



Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

**INDUSTRIAL EMISSIONS LICENCE
Recommended Determination**

Licence Application Register Number:	W0129-03
Company Register Number:	448931
Applicant:	Murphy Environmental Hollywood Limited
Location of installation:	Hollywood Great Nag's Head Naul Co. Dublin

Decision & Reasons for the Decision

The Environmental Protection Agency is not satisfied, on the basis of the information available, that the requirements of Section 83(5) of the Environmental Protection Agency Act 1992 as amended have been met in relation to:

- the status of the applicant as a fit and proper person and
- the activities the subject of the licence application.

In reaching this decision the Environmental Protection Agency has considered the documentation relating to the licence application register number W0129-03. This includes supporting documentation received from the applicant, all submissions received from other parties and the report of the Licensing Inspector. In particular, the Agency has noted and given consideration to the following reports:

- (i) **Geosyntec Consultants, *Review report on an IED waste licence application by MEHL with focus on geological and hydrogeological aspects, June 2014***
- (ii) **Deloitte & Touch, *Report for Environmental Protection Agency reviewing the financial position of Murphy Environmental Hollywood Ltd, May 2014***

Part I Schedule of Activities Licensed

None of the proposed activities as set out in the licence application are proposed to be licensed.

Part II Schedule of Activities Refused

In pursuance of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, the Agency proposes to **refuse the application for an Industrial Emissions licence** made by:

Murphy Environmental Hollywood Limited, **Hollywood Great, Nag's Head, Naul, County Dublin**, CRO Number 448931,

under Section 83(1) of the said Act to carry on the following activities:

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;

11.2(b) Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day involving physico-chemical treatment;

11.4(a)(iv) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving treatment of slags and ashes;

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; and

11.6 Temporary storage of hazardous waste, (other than waste referred to in paragraph 11.5) pending any of the activities referred to in paragraph 11.2, 11.3, 11.5 or 11.7 with a total capacity exceeding 50 tonnes, other than temporary storage, pending collection, on the site where the waste is generated;

at Hollywood Great, Nag's Head, Naul, County Dublin.

Part III Reasons for the Recommended Determination

1. The Groundwater Protection Responses for Landfills (GSI, 1999) state that the installation of a landfill in this geological setting is not generally acceptable.
2. The groundwater beneath the landfill is vulnerable to contamination from leachate.
3. There is an unacceptable risk of discharge of hazardous substances to groundwater which is prohibited under the Groundwater Directive.
4. The influence of the Bog of the Ring (public water supply) on groundwater levels beneath the landfill brings a risk of groundwater "rebound" in the event that drinking water abstraction ceases.
5. The absence of risk of contamination by leachate of the water supply at the Bog of the Ring has not been proven.
6. The dense asphaltic concrete (DAC) landfill liner, in this setting, is not BAT.
7. The applicant is not a fit and proper person as defined in section 84(4) of the EPA Act 1992 as amended and cannot therefore satisfy the Agency in relation to section 83(5)(xi) of the Act.

Signed on behalf of the said Agency
On the xx day of xxxxx, 200X

_____ **Authorised Person**
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