



Environmental Protection Agency  
An Ghníomhaireacht um Chaomhnú Comhshaoil

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Muiris O'Suilleabhain & Associates  
3 Lisava Terrace  
Cahir  
Co Tipperary

06 November 2013

W0276-01

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

Dear Mr O'Suilleabhain,

I am to refer to the above referenced application for a waste licence for DOK Quarrystone Ltd relating to a facility at Garranmore, Cashel, Co. Tipperary. 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 2004.

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. Site Map**

Provide a single A3 size map displaying the following;

- (i) Facility boundary outlined in red;
- (ii) All associated facility plant, storage areas and hard-standing areas;
- (iii) All emission points and monitoring points clearly labelled; and,
- (iv) Groundwater flow direction.

**2. Waste Recovery Activities**

Aside from recovery of waste soil and stone, provide a brief description of any proposed additional waste recovery activities. Mention is made in the application of the use of construction and demolition waste and the use of 'secondary aggregate'. It is noted that the site notice (copy submitted in November 2010) mentions the importation and use of 'inert natural materials' and also the separation of construction and demolition waste from waste imports prior to its removal off-site.

In addition, the Agency is aware that an application for planning permission was made to South Tipperary County Council for storage of compost at the facility.

Please answer the following questions:

- Where will the separation of non-inert construction and demolition waste from inert waste take place at the facility?
- Is it proposed to back fill also with un-recycled construction and demolition waste?
- Is it proposed to operate a construction and demolition waste recycling plant at the facility?
- Will secondary aggregate be generated on-site from imported construction and demolition waste or will it be imported as already formed secondary aggregate?
- What use will be made of secondary aggregate? Its use for construction of haul roads and for backfilling of on-site ponds is mentioned in the application.
- Is compost being stored at the facility? If so, confirm the source of the compost and confirm also whether it is waste? You should note that storage of imported waste compost is a waste activity and should be included in the waste licence application.

### **3. Backfill**

Confirm whether the proposed backfill of approximately 274,000 tonnes of waste will completely fill the available void space at the quarry.

### **4. Water Features at the Facility**

- Confirm the nature of the water features at the facility. Is the water only surface water run-off or is it groundwater at the level of the water table to which surface water runs?
- It is a requirement of Planning Permission that the settlement ponds are cleaned out on a regular basis. Confirm whether the ponds are in fact cleaned out and, if so, confirm the destination of the silt that is removed from the ponds.
- If settlement ponds are backfilled at the facility how will surface water runoff be managed at the facility post backfilling?

### **5. Monitoring**

- It is noted that the planning permission sets limits on noise, dust deposition and on effluent discharge parameters. Confirm whether monitoring has been carried out and whether monitoring data is available. Where available, submit monitoring data (in summary form) for years 2012 and 2013.
- Confirm the nature of emission point SW1. Is this a discharge to surface water or to settlement ponds? Where available, submit monitoring data (in summary form) for years 2012 and 2013.
- Confirm the nature of GW1 and GW2. Are these points groundwater monitoring points?
- Attachment E.4 of the application mentions the availability of groundwater test data at points upstream and downstream of the facility. Where available, submit monitoring data (in summary form) for years 2012 and 2013.

## **6. Impact Control**

Mention is made in Attachment L.1 of the application of the possible use of noise and dust suppression techniques at the facility. Provide a description of any such techniques that are, or may be, used at the facility.

## **7. Sanitary effluent**

Confirm how sanitary effluent is collected and/or treated at the facility.

## **8. Reporting under the Waste Facility Permit**

Provide a copy of the most recent Annual Environmental Report the submission of which is required by the Waste Facility Permit.

## **9. Legislative Requirements**

Provide a statement to satisfy the Agency that the requirements of Section 40(4)(j) of the Waste Management Act 1996 to 2013 will be addressed.

## **10. Compliance with BAT**

Provide a clear description as to how the proposed facility will comply with the relevant requirements of BAT. BAT for this activity is taken to be represented by the guidance given in the Agency's *Draft BAT Guidance Note for the Waste Sector: Landfill Activities (April 2003)*, insofar as it relates to the waste recovery activities at this facility.

You should identify the key BAT which is to be applied to manage the relevant environmental aspect/emissions associated with operations at the facility.

## **11. Compliance with Directives**

Provide a clear description as to how the proposed facility will comply with the requirements of the following legislation (where applicable): Waste Framework Directive, Water Framework Directive, European Communities Environmental Objectives (Surface Water) Regulations (2009), European Communities Environmental Objectives (Groundwater) Regulations (2010), IPPC Directive and the Environmental Liabilities Directive.

## **12. Liability, Closure and Financial Provision**

In accordance with section 53(1) of the Waste Management Acts 1996 to 2013, please furnish particulars in respect of the ability of DOK Quarrystone Ltd to meet the financial commitments of liabilities that will be entered into or incurred in carrying on the proposed activity and provide evidence that DOK Quarrystone Ltd will be in position to make financial provision that is adequate to discharge these financial commitments. Specifically:

- (a) Prepare a fully detailed and costed Closure, Restoration and Aftercare Management Plan (CRAMP) for the facility, to include as a minimum the following:
  - A scope statement for the plan.
  - The criteria which define the successful closure and restoration of the facility or part thereof, and which ensure minimum impact to the environment.
  - A programme to achieve the stated criteria.

- Where relevant, a test programme to demonstrate the successful implementation of the plan.
  - Details of the long-term supervision, monitoring, control, maintenance and reporting requirements for the restored facility.
  - Details of the costings for the plan and the financial provisions to underwrite those costs.
- (b) Prepare a fully detailed and costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities and potential liabilities from past and proposed activities, including those liabilities and costs identified in the CRAMP. Provide evidence that the assessment was prepared or reviewed, and was found to be complete and accurate, by an independent and appropriately qualified consultant or expert.
- (c) Provide a proposal for financial provision to cover any liabilities associated with the operation and identified in the ELRA (including closure, restoration and aftercare and unanticipated accidents, incidents and liabilities). Provide evidence that DOK Quarrystone Ltd will be in a position to put such financial provision in place in the event that a waste licence is granted and prior to development works commencing.

The preparation of the CRAMP and ELRA and evaluation of the amount and form of financial provision should have regard to Environmental Protection Agency guidance including Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision (2006).

### **13. Appropriate Assessment**

You are requested to 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 site(s), in view of best scientific knowledge and of the conservation objectives of the site.

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, you should 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, a reasoned response should be provided.

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).

### **14. Planning**

It is noted that Planning Permission Register No. 06/1651 provides for retention of an existing quarry. It does not provide for quarry restoration. Please confirm whether

- (i) planning permission has been applied for, or obtained, for restoration of the quarry, or

- (ii) A restoration plan has been agreed by the Planning Section of South Tipperary County Council.

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 8 weeks of the date of this notice. In addition submit sixteen (16) copies of the requested information to the Agency in electronic searchable PDF format on CD-ROM. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **W0276-01**. Please direct all correspondence in relation to this matter to Administration, *Environmental Licensing Programme, 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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**Michael Owens**  
Inspector  
Office of Climate, Licensing & Resource Use