



OFFICE OF CLIMATE, LICENSING & RESOURCE USE

LICENSING PROGRAMME MEMORANDUM

TO: Dara Lynott

FROM: EO Project Team

DATE: 18th December 2012

RE: Technical amendments required in order to bring licences into compliance with the European Communities Environmental Objectives (Surface Waters) Regulations 2009 and 2012 and the European Communities Environmental Objectives (Groundwater) Regulations 2010 and 2012

Introduction

The Agency is obliged to examine the terms of all relevant existing IPPC, Waste and waste water discharge licences with a view to determining whether they address the obligations laid down in the Environmental Objectives (Surface Waters) and Environmental Objectives (Groundwater) Regulations. The Agency must declare that the licence is compliant or technically amend/review the licence by 22nd December 2012.

A memo was presented to the Board in August 2011 which set out how the Environmental Licensing Programme would carry out technical amendments to licences, in order to bring a number of licences into compliance with the Regulations. A previous memo (dated 25th May 2011) had detailed how reviews will be carried out in order to bring licences into compliance with the Regulations. The remaining licences which are already compliant, will be issued with a declaration stating compliance with the Regulations.

Assessment

IPPC and Waste licences granted by the Agency have been assessed and the Agency has determined that a number of licences can be brought into conformity with the provisions and requirements of said Regulations by the exercise of the powers conferred by Section 96(1)(c) of the Environmental Protection Agency Acts 1992 to 2012 and Section 42B(1)(c) of the Waste Management Acts 1996 to 2012.

The amendments necessary are not considered to alter the character of the licence and the licence will continue to comply with and not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Acts, 1992 to 2012 or Section 40(4) of the Waste Management Acts 1996 to 2012.

The Table below indicates the Licences that are to be amended so as to add a condition(s) related to the protection of groundwater regarding landfills. The wording of the condition has been approved by the Board and states:

Condition A re: landfill

x.XXx Within eighteen months of the date of this technical amendment, the licensee shall carry out a risk screening and where necessary a technical assessment in accordance with the Guidance on the Authorisation of Discharges to Groundwater, published by the Environmental Protection Agency. A report on the outcome of the screening and where relevant the recommendations of the technical assessment in relation to the setting of groundwater compliance points and values, shall be included in the next AER. Any actions required to demonstrate compliance with the European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended shall be agreed by the Agency and implemented before 22nd December 2015. Groundwater monitoring results shall be submitted annually or as required in the Schedules to this licence.

The Table below identifies one licence (P0081-02) that is also to be amended so as to add a condition regarding on-site wastewater treatment systems for the protection of groundwater. The wording of the condition has been approved by the Board and states:

Condition B re: domestic waste water treatment system

x.XXx Any waste water treatment system and any percolation area for the treatment of sanitary effluent arising on –site, shall satisfy the criteria set out in the *Code of Practice: Waste Water Treatment and Disposal Systems Serving Single Houses*, published by the Environmental Protection Agency, within six months of date of grant of this technical amendment.

Table 1 List of Licences that require TA

No.	Reg No.	Licensee	Condition type	Condition number
1	P0081-02	Irish Asphalt Limited	A & B	8.3.13 & 8.3.14
2	W0002-02	Cork County Council	A	8.6.2
3	W0004-04	Kildare County Council	A	8.7.3
4	W0010-02	Meath County Council	A	8.9
5	W0012-03	Cork City Council	A	8.16.6
6	W0013-01	Galway County Council	A	1.8, 8.12
7	W0014-01	Kildare County Council	A	1.8, 8.7.2
8	W0015-01	Dun Laoghaire-Rathdown County Council	A	9.3.3
9	W0016-02	Wexford County Council	A	8.8.2
10	W0017-04	Limerick County Council	A	6.25
11	W0018-01	Waterford City Council	A	9.22
12	W0020-02	Monaghan County Council	A	1.7, 8.7.3
13	W0021-02	Mayo County Council	A	9.21
14	W0022-01	Cork County Council	A	9.23
15	W0023-01	Cork County Council	A	9.14
16	W0024-04	Donegal County Council	A	6.12.6

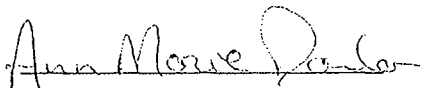
17	W0025-03	Carlow County Council	A	8.8.2
18	W0026-03	Laois County Council	A	8.7.2
19	W0027-02	Ballinasloe Town Council	A	1.7, 8.7.2
20	W0028-03	Westmeath County Council	A	8.8.2
21	W0029-04	Offaly County Council	A	6.29.3
22	W0030-02	Kilkenny County Council	A	1.7, 8.12
23	W0031-01	Clare County Council	A	9.15
24	W0034-02	Dundalk Town Council	A	8.12
25	W0046-01	Tegral Building Products Limited	A	9.11
26	W0059-03	Roscommon County Council	A	1.7, 8.8.2
27	W0060-03	Louth County Council	A	8.8.2
28	W0062-01	Donegal County Council	A	9.13
29	W0064-01	Leitrim County Council	A	9.13
30	W0065-01	Leitrim County Council	A	1.6, 8.6.2
31	W0066-03	Wicklow County Council	A	1.7, 8.8.2
32	W0067-02	Mayo County Council	A	1.8, 8.12
33	W0068-03	Cork County Council	A	8.13
34	W0069-01	Kerry County Council	A	9.11
35	W0070-01	Cork County Council	A	9.16
36	W0071-02	Westmeath County Council	A	8.10
37	W0072-01	Kerry County Council	A	8.12
38	W0073-01	Roscommon County Council	A	9.22
39	W0074-03	South Tipperary County Council	A	8.12
40	W0075-02	Waterford County Council	A	6.23
41	W0076-01	Limerick City Council	A	1.6, 8.7.2
42	W0077-04	Cavan County Council	A	6.29
43	W0078-03	North Tipperary County Council	A	6.4.4
44	W0086-01	Kerry County Council	A	9.11
45	W0087-01	Kerry County Council	A	9.11
46	W0089-02	Cork County Council Western Division	A	6.23
47	W0090-01	Donegal County Council	A	1.7, 8.10
48	W0091-01	Cavan County Council	A	1.7, 8.6.2
49	W0092-01	Cavan County Council	A	1.6, 8.6.2
50	W0093-01	Cavan County Council	A	1.6, 8.9
51	W0109-02	Clare County Council	A	9.22
52	W0125-01	Donegal County Council	A	8.8
53	W0126-01	Donegal County Council	A	9.9
54	W0127-01	Fingal County Council	A	1.6, 8.11
55	W0141-02	Cork City Council	A	6.21
56	W0146-02	Greenstar Holdings Limited	A	8.7.2
57	W0156-01	KTK Sand & Gravel Ltd	A	1.6, 8.6.4
58	W0161-02	Cork County Council	A	1.9, 8.18
59	W0165-02	Greenstar Holdings Limited	A	1.9, 8.7.1
60	W0178-02	Greenstar Holdings Limited	A	8.15

61	W0181-01	Swalcliffe Limited	A	1.6, 8.7
62	W0191-02	Wexford County Council	A	8.8.3
63	W0199-02	Bord na Mona Energy Limited	A	6.11.1
64	W0201-03	Kildare County Council	A	6.15.3
65	W0204-01	Brownfield Restoration Ireland Ltd	A	6.14
66	W0215-01	Donegal County Council	A	6.5.3

Recommendation

For the reasons outlined above I recommend that the Agency agree to a technical amendment of the licences specified in Table 1 above under Section 96(1) of the EPA Acts, 1992 to 2012 or Section 42B(1)(c) of the Waste Management Acts 1996 to 2012.

Signed



Ann Marie Donlon