

Environmental Protection
Agency
04 APR 2013

Licensing Unit,
Environmental Protection Agency,
Office of Climate, Licensing & Resource Use,
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Johnstown Castle Estate,
County Wexford

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03rd April 2013

Reg No. W0281-01

**Application for a waste licence Bord Gais Eireann, Limerick Gasworks,
Dock Road, Limerick**

Dear Sir / Madam,

We refer to the above waste licence application submitted in May 2012. We wish to advise the Licensing Unit of the EPA, that **full planning permission** was granted by Limerick City Council on 07th March 2013 for the remediation and ancillary works on the site.

As per our letter of 03rd May 2012, we would reiterate our request to expedite the waste licence on the grounds of;

- Economic Environment
- Social Environment
- Limerick City Centre Strategy – Development Plan 2010 -2016
- Climate Environment

The Environmental Protection
Agency
- 8 APR 2013
CORK

and in light of the decision by Limerick City Council to grant full planning permission.

I enclose a copy of the grant of permission for reference. Please note, we have been in discussion with Limerick City Council regarding an alteration to condition 2, (relocation of ESB substation and gas installation etc) proceeding in advance of remediation works, as the remediation works are only subject to waste licence and we are awaiting a decision on same from Limerick City Council.

We are currently in the procurement process for the remediation works with the intention of having a suitably qualified and experienced contractor appointed for the Phase 1 works (pump and treat works) by Quarter 3 of 2013.

We look forward to favourable request to expedite waste licence as set out above.

Yours sincerely,



Declan Burke
Projects Planning Manager,
For and on behalf of Bord Gáis Eireann

cc Mr. Tony Brown, Mouchel Limited

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LIMERICK CITY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 to 2012

NOTIFICATION OF A GRANT OF A PERMISSION

TO: Bord Gais Eireann
Gasworks Road
Cork.

Planning Register Number: P12/87

Application By: Bord Gais Eireann
Gasworks Road
Cork.

Application Receipt Date: 15/06/2012

Further Information Received Date: 03/01/2013

For: The development will consist of the construction of a District Regulator Installation (DRL) unit and relocation of the existing ESB sub-station to the O'Curry Street elevation. The demolition of the remaining masonry wall to Lower O'Curry Street and rebuilding of same in rendered blockwork. The demolition of the free-standing internal walls (with the exception of the short return walls that form part of NIAH Reference 21517005, which will be retained), boundary improvement works to the St. James Mews boundary walls and provision of a hard-standing surface over the entire site. The development will also include the remediation clean-up of the contaminated soil that lies within the footprint of the site. A Waste licence application (accompanied by an Environmental Protection Agency (Reg. No: W0280-01) under the Waste Licence Management Act 2011-2011. The site contains 2 no. Protected structures (Record of Protected Structures Reference numbers RPS261 & RPS326). An Environmental Impact Statement and Natura Impact Statement will accompany the planning application. **AT Gasworks Site Dock Road Limerick. IN ACCORDANCE WITH THE PLANS SUBMITTED WITH THE APPLICATION.**

In accordance with Section 34(3) of the Act, The Planning Authority in making its decision has had regard to submissions or observations received in accordance with the Planning & Development Regulations 2001 to 2012.

Subject to the 23 conditions set out hereunder.

CONDITION

1. Insofar as the Planning and Development Act 2000 & 2010 (As Amended) and the Regulations made there under are concerned, the development shall be carried out in accordance with the plans and particulars lodged with the application on 15/06/12 and the Further Information submitted 03/01/13 save for any conditions attached hereto. For the avoidance of doubt, this permission shall not be construed as approving any development shown on plans, particulars and specifications, the nature and extent of which has not been adequately stated in the statutory public notices.

REASON

In the interest of orderly development.

2. The Applicant shall ensure that the necessary Waste Licence from the Environmental Protection Agency is in place prior to the commencement of ANY works on site.

3. The remediation works proposed shall be carried out in line with the Mitigation Measures as detailed in the Environmental Impact Statement submitted to the Planning Authority on 15/06/12 and the revised information submitted on file 03/01/13.

4. All mitigation measures detailed in the Appropriate Assessment '*Screening Statement*' prepared by Mouchel and submitted to the Planning Authority on the 15/06/12 shall be implemented by the Applicant as detailed appropriate.

5. Water Supply:

- o The business must apply for an account and pay all costs associated with the Non-Domestic Water Metering Policy.
- o Active Water Conservation measures must be utilised in the development of this site. The measures to be adopted and as outlined in the submitted '*Civil Services Report*' are as follows; the use of dual action flushing toilets that can use a half flush or the use of water displacement devices such as a 'hippo' to artificially reduce the cistern capacity; the use of Grey Water as an alternative to potable water for toilet flushing is strongly promoted by means of rain water harvesting.
- o Interference with Limerick City Council's water supply is not permitted at any stage, however metered standpipes may be supplied to developers on request during the construction stage.

In the interest of orderly development and environmental protection.

In the interest of orderly development and environmental protection.

In the interest of orderly development and environmental protection.

In the interest of public health and safety.

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6. Foul Sewerage:

- While the Water Services Authority does not have a specific objection to the proposal, this Notification does not guarantee the Applicant permission to discharge to the sewer network. The Water Services Authority will not consider a sewer connection application or a discharge application until such time as the Applicant has appointed a suitably qualified contractor and has identified the proposed treatment process for the intended discharge. Any future sewer connections or discharge applications will be dependent on the ability of the treatment process to remove all the contaminants in Table E of the application and to achieve the limits in Table C of the application, with sufficient risk removal measures in place to protect the Water Services Authority's Discharge Licence limits on the treated effluent into the River Shannon or in detrimental damage to the operation of the Authority's assets.
- As per this Notification the Applicant must make the necessary provisions to remove all of the treated effluent from site and dispose of in an appropriate manner in accordance with current Environmental Legislation in the event of a sewer connection or Discharge Licence to the sewer being un-successful.
- In the event of a licence to discharge to the sewer being granted in the future the Applicant will be limited to a maximum discharge limit of 50 m³/day.
- In the event of a licence to discharge to the sewer being granted in the future, the Applicant will be limited to achieving the discharge limits as identified in Table E of the Report 1021927/R/22A submitted on file.
- The discharge limits for the contaminants identified in Table C of the Report 1021927/R/22A submitted on file is nil, in the event of a licence to discharge to the sewer being granted in the future.
- The sampling point must be agreed with the Water Services Authority and include a 24hr flow proportional composite sampler.
- In the event of a licence to discharge to the sewer being granted in the future the Applicant will be required to take daily samples of the discharge, split the sample and lodge ½ of the sample with the Operator of the Waste Water Treatment Facility for retrospective proof of discharge quality. Any additional management or analytical costs will require reimbursement.
- In the event of a licence to discharge to the sewer being granted in the future the Applicant will be required to analyze daily samples of the discharge, and submit the details to the Water Services Authority on a daily basis when available.
- In the event of a licence to discharge to the sewer being granted in the future the Applicant will be required to install online pH, DO (Dissolved Oxygen) and conductivity monitoring of the treated effluent to have the ability to immediately automatically terminate the discharge on indication of any change in the quality of the discharge.

In the interest of public health and safety.

7. Surface Water Disposal:

- The proposal indicates the intention to remove soil from the site along the dock road, the Applicant is required to jet and clear all the gullies on the dock road along the route of the haul on a weekly basis in accordance with Limerick City Council requirements.
- The Applicant shall NOT discharge run-off to the surface water drainage system from the proposed site, this is not a suitable location for such run-off without significant removal of suspended solids and contaminants prior to discharge to the lagoon.
- The Applicant is required to ensure that all run-off from the site is catered for within the confines of the site.

In the interest of public health and safety.

8. If the Applicant is successful in obtaining a sewer connection or licence to discharge to the sewer in the future (as per the above conditions), the Applicant must provide to the Water Services Authority, in advance of commencement of the development in question, a **€200,000.00 Environmental Liability Bond** which may be drawn down in the event of any attributable breach of discharge limits as part of the Discharge Licence on the treated effluent into the River Shannon or in detrimental damage to the operation of the Local Authority's assets.

In the interest of orderly development and environmental protection.

9. All works to the buildings/walls shall be carried out under the on-site supervision of the qualified Conservation Architect who prepared the **Built Heritage Assessment Report** submitted to the Planning Authority on 15/06/12 and the revised report submitted 03/01/13.

To ensure that the integrity and original character of this structure/s is maintained and that all works are carried out in accordance with best conservation practice and maintain a record of the Protected Structures in question.

Within **2 MONTHS** of the completion of ALL works the qualified Conservation Architect (minimum RIAI Conservation Accreditation Grade 2) shall certify that the repair and stabilisation works specified have been carried out in accordance with the submitted plans/report and best practice as outlined in the **Architectural Heritage Protection Guidelines (As Revised 2011)** and submit a further photographic survey and record of any repair works carried out to the Planning Authority to be held on the **RPS261** and **RPS326** files.

10. All personnel employed in carrying out the development are to be made fully aware of the Protected Structure status of the building/walls (**RPS261** & **RPS326**) and to take due care when carrying out the works as detailed in the **Built Heritage Assessment Report** submitted to the Planning Authority on 15/06/12 and the revised report submitted 03/01/13. All stabilisation/repairs works to the Protected Structures shall be carried out strictly in accordance with the guidance set out in the **Architectural Heritage Protection Guidelines, 2011**

To safeguard the Protected Structures in question from any unnecessary damage as a result of the remediation process and in the interest of orderly development.

11. The removal through demolition of the identified internal free standing walls as set out in the **Built Heritage Assessment Report** submitted to the Planning Authority on 15/06/12 and the revised report submitted 03/01/13 shall be carried out as per the recommendations made in the said report.

Architectural Monitoring - An Architectural Watching Brief shall be carried out during demolition of the O'Curry Street boundary wall, the short return onto Dock Road and the identified internal free-standing walls (Drawing No. 1021927/WL/OD/10). This is due to the close proximity of the existing Protected Structures on and adjoining the site and the respective curtilage.

The Applicant shall submit a detailed **Last Record Survey** for the O' Curry Street boundary wall and the short return to Dock Road, to ensure that preservation by record is adequately achieved. The survey shall include a detailed written description for each wall structure, photographic coverage, measured survey at a sufficient scale to show all key features e.g. window and door openings, vehicular entrances etc and shall be submitted to the Planning Authority for written agreement.

12. All waste materials generated during the demolition works permitted on site shall be stored securely and reused where possible on site. Any removal from the site shall be carried out by licensed waste service providers ONLY.

13. The Applicant shall comply with the requirements of the Environment Department as per the report received 24/01/13.

14. The Applicant shall comply with the requirements of the Health Service Executive as per the report received 22/01/13 and submit the relevant information for written agreement of the Planning Authority 2 MONTHS prior to the commencement of ANY works on site.

15. That all work on site shall take place between the hours of 8.00am and 19.00pm Monday to Friday and 8.30am and 1.00pm Saturdays only. Works shall not be carried out on public holidays.

16. The development shall comply with the International Radiation Protection Association Guidelines with regard to the proposed relocation of the Electricity Sub-Station:

- o The relocation of the sub-station and all ancillary work should comply with the International Guidelines laid down by the International Radiation Protection Association (I.R.P.A) for exposure limits.
- o Electric and magnetic fields should not exceed the limits specified in the I.R.P.A Guidelines.
- o Exposure limits should apply to all staff maintenance crews or outside contractors working in, or in the vicinity of, the station as per I.R.P.A Guidelines.
- o The installation shall be inspected and measured following erection to ensure that the guideline safety levels are not exceeded.

17. Vibration Monitoring shall be carried out throughout the remediation process under the supervision of a suitably qualified professional.

To ensure that the original character of the structures within the curtilages of RPS261 & RPS326 are recorded and that all works are carried out in accordance with best conservation practice.

In the interest of orderly development.

In the interest of orderly development.

In the interest of orderly development and public health and safety.

In the interest of residential amenity.

In the interest of residential health and safety.

To safeguard the Protected Structures in question from any unnecessary damage as a result of the remediation process and in the interest of orderly development.

18. The remediation works information board shall be erected as per Drawing No. 1021927 and maintained when necessary by the Applicant.

In the interest of residential amenity.

19. Prior to commencement of the development, the Applicant shall submit a **Programme of Works** and include a time-scale for the associated road works and boundary improvements

In the interest of orderly development.

20. The exact set-back of the north-western boundary shall be agreed on site with the Travel & Transportation Directorate. The widened footway area shall be part of the public road and will be in the charge of Limerick City Council on completion and in accordance with the particulars submitted on the 03/01 /13.

In the interest of orderly development.

21. Any impairment of road areas outside the site limits due to the remediation activities proposed shall be fully reinstated at the expense of the Applicant. All reinstatements to public road areas shall be subject to the written agreement and licensing terms of Limerick City Council, Travel & Transport Directorate.

In the interest of orderly development.


22. **2 MONTHS** prior to commencement of the remediation process, the Applicant shall submit a detailed **Construction Traffic Management Plan** in association with the Nominated Contractor for the written agreement of the Planning Authority. The Plan shall include transportation (vehicular movements to and from the site), machinery, access, noise & vibration control, operational limits, barriers, hoarding, traffic and pedestrian safety and construction parking.

In the interest of orderly development.

23. **2 MONTHS** prior to commencement of the remediation process, the Applicant shall submit a detailed **Method Statement** (and any re-design stipulations) in relation to the construction of the boundary walls, with particular reference to the O'Curry Street elevation. The design and materials of the boundaries shall comply with the details submitted on file 03/01/13.

In the interest of orderly development and public realm amenity.

Signed on behalf of Limerick City Council.



DIRECTOR OF SERVICE

DATE: 7th March 2013