

## Noeleen Keavey

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**Subject:** FW: Powerstown landfill W0025-04  
**Attachments:** Bord Pleanala Decision 13th August 2012.pdf; 2004 planning.pdf; cramp approval.htm; letter of acceptance FTC final .docx; Submission on observations.pdf

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**From:** Pat Connolly [<mailto:pconnoll@carlowcoco.ie>]  
**Sent:** 23 July 2015 14:03  
**To:** Ewa Babiarczyk  
**Subject:** FW: powerstown landfill

Ewa,

Further to our conversation this morning, I have attached the following:

1. CRAMP approval
2. Summary of submissions to an Bord Pleanala in 2012
3. Letter of Acceptance to the consultants who will carry out design works for Cells 15/16 capping. Capping works are planned for early 2016.

Cell 17 is substantially filled to final contours and we are now filling Cell 18.

Pat Connolly

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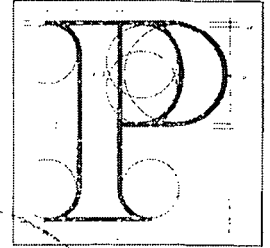
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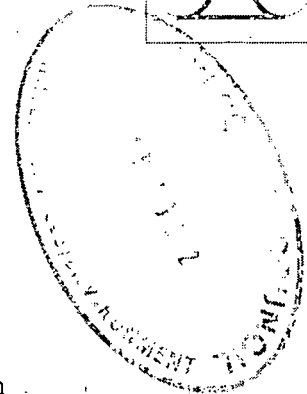
Our Ref: 01.JA0032

An Bord Pleanála

Your Ref: ENV/Waste/Powerstown/EIS2012



John Carley  
Carlow County Council  
Water & Environmental Service  
County Buildings  
Athy Road  
Carlow



Date: 14 AUG 2012

Re: Continued operation of landfilling activities and an increase in waste acceptance at Powerstown Landfill, Powerstown, Co. Carlow.

Dear Sir,

An order has been made by An Bord Pleanála determining the above-mentioned case. A copy of the order is enclosed.


In accordance with section 146(3) of the Planning and Development Act, 2000 the Board will make available for inspection and purchase at its offices the documents relating to the decision within 3 working days following its decision. In addition, the Board will also make available the Inspector's Report and the Board Direction on the decision on its website ([www.pleanala.ie](http://www.pleanala.ie)). This information is normally made available on the list of decided cases on the website on the Wednesday following the week in which the decision is made.

The attachment contains information in relation to challenges to the validity of a decision of An Bord Pleanála under the provisions of the Planning and Development Act, 2000, as amended.

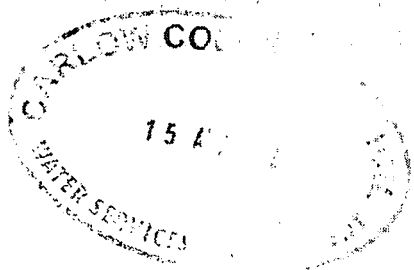
If you have any queries in relation to the matter please contact the undersigned officer of the Board.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

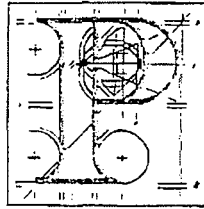
Yours faithfully,

  
Sinead McInerney  
Executive Officer  
Direct Line: 01-8737295

EL16.LTR



# An Bord Pleanála



## PLANNING AND DEVELOPMENT ACTS 2000 TO 2011

### Carlow County Council

**APPLICATION** by Carlow County Council for approval under section 175 of the Planning and Development Act 2000, as amended, in accordance with plans and particulars, including an environmental impact statement, lodged with the Board on the 20<sup>th</sup> day of February, 2012.

**PROPOSED DEVELOPMENT:** Continued operation of landfilling activities which will allow filling of the remaining constructed void space at the existing non-hazardous waste landfill. Other infrastructure on site includes a civic amenity facility, site offices, leachate and gas management systems, weighbridge and ancillary structures. The application is also for increasing the maximum annual waste input from 40,000 tonnes per annum to 50,000 tonnes per annum. It is not proposed to create extra cells or to create extra landfill capacity. The proposed development is located in the townland of Powerstown, County Carlow.

### DECISION

**APPROVE**, subject to conditions, the proposed development based on the reasons and considerations set out under.

### MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

facility would not seriously injure the amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not be likely to have significant adverse effects on the environment or any designated site and would, therefore, be in accordance with the proper planning and sustainable development of the area.

### CONDITIONS

1. The proposed development shall be carried out in accordance with the plans and particulars lodged with the application on the 20<sup>th</sup> day of February 2012, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity.

2. This approval relates to the continued filling of Phase 3 of the facility only. Landfilling operations shall cease within six years of the date of this order or when cells numbers 15, 16, 17 and 18 are filled, whichever is the sooner, and the site shall be reinstated in accordance with the requirements of the waste licence.

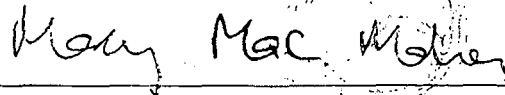
**Reason:** In order to clarify the period to which the approval relates and to enable a reassessment of the development in the light of circumstances then prevailing, including the implementation of an integrated waste management strategy for the region, which implementation is considered to be in the interest of the amenities of the area, orderly development and proper planning and sustainable development of the area.

3. The operators shall ensure that an appropriate waste licence from the Environmental Protection Agency for the operation of the facility is maintained in place at all times.

**Reason:** To ensure that the proposed development is operated in such a manner which would not adversely impact on the surrounding environment.

4. In the next planting season, semi-mature trees shall be planted along the north-western profile of the landfill site.

**Reason:** In the interest of visual amenity and to reduce the visual impact of the landfill as viewed from the motorway network.

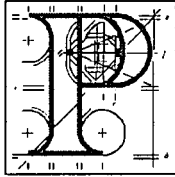


Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.

Dated this 13<sup>th</sup> day of August, 2012.

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## An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

### Carlow County Council

**APPLICATION** by Carlow County Council for approval under Section 175 of the Planning and Development Act, 2000 in accordance with plans and particulars, including an environmental impact statement, lodged with the Board on the 1<sup>st</sup> August, 2003.

**PROPOSED DEVELOPMENT:** Extension to an existing landfill at Powerstown, County Carlow.

### DECISION

**GRANT approval for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

### REASONS AND CONSIDERATIONS

Having regard to the existing use of lands for landfilling at this location, the existing pattern of development in the area including the relatively sparse and dispersed settlement pattern, the provisions of the current Carlow County Development Plan, which include an objective to extend this landfill facility and the Joint Waste Management Plan for the South-East, including those relating to the landfilling of waste, the nature and extent of the mitigation measures proposed and the necessity to obtain a Waste Licence in order to operate the proposed facility, it is considered that, subject to compliance with the conditions set out below, the proposed development would be a reasonable extension to an existing landfill facility, would be acceptable in terms of traffic safety and convenience, would not be prejudicial to public health, would not cause undue injury to the amenities of the area and would be in accordance with the proper planning and sustainable development of the area, and would not result in significant adverse effects on the environment.

## CONDITIONS

1. This approval relates only to an 8 year period from the date of this order. At the end of this period the landfill shall be capped and the lands reinstated to grassland, unless approval has been granted for an extension of landfilling on the site.

**Reason:** In order to clarify the period to which the approval relates and to enable a reassessment of the development in the light of circumstances then prevailing, including the implementation of an integrated waste management strategy for the region, which implementation is considered to be in the interest of the proper planning and sustainable development of the area.

2. The proposed upgrading of the public road to the south of the site and from which it is proposed to gain access, shall be completed before landfilling commences on the proposed extended site. The upgrading shall include the provision of a footpath and public lighting along the stretch between the N9 road junction and the site entrance.

**Reason:** In the interest of public safety and amenity.

3. The operator of the facility shall
  - (a) employ a suitably qualified archaeologist who shall monitor all topsoil stripping and earthmoving associated with the construction phase, and
  - (b) provide satisfactory arrangements for the recording and removal of any archaeological material which may be considered appropriate to remove.

**Reason:** In order to conserve the archaeological heritage of the site and to secure preservation of any archaeology which may exist within it.

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**Member of An Bord Pleanála  
duly authorised to authenticate  
the seal of the Board.**

**Dated this            day of            2004.**



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## Licensing Notice Details

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- LS Approval - Notice - ELRA/CRAMP Approval

Subject

LS Approval - Notice - ELRA/CRAMP Approval

Created Date

08/10/2014

Dear Mr Pat Connolly,

I refer to your submission LR012383, Closure and Restoration/Aftercare Management Plan (September 2014) in relation to Powerstown Landfill, IE Licence W0025-03.

The approval is sought under Condition 4 and Condition 12.2 of IE Licence W0025-03. In reference to the above the Agency makes the following comment, I am to advise you that on the basis of the information provided, the Agency approves your submission subject to the following:

1. The CRAMP submission shall be reviewed in light of any findings of ongoing SW/GW assessments.
2. The CRAMP submission shall be reviewed if the leachate disposal costs change following consultations with the Commission for Energy Regulation and Irish Water.

The Agency may at any time, if it considers necessary, revisit and/or revoke this approval. Agreement by the Agency of the CRAMP costings, etc. does not constitute an acceptance on the part of the Agency that the CRAMP costings constitute a description of all potential risks or liabilities or costs that may arise or materialise in relation to the facility but, rather, constitute in the view of the Agency as of 08/10/2014 a general assessment of risk and general estimate of costs to inform the overall environmental management and understanding of the licensed site and the

putting in place of FP, etc. Where additional costs arise relating to prevention or remediation of environmental pollution, these remain the responsibility of the Licensee.

The approval does not refer to any Financial Provision Proposals addressed in the CRAMP which will be addressed by the OEE Legal Unit.

You are reminded of the requirement to comply with the Conditions of IE Licence W0025-03 at all times.

The team dealing with this matter is OEE Regional Team A, Wexford.

Yours sincerely,

Anthea Southey

Inspector Office of Environmental Enforcement, Wexford.

Tel: **(insert Regional tel. no.)**

[Licence Details](#) [Print](#)

EDEN - EPA, Johnstown Castle, Co. Wexford - Phone: +353 (0)53 9160600 | [edenenforcementsupport@epa.ie](mailto:edenenforcementsupport@epa.ie)

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# Letter of Acceptance

**Note** Please click + left of title 'Letter of Acceptance' to read Employers Instructions prior to issue of letter.

**To:** *Fehily, Timoney & Co*  
*Core House*  
*Pouladuff Road*  
*Cork*

**Regarding:** Powerstown Landfill Capping Design and Procurement

**Date:** 24-7-2015

A Dhaoine Uaisle

I refer to your tender for the above Contract dated 17-5-2015 (the **Tender**). Terms used in this letter that are defined in the Conditions of that Contract have the same meaning in this letter.

On the basis that the contract formed by acceptance of your Tender will consist of the documents set out below, I accept your Tender:

- This Letter of Acceptance
- The Agreement
- The Standard Conditions of Engagement for Consultancy Services (Technical).
- The Tender and Schedule appended<sup>1</sup> to this Letter of Acceptance
- Any Novated Design Documents
- The following post-tender clarifications<sup>2</sup>

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This is the Letter of Acceptance referred to in the Conditions.

The Contract Sum is €23,500 euro [excluding VAT]

Please return to me a copy of this letter acknowledging receipt as indicated below.

Is mise, le meas

Signed \_\_\_\_\_  
On behalf of [Name of Employer], duly authorised to accept the Tender

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## ACKNOWLEDGEMENT

<sup>1</sup> Ensure that Schedule is appended to the letter

<sup>2</sup> Insert references to any post-tender clarifications

We acknowledge receipt of this letter on \_\_\_\_\_ (date).

Signed \_\_\_\_\_  
On behalf of [*Name of the Contractor*]

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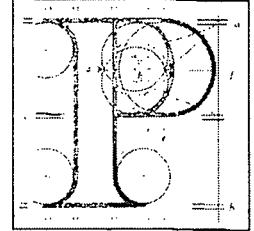
Our Ref: 01.JA0032

Your Ref: ENV/Waste/Powerstown/EIS2012

*Ciarán Doherty*

John Carley  
Carlow County Council  
Water & Environmental Service  
County Buildings  
Athy Road  
Carlow

An Bord Pleanála



12th June 2012

Re: Continued operation of landfilling activities and an increase in waste acceptance at Powerstown Landfill, Powerstown, Co. Carlow.

Dear Sir,

I have been asked by An Bord Pleanála to refer to the above mentioned application under section 175 of the Planning and Development Act, 2000, as amended.

The Board has considered the case and hereby notifies you that it has decided to determine the application without an oral hearing. In this regard, please be advised that the Board has absolute discretion to hold an oral hearing and has concluded that this case can be dealt with adequately through written procedure.

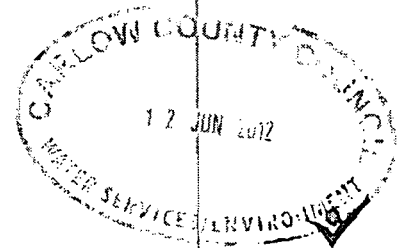
Accordingly, the Board hereby considers it appropriate to invite you to make a submission on the observations received in relation to the application.

These observations, which have previously been forwarded to you, were received from the following:

1. National Roads Authority, received 7th March 2012, ✓
2. Inland Fisheries Ireland, received 13th March 2012,
3. Pat Buckeridge Dean Design, acting on behalf of Patrick Purcell, received on 20th March 2012, ✓
4. Eddie Galway, received 2nd April 2012, ✓
5. Health Service Executive, received 2nd April 2012, ✓
6. An Taisce, received 2nd April 2012, ✓
7. Environmental Protection Agency, received 9th May 2012. ✓

Please be advised that any response to the Board's invitation should not contain any additional reports or supplementary reports and should be confined to the issues raised in the observations received by the Board.

Any submission in relation to the above must be received by the Board within 3 weeks from the date of this letter (i.e. not later than 5.30pm on Tuesday, 3rd July 2012.)



64 Stráid Maoilbhríde,  
Baile Átha Cliath 1.

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LoCall: 1890 275 175  
Fax: (01) 872 2684  
Web: <http://www.pleanala.ie>  
email: [board@pleanala.ie](mailto:board@pleanala.ie)

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Dublin 1.

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