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02 July 2013

W0279-01

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

Dear Ms O'Donnell,

I am to refer to the above referenced application for a waste licence relating to the Rehab Glassco Facility at Unit 4, Oberstown Industrial Park, Caragh Road, Naas, County Kildare. 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 of the Waste Management (Licensing) Regulations.

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

ARTICLE 12 COMPLIANCE REQUIREMENTS

1. Grid Reference

Submit a national grid reference for the facility location. The figures submitted with the application are not correct. You are requested to confirm that all other grid references (e.g. for emission points) in the application are correct.

2. Air Emissions

- Confirm whether the air emission point in the dryer plant is denoted as A1 or A2-01. Contradictory denotations are used in the application.
- Provide a description of the air emissions abatement system on the dryer plant stack. Reference is made to a bag filter in the application, however, no other detail has been provided on the bag filter (e.g. effectiveness, compliance with BAT etc.).
- Confirm whether additional dust deposition monitoring has been carried out at the facility since submission of the application and EIS. Submit any additional monitoring data where available.
- Complete Tables E.1(ii) and E.1(iii) of the application form for the air emission point. Where available, provide pre- and post-treatment air emissions data.

- Carry out an assessment, using air dispersion modelling and with reference to current relevant ambient air quality standards, of the impact of the air emissions on ambient air quality. Air dispersion modelling should be in accordance with the 'Air Dispersion Modelling from Industrial Installations Guidance Note (AG4)' published by the Agency.

3. Storm water discharge (discharge from interceptor)

Provide all available monitoring data for the discharge from the interceptor (SW1) for the past 12 months.

4. Noise

- Confirm whether noise complaints have been received by the facility in the last 12 months.
- Provide noise monitoring data which includes plant operation in the presence of the acoustic barrier that was installed in January 2013.

5. Compliance with BAT

Provide a clear description as to how the proposed facility will comply with the relevant requirements of BAT and/or Bref. You should identify the key BAT which is to be applied to manage the relevant environmental aspect/emissions (including air emissions, dust deposition and noise) associated with each unit operation.

6. Compliance with Directives

Provide a clear description as to how the proposed facility will comply with the requirements of the following legislation (where applicable): Water Framework Directive, European Communities Environmental Objectives (Surface Water) Regulations (2009); European Communities Environmental Objectives (Groundwater) Regulations (2010); IPPC Directive; and the Environmental Liabilities Directive.

7. Liability, Closure and Financial Provision

In accordance with section 53(1) of the Waste Management Acts 1996 to 2013, please furnish particulars in respect of the ability of Rehab Glassco Ltd to meet the financial commitments of liabilities that will be entered into or incurred in carrying on the proposed activity and provide evidence that Rehab Glassco Ltd will be in position to make financial provision that is adequate to discharge these financial commitments. Specifically:

- (a) Prepare a fully detailed and costed Closure, Restoration and Aftercare Management Plan (CRAMP) for the facility, to include as a minimum the following:
 - A scope statement for the plan.
 - The criteria 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.
- (b) Prepare a fully detailed and costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities and potential liabilities from past and proposed activities, including those liabilities and costs identified in the CRAMP. Provide evidence that the assessment was prepared or reviewed, and was found to be complete and accurate, by an independent and appropriately qualified consultant or expert.
- (c) Provide a proposal for financial provision to cover any liabilities associated with the operation and identified in the ELRA (including closure, restoration and aftercare and unanticipated accidents, incidents and liabilities). Provide evidence that Rehab Glassco Ltd will be in a position to put such financial provision in place in the event that a waste licence is granted and prior to development works commencing.

The preparation of the CRAMP and ELRA and evaluation of the amount and form of financial provision should have regard to Environmental Protection Agency guidance including *Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision (2006)*.

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 8 weeks of the date of this notice. In addition submit sixteen (16) copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0279-01**. 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 "M. Owens".

Michael Owens

Inspector

Office of Climate, Licensing & Resource Use