

## 10 MONITORING

Regular sampling of treated waters should be carried out to ensure that sediment levels remain within prescribed limits and that settlement lagoons are operating effectively. This will be subject to requirements set by the planning authority and/or recommendations from the North Western Regional Fisheries Board (NWRFB).

The drainage of the site should also be checked at regular intervals to ensure that it is operating effectively for the duration of the activity. This will involve maintenance of drains and also altering the drainage system if necessary. This should be included in an annual report (see *next*).

It is recommended that the developer submit an annual report detailing the amount of material disposed of at the site and the area covered. This will allow the local authority to track the rate of disposal over the 10-year period and ensure that the activity remains at the intended low-intensity.

Vegetation establishment on the introduced recovered material should be monitored. This can be addressed by including photographic records in the proposed annual report.

## 11 REINSTATEMENT AND RESIDUAL IMPACTS

### 11.1 Re-instatement

There is no re-instatement necessary. The area will re-colonise naturally and self-sustaining habitats will establish on the recovered material.

### 11.2 Residual Impacts

There are no negative residual impacts foreseen at this stage of the development.

## 12 REFERENCES

- Fossitt, J. 2000. *A Guide to the Habitats of Ireland*. The Heritage Council.
- Hayden, T. & Harrington, R. 2000. *Exploring Irish Mammals*. Town House and Country House Ltd., Dublin.
- Regini, K. 2000. Guidelines for ecological evaluation and impact assessment. *In Practice. Bulletin of the Institute of Ecology and Environmental Management*, 29, 2-7.
- Smith, A.J.E. 1978. *The Moss Flora of Britain and Ireland*. Cambridge University Press, Cambridge.
- Webb, D.A., Pamell, J. & Doogue, D. 1996. *An Irish Flora*. (7<sup>th</sup> Edn.) Dundalgan Press, Dundalk.

APPENDIX

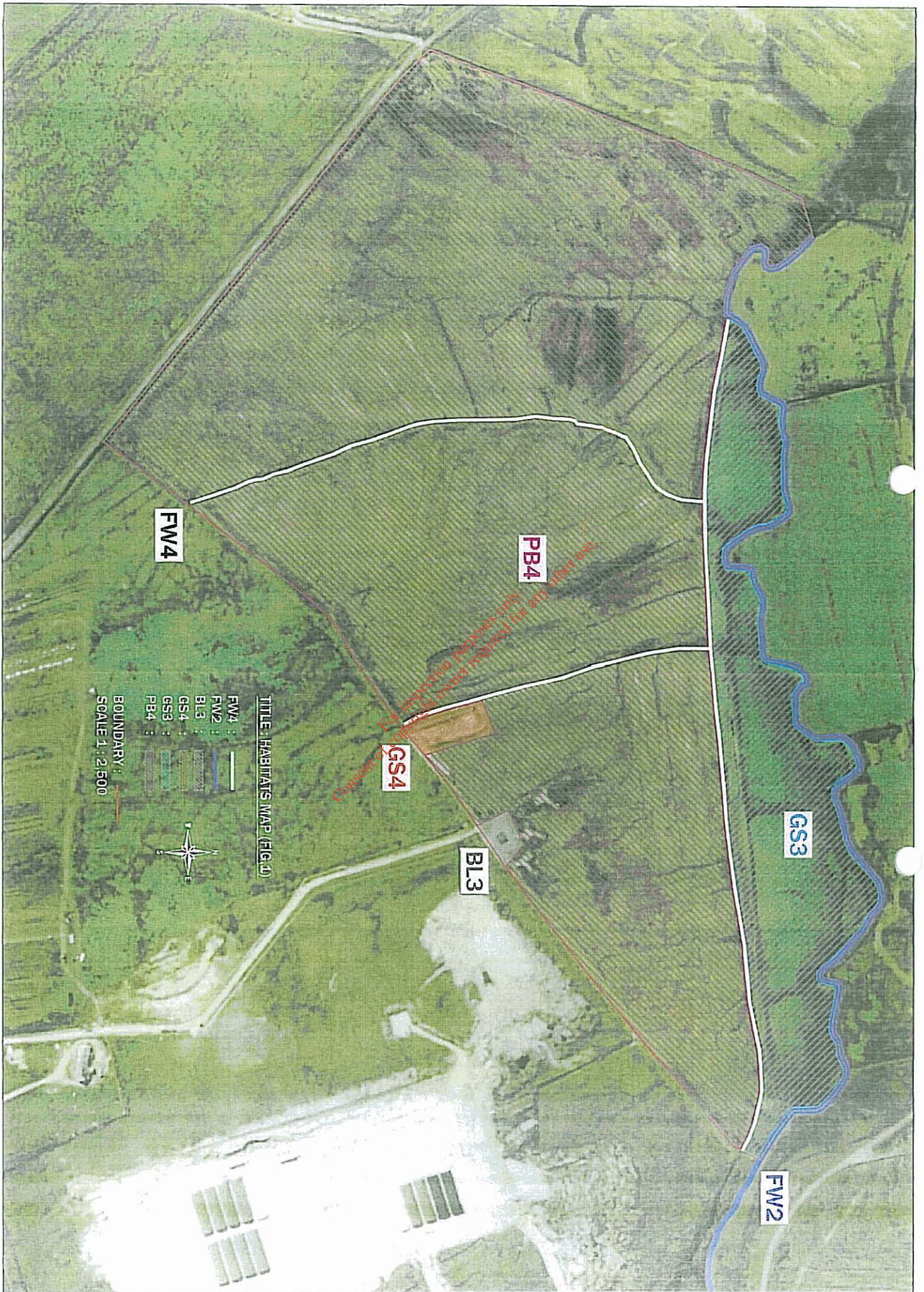
Outline of decision-making framework within the Regini (2000) *Guidelines for Ecological Evaluation and Impact Assessment*.

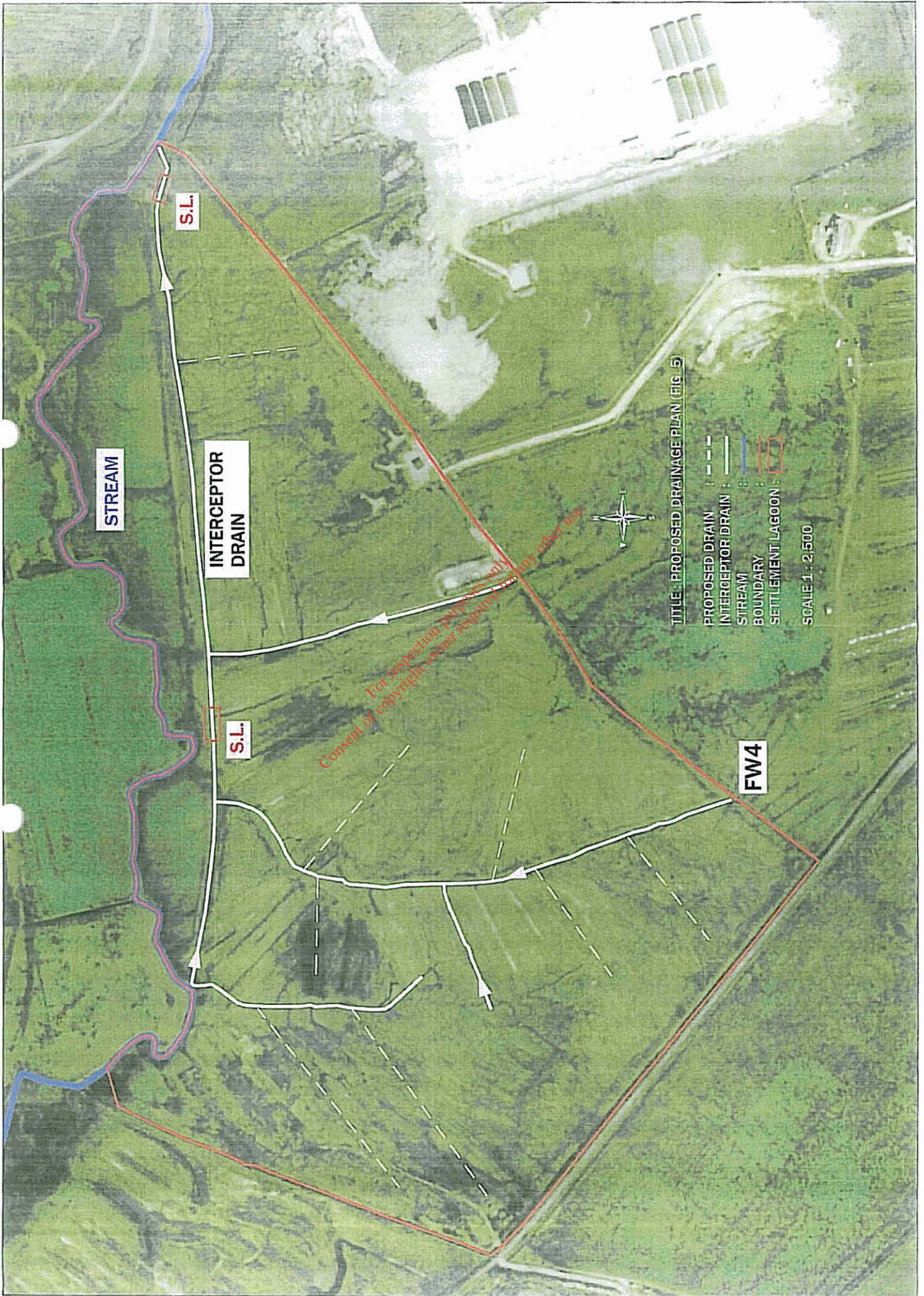
Table 4. Impact Magnitude

<p><b>High magnitude</b> Loss of most of the site (i.e. &gt;50% of the site area). Other effects (e.g. disturbance or damage arising from pollution) including indirect impacts having an adverse impact equivalent in nature conservation terms to a loss of &gt;50% of the site area</p>
<p><b>Medium magnitude</b> Loss affecting 20-49% of the site area. Other effects (e.g. disturbance or damage arising from pollution) including indirect impacts having an adverse impact equivalent in nature conservation terms to a loss of 20-49% of the site area.</p>
<p><b>Low magnitude</b> Loss affecting 4-19% of the site area. Other effects (e.g. disturbance or damage arising from pollution) including indirect impacts having an adverse impact equivalent in nature conservation terms to a loss of 5-19% of the site area</p>
<p><b>Very low magnitude</b> Loss affecting 4% of the site area. Other effects (e.g. disturbance or damage arising from pollution) including indirect impacts having an adverse impact equivalent in nature conservation terms to a loss of 4% of the site area</p>

Table 5. Impact Significance Matrix

Impact Magnitude	Value of Feature					
	International	National	Regional	High Local	Moderate Local	Low Local
High	Critical	Major	Major or Moderate	Moderate or Major	Minor or Moderate	Minor
Medium	Critical	Major	Major or Moderate	Moderate	Minor or Moderate	Minor
Low	Critical	Major or Moderate	Moderate	Moderate or Minor	Minor	Negligible or Minor
Very low	Critical	Moderate	Moderate	Moderate or Minor	Negligible	Negligible





## APPENDIX 2

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## Appendix 2 Criteria for assessing Site Evaluation

### Rating Qualifying Criteria

#### **A Internationally important**

Sites designated (or qualifying for designation) as SAC\* or SPA\* under the EU Habitats or Birds Directives.

Undesignated sites containing good examples of Annex I priority habitats under the EU Habitats Directive.

Major salmon river fisheries.

Major salmonid (salmon, trout or char) lake fisheries.

#### **B Nationally important**

Sites or waters designated or proposed as an NHA\* or statutory Nature Reserves.

Undesignated sites containing good examples of Annex I habitats (under EU Habitats Directive).

Undesignated sites containing significant numbers of resident or regularly occurring populations of Annex II species under the EU Habitats Directive or Annex I species under the EU Birds Directive or species protected under the Wildlife (Amendment) Act 2000.

Major trout river fisheries.

Water bodies with major amenity fishery value.

Commercially important coarse fisheries.

#### **C High value, locally important**

Sites containing semi-natural habitat types with high biodiversity in a local context and a high degree of naturalness, or significant populations of locally rare species.

Small water bodies with known salmonid populations or with good potential salmonid habitat.

Sites containing any resident or regularly occurring populations of Annex II species under the EU Habitats Directive or Annex I species under the EU Birds Directive.

Large water bodies with some coarse fisheries value.

#### **D Moderate value, locally important**

Sites containing some semi-natural habitat or locally important for wildlife.

Small water bodies with some coarse fisheries value or some potential salmonid habitat.

Any water body with unpolluted water (Q-value rating 4-5).

**E Low value, locally important**

Artificial or highly modified habitats with low species diversity and low wildlife value.

Water bodies with no current fisheries value and no significant potential fisheries value.

\*SAC = Special Area of Conservation

SPA = Special Protection Area

NHA = Natural Heritage Area

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## APPENDIX 3

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## SITE SYNOPSIS

**SITE NAME: BROADHAVEN BAY**

**SITE CODE: 000472**

Broadhaven Bay is a large, north facing bay situated on the north-west Mayo coast. The site extends from the innermost part of the bay at Belmullet to the outer marine area between Erris Head and Benwee Head. At its outermost part, the site is 10 km wide. Exposure to prevailing winds and wave action diminishes from the mouth toward the head of the bay. Subsidiary inlets along the length of the bay provide further areas of additional shelter.

Broadhaven Bay encompasses a range of marine and coastal habitats from extremely exposed bedrock at Benwee Head to sheltered sediments in the inner bay. There are good examples of wave-surged cave communities in shallow water with the anemone *Phellia gausapata* typically found in areas very exposed to wave action. A cave in deeper water supports colonies of the rare anemone *Parazoanthus anguicomus* and the soft coral *Alcyonium glomeratum*. The subtidal reef communities in the outer part of the bay are good examples of the zonation from kelp forest in shallow water to kelp park with an understudy of foliose brown algae and to the sponge communities in deeper water. Species richness can be high (up to 72 species) and the widely distributed but uncommon crab *Pirimela denticulata*, and hydroid *Tamarisca tamarisca* were both found at one site. In deeper water the reef communities are characterised by the Axinellid sponge community, communities tolerant of sand scour and communities typical of vertical or steeply sloping bedrock. A range of sublittoral sediments occurs within the site with sediment in the outer part of the bay characterised by bivalves or the burrowing urchin *Echinocardium cordatum*. Seagrass (*Zostera marina*) occurs in more sheltered areas and the oyster *Ostrea edulis* may be present. The inner part of the bay has extensive areas of intertidal mud characterised by polychaete communities or muddy sand which support communities of polychaetes and bivalves, typical for these substrates.

Salt marshes occur in the very sheltered areas at Tallagh and Barnatra. These are fringe marshes on peat and typical of the Atlantic salt meadow type. Species present include Thrift (*Armeria maritima*), Sea Arrowgrass (*Triglochin maritima*), Sea Plantain (*Plantago maritima*), Common Salt-marsh Grass (*Puccinellia maritima*), and the rushes *Juncus gerardii* and *Juncus maritimus*. Turf fucoids occur.

Inishderry, a small island in the inner bay, supports important numbers of breeding terns, with Sandwich Tern (81 pairs in 1995) and Common and Arctic Terns (42 pairs in 1995). The rare Little Tern has bred in the past. The island also has breeding Black-headed Gulls (100 individuals in 1995).

Broadhaven Bay is an important area for wintering waterfowl, being part of a large complex that includes the Mullet and Blacksod Bay. Based on average peak counts over the five winters 1994/95 to 1998/99 the following species have nationally

important populations: Red-breasted Merganser (38), Ringed Plover (484), Grey Plover (52), Sanderling (74), Dunlin (2,108) and Bar-tailed Godwit (484). In some winters Brent Goose numbers exceed the threshold of 200 for national and international importance. Regionally important numbers of a number of other species occur: Oystercatcher, Golden Plover, Lapwing, Knot, Curlew, Redshank and Turnstone.

This site is of high conservation importance owing to the presence of several habitats that are listed on Annex I of the EU Habitats Directive: large shallow bays; intertidal sand flats, reefs, marine caves and salt marshes. In addition it has ornithological importance for breeding and wintering birds.

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3.9.2001

## SITE SYNOPSIS

**SITE NAME: MULLET/BLACKSOD BAY COMPLEX**

**SITE CODE: 000470**

This large coastal site, located in north-west Mayo, comprises much of the Mullet Peninsula, the sheltered waters of Blacksod Bay and the low-lying sandy coastline from Belmullet to Kinrovar. The character of the site is strongly influenced by the Atlantic Ocean and the exposed location of much of the site results in a terrestrial landscape dominated by blown sand and largely devoid of trees. The underlying bedrock is principally metamorphic schist and gneiss. The site displays an excellent range of coastal and marine habitats.

The site is a candidate SAC selected for fixed dune, machair and decalcified dune heath all priority habitats on Annex I of the E.U. Habitats Directive. The site is also selected as a candidate SAC for other habitats listed on Annex I of the directive – alkaline fen, eutrophic lake, reefs, Marram dunes, large shallow inlet and bay, tidal mudflats and *Salicornia* mudflats. In addition, the site is also selected as a candidate SAC for the liverwort, Petalwort and the Otter, a plant and animal species listed on Annex II of the E.U. Habitats Directive.

Blacksod Bay is 16 km in length and 8 km wide at the mouth. It is a shallow bay, reaching a maximum depth of 19 m and with weak tidal streams. The bay has a good range of representative littoral and sublittoral sediment communities and also infralittoral reefs.

The littoral sediments of the bay consist of areas that are moderately exposed to, or very sheltered from, wave action. Characteristically, exposed to moderately exposed sediment communities are composed of coarse to fine sand and have a polychaete fauna with crustaceans. Species richness increases as conditions become more sheltered. Talitrid amphipods occur in decomposing seaweed on the strand line. Polychaete worms (*Arenicola marina*), bivalves (*Cerastoderma edule*) and crustaceans, such as *Urothoe brevicornis*, *Ampelisca brevicornis*, and *Bathyporeia pilosa*, are common in the middle shore.

The sublittoral sediment towards the entrance of the bay is comprised of rather barren medium sand with the occasional bivalve molluscs *Glycymeris glycymeris* and *Ensis* spp. Much of the sediment in the centre of the bay is composed of firm, muddy sand with the brittle stars *Amphiura* spp. and the razor shells *Ensis* spp. Towards the head of the bay the sediment is composed of muddy sand with *Turritella communis*, *Amphiura brachiata* and *Philine aperta* and soft sandy mud with *Anthopleura balli* and decaying algae. In some areas the sea grass *Zostera marina* and the reef forming polychaete *Serpula vermiculata* are frequent. Notable species included Oyster (*Ostrea edulis*), which occurs at head of the bay, and the sea anemone *Phellia gausapata*, which is present in the middle of the bay.

Infralittoral reefs within Blacksod Bay are sheltered or very sheltered from wave action and subject to weak or moderate tidal streams. In sheltered areas that are composed of bedrock, occasional *Saccorhiza polyschides* overlie a rich assemblage of red algal species such as *Dudresnaya verticillata*, *Heterosiphonia plumosa* and *Chondria tenuissima*. Very sheltered bedrock reef communities are also characterized by foliose red algae. The sea anemone, *Metridium senile*, is abundant on the tops of the reefs and *Antedon bifida* on the steeper surfaces. Much of the infralittoral reef in Blacksod Bay is composed of boulders, cobbles and pebbles. The red algae in these areas are sand-tolerant species such as *Chondria dasphylla* and *Gracilaria gracilis*. Characterizing faunal species are the anthozoans *Metridium senile* and *Alcyonium digitatum*, the hydroid *Nemertesia ramosa* and the sponge *Dysidea fragilis*. The purple sea urchin, *Paracentrotus lividus*, occurs at two sites at the head of the bay.

Large areas of machair, a priority habitat on Annex I of the EU Habitats Directive, are found within this extensive coastal site. On the Mullet peninsula the habitat is best developed to the west of Termoncarragh lake, Tonamace/Macecrump and to the west of Cross Lough. On the eastern shores of Blacksod Bay, extensive areas of machair occur at Doolough, Srah and Dooyork. The vegetation of the habitat is dominated by plant species of dry dune grassland which include Red Fescue (*Festuca rubra*), Wild Thyme (*Thymus praecox*), Daisy (*Bellis perennis*), Ribwort-Plantain (*Plantago lanceolata*), Selfheal (*Prunella vulgaris*), Sand Sedge (*Carex arenaria*) and Lady's Bedstraw (*Galium verum*). The main moss species are *Brachythecium albicans*, *Calliergon cuspidatum* and *Bryum* species. In damper areas of machair the vegetation is transitional to fen and contains, in addition to the typical dry machair species, such species as Fairy Flax (*Linum catharticum*), Cuckooflower (*Cardamine pratensis*) and Grass-of-parnassis (*Parnassia palustris*).

Fixed dunes with herbaceous vegetation, another Annex I priority habitat, have an extensive distribution throughout the site and are particularly well developed in the middle and south of the Mullet peninsula, e.g. Emlybeg, Newtown, Agleam. Areas of fixed dunes are typically at their highest c. 500 metres back from the sea and at Emlybeg and Newtown they attain a height of approximately 33 metres. The fixed dunes areas present within the site often form a complex mosaic with other dune habitats such as shifting dunes and machair. Frequent plant species recorded in the habitat include Marram Grass (*Ammophila arenaria*), Smooth Meadow-grass (*Poa pratensis*), Wild Carrot (*Daucus carota*), Common Bird's-foot-trefoil (*Lotus corniculatus*), Harebell (*Campanula rotundifolia*) and Kidney Vetch (*Anthyllis vulneraria*). The moss cover is well developed and includes *Rhytidiadelphus squarrosus*, *Hypnum cupressiforme*, *Tortula ruralis* and *Homalothecium lutescens*. The conspicuous lichen *Peltigera canina* is also occasionally encountered in the vegetation. At Nakil, on the southern tip of the peninsula, there is a fine example of decalcified fixed dunes. In this habitat, there is a range of heath species such as Ling Heather (*Calluna vulgaris*), Bell Heath (*Erica cinerea*), Sheep's Fescue (*Festuca ovina*), Tormentil (*Potentilla erecta*) and Devil's-bit Scabious (*Succissa pratensis*), along with dune species such as Sand Sedge (*Carex arenaria*), Lady's Bedstraw (*Galium verum*) and Wild Thyme (*Thymus praecox*).

Smaller areas of shifting dunes with Marram (*Ammophila arenaria*) are found in most of the dune areas within the site and typically occur along the most exposed ridges of

sand dune systems. The vegetation is species-poor and generally sparse. Along with Marram, typical plant species include Mayweed (*Matricaria maritima*), Sea Holly (*Eryngium maritimum*), Colt's-foot (*Tussilago farfara*) and the locally rare Sea Bindweed (*Calystegia soldanella*).

Salt marshes occur in a number of places, notably at Elly Bay, Sallee Harbour, Bunnahowen, Doolough and Gweesalia. Typical species include Thrift (*Armeria maritima*), Salt-marsh Grass (*Puccinellia maritima*), Sea Aster (*Aster trifolium*), Sea Milkwort (*Glaux maritima*), Sea Rush (*Juncus maritimus*) and Saltmarsh Rush (*Juncus gerardi*). At the lower levels of the marshes, and in places extending onto the open sand flats, there occurs Glasswort (*Salicornia europaea* agg.) and Seablite (*Suaeda maritima*).

The site also includes shallow freshwater lakes, Termoncarragh Lough, Cross Lough and Leam Lough. Cross Lough is a good example of a naturally eutrophic lake. The water of the lake appears to have a permanent turbid, yellow-brown colour and is unusual in that the phytoplankton is dominated by *Spirulina* spp. and other unusual cyanobacteria. The waters of the lake have a high chloride content (118 mg/l) and a relatively high calcium content (16 mg/l). The western shore of the lake is sandy and tends to be dominated by the stonewort *Chara aspera* with some Shoreweed (*Littorella uniflora*). Other aquatic plant species which have been recorded from the lake include Spiked Water-milfoil (*Myriophyllum spicatum*), Long-stalked Pondweed (*Potamogeton praelongus*), Slender-leaved Pondweed (*Potamogeton filiformis*) and Fennel Pondweed (*Potamogeton pectinatus*).

Marsh and swamp vegetation is well developed around Termoncarragh Lough, and of particular note is a fine example of alkaline fen. This is species-rich, with such fen plants as Jointed Rush (*Juncus articulatus*), Glaucous Sedge (*Carex flacca*), Grass of Parnassus (*Parnassia palustris*), Knotted Pearlwort (*Sagina nodosa*), Marsh Arrowgrass (*Triglochin palustris*), Common Butterwort (*Pinguicula vulgaris*) and Lesser Clubmoss (*Selaginella selaginoides*). The scarce Marsh helleborine (*Epipactis palustris*) also occurs. A feature of the fen is a strong maritime influence, with the presence of a number of salt marsh species such as Sea Milkwort (*Glaux maritima*), Buck's-horn Plantain (*Plantago coronopus*), and Sea Arrowgrass (*Triglochin maritima*).

The Annex II liverwort species *Petalophyllum ralfsii* has been recently recorded from damp areas of machair at Doolough and Dooyork. The Red Data Book plant species Narrow-leaved Marsh Orchid (*Dactylorhiza traunsteineri*) also occurs. Otter is well distributed throughout the site.

This site has high ornithological importance, with seven Annex I Bird Directive species occurring regularly in winter and a further two as rare breeders. Blacksod Bay provides ideal habitat for divers (all given counts are average maxima over the three winters 1994/95 to 1996/97), with Great Northern Diver (64) occurring in numbers of international importance and Red-throated Divers (45) in significant numbers. The site is an important wintering area for an internationally important population of Barnacle Geese (400-500), and also populations of Greenland White-fronted Geese (56) and Whooper Swans (95). Golden Plover are regular in small numbers (c.700),

while a nationally important population of Bar-tailed Godwits (552) occur. Little Tern has bred in small numbers in the past, while the site is well known for one of Ireland's rarest breeding birds, the Red-necked Phalarope. Unfortunately this species may now be extinct as a breeding species.

A wide range of other wintering birds occur. Of particular note are Brent Geese (212) and Ringed Plover (524), both of which have internationally important populations. A further six species have populations of national importance: Common Scoter (642), Red-breasted Merganser (50), Grey Plover (60), Knot (342), Sanderling (58) and Dunlin (2,601). The site is also notable for its breeding waders, with very important concentrations of Dunlin (26 pairs in 1996) and Lapwing (43 pairs in 1996), and significant numbers of Snipe (12 pairs) and Ringed Plover (5 pairs).

High levels of grazing and associated agricultural practices, e.g. feeding of stock and fertilisation, has already resulted in locally severe damage to areas of dune and machair. The damage has been intensified by the recent division of dune and machair commonage, which is particularly evident on the Mullet. These agricultural activities remain serious threats. Benthic communities are very vulnerable to bottom-fishing gear such as that used for fishing oysters, and this is thought to be the most damaging activity in the marine area. Bait digging is potentially damaging to littoral sediment communities if the areas are over-fished.

This site is of high importance for the range of marine and coastal habitats, many of which are listed on Annex I of the E.U. Habitats Directive, three having priority status. The Annex II species *Petalophyllum ralfsii* also occurs. The site is also of particular ornithological importance, having four wintering species with internationally important populations and also important concentrations of breeding waders.

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16.06.2003

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## SITE SYNOPSIS

**SITE NAME: BLACKSOD BAY/BROADHAVEN SPA**

**SITE CODE: 004037**

Situated in the extreme north-west of Co. Mayo, this site comprises all of the inner part of Broadhaven Bay and the various sheltered bays and inlets in Blacksod Bay, including Trawmore Bay, Saleen Harbour, Elly Harbour and Tullaghan Bay. At low tide extensive areas of intertidal sand and mudflats are exposed. These support a well-developed macro-invertebrate fauna. Talitrid amphipods occur in decomposing seaweed on the strand line, whilst polychaete worms (*Arenicola marina*), bivalves (*Cerastoderma edule*) and crustaceans, such as *Urothoe brevicornis*, *Ampelisca brevicornis* and *Bathyporeia pilosa*, are common in the middle shore. Eelgrass (*Zostera marina*) occurs at several localities. Salt marshes, which are often on a peat substrate, fringe parts of the site and provide useful roosts for the wintering waterfowl. Species typically present include Thrift (*Armeria maritima*), Common saltmarsh-grass (*Puccinellia maritima*), Sea Aster (*Aster trifolium*), Sea Milkwort (*Glaux maritima*), Sea Rush (*Juncus maritimus*) and Saltmarsh Rush (*Juncus gerardi*). At the lower levels of the marshes, and in places extending onto the open sand flats, are found Glasswort (*Salicornia europaea* agg.) and Seablite (*Suaeda maritima*). Sandy and shingle beaches are well represented. A small island, Inishderry, situated in the inner part of the bay, is used by nesting terns and gulls. The underlying bedrock consists mainly of schists and gneiss.

The site supports an excellent diversity of wintering waterfowl species and is one of the most important wetland complexes in the west. It has nationally important populations of Great Northern Diver (31), Red-breasted Merganser (48), Bar-tailed Godwit (441), Ringed Plover (332) and Dunlin (1,709) - figures are average peaks for the 5 seasons 1995/96-1999/00. It also supports Red-throated Diver (15), Brent Goose (149), Oystercatcher (262), Golden Plover (267), Grey Plover (53), Knot (234), Sanderling (53), Curlew (330), Redshank (96), Turnstone (38), Shelduck (26), Mallard (55), Cormorant (29), Black-headed Gull (183) and Common Gull (161). It provides both feeding and roosting areas for the birds though some species may also utilise marginal habitats above the shoreline for feeding and/or roosting, as well as the shallow marine waters elsewhere in Blacksod Bay.

Inishderry Island has a nationally important breeding colony of Sandwich Tern, with 160-170 pairs present in 1994 and 81 pairs in 1995. The terns at this site are considered to be the same population that nested at Carrowmore Lake in the past. It also has nesting Common Tern and Arctic Tern (total for the two species of 42 pairs), and a colony of Black-headed Gull (100 individuals in 1995). Little Tern has also bred in small numbers in the past.

There are no serious imminent threats to the various bird populations. Aquaculture occurs and intensification could cause disturbance to the birds and their habitats. Some of the salt marshes have suffered damage due to heavy grazing by sheep, and



remain vulnerable.

This site is of high ornithological importance for its excellent diversity of wintering waterfowl and for the nationally important populations of five species that it supports. Of particular note is the usage of the site by over 3% of the national Ringed Plover population. It is also of importance as a breeding site for terns and gulls, especially the localised Sandwich Tern. It is of note that seven of the species that occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Great Northern Diver, Red-throated Diver, Golden Plover, Bar-tailed Godwit, Sandwich Tern, Common Tern and Arctic Tern.

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30.3.2005

## SITE SYNOPSIS

**SITE NAME: ERRIS HEAD**

**SITE CODE: 001501**

This site is situated on the northern part of the Mullet Peninsula in north Mayo. It comprises approximately 15 km of cliff plus adjoining habitats. The geology of the region consists of acid rocks, such as quartzite, gneiss and Silurian schists and slates.

The sea cliffs, which represent a habitat listed on Annex I of the EU Habitats Directive, are very exposed and subject to very high rainfall. They are of moderate height, reaching a maximum of about 90 m in the north-east. Aspect is predominantly north-facing. There is little information available on the vegetation of the cliffs but the known presence of species such as Roseroot (*Rhodiola rosea*) and Rock Sea-spurrey (*Spergularia rupicola*) suggest that there is a fairly typical cliff vegetation for such an exposed site. An area of sea, which extends 200 m from the base of the cliffs, forms part of the site. This is included mainly to provide added protection for the cliff-nesting seabirds.

A notable habitat found at this site is alpine heath, which occurs inland from the tops of the sea cliffs. Alpine heath is listed on Annex I of the EU Habitats Directive. Typical heath species present include Bearberry (*Arctostaphylos uva-ursi*), Juniper (*Juniperus communis*) and Crowberry (*Empetrum nigrum*). The alpine heath is considered to be of good quality.

The alpine heath grades into a coastal grassland in places, and coastal grassland forms the main terrestrial habitat at the southern part of the site. Other habitats present include wet heath and flushes. Here, plant species present include Blunt-flowered Rush (*Juncus subnodulosus*), Marsh Helleborine (*Epipactis palustris*) and three types of Sundew (*Drosera* spp.).

The site is of ornithological importance for a number of species. Chough frequents the site and in 1992 nine pairs were recorded breeding. Peregrine Falcon also breeds, while small numbers (<20) of Barnacle Goose utilise the grasslands in winter. These three species are of note as they are listed on Annex I of the EU Birds Directive. There is a scattering of breeding seabirds though no major colonies. The main seabirds which breed are Fulmar (50-100 pairs, 1970) and Great Black-backed Gull (38 pairs, 1970).

Grey Seals may be seen feeding below the cliffs, while on land two Red Data Book species, the Irish Hare and the Common Frog, are among the more notable animals which occur.

Landuse at the site consists mainly of sheep grazing, which appears not to be excessive. The area is also a popular location for tourists, especially those interested in walking.

This site is of conservation importance primarily for the cliff and alpine heath habitats, both of which are listed on Annex I of the EU Habitats Directive. The presence of several Annex I Bird Directive species and some breeding seabirds adds to the interest of the site.

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## SITE SYNOPSIS

**SITE NAME: TERMONCARRAGH LAKE AND ANNAGH MACHAIR SPA**

**SITE CODE: 004093**

Termoncarragh Lake is a shallow, coastal lake situated on the north-west side of the Mullet peninsula, Co. Mayo. It is fringed by swamp vegetation and edged in parts by freshwater marsh and fen. The fen is species-rich and includes such species as Jointed Rush (*Juncus articulatus*), Glaucous Sedge (*Carex flacca*), Grass-of-Parnassus (*Parnassia palustris*), Knotted Pearlwort (*Sagina nodosa*), Marsh Arrowgrass (*Triglochin palustris*), Common Butterwort (*Pinguicula vulgaris*) and Lesser Clubmoss (*Selaginella selaginoides*). The scarce Marsh Helleborine (*Epipactis palustris*) also occurs. The lake habitats merge into a machair plain which is now mostly divided into strip fields. The vegetation of the machair is typified by such species as Red Fescue (*Festuca rubra*), Wild Thyme (*Thymus praecox*), Daisy (*Bellis perennis*), Ribwort Plantain (*Plantago lanceolata*), Selfheal (*Prunella vulgaris*), Sand Sedge (*Carex arenaria*) and Lady's Bedstraw (*Galium verum*). Some low sand hills occur between the machair and the sea. The innermost part of Portnafrankagh Bay is included in the site. The site is underlain by Moinian schists.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Barnacle Goose, Whooper Swan, Greenland White-fronted Goose, Corncrake, Chough, Lapwing and Dunlin. The E.U. Birds Directive pays particular attention to wetlands, and as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Termoncarragh Lake and Annagh machair is of high importance for both wintering and breeding birds. It is part of the wintering ground for the largest Barnacle Goose population in the country, and regularly supports a flock of international importance (the average peak for 4 of the 5 seasons in the 1995/96-1999/00 period was 394 individuals). The centre of the population is the Inishkea Islands and, as well as the Mullet, the birds use Duvillaun More and Inishkerragh/Inishglora. The site is important for passage Whooper Swan, with up to 300 individuals visiting the site in autumn and spring. The site supports a range of other wintering species, including Greenland White-fronted Goose (11), Golden Plover (405), Teal (38), Mallard (47) and Ringed Plover (20), as well as the resident Mute Swan (39).

The marginal wetland habitats and the machair are prime habitats for breeding waders. A survey in 1996 recorded the following: Lapwing (22 pairs), Dunlin (14 pairs) and Snipe (5 pairs). The site is one of the most important areas in the country for breeding Dunlin. The area was well known as the main breeding site for Red-necked Phalarope but breeding has not been recorded in recent years. The reason for the abandonment of the site by the birds may be habitat change. During the breeding season Corncrake have been recorded here, albeit in low numbers. Post-fledgling Chough flocks of up to 30 individuals regularly occur at the site between August and October.

Agricultural intensification, associated with fencing and division of the machair and subsequent overgrazing by cattle and sheep, has degraded part of the site. Some areas formerly suitable for nesting waders have become overgrown with vegetation.

Part of site is owned by BirdWatch Ireland who have recently commenced a management programme to improve habitat conditions for breeding waders, including Red-necked Phalarope and Corncrake.

The site is of high ornithological importance, supporting as it does an internationally important Barnacle Goose population. It is also a prime site for breeding waders, notably Dunlin. It is hoped that the on-going habitat management programme for Red-necked Phalarope will encourage the return of the species to the site. Of note is that several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Barnacle Goose, Greenland White-fronted Goose, Whooper Swan, Golden Plover, Dunlin, Corncrake and Chough.

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7.9.2006

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Patrick J. Tobin & Co. Ltd.

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## ATTACHMENT J

### Accident Prevention & Emergency Response

The Material Recovery Facility will be operated in compliance with the latest Health & Safety Regulations.

In relation to 'Accident Prevention and Emergency Response', there are 2 contingencies that must be allowed for:

1. Accidental fuel spillage;
2. Fire within the facility.

#### **Notification:**

In the event of an emergency the following are to be notified.

1. Fire Services – in the event of a fire or a significant fuel spillage or serious accident involving mobile plant;
2. Ambulance Services/Medical Team – should there be a threat to human life or serious injury;
3. Gardai – In the event of fire, explosion or road accident;
4. Senior Personnel – Lennon Quarries Ltd. Managing Director - Mr. T.J. Lennon and Facility Manager - Mr. Dermot Lennon;
5. Environmental Protection Agency;
6. North Western Fisheries Board – should there be any treat to watercourses in the area of the spillage.

#### **Control of Operations:**

In the event of any Accident/Emergency, the Deputy Facility Manager/Machine Operative will take control.

#### **Communications:**

It is essential that the following communication systems are available for priority usage during an emergency:

1. Fire Services Radio Link;
2. Garda Radio Link;

3. Ambulance Services Radio Link – linking the mobile units to the medical officers and the hospital;
4. Private lines – either landlines or mobile phones to enable contact between all parties concerned and their respective headquarters.

All parties involved in the Emergency Response Procedure have been issued with these procedures. Any recommendations by the Agency will be adhered to.

### **Response Procedures:**

#### **1. Accidental fuel spillage:**

Fuel is not stored on site and there are no proposals to store fuel on site. A Fuel Tanker will visit the site on a weekly basis (or when required) to fill the onsite plant (Hitachi 200 excavator) and generator (for Portocabin). Fueling takes place on the hardstanding area of the site access road, adjacent to the site office. Booms and spill kits are kept adjacent to this.

In the event of a larger fuel spillage, either from the site plant or refueling tanker, the emergency procedures listed below will be followed:

#### **In the event of a threat to surface water the following is to be implemented:**

- Inform the North Western Fisheries Board and the EPA;
- Contain any spillage within the perimeter drain locally, as far as possible, by damming with excavated material or booms;
- Pump water held back by the dams into tanker or lined cell;
- Detect source and carry out necessary remedial works;
- Monitor situation hourly until threat is removed.

#### **In the event of a threat to groundwater:**

- Inform the EPA;
- Detect source and carry out necessary remedial works;
- Monitor situation daily until threat is removed.

#### **In the event of a threat to outside the site:**

- Detect source;
- Inform the EPA;
- Monitor extent of contamination;
- Inform public if risk is posed;
- Take appropriate action to alleviate situation.



## 2. Fire in the Facility:

### Fire within site confines:

- Call Fire Services;
- On arrival of Fire Services liaise with fire officer and follow his directions.

### Fire in incoming vehicle:

- Call Fire Services;
- Instruct driver to unload at Inspection Area;
- Initiate on site fire drill;
- On arrival of Fire Services liaise with fire officer and follow his directions.

### Fire outside boundary but adjacent to facility:

- Call Fire Services and direct to scene;
- On arrival of Fire Services liaise with Fire Officer and monitor closely for risk of fire spread into facility;

### Explosion:

- Evacuate immediate area;
- Call Fire Services, Ambulance Services, Medical team in the event of fire or serious injury;
- Close main gate to incoming traffic;

The Deputy Facility Manager/Machine Operative takes precautions at the site in regard to fire abatement, response, training and awareness. These include:

- To provide and maintain suitable fire extinguishers in the Portocabin and site plant (Hitachi 200 excavator);
- Fire Safety Systems - telephone numbers of local fire, police and hospital are posted at head height on the wall in the site office;
- Emergency Response Procedures;
- Fire Prevention and Containment Design Features.

A copy of Lennon Quarries Ltd. 'Liability Insurance Schedule' is attached.

**LIABILITY INSURANCE SCHEDULE**  
**RENEWAL SCHEDULE**

Policy Number : CLC 5065

Assured's Name: T J Lennon and Lennon Quarries Ltd

Postal Address:  
GLENCASTLE  
BUNNAHOWEN  
Co. MAYO

Business Address:  
GLENCASTLE  
BUNNAHOWEN  
Co. MAYO

Broker : GYMO-MULRYAN O'GORMAN ASSOCIATES

Business Description: Suppliers of road chippings, crushed stones, sand, gravel, ready mix concrete, plant hire and civil engineering, quarry owners and operators.

Period of Insurance: From 12:15:00PM on the 05 JUL 2012 to 12:15:00PM on the 05 JUL 2013

Premium: First/Additional: €12,000.00 Minimum Retained: €12,000.00 Annual Premium: €12,000.00

Employers Liability - SECTION (1) Operative: Yes

Description	No.'s	Wages
Clerical, Managerial and non-manual wages	2	42,500
Foreman/Fitters	1	35,000
Drivers	7	120,000
All other employees	5	70,000

Total Wages/Salaries

€267,500

Limit of Indemnity: Any One Occurrence €13,000,000 - Any one Period Unlimited.

Excess Each and Every Claim: €1,500

ENDORSEMENTS APPLICABLE: L3,L103,L108

Public Liability - SECTION (2) Operative: Yes

Description	
Turnover	1,500,000
Bona-Fide Subcontractors	150,000

Limits of Indemnity (Except for a. and b. below) €6,500,000 Any One Occurrence )

a. Fire and Explosion €6,500,000 Any One Occurrence ) and Unlimited in Any One Period

b. Weakening and Removal of Supports €6,500,000 Any One Occurrence )

Excesses: Each and Every Claim €1,500 ; Third Party Property Damage Only €1,500

ENDORSEMENTS APPLICABLE: L44,L95,L102,L103,L104,L105,L106,L107,L108,L121

Product Liability - SECTION (3) Operative: Yes Included in Section 2 Premium: Yes

Limits of Indemnity €6,500,000 in the Period of Insurance.

Excesses: Each and Every Claim €1,500 ; Third Party Property Damage Only €0

ENDORSEMENTS APPLICABLE: L44,L95,L102,L103,L104,L105,L106,L107,L108,L121

The following endorsements are also attached to and form part of this Policy:

Special Endorsements 1,L102,L103,L104,L105,L106,L107,L108,L121,L72,L95

Dated: 05 JUL 2012

Signed: 

ERA Insurance Ireland Limited is regulated by the Central Bank of Ireland and is a private company limited by shares registered in Ireland under number 148094 with registered office at ERA House, Dundrum Town Centre, Sandyford Road, Dundrum, Dublin 16

**ENDORSEMENTS TO CERTIFICATE NUMBER: CLC\*5065**

Assured's Name: T J Lennon and Lennon Quarries Ltd

**OPERATIVE DATE: 05 JUL 2012**

**MASTER CONTRACT NUMBER: EGI**

**SPECIAL ENDORSEMENT NUMBER: 1**

Notwithstanding anything contained herein to the contrary it is understood and agreed that the indemnity provided by this policy is extended to include use by the Assured only of 40 acres of land at Belmullet, Co. Mayo owned by Erris Co-operative.

This land is being used by Assured as a landfill site but solely for non-toxic builders rubble, and waste from Assureds own quarry consisting of soil, sand and gravel.

It is also noted that the indemnity provided extends to include the haulage of the above waste, from Assureds quarry and from various building sites, to this landfill site.

It is a condition of cover that records are kept of all waste deposited on this site and that the contents of each load is checked and verified as to its suitability for this land reclamation use. It is understood that Assured is licensed to operate this landfill site by Mayo County Council who in turn monitors the sites operation. Further, it is noted that from January 2009 that the Assured will operate under licence from the Environmental Protection Agency.

All other Terms, Conditions and Exclusions remain unaltered.

**SPECIAL ENDORSEMENT NUMBER: L102**

It is a condition precedent to liability that all sub-contractors engaged by you hold Employers Liability and Public Liability policies providing:-

- a) Employers Liability indemnity limit of not less than £13,000,000 any one occurrence
- b) Public Liability indemnity limit of not less than £6,500,000 any one occurrence
- c) An indemnity to you as principal

**SPECIAL ENDORSEMENT NUMBER: L103**

This policy excludes all liability arising from the storage of explosives.

**SPECIAL ENDORSEMENT NUMBER: L104**

The indemnities provided under the Certificate including any Extensions or Endorsements will not apply to or include liability arising from damage to crops or land from the Assured's Grolime or similar products.

**SPECIAL ENDORSEMENT NUMBER: L105**

This policy excludes all liability arising from waste disposal

**SPECIAL ENDORSEMENT NUMBER: L106**

It is a condition precedent to liability that this policy excludes horizontal/vertical blasting where they are undertaken simultaneously

DATE: 05 JUL 2012

SIGNED:



**ENDORSEMENTS TO CERTIFICATE NUMBER: CLC\*5065**

Assured's Name: T J Lennon and Lennon Quarries Ltd

OPERATIVE DATE: 05 JUL 2012

MASTER CONTRACT NUMBER: EGI

**SPECIAL ENDORSEMENT NUMBER: L107**

It is a warranty of this insurance that all explosive works are to be carried out by Irish Industrial Explosives and that this Company is insured for limits of indemnity not less than hereon with a specific indemnity to the Assured

**SPECIAL ENDORSEMENT NUMBER: L108**

It is understood and agreed that General Exclusion 7) on page 10 of the policy is amended to read as follows :

- 7) any liability of whatsoever nature arising out of
- a) any work of demolition unless the Assured's occupation is shown as Building Contractor in the Policy Schedule attaching to this Policy and such work of demolition forms part of a contract undertaken by the Assured for rebuilding alteration maintenance or repair
  - b) piledriving or the use of explosives
  - c) sub aqua work or water diversion
  - d) the construction alteration or repair of towers steeples chimney shafts blast furnaces viaducts bridges docks tunnels dams canals piers or wharves

Subject to the Terms Exclusions and Conditions of this document

**SPECIAL ENDORSEMENT NUMBER: L121**

Notwithstanding anything contained herein to the contrary it is hereby declared and agreed that the indemnity provided under Section 2 Public Liability and Section 3 Products Liability shall EXCLUDE all liability

1. in respect of damage to property arising directly or indirectly or caused by or alleged to be caused by or contributed to in whole or in part by or arising out of the sale and/or supply and/or distribution and/or installation of any products or materials containing or alleged to contain any form of pyrite, iron sulphite or any other contaminated infill material

2. to pay claimants' or the Assured's legal costs and expenses or any other costs and expenses howsoever incurred in the investigation defence and or settlement of any claim or in respect of any other inquiry enforcement action or proceedings in which the Assured may be involved in relation to any of the foregoing.

Subject otherwise to the Terms Exclusions and Conditions of this Document.

DATE: 05 JUL 2012

SIGNED:



ENDORSEMENTS TO CERTIFICATE NUMBER: CLC\*5065

Assured's Name: T J Lennon and Lennon Quarries Ltd

OPERATIVE DATE: 05 JUL 2012

MASTER CONTRACT NUMBER: EGI

SPECIAL ENDORSEMENT NUMBER: L72

It is understood and agreed that the indemnity provided by this Policy extends to include liability in respect of road openings where Assured is excavating to lay pipes across a public road. This is subject to 1) written permission being given by the local authority or council to the Assured to carry out such work, 2) that the road be infilled and road surfaces made good when pipes have been laid.

With regard to the above work an indemnity is provided to Mayo County Council in respect of any legal liability which may attach to them arising out of the negligence of the Assured.

Subject otherwise to the Terms, Exclusions and Conditions of this Document.

SPECIAL ENDORSEMENT NUMBER: L95

The indemnity provided under this Policy including any extensions or endorsements will not apply to or include liability arising from:

1. the cost of digging out and removing/replacing any cement or concrete supplied by the Assured
  2. any claim for rebuilding cost including any loss or expenses consequent upon rebuilding which is due to the failure of cement or concrete to fulfill the purpose for which it was supplied
- Subject to the Terms Exclusions and Conditions of this document

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DATE: 05 JUL 2012

SIGNED:



## ATTACHMENT K

### Remediation, Decommissioning, Restoration and Aftercare

The site is currently license, per licence W0256-01, for soil recovery and deposition with a 1m Land Raise at the site. This Application for a Technical Review proposes no change to the final topographic level licensed under W0256-01; it is proposed that the same 1m Land Raise, as currently licensed, is maintained.

Drawing No. 2084-2608 Rev D - (Attached in 'Application Drawings'), shows the '*Proposed Topographic Map of Application Site, Showing Final Ground Levels*', with proposed 1m Land Raise shown). Cross Section Locations A-A, B-B, C-C, D-D & E-E are shown on Drawing 2084-2607 Rev C & Drawing No. 2084-2608 rev D (Attached in 'Application Drawings'), with the Cross Sections presented on Drawing No. 2084-2609 Rev D, Drawing No. 2084-2610 Rev D & Drawing No. 2084-2611 Rev D (Attached in 'Application Drawings'). The Cross Sections clearly show the Land Raise by 1m, with a slope of 3:1 down to all existing perimeter surface water drains, which will remain untouched. The existing open surface water drains that cut through the Area of Waste Deposition, will also be raised by 1m, as shown on the Cross Section Drawings.

Prior to the licensing of the site with the waste licence W0256-01, the site was previously operated under a waste permit (PER 144 Mayo County Council). The materials deposited under the permit, inside the main entrance gate to the facility, are partially covered with natural vegetation. These areas became vegetated naturally. This process can be helped along by the scattering of grass seed over sections of site, once deposition in that section is complete.

Once the soil & stone recovery and land reclamation is complete, the site accommodation (Portocabin & Portoloo) will be removed from the site and the materials recovered.

The site surface water drainage system (including 5 no. Settlement Ponds) will remain untouched, following facility closure. This will allow the surface water continue to be treated for suspended solids long after the facility has stopped accepting material for recovery/reclamation.

## ATTACHMENT L.1

### Section 40(4) WMA

The requirements of Section 40(4)[(a) to (i)] of the Waste Management Acts, 1996 to 2011, continue to be met during the operation of the site under the existing waste licence and will continue to be met under the on-going operation of the site under any Reviewed licence.

Each of the requirements of Section 40(4)[(a) to (i)] of the Waste Management Acts 1996 to 2011, will be dealt with below.

#### **Section 40 - Grant of Waste Licence**

**(4) The Agency shall not grant a waste licence unless it is satisfied that:**

**(a) Any emission from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment.**

Section E of this application form provides details on environmental emissions, existing and proposed, from the site. It confirms that there are/will be no emissions to sewer or groundwater, that the only noise emission from the site will be the one piece of mobile plant (Hitachi 200 excavator), that there will be 5 no. surface water emissions from site drainage to the Clooneen River, that the only emissions to atmosphere will be from the exhaust of the mobile plant and haulage trucks arriving/departing the site, and of dust from the unloading, stockpiling and movement of the inert waste for recovery, around the site.

Section E, Section F.1 and Section I ('Mitigation Measures') discuss the 'Treatment, Abatement and Control Systems' that have been put place to ensure the above listed emissions from the facility will not result in the contravention of any environmental standard. These measures include: construction of 5 no. Settlement Ponds on all drainage channels prior to their discharge from the site, the regular servicing of facility plant to ensure that noise and exhaust emissions are kept to a minimum, and the use of a tractor with water bowser to dampen down dust from the facility during periods of extended dry weather.

**(b) The activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution.**

Lennon Quarries Ltd. (Applicant) is currently licensed to operate the site under Waste Licence W0256-01 and operate the site according to the conditions attached to the licence. They will continue to operate the site according to these conditions and any conditions arising through the grant of the technical review of the licence.

**(bb) If the activity concerned involves the landfill of waste, the activity, carried on in accordance with such conditions as may be attached to the licence will comply with Council Directive 1999/31/EC on the Landfill of Waste.**

Not Applicable

**(c) The best available technology not entailing excessive costs will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned.**

The activities currently licensed and undertaken (the same activities proposed in the application for the Technical Review), follow a simple process of the acceptance of Soil & Stone and the spreading of this material over the deposition site. It does not involve the use of complicated technology.

The best available technology, not entailing excessive costs, are used in the 'Treatment, Abatement and Control Systems' discussed above, to limit, abate or reduce emissions from the facility.

**(cc) The activity concerned is consistent with the objectives of the relevant waste management plan or the hazardous waste management plan, as the case may be, and will not prejudice measures taken or to be taken by the relevant local authority or authorities for the purpose of the implementation of any such plan.**

No Hazardous material is proposed to be accepted at the facility, therefore, the Hazardous Waste Management Plan is not relevant to this application.

The activity concerned is consistent with the objectives of 'Mayo County Development Plan 2008 - 2014', in providing a Material Recovery Facility to



County Mayo, that will not have a negative effect on the environment or the landscape of the area.

**(d) If the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence.**

This sub-section will be dealt with in Section L.2/Attachment L.2 of the Waste Licence Application below.

**(e) The applicant has complied with any requirements under Section 53,**

This sub-section (relating to 'Financial Provisions') will be dealt with in Section L.2/Attachment L.2 of the Waste Licence Application below.

**(f) Energy will be used efficiently in the carrying on of the activity concerned.**

Energy Efficiency at the site is dealt with in Section G.2/Attachment G.2 of this Application.

It concludes that the only 'Energy' used at the facility is that to run the Facility Plant (Hitachi 200 excavator) and the Generator (to provide electricity to the site Portocabin). To ensure energy efficiency, the facility plant engine will be switched off when not in use and the generator will only be used when necessary, in order to ensure energy efficiency.

**(g) Any noise from the activity concerned will comply with, or will not result in the contravention of, any regulations under Section 106 of the Act of 1992.**

A 'Noise Assessment' and Noise Assessment Report is attached in Attachment I.6.

The Noise Assessment Report concludes:

*"A comprehensive assessment of the potential noise and vibration impacts associated with the waste recovery site has been completed. Site activities will be effectively managed to ensure that all potential noise and vibration impacts are minimised to acceptable levels. There are no significant adverse or*

*unacceptable noise or vibration impacts predicted at local sensitive receptors in the vicinity of the site as a result of the waste recovery facility operating".*

**(h) Necessary measures will be taken to prevent accidents in the carrying on of the activity concerned and, where an accident occurs, to limit its consequences for the environment**

'Accident Prevention & Emergency Response' is dealt with in Section J /Attachment J of this Application.

The main accidents of concern for the site are an accidental fuel spillage, or a fire at the facility. Necessary measures to be taken to prevent these accidents occurring, and actions to be taken should an accident occur are all presented in Section J/Attachment J.

**(i) Necessary measures will be taken upon the permanent cessation of the activity concerned (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to a satisfactory state.**

'Remediation, Decommissioning, Restoration and Aftercare' measures for the facility subject to this Waste Licence application are presented in Section K/Attachment K of this Application.

Due to the simple process of Material Recovery/Reclamation proposed for the facility, very little remediation or decommissioning will be required. The site is expected to revegetate naturally and abatement measures to ensure surface water leaving the site has a chance to settle (i.e. deposit suspended solids), in the form of 5 no. Settlement Ponds will be left in place following closure of the facility.

## ATTACHMENT L.2

### Fit and Proper Person

The Applicant - Lennon Quarries Ltd. is a 'Fit & Proper Person', complying with all of the requirements of Section 40(7) of the Waste Management Acts 1996 to 2011'

Each of the requirements of Section 40(7) of the Waste Management Acts 1996 to 2011, will be dealt with below.

#### **Section 40 - Grant of Waste Licence -**

**(7) For the purpose of this Part, a person shall be regarded as a fit and proper person if -**

**(a) Neither that person nor any other relevant person has been convicted of an offence under this Act prescribed for the purposes of this subsection;**

The applicant (Lennon Quarries Ltd.), or any person working for the applicant, have not been convicted of an offence under the Waste Management Acts 1996 to 2011, the EPA Act 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987.

**(b) In the opinion of the Agency, that persons or, as appropriate, any person or persons employed by him or her to direct or control the carrying on of the activity to which the waste licence relate has or have the requisite technical knowledge or qualifications to carry on that activity in accordance with the licence and the other requirements of this Act.**

Condition 2.1.2 of the current Waste Licence W0256-01 states:

*'The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified in the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence. In addition, the facility manager and his/her deputy shall, within six months of the date of grant of this licence, successfully complete a FAS waste management training programme or equivalent agreed by the Agency'*

'Lennon Quarries Ltd' is currently licensed, per Waste Licence W 0256-01, for the operation of the Tallagh site. In compliance with conditions for the waste licence, Tobin Consulting Engineers, on behalf of Lennon Quarries Ltd, has provided confirmation to the EPA, including verbal and written correspondence (Tobin letter to EPA dated 29th March 2012), of compliance with this requirement and the requirement of their waste licence.

Lennon Quarries Ltd. track record in the Waste Management area also shows that they are a company determined to operate in an organised and efficient manner, in strict compliance with the relevant permits/licences, and at all times ensuring that protection of the environment is foremost in their company practices.

**(c) *In the opinion of the Agency, that person is likely to be in a position to meet any financial commitments or liabilities that the Agency reasonably considers will be entered into or incurred by him or her in carrying on the activity to which the waste licence will relate in accordance with the terms thereof or in consequence of ceasing to carry on that activity.***

Lennon Quarries Ltd. are in a position to meet any financial commitments or liabilities that the Agency reasonably considers will be entered into or incurred by him or her in carrying on the activity to which the waste licence will relate in accordance with the terms thereof or in consequence of ceasing to carry on that activity.