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2 September 2014

Ref: Application for a certificate of authorisation for a closed landfill at Pollardstown Refuse Depot, Loughbrown, The Curragh, Co. Kildare.

Application register number H0228-01

Dear Director

I refer to the abovementioned application for a certificate of authorisation made through the Agency's on-line system. I refer in particular to the following statement made in the Tier 3 Environmental Risk Assessment (dated February 2013) that was uploaded with the application:

“... it was used by KCC's Roads Section as a depot to store materials, dispose of street sweepings and to dispose of construction and demolition waste associated with road works. Dumping of this waste and other unknown waste classified as 'municipal' waste has ceased since 2009.”

This statement, allied with other information described below, suggests that landfilling activities continued at the application site up until recent years. This being the case, the application for a certificate of authorisation for the site is invalid for the reason described below.

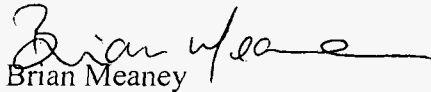
You are invited to address the following matters:

1. You have previously been in correspondence with the Agency regarding complaints of unauthorised disposal of waste at a site known as The Ballast Pit, Pollardstown, Newbridge, Co. Kildare. This Ballast Pit site is understood to be one and the same as the Pollardstown Refuse Depot referenced in the application for a certificate of authorisation. You are requested to confirm that this is in fact the case.
2. The definition of “closed landfill” in the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 is a landfill site operated by a local authority for the recovery or disposal of waste without a waste licence on any date between 15 July 1977 and 27 March 1997. It would appear that the Pollardstown Refuse Depot is not a “closed landfill” in that Kildare County Council's waste landfill activities continued at the site up to 2009 according to your own

documentation and up to 2012 according to the complaint referred to above. This being the case, Kildare County Council is not entitled to make an application for a certificate of authorisation for the site. Before the Agency makes a decision on whether to reject the application for a certificate of authorisation, you are invited to:

- a) withdraw the application, or
- b) clarify the matter by providing the necessary assurances that the Pollardstown Refuse Depot, Loughbrown, The Curragh is in fact a "closed landfill", thus allowing the application for a certificate of authorisation to be processed.

Yours sincerely



Brian Meaney

Environmental Licensing Programme