

Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

TECHNICAL AMENDMENT B
TO
WASTE LICENCE

Licence Register Number: W0048-01
Licensee: Marrakesh Limited
Location of Facility: Kilmurry South Landfill
Kilmurry South
Kilmacanogue
Bray
County Wicklow



Reasons for the Decision

The Environmental Protection Agency has examined the terms of the Waste Licence Reg. No. W0048-01 granted on 20/10/2000, as required by the provisions of Article 12 of the European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended and determined that the licence can be brought into conformity with the provisions and requirements of said regulations by the exercise of the powers conferred by Section 42B(1)(c) of the Waste Management Acts 1996 to 2012.

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of licence Reg. No. W0048-01 granted on 20/10/2000 and amended on 20/10/2005 as well as any amendments noted herein, any emissions from the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2012.

Technical Amendment

In pursuance of the powers conferred on it by Section 42B(1)(c) of the Waste Management Acts 1996 to 2012, the Agency amends Licence Reg. No. W0048-01, granted to Marrakesh Limited, Kilmurry South, Kilmacanogue, Bray, County Wicklow.

Henceforth, the licence shall be read in conjunction with Amendment A issued on 20/10/2005 and the amendments set out below.

This technical amendment is limited to the following:

- Part I Activities Licensed
- Interpretation
- Conditions 4, 5, 8, 9, 11
- Schedules A, C, D, F



Amendments

Part I Activities Licensed

For the purpose of Article 48 of the Waste Management Licensing Regulations 2004 (S.I. No 395) this facility is classed as a landfill for inert waste.

Text to be inserted into Part I Activities Licensed of the existing licence.

Interpretation

Basic characterisation	As defined in Directive 1999/31/EC on the landfill of waste and described in Council Decision 2003/33/EC.
Compliance Point	The point (location, depth) at which a compliance value should be met. Generally it is represented by a borehole or monitoring well from which representative groundwater samples can be obtained.
Compliance testing	As defined in Directive 1999/31/EC on the landfill of waste and described in Council Decision 2003/33/EC.
Compliance Value	The concentration of a substance and associated compliance regime that, when not exceeded at the compliance point, will prevent pollution and/or achieve water quality objectives at the receptor.
On-site verification	As defined in Directive 1999/31/EC on the landfill of waste and described in Council Decision 2003/33/EC.

To be inserted into the Interpretation of the existing licence.

Incident	The following shall constitute as incident for the purposes of this licence: <ul style="list-style-type: none">(i) an emergency;(ii) any emission which does not comply with the requirements of this licence;(iii) any exceedance of the daily duty capacity of the waste handling equipment;(iv) any trigger level specified in this licence which is attained or exceeded;(v) any compliance value specified in this licence which is attained or exceeded; and,(vi) any indication that environmental pollution has, or may have, taken place.
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Delete the existing definition of Incident in the Interpretation of the existing licence and insert the above definition of Incident.



Conditions of Licence

- 4.19** Any new cells or areas of the facility to be developed for the landfilling of waste shall be lined in accordance with the requirements of Directive 1999/31/EC on the landfill of waste.

To be inserted after condition 4.18 of the existing licence.

5.3 Waste acceptance

- 5.3.1** The licensee shall maintain written up to date waste acceptance procedures for the acceptance and handling of all wastes at the facility, including those for disposal to landfill. Any amendment to existing procedures shall be agreed by the Agency. These procedures shall include details of the pre-treatment of all waste to be carried out in advance of acceptance for disposal at the landfill facility (see condition 5.3.6) and shall also include methods for the characterisation of waste in order to distinguish between inert, non-hazardous and hazardous wastes deposited in the landfill. The procedures shall have regard to Council Decision 2003/33/EC.

- 5.3.2** Subject to condition 5.3.3, only inert waste shall be deposited in the landfill. Any inert waste not listed in Annex 2.1 of Council Decision 2003/33/EC shall be subject to basic characterisation, compliance testing and on-site verification in accordance with the requirements of the Council Decision and subject to the appropriate limitations on waste acceptance.

- 5.3.3** The continued acceptance of inert waste for deposition in the landfill in accordance with condition 5.3.2 shall only take place if it is demonstrated to the Agency's satisfaction by means of an assessment of environmental risks, in accordance with Annex I, paragraph 3.4, of Directive 1999/31/EC on the landfill of waste, that the landfill poses no potential hazard to soil, groundwater or surface water. The assessment may be conducted in conjunction with the risk assessment required under condition 9.13.5 of this licence.

- 5.3.4** In the absence of an assessment under condition 5.3.3 and the matter described in that condition being demonstrated to the Agency's satisfaction, only the following waste shall be deposited in the body of the landfill:

- soil and stone, uncontaminated, excluding topsoil and peat and material from contaminated sites (EWC codes 17 05 04 and 20 02 02);
- the following recovered wastes:
 - concrete (17 01 01),
 - bricks (17 01 02),
 - tiles and ceramics (17 01 03) and
 - mixtures of concrete, bricks, tiles and ceramics (17 01 07),that have been processed at the facility or another authorised waste facility and are suitable for use as recycled aggregate in landfill fill, engineering or development and have been so certified by a suitably qualified person;
- glass (15 01 07, 17 02 02, 19 12 05 and 20 01 02); and
- other waste, if agreed by the Agency.

- 5.3.5** No waste shall be deposited in the landfill until revised waste acceptance procedures have been agreed by the Agency under condition 5.3.1.

- 5.3.6** Only waste that has been subject to treatment shall be accepted for disposal at the landfill facility. With the agreement of the Agency, this condition shall not apply to:
- inert wastes for which treatment is not technically feasible;
 - other waste for which such treatment does not contribute to the objectives of the Landfill Directive as set out in Article 1 of the Directive by reducing the quantity of the waste or the hazards to human health or the environment.
- 5.3.7** The procedures referred to in condition 5.3.1 shall take account of the monitoring requirements set out in *Schedule D.6 Waste Monitoring* of this licence.
- 5.3.8** Any waste deemed unsuitable for acceptance at the facility and/or in contravention of this licence shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition. No waste shall be stored in the Waste Quarantine Area for more than three months.
- 5.3.9** The waste acceptance procedures established under condition 5.3.1 shall provide:
- for the checking of waste documentation on receipt of waste in the waste reception area;
 - for non-pre-cleared customers in relation of waste to be deposited in the landfill, for the visual inspection and testing of waste in the waste inspection area pending acceptance/rejection;
 - for the visual inspection of waste when deposited at the working face of the landfill.
- 5.3.10** Waste arriving at the facility shall have its documentation checked at the point of entry to the facility and subject to this verification, weighed, recorded and directed to the operating area/landfill working face/quarantine area as appropriate.
- 5.3.11** The licensee shall provide a written acknowledgement (to carrier/waste contractor) of receipt of each delivery of waste to the facility for disposal or recovery at the landfill.
- 5.3.12** Any sample (of accepted waste) taken for basic characterisation, compliance testing or on-site verification shall be kept for two months and this requirement shall be stated in the procedures referred to in condition 5.3.1.
- 5.3.13** The licensee shall ensure that any waste acceptance testing required by this licence shall be carried out by competent laboratories in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards or alternative methods shall apply with the agreement of the Agency.
- 5.3.14** The licensee shall maintain up to date information on the basic characterisation of all waste accepted at the landfill. Such information shall conform with the requirements of section 1.1 of the annex to Council Decision 2003/33/EC and shall include leaching behaviour and compositional data of the waste. The basic characterisation shall inform the procedures to be maintained under condition 5.3.1 for compliance testing and on-site verification of waste.
- 5.3.15** The licensee shall, in writing, notify the Agency without delay of any waste received at the facility that does not meet the waste acceptance criteria.
- 5.3.16** The licensee shall not dilute or mix waste solely in order to meet waste acceptance criteria and shall not accept waste that has been so diluted or mixed.

Delete condition 5.3 of the existing licence and replace with the above condition 5.3.

- 5.5** Once sufficient waste has been accepted at the landfill facility to achieve the restoration requirements of Condition 8.1, no further waste shall be accepted for deposition (disposal or recovery) in the landfill.

Delete condition 5.5 of the existing licence and replace with the above condition 5.5.

8.5 Closure, Restoration & Aftercare Management Plan (CRAMP)

- 8.5.1** No later than 31 January 2014, the licensee shall prepare for agreement by the Agency, a fully detailed and costed plan for the closure, restoration and long-term aftercare of the site or part thereof. This plan shall have regard to the restoration and aftercare plans required under conditions 8.1 and 8.2 of this licence. The plan shall be maintained and reviewed annually and proposed amendments thereto notified to the Agency for agreement as part of the AER. No amendments may be implemented without the prior agreement of the Agency.

8.5.2 The CRAMP shall include as a minimum, the following:

- A scope statement for the plan.
- The criteria, including those specified in this licence, 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.

- 8.5.3** A final validation report to include a certificate of completion for the CRAMP, for all or part of the site as necessary, shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

- 8.6** All remaining void space at the landfill shall be filled no later than 31 December 2016 unless otherwise agreed by the Agency and on foot of demonstrable difficulty in sourcing suitable fill material. Filled cells shall be permanently capped within 24 months of the cells having been filled to the required level.

To be inserted after condition 8.4 of the existing licence.

- 9.13.4** No later than 31 July 2013, the licensee shall submit to the Agency for its agreement groundwater monitoring trigger levels in accordance with the requirements of Directive 1999/31/EC. The trigger levels for groundwater shall be measured at monitoring boreholes to be agreed by the Agency.

9.13.5 No later than 31 July 2014, 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 22 December 2015. Groundwater monitoring results shall be submitted annually or as required in the Schedules to this licence.

To be inserted after condition 9.13.3 of the existing licence.

11.3 Cost of landfill of waste

In accordance with the provisions of Section 53A of the Waste Management Acts 1996 to 2012, the licensee shall ensure the costs involved in the setting up and operation of the facility, as well as the costs of closure, restoration and after-care (including cost of provision of financial security) for a period of at least 30 years (post closure) shall be covered by the price to be charged for the disposal of waste at the landfill facility. The statement required under Section 53A(5) of said Acts is to be included as part of the AER.

To be inserted after condition 11.2 of the existing licence.

Schedules to Licence

Schedule A Content of the Annual Environmental Report

Statement of compliance of facility with any updates of the relevant Waste Management Plan

To be added as a requirement in Schedule A: Content of the Annual Environmental Report of the existing licence.

Schedule C Specified Engineering Works

Development of the facility including preparatory works and lining.

Final capping.

Location, relocation and/or installation of construction and demolition waste recovery plant.

Development of infrastructure for storage of materials recovered from construction and demolition waste.

To be added as requirements in Schedule C: Specified Engineering Works of the existing licence.

Schedule D.6 Waste Monitoring for waste deposited in the landfill

Waste Class	Frequency of compliance testing	Parameter	Method
Inert waste	Each batch ^{Note 1} or	To be determined following basic characterisation of the waste and/or as may be directed by the Agency.	To be determined following basic characterisation of the waste and/or as may be directed by the Agency and to consist at least of a batch leaching test. To be agreed by the Agency under condition 8.5.1
Other waste	Annually for regular wastes already subject to basic characterisation		

Note 1: In accordance with section 1.1.3(b) of the annex to Council Decision 2003/33/EC, this testing, where required, might constitute basic characterisation in which case no compliance testing is required.

To be inserted after Schedule D.5 Meteorological Monitoring of the existing licence.

Schedule F Waste Acceptance

Table F.3 Total Permitted Landfill Capacity

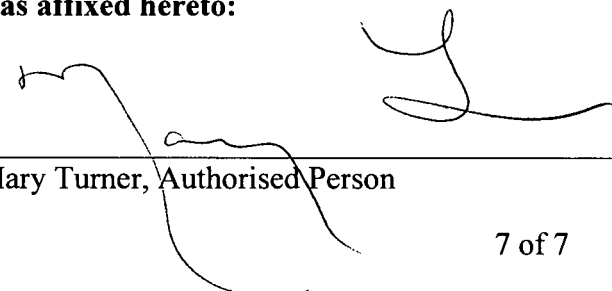
Total quantity of waste permitted to be placed at the landfill facility (over authorised life of facility)	1,200,000 tonnes
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To be inserted after Table F.2 Waste Acceptable for Disposal of the existing licence.

This technical amendment shall be cited as Amendment B (in pursuance of Section 42B(1) of the Waste Management Acts 1996 to 2011) to Waste Licence Register No. W0048-01.

Sealed by the seal of the Agency on this the 31st day of January, 2013.

PRESENT when the seal of the Agency was affixed hereto:



 Mary Turner, Authorised Person

