

Ms Patricia Rooney
Murphy Environmental Hollywood Limited
Hollywood Great
Nags Head
The Naul
County Dublin

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11 July 2012

W0129-03

re: Notice in accordance with Article 16(1) of the Waste Management (Licensing) Regulations

Dear Ms Rooney

I am to refer to the above referenced application for a waste licence relating to a facility at Hollywood Great, Nags Head, The Naul, County Dublin. The Agency is giving detailed consideration to the application and to complete this task the following information, particulars and evidence are required in accordance with Article 16(1) of the Regulations.

Please provide complete answers to each question.

ARTICLE 16(1) - FURTHER INFORMATION, PARTICULARS AND EVIDENCE

1. Formation levels

Condition 3.5.5 of the existing licence (W0129-02) authorises development of landfill cells only above 104.5mOD. Expand on the rationale for now proposing development above 102.5mOD with sumps to be placed at 102mOD. State what circumstances have changed to allow for the new proposal. This question should be addressed in the context of our earlier correspondence dated 23 March 2012 (and in particular item 7.2 therein).

2. Waste acceptance criteria

2.1. In relation to paragraph H.2.31 of the application, explain why higher waste acceptance limit values are sought for inert waste, particularly in the context of the availability of non-hazardous and hazardous cells at the proposed facility. In particular, state the specified wastes to be included and the parameters and limit values sought and the rationale for seeking those specified wastes, parameters and limit values.

2.2. In relation to paragraph H.2.32 of the application, explain why higher waste acceptance limit values are sought for solidified flue-gas treatment residues consigned to hazardous landfill. In particular, state the parameters and the limit values sought and the rationale for seeking those parameters and limit values.

2.3. It is proposed that no biodegradable waste will be accepted. State what criteria

will be used to determine whether a waste is biodegradable.

3. Groundwater trigger levels

3.1. Annex III, section (4)(C), of the Landfill Directive requires that trigger levels be laid down in a licence whenever possible.

- State what trigger levels are proposed.
- State what contingency plan will be followed in the event of a trigger level being reached.

3.2. In accordance with the requirements of the European Communities Environmental Objectives (Groundwater) Regulations 2010 and having regard to *Guidance on the Authorisation of Discharges to Groundwater*, published by the Environmental Protection Agency, provide a technical assessment in relation to the setting of groundwater compliance points and values. Propose the compliance points to be utilised, the corresponding compliance values and the compliance monitoring to be employed.

4. Construction of the facility and groundwater quality

4.1. State what systems are necessary and will be put in place to ensure that the potential presence of pyrite-containing rock at the facility (as stated in submissions) will not:

- create structural problems in the construction and operation of the facility; or
- cause environmental pollution in groundwater or surface water.

This issue should be addressed in the context of:

- a. pyrite in bedrock upon which the facility is to be constructed; and
- b. pyrite in aggregate and other site-won materials used in construction.

5. CRAMP, ELRA and financial provision

5.1. In accordance with section 53(1) of the Waste Management Acts 1996 to 2011, please furnish particulars in respect of the ability of Murphy Environmental Hollywood Limited to meet the financial commitments or liabilities that will be entered into or incurred in carrying on the proposed activity and provide evidence that Murphy Environmental Hollywood Limited will be in a position to make financial provision that is adequate to discharge these financial commitments. Specifically:

- a. Prepare a fully detailed and costed Closure, Restoration and Aftercare Management Plan (CRAMP) for the facility, to include as a minimum the following:
 - A scope statement for the plan.
 - The criteria which define the successful closure and restoration of the facility or part thereof, and which ensure minimum impact to the environment.
 - A programme to achieve the stated criteria.

- Where relevant, a test programme to demonstrate the successful implementation of the plan.
 - Details of the long-term supervision, monitoring, control, maintenance and reporting requirements for the restored facility.
 - Details of the costings for the plan and the financial provisions to underwrite those costs.
- b. Prepare a fully detailed and costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities and potential liabilities from past and proposed activities, including those liabilities and costs identified in the CRAMP. The assessment should include consideration of potential liabilities as may arise from legal actions alleging the supply of pyrite-containing stone. Provide evidence that the assessment was prepared or reviewed, and was found to be complete and accurate, by an independent and appropriate qualified consultant or expert.
- c. Provide a proposal for financial provision to cover any liabilities associated with the operation and identified in the ELRA (including closure, restoration and aftercare and unanticipated accidents, incidents and liabilities). Provide evidence that Murphy Environmental Hollywood Limited will be in a position to put such financial provision in place in the event that a waste licence is granted and prior to development works commencing.

The preparation of the CRAMP and ELRA and evaluation of the amount and form of financial provision should have regard to Environmental Protection Agency guidance including *Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision* (2006).

- 5.2. Provide information on the mechanism for setting landfill gate fees such that the requirements of section 53A of the Waste Management Acts 1996 to 2011 are met.

6. Other matters

- 6.1. Provide a description of any works carried on at the facility where the details of these works have not previously been submitted in the application or further information to the Agency. The information should include additional drawings as appropriate.
- 6.2. Provide any additional environmental monitoring information which has been obtained but not previously forwarded to the Agency as part of the application. An assessment of the results should also be provided.

In the case where any drawings already submitted are subject to revision consequent on this request for further information, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.



Your reply to this notice should include a revised non-technical summary (EIS and Application Form), which reflects the further information you supply in compliance with the notice, insofar as that information impinges on the relevant non-technical summary.

Please supply the information in the form of a one original plus two copies within 12 weeks of the date of this notice. In addition submit sixteen copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0129-03**. Please direct all correspondence in relation to this matter to *Administration, Environmental Licensing Programme, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Brian Meaney
Inspector
Office of Climate, Licensing & Resource Use