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Ireland

Section 76A(11) Amendment  
to  
Industrial Emissions Licence

<b>Licence Register Number:</b>	<b>W0001-04</b>
<b>Licensee:</b>	<b>Kerry County Council</b>
<b>Location of Installation:</b>	<b>Muingnaminnane Tralee Kerry</b>

## ***Reason for the Decision***

The Environmental Protection Agency has examined the terms of Licence Reg. No. W0001-04 as required by the provisions of Section 76A(8)(a) of the Waste Management Act 1996 as amended, and determined that the licence can be brought into conformity with the provisions and requirements of Council Directive 2010/75/EU by the exercise of the powers conferred by Section 76A(11) of the Waste Management Act 1996 as amended.

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of Licence Reg. No. W0001-04, granted on 24/03/2010, any amendments made to date, as well as any amendments noted herein, the carrying on of the activity will comply with and not contravene any of the requirements of Section 40(4) of the Waste Management Act 1996 as amended.

## ***Amendment***

In pursuance of the powers conferred on it by Section 76A(11) of the Waste Management Act 1996 as amended, the Agency hereby amends Licence Reg. No. W0001-04, granted to Kerry County Council, Muingnaminnane, Tralee, Kerry.

Henceforth, the licence shall be read in conjunction with any other amendment made to the licence and the amendments set out below.

From the date of this amendment, Licence Reg. No. W0001-04 shall be deemed to be an Industrial Emissions Licence granted under Part IV of the Environmental Protection Agency Act 1992 as amended and shall not be a waste licence or revised waste licence.

This amendment is limited to the following Glossary of Terms or Interpretation, Conditions and Schedules of Licence Reg. No. W0001-04:



# Amendments

## Amend Glossary of Terms or the Interpretation as follows

To be inserted into the Glossary or the Interpretation of the existing licence or where relevant replace the existing term.

<b>BAT conclusions</b>	A document containing the parts of a BAT reference document laying down the conclusions on best available techniques, their description, information to assess their applicability, the emission levels associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures.
<b>BAT reference document</b>	A document drawn up by the Commission of the European Union in accordance with Article 13 of the Industrial Emissions Directive, resulting from the exchange of information in accordance with that Article of that Directive and describing, in particular, applied techniques, present emissions and consumption levels, techniques considered for the determination of best available techniques as well as BAT conclusions and any emerging techniques.
<b>Facility</b>	A site or premises used for the purpose of the recovery or disposal of waste or an installation.
<b>Groundwater</b>	Has the meaning assigned to it by Regulation 3 of the European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9 of 2010).
<b>Industrial Emissions Directive</b>	Industrial Emissions Directive means Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast).
<b>Installation</b>	A stationary technical unit or plant where the activity concerned referred to in the First Schedule of EPA Act 1992 as amended is or will be carried on, and shall be deemed to include any directly associated activity, which has a technical connection with the activity and is carried out on the site of the activity.
<b>Waste</b>	Any substance or object which the holder discards or intends or is required to discard.
<b>Waste licensing under the Waste Management Act 1996</b>	Any reference within Condition 1: <i>Scope</i> of this licence to “waste licensing under the Waste Management Act 1996” or any similar construed reference shall be deemed to mean a reference to “industrial emissions licensing under the Environmental Protection Agency Act 1992 as amended.”

*Amend the 'Schedule of Activities Licensed' as follows:*

The licensed activities are amended to be as follows:

- 11.1 The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.
- 11.5 Landfills, within the meaning of section 5 (amended by Regulation 11(1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008)) of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste.

Notwithstanding the foregoing, any limitations on waste recovery and disposal activities specified in this Part in accordance with the Third Schedule and Fourth Schedule of the Waste Management Act 1996 as amended including, where applicable, any refused waste disposal and recovery activities from the Third Schedule and Fourth Schedule of the Waste Management Act as amended shall continue to apply.

## **New Conditions**

*Amend the licence to insert the following additional conditions at the end of Condition 2 of the licence:*

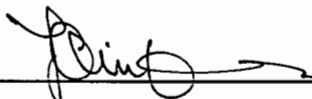
- 2A The licensee shall notify the Agency, in a format as may be specified by the Agency, without delay after:
- (i) an incident or accident that significantly affects the environment, and/or
  - (ii) the occurrence of any breach of one or more of the conditions attached to this licence.
- 2B The licensee shall, where an incident or accident that significantly affects the environment occurs, without delay take measures to limit the environmental consequences of the incident or accident and to prevent further possible incident or accident.
- 2C The licensee shall, where a breach of one or more of the conditions of this licence occurs, without delay take measures to restore compliance with the conditions of this licence within the shortest possible time.
- 2D The licensee shall ensure that waste generated in the carrying on of the activity shall be prepared for re-use, recycling or recovery or, where that is not technically or economically possible, disposed of in a manner which will prevent or minimise any impact on the environment.

**Reason:** *To bring the licence into conformity with the requirements of the Industrial Emissions Directive.*

This amendment shall be cited as a Section 76A(11) Amendment and should be read in conjunction with Licence Reg. No. W0001-04, granted on 24/03/2010 and any other amendments made to the licence.

**Sealed by the seal of the Agency on this the 19th day of December, 2013**

**PRESENT when the seal of the Agency was affixed hereto:**



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**Frank Clinton,    Authorised Person**

