

Mr. Adrian Dunlea,  
Environmental Manager,  
Waste Recovery Services (Fermoy) Ltd.,  
Cullenagh,  
Fermoy,  
Co. Cork.

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Reg. No. W0107-03

9 July 2013

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

Dear Mr. Dunlea,

I am to refer to the above referenced application for a waste licence relating to a facility at Waste Recovery Services (Fermoy) Ltd., Cullenagh, Fermoy, Co. Cork.

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. 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 Sites, in view of best scientific knowledge and 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, 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, provide a reasoned response.

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](http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf).

2. State what recommendations or requirements of the Agency were implemented by the licensee on foot of the hydrogeological assessment required under condition 11.7.1 of the existing licence. Clarify the current status of the landfill area previously used for the deposit of waste.



3. Provide results of groundwater monitoring from 2010 to 2013 for each monitoring location and parameter required in Schedule D.5 of the existing licence. Submit a drawing showing the monitoring locations.
4. Describe how the waste hierarchy in section 21A of the Waste Management Act 1996 to 2013 is applied.
5. Describe in outline the main alternatives, if any, to the proposals contained in the licence application which were studied by the applicant.
6. Provide a copy of the most recent planning permission for the facility and an associated planning inspector's report. If no planning permission has been obtained, provide a copy of any correspondence with the planning authority which is relevant in respect of the planning status for the development.
7. Provide confirmation in the form of correspondence with the planning authority as to whether an environmental impact assessment is required for the development.
8. Clarify where surface water from the yard discharges to or is sent after being stored in the surface water tanks. Complete tables of Section E.2 of the application form, as might be relevant.
9. Provide European Waste Catalogue codes for all waste types proposed to be accepted at the facility and the associated waste amounts.

Your reply to this notice should include a **revised non-technical summary** 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 **eight weeks** of the date of this notice. In addition please submit two (2) copies of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0107-03**. Please direct all correspondence in relation to this matter to Administration, *Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



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**Ewa Babiarczyk**  
**Inspector**  
**Office of Climate, Licensing & Resource Use**