

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

Signed:

*Shelue*

Date:

7/2/14



CLIMATE,  
LICENSING &  
RESOURCE USE

**ENVIRONMENTAL LICENSING PROGRAMME  
MEMORANDUM**

**TO:** Board

**FROM:** Ann Kehoe

**CC:** Frank Clinton, Programme Manager

**DATE:** 7 February 2014

**RE:** Request for the transfer of Industrial Emissions Licence,  
Reg. No. W0165-02, FROM GREENSTAR HOLDINGS  
LIMITED TO BALLYNAGRAN RESIDUAL LANDFILL,  
CRO No. 529259.

**Background**

Licence Reg. No. W0165-02 was granted to Greenstar Holdings Limited on the 23/03/2010. A Transfer Application was received on 09/08/2013 from Greenstar Holdings Limited (In Receivership), Unit 6, Ballyogan Business Park, Ballyogan Road, Sandyford, Dublin 18 and Ballynagran Residual Landfill, 23 Meadowfield, Sandyford, Dublin 18. According to the applicants the basis for the transfer application is that Ballynagran Residual Landfill is currently in the process of purchasing the landfill assets of Greenstar Holdings Limited (In Receivership) including the facility to which the licence relates. As part of the sale process, it is necessary for Greenstar to transfer the landfill waste licence to Ballynagran Residual Landfill. The transfer of licence will allow Ballynagran Residual Landfill to operate the installation, currently operating at Ballynagran, Coolbeg and Kilcandra, County Wicklow, under licence Reg. No. W0165-02.

The Agency is informed that Ballynagran Residual Landfill is a limited liability company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 529259).

Ballynagran Residual Landfill was incorporated on 20/06/2013 to manage activities, and will ultimately become a subsidiary of AGB Landfill Holdings Limited post completion of the transaction.

**Assessment**

The application was assessed under Section 94 of the Environmental Protection Agency Act 1992 as amended. It is deemed to comply with the requirements of the above, as follows:

**Requirements of Section 94(2) and 94(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 Regulation 5 of the EPA (Licensing Fees) Regulations.

**Such information as may be required by Section 94(3)**

- Any costs associated with the closure plan (RMP, DMP, CRAMP, etc.) of the installation 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 installation 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 94(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 Ballynagran Residual 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 94(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 Industrial Emissions licence Reg. No. W0165-02 from Greenstar Holdings Limited to Ballynagran Residual Landfill, CRO No. 529259, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.



---

Ann Kehoe  
Programme Officer  
Environmental Licensing Programme  
Office of Climate, Licensing & Resource Use