

This memo has been cleared for submission to the Director by the Programme Manager F. Clinton  
Signed: ME Date: 24-6-11  
Máire Buckley

**OFFICE OF CLIMATE,  
LICENSING &  
RESOURCE USE**

**ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM**

<b>To:</b>	Laura Burke, Director
<b>CC:</b>	Brian Meaney, Frank Clinton
<b>From:</b>	Donal Grant Environmental Licensing Programme
<b>Date:</b>	24th June 2011
<b>RE:</b>	Request to withdraw a Waste Licence Review Application Reg. No. W0146-03 from Greenstar Holdings Ltd., Knockharley, Co. Meath.

**Background:**

An application for a review of the existing waste licence for the landfill at Knockharley was received from Greenstar Holdings Ltd. on 24<sup>th</sup> December 2008. The application detailed a number of proposed changes to the operation of the facility, including:

- A two-fold increase in the annual waste acceptance at the facility from 200,000 tpa to 400,000 tpa.
- Opening a second working face to accommodate the increased waste volumes.
- The acceptance of 10,000 tpa of construction waste containing asbestos (EWC 17 06 05) at the facility in accordance with Art. 6(iii) of Council Directive 99/31/EC on the landfill of waste.

The proposed changes will not result in any alteration to the footprint of the landfill or the permitted total quantity of waste to be deposited in the landfill. The applicant has stated that an increase to the volume of waste accepted at the facility will result in an increase in traffic and consequently, noise.

Greenstar Holdings Ltd. submitted correspondence to the Agency on 28<sup>th</sup> July 2010 informing the Agency that they intend to apply for a further review of their existing licence, despite having a review application already under assessment by the Agency. They stated that this second review was aimed at:

- Developing a biological waste treatment facility of up to 90,000 tpa.
- Increasing the capacity of the existing landfill by deepening the existing cells.
- Accepting stable non-reactive hazardous waste at the facility (eg. bound asbestos).

Having spoken to the applicant, they have agreed that the most suitable proposal is for the applicant to withdraw their current licence review application (W0146-03), amalgamate that application with their proposed new application and submit a new, updated application at their earliest convenience.

In correspondence dated 16<sup>th</sup> March 2011, the applicant has formally requested the withdrawal of the licence application (W0146-03) in accordance with Article 21 of the Waste Management (Licensing) Regulations 2004. In the request the Applicant indicated

that they intend to lodge a new licence review application which would reflect the proposed significant changes at the facility.

The applicant also requested a refund of 50% of the fee paid in respect of the review application (W0146-03) and also a waiver of 50% of the fee for their proposed new application.

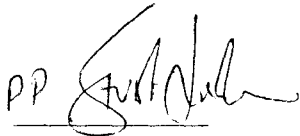
### **Recommendation**

I recommend that the Agency agree to the withdrawal of the Waste Licence application Reg. No. W0146-03 and acknowledge the applicant's intent to submit a new licence review application in the near future.

Article 45(1) of the Waste Management (Licensing) Regulations 2004 states: "*The Agency shall have an absolute discretion to refund or waive up to half of any fee payable in respect of a particular application where it is satisfied that the payment in full of the fee would not be just and reasonable having regard to the relevant circumstances of the activity*".

A total application fee of €31,000 was paid by the applicant. I recommend that a refund of 50% (€15,500) be made to the Applicant having regard to the Article 45(1) of the Regulations and the fact that no recommendation or decision on the licence application had been reached prior to the applicant's request to withdraw the application.

I also recommend that a waiver of 50% of the fee submitted with any new licence review application by Greenstar Holdings Ltd. that relates to the facility at Knockharley be granted by the Agency at the time of submission of said proposed application.



**Donal Grant**

Inspector

Office of Climate, Licensing & Resource Use