

Josephine Kennedy

From: Emma Sweeney [emma.sweeneybutler@tobin.ie]
Sent: 17 February 2011 15:46
To: Licensing Staff
Cc: tjlennon@lennonquarries.com; Sean Finlay; Siobhan Tinnelly
Attachments: 2084-160211-WL PD Objection - Submission 2.pdf

RE:

Waste Licence Application - W0256-01

Lennon Quarries Ltd. - Material Recovery Facility, Tallagh, Belmullet, County Mayo

W0256-01 EPA Proposed Decision - 09 December 2010 - In Accordance with Section 42(2) of the Waste Management Acts, 1996 to 2010

Objection to Proposed Decision - In Accordance with Section 42 of the Waste Management Acts, 1996 to 2010

Dear Sir/Madam,

I am writing on behalf of our client *Lennon Quarries Ltd., Glencastle, Bunnahowen, Ballina, Co. Mayo* ('The Applicant') in relation to Waste Licence Application W0256-01 for the continuation of recovery activities at an existing Inert Material Recovery Facility, at Tallagh, Belmullet, County Mayo, which has operated since January 2006 and continues to operate under Mayo County Council Waste Permit PER 144.

TOBIN (acting on behalf of *Lennon Quarries Ltd.* - the 'Applicant') lodged an objection to the EPA W0256-01 Proposed Decision, to '*Refuse to Grant a Waste Licence*', dated 09 December 2010.

TOBIN received a letter from the EPA, dated 18 January 2011:

- Acknowledging receipt of our Objection;
- Attaching copies of the two other objections received by the Agency in relation to the Proposed Decision;
- Stating that the Agency would consider the objections in accordance with the *Waste Management Acts, 1996 to 2010* and the relevant *Waste Management (Licensing) Regulations*;
- Stating that '*As a party to the objection, the applicant may make a submission in writing to the Agency on the other objection/s, to be received no later than 17/02/2011*'.

TOBIN (acting on behalf of *Lennon Quarries Ltd.* - The Applicant') attach a submission in relation to the two other independent objections received by the Agency in relation to the EPA W0256-01 Proposed Decision, to '*Refuse to Grant a Waste Licence*', dated 09 December 2010:

Yours Sincerely,

Emma Sweeney

<<2084-160211-WL PD Objection - Submission 2.pdf>>

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Our Ref: ES/MMcD 2084/1a

16 February, 2011

Licensing Unit
Office of Climate, Licensing & Resource Use
Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
County Wexford

**Re: Waste Licence Application - W0256-01
Lennon Quarries Ltd. - Material Recovery Facility, Tallagh, Belmullet, County Mayo
W0256-01 EPA Proposed Decision - 09 December 2010 - In Accordance with Section
42(2) of the Waste Management Acts, 1996 to 2010
Objection to Proposed Decision - In Accordance with Section 42 of the Waste
Management Acts, 1996 to 2010**

Dear Sir/Madam,

I am writing on behalf of our client *Lennon Quarries Ltd., Glencastle, Bunnahowen, Ballina, Co. Mayo* ('The Applicant') in relation to Waste Licence Application W0256-01 for the continuation of recovery activities at an existing Inert Material Recovery Facility, at Tallagh, Belmullet, County Mayo, which has operated since January 2006 and continues to operate under Mayo County Council Waste Permit PER 144.

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TOBIN received a letter from the EPA, dated 18 January 2011:

- Acknowledging receipt of our Objection;
- Attaching copies of the two other objections received by the Agency in relation to the Proposed Decision;

Directors: L.E. Waldron (Chairman) R.F. Tobin (Managing Director) M.F. Garrick J. Collieran B.J. Downes S. Finlay P.J. Fogarty D. Grehan
J.P. Kelly B.M. Mulligan C. O'Keeffe E. Connaughton (Company Secretary) D.A. Downes (Consultant)

Associates: T. Cannon P. Cloonan D. Conneran T. Curran B. Gallagher B. Heaney B. Hutchinson D. Kennedy M. McDonnell C. McGovern
E. McPartlin

- Stating that the Agency would consider the objections in accordance with the *Waste Management Acts, 1996 to 2010* and the relevant *Waste Management (Licensing) Regulations*;
- Stating that 'As a party to the objection, the applicant may make a submission in writing to the Agency on the other objection/s, to be received no later than 17/02/2011'.

TOBIN (acting on behalf of *Lennon Quarries Ltd.* '- The Applicant') would like to make the following submission in relation to the two other independent objections received by the Agency in relation to the EPA W0256-01 Proposed Decision, to 'Refuse to Grant a Waste Licence', dated 09 December 2010:

We concur with the opinion of the *Soil Recovery Association*:

'It is the opinion of the Soil Recovery Association that the land reclamation works at Tallagh are a recovery activity with a beneficial use to agriculture. We would refute any suggestion that this operation has been or will be a waste disposal operation'.

We concur with the Final Conclusion of the *Soil Recovery Association* Objection:

'In conclusion, the Soil Recovery Association urges that the proposed determination to refuse a Waste Licence to Lennon Quarries is reversed and that a Waste Licence is issued to Lennon Quarries that is commercially viable and that reflects the environmental impact of soil and stone; which in our view is absolutely negligible'.

We concur with the opinions of Mr Freddie Symmons, Senior Environmental Consultant, *Kingfisher Environmental Consultants*:

'The site is an existing established waste permitted facility, for the purpose of the consequential benefit to agriculture. In fact there is clear legal precedent for the works to be regarded as bona fide land reclamation works for the consequential benefit to agriculture, as the applicant has operated under a Waste Permit PER 144, which was granted under the Waste Management Permit Regulations, 1998, in January 2006'.

&

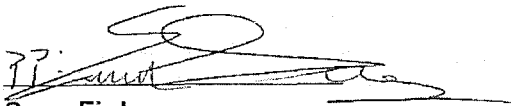
'Existing Land Reclamation/Restoration Sites, applying for Waste Licences are not landfills or disposal sites'.

We concur with the Final Conclusion of Mr Freddie Symmons, Senior Environmental Consultant, *Kingfisher Environmental Consultants* Objection:

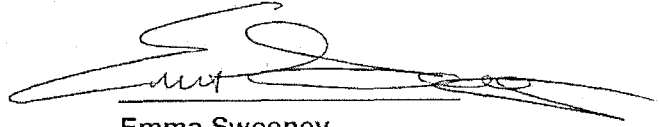
'We sincerely hope that a Waste Licence is granted to Lennon Quarries, as per the recommendations of the EPA inspector for this case'.

We do hope the above submission strengthens our objection to EPA W0256-01 Proposed Decision (dated 09 December 2010).

Yours sincerely,



Sean Finlay
Director
TOBIN Consulting Engineers



Emma Sweeney
Senior Environmental Scientist
TOBIN Consulting Engineers

(On behalf of Lennon Quarries Ltd.)

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