EUR20,000 or an equivalent bond or other approved financial provision. This security may be used wholly or partly by Kildare County Council at its absolute discretion on any of the matters, terms, or conditions of this permit including road repairs and or pollution control. Any amount not so used by the Council will be released to the permit holder on receipt by the council of the final report referred to in Condition 3.4.
- 9.2 The permit holder shall pay an annual contribution of EUR450 to Kildare County Council towards the cost of inspecting, monitoring or otherwise performing any functions in relation to the permit activity. The Permit Holder shall pay to Kildare County Council this amount within 30 days of receipt of this permit and thereafter on an annual basis. In the event that the frequency or extent of monitoring or other functions carried out by Kildare County Council needs to be increased for whatever reason the permit holder shall contribute such sums as are determined by the LA to defray costs.

REASON: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.

Signed: 
Acting County Secretary,
Kildare County Council.

Date: 13 June 2002

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WASTE MANAGEMENT ACT 1996 – 2007
and
WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: 236/2006

Cemex (ROI) Ltd.,
Block A1,
East point Business Park,
Dublin 3.

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2007 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to Cemex (ROI) Ltd., Block A1, East Point Business Park, Dublin 3 for lands at Walshestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

Activity 5 The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

Permitted Waste Activity, in accordance with the Fourth Schedule of the Waste Management Acts 1996-2007

Class 4: Recycling and reclamation of other inorganic materials

Class 10: The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system

NOTE

THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.

WASTE PERMIT

ISSUED UNDER

THE WASTE MANAGEMENT ACTS 1996 to 2008

And

THE WASTE MANAGEMENT (PERMIT) REGULATIONS 1998

Waste Permit Register Number: WP 236/2006

Applicant: Cemex (ROI) Ltd,
Block A1,
East Point Business Park,
Dublin 3

Location of Facility: Walshestown,
Naas,
Co. Kildare

WP 236/2006

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ACTIVITIES PERMITTED

In pursuance of the powers conferred on it by the Waste Management Acts 1996 to 2008 and the Waste Management (Permit) Regulations 1998, Kildare County Council grants this waste permit under article 5(1) of the said regulations to Cemex (ROI) Ltd, Block A1, East Point Business Park, Dublin 3 for lands at Walshestown, Naas, Co Kildare, the waste activity listed below, subject to nine conditions, with the reasons therefor set out in the permit.

Permitted Waste Activity, in accordance with Part 1 of the First Schedule of the Waste Management (Permit) Regulations, 1998

Activity 5 The recovery of waste (other than hazardous waste) at a facility (other than a facility for the composting of waste where the waste held at the facility exceeds 1000 cubic metres at any time).

Permitted Waste Activity, in accordance with the Fourth Schedule of the Waste Management Acts 1996-2007

Class 4: Recycling and reclamation of other inorganic materials
Class 10: The treatment of any waste on land with a consequential benefit for an agricultural activity or ecological system

NOTE

THE GRANTING OF THIS PERMIT, AND ANY CONDITION IMPOSED BY IT, DOES NOT EXEMPT THE HOLDER OF THE PERMIT FROM COMPLYING WITH THE STATUTORY OBLIGATIONS OF ANY RELEVANT LEGISLATION, INCLUDING WATER POLLUTION, AIR POLLUTION, WASTE, LITTER AND PLANNING LEGISLATION.

Condition 1: SCOPE:

- 1.1 This Waste Permit is issued under the Waste Management (Permit) Regulations 1998 to Cemex (ROI) Ltd, Block A1, East Point Business Park, Dublin 3 to raise the site at Walshestown, Naas, Co. Kildare. This permit is strictly non-transferable.
- 1.2 This permit is granted for a period not exceeding 6 months from the date of issue.
- 1.3 For the purpose of these conditions the site is defined as the area outlined in broken red lines on the Site Layout Plan titled Proposed Restoration Surface (temporary waste permit), drawing no. RM/03 received on 18/6/2008, except where altered or amended by conditions of this waste permit.
- 1.4 The finished contours of the site shall be as submitted on the Site Layout Plan, titled Proposed Restoration Surface (temporary waste permit), drawing no. RM/03 received on 18/6/2008.
- 1.5 Should environmental pollution occur at the site, this permit may be reviewed by Kildare County Council.
- 1.6 The permit holder shall apply to the Environmental Protection Agency (EPA) for a waste licence for the site.
- 1.7 Should environmental pollution occur at the site, this waste permit may be reviewed by Kildare County Council
- 1.8 The permit holder shall be responsible for ensuring that the waste activities are controlled, operated and maintained in strict accordance with the terms of the application as modified and/or controlled by the conditions attached to the permit and conditions attached to Planning Permissions for the site. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Kildare County Council shall be notified of any such breach by telephone/fax and full details shall be forwarded in writing on the next working day.
- 1.9 Where Kildare County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve a notice on the permit holder specifying:-
 - (a) that only those wastes as specified, if any, in the notice are to be accepted at the facility after the date specified in the notice; and
 - (b) that the permit holder shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within any time-scale contained in the notice.

When the notice has been complied with, the permit holder shall provide written confirmation to the local authority that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written confirmation is received from the Council that the notice is withdrawn.

- 1.10 Should the permit holder wish to "dispose" of waste materials at the site then a waste licence from the Environment Protection Agency (EPA) is required and the permit shall be revoked. **This permit is solely for the recovery of soil based materials to raise the site.** This permit does not constitute a disposal activity.

REASON: To clarify the scope of this permit.

Condition 2: MANAGEMENT OF THE ACTIVITY

- 2.1 The permit holder shall acquaint all staff, employees, lessees and agents, including replacement personnel, of the provisions and conditions of this permit.
- 2.2 A copy of the permit must be kept on site at all times.
- 2.3 The site shall be adequately manned and supervised at all times during filling operations. It shall be maintained to the satisfaction of the Council and adequate precautions shall be taken to prevent unauthorised access to the site.
- 2.4 Waste soils shall only be accepted at the site between the hours of 08.00 and 18.00, Monday to Friday inclusive (excluding Bank and National Holidays), and between the hours of 08.00 and 14.00 on Saturdays, unless otherwise agreed by Kildare County Council.

REASON: To make provision for the proper management of the activity

Condition 3: NOTIFICATION AND RECORD KEEPING:

- 3.1 All communication with Kildare County Council shall be addressed to Senior Executive Officer, Environment Section, Aras Chill Dara, Devoy Park, Naas, Co Kildare.
- Telephone (045) 980588, Fax: (045) 980587
- 3.2 The permit holder shall maintain a written record for each load of waste arriving at the site. The operator shall record and make available on site the following details:-
- Origin of the load;
 - Description of the material in each load;
 - The quantity of the materials, estimated in tonnes and recorded in loads;
 - Where loads are removed or rejected, details of the date and time of occurrence, the type of material, and the place to which they were removed.
 - The date and time of all waste deliveries to the site
 - The names of the carriers and the vehicle registration numbers.

- 3.3 The permit holder shall maintain a written record of all complaints of an environmental nature related to the site. Each such record shall give details of the following:-
- Date and time of complaint;
 - Name of complainant;
 - Details of the nature of the complaint;
 - Action taken on foot of the complaint;
 - Response to each complainant.
- 3.4 The permit holder shall submit a report to Kildare County Council, which shall include the information compiled in 3.2 and 3.3 above. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit. This report shall be submitted for the preceding calendar year by no later than 28 February of each year and within one month of waste activities ceasing on the site. The report shall be called **The Annual Report (AR)**.
- 3.5 The permit holder shall immediately notify Kildare County Council by telephone of any incident which occurs as a result of the activity on the site, and which:-
- Has the potential for environmental contamination of surface water or ground water, or
 - Poses an environmental threat to air or land, or
 - Requires an emergency response by the Council.
- Full details shall be forwarded in writing on the next working day.
- 3.6 The permit holder shall make all records maintained on site available to Kildare County Council staff at all reasonable times, and shall provide any relevant information when so requested by an authorised person of Kildare County Council.
- 3.7 Within one month of waste activities ceasing on the site, the permit holder shall submit a report to Kildare County Council which shall include the information contained in the written records described above, and details of any impositions or convictions imposed under the Waste Management Acts, 1996 to 2008. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit

REASON: To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records

Condition 4: MATERIALS ACCEPTANCE AND HANDLING:

- 4.1 A minimum notice of five (5) working days shall be given in writing to Kildare County Council of the commencement of waste activities at the site.
- 4.2 Prior to the commencement of waste activities the permit holder shall erect a post and wire fence along the boundary of the waste permitted site.
- 4.3 The permit holder shall erect markers indicating the finished levels at sufficient locations around the site to ensure that design finished levels are not exceeded during filling operations.
- 4.4 **Only Waste Materials in accordance with European Waste Catalogue (2002 edition) code reference:-**
17 05 04:- soil and stones other than those mentioned in 17 05 03 may be accepted to restore the site. No other waste types shall be accepted or deposited at this facility. The permit holder shall ensure that adequate steps are taken to prevent acceptance of any other waste types. All material shall be deposited inside the site boundary.
- 4.5 All waste arriving at the facility shall be subject to a visual inspection by the permit holder, or his staff, employees, lessees or agents. Materials other than those permitted shall be removed immediately from the site. Such waste shall be disposed of (or recovered) at an alternative facility with an appropriate waste permit or waste licence. Following delivery of such unauthorised waste to the site, Kildare County Council shall be immediately notified by telephone, fax or e-mail and full details shall be forwarded in writing on the next working day.
- 4.6 The permit holder shall remove immediately any waste placed on or in the vicinity of the site other than in accordance with the requirements of the permit. If such waste is discovered it shall be taken to a facility with a waste licence or waste permit authorising acceptance of such waste.
- 4.7 **The sole source of waste soil and stone shall be from the Dowdenstown road widening scheme.**
- 4.8 A soil analysis shall be carried out on a representative sample of material from brownfield excavation, and Kildare County Council may require that further analysis of the material be carried out.
- 4.9 The site shall be adequately secured so as to avoid "flytipping". Any such "flytipped" loads of waste shall be removed immediately by the owner of the site to an appropriate facility.
- 4.10 The permit holder shall not allow any over-spill of waste soil and subsoil outside the site perimeter, or into surface water drains, streams or any other waste courses. All other drains or watercourses around the site shall be left open and kept clear of any debris in order to maintain adequate surface water drainage.

- 4.11 The raising of the site shall not have any impact on existing land drains, watercourses and adjacent properties in terms of flooding.
- 4.12 No skips, open containers, compactors or dumptrucks shall deposit waste on the site. A maximum of 40 trucks a day shall enter and deposit material on the site unless otherwise agreed in advance with Kildare County Council and records of these shall be kept in strict accordance with condition 3.2. Kildare County Council may at any time instruct the permit holder to reduce the number of trucks depositing waste on the site in the event that proper road haulage procedures are not put in place.
- 4.13 **All hauliers importing waste to the facility shall hold a valid waste collection permit in accordance with the relevant Waste Management (Collection Permit) Regulations from the relevant authority where the waste was collected.**

REASON: To provide for the acceptance and management of wastes authorised under this permit

Condition 5: NUISANCES, EMISSIONS AND ENVIRONMENTAL IMPACTS:

- 5.1 The permit holder shall take adequate precautions to prevent undue noise, fumes, dust, grit, untidiness, and other nuisances during the course of the works which would result in a significant impairment of or a significant interference with amenities or the environment beyond the site boundary. If unacceptable levels occur, the permit holder shall abide by the Council's abatement requirements, which may include immediate cessation of operations
- 5.2 The road network in the vicinity of the site shall be kept free of any debris caused by vehicles entering or leaving the facility. A wheel wash shall be provided to prevent materials being carried out onto the road. Any debris on the road network shall be removed by a suction sweeper without delay. The permit holder shall take adequate steps to ensure that no material of any sort can fall or be blown from vehicles delivering waste to the site.
- 5.3 Vehicles shall not be allowed to queue or park on the public road. Provision shall be made within the confines of the site for turning of vehicles. Car parking space shall be provided for all staff and visitors to the site, on a durable surface within the curtilage of the site. Adequate turning area is to be provided within the site, which is capable of accommodating the tipper trucks using the site.
- 5.4 The permit holder shall ensure that waste activities on the site shall be carried out in such a manner so as not to have an adverse effect on the drainage of adjacent lands, on watercourses, on field drains or any other drainage system including the public roadway.
- 5.5 All loose litter accumulated within the site and its environs shall be removed and appropriately disposed of at an appropriate facility on a daily basis.
- 5.6 In dry weather appropriate measures shall be taken to reduce / eliminate airborne dust nuisance.

- 5.7 The permit holder shall ensure that the activities at the site shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the site boundary.

REASON: To provide for the control of nuisances and emissions from the facility, and to provide for the protection of the environment

Condition 6: ENVIRONMENTAL MONITORING

- 6.1 Authorised staff of Kildare County Council shall have access to the site at all reasonable times, for the purpose of their functions under the Waste Management Acts 1996 to 2008, including such inspections, monitoring and investigations as are deemed necessary by the Council.
- 6.2 If so requested by Kildare County Council, the permit holder shall at his/her own expense make available a suitable excavator for the purposes of excavating trial holes in the waste material deposited on site, and shall arrange for the excavator to carry out whatever works are required by the Council on the site.
- 6.3 If so requested by Kildare County Council, the permit holder shall, at his/her own expense, carry out such further investigations and monitoring of the facility as required by the Council. The scope, detail, and programme, including report structure and reporting schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the Council.
- 6.4 In the event that any monitoring or observations indicate a pollution incident has occurred resulting from waste activities on site, acceptance of waste onto the site shall cease and remedial measures shall be carried out immediately as directed by Kildare County Council.
- 6.5 The permit holder shall keep records of all monitoring carried out and shall retain such records for a minimum period of three years. These records shall be available for inspection at the site office during normal working hours by Authorised Officers of Kildare County Council and any other person authorised under Section 14 of the Waste Management Acts 1996 to 2008

REASON: To ensure compliance with the requirements of the conditions of this licence

Condition 7: RESTORATION AND AFTERCARE

- 7.1 As soon as is practicable following completion of the waste activities, the site shall be seeded with grass.
- 7.2 Prior to seeding, topsoil shall be spread evenly over the site to a minimum depth, after firming of 200 – 250 mm. The topsoil shall be good quality, and shall comply with BS 3882 : 1991. The topsoil shall not be spread in wet conditions. The topsoil shall be adequately prepared for seeding by raking or harrowing and by rolling. Seed shall be spread at a minimum rate of 30 grams per square metre.
- 7.3 The applicant remains responsible for the proper nuisance free operation of all drainage systems on site, and for ensuring that no pollution of groundwaters shall occur at any time as a result of the proposed filling / waste recovery operation.

REASON: To provide for the restoration and aftercare of the facility

Condition 8: CONTINGENCY ARRANGEMENTS:

- 8.1 In the event that any monitoring, sampling or observations indicate that contamination has, or may have, taken place, the operator shall immediately:
- a) identify the date time and place of contamination,
 - b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission,
 - c) isolate the source of the emission,
 - d) evaluate the environmental pollution, if any,
 - e) identify and execute measures to minimise the emissions and effects thereof,
 - f) identify and put in place measures to avoid reoccurrence,
 - g) identify and put in place any other appropriate remedial action, and
 - h) maintain a written record of the above.

REASON: To provide for immediate action in the event of contamination taking place.

Condition 9: FINANCIAL PROVISIONS:

9.1 The permit holder shall pay an annual contribution of EUR1000 to Kildare County Council towards the cost of inspecting, monitoring or otherwise performing any functions in relation to the permit activity. The Permit Holder shall pay to Kildare County Council this amount within 30 days of receipt of this permit. In the event that the frequency or extent of monitoring or other functions carried out by Kildare County Council needs to be increased for whatever reason the permit holder shall contribute such sums as are determined by the Local Authority to defray costs.

REASON: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.

Signed: _____

P. Voigt
P. Voigt, A/Administrative Officer,
Kildare County Council.

Date: _____

23/7/08

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Site Inspection Noted

AC in Dunne
820

No waste activities have commenced on site.

Please file on WP 236/2006.

Ciara Corrigan



WASTE MANAGEMENT (PERMIT) REGULATION, 1998

Site Inspection sheet for permitted facility 9/1/2009

Section 1: Permit Holder/Inspection Details

Engle Rea 82013/1

- 1) Name of Waste Permit Holder: Cemex (ROI) Ltd
- 2) Address of Permitted Facility: Eadestown, Walshestown, Naas
- 3) Permit Number: 236/2006
- 4) Expiry Date of Permit: 23-01-09
- 5) Date of Inspection: 05-01-09 Time of Inspection: 1h00
- 6) Name of Inspector: D M Costigan
- 7) Brief description of permitted activity: Disposal of waste soils
- 8) Type of Inspection: Scheduled
- 9) Date of previous inspection: first inspection
- 10) Summary of non-compliances, if any, from previous inspection:
N/a

noted
&
15/1/09

11) Purpose of inspection:

General compliance check ? Yes

Waste inventory check ? _____

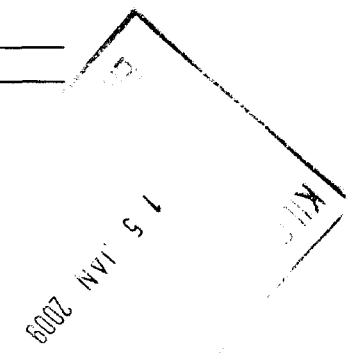
Waste Row verification ? _____

Mass balance ? _____

12) List site inspection objectives: is site active

13) Do you have a copy of the permit? yes

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Section 2: The Site

1) Name of Permit Holder(s) representative on day of inspection (state 'none present' if no one present on site on day of inspection) None present

2) Weather Conditions: Dry

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3) Is there a post and wire fence erected along the boundary of the waste permitted site?
no

4) Is the active area within the site boundary of the waste permit? N/a

5) Are there markers indicating the finished levels of the site? no

6) Is there adequate provisions made to prevent unauthorised entry to the site? Yes

To prevent unauthorised entry to the site is there adequate:

Signs: yes

Fencing: Yes

Gates: yes

Alarms: no

Lighting: no

Other (specify):

6) Is a copy of the permit kept on the site? no

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Section 3: Waste Activities

1) Is the site active? no

2) Is waste being imported into the site? no

3) Registration Numbers of vehicles on site n/a

4) Are hauliers in possession of waste collection permits? N/a

5) Are the hours of operation within the times specified in the permit? N/a

6) Are there written operating instructions and procedures for staff in respect of on-site waste control? N/a

7) Type of waste handled:
soils

8) Are the waste types being accepted in accordance with the waste permit _____ n/a

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9) Number of plant on site:

Front loader(s)	no	Excavator(s)	NO
Baler(s)	no	Dump truck(s)	No
Compactor(s)	no	Dozer(s)	no
Shredder(s)	no		

Other (description): -

10) Estimate volume/tonnage of waste on site: _____ m³/ tonnes

11) Describe on-site waste storage: n/a

Section 4: Environmental Pollution & Control

Pollution control at site:

1) Is there adequate provision for preventing groundwater and surface water contamination? N/a

E.g. is there:

Concrete hard standing	no
Yard run off channels	no
Collection tanks	no
Bunded oil/diesel tanks	no

Is there a tank and bund testing report available? No

Is there evidence of effluent samples being taken and recorded? No

2) Is there evidence of litter control on site? N/a

3) Pollution obvious at site:

Muck on road:	No
Malodour:	No
Other air emissions:	no
Emissions to water:	No
Waste / litter:	no

4) Is action required to limit/prevent pollution: No

Details of action required to limit / prevent pollution: n/a

5) Samples taken

Soil samples: No

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Water samples: No
Air monitoring: No
Other monitoring: No

Details:

Photos taken: NO
Number of Photos NIL

6) Are there adequate fire extinguishers and emergency response equipment on site - including provision for emergency spillages?: n/a

7) Is there an Emergency Response Procedure (ERP) in place (details of contact numbers for Fire Service, Ambulance, Doctor, assembly points etc.)? n/a

Section 5: Record Keeping

It is recommended that the inspector requests to see all documentation regarding a particular time period within the 12 month period. This would normally be 1 or 2 weeks at different times of the year or 1 month. Documentation from this chosen period relating to wastes in and out should be inspected and cross referenced to allow the inspector to be satisfied that adequate procedures are in place.

1) Is there evidence of visual inspections being carried out on loads entering the site?
N/a

2) Are there records available for the following:

Incoming materials? N/a

Outgoing recyclable materials? N/a

Other outgoing materials (e.g. to landfill)? N/a

Hazardous materials on site (if applicable)? N/a

Describe types of records maintained (weighbridge records, invoices, receipts etc.)
N/a

Section 6: Findings & Recommendations Arising

Non-compliance's with permit conditions (give details of non-compliance and relevant permit condition): N/a

Is further action required to ensure permit holder is in compliance with the conditions of the permit?: n/a

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Send warning letter: no

Serve Notice: No

Immediately Initiate Prosecution: No

Other (specify):
no

Actions, changes or areas of the facility that need to be addressed in order that permit holder is in compliance with conditions of permit.

Nil

Due date for compliance response:

Other comments arising: Site is not active, no waste imported onto site. The Dowdstown road widening is not due to start until sometime in 2010

Signed: _____
Inspector

Date: 05-01-09

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ORDNANCE SURVEY IRELAND
 LICENCE NUMBER
AR0056010

Client CEMEX (RO) LTD		
Project Walshestown Pit Restoration		
Location Walshestown, Co. Kildare		
Title EXISTING SITE CONDITIONS		
Project No. 07507150231	Checked by POB	Figure No.
File No 8.1	Approved by CW	8.11
ISSUE TO EPA		SEP. '10 A
Description	Date	Version
Scale 1:4,000A3 1:6,000A4	Date	September 2010

LEGEND	
	APPLICATION SITE BOUNDARY
	APPROXIMATE AREA RAISED UNDER WPR 71/2002



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