

Noeleen Keavey

From: Brian Meaney
Sent: 09 January 2012 10:18
To: Noeleen Keavey
Subject: FW: KMK Metals waste licence re: W0113-04
Attachments: EIS letter Offaly 13-03-09.pdf; Letter to Offaly Co Co Planning 09-03-09.pdf

Information for file. Thanks, Brian.

From: Niall Nally [<mailto:Niall.Nally@enviroco.ie>]
Sent: 06 January 2012 16:34
To: Brian Meaney
Subject: KMK Metals waste licence re: W0113-04

Hello Brian,

On reflection of our conversation today on the waste licence application and in particular about the issue of planning permission allowed tonnage at KMK Metals and the submission of the EIS in 2009, I wish to point out that we did liaise with Offaly Co Co planning at the time and also did receive a letter from Offaly Co Co about the proposed EIS. This correspondence is attached and it can be reasonably assumed that Offaly Co Co planning did not have any objection to the proposed waste licence review for 35,000 tonnes.

I therefore suggest that the EIS of 2009 was indeed fully compliant with the Planning & Development Regulations 2001-2007.

If you have any further questions on this matter, please let me know.

Thanking you

Best Regards

Niall

Niall Nally | Senior Environmental Consultant

ENVIROCO Management Ltd.,

Bow House, O'Moore St.,
Tullamore, Co. Offaly.
1890 522 000 (Lo Call)
057 93 52342 (Fax)
087 122 1422 (Mobile)
nnally@enviroco.ie
www.enviroco.ie

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Comhairle Chontae Uíbh Fhailí

Tel: 057 9346800 • Fax: 057 9346868

Website: www.offaly.ie

email: secretar@offalycoco.ie

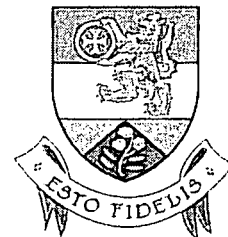
Offaly County Council

Áras an Chontae,

Charleville Road,

Tullamore,

Co. Offaly.



Niall Nally
Snr. Environmental Consultant
Enviroco Management
Bow House, O'Moore Street
Tullamore
Co. Offaly

13/03/2009

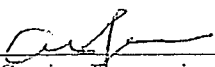
**Re: KMK Metals Recycling Ltd., Cappincur Ind. Estate, Daingean Road,
Tullamore, Co. Offaly.**

Dear Mr. Nally,

We refer to your letter submitted to the Planning Authority on 11/03/2009 in relation to whether an E.I.S. is required for development at KMK Metals Recycling Ltd., Cappincur, Tullamore.

We wish to refer you to Schedule 5 of the Planning and Development Regulations 2001, which lists the developments that require an E.I.S., and in particular item 11 (b) of Part 2 and item 13 (a) (ii) and advise you accordingly that an E.I.S. is required for any such application.

Yours faithfully,


Senior Executive Officer
Planning Department
Offaly County Council

- (i) (i) Oil pipelines and associated installations not included in Part 1 of this Schedule, where the length of new pipeline would exceed 40 kilometres.
- (ii) Gas pipelines and associated installations not included in Part 1 of this Schedule, where the design pressure would exceed 16 bar and the length of new pipeline would exceed 40 kilometres.
- (j) Installation of overground aqueducts which would have a diameter of 1,000 millimetres or more and a length of 500 metres or more.
- (k) Coastal work to combat erosion and maritime works capable of altering the coast through the construction, for example, of dikes, moles, jetties and other sea defence works, where the length of coastline on which works would take place would exceed 1 kilometre, but excluding the maintenance and reconstruction of such works or works required for emergency purposes.
- (l) Groundwater abstraction and artificial groundwater recharge schemes not included in Part 1 of this Schedule where the average annual volume of water abstracted or recharged would exceed 2 million cubic metres.
- (m) Works for the transfer of water resources between river basins not included in Part 1 of this Schedule where the annual volume of water abstracted or recharged would exceed 2 million cubic metres.

11. *Other projects*

- (a) All permanent racing and test tracks for motorised vehicles.
- (b) Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part 1 of this Schedule.
- (c) Waste water treatment plants with a capacity greater than 10,000 population equivalent as defined in Article 2, point (6), of Directive 91/271/EEC not included in Part 1 of this Schedule.
- (d) Sludge-deposition sites where the expected annual deposition is 5,000 tonnes of sludge (wet).
- (e) Storage of scrap metal, including scrap vehicles where the site area would be greater than 5 hectares.
- (f) Test benches for engines, turbines or reactors where the floor area would exceed 500 square metres.
- (g) All installations for the manufacture of artificial mineral fibres.

- (h) All installations for the manufacture, packing, loading or placing in cartridges of gunpowder and explosives or for the recovery or destruction of explosive substances.
- (i) All knackers' yards in built-up areas.

12. *Tourism and leisure*

- (a) Ski-runs, ski-lifts and cable-cars where the length would exceed 500 metres and associated developments.
- (b) Sea water marinas where the number of berths would exceed 300 and fresh water marinas where the number of berths would exceed 100.
- (c) Holiday villages which would consist of more than 100 holiday homes outside built-up areas; hotel complexes outside built-up areas which would have an area of 20 hectares or more or an accommodation capacity exceeding 300 bedrooms.
- (d) Permanent camp sites and caravan sites where the number of pitches would be greater than 100.
- (e) Theme parks occupying an area greater than 5 hectares.

13. *Changes, extensions, development and testing*

- (a) Any change or extension of development which would:-
 - (i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and
 - (ii) result in an increase in size greater than –

- 25 per cent, or

- an amount equal to 50 per cent of the appropriate threshold,

whichever is the greater.

- (b) Projects in Part 1 undertaken exclusively or mainly for the development and testing of new methods or products and not used for more than 2 years.

(In this paragraph, an increase in size is calculated in terms of the unit of measure of the appropriate threshold.)

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ENVIRONMENTAL CONSULTANTS

Ms Breda Maher
Planning Section
Offaly County Council
Aras an Chontae
Charleville Road
Tullamore
Co Offaly

9th March 2009

Re: KMK Metals Recycling Ltd, Cappincur Ind. Estate, Daingean Road, Tullamore, Co Offaly.

Waste Licence ref: W0113-03 and request confirmation that an Environmental Impact Statement is or is not required for the site.

Dear Ms Maher

My client, KMK Metals Recycling Ltd intends to submit a waste licence review application to the EPA under the requirements of the Waste Management Acts 1996-2007.

The reasons of this waste licence review are as follows;

- o KMK Metals Recycling Ltd wishes to have their existing licensed annual waste acceptance tonnage increased from 20,000 tonnes to 35,000 tonnes per year in order to provide for the possibility of future business growth at the company. The types of waste will remain the same i.e. metallic wastes and waste electrical & electronic equipment (WEEE). All waste accepted to the site is for recycling and recovery only.
- o Similarly, the KMK site boundary is also to increase as part of the proposed waste licence review to reflect the future growth in waste handling capacity of the site.

As a matter of protocol and legal obligation when a waste licence review application is made to the EPA it is a requirement that the applicant notifies their planning authority and obtains confirmation that an Environmental Impact Statement (EIS) is or is not required as part of the waste licence review application.



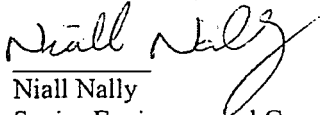
BOW HOUSE O'MOORE STREET TULLAMORE CO. OFFALY.
T/F: 057 935 2200 • email: info@enviroco.ie • www.enviroco.ie
Registered in Ireland, Number 297801 • Directors: A. Fahey. D. Fahey



Therefore, my client is seeking clarification on the matter of Environmental Impact Assessment (EIA) as set out under the Planning and Development Regulations 2004 and would appreciate your opinion in writing for the purposes of submitting this with the proposed application.

If you have any questions on this, please do not hesitate to contact me on 057 93 52200.

Yours Sincerely



Niall Nally

Senior Environmental Consultant

Cc Kurt M Kyck, KMK Metals Ltd, Cappincur industrial estate, Tullamore.

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