

Mr Damien Collins
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21/06/2013

W0285-01

Re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations

Dear Mr Collins,

I am to refer to the above referenced application for a waste licence relating to a facility at Bio Agrigas Ltd, Newdown, The Downs, Mullingar Co. Westmeath. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 and Article 13 of the Waste Management (Licensing) Regulations.

You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to supply the information detailed below:

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. Provide information on the quality of the groundwater underlying the site, or in the vicinity of the site.
2. Provide information on predicted potential ground level concentrations for Hydrogen Sulphide, at all sensitive receptors, as a result of emissions from the proposed facility.
3. State whether the applicant has previous experience of working in or with the waste industry and has experience of anaerobic digestion operations at the scale proposed.
4. State the maximum waste storage capacity at the facility (in tonnes or litres). State the estimated cost (Euro per tonne or litre) for disposal of any stored waste at the facility in the event that it falls to the State to dispose of the stored material. State the basis of the estimated cost.

5. Provide evidence to allow the Agency to form an opinion that the applicant, in accordance with the requirements of section 40(7)(c) of the Waste Management Acts 1996 to 2013, is likely to be in a position to meet any financial commitments or liabilities that will be entered into or incurred by him or her in carrying on the activity to which a waste licence would relate or in consequence of ceasing to carry out on that activity
6. Undertake a screening for Appropriate Assessment and state whether the activity, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s), in view of best scientific knowledge and of the conservation objectives of the site(s).

Where it cannot be excluded, on the basis of objective scientific information, following screening for Appropriate Assessment, that an activity, either individually or in combination with other plans or projects, will have a significant effect on a European Site, the applicant shall provide a Natura Impact Statement, as defined in Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations (S.I. No. 477 of 2011). Where based on the screening it is considered that an Appropriate Assessment is not required, a reasoned response should be provided.

You are furthermore advised to refer to the document '*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*', issued in 2009 by the Department of the Environment, Heritage and Local Government, and revised in 2010. This document is available at: http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf.

ARTICLE 13 COMPLIANCE REQUIREMENTS

1. Consider the Environmental Topic: "Interaction of the Foregoing" and its applicability in the EIS. Please refer to legislative requirements and Agency guidelines in this regard.

Your reply to this notice should include a revised non-technical summary (Application Form and EIS) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

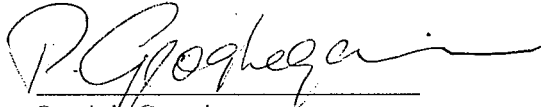
In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within 6 weeks of the date of this notice. In addition submit two

(2) copies of the requested information in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please direct all correspondence in relation to this matter to Administration, *Environmental Licensing Programme, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'P. Geoghegan', written over a horizontal line.

Patrick Geoghegan
Senior Inspector
Environmental Licensing Programme
Office of Climate, Licensing & Resource Use