



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Regional Inspectorate, McCumiskey House,
Richview, Clonskeagh Road,
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Director of Services, Planning
Planning Department
Fingal County Council
County Hall
Main Street
Swords

13 February, 2012

Reg. No. W0272-01

Dear Director of Services,

In accordance with Article 18(1) of the Waste Management (Licensing) Regulations, you were informed on 29th September 2009 of the receipt on 17th September 2009, of documentation relating to a waste licence application from Roadstone Wood Ltd in relation to a facility located at Milverton Waste Recovery Facility Milverton, Skerries, County Dublin. This application has been assigned register number W0272-01.

The waste licence application was accompanied by a document entitled Environmental Impact Statement (EIS). In accordance with Article 18(3) of the above Regulations, a copy of the document entitled Environmental Impact Statement (EIS) submitted with this application also accompanied the letter dated 29th September 2009.

The Agency has received submissions from Fingal County Council, dated the 17th December 2009 and 14th March 2011, in relation to the waste licence application, copies attached. **Having regard to the fact that you consider the proposed development will require permission under Section 32 of the Planning and Development Act the Agency invites you to make a further submission in relation to the EIS and the environmental impact of the operation of the activity within four weeks of the date of this letter.**

Please note that Section 54(3) of the Waste Management Acts 1996 to 2011 specifies: *Notwithstanding section 34 of the Planning and Development Act, 2000, or any other provision of that Act, where a waste licence has been granted or is or will be required in relation to an activity, a planning authority or An Bord Pleanála shall not, where it decides to grant permission under Section 34 of that Act in respect of any development comprising the activity or for the purposes of the activity, subject the permission to conditions which are for the purposes of- (a) controlling emission from the operation of the activity, including the prevention, limitation, elimination, abatement or reduction of those emissions, or (b) controlling emissions related to or following the cessation of the operation of the activity.*

The application and associated correspondence, including the acknowledgements and notifications referred to in Article 15, are available to view on the Agency Website at www.epa.ie/licensing.



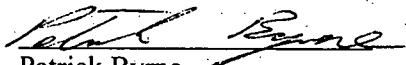
The Agency will have regard to any submission made in accordance with the Regulations and will write, in due course, to each person who makes such a submission, to advise them of the Agency's proposed decision on the application.

In accordance with Article 22(1)(b) of the Waste Management (Licensing) Regulations, 2004, the Agency will write to you to inform you of its proposed decision on the application in due course.

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

Please note that there is no requirement for you to acknowledge receipt of this letter.

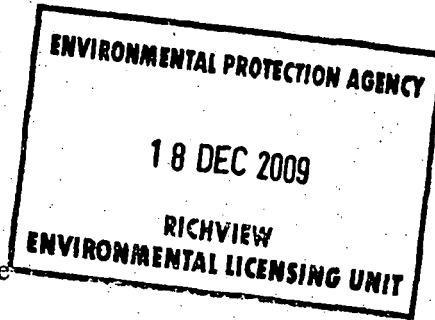
Yours sincerely,



Patrick Byrne
Inspector
Office of Climate, Licensing & Resource Use

cc. Mr Derek Luby, SLR Consulting Ireland, 7 Dundrum Business Park, Windy Arbour,
Dundrum, Dublin 14

Fingal County Council Comhairle Contae Fhine Gall



Mr Patrick Morris
Programme Officer
Office of Climate, Licensing and Resource Use
McCumiskey House
Richview
Clonskeagh Road
Dublin 14

PLANNING DIVISION
Development Control Section
P.O. Box 174,
County Hall,
Swords,
Fingal,
Co. Dublin

17th December 2009

RE: Waste Licence Application for Milverton Quarry

RANNÁN PLEANÁLA
Rannóg Rialú Forbartha
Bosca 174,
Áras an Chontae,
Sord,
Fine Gall,
Contae Átha Cliath

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Decisions - 01 890 5670
Appeals - 01 890 5724
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Dear Mr. Morris

The details of the above supplied by you were reviewed. The overall proposals for the restoration of Milverton Quarry after quarrying are acceptable and were deemed to be acceptable in compliance with a condition on the registration of the quarry (Ref. Q/05/003). The works required to carry out these proposals, including the importation to the site of large quantities of material will require permission under Section 32 of the Planning and Development Act 2000. notwithstanding this, the comments of the Water Services and Transportation Departments are as follows:

Water Services Department

Further to the above application that your submitted to Water Services for comment, we have no objection to the proposed works on conditions that suitable precautions are taken to ensure the complete protection of rivers, streams, ditches and other watercourses against pollution, silting and erosion including:

1. The applicant must implement and ensure compliance with the current best practice guidelines as recommended by the Department of Environment, Heritage and Local Government (DoEHLG), the Environmental Protection Agency (EPA) and the Irish Concrete Federation (ICF);
2. There must be no discharge of suspended solids or any deleterious matter to watercourses;





3. Silty water must be directed to a settlement pond prior to discharge to the foul sewer, if applicable;
4. all discharge to the foul sewer requires a discharge licence issued by the Local Authority;
5. Discharges to streams, watercourses or soakaways requires a discharge licence from the Local Authority;
6. The applicant must be in compliance with the limits set out in any discharge licence issued by the Local Authority under the Water Pollution Acts 1977 & 1990.
7. The applicant must submit a copy of the Standard Operating Procedures (SOPs) employed onsite, for review by the Local Authority.
8. Any incident with the potential for environmental contamination of surface water or groundwater must be reported immediately to the Local Authority. Detailing date and time of the incident, details of the occurrence and the steps taken to minimise the emissions and avoid recurrence;
9. If hydrocarbons are present on site, storage tanks must be contained in bunded areas. Drainage from bunded areas must be collected and disposed of in a safe manner.
10. To avoid Siltation of the waterbody and erosion of the river bank, a riparian strip of 10m is to be maintained from the edge of the waterbody;
11. Stockpile areas for sands, gravel & other extracted materials should be kept to minimum size, well away from the watercourse. Run off from these areas should be routed to the watercourse via suitably designed and sited settlement ponds;
12. Any settlement ponds constructed onsite should be inspected daily and maintained regularly;
13. Run off machine service areas must not enter the watercourse;
14. Watercourse banks should be left intact if possible. If they have to be disturbed, all practicable measures should be taken to prevent soils from entering the watercourse. If bank restoration is necessary it is preferable for the work to be carried out by vehicles operating from the bank, rather than in the waterbody itself. Permission must be sought from the Eastern Regional Fisheries Board before instream works can be permitted;





15. No works should be carried out in an existing floodplain;
16. Site roads and approaches to river crossings must be regularly brushed or scraped and kept free from dust and mud deposits;
17. A wheel wash should be provided for all vehicles entering and exiting the site.
18. The Water Pollution Control Inspector Mr. Jim Kavanagh (01 8905961) should be contacted to review on-site practices to ensure all relevant pollution control measures are in place.

The issuing of this licence shall not relieve the applicant of his responsibilities under the Water Pollution Acts.

Transportation Department

The Transportation department has no objection to the proposed development, subject to the following conditions.

1. Prior to the commencement of this development, the following revisions/ requirements in relation to Transportation infrastructure shall be agreed in writing with the Planning Authority by way of compliance and implemented by the development as part of the development:
 - (a) Visibility from the proposed site entrances are inadequate and do not meet road safety standards. The development shall submit revised plans/ details confirming that the visibility requirements of "Traffic Management Guidelines" published by the Department of Transport and TD 42/95 of the NRA "Design Manual for Roads and Bridges" as appropriate.
2. Roads contribution of €500,000 towards road improvements in the area.
3. No development of any form including planting, fences, walls or wing walls shall exceed a height of 0.9 metres within the area required to provide visibility from the site entrance point.
4. All stormwater shall be disposed of to soakpits or natural watercourse within the site and shall not discharge onto the public road.



Fingal County Council Comhairle Contae Fhine Gall



5. All the above works shall be carried out at the developer's expense according to the Specification and Conditions of Fingal County Council.

Yours sincerely

Peter Byrne

Peter Byrne
Senior Planner
PLANNING DEPARTMENT



Fingal County Council Comhairle Contae Fhine Gall



To: **Mr Joe Reilly, Programme Officer,
Office of Climate, Licensing & Resource Use,
EPA,
Headquarters, PO Box 3000,
Johnstown Castle Estate,
Co. Wexford**

14/03/2011

Dear Sirs

**Re: Waste Licence Application W0272-01 - Milverton Waste
Recovery Facility**

We refer to your letter of 15th February 2011 concerning additional information received by the EPA on the above Waste Licence Application. Please find comments below on this additional information.

Note: These comments are made *only* on the additional information relevant to the EIS passed on to FCC by the EPA.

- 1) There is no mention of the Water Framework Directive (WFD) and the Eastern River Basin Management Plan and Programme of Measures (POMs). The Mill stream has been designated as having Good Status. Under the WFD all waters must be good status by 2015 unless agreed otherwise and no waters may deteriorate below their existing status.
- 2) Referring to the EIS Section 6 Revision A, Subsection 6.2.3, paragraphs headed *Surface Water Flows and Discharges*: the figures taken from the flow report are based on the full catchment, whereas the discharge is to a tributary only. The figures used in Table E.1(i) are different. There appears to be no reason given for the different figures.
- 3) Referring to the EIS Section 6 Revision A, Subsection 6.2.3, paragraphs headed *Surface Water Flows and Discharges*: the rate, timing and volume of discharge from the sump in the quarry floor appears to be controlled by the pump and not the precipitation patterns over the quarry footprint.
- 4) Referring to the EIS Section 6 Revision A, Subsection 6.3.4, first paragraph: see comments 1 & 2 above with regard to flow figures.

Water is precious. Let's conserve it. - Tá uisce luachmhar. Caomhnaimis é.

Water Services Department
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County Hall,
Swords,
Fingal,
Co. Dublin

An Roinn Seirbhísl Uisce
Bosca 174,
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Office Address
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Blanchardstown,
Fingal,
Dublin 15

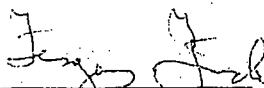
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- 5) Referring to the EIS Section 6 Revision A, Subsection 6.4.1: We suggest the following additional mitigation measures
 - All paved and car parking areas to drain to an oil interceptor.
 - All 'site compound' areas to have impermeable surfaces and drain to an oil interceptor.
 - All plant when not in use to be parked in 'site compound' areas.
 - Oil interceptor to be maintained in accordance with manufacturers recommendations.
 - Settlement ponds to be maintained in a fit - for - purpose state.
- 6) The applicant should be asked for his proposals to ensure that there is not a wash out from the settlement ponds during periods of heavy rainfall.
- 7) The proposals for surface water discharge from the site during operation of the site should include a stormwater management system following the principles of Sustainable Urban Drainage and in compliance with the principles outlined in the "Greater Dublin Strategic Drainage Study Regional Drainage Policies Volume 2 New Development, Aug 2005".
- 8) Referring to the EIS Revision A, Attachment F4: Monitoring point SW2 appears to be in private property. Evidence of permission to sample at this point over a prolonged period should be submitted.
- 9) Monitoring point SW2 appears to be at the discharge point. Should it be a distance downstream to allow for a mixing zone?
- 10) Referring to the EIS Revision A, Attachment F6: The above comment 8 may apply here also, however the location of the existing groundwater wells is not included in the additional information.
- 11) Referring to the EIS Revision A, Table E1.(i) "Flow rate in receiving waters": These figures are different to those in EIS Section 6 Revision A, Subsection 6.2.3, paragraphs headed *Surface Water Flows and Discharge*. The reason for the difference does not appear to be mentioned in the additional information.
- 12) Referring to the EIS Revision A, Table E1.(i) "Available waste assimilative capacity": Table E1.(i) refers to Table E.1 (ii) however there is no mention of assimilative capacity in Table E.1(ii).
- 13) Referring to the EIS Revision A, Table E1.(i) Emission Details: Are these figures based on rainfall or on pump ratings? (See comment 3)

- 14) Referring to the EIS Revision A, Table E1.(ii): The physico-chemical conditions of river water bodies to meet 'Good Status' are set out in S.I. No. 272 of 2009 "European Communities Environmental Objectives (Surface Water) Regulations 2009". In the absence of definite assimilative capacity figures in the tributary, lack of SUDs proposals, and the requirements under the Surface Water Regs and the WFD, it is felt the proposed discharge levels are too high and it is recommended that a limit of 10mg/l for both BOD and SS be applied in the interim. Limits for total ammonia and MRP should also be applied to ensure that the quality of the receiving waters is not adversely affected.
- 15) Discharges to streams, watercourses or soakaways must receive permission from Water Services.
- 16) There must be no discharge of suspended solids or any deleterious matter to watercourses.
- 17) Site roads and approaches to river crossings must be regularly brushed or scraped and kept free from dust and mud deposits.
- 18) Suitably sized oil and petrol interceptors are required for all discharges from large car parks, access roads and hard surfaced areas.
- 19) There is no mention of foul sewage and disposal of same in the additional information submitted. What are the proposals for disposal of foul sewage and should the affects of same be considered in the Groundwater Protection section.

Yours Sincerely,



Fergus Finch, A/S.E.E.,
Pollution Control Section