

This report was approved to go to the Director
 by Frank Clinton, Programme Manager
 Signed *Frank Clinton* Date: 22.12.2014

X



**OF CLIMATE,
 LICENSING &
 RESOURCE USE**

INSPECTORS REPORT ON A LICENCE APPLICATION

To:	Director
From:	Patrick Geoghegan - LICENSING UNIT
Date:	22 nd December 2014
RE:	Application for a Waste Licence from Roadstone Limited, in relation to a facility at Huntstown, Finglas, Dublin 11 Licence Register W0277-01.

Application Details	
Applicant	Roadstone Ltd
Type of Activity	Recovery of waste soil/stone
Classes of Activity (P = principal activity):	4 th Schedule: R5 (P), R3 and R13 of Waste Management Act 1996, as amended
Classes of Waste:	Waste natural soil and stone for backfilling of former quarry
Location of the Facility:	Huntstown Waste Recovery Facility, Finglas, Dublin 11.
Quantity of waste managed per annum:	750,000 tonnes (maximum)
Quantity of waste to be in-filled over lifetime of the site:	7,295,000 tonnes
Licence application received:	22 nd February 2011
Notices under Article 14(2)(b)(ii) issued:	12 th August 2011 and 1 st November 2013
Information under Article 14(2)(b)(ii) received:	21 st September 2011 & 19 th December 2013
Environmental Impact Statement received:	Yes, on 22 nd February 2011
Submissions received:	HSE (Dublin North East): 01 th July 2011 and on 24 th February 2014
Site visit:	25th April 2014

1. Company/Facility

The site is owned by Roadstone Ltd (formerly Roadstone Wood Ltd). A Cement Roadstone Holdings (CRH) Group company acquired the quarry in 1970 and it has been operated by Roadstone Wood Ltd since 2009 prior to its company name change in June 2014.

The quarry, with a total landholding of approximately 211 hectares, is situated at the northwest of the N2/M50 interchange on the urban fringe of Dublin city. The site also has frontage on a local road to the west – Kilshane Road /Cappagh Road, which serves an industrialised area. There is some residential development on the Kilshane Road. The site comprises active and worked out limestone quarries, surrounding land and site infrastructure. Extraction, crushing, screening, processing of rock, concrete block manufacturing, concrete production and asphalt production is also carried out by the company on-site.

There are three quarry voids located within the Huntstown quarry complex, i.e. the North, Central and South Quarry. The waste licence application is only related to the restoration of the North Quarry, comprising an area of approximately 35 hectares, using inert soil and stones to backfill the worked-out quarry void. Backfilling of this quarry void will facilitate the restoration of this part of the site and its return to agricultural use. The amount of inert material to be backfilled and placed at this facility over its expected 18 year operational life is 7.29 million tonnes.

According to the applicant most of this material is likely to be sourced from large infrastructural projects within the surrounding catchment, for example, Grangegorman redevelopment. The applicant is forecasting that up to 750,000 tonnes of waste soil/stones will be imported to the site per annum. No peat, unsuitable soil or hazardous waste will be used for backfill.

The site will operate from 07:00 to 18:00 hrs Monday to Saturday.

2. Planning:

Huntstown quarry was reported by the applicant as having been granted planning permission in 1982. A 10 year planning permission was granted in 1994 to continue quarrying and for the production of related concrete materials. Planning permission was granted in 2004 for a further 10 year period which includes for the progressive restoration of worked out extractive areas. An EIS formed part of the planning application. The most recent planning permission, was granted by the planning authority on 24th September 2014. This followed the appeal, by the applicant, of the planning authority's *Notification of Decision to Grant Permission*, dated 07th February 2013.

An Bord Pleanála, having regard to the nature of the planning conditions the subject of the appeal, decided that "the determination by the Board of the relevant application as if it had been made to it in the first instance would not be warranted" and directed the planning authority to remove certain conditions and amend certain other conditions. The planning permission issued on 24th September 2014, as referred to above, includes conditions on restoration of worked out extraction areas.

3. Waste acceptance:

Wastes that are imported to the facility will be managed as follows:

Waste	Use
Imported clean soil/stone	Recovery - Backfill of quarry void where they meet the relevant Waste Acceptance Criteria (See below for more detail).

Schedule A.1 *Waste Acceptance* of the RD specifies the types and amounts of waste that can be accepted at the facility.

3.1 Waste Acceptance Criteria:

The emergence of the by-product provisions under Article 27 of the European Communities (Waste Directive) Regulations (SI No. 126 of 2011) has led to notifications to the Agency stating that clean soil and stone is a by-product. Many of these notifications have been accepted by the Agency where adequate assurances have been provided regarding the lawfulness and environmental impact of the proposed use (as backfill) of the notified soil and stone.

Essentially, before accepting a by-product notification, the Agency must be assured that the material is required for the intended use, that it is suitable, that the use is legal and that it will not cause an environmental impact. It should be noted that the Agency generally accepts by-product notifications for natural, clean soil and stone only. In 2012, the Agency issued a consultation paper on a proposed approach to the notification as by-product of soil and stone. Submissions were made and in 2013, the Agency published a report on the consultation, setting out the approach to be adopted in the assessment and management of article 27 notifications. It is proposed that a similar approach is adopted regarding the acceptance of equivalent (clean, uncontaminated, greenfield soil and stone) material at this facility.

Firstly, the RD allows only two waste streams to be used for backfill, as follows:

- (i) Greenfield soil/stone
- (ii) Non-greenfield soil/stone

Both of these terms are defined in the RD. In addition, Schedule A.2 *Waste Acceptance Criteria for Backfill Material* of the RD specifies Waste Acceptance Criteria for these two waste streams. For greenfield soil/stone it is proposed that the approach should be analogous to that taken for by-product notifications (discussed above). Applying similar thinking as that applied to by-product notifications, it is known that further use of the soil/stone will be certain and lawful at the licensed facility (if a licence is granted) and the environmental impact has been assessed (by way of this report and the Environmental Impact Assessment herein) as minimal subject to compliance with the conditions of the RD. The outstanding matter, not specific to the facility itself, relates to the suitability of the material for backfill (i.e. confirmation that the material is greenfield soil and stone and suitable for use as backfill). It is proposed therefore that greenfield soil and stone should be declared as such by a suitably qualified

person (such as a chartered engineer) following which the material can be imported without the need for testing/characterisation. Therefore the waste acceptance criteria for greenfield soil/stone is a 'letter of suitability' from a 'qualified person' which will state (prior its use as backfill) the nature and suitability of the material for backfill. All relevant terms are defined in the RD and this matter is addressed in condition 8.4 and Schedule A of the RD. Overall it is considered that this provision reflects the very low level of risk associated with accepting greenfield soil and stone and will facilitate the ease of its movement to sites where it is needed for backfill. It should be noted that Condition 8.4.3 of the RD allows the Agency to direct that testing of greenfield soil and stone is carried out. In addition, Condition 11.10(x) of the RD requires that original copies of letters of suitability are held on-site.

For non-greenfield soil/stone more stringent waste acceptance criteria are recommended as there is potential for this particular stream to be contaminated. The relevant waste acceptance criteria are set out in Schedule A.2 of the RD. Initially it must be ensured that the material contains less than 2% non-natural materials (e.g. concrete, tar etc.). The material must then be tested and characterised in accordance with Schedule A.3 *Waste Characterisation* for non-greenfield soil and stone of the RD. Before it can be used as backfill the non-greenfield soil/stone must meet maximum contaminant concentration levels which must be agreed in advance with the Agency under Condition 8.5.1 of the RD.

The following is a summary of the range of new provisions recommended in the RD which will address the challenges discussed above but which will also ensure that backfill activities at the facility do not cause environmental pollution:

Provision in RD	Description
Glossary	A range of new terms are used in the RD and defined for clarity
Condition 8.4	Greenfield soil and stone: Requirements in relation to the 'letter of suitability' to confirm the nature and suitability of greenfield soil and stone
Condition 8.5	Non-greenfield soil and stone: Requirements in relation to non-greenfield soil and stone including the development of maximum contaminant concentration levels and testing protocols
Condition 8.6	Specifies materials that can and cannot be used for backfill
Condition 8.13	Requirements in relation to the development of waste acceptance and characterisation procedures
Condition 11.9	Requirements in relation to records for each waste delivery including a letter of suitability for greenfield soil and stone
Schedule C.2	Requires monitoring of deposited waste
Schedule C.5	Requires monitoring of groundwater on a quarterly to annual basis

Should contamination of soil or groundwater be revealed by monitoring of deposited waste (Schedule C.2) the Agency will be in a position to require or carry out an intrusive investigation at the facility to verify and determine the extent of inappropriate use of contaminated backfill.

Secondary Aggregate

The applicant is proposing to use non-waste (secondary aggregate) to construct haul roads at the facility. In order to ensure that the secondary aggregate is produced to a suitable quality standard and will not cause environmental pollution when used, Condition 8.12 of the RD requires that (unless otherwise agreed with the Agency) only secondary aggregate that has achieved end-of-waste status can be used at the facility.

As highlighted above, given the risk of contamination, Condition 8.6.2 prohibits the use of fines derived from C&D waste as backfill material.

4. Emissions

4.1 Emissions to Air

The principal air quality impact from the proposed activities relates to fugitive dust emissions as a result of HGV movements over unpaved surfaces, stockpiling of materials and end-tipping and compaction of soils, stone and rock. Dust mitigation measures proposed by the applicant and specified in the RD include; spraying haul roads with water to minimise dust blow during dry weather, use of the wheel wash for out-going vehicles, and seeding of restored areas as soon as practicable after backfilling. These techniques are considered to represent BAT (Best Available Techniques) for this type of activity. Condition 6.11 sets out the requirements regarding dust control at the facility.

Schedule C.4 *Dust Monitoring* of the RD requires dust deposition monitoring at three locations. Schedule B.4 *Dust Deposition Limits* of the RD sets out a dust deposition limit of 350mg/m³/day at each of the three dust monitoring locations.

The risk of odour nuisance from the site is considered insignificant as the facility will not be accepting malodorous/biodegradable wastes.

4.2 Emissions to Sewer

There will be no emissions to sewer. There is a septic tank on-site, serving the site office within which there are existing welfare facilities for staff. Condition 3.19 of the RD requires the septic tank to be maintained and to comply with the Agency's *Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses* (*p.e. ≤ 10*).

4.3 Emissions to Waters

There is a discharge of treated water to the river Ward which is currently authorised under a trade effluent discharge licence from Fingal County Council. This discharge is made of water from the quarry void, wheel wash water and storm water from paved areas of the site. The discharge is treated in an oil interceptor and a series of settlement ponds prior to discharge to the Ballystrahan stream, a tributary of the Ward River. When the licensed waste activity commences the quarry will be dewatered. While being dewatered the discharge to the Ballystrahan stream will comprise mostly of pumped quarry water. When the backfill of the quarry reaches a level above the water table the pumping of

quarry water will cease. From that point, the discharge to the Ballystrahan stream will comprise treated storm water and wheel wash water only.

The Ballystrahan Stream discharges to the Ward River at Owens Bridge approximately 6km downstream of the facility. The lower stretches of the Ballystrahan stream has a WFD code (EA_08_675) but no status designation. The Ward River (EA_08_67) is of poor status.

Schedule B2 Emissions to Water of the RD sets out the recommended ELV's for the discharge. ELV's have been set for the relevant parameters in the receiving water in accordance with European Communities Environmental Objectives (Surface Water) Regulations 2009.

4.4 Storm Water Run-off

Rainfall infiltrates to ground across the majority of the site. Rainfall incident to the quarry excavations is routed via channels to main quarry sumps. All storm water (including pumped water from quarry sumps) flow through settlement ponds before discharging to the Ballystrahan stream as described above.

4.5 Emissions to ground/ groundwater

Quarry excavations have intersected the groundwater table. GSI data indicates that the quarry complex straddles bedrock formations which are locally important aquifers with high to extreme vulnerability status. Subsoil has been removed from almost the entire site. The applicant states there are no karst landforms or features within 5km of the site.

Six monitoring wells are located within the site. Results of monitoring data indicate generally good quality status when compared to the EU Drinking Water Standard.

The quarry excavation has intersected the groundwater table and has sequentially lowered it around the periphery of the excavation as quarrying progressed. There are minor groundwater inflows to the quarry that drain to the floor where they are contained. The backfill and restoration of the quarry void will ensure the protective layers of soil are replaced above the groundwater table. The quarry void will be dewatered to facilitate backfill.

The RD specifies a range of requirements that will minimise the risk of groundwater contamination while licensed operations are being carried out. Condition 3.12 of the RD requires that fuel storage facilities be appropriately bunded and secured. Condition 8.10 requires all vehicle and machinery refuelling and maintenance operations to be carried in designated areas on a sealed concrete surface adequately protected against spillage and run-off. Groundwater monitoring requirements set out in *Schedule C.5* of the RD will enable detection of changes in groundwater elevations or deterioration of water quality should such occur. The RD requires water level, visual inspection, pH and conductivity to be monitored quarterly. Ammonia, Orthophosphate and Total Dissolved Solids are required to be monitored biannually. Dissolved metals, total petroleum hydrocarbons, diesel and petrol range organics and coliforms are required to be monitored annually. Condition 6.5 allows for the frequency and scope (and method) of monitoring to be amended following evaluation of test results.

Restoration of the quarry with inert soil and stones will provide greater protection of the aquifer than that which exists presently and should contribute a level of protection similar to that which was present prior to the excavation of the quarry.

4.6 Noise

The applicant carried out measurements in September 2009 and April 2010, at five boundary locations, to determine current noise levels within the vicinity of the site. A noise prediction assessment was undertaken by the applicant, to determine noise levels at the nearest noise sensitive receptors, to the south-west, west and north of the site, arising from backfilling activities and plant operation. For the purposes of the noise assessment a worst case scenario was assumed in that plant and machinery will be running all the time rather than intermittently. The worst case scenario occurs when quarry backfilling activity takes place closest to each sensitive receptor, when bulldozers spreading and compacting soil and HGV trucks are at the shortest distance from the noise sensitive receptors. Results of monitoring ranged from 41dB L_{Aeq} – 50dB L_{Aeq} .

The nature of the proposed backfilling and restoration scheme is such that there will be no long-term impacts in relation to noise. Once backfilling works are complete, noise levels will return back to existing levels.

Schedule B.4 Noise Emissions of the RD sets noise limits of 55 and 45 dB (A) L_{Aeq} during daytime and night-time, at three noise monitoring locations. Condition 6.12 of the RD requires a noise survey to be undertaken as requested by the Agency.

4.7 Nuisance

As the principal activity at the proposed facility is the backfill of an exhausted quarry void using imported soil and stone, it is not expected to give rise to odour, savaging birds, vermin or windblown litter. Condition 6.11 of the RD includes requirements to control emissions of noise and dust and to keep the local road network free of debris. The facility is required to operate a wheel wash for all vehicles leaving the site.

4.8 Use of Resources

Water to the site is provided by a local authority water main. Energy requirements for the site office for lighting heating etc. will be provided by an existing connection to the electricity supply network. The raw materials to be consumed on-site consist of diesel to fuel earthworks equipment and HGV trucks, oil and lubricants. Condition 7 of the RD deals with energy efficiency at the facility and requires the use of captured run-off water to the extent possible in on-site operations.

5. Cultural Heritage, Habitats and Protected Species

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the proposed activity, individually or in combination with other plans or projects is likely to have a significant effect on a European Site(s).

In this context, particular attention was paid to the European sites at South Dublin

Bay and River Tolka SPA (004024), Malahide Estuary SAC (000205), Malahide Estuary SPA (004025), North Dublin Bay SAC (000206), North Bull Island SPA (004006) and Ramsar Site (004006), South Dublin Bay SAC (000210), Rye Water Valley/Cartron SAC (001398), Baldoyle Bay SAC (000199), Baldoyle Bay SPA (004016) and Ramsar Site (004016), Rogerstown Estuary SAC (000208), Rogerstown Estuary SPA (004015). The nearest Natura 2000 site i.e. South Dublin Bay and River Tolka SPA (004024) is located 8.4 km south east of the soil recovery facility.

The Agency considered, for the reasons set out below, that the proposed activity is not directly connected with or necessary to the management of those sites as European Sites and that it can be excluded on the basis of objective scientific information, that the activity, individually or in combination with other plans or projects, will have a significant effect on a European site, and accordingly the Agency determined that an Appropriate Assessment of the activity is not required

It has been determined that this proposed facility does not have the potential for significant effects on any European site due to the nature of this inert waste recovery facility. In particular the only potential source-pathway-receptor link between the facility and any of the European sites is via the hydraulic pathway created through a discharge of dewatered groundwater and surface water run-off from the quarry site to the Ballystrahan Stream, a tributary of the River Ward, that outflows into the Malahide Estuary. Based on monitoring results, it is not anticipated that the activity will have any significant adverse effect on any qualifying features of the European sites.

6. Waste Management Plan

The Dublin Waste Management Plan 2005-2010 recognises that significant volumes of material originating from the Dublin region are sent to neighbouring counties. The Plan sets out a number of objectives regarding construction and demolition (C and D) waste infrastructure requirements in County Dublin, which include (i) additional facilities in the Greater Dublin Region to cater for C and D waste, at existing quarries and other suitable locations – these should include front end removal and recycling of recoverable waste, and limited to disposal of non-recoverable waste (soil) only and (ii) use of soil material for beneficial use where possible, in preference to disposal, examples include quarry reinstatement.

Section 16.4.4 of the Eastern & Midlands Waste Region's Draft Waste Management Plan 2015-2021 acknowledges that the demand for capacity for backfilling activities will improve over the plan period as economic recovery continues to build.

The proposed use of the North quarry for backfilling and restoration purposes is in accordance with the stated objectives of both Waste Management Plans referred to above. The establishment of this facility within the county of Dublin should help reduce the quantity of material being sent to neighbouring counties, thereby also reducing transportation of waste.

7. Compliance with EU Directives and National Regulations

Water Framework Directive [2000/60/EC]

The RD as drafted transposes the requirements of the Water Framework Directive. *Condition 3* provides conditions requiring the installation of infrastructure to manage water emissions on-site. *Schedule B: Emission Limits* specifies an emission limit value for suspended solids within the storm water discharge. The limit specified in the RD is determined with the aim of contributing to the objective of maintaining good water quality in the receiving water.

European Communities Environmental Objectives (Surface Water) Regulations, S.I. No. 272 of 2009

The only discharge to surface waters from the licensed facility is associated with storm water collected within the facility. Storm water collected will be discharged off-site to a tributary of the river Ward following settlement and passing through an oil interceptor.

Groundwater Directive (2006/118/EC)

The Groundwater Directive provides for the control of releases of List I and List II substances to groundwater. The *European Communities Environmental Objectives (Groundwater) Regulations, 2010* (S.I. 9 of 2010) give affect to the requirements of this Directive. There will be no direct discharge to groundwater from the activity; therefore there is no predicted impact on groundwater or soil. Condition 3.18 the RD requires that the on-site waste water treatment system complies with the Agency's relevant Code of Practice.

Schedule C.5 *Groundwater Monitoring* of the RD sets out the monitoring requirements for groundwater at the site which will serve as a tool to reveal any contamination of groundwater should it occur.

8. Cross Office Liaison

I consulted with the Environment Department, Fingal Co Council, the Agency's Office of Environmental Assessment, OCLR and OEE.

9. Best Available Techniques (BAT)

I have examined and assessed the application documentation and I am satisfied that the site, technologies and techniques specified in the application and as confirmed, modified or specified in the RD will ensure that the relevant requirements of BAT will be applied at the facility. These include the development of an Environmental Management System, waste acceptance procedures, waste characterisation, emission control and monitoring, management of storm water, environmental liabilities and CRAMP. In addition I consider that the proposed activities, as described in the application, in this report and in the RD, to be the most effective in achieving a high general level of protection of the environment having regard – as may be relevant – to the location of the installation and to the way in which it is designed, built, managed, maintained, operated and decommissioned.

10. Environmental Impact Assessment Directive (85/337/EEC) (EIA)

The applicant submitted an Environmental Impact Statement (EIS) which was prepared in support of a planning application to Fingal Co Council. Notification of Decision to Grant Permission dated 07th February 2013 was issued to Roadstone (Reference No.:FW12A-0022). This Notification of Decision was appealed by Roadstone to an Bord Pleanala. An Bord Pleanala, having regard to the nature of the planning conditions the subject of the appeal, decided that "the determination

by the Board of the relevant application as if it had been made to it in the first instance would not be warranted” and directed the planning authority to remove certain conditions and amend certain other conditions. Planning permission was granted by the planning authority on the 24th September 2014 (see section 2 of this report).

Content of EIS

I have considered and examined the content of the EIS and other material (information submitted in the licence application, correspondence between the Agency and the planning authority and submissions made by third parties in relation to the EIS. I consider that having examined the relevant documents and with the addition of this Inspector’s Report that the likely significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as requested in Article 3 and in accordance with Articles 4 – 11 of the EIA Directive as respects the matters that come within the functions of the Agency. I consider that the EIS also complies with the Waste Management (Licensing) Regulations 2004 (S.I. No. 395 of 2004).

Environmental Impact Assessment (EIA)

An EIA as respects the matters that come within the functions of the Agency has been carried out as detailed below.

An assessment as regards the functions of the planning authorities was carried out by the planning authority when granting planning permission (Planning File Ref. FW12A-0022). That assessment addressed the likely significant effects of the construction and operational phases of the development. The planning authority’s assessment was considered as part of the Agency’s assessment.

Consultation was carried out between Fingal County Council and the Agency in accordance Section 87(1D)(a) of the EPA Acts. The planning authority did not provide any observations to the Agency on the licence application and EIS.

The assessment outlined in this report considers all third party submissions/observations which are relevant to impacts on the environment.

Likely significant effects

The following section identifies, describes and assesses the main likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following factors: human beings, flora, fauna, soil, water, air, climate, the landscape, material assets and cultural heritage. The main mitigation measures proposed to address the range of predicted significant impacts arising from the activity have also been outlined.

1. Human Beings

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
Traffic	Traffic and its associated emissions,	Maintenance of adequate signage and visibility at site

	risks and disamenity effects	entrance. RD requires wheel-wash facility for HGV's leaving the site. RD sets hours of waste acceptance.
Air quality and dust	No significant impact predicted	RD sets limit values for ambient dust deposition and requires hardcore site roads to be water-sprayed during dry weather.
Noise	Disamenity from noise nuisance	RD sets noise limit values. RD requires noise survey and measures to control noise.

2. Flora and Fauna

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
Impact on local habitat	No significant effect is predicted	RD requires surface water monitoring The low risk licensed activities will not adversely affect designated sites. RD requires annual bird survey. RD requires management plan for invasive species.

3. Soil & Geology

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
Impact on soil/ groundwater	Overall a positive effect is predicted as the backfill of the quarry will restore the natural protective layer over the groundwater. During operations, there is a risk of accidental spillage or discharge to ground	RD requires the development of waste acceptance and characterisation procedures which will ensure that unsuitable wastes are not used for quarry backfill. RD includes requirements for safe storage and handling of wastes, fuels and materials. RD requires accident prevention policy and emergency response procedure.

4. Water

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
Impact on surface water	No significant effect is predicted due to the nature of activity.	RD sets emission limit values Treatment via settlement ponds and hydrocarbon oil-water interceptor required on drainage channels. RD requires regular monitoring of surface water and inspection of ponds.
Impact on groundwater	Overall a positive effect is predicted as the backfill of the quarry will restore the natural soil layer over the groundwater.	RD requires groundwater monitoring.

5. Air

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
Impact on air quality	Dust emissions from unloading of soil and stones and from movement /spreading of inert material. Dust emissions from stockpiled material.	Schedule C of the RD requires ambient dust monitoring and Condition 6.11 requires dust control measures.

6. Climate

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in EIS or waste licence application and/or as outlined in this report
No significant effects predicted	-	-

7. Landscape, Material Assets and Cultural Heritage

Likely significant effect	Description or effect	Mitigation measures proposed by applicant in
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		EIS or waste licence application and/or as outlined in this report
Disproportionate effect on the character of the landscape.	Lands are marginal agricultural and backfilling of quarry will have a positive impact for agriculture purposes.	Visual impact is reduced by existing hedgerows.
No significant effects predicted for material assets or cultural heritage.	-	-

Assessment of Parts 1-7 of Table 1 and the interaction of effects and factors

The detailed assessment set out in the preceding sections of this Inspector's Report fully considers the range of likely significant effects of the activity on human beings, flora, fauna, soil, water, air, climate, landscape, material assets and cultural heritage, as respects the matters that come within the functions of the Agency, (as identified in parts 1-7 above), with due regard given to the mitigation measures proposed to be applied. The assessment also has regard to the assessment carried out by the planning authority and all relevant observations and submissions (including third part submission) made on the licence application and EIS. The RD includes conditions as considered appropriate to address the likely significant effects of the activity.

The potential for significant interactions was addressed in the EIS. I have considered the interaction between the factors referred to in parts 1-7 above and the interaction of the likely effects identified (as well as cumulative impacts with other developments in the vicinity of the activity). The mitigation measures identified above to address individual factors will also address any significant potential significant interactions.

I am satisfied that the proposed mitigation measures are adequate. I do not consider that the interactions identified are likely to cause or exacerbate any potentially significant environmental effects of the activity. The RD includes conditions as considered appropriate to address key interactions associated with the licensable activity.

Overall Conclusion on Environmental Impact Assessment

I consider that having examined the relevant documents and on foot of the assessment carried out throughout this Inspector's Report that the likely significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as required in Article 3 and in accordance with Articles 4 to 11 of the EIA Directive as respects the matters that come within the functions of the Agency.

It is considered that the mitigation measures as proposed and the licence conditions included in the IR will adequately control any likely significant environment effects from the activity.

It is also considered that the proposed activity, if managed, operated and controlled in accordance with the licence conditions included in the RD will not result in a significant detrimental impact on the environment.

11. Fit & Proper Person Assessment

The Fit & Proper Person test requires three elements of examination:

(i) Legal Standing

The applicant identified in the application that Roadstone Wood Limited (now Roadstone Limited) has one conviction under the Local Government (Water Pollution) Acts 1977 and 1991, for a water discharge in breach of its permitted limits at its quarry at Hill of Allen. This prosecution was taken by Kildare County Council in 1999-2000.

(ii) Technical Ability

The proposed facility manager holds a FETAC Certificate in Waste Management. He was previously responsible for the remediation of three landfill sites on Roadstone Dublin Limited's land in Co. Wicklow. Should the need arise for specialist technical or environmental assistance; he will be assisted by appropriately qualified external consultants/advisors.

(iii) Financial Standing

Roadstone Limited is a 100% subsidiary of Cement Roadstone Holdings (CRH), an international building materials group. It is my view, on the basis of the information submitted, that the applicant can be deemed a Fit & Proper Person for the purpose of this licence. I am satisfied that the applicant has the technical ability to satisfactorily carry out the site restoration works in accordance with the RD.

12. Submissions

There were two submissions made in relation to this application.

1. HSE (Dublin North Area) on 23/06/2011, Ms Jackie Kelly, Principal EHO

The HSE advises they visited the site at Huntstown on 25th May 2011 and have also assessed the EIS under specific areas of interest and conclude that while Environmental Health was not included at the scoping stages of the EIA, the EIS adequately addresses all of their specific areas. The areas of interest were "Introduction and Description, Non-technical summary, Climate & Air Quality, Noise, Hydrology and hydrogeology, Soil & Geology and Human Beings".

2. HSE (Dublin North Area) on 20/02/2014, Ms Jackie Kelly, Principal EHO.

The HSE advises they reviewed the additional information submitted on the waste application, since their last submission and additionally, notified the following Health Service Departments: Emergency Planning, Estates, Assistant National Director for Health Promotion, Regional Director of Operations. The HSE further advises that no reports have been received from the departments listed above, and that following their assessment of

the information, that they have no comment to make in relation to the licence application.

13. Charges

A charge of **€6,306.00** is proposed in the RD, based on the enforcement effort predicted for the facility.

14. Recommendation

I have considered all of the documentation submitted in relation to this application and recommend that a Proposed Decision be issued subject to the conditions set out and for the reasons as drafted in the RD.

Signed



Patrick Geoghegan

Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 43(I) of the Waste Management Act 1996 as amended.

