

This report has been cleared for submission to
Director by the Programme Manager
Frank Clinton.

Signed: *Ann Kehoe*

Date: *5/7/12*



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

**ENVIRONMENTAL LICENSING PROGRAMME
MEMORANDUM**

TO: Director

FROM: Ann Kehoe

C.C. Frank Clinton Programme Manager

DATE: 27th June 2012

RE: Request for the transfer of Waste licence, Reg. No. **W0039-02**, from **GREENSTAR ENVIRONMENTAL SERVICES LIMITED** to **NURENDALE LIMITED TRADING AS PANDA WASTE SERVICES LIMITED CRO No. 115425**.

Background

Licence Reg. No. W0039-02 was granted to Greenstar Environmental Services Limited on the 4 September 2000. A transfer application was received on 04/05/2011 from Greenstar Environmental Services Limited, Ballymount Cross, Tallaght, Dublin 24 and Nurendale Limited trading as Panda Waste Services Limited, Rathdrinagh, Beuparc, Navan, Co. Meath. The transfer of licence will allow Nurendale Limited trading as Panda Waste Services Limited to operate the installation at Ballymount Cross, Tallaght, Dublin 24, under licence Reg. No. W0039-02.

The Agency is informed that Nurendale Limited trading as Panda Waste Services Limited is a limited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 115425).

In the transfer application the Agency was informed that Nurendale Limited trading as Panda Waste Services Limited pleaded guilty to a charge brought by the EPA in relation to an offence under Sections 39(1) and 39(9) of the Waste Management Acts 1996 to 2008 for a breach of its Waste Licence (Reg No W0140-02). The Company admitted breaching a condition of its Licence by accepting a tonnage of waste that exceeded the maximum annual tonnage permitted. A fine of €500 was imposed on Nurendale Limited trading as Panda Waste Services Limited and EPA costs of €5,897 were awarded to the Agency.

Assessment

The application was assessed under Section 47 of the Waste Management Acts 1996 to 2011. It is deemed to comply with the requirements of the above, as follows:

Requirements of Section 47(2) and 47(3)

- The application complies with Subsection (2) having been jointly made by the current licensee and the proposed transferee.
- The application was made in the form prescribed by the Agency.
- The application was accompanied by the appropriate fee, in accordance Article 43 of the Waste (Licensing) Regulations 2004 to 2011.

Such information as may be required by Section 47(3)

- Any costs associated with the closure (RMP, DMP, CRAMP, etc.) of the facility have been fully detailed by the applicants and have been approved by the Office of Environmental Enforcement (OEE).
- Any costs associated with any environmental event (ELRA, etc.) at the facility have been fully detailed by the applicants and have been approved by OEE.
- The transferee or any relevant person has not had an application for a licence refused.

Requirements of Section 47(5)

- Information in relation to the status of the proposed transferee as a 'Fit and Proper Person' has been provided and, based on a review of the information; the proposed transferee has no relevant convictions and has sufficient technical experience and support.
- In relation to Financial Provision, a Bond is to be provided for Greenstar Environmental Services Limited. This Financial Provision has been agreed with the Office of Environmental Enforcement.

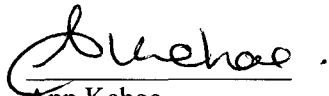
Approval memo from OEE in relation to Financial Provision is attached.

Requirements of Section 47(6)

- The proposed transferee has stated in writing that they accept all liabilities, requirements and obligations provided for in or arising under the licence, regardless of how and in respect of what period, including a period prior to the transfer of a licence, that may arise.

Recommendation:

It is recommended that the transfer of Waste licence Reg. No. W0039-02 from Greenstar Environmental Services Limited to Nurendale Limited trading as Panda Waste Services Limited, CRO No. 115425, is approved under Section 47 of the Waste Management Acts 1996 to 2011.



Ann Kehoe
Programme Officer
Environmental Licensing Programme