

This Report has been cleared for submission to the Director by Programme Manager Frank Clinton. Signed See Reilly Date 4/1/12



OFFICE OF CLIMATE, LICENSING & RESOURCE USE

ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM

TO:	DARA LYNOTT, DIRECTOR
FROM:	Ewa Babiarczyk, Inspector
DATE:	3 January 2013
RE:	Request for a Technical Amendment to Waste Licence Register Number W0225-01, held by Kerry County Council in relation to a waste facility at Flemingstown, Lispole, An Daingean, County Kerry.

Introduction

Kerry County Council operates a civic amenity site at Flemingstown, Lispole, An Daingean, County Kerry. The facility accommodates the deposit of a variety of materials for recycling and recovery, and mixed household waste for disposal with a maximum authorised intake of 12,744 tonnes per annum. The facility was licensed on 13 October 2006 (Licence Register No. W0225-01). There has been no review or technical/clerical amendment of the existing licence to date.

Details of Request for Technical Amendment

On 26 April 2012 the Environmental Licensing Programme (ELP) Office received a request from Kerry County Council for a change to sub-conditions 1.6.1 and 1.6.2 which specify waste acceptance and operational hours at the facility and read as follows:

"1.6.1 With the exception of emergencies or as may be agreed by the Agency, waste shall be accepted at or despatched from the facility only between the hours of 0830 and 1700 Monday to Friday inclusive with the exception of one late-opening evening per week (0830 and 1900), and 0830 and 1300 on Saturdays.

1.6.2 The facility shall be operated only during the hours of 0800 and 1730 Monday to Friday inclusive with the exception of one late-opening evening per week (0800 and 1930) and 0800 to 1330 on Saturdays".

1. The licensee requests an extension to the waste acceptance hours on Saturdays from the existing '8:30 to 13:00' to '9:00 to 17:00'. The licensee also seeks the extension of the operational hours on Saturdays to 17:30. The licensee states that the extension of the waste acceptance hours on Saturdays to 17:00 will meet the requirements of the public using the facility. Condition 1.6.1 of the licence already allows for some variation in opening hours to be agreed by the Agency, however it is proposed in the interest of clarity to technically amend the licence to allow for the longer opening hours on Saturdays and specifically to accommodate the longer operating hours on Saturday. This will improve the level

of service that can be offered by the local authority with the potential benefit of increasing recycling while decreasing the risk of unauthorised waste disposal/fly-tipping.

2. Additionally, the licensee proposes also to amend the remaining opening hours to the following:
 - Tuesdays (11:00 to 19:00 hours)
 - Thursdays (9:00 to 17:00 hours)

Each of these changes is already accommodated in condition 1.6.1 in that one late-opening evening is already authorised. Therefore no change is proposed that might reduce the Council's flexibility to vary its days and hours of opening in future within the bounds of the existing licence condition.

The licensee states that the facility is located in a quiet rural area and no complaints have been received regarding noise, other nuisances or Saturday opening times to date. The licensee further states that, because of low waste tonnages being accepted at the facility, a three day week is currently in operation to reduce operating costs and improve the feasibility of the service.

The licensee states that there will be no anticipated impacts associated with the change to Saturday opening hours.

OEE Consultation

The OEE Site Inspection Report issued on 14 November 2011 states that, in respect of hours of operation, the "Agency acknowledges confirmation from the licensee that this facility has never received complaints since operations began on-site in 2008".

In the memo dated 29 May 2012, the OEE recommends that the request for a technical amendment is processed by the *Environmental Licensing Programme* as the proposed change regarding Condition 1.6.2 cannot be accommodated under the existing licence.

Recommendation

For the reasons outlined above I recommend that the Agency agree to a technical amendment of the existing licence for Kerry County Council for their facility at Flemingstown, Lispole, An Daingean, County Kerry (Licence Reg. No. W0225-01) under Section 42B(1)(c) of the Waste Management Acts 1996 and 2012.

Signed:



Ewa Babiarczyk

Inspector

Environmental Licensing Programme

Office of Climate, Licensing & Resource Use