



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshoil

Mr. Michael Mescal.
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29 September 2014

Reg. No. W0266-01

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

Dear Mr. Mescal,

I am to refer to the above referenced application for a waste licence relating to a facility at Mallow Contracts Limited, Lissard & Ballyhilloge, Mourneabbey, Co. Cork. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Articles 12 and 13 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. Provide information for the purpose of enabling the Agency to make a determination in relation to the matters specified in paragraphs (a) to (g) of section 40(4) of the Waste Management Act, 1996, as amended. In particular, provide evidence that Mallow Contracts Ltd. can be regarded as a fit and proper person in accordance with Section 40(7) of the Waste Management Act 1996 as amended.
2. Give particulars of the source, location, nature, composition, quantity, level and rate of emissions/discharges to water arising from the activity and, where relevant, the period or periods during which such emissions/discharges are made or are to be made. Resubmit the tables of Section E of the application form to reflect this information.
3. Complete Section F of the application form in respect of monitoring and sampling points for dust, noise and surface water, and ensure this information is reflected in the EIS. Include a drawing showing the aforesaid monitoring and sampling locations.
4. Describe the proposed measures for the closure, restoration, remediation or aftercare of the facility concerned, after the cessation of the activity in question.
5. State whether the activity is for the purposes of an establishment to which the European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2000 (S.I. No. 476 of 2000) apply.



6. State whether the activity can or could give rise to an emission into an aquifer containing the List I and II substances specified in the Annex to Council Directive 80/68/EEC of 17 December 1979, and, if necessary, describe the existing or proposed arrangements necessary to give effect to Articles 3, 4, 5, 6, 7, 8, 9 and 10 of the aforementioned Council Directive.

ARTICLE 13 COMPLIANCE REQUIREMENTS

7. A screening for Appropriate Assessment was undertaken on 24 September 2014 and the Agency determined that an Appropriate Assessment of the activity is required.

You are thereby required to submit 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).

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.

8. Due to a lack of clarity in existing site drawings of the Environmental Impact Statement (EIS), please provide up to date, newly-surveyed drawings of the facility, as follows:

Drawing 1

- the proposed site boundary;
- the location of all buildings, storage areas for waste, fuel and other materials, and other aspects of the facility; and
- Existing surface water run-off drainage system and discharge points.

Drawing 2

- On-site water courses, including their names and flow directions, as they existed prior to commencement of the filling activities.

Drawing 3

- All existing water courses, including their names and flow directions, as they currently exist.

Drawing 4

- All water courses, including their names and flow directions, as they will exist upon completion of the fill activity.

Drawing 5

- Plan and profiles of the site as it currently exists, showing where the filling work has been completed, including appropriate cross-sections.

Drawing 6

- Plan and profiles of the site after the filling has been complete.

9. Referring to Drawings 2, 3 and 4 above, please provide a history of engineering works, in sequence, carried out on the water courses. Provide details of future works planned on surface water courses yet to be completed.

10. Provide a risk assessment of the potential for waste activities to affect local hydrology and

water quality, including filling surface water courses with waste.

11. Provide results of all groundwater monitoring carried out to date at the facility and as part of the waste facility permit application. Include a drawing showing groundwater monitoring locations.
12. Provide an EIS section on cultural heritage and a table showing the inter-relationship between factors listed in Paragraph 2(b) of Schedule 6 of the Planning and Development Regulations, 2001, as amended.
13. Provide an EIS section on mitigation measures to prevent or limit noise from the on-site activities.
14. Describe in outline the main alternatives, if any, to the proposals contained in the application which were studied by the applicant.

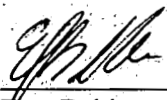
Your reply to this notice should include a **revised non-technical summary** (Application Form and EIS) which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

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 **12 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 **W0266-01**. Please direct all correspondence in relation to this matter to *Administration, Environmental Licensing Programme, Office of Climate, Licensing, Resources and Research, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Ewa Babiarczyk

Inspector

Office of Climate, Licensing, Resources and Research

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