

Appendix L.2

Fit and Proper Person

IPPC Licence Application Westland Horticulture Ltd.

Project Ref: OES1182_01

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The following information provides and update to Appendix L.2. of the IPPC Licence Application and should be read in conjunction with the document.

Westland Horticulture currently holds a discharge Licence from Westmeath County Council and as a result the company has a *fit and proper person* in place.

Section 84(4) of the POE Act specifies the information required to enable a determination to be made by the Agency.

1. *Indicate whether the applicant or other relevant person has been convicted under the POE Act, the Waste Management Act 1996, the Local Government (Water pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.*

Westland Horticulture Ltd. has revived one historical prosecution in accordance with Section 171.1 (b) of the Fisheries Consolidation Act, 1959 as amended by the Fisheries Amended Act, 1962, the Fisheries Act, 1980 and the Local Government (Water Pollution) Amended Act 1990 to 1 Count only i.e. "permit to fall" into the waters wit. a water course of the Inny River deleterious matter to wit. peat silt effluent- on the 8th of November, 2002 at Mayne, Electoral Division of Coole in the County of Westmeath.

While Westland were prosecuted in respect of the above. The circumstances that surrounded this event should be noted, firstly the site had been newly purchased by Westland, and the event occurred during a period of heavy rainfall.

There have been no offences committed under the Waste Management Act 1996, or the Air Pollution Act 1987.

Mark Hamill will be responsible for Environmental & Peat Harvesting operational responsibilities and Jarlath Quinn Financial responsibilities. Neither the relevant persons have have ever been convicted under the PoE Act, the Waste Management Act 1996, the Local Government (Water pollution) Acts 1977 and 1990 or the Air Pollution Act 1987 and are considered fit & proper persons nominees.

2. *Provide details of the applicant's technical knowledge and/or qualifications, along with that of other relevant employees.*

Members of the management team have considerable experience in the environmental management as detailed in L.2. the application.

As noted in section L.2 Mark Hamill (B.Sc. Environmental Science) will be responsible for the Environmental Management of the site. Mark will oversee the implementation and management of the site Environmental Management Plan which is accredited to ISO 14001 which will be managed to achieve compliance with the IPPC Licence.

3. *Provide information to show that the person is likely to be in a position to meet any financial commitments or liabilities that may have been or will be entered into or incurred in carrying on the activity to which the application relates or in consequence of ceasing to carry out that activity.*

Westland is in a good financial standing as detailed as detailed in Attachment L.2. the application. Westland will ensure there is adequate insurance which will cover accidental pollution events. They also propose to prepare a Residual Management Plan and a costed Environmental Liabilities Risk Assessment for the sites.

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