

This report has been cleared for submission to the Director
by Programme Manager Frank Clinton.

Signed:

Ann Kehoe

Date:

29/1/14



**OFFICE OF CLIMATE,
LICENSING &
RESOURCE USE**

**ENVIRONMENTAL LICENSING PROGRAMME
MEMORANDUM**

TO: Director

FROM: Ann Kehoe

C.C.: Frank Clinton, Programme Manager

DATE: 29/01/2014

RE: Request for the transfer of Waste licence, Reg. No. **W0197-02**, from **WALLACE RECYCLING LIMITED** to **MULLEADYS LIMITED CRO No. 69020**.

Background

Licence Reg. No. W0197-02 was granted to Wallace Recycling Limited on the 12 October 2009. Wallace Recycling Limited, Units 14 - 17 Mullingar Business Park, Mullingar, Co Westmeath and Mulleadys Limited, Cloonagh, Drumlish, Co Longford, applied to the Agency on 04/11/2013, to transfer the licence to Mulleadys Limited. According to the applicants the basis for the transfer application is the sale of Wallace Recycling Limited (currently in receivership) to Mulleadys Limited. The transfer of licence will allow Mulleadys Limited to operate the installation, at Units 14-17 Mullingar Business Park, Mullingar, Co Westmeath, under licence Reg. No. W0197-02.

The Agency is informed that Mulleadys Limited is a limited company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 69020).

Mulleadys Limited Waste Management Section was established in 1991 by Mr. Anthony Mulleady. Mulleadys operates materials recovery facility based in Drumlish in County Longford. The facility is regulated by the Environmental Protection Agency under a Waste Licence issued by the Agency (Licence No: W0169-01). Mulleadys Limited is licensed by the EPA since August 2003 to accept solid non-hazardous domestic, commercial, industrial and construction and demolition wastes.

Assessment

The application was assessed under Section 47 of the Waste Management Act 1996 as amended. It is deemed to comply with the requirements of the above, as follows:

Requirements of Section 47(2) and 47(3)

- The application complies with Subsection (2) having been jointly made by the current licensee and the proposed transferee.
- The application was made in the form prescribed by the Agency.
- The application was accompanied by the appropriate fee, in accordance Article 43 of the Waste (Licensing) Regulations 2004 as amended.

Such information as may be required by Section 47(3)

- Any costs associated with the closure plan (RMP, DMP, CRAMP, etc.) of the facility have been fully detailed by the applicants and have been approved by the Office of Environmental Enforcement (OEE).
- Any costs associated with any environmental event (ELRA, etc.) at the facility have been fully detailed by the applicants and have been approved by OEE.
- The transferee or any relevant person has not had an application for a licence refused.

Requirements of Section 47(5)

- Information in relation to the status of the proposed transferee as a 'Fit and Proper Person' has been provided and, based on a review of the information; the proposed transferee has no relevant convictions and has sufficient technical experience and support.
- In relation to Financial Provision, a Bond is to be provided for Wallace Recycling Limited. This Financial Provision has been agreed with the Office of Environmental Enforcement.

Approval memo/letter from OEE in relation to ELR/RMP & Financial Provision is attached.

Requirements of Section 47(6)

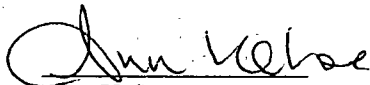
- The proposed transferee has stated in writing that they accept all liabilities, requirements and obligations provided for in or arising under the licence regardless of how and in respect of what period, including a period prior to the transfer of a licence, that may arise.

OEE confirmed on 04/11/2013 that no outstanding legal issues required to be resolved.

Finance Unit confirmed on 29/01/2014 that no outstanding fees were due from the licensee.

Recommendation:

It is recommended that the transfer of Waste licence Reg. No. W0197-02 from Wallace Recycling Limited to Mulleadys Limited, CRO No. 69020, is approved under Section 47 of the Waste Management Act 1996 as amended.



Ann Kehoe
Programme Officer
Environmental Licensing Programme