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22st October 2010

W0272-01

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

Dear Sir or Madam,

I am to refer to the above referenced application for a waste licence relating to a facility at Milverton, Skerries, Co. Dublin. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 and Article 13 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2) (b) (ii) of the regulations, to take the steps and supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. A submission from Fingal County Council was received by the Agency on 19th December 2009. The County Council state that the works to be carried out on site, including the importation of large quantities of material will require planning permission under Section 32 of the Planning and Development Act 2000. Please provide clarification in relation to the planning status of the site including importation of material; also address the planning issues raised in the submission from Fingal County Council.
2. Provide details of any consultation with the National Parks and Wildlife Service in relation to the following:
 - (i) The protected status of the peregrine falcon present on-site;
 - (ii) The possible impacts associated with the proposal to infill the quarry on the peregrine falcon; and



- (iii) The suitability of the proposal to retain an upper section of the southern quarry face as a continued nesting habitat for the peregrine falcon.
3. Clarify the hours it is proposed to accept waste at the proposed facility and the hours when waste will be in-filled on-site, if different.
 4. Clarify the grid references for dust monitoring point D3, surface water monitoring points SW1, and SW2 and groundwater monitoring point BH03.
 5. In relation to discharges to surface water please provide the following:
 - (i) Complete *Table E.1 (i) Emissions to Surface Waters* and *Table E.1 (ii) Emissions to Surface Waters – characteristics of the emission* to include reference to suspended solids.
 - (ii) The proposed concentration of suspended solids in the discharge to surface water following settlement.
 - (iii) Details of how the rate of discharge to the stream will be controlled, times of discharge, predicted discharge volumes, and proposed monitoring of the discharge (including visual, chemical and flow).
 - (iv) Confirm the route of the existing pipeline from the quarry to the receiving water. Alternatively identify an alternative proposed route for discharge of on-site surface water to the receiving water. Clarify the location of the existing or proposed discharge point to the receiving water and provide the grid reference. Identify the existing or proposed discharge route and discharge point on a fully labelled drawing.
 - (v) Provide an assessment, with particular reference to suspended solids, of the impact of emissions to the receiving water. The assessment shall have regard to the standard for suspended solids in European Communities (Quality of Salmonid Waters) Regulations 1988, S.I. No. 293.

ARTICLE 13 COMPLIANCE REQUIREMENTS

1. Resubmit *Table 6.2 Summary of Groundwater Quality* to reflect the groundwater and surface water monitoring results contained in the laboratory tables of results from Appendix C of Section 6.





2. Please update the EIS documents as necessary, having regard to information provided in response to 'Article 12 Compliance Requirements' above

Your reply to this notice should include a revised non-technical summary (Application Form and EIS) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within six weeks of the date of this notice. In addition submit sixteen (16) copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is W0272-01. Please direct all correspondence in relation to this matter to Administration, *Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,

Anne Pearson, Inspector
Office of Climate, Licensing & Resource Use

