

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

Signed: *Ann Kehoe* Date: *7/2/14*



OFFICE OF CLIMATE,
LICENSING &
RESOURCE USE

ENVIRONMENTAL LICENSING PROGRAMME
MEMORANDUM

TO: Board

FROM: Ann Kehoe

C.C.: Frank Clinton, Programme Manager

DATE: 7 February 2014

RE: Request for the transfer of Waste licences from GREENSTAR LIMITED/GREENSTAR ENVIRONMENTAL SERVICES LIMITED (In Receivership) Reg. Nos. W0053-03, W0058-01, W0079-01, W0082-02, W0116-02, W0136-02, W0173-01, W0177-03, W0183-01, W0188-01, W0220-01, W0241-01 to STARRUS ECO HOLDINGS LIMITED, CRO No. 527552.

Background

Greenstar Limited/Greenstar Environmental Services Limited (In Receivership), Unit 6, Ballyogan Business Park, Ballyogan Road, Sandyford, Dublin 18 and Starrus Eco Holdings Limited, Unit 6 Ballyogan Business Park, Ballyogan Road, Sandyford, Dublin 18, applied to the Agency on 09/08/2013, to transfer the licences below to Starrus Eco Holdings Limited. According to the applicants the basis for the transfer applications are that Starrus Eco Holdings Limited is currently in the process of purchasing the business and assets of Greenstar Holdings Limited (In Receivership) and certain of its subsidiaries ("Greenstar"). As part of the sale process, it is necessary for Greenstar to transfer the waste licences below to Starrus Eco Holdings Limited. The transfer of the waste licences below will allow Starrus Eco Holdings Limited to operate the following installation:

Reg No	Licensee (In Receivership)	Facility Address
W0053-03	Greenstar Limited	Bray Depot, Fassaroe, Bray, County Wicklow
W0058-01	Greenstar Limited	Deepwater Quay, Sligo, County Sligo
W0079-01	Greenstar Limited	Unit 41, Cookstown Industrial Estate, Tallaght, Dublin 24
W0082-02	Greenstar Environmental Services Limited	Ballykeefe Townland, Waste Management Section, Dock Road, Limerick, County Limerick
W0116-02	Greenstar Limited	Six Cross Roads, Carriganard, Butlerstown, County Waterford
W0136-02	Greenstar Limited	Sarsfieldcourt Industrial Estate, Sarsfieldcourt, Glanmire, County Cork

W0173-01	Geenstar Environmental Services Limited	Forge Hill, Kinsale Road, County Cork
W0177-03	Greenstar Limited	Carrignard, Six Cross Roads Business Park, Waterford City
W0183-01	Greenstar Limited	Millennium Business Park, Grange, Ballycoolin, Dublin 11
W0188-01	Greenstar Limited	Site 14B, Phase 3, Road 3A, Greenogue Industrial Estate, Rathcoole, County Dublin
W0220-01	Greenstar Limited	Ramstown, Gorey, County Wexford
W0241-01	Greenstar Limited	Clavass, Enniscorthy, County Wexford

The Agency is informed that Starrus Eco Holdings Limited a limited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 527552).

Under the terms of a Framework Agreement dated 5 April 2013, Starrus Holdings Limited, an Irish registered company agreed to purchase the business and assets of Greenstar Holdings Limited (In Receivership and certain of its subsidiaries ("Greenstar"), including the facility to which the waste licences above relate (the "Transaction"). Starrus Eco Holdings Limited was incorporated on 15 May 2013 to manage waste activities, and will ultimately become a subsidiary of the proposed purchases post completion of the Transaction.

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, Bonds are to be provided for Greenstar Limited. This Financial Provision has been agreed with the Office of Environmental Enforcement.

Approval 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.

Finance Unit confirmed on 15/01/2014 that no outstanding fees were due from the licensee.

Recommendation:

It is recommended that the transfer of Waste licence Reg. Nos. W0053-03, W0058-01, W0079-01; W0082-02; W0116-02, W0136-02, W0173-01, W0177-03, W0183-01, W0188-01, W0220-01, W0241-01 from Greenstar Limited to Starrus Eco Holdings Limited, CRO No. 527552, are approved under Section 47 of the Waste Management Act 1996 as amended.



Ann Kehoe
Programme Officer
Environmental Licensing Programme