

Attachment B.1. – Applicant’s Details

- a) The Company’s Registration Number is **551113**;
- b) The Company Directors are:

| | |
|------------------------------------|--|
| Name, address and position: | Sean Murphy, Dromin, Fossa, Killarney, County Kerry. |
| Name, address and position: | Anna Murphy, Dromin, Fossa, Killarney, County Kerry. |

- c) Copy of the Certificate of Incorporation is below.
- d) Drawing WL01 –Ownership Details is included below

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9431613/1

Number 551113

DUPLICATE FOR THE FILE



1597957

Certificate of Incorporation

I hereby certify that

FORGE HILL RECYCLING LIMITED

is this day incorporated under
the Companies Acts 1963 to 2013,
and that the company is limited.

Given under my hand at Dublin, this
Wednesday, the 15th day of October, 2014

for Registrar of Companies

Certificate handed to/posted to*:

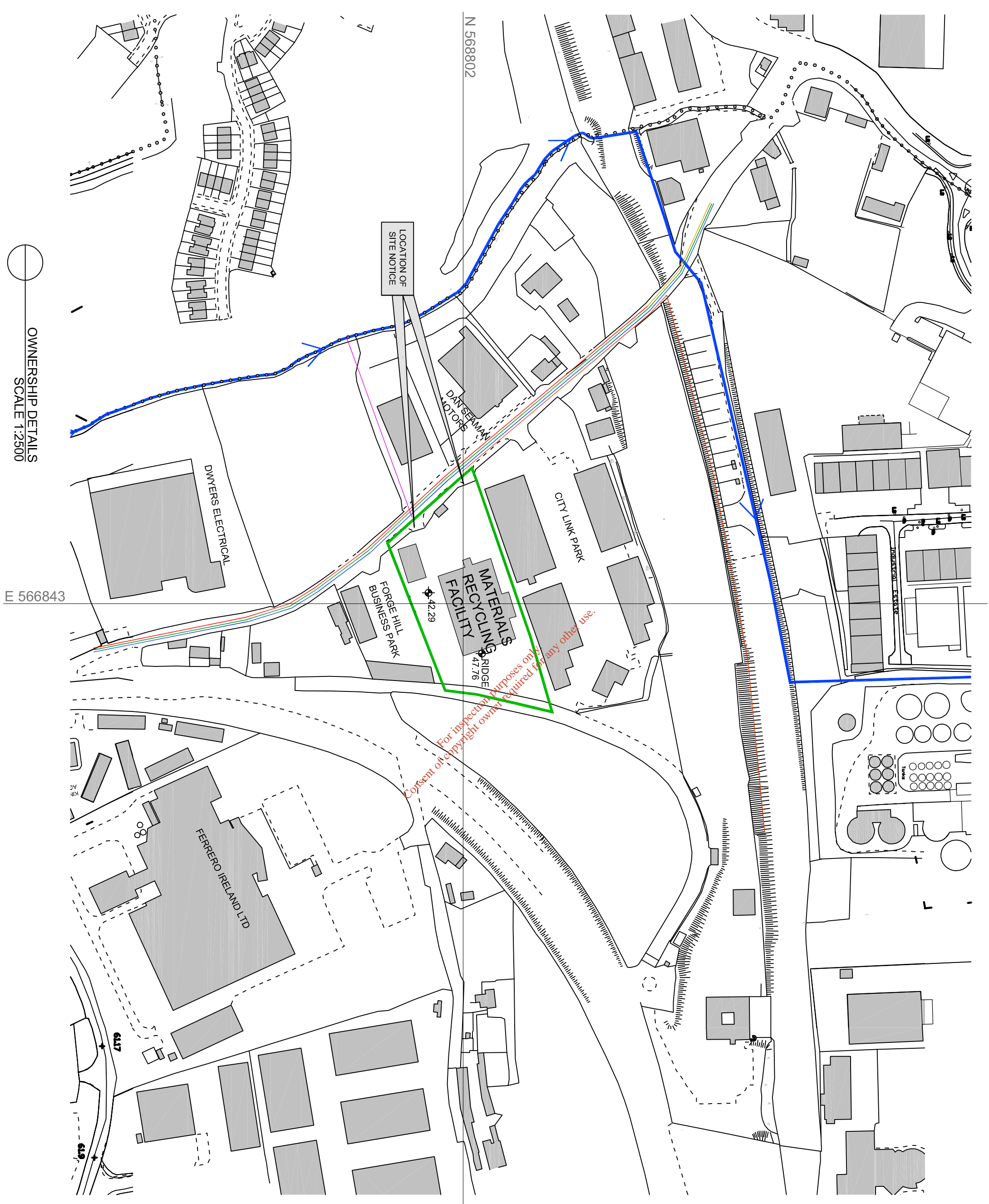
Fitzgerald Solicitors
No. 6 Lapps Quay
Cork



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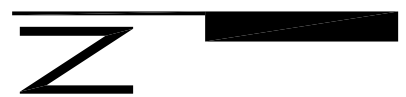
Signed: _____ Date: _____

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OWNERSHIP DETAILS
SCALE 1:2500

E 566843



LEGEND:
LAND LEASED

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| Date | Drawn | Checked |
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| | | |
| | | |

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Project:
WASTE PERMIT APPLICATION FOR FORGE HILL RECYCLING AT FORGE HILL, CO. CORK

Client:
FORGE HILL RECYCLING

Drawing Title:
OWNERSHIP DETAILS

| | | |
|----------------------|------------------------------|----------------|
| Scale: 1:2500 @A3 | Date: APRIL 2016 | Revision: 1 |
| Drawn By: JB | Drawing Number: 4348-WL01 | |

Attachment B.2. – Location of Activity

Drawing WL02 – Site Plan

Drawing WL03 – Location Map

Drawing WL04 – Services Plan

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SITE BOUNDARY IN RED
 PROPOSED EXTENSION IN GREEN

SITE LAYOUT PLAN
 SCALE 1:500

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Client:
 FORGE HILL RECYCLING LTD

Project:
 PROPOSED EXTENSIONS TO MATERIALS RECYCLING FACILITY AT FORGE HILL, CO. CORK

Drawing Title:
 SITE LAYOUT PLAN

Scale:
 1:500 @A3

Date:
 APRIL 2016

Drawn By:
 JB

Drawing Number:
 4348-W102

Revision:
 1

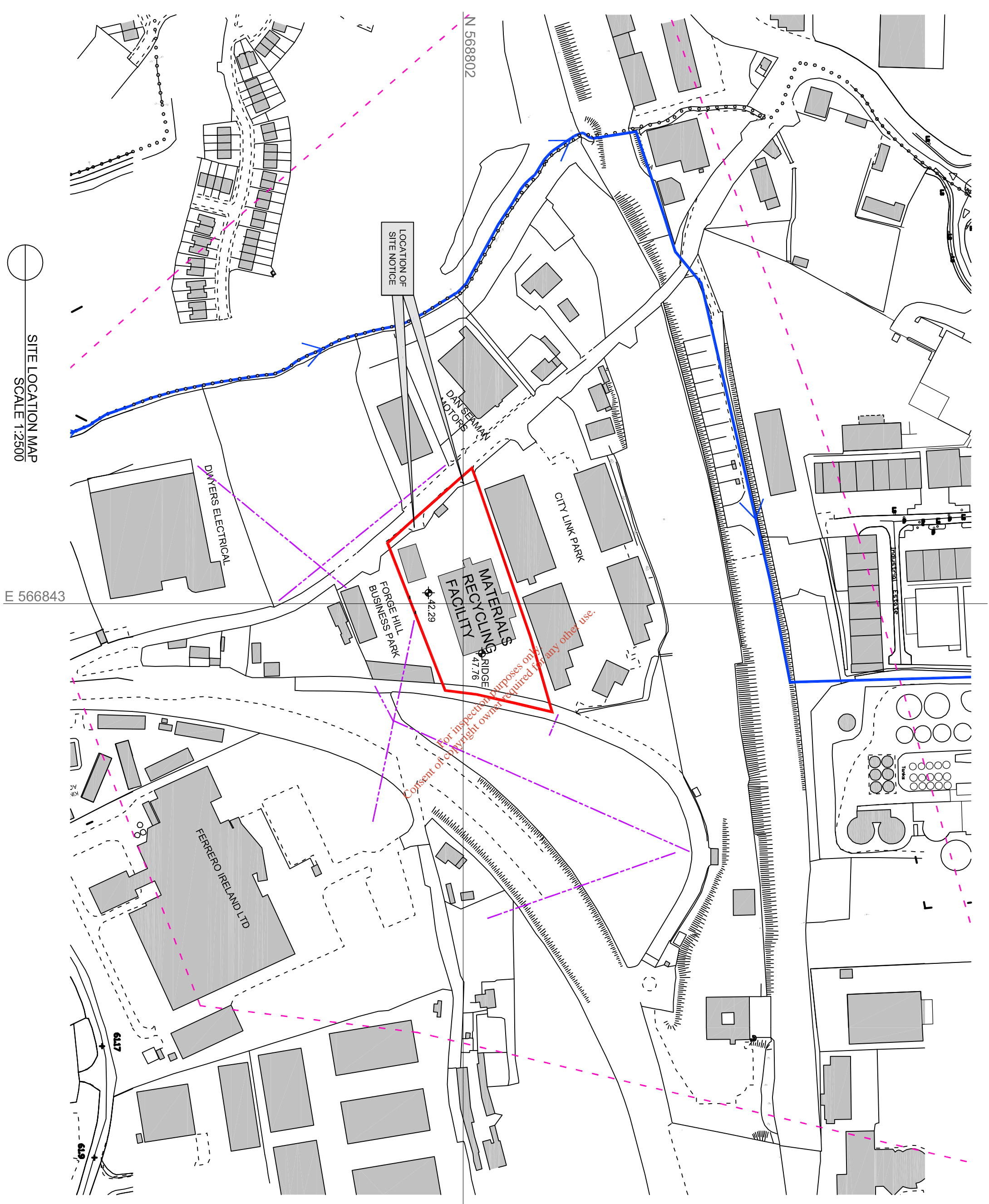
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Notes:

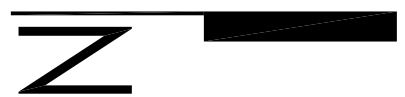
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5. Drawing to be read in conjunction with current specifications and standards.
6. All components and materials to be installed fully in accordance with manufacturers instructions.



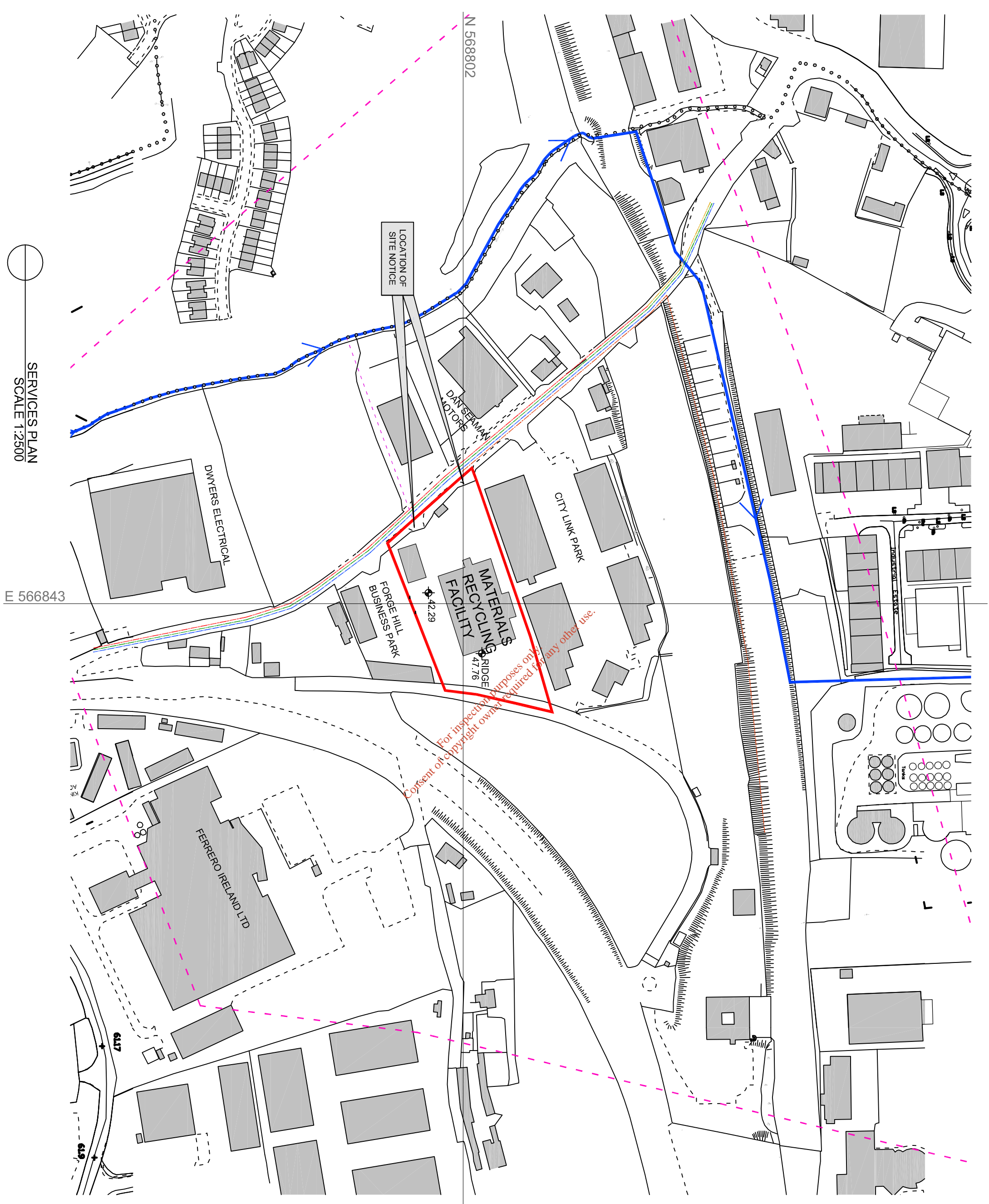
SITE LOCATION MAP
SCALE 1:2500

E 566843

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| | | | |
|--|------------|---|------------|
| <p>LEGEND:</p> <ul style="list-style-type: none"> SITE BOUNDARY LOCAL STREAM LINE 250M FROM BOUNDARY | | <p>SERVICES LEGEND:</p> <ul style="list-style-type: none"> OVERHEAD POWER LINES | |
| <p>Notes:</p> <ol style="list-style-type: none"> This drawing is for permit application purposes only. Do not scale from drawing. Direct any queries to the engineer. <p>Map Info:</p> <p>Discover Series 87, Scale 1:50,000 All levels are related to Mean Head Datum and dimensioned in meters.</p> | | | |
| <p>Client:</p> <p>FORGE HILL RECYCLING</p> | | | |
| <p>Drawing Title:</p> <p>SITE LOCATION MAP</p> | | | |
| <p>Project:</p> <p>WASTE PERMIT APPLICATION FOR FORGE HILL RECYCLING AT FORGE HILL, CO. CORK</p> | | | |
| <p>Shannon House, Church Road, Douglas, Co. Cork</p> <p>Tel: 021-4899854 Fax: 021-4899464 Email: info@bok.ie Web: www.bok.ie</p> | | | |
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| Drawn By: | JB | Drawing Number: | 4348-WL03 |



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LEGEND:

- SITE BOUNDARY
- LOCAL STREAM
- - - LINE 250M FROM BOUNDARY

SERVICES LEGEND:

- - - FOUL SEWER
- - - SURFACE WATER SEWER (TO STREAM)
- - - ESB
- - - GAS
- WATER SUPPLY

Notes:

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Project:
 WASTE PERMIT APPLICATION
 FOR FORGE HILL RECYCLING
 AT FORGE HILL, CO. CORK

Client:
 FORGE HILL RECYCLING

Drawing Title:
 SITE LOCATION MAP
 SERVICES PLAN

| | |
|----------------------|-----------------------------|
| Scale: 1:2500 @A3 | Date: APRIL 2016 |
| Drawn By: JB | Drawn/Checked: 4348-WL04 |

SERVICES PLAN
SCALE 1:2500

E 566843

N 566802

Attachment B.3.1 – Appropriate Assessment Screening Report prepared by Glas Ecology dated January 2015

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**HABITATS DIRECTIVE SCREENING STATEMENT FOR A
PROPOSED MATERIAL RECYCLING FACILITY AT FORGE
HILL, CORK.**

Prepared for Forge Hill Recycling Ltd.

January 2015

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HABITATS DIRECTIVE SCREENING STATEMENT FOR A PROPOSED MATERIAL RECYCLING FACILITY AT FORGE HILL, CORK.

| Revision | Author(s) | Checked | Details | Date |
|----------|-----------|---------|-----------------|------------|
| 0 | DAR | DAR | Issue to client | 16/02/2015 |

Client: Forge Hill Recycling Ltd.

Keywords: Recycling facility, Cork Harbour SPA, Great Island Channel SAC, Habitats Directive, Natura 2000, Habitats Directive Screening stage.

Summary:

This report presents the results of a screening stage assessment, which is part of the appropriate assessment process, to identify whether significant impacts on a Natura 2000 site are likely to arise from the proposed development of a waste materials recycling facility at Forge Hill, Cork. A field survey was carried out to evaluate the flora and fauna present.

It is concluded that no significant effects arising from the proposed development are likely to occur in relation to the Natura 2000 sites; Cork Harbour SPA and Great Island Channel SAC, and that there is no requirement to carry out a Stage 2 Assessment.

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| Appendix A | National Parks & Wildlife Service (NPWS) Natura 2000 Site Synopsis & Conservation Objectives |
|------------|--|

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Executive Summary

This report presents the results of a screening assessment, which is part of the appropriate assessment process, to identify whether significant impacts on a Natura 2000 site are likely to arise from a proposed development of a waste materials recycling facility at Forge Hill, Cork.

It is concluded that no significant effects arising from the proposed development are likely to occur in relation to the Natura 2000 sites; Cork Harbour SPA and Great Island Channel SAC.

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1 Introduction

Glas Ecology have been commissioned by Egan Environmental on behalf of Forge Hill Recycling Ltd to undertake a screening statement for the proposed recycling facility at Forge Hill, Cork. The project will install a state of the art materials recycling unit within the existing buildings that formerly housed the Greenstar waste recycling site. This screening statement has been prepared as part of a waste permit application to Cork County Council for the Waste materials recycling facility.

A screening assessment is undertaken to establish if any proposed plan or project is likely to have a significant effect on any site that has been designated under the E.U. Habitats Directive (92/43/EEC), *i.e.* a Special Area of Conservation (SAC), or the E.U. Birds Directive (2009/147/EC), *i.e.* a Special Protection Area (SPA). Collectively, SACs and SPAs are known as Natura 2000 sites. The Natura 2000 sites under consideration here are Cork Harbour SPA (site code 004030) and Great Island Channel SAC (001058). Conservation objectives have been produced by the National Parks and Wildlife Service (NPWS) for Natura 2000 sites. In compiling this screening report, the conservation objectives for the relevant Natura 2000 sites have been considered and referenced in this report.

A screening assessment is part of an appropriate assessment process that consists of up to four stages, where each stage follows on from the preceding one. In Stage 1, a screening process is undertaken to identify whether significant impacts on a Natura 2000 site are likely to arise from the project or plan in question. If significant impacts are likely to occur, then the process moves on to Stage 2 where an appropriate assessment (AA) considers potential mitigation measures for adverse impacts. If it is considered that mitigation measures will not be able to satisfactorily reduce potential adverse impact on a Natura 2000 site then an assessment of alternative solutions is considered in Stage 3. This is then followed by Stage 4 in the event that adverse impacts remain and the proposed activity or development is deemed to be of Imperative Reasons of Overriding Public Interest (IROPI), allowing an assessment of compensatory measures to be considered. The outcome of a Stage 2 and higher assessment is presented in a report known as a Natura Impact Statement (NIS).

This report presents the outcome of a Stage 1 screening assessment to identify whether significant impacts are likely to arise from the proposed development on the Natura 2000 sites in question. The following guidelines were used in the completion of this assessment;

- Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites – European Commission Methodical Guidance on the provisions of Article 6(3) and 6(4) of the Habitats Directive 92/43/EEC (European Commission 2001)
- Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities (DoEHLG 2009)
- The Opinion of Advocate General Sharpston regarding Case C-258/11 where the Irish Supreme Court sought guidance on interpreting adverse effect on Natura 2000 site integrity in relation to the N6 Galway City Outer Bypass road scheme and Article 6(3) of Council Directive 92/43/EEC (European Advocate General 2012)

Additionally, consultation with the local ranger for the National Parks and Wildlife Service (NPWS) was carried out prior to preparation of the screening statement.

1.1 Glas Ecology

This Habitats Directive screening report has been prepared by Glas Ecology. Glas Ecology was established in 2011 by David Rees. David is a highly experienced ecologist with specialist skills in birds, botany and mammals. He has a B.Sc. (Hons) in Zoology from University of Reading and a postgraduate Diploma in Conservation Management. He is a full member of the Chartered Institute of Ecology and Environmental Management (CIEEM).

David has over 20 years' experience, both as an ecological consultant and also in the management of land as nature reserves. Previously he was employed by the Royal Society for the Protection of Birds (RSPB), where he was the Site Manager of the Malltraeth Marsh reserve in North Wales, a large wetland reserve that he established and then ran from 1993 to 2006. In 2006 he joined Tobin Consulting Engineers as Project Ecologist, undertaking ecological assessments on a diversity of projects including 400 kV overhead powerline, water supply, pipeline, housing and road schemes. David joined the staff of Fehily Timoney & Co (FTC) as Senior Project Ecologist in 2008. Whilst working for FTC, David was involved in a number of large scale projects, notably wind farm developments and the Corrib gas pipeline scheme, frequently producing Appropriate Assessments to accompany planning applications.

David continues to keep up to date with developments in producing Appropriate Assessments, attending a CIEEM workshop on Appropriate Assessment in 2011 and more recently, in March 2013, a one-day course on Appropriate Assessment including implications arising from the recent Opinion of Advocate General Sharpston on the N6 Galway by-pass.

2 Stage 1: Screening

2.1 Brief Description of the Project

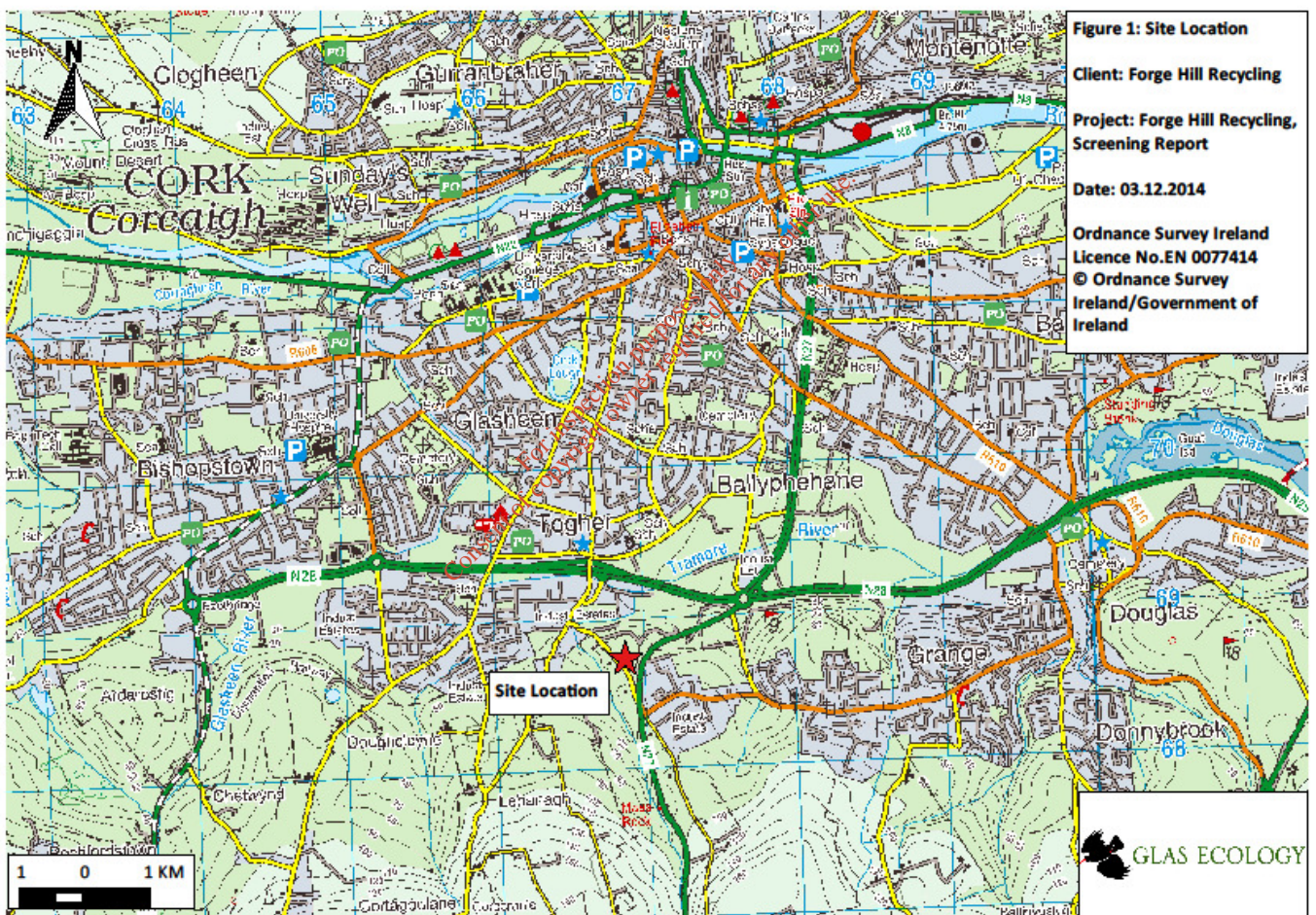
The proposed materials recycling facility will be situated within the existing buildings that formerly housed the Greenstar recycling facility on Forge Hill, Cork. The site is set within the industrial landscape, with retail and industrial sites located within the surrounding area, Figure 1 shows the site location.

The project involves the refurbishment of the former Greenstar waste materials recycling facility. The existing buildings will be utilised to house the proposed new facility. The site consists of three existing buildings: the waste materials recycling block, an office building and a small building housing pump control panels and other associated electrical infrastructure. The buildings are surrounded by a concrete hard standing. Rainwater run-off from the waste recycling buildings and the paved areas around the site is directed to an underground storage tank. The collected surface water is pumped via an oil/water interceptor and discharged to the stream at the west of the site. The pump from the storage tank is manually operated and a manual valve needs to be opened to discharge to the stream. The surface water generated at the entrance to building no. 2, the skip wash area and the wheel wash area is directed via a Class 1 oil/water interceptor to the municipal foul sewer.

No demolition of any of the existing buildings will take place and no additional construction will be required. As the site has not been used for some time, vegetation that has begun to encroach upon the concrete hard standing areas will be removed.

The site generally slopes towards the north-west. Discharge from the surface water storage tank will be into a small stream. Both the slope of the land and the stream run towards the Tramore River. This in turn, discharges into the Douglas estuary, part of the Cork Harbour SPA. For this reason, it has been determined that a Habitats Directive Screening Report is to be undertaken.

Figure 1 Site Location Map



2.2 Description of the Existing Environment

All habitat descriptions and classifications used in this section follow the Heritage Council's 'A Guide to Habitats in Ireland' (Fossitt, 2000). This site description is based on a field survey undertaken on 28th November, 2014. Whilst this date lies outside the optimum period for undertaking habitat and botanical surveys, the dominant component vegetation species were identified and it is considered that the habitat classifications derived from the site visit are valid.

The site is dominated by the existing buildings and the surrounding concrete hard standing. Some plants are beginning to get established in some of the gaps and cracks in the concrete surface as the site has not been in use for some time now. Most of the plants are typical early colonisers including Ragwort (*Senecio jacobaea*), Cock's-foot grass (*Dactylis glomerata*), Curled Dock (*Rumex crispus*) and small seedlings of Butterfly-bush (*Buddleja davidii*). One plant that is growing in the hard standing area is a non-native fleabane (*Conyza* sp). Although not identified to species level, it is probably Bilbao Fleabane (*Conyza bilbaona*), a plant first recorded in Ireland in the 1980's but is spreading and is frequently found on waste ground. The area of buildings and concrete standing is classified as Buildings and Artificial Surfaces (BL3) under the Fossitt scheme.

Perimeter fencing surrounds the site on the west, south and northern sides. Vegetation is encroaching from the adjoining land and growing through the fencing. The roadside, western boundary has some patches of *Griselinia*, a non-native shrub commonly planted as hedging around houses. Elsewhere the main encroaching vegetation is Bramble (*Rubus fruticosus* agg.) with some occasional clumps of Gorse (*Ulex europaea*) and Elder (*Sambucus nigra*). At the rear of the site, on the eastern boundary is a narrow area that has tall hedgerows on either side. These hedgerows consist of a series of tall trees, notably Ash (*Fraxinus excelsior*) and Hawthorn (*Crataegus monogyna*). Under the Fossitt classification, these are regarded as Treelines (WL2). At the southern end of this area is some vegetated spoil. Growing on the spoil is the non-native Winter Heliotrope (*Petasites fragrans*) and the highly invasive Japanese Knotweed (*Fallopia japonica*). Japanese Knotweed is listed in Part 1 of the Third Schedule of Statutory Instrument No. 477 of 2011: The European Communities (Birds and Natural Habitats) Regulations 2011. Under Regulation 49 (prohibition on introduction and dispersal of certain species), it is an offence to plant, disperse, allow or cause to disperse, spread or otherwise cause to grow any of the above plants save in accordance with a license (see page 102 of S.I. No. 477 of 2011 and Part 1 of the Third Schedule on page 140). Under Regulation 50 (prohibition on dealing in and keeping certain species), it is an offence to keep or transport soil or spoil taken from places infested with Japanese knotweed, Giant knotweed or their hybrid Bohemian knotweed save in accordance with a license (see page 104 of S.I. No. 477 of 2011 and Part 3 of the Third Schedule on page 142). Measures will need to be taken to remove the Japanese Knotweed. These measures are to be agreed with the Cork County Council's Heritage Officer and should follow guidelines given on the invasive species Ireland website (<http://invasivespeciesireland.com/>).

None of the habitats present on site conform to any of the protected habitats listed under Annex I of the E.U. Habitats Directive. No plants that are listed on the Flora Protection Order or in the Red Data Book (Curtis & McGough, 1988) were recorded during the field survey but it is acknowledged that the field survey took place in November, a period that is outside the optimal botanical survey season. There are no watercourses present on the site.

The only signs of mammals recorded were the presence of rabbit droppings. No rabbit burrows were noted but the adjoining banks on the southern and eastern boundaries could provide opportunities for rabbits. Given the presence of rabbits in the area, it is highly that fox will also occur on the site, together with brown rat. Bat species may also use the area for foraging but the buildings are of a construction that is unlikely to support bat roost sites.

2.3 Brief Description of Natura 2000 sites

The development site does not lie within or is adjacent to any Natura 2000 site. The nearest Natura 2000 site is the Cork Harbour SPA that is some 3.2km from the site. The next nearest Natura 2000 site is the Great Island Channel SAC, approximately 9.96km to the west of the site. There are no other Natura 2000 sites within 10km of the proposed development.

Table 2.1 summarises the main conservation characteristics of each site, as well as the approximate minimum distance from the proposed development site, and Figure 2 shows the location of these designated sites in relation to the site boundary.

The conservation objectives of the Cork Harbour SPA relate to maintaining or restoring the favourable conservation status of the following species:

- Little Grebe (*Tachybaptus ruficollis*)
- Great Crested Grebe (*Podiceps cristatus*)
- Cormorant (*Phalacrocorax carbo*)
- Grey Heron (*Ardea cinerea*)
- Shelduck (*Tadorna tadorna*)
- Wigeon (*Anas penelope*)
- Teal (*Anas crecca*)
- Pintail (*Anas acuta*)
- Shoveler (*Anas clypeata*)
- Red-breasted Merganser (*Mergus serrator*)
- Oystercatcher (*Haematopus ostralegus*)
- Golden Plover (*Pluvialis apricaria*)
- Grey Plover (*Pluvialis squatarola*)
- Lapwing (*Vanellus vanellus*)
- Dunlin (*Calidris alpina*)
- Black-tailed Godwit (*Limosa limosa*)
- Bar-tailed Godwit (*Limosa lapponica*)
- Curlew (*Numenius arquata*)
- Redshank (*Tringa totanus*)
- Black-headed Gull (*Chroicocephalus ridibundus*)
- Common Gull (*Larus canus*)
- Lesser Black-backed Gull (*Larus fuscus*)
- Common Tern (*Sterna hirundo*)
- Wetland and Waterbirds

To date, there are no published conservation objectives for the Great island Channel SAC. However, the site is designated for the following habitats:

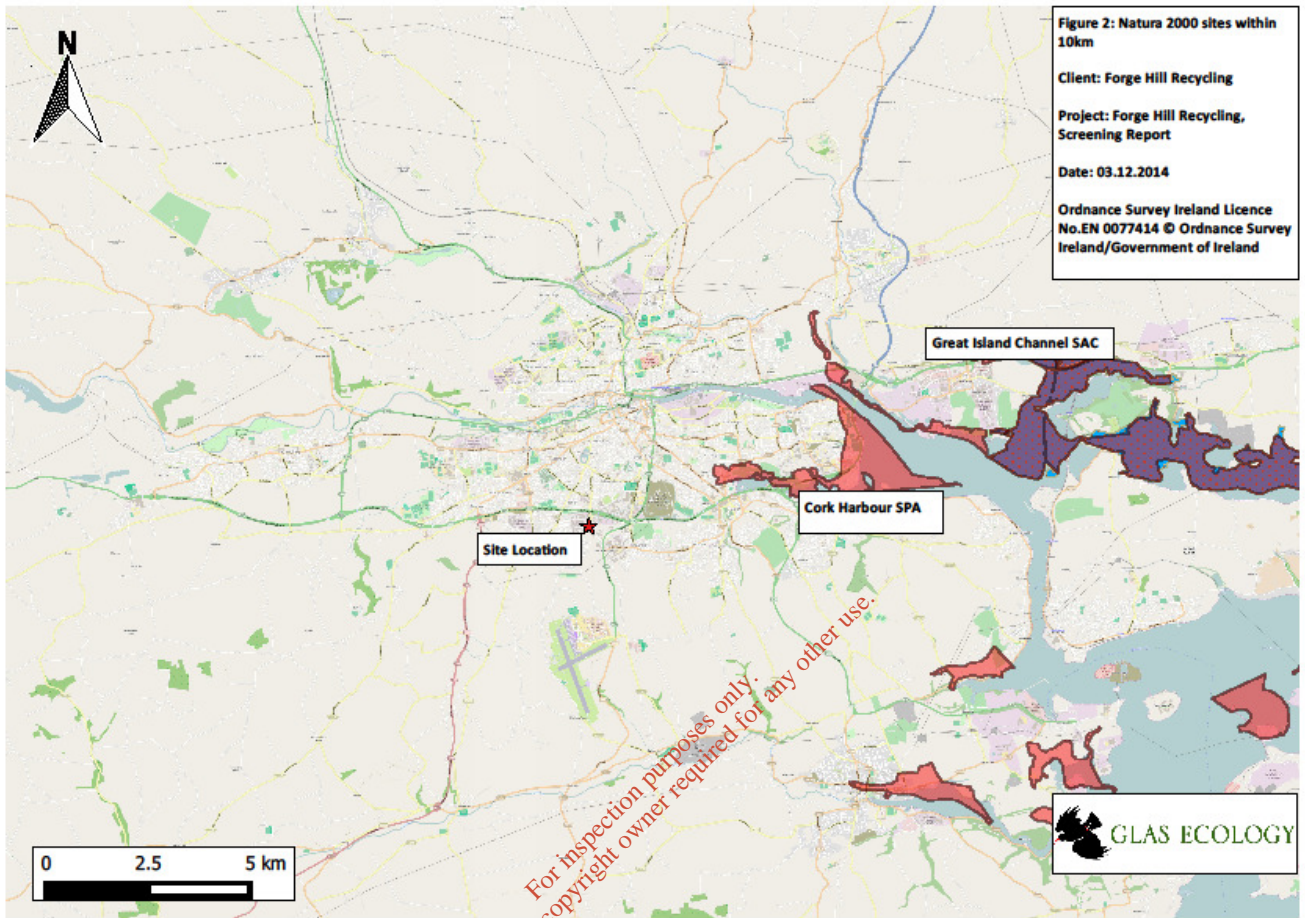
- Mudflats and sandflats not covered by seawater at low tide
- Atlantic salt meadows (*Glauco-Puccinellietalia maritimae*)

Detailed site synopses and conservation objectives for these Natura 2000 sites are available in Appendix A.

Table 2.1 Summary of Natura 2000 Sites within 10 km.

| Natura 2000 Site | Site Code | Conservation Significance | Minimum Distance to Site (km) |
|--------------------------|-----------|---|-------------------------------|
| Cork Harbour SPA | 004030 | <p>Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay and the Rostellan and Poul nabibe inlets.</p> <p>Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. > 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, there are at least 18 wintering species that have populations of national importance, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it</p> | 3.3 |
| Great Island Channel SAC | 001058 | <p>The Great Island Channel stretches from Little Island to Midleton, with its southern boundary being formed by Great Island. It is an integral part of Cork Harbour which contains several other sites of conservation interest. The main habitats of conservation interest are the sheltered tidal sand and mudflats and Atlantic salt meadows, both habitats listed on Annex I of the EU Habitats Directive. The site is of major importance for these two habitats, as well as for its important numbers of wintering waders and wildfowl. It also supports a good invertebrate fauna.</p> | 9.96 |

Figure 2 Designated Natura 2000 Sites within 10km



3 Stage 1: Assessment Criteria

3.1 Elements of the Project Likely to Impact on the Natura 2000 Sites

The proposed development site does not lie within or adjacent to any Natura 2000 site. As a result there will be no direct impact through habitat loss on any Natura 2000 site. The development site does lie some 3.3km from the Cork Harbour SPA. The proposed development site slopes towards the north-west, part of the catchment for the Tramore River. Additionally, the surface water storage tank will discharge (via an oil interceptor) into a local stream which again leads to the Tramore River. This river in turn, flows east into the Cork Harbour SPA. There is a potential route for impacts on this Natura 2000 site via contaminated water run-off during operation. However, this potential impact is unlikely to arise given that the only water that will be discharged into the local stream is the rainwater run-off from the buildings and the paved areas around the site. As mentioned this water will be collected in a storage tank located in the north-west section of the site and will then be pumped via an oil/water interceptor to the stream at the west of the site. The pump from the storage tank is manually operated and a manual valve needs to be opened to discharge to the stream. The surface water generated at the entrance to building no. 2, the skip wash area and the wheel wash area is directed via a Class 1 oil/water interceptor to the municipal foul sewer, with no discharge entering local watercourses.

Rainfall at the entrance to Unit 2 and some paved areas adjacent to the on-site fuel tank and vehicle/bin wash area is collected and directed to the foul water drainage system. The discharge from the vehicle/bin wash area is also directed to the foul water drainage system. The wastewater passes through a petrol/oil interceptor before discharging to the municipal sewer.

All environmental abatement equipment, for example the oil/water interceptor will be subject to a maintenance programme that will be installed by the operators. In addition, monitoring of the surface water discharges from the site will be a condition on the Waste Permit. Any exceedances in the emission limit values will prompt a review of site operations and the effectiveness of the environmental control measures.

The Great Island Channel SAC is some 9.96km from the site. This SAC and the Cork Harbour SPA form part of the wider Cork Harbour area, but given the distance from the proposed development site, it is considered that there is no mechanism for any impacts on this SAC arising from the development.

Taking the above into consideration it is felt that there are no elements of the project likely to impact on the Natura 2000 sites in question.

3.2 Likely Impacts of the Project on the Natura 2000 Sites

3.2.1 Size, Scale & Land-take

The proposed development area does not lie within or adjacent to any Natura 2000 site.

Consequently it is felt that the size, scale and land-take of the proposed development are of no concern for the Natura 2000 sites here.

3.2.2 Distance from or Key Features of the Natura 2000 Sites

The proposed development is 3.3km from the nearest designated site, Cork Harbour SPA and 9.96km from the next nearest, Great Island Channel SAC. There is some potential for contaminated run-off impacting the Cork Harbour SPA but the only discharge to local watercourses will be rainwater run-off that will have passed through an oil interceptor prior to discharge, it is not considered likely that any impacts will arise on this SPA as a result of the development.

Taking the above into consideration, it is felt that activities associated with the proposed development are of no concern for the Natura 2000 sites in question.

3.2.3 Resource Requirements (water abstraction etc.)

Water will be supplied to site via the existing mains water supply. No construction is required as the development will utilise the existing buildings on site. Consequently there is no concern in relation to resource requirements of the proposed development and both Natura 2000 sites.

3.2.4 Construction and Operational Requirements of the Development

No construction will be required as the new waste materials recycling facility will be housed within the existing buildings that are present on the site. The existing surface water drainage facilities will also be used in order to prevent any contamination reaching local water courses. As mentioned previously, rainwater run-off from the roof of the building and the concrete hard standing will be collected in a tank and then pumped to a local stream via an oil interceptor for discharge. Water from the skip and wheel wash areas will be directed to the municipal foul sewer via a Class 1 oil interceptor.

As already discussed above - *i.e.* the lack of direct impacts - activities associated with the proposed development are of no particular concern with regard to the Natura 2000 sites.

3.2.5 Emission (disposal to land, water or air)

There will be no direct emissions to the Natura 2000 sites. As mentioned above, the existing surface water run-off facilities will be used to prevent any contamination of local watercourses.

Any air emissions that may arise during the processing of the waste will be contained within the building and will not impact on the Natura 2000 sites.

Similarly noise emissions from the plant will be contained within the building and noise emanating for the activities on site will not significantly impact on the ambient noise levels in the area.

There will be no direct emissions to ground as all water generated on site and surface water will be contained within the sites surface water management system.

There is no concern in relation to emissions associated with the proposed development and the Natura 2000 sites.

3.2.6 Transportation Requirements

Delivery trucks to the facility will use the existing road network. No road improvements are required for this facility. There is no particular concern in relation to transportation requirements associated with the proposed development and the Natura 2000 sites in question.

3.2.7 Duration of Operations

The proposed development is for a state of the art fully automated material recycling facility. It is proposed to operate the plant from 06.00 to 22.00 hrs Monday to Saturday. Waste acceptance times will be 06.30 to 20.00hrs Monday to Saturday. Given the distance from the nearest Natura 2000 site and the fact that the facility will be sited in an area with existing industrial and retail developments, it is not considered that the duration of operations will lead to any disturbance impacts. The existing surrounding buildings will provide noise and light screening, and given that the nearest designated site is 3.3km away, there is no particular concern in relation to the duration of operations associated with the proposed development and the Natura 2000 sites in question.

3.2.8 Cumulative and In-combination Effects

Taking the above into consideration, it is felt that there are no elements of the project likely to impact on any Natura 2000 site. The key considerations that contributed towards this conclusion are summarised as follows:

The development site is not situated within any Natura 2000 site. The nearest site is the Cork Harbour SPA, 3.3km from the site. There is no direct hydrological connection between the development location and this Natura 2000 site and no other mechanism for impacts.

The only potential impact on any Natura 2000 sites is through contaminated surface water run-off reaching the Cork Harbour SPA. However, the existing surface water drainage systems will only allow rainwater run-off to discharge to a local stream once it has passed through an oil interceptor. The run-off from the skip and wheel wash facilities will be discharged to the municipal foul sewer, again once it has passed through an oil interceptor.

As it is felt that the proposed development and associated activities do not have any impact on the Natura 2000 sites in question, therefore, there is no potential for impacts on these designated sites through cumulative and in-combination effects with other known plans or projects.

3.3 Likely Changes to the Natura 2000 Sites

3.3.1 Reduction of Habitat Area

The development site is not located within any Natura 2000 site and therefore, there will be no habitat reduction as a consequence.

3.3.2 Disturbance to Key Species

Cork Harbour SPA is designated for suite of wading birds and wildfowl and lies some 3.3km from the development site. Given the distance of the development site from the SPA, it is considered that there will be no impacts on the SPA arising from the development.

Great Island Channel SAC is designated for a number of habitats and not for any species. Consequently, there will be no disturbance to key species as a result of the proposed development.

3.3.3 Habitat or Species Fragmentation

There will be no habitat or species fragmentation arising as a result of the proposed development. The development does not lie within any Natura 2000 site with no consequent habitat fragmentation. None of the key species will be impacted.

3.3.4 Reduction in Species Density

The proposed development will not lead to any reduction in species density.

3.3.5 Changes in Key Indicators of Conservation Value (water quality etc.)

There will be no changes in the key indicators of conservation value arising from the proposed development. The key indicators for the Natura 2000 sites are the areas of habitats and populations of key species listed as the conservation objectives for the two SACs and the SPA. As there will be no impacts on these habitats and species, there will be no changes to the numbers as a consequence of the development.

3.4 Likely Impacts on the Natura 2000 Sites as a Whole

3.4.1 Interference with the Key Relationships that Define the Structure of the Natura 2000 Sites

Interference with the key relationships that define the structure of the Natura 2000 sites is not anticipated as there will be no impacts on any Natura 2000 site as a result of the proposed development.

3.4.2 Interference with Key Relationships that Define the Function of the Natura 2000 Sites

Interference with the key relationships that define the function of the Natura 2000 sites is not anticipated as there will be no impacts on any Natura 2000 site as a result of the proposed development.

3.5 Indicators of Significance as a Result of the Identification of Effects Set Out Above

3.5.1 Loss

Not applicable.

3.5.2 Fragmentation

Not applicable.

3.5.3 Disruption

Not applicable.

3.5.4 Disturbance

Not applicable.

3.5.5 Change to Key Elements of the Site

Not applicable.

3.6 Elements of the Project Likely to Significantly Impact on the Natura 2000 Sites or where the Scale or Magnitude of Impacts are Unknown

Taking the above into consideration, it can be concluded that no significant effects arising from the proposed development are likely to occur in relation to the Natura 2000 sites; Cork Harbour SPA and Great Island Channel SAC.

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4 Finding of No Significant Effects Report

| | |
|---|---|
| Name and location of the Natura 2000 sites. | <ul style="list-style-type: none"> ▪ Cork Harbour SPA ▪ Great Island Channel SAC |
| Description of the project or plan. | The development will consist of the installation of a state of the art waste materials recycling facility, housed within the existing buildings present on the former Greenstar recycling facility... |
| Is the Project or Plan directly connected with or necessary to the management of the site (provide details)? | No. |
| Are there other projects or plans that together with the project or plan being assessed could affect the site (provide details)? | No. Considering the key conclusion that the proposed development and all the activities associated with it will not impact on the Natura 2000 sites in the first place, this must also hold for cumulative and in-combination effects with other plans or projects. |
| The Assessment of Significant Effects | |
| Describe how the project or plan (alone or in combination) is likely to affect the Natura 2000 site(s). | The proposed development is unlikely to affect the Natura 2000 sites due to the reasons explained in the following section. |
| Explain why these effects are not considered significant. | <p>No significant effects are envisaged to affect the Natura 2000 sites as result of activities associated with the development site due to the following considerations:</p> <p>The development site is not situated within any Natura 2000 site. The nearest site is the Cork Harbour SPA, 3.3km from the site. The only potential route for impacts on any Natura 2000 site is via contaminated water run-off. However, this potential impact is unlikely to arise as the only discharge to local watercourses will be rainwater run-off that will be collected in a storage tank and passed through an oil interceptor before discharge. Run-off from the wheel and skip wash will be discharged to the municipal foul sewer having passed through a class 1 oil interceptor.</p> |
| List of agencies consulted. | The local National Parks and Wildlife Service (NPWS) Ranger was contacted in January 2015 |
| Response to consultation. | That this development would not go beyond the screening stage and that NPWS would make any required comment at the planning application stage. |

| Data Collected to Carry out the Assessment | | | |
|---|--|--|---|
| Who carried out the assessment? | Sources of Data | Level of assessment completed | Where can the full results of the assessment be accessed and viewed? |
| David Rees of Glas Ecology Ltd. BSc (Hons) Zoology & MCIEM | <ul style="list-style-type: none"> ▪ Field surveys ▪ National Biodiversity Data Centre (NBDC) online mapping ▪ NPWS online designated site data & mapping ▪ References & other relevant publications | Desktop study & field surveys of development site. | Full results of the assessment are available in the above screening statement report. |

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APPENDIX A:

National Parks & Wildlife Service (NPWS) Natura 2000 Site Synopsis & Conservation Objectives

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SITE SYNOPSIS

SITE NAME: CORK HARBOUR SPA

SITE CODE: 004030

Cork Harbour is a large, sheltered bay system, with several river estuaries - principally those of the Rivers Lee, Douglas, Owenboy and Owennacurra. The SPA site comprises most of the main intertidal areas of Cork Harbour, including all of the North Channel, the Douglas River Estuary, inner Lough Mahon, Monkstown Creek, Lough Beg, the Owenboy River Estuary, Whitegate Bay and the Rostellan and Poul nabibe inlets.

Owing to the sheltered conditions, the intertidal flats are often muddy in character. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*. Green algae species occur on the flats, especially *Ulva lactuca* and *Enteromorpha* spp. Cordgrass (*Spartina* spp.) has colonised the intertidal flats in places, especially where good shelter exists, such as at Rossleague and Belvelly in the North Channel. Salt marshes are scattered through the site and these provide high tide roosts for the birds. Salt marsh species present include Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Plantain (*Plantago maritima*), Lax-flowered Sea-lavender (*Limonium humile*) and Sea Arrowgrass (*Triglochin maritima*). Some shallow bay water is included in the site. Cork Harbour is adjacent to a major urban centre and a major industrial centre. Rostellan Lake is a small brackish lake that is used by swans throughout the winter. The site also includes some marginal wet grassland areas used by feeding and roosting birds.

The site is a Special Protection Area (SPA) under the E.U. Birds Directive, of special conservation interest for the following species: Little Grebe, Great Crested Grebe, Cormorant, Grey Heron, Shelduck, Wigeon, Teal, Pintail, Shoveler, Red-breasted Merganser, Oystercatcher, Golden Plover, Grey Plover, Lapwing, Dunlin, Black-tailed Godwit, Bar-tailed Godwit, Curlew, Redshank, Black-headed Gull, Common Gull, Lesser Black-backed Gull and Common Tern. The site is also of special conservation interest for holding an assemblage of over 20,000 wintering waterbirds. The E.U. Birds Directive pays particular attention to wetlands and, as these form part of this SPA, the site and its associated waterbirds are of special conservation interest for Wetland & Waterbirds.

Cork Harbour is an internationally important wetland site, regularly supporting in excess of 20,000 wintering waterfowl, for which it is amongst the top five sites in the country. The two-year mean of summed annual peaks for the entire harbour complex was 55,401 for the period 1995/96 and 1996/97. Of particular note is that the site supports internationally important populations of Black-tailed Godwit (905) and Redshank (1,782) - all figures given are average winter means for the two winters 1995/96 and 1996/97. At least 18 other species have populations of

national importance, as follows: Little Grebe (51), Great Crested Grebe (204), Cormorant (705), Grey Heron (63), Shelduck (2,093), Wigeon (1,852), Teal (922), Pintail (66), Shoveler (57), Red-breasted Merganser (88), Oystercatcher (1,404), Golden Plover (3,653), Grey Plover (84), Lapwing (7,688), Dunlin (10,373), Bar-tailed Godwit (417), Curlew (1,325) and Greenshank (26). The Shelduck population is the largest in the country (over 10% of national total). The site has regionally or locally important populations of a range of other species, including Whooper Swan (10), Pochard (145) and Turnstone (79). Other species using the site include Gadwall (13), Mallard (456), Tufted Duck (113), Goldeneye (31), Coot (53), Mute Swan (38), Ringed Plover (34) and Knot (38). Cork Harbour is a nationally important site for gulls in winter and autumn, especially Black-headed Gull (4,704), Common Gull (3,180) and Lesser Black-backed Gull (1,440).

A range of passage waders occurs regularly in autumn, including such species as Ruff (5-10), Spotted Redshank (1-5) and Green Sandpiper (1-5). Numbers vary between years and usually a few of each of these species over-winter.

The wintering birds in Cork Harbour have been monitored since the 1970s and are counted annually as part of the I-WeBS scheme.

Cork Harbour has a nationally important breeding colony of Common Tern (3-year mean of 69 pairs for the period 1998-2000, with a maximum of 102 pairs in 1995). The birds have nested in Cork Harbour since about 1970, and since 1983 on various artificial structures, notably derelict steel barges and the roof of a Martello Tower. The birds are monitored annually and the chicks are ringed.

Extensive areas of estuarine habitat have been reclaimed since about the 1950s for industrial, port-related and road projects, and further reclamation remains a threat. As Cork Harbour is adjacent to a major urban centre and a major industrial centre, water quality is variable, with the estuary of the River Lee and parts of the Inner Harbour being somewhat eutrophic. However, the polluted conditions may not be having significant impacts on the bird populations. Oil pollution from shipping in Cork Harbour is a general threat. Recreational activities are high in some areas of the harbour, including jet skiing which causes disturbance to roosting birds.

Cork Harbour is of major ornithological significance, being of international importance both for the total numbers of wintering birds (i.e. > 20,000) and also for its populations of Black-tailed Godwit and Redshank. In addition, there are at least 18 wintering species that have populations of national importance, as well as a nationally important breeding colony of Common Tern. Several of the species which occur regularly are listed on Annex I of the E.U. Birds Directive, i.e. Whooper Swan, Golden Plover, Bar-tailed Godwit, Ruff and Common Tern. The site provides both feeding and roosting sites for the various bird species that use it.

26.2.2008

Conservation Objectives for Cork Harbour SPA [004030]

The overall aim of the Habitats Directive is to maintain or restore the favourable conservation status of habitats and species of community interest. These habitats and species are listed in the Habitats and Birds Directives and Special Areas of Conservation and Special Protection Areas are designated to afford protection to the most vulnerable of them. These two designations are collectively known as the Natura 2000 network.

European and national legislation places a collective obligation on Ireland and its citizens to maintain habitats and species in the Natura 2000 network at favourable conservation condition. The Government and its agencies are responsible for the implementation and enforcement of regulations that will ensure the ecological integrity of these sites.

The maintenance of habitats and species within Natura 2000 sites at favourable conservation condition will contribute to the overall maintenance of favourable conservation status of those habitats and species at a national level.

Favourable conservation status of a habitat is achieved when:

- its natural range, and area it covers within that range, are stable or increasing, and
- the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and
- the conservation status of its typical species is favourable.

The favourable conservation status of a species is achieved when:

- population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis as a viable component of its natural habitats, and
- the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future, and
- there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

Objective: To maintain or restore the favourable conservation condition of the bird species listed as Special Conservation Interests for this SPA:

| | |
|---------------------------------|-------------|
| ◆ <i>Tachybaptus ruficollis</i> | [wintering] |
| ◆ <i>Podiceps cristatus</i> | [wintering] |
| ◆ <i>Phalacrocorax carbo</i> | [wintering] |
| ◆ <i>Ardea cinerea</i> | [wintering] |
| ◆ <i>Tadorna tadorna</i> | [wintering] |
| ◆ <i>Anas penelope</i> | [wintering] |
| ◆ <i>Anas crecca</i> | [wintering] |
| ◆ <i>Anas acuta</i> | [wintering] |
| ◆ <i>Anas clypeata</i> | [wintering] |
| ◆ <i>Mergus serrator</i> | [wintering] |
| ◆ <i>Haematopus ostralegus</i> | [wintering] |
| ◆ <i>Pluvialis apricaria</i> | [wintering] |
| ◆ <i>Pluvialis squatarola</i> | [wintering] |
| ◆ <i>Vanellus vanellus</i> | [wintering] |
| ◆ <i>Calidris alpina</i> | [wintering] |

Citation:

NPWS (2011) Conservation objectives for Cork Harbour SPA [004030]. Generic Version 4.0. Department of Arts, Heritage & the Gaeltacht.



| | |
|-------------------------------------|-------------|
| ◆ <i>Limosa limosa</i> | [wintering] |
| ◆ <i>Limosa lapponica</i> | [wintering] |
| ◆ <i>Numenius arquata</i> | [wintering] |
| ◆ <i>Tringa totanus</i> | [wintering] |
| ◆ <i>Chroicocephalus ridibundus</i> | [wintering] |
| ◆ <i>Larus canus</i> | [wintering] |
| ◆ <i>Larus fuscus</i> | [wintering] |
| ◆ <i>Sterna hirundo</i> | [breeding] |
| ◆ Wetlands | [] |

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Citation:

NPWS (2011) Conservation objectives for Cork Harbour SPA [004030]. Generic Version 4.0. Department of Arts, Heritage & the Gaeltacht.

SITE SYNOPSIS

SITE NAME: GREAT ISLAND CHANNEL

SITE CODE: 001058

The Great Island Channel stretches from Little Island to Midleton, with its southern boundary being formed by Great Island. It is an integral part of Cork Harbour which contains several other sites of conservation interest. Geologically, Cork Harbour consists of two large areas of open water in a limestone basin, separated from each other and the open sea by ridges of Old Red Sandstone. Within this system, Great Island Channel forms the eastern stretch of the river basin and, compared to the rest of Cork Harbour, is relatively undisturbed. Within the site is the estuary of the Owennacurra and Dungourney Rivers. These rivers, which flow through Midleton, provide the main source of freshwater to the North Channel.

The main habitats of conservation interest are the sheltered tidal sand and mudflats and Atlantic salt meadows, both habitats listed on Annex I of the EU Habitats Directive. Owing to the sheltered conditions, the intertidal flats are composed mainly of soft muds. These muds support a range of macro-invertebrates, notably *Macoma balthica*, *Scrobicularia plana*, *Hydrobia ulvae*, *Nephtys hombergi*, *Nereis diversicolor* and *Corophium volutator*. Green algal species occur on the flats, especially *Ulva lactuca* and *Enteromorpha* spp. Cordgrass (*Spartina* spp.) has colonised the intertidal flats in places, especially at Rossleague and Belvelly. The salt marshes are scattered through the site and are all of the estuarine type on mud substrate. Species present include Sea Purslane (*Halimione portulacoides*), Sea Aster (*Aster tripolium*), Thrift (*Armeria maritima*), Common Saltmarsh-grass (*Puccinellia maritima*), Sea Plantain (*Plantago maritima*), Greater Sea-spurry (*Spergularia media*), Sea Lavender (*Limonium humile*), Sea Arrowgrass (*Triglochin maritimum*), Mayweed (*Matricaria maritima*) and Red Fescue (*Festuca rubra*).

The site is extremely important for wintering waterfowl and is considered to contain three of the top five areas within Cork Harbour, namely North Channel, Harper's Island and Belvelly-Marino Point. Shelduck are the most frequent duck species with 800-1000 birds centred on the Fota/Marino Point area. There are also large flocks of Teal and Wigeon, especially at the eastern end. Waders occur in the greatest density north of Rosslare, with Dunlin, Godwit, Curlew and Golden Plover the commonest species. A population of about 80 Grey Plover is a notable feature of the area. All the mudflats support feeding birds; the main roost sites are at Weir Island and Brown Island and to the north of Fota at Killacloyne and Harper's Island. Ahanesk supports a roost also but is subject to disturbance. The numbers of Grey Plover and Shelduck, as given above, are of national importance.

The site is an integral part of Cork Harbour which is a wetland of international importance for the birds it supports. Overall, Cork Harbour regularly holds over 20,000 waterfowl and contains Internationally important numbers of Black-tailed Godwit (1,181) and Redshank (1,896) along with Nationally important numbers of

nineteen other species. Furthermore, it contains the large Dunlin (12,019) and Lapwing (12,528) flocks. All counts are average peaks, 1994/95 – 1996/97. Much of the site forms part of Cork Harbour Special Protection Area, an important bird area designated under the EU Birds Directive.

While the main land use within the site is aquaculture (Oyster farming), the greatest threats to its conservation significance come from road works, infilling, sewage outflows and possible marina developments.

The site is of major importance for the two habitats listed on the EU Habitats Directive that it contains, as well as for its important numbers of wintering waders and wildfowl. It also supports a good invertebrate fauna.

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2.10.2001

**Attachment B.3.2 – Waste Permit Issued by Cork County Council in December 2015
(WFP-CK-15-0148-01)**

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Waste Facility Permit

issued under

the Waste Management Acts, 1996

and

the Waste Management (Facility Permit and Registration) Regulations, 2007 as amended

by



Cork County Council
Comhairle Chontae Chorcaí

Waste Permit Register Number:

WFP-CK-15-0148-01

Applicant:

Forge Hill Recycling Limited

Registered Office Address:

The Kipper House,
Scilly,
Kinsale,
Co. Cork.

Location of Facility:

Forge Hill,
Co. Cork.

Date of Issue

21st of December 2015

Expiry Date

20th of December 2020

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Appendix 145

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Part 1 Activities Permitted

In pursuance of the powers conferred on it by the Waste Management Act, 1996 and the Waste Management (Facility Permit and Registration) Regulations, S.I. No. 821 of 2007 as amended, Cork County Council grants this waste facility permit to;

Forge Hill Recycling Limited (Registered Office Address)
The Kipper House,
Scilly,
Kinsale,
Co. Cork.

Operating the waste facility at;
Forge Hill,
Co. Cork

subject to the conditions attached in this permit.

Cork County Council may review, and subsequently amend the conditions under Article 30 of the Waste Management (Facility Permit and Registration) Regulations, S.I. No. 821 of 2007 as amended. Cork County Council will give notice in writing of such intention to the permit holder. Otherwise an application for a review of this permit shall be made at least 60 working days prior to the expiry date of this permit to Cork County Council at The Environment Directorate, Cork County Council Offices, Inniscarra, Co. Cork. This permit may be revoked under Article 36 of the Waste Management (Facility Permit and Registration) Regulations, SI No. 821 of 2007 as amended.

Permitted Waste Disposal Activity in accordance with the Third Schedule, of the Waste Management Act 1996

| Class | Activity |
|-------|--|
| D15 | Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced). |

Permitted Waste Recovery Activity in accordance with the Fourth Schedule, of the Waste Management Act 1996

| Class | Activity |
|----------------|--|
| R3 | Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals. |
| R4 | Recycling/reclamation of metals and metal compounds. |
| R5 (Principle) | Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials. |
| R12 | Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11). |
| R13 | Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced). |

Permitted Waste Activity in accordance with the Third Schedule, Part 1 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended.

| Class | Activity |
|----------|--|
| Class 10 | <p>The recovery of waste (not mentioned elsewhere in this part of the third schedule), other than hazardous waste or any activity specified in Category 5 of Annex 1 of Council directive 96/61/EC, where –</p> <ul style="list-style-type: none"> (a) The annual intake does not exceed 50,000 tonnes and (b) The maximum quantity of residual waste consigned from the facility for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake. |

Interpretation

All terms in this permit shall be interpreted in accordance with the definitions in the Waste Management Acts 1996 (the Act), and its associated regulations.

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Part 2 – The Conditions

Condition 1: Scope

- 1.1 This waste facility permit is for the purposes of waste activity authorisation under the Waste Management (Facility Permit & Registration) Regulations S.I No 821 of 2007 as amended only. The permit holder is legally responsible for all aspects of the operation and maintenance of this facility and nothing in this permit shall be construed as negating the permit holder's statutory obligations, or requirements under any other enactments or regulations.
- 1.2 This waste facility permit is granted to Forge Hill Recycling Limited, The Kipper House, Scilly, Kinsale, Co. Cork, for the site at Forge Hill, Co. Cork for the waste activities listed and described in Part 1 Activities Permitted and authorised by this waste facility permit.
- 1.3 This waste facility permit is granted for a period of **5 years**, commencing from the date of issue.
- 1.4 The maximum tonnage to be accepted at the facility shall not exceed 49,999 tonnes per annum as set out under Condition 5.1 of this waste facility permit.
- 1.5 For the purposes of this waste facility permit, the facility authorised is the area of land outlined in red on Drawing entitled 'Ordinance Survey Map' received on the 08/04/2015 as part of the Waste Facility Permit Application. Any reference in this waste permit to "facility" shall mean the area thus outlined in red on the Ordinance Survey Map. The authorised activity/activities shall be carried on only within the area outlined.
- 1.6 The permit holder shall ensure that the waste activities shall take place only as specified under the conditions of this permit. No change in the type of waste accepted or the type of activities undertaken shall be made without prior written approval from the Local Authority.
- 1.7 The permit holder shall give notice in writing to the Local Authority of any changes in the information e.g. change of company name, change of landowner name, change of address etc furnished in the application for the permit. Such notice shall be given within three weeks of any such change arising.
- 1.8 The permit holder shall be responsible for ensuring that the waste activities shall be controlled, operated and maintained in strict accordance with the terms of the application and as modified by the conditions attached to this permit.
- 1.9 Without prejudice to its obligations under this permit, the permit holder shall at all times ensure that it carries on its waste related activities in a manner that is consistent with the objectives of the Southern Region Waste Management Plan 2015-2021 (as may be varied or replaced from time to time) and with the objectives of the current National Hazardous Waste Management Plan.
- 1.10 The permit holder shall ensure that where waste that has been source segregated by the waste producer, it shall not be sent for disposal or collected, transported, mixed or handled so as to make it unsuitable for recycling or recovery by the permit holder.

1.11 The permit holder shall ensure that any proposed change in the activity shall be submitted in writing to Cork County Council for agreement prior to that change taking effect. Should the submission identify

- (a) a material change in the nature, focus or extent of the waste related activities or
- (b) a material change in the nature or extent of any emission concerned

has taken place to an extent which renders the conditions attached to the existing permit inappropriate a waste facility permit review application may be required before the proposed change can be assessed.

1.12 Where the Local Authority considers that a non-compliance with any condition of this waste facility permit has occurred, it may serve a Notice on the permit holder specifying:

- (i) that only waste as specified, if any, in the Notice are to be accepted at the facility after the date set down in the Notice;
- (ii) that the permit holder shall undertake the works stipulated in the Notice, and/or otherwise comply with the requirements of the Notice as set down therein, within the timescale contained in the Notice.
- (iii) that the permit holder shall carry out any other requirement specified in the notice

When the Notice has been complied with the permit holder shall provide written confirmation to the Local Authority that the requirements of the Notice have been carried out. No waste other than that, which is stipulated in the Notice, shall be accepted at the facility until written permission is received from the Local Authority.

1.13 The permit holder shall comply at all times with the provisions of the Community Acts, insofar as such provisions are relevant to the waste related activity of this waste facility permit, including those specified in the Second Schedule of the Waste Management (Facility Permit and Registration) Regulations, S.I. No. 821 of 2007 as amended.

1.14 The permit holder shall accept all liabilities, requirements and obligations provided for, in or arising under, the previous waste authorisation for the site i.e. waste licence W0173-01, regardless of how and in respect of what period, including the period prior to the grant of waste facility permit WFP-CK-15-0148-01, that may arise.

1.15 The permit holder shall ensure that no hazardous wastes or liquid wastes shall be accepted at the facility.

1.16 The permit holder shall not, in carrying out the activities authorised under this permit, exceed the threshold(s) for waste activities set out in Class 11 of the First Schedule of the EPA Act as amended.

1.17 The following shall constitute an incident for the purposes of this waste facility permit:-

- a) an emergency;
- b) any emission which does not comply with the requirements of this waste facility permit;

- c) any exceedance of the daily duty capacity of the waste handling equipment;
- d) any trigger level specified in this waste facility permit which is attained or exceeded; and
- e) any indication that environmental pollution has, or may have, taken place.

1.18 Every plan, programme or proposal submitted to the Local Authority for its agreement pursuant to any Condition of this waste facility permit shall include a proposed timescale for its implementation. The Local Authority may modify or alter any such plan, programme or proposal in so far as it considers such modification or alteration to be necessary and shall notify the permit holder in writing of any such modification or alteration. Every such plan, programme or proposal shall be carried out within the timescale fixed by the Local Authority but shall not be undertaken without the agreement of the Local Authority. Every such plan, programme or proposal agreed by the Local Authority shall be covered by the conditions of this waste facility permit.

REASON: To clarify the scope of this waste permit.

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Condition 2: Management of the Activity

- 2.1. The permit holder shall acquaint all staff, employees, lessees and agents, including replacement personnel, of the provisions and conditions of this permit. *(Refer to template 1 of Appendix 1).*
- 2.2 Within six months of the date of grant of this waste facility permit, the permit holder shall develop written procedures for the following;
- (a) waste inspection procedures
 - (b) waste acceptance and handling procedures
 - (c) waste sampling, analysis and characterisation procedures
 - (d) requirements for the pre-treatment of wastes
 - (e) waste quarantine procedures
 - (f) waste rejection and notification procedures
 - (g) other appropriate procedures and arrangements relating to the acceptance of waste.
- 2.3 The permit holder shall ensure that authorised staff of the Local Authority shall have unrestricted access to the site at all reasonable times, on production of identification, for the purpose of their functions under the Waste Management Acts, 1996, including such inspections, monitoring and investigations as are deemed necessary by the Local Authority. The permit holder shall clearly label all on-site sampling and monitoring points and off-site points as required by the Local Authority and/or any Statutory Body having responsibility for Water Pollution Control.
- 2.4 The permit holder shall establish and maintain procedures to ensure that corrective action is taken should any condition of this permit not be complied with. The procedures shall define responsibility and authority for initiating further investigation and corrective action in the event of a reported non-conformity with this permit. In such instances, the Local Authority shall be immediately notified by telephone/fax. The permit holder shall submit full details of the non-compliance to the Local Authority in writing on the next working day of any breach of the permit. *(Refer to template 2 Appendix 1).*
- 2.5 The permit holder shall ensure that the site shall be manned and supervised when in use. It shall be maintained to the satisfaction of the Local Authority, and adequate precautions shall be taken to prevent unauthorised access to the site. Gates shall be locked shut when the facility is unsupervised.
- 2.6 The permit holder shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced, deputy manager shall be present on the facility at all times during its operation.
- 2.7 Both the facility manager and deputy, and any replacement manager or deputy, shall successfully complete a recognised and accredited waste management

training programme (or equivalent agreed with Cork County Council) and associated on site assessment appraisal within twelve months of appointment.

2.8 The permit holder shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience, as required and shall be aware of the requirements of this waste facility permit.

2.9 Environmental Management System (EMS)

2.9.1 The permit holder shall establish and maintain an EMS. Within twelve months from the date of grant of this waste facility permit, the permit holder shall submit to the Local Authority for its agreement a proposal for a documented Environmental Management System (EMS) for the facility. Following the agreement of the Local Authority, the permit holder shall establish and maintain such a system. The EMS shall be updated on an annual basis with amendments being submitted to the Local Authority for its agreement.

2.9.2 The EMS shall include as a minimum the following elements:

2.9.2.1 Schedule of Environmental Objectives and Targets

The objectives should be specific and the targets measurable. The Schedule shall address a five-year period as a minimum. The Schedule shall include a time scale for achieving the objectives and targets and shall comply with any other written guidance issued by the Local Authority.

2.9.2.2 Environmental Management Plan (EMP)

The EMP shall include as a minimum, the following:

- (i) methods by which the objectives and targets will be achieved in the coming year and the designation of responsibility for targets;
- (ii) any other items required by written guidance issued by the Local Authority.

2.9.2.3 Corrective Action Procedures

The Corrective Action Procedures shall detail the corrective actions to be taken should any of the procedures detailed in the EMS not be followed.

2.9.2.4 Awareness and Training Programme

The Awareness and Training Programme shall identify training needs, for personnel who work in or have responsibility for the authorised facility.

2.10 Communications Programme

2.10.1 The permit holder shall establish and maintain a Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility. This shall be established within six months of the date of grant of this waste facility permit.

- 2.11 The permit holder shall provide and use adequate lighting during the operation of the facility in hours of darkness.
- 2.12 The permit holder shall ensure that no smoking shall be allowed within the waste processing building.
- 2.13 The permit holder shall ensure that scavenging of waste shall not take place at the facility.

REASON: To make provision for the proper management of the activity.

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| Condition 3: Record Keeping and Reporting |
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- 3.1 The permit holder shall ensure that all communications with the Local Authority shall be addressed to:
The Environmental Directorate:
Cork County Council Offices,
Inniscarra,
Co. Cork.
Telephone Number (normal working hours): 021 4532700
Fax Number: 021 4532727
- 3.2 The permit holder shall ensure that a copy of this waste facility permit is retained at the facility which is used for the purposes of the activity to which the waste facility permit relates, in an easily accessible location at all times and at the principal office of business. A copy of this permit shall be issued by the permit holder to all relevant personnel whose duties relate to any condition within it.
- 3.3 The permit holder shall ensure that a copy of the layout plan is retained on site, in an easily accessible location and at the principal office of business. The layout plan shall include the following;
- (a) site boundary;
 - (b) ordnance survey sheet reference number(s);
 - (c) dimensions (metres);
 - (d) orientation of north point; and
 - (e) location of any monitoring and sampling points
- 3.4 The permit holder shall maintain a register in relation to the activity to which the waste facility permit relates for each load arriving at and departing from the facility, which shall be available for inspection by the Local Authority. The register shall detail the following:
- (a) The dates, time of arrivals/ departure and quantities of each waste consignment delivered to/ removed from the facility recorded in tonnes, (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments)
 - (b) Names of the carriers, including details of vehicle registrations and waste collection permits numbers,
 - (c) Origin of waste delivered including waste authorisation number,
 - (d) Quantities and composition of wastes rejected at the facility, details of the date of occurrence, the types of waste and the facility to which they were removed,
 - (e) Quantities, composition and destination of waste consigned for onward transport from the facility,
 - (f) Details of all facilities, including certificate of registration/ waste facility permit/waste licence numbers, which are being used to receive such waste,
 - (g) The name of the person checking the loads and

- (h) Where applicable a consignment note number (including transfrontier shipment notification and movement/ tracking form numbers, as appropriate)

Refer to template 3 of Appendix 1.

- 3.5 The permit holder shall submit to the Environmental Directorate, Cork County Council an Annual Environmental Report (AER). The report shall be furnished to the Local Authority on or before the 28th February each year. The report shall contain summary information in relation to waste activities in the preceding calendar year or part thereof as the case maybe.

This Annual Environmental Report, which shall be to the satisfaction of the Local Authority, shall include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the Local Authority.

- (a) The management and staffing structure of the site;
- (b) Reporting period
- (c) Any impositions or conviction imposed under the Act;
- (d) The tonnages and EWC code for the waste materials sent off-site for disposal/recovery within the reporting year
- (e) The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);
- (f) Quantity, type and composition of all wastes including EWC Codes accepted at the site during the reporting year;
- (g) Any loads rejected at the site during the reporting year;
- (h) Reportable incidents during the reporting year;
- (i) All complaints received during the reporting year;
- (j) All monitoring carried out during the reporting year;
- (k) Any other items specified by the Local Authority;
- (l) Records as required to be maintained under the conditions of the permit
- (m) The destination of all wastes accepted and recovered/disposed during the reporting year
- (n) A completed Public Liability Declaration Form (*Refer to template 9 of Appendix 1*), in the permit holder's name, in order to demonstrate compliance with conditions 8.5, 8.6 & 8.12 of this permit.
- (o) A copy of a current tax clearance/C2 certificate in the permit holder's name, issued to the permit holder by the Revenue Commissioners.

- (p) Schedule of environmental improvements on the site for the reporting year
- (q) A report on the contribution by this facility to the achievement of the recovery targets stated in National and European Union waste policies and shall include the following :
 - (i) the separation of recyclable materials from the waste;
 - (ii) a statement on the contribution of the facility to the achievement of targets for the reduction of biodegradable waste to landfill as specified in the Landfill Directive.

In addition, the permit holder shall include in the report, a written summary of compliance with all of the conditions attached to this waste facility permit.

3.6 In the event of an incident occurring on the facility, the permit holder shall:-

- a) notify Cork County Council as soon as practicable and in any case not later than 10.00 am the following working day after the occurrence of any incident;
- b) submit a written record of the incident, including all aspects described in Condition 7.6, to the Local Authority as soon as practicable and in any case within five working days after the occurrence of any incident;
- c) in the event of any incident which relates to discharges to surface/sewer water, notify the Inland Fisheries Ireland, Irish Water and Cork Co. Council as soon as practicable and in any case not later than 10:00am on the following working day after such an incident; and
- d) Should any further actions be taken as a result of an incident occurring, the permit holder shall forward a written report of those actions to the Local Authority as soon as practicable and no later than ten days after the initiation of those actions.
- e) The permit holder shall make a record of any such incident in a register to be maintained at the facility. *(Refer to template 4 of Appendix 1).*

3.7 The permit holder shall compile and maintain specified records in a specified format agreed with the Local Authority for a period of not less than 7 years in relation to the activity to which the waste facility permit relates of;

- (a) the types and quantities of waste recovered at the facility (including European Waste Catalogue Code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16th January 2001 or subsequent amendments);
- (b) the treatment, recovery or disposal activities to which the waste is subject, including the compilation of commercial documentation for all collected waste deposited at the facility.

3.8 The permit holder shall maintain a record of the following:

- (a) results from all integrity tests of bunds and other structures and any maintenance or remedial work arising from them;
- (b) all maintenance and inspections of silt traps and oil interceptors at the facility;
- (c) details of all nuisance inspections;
- (d) the names and qualifications of all persons who carry out all sampling and

- monitoring as required by this permit and who carry out the interpretation of the results of such sampling and monitoring;
- (e) calibrations and maintenance records of all treatment, abatement and emission control equipment, and
 - (f) persons / personnel in receipt of a copy of this permit whose duties relate to any condition of this permit.
 - (g) A written record shall be kept at the facility of the programme for the control and eradication of vermin and fly infestations at the facility. These records shall include as a minimum the following:-
 - i) the date and time during which spraying of insecticide is carried out;
 - ii) contractor details;
 - iii) contractor logs and site inspection reports;
 - iv) details of the rodenticide(s) and insecticide(s) used;
 - v) operator training details;
 - vi) details of any infestations;
 - vii) mode, frequency, location and quantity of application; and,
 - viii) measures to contain sprays within the facility boundary

3.9 The permit holder shall maintain on the principal place of business and/or the site as agreed by the Local Authority a register of all complaints received relating to the operation of the activity. Each such record shall give details of the following: (*Refer to template 5 of Appendix 1*).

- a) Time and date of the complaint.
- b) The name of the complainant.
- c) Details of the nature of the complaint.
- d) Actions taken to deal with the complaint, and the results of such actions.
- e) The response made to each complainant.

The Local Authority shall be immediately notified by telephone/fax after the receipt of the complaint, and full details shall be forwarded in writing on the next working day. The permit holder shall make a record of any such complaint in a register to be maintained.

3.10 The permit holder shall notify the Local Authority, in writing, within 5 days of:

- The imposition of any requirement on the permit holder by order under Section 57 or 58 of the Waste Management Acts, 1996, or
- Any conviction of the permit holder for an offence prescribed under the Waste Management Acts, 1996.

3.11 Within one month of waste activities ceasing on the site, the permit holder shall submit a report to the Local Authority which shall include the information contained in the registers described above, and details of any impositions or convictions imposed under the Waste Management Acts, 1996. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit.

3.12 The permit holder shall make all records maintained on the site available to staff of the Local Authority at all reasonable times, and shall provide any relevant information when so requested by an authorised person of the Local Authority.

3.13 Unless otherwise agreed with the Local Authority, all reports and notifications submitted to the Local Authority shall:-

- (a) Be formatted in accordance with any written instruction or guidance issued by the Local Authority.
- (b) Include whatever information as is specified in writing by the Local Authority.
- (c) Be submitted in accordance to the relevant reporting frequencies specified by this permit, such as in *Schedule D: Recording and Reporting to the Local Authority*, of this waste facility permit and/or as required by other Statutory Bodies.
- (d) Be accompanied by a written interpretation setting out their significance in the case of all monitoring data.
- (e) Be transferred electronically to the Local Authority computer system and/ or other Statutory Bodies computer systems if required by the Local Authority and/ or other Statutory Bodies.
- (f) Be identified by a unique code, indicate any modification or amendment, and be correctly dated to reflect any such modification or amendment

3.14 The permit holder shall collect, maintain and report, in a specific format of data or records, in agreement with the Local Authority, data to monitor compliance with targets pertaining to the following Council Directives and Reports:

Packaging

National Waste Report as specified by the Agency

Other waste streams that the Local Authority may require to be reported on

3.15 The permit holder shall record any sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this permit and all other such monitoring which relates to the environmental performance of the site.

3.16 The permit holder shall ensure that employees with responsibilities in the waste control area shall receive training to enable them to execute their tasks in relation to pollution control.

3.17 The permit holder shall maintain records of all staff training. The records shall include a signed acknowledgement by personnel to whom Condition 3.16 applies, that they have read and understood the conditions of this permit. (*Refer to template 6 of Appendix 1*).

3.18 Monitoring Locations

Within three months of the date of grant of this Permit; the permit holder shall submit to Cork County Council an appropriately scaled drawing(s) showing all the monitoring locations that are stipulated in this Permit. The drawing(s) shall include the reference code of each monitoring point.

3.19 The permit holder shall if requested by the Local Authority, provide a system to verify the completeness and accuracy of records on the nature, types and quantities of waste accepted at the facility.

Purchasing of waste by the Permit Holder

3.20 Prior to purchasing waste the permit holder shall request from the person supplying the material to the facility **proof of identity** (such proof being e.g. a valid passport or a current Irish driving licence, or learner driver permit or a Public Services Card) and **proof of current address** (such proof being e.g. current utility bill addressed to that person at their stated address or a document issued by a Government Department addressed to that person at their stated address within the previous three months or a current car or home insurance policy addressed to that person at their stated address, or a current Tax Credit Certificate or Tax Clearance Certificate issued by the Office of the Revenue Commissioners to that person at their stated address).

3.21 The permit holder shall maintain a register in relation to any waste purchased by the permit holder from a person supplying material to the facility, which shall be available for inspection by the Local Authority. The register shall detail the following: (*Refer to template 10 of Appendix 1*).

- a) The name, identity, registration number and where appropriate waste collection permit number of the delivery vehicle
- b) Description and weight of the materials, time and date of sale, and amount paid.
- c) A signed statement stating that they are the lawful owner of the material or have the consent of the lawful owner to sell the material.

Any written correspondence in relation to retention of identification records between the permit holder and the Local Authority shall be deemed a condition of this waste permit.

Cessation of Activities and changes to Permit Holder status

3.22 The permit holder shall inform the Local Authority when all activity ceases at the facility, within **one week** of the activity ceasing.

3.23 Within one month of waste activities ceasing on the site, the permit holder shall forward, to the Local Authority, a copy of the information contained in the registers described in this waste facility permit, and details of any court order or conviction under the Act to The Local Authority. In addition, the permit holder shall include in the report a written summary of compliance with all of the conditions attached to the permit.

3.24 The permit holder shall notify The Local Authority within **14 days** of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

- a) Where the permit holder is a registered company:
 - any change in the operator's trading name, registered name or registered office address

- any change to particulars of the operator's ultimate holding company (including details of an ultimate holding company where an operator has become a subsidiary); and
 - any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- b) Where the permit holder is a corporate body other than a registered company:
- any change in the operator's name or address; and
 - any steps taken with a view to the dissolution of the operator
- c) In any other case:
- the death of any of the named permit holders; and
 - any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

REASON: To provide for the notification of incidents, to update information on the activity and to provide for the keeping of proper records.

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| Condition 4: Site Access and Infrastructure |
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4.1 Specified Engineering Works

- 4.1.1 The permit holder shall submit proposals for all Specified Engineering Works, as defined in **Schedule A: Specified Engineering Works** of this Permit, to Cork County Council for its agreement at least two months prior to the intended date of commencement of any such works unless otherwise agreed in writing with the Council. No such works shall be carried out without the prior agreement of Cork County Council.
- 4.1.2 All specified engineering works shall be supervised by a competent person(s) and that person, or persons, shall be present at all times during which relevant works are being undertaken.
- 4.1.3 Within 1 month of completion of all specified engineering works, the permit holder shall submit to the Local Authority as-built drawings of the works. In addition the permit holder shall complete a construction quality assurance validation. The validation report shall be made available to the Local Authority on request. The report shall include the following information:-
- a) a description of the works;
 - b) as-built drawings of the works;
 - c) records and results of all tests carried out (including failures);
 - d) drawings and sections showing the location of all samples and tests carried out;
 - e) daily record sheets/diary;
 - f) name(s) of contractor(s)/individual(s) responsible for undertaking the specified engineering works;
 - g) name(s) of individual(s) responsible for supervision of works and for quality assurance validation of works;
 - h) records of any problems and the remedial works carried out to resolve those problems; and
 - i) any other information requested in writing by the Local Authority.

4.2 Waste Processing Building

- 4.2.1 The permit holder shall ensure that the waste processing building shall be acoustically screened and low noise equipment/ plant shall be used where practicable.
- 4.2.2 The permit holder shall ensure that all waste acceptance, processing and storage areas within the building shall be clearly segregated from each other.

4.3 Facility Notice Board

- 4.3.1 The permit holder shall within 2 months of the date of grant of this permit, provide and maintain a facility notice board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the information board shall be 1200mm by 750mm.

The board shall clearly show:

- (i) The name, address and telephone number of the facility.
- (ii) The waste facility permit reference number.
- (iii) The name of the permit holder,
- (iv) The normal hours of opening
- (v) Emergency contact number outside of operating hours.
- (vi) Where environmental information relating to the waste facility can be obtained.

4.4 Site Access/ Egress

4.4.1 The permit holder shall erect warning/safety signs as per the Traffic Signs Manual (DOE) on the approaches to the site entrance. The type and location of these signs shall be agreed with the Local Authority Area Engineer (in this instance Area Engineer, Carrigaline Area Office, Co. Cork), The permit holder shall bear the cost of the supply, erection and termination of these signs. The permit holder shall maintain written proof of all such agreements and shall make them available to the Local Authority on request.

4.4.2 **Within 4 months of the issue date of this permit, the permit holder shall agree all access and site layout arrangements with the Local Area Engineer (in this instance Area Engineer, Carrigaline Area Office, Co. Cork). The permit holder shall maintain proof of all such agreements and shall make them available to the Local Authority on request.**

4.5 Tank, Container and Drum Storage Areas

4.5.1 The permit holder shall ensure that all tank and drum storage areas shall be impervious to the materials stored therein. The permit holder shall ensure that all tank and drum storage areas (including any waste oil storage area) shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:

- a) 110% of the capacity of the largest tank or drum within the bunded area; or
- b) 25% of the total volume of the substance, which could be stored within the bunded area

All bunds and drum/tank storage areas shall be certified as being in compliance with this condition by a Chartered Engineer. The permit holder shall maintain copies of such certification and shall make them available to the Local Authority on request.

4.5.2 The integrity and water tightness of all the bunds and their resistance to penetration by water or other materials stored therein shall be confirmed by the permit holder and shall be reported to the Local Authority following its installation and prior to its use as a storage area. This confirmation shall be repeated at least once every three years thereafter and reported to the Local Authority on each occasion. A Charter Engineer shall certify the results of these tests.

- 4.5.3 The permit holder shall ensure that any drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. The permit holder shall ensure that all drainage from bunded areas shall be diverted for collection and safe disposal.
- 4.5.4 The permit holder shall ensure that all inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 4.5.5 The permit holder shall ensure that all tanks, containers and drums shall be labelled to clearly indicate their contents.
- 4.5.6 The permit holder shall ensure that all pump sumps, storage tanks, or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separator, shall be fitted with high liquid level alarms (or oil detectors as appropriate) within three months from the date of issue of this permit unless otherwise agreed in writing with the Local Authority.

4.6 Surface Water Management

- 4.6.1 The permit holder shall install and maintain a surface water drainage system, at the facility as set out on Drawing 4348-WP04 Revision 3 entitled Surface Drainage Layout subject to any alterations agreed in advance with the Local Authority. The balance tank shall be maintained as part of this system to control normal and peak flow surface water run-off from the facility.
- 4.6.2 The permit holder shall provide and maintain a monitoring chamber for representative sampling of the final surface water discharge from the facility to the adjacent watercourse. A shut off valve will be incorporated in the design, which will allow the discharge to be stopped. The permit holder shall ensure that the shut off valve on the storm water discharge system shall be closed immediately in the event of a fire and/ or emergency.

4.7 Silt Traps and Oil Interceptors

- 4.7.1 The permit holder shall install and maintain silt traps and oil separators at the facility within six months from the date of grant of this waste facility permit to ensure that all surface water discharges from the facility pass through a silt trap and oil separator prior to discharge. This will ensure that surface water discharges from impervious areas pass through a silt trap and oil separator prior to discharge into the balancing tank and subsequently to the stream. The separators shall be a Class I full retention separator and the silt traps and separator shall be in accordance with European Standard prEN 858. Roof water will discharge via the balancing tank to the stream.

4.8 Drainage System (Stormwater & Wastewater), Pipeline Testing

- 4.8.1 Within three months from the date of grant of this waste facility permit, all foul sewer gullies, drainage grids and manhole covers shall be painted with red squares whilst all surface water discharge gullies, drainage grids and manhole covers shall be painted with blue

triangles. These colour codes shall be maintained so as to be visible at all times during facility operation, and any identification designated in this waste facility permit (e.g. SW1) shall be inscribed on these manholes.

4.8.2 The drainage system, bunds, balancing tank, silt traps and oil separators shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal. A written record shall be kept of the inspections, desludging, cleaning, disposal of associated waste products, maintenance and performance of the balancing tank, interceptors, bunds and drains. (Refer to Template 8 of Appendix 1).

4.8.3 The integrity and water tightness of all underground pipes and tanks and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the permit holder and shall be reported to the Local Authority following their installation and prior to their use. This testing shall be carried out by the permit holder at least once every three years thereafter and reported to the Local Authority on each occasion. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the permit holder.

4.9 Wastewater Management

4.9.1 The permit holder shall provide, install and maintain a monitoring chamber for representative sampling of the final wastewater discharge from the facility to the sewer. A shut off valve will be incorporated in the design, which will allow the discharge to be stopped.

4.9.2 The permit holder shall ensure that all domestic effluent shall discharge to the sanitary sewer system.

4.9.3 The permit holder shall ensure that all wastewater shall be discharged to the foul sewer system in accordance with the conditions attached to trade effluent discharge licence, (reference IW-DTS-728357-01), as amended).

4.9.4 The permit holder shall ensure that all waste water (excluding toilet and canteen waste) discharges from the facility through a silt trap and interceptor.

4.10 Facility Security

4.10.1 Within three months from the date of grant of this waste facility permit, the permit holder shall carry out a review of the site security arrangements for the site and any improvements considered necessary shall be implemented.

4.10.2 The permit holder shall ensure that any access point from an accessible roadway shall be gated and locked when there is no site supervisor present at the facility. Drivers of waste delivery vehicles are not deemed site supervisory staff.

4.10.3 The permit holder shall remedy any defect in the gates and/or fencing as follows:-

- (i) A temporary repair shall be made by the end of the working day; and
- (ii) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

4.11 Facility Office

- 4.11.1 The permit holder shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.
- 4.11.2 The permit holder shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.

4.12 Weighbridge and Wheel Cleaning

- 4.12.1 The permit holder shall provide and maintain functioning weighbridge(s) and a wheel cleaner at the facility.
- 4.12.2 The tonnages of all waste deliveries to, and dispatches from, the facility shall be recorded by the weighbridge system.
- 4.12.2 The permit holder shall ensure that all vehicles leaving the facility shall have their wheels cleaned, as required, to ensure that no process water or waste is carried off-site. The wheel cleaning shall take place within the facility, shall be inspected on a daily basis, and, drained as required. Silt, stones and other accumulated material shall be removed as required from the wheel cleaning area and disposed of appropriately.

4.13 Facility Roads and Site Surfaces

- 4.13.1 The permit holder shall ensure that effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility. A traffic system with appropriate signage will be operated at the facility and sufficient car parking areas will be provided and maintained. The permit holder shall ensure that parking areas and access lanes shall be clearly defined.
- 4.13.2 The permit holder shall ensure that traffic awaiting access to the facility shall not queue along the public road.
- 4.13.3 The permit holder shall provide and maintain impermeable hardstanding at the facility entrance area, at the car parking area, where vehicle movement takes place and at the waste handling and storage area within twelve months from the date of grant of this waste facility permit. All concreted areas at the facility shall be constructed to British Standard 8110. The permit holder shall ensure that compliance with the aforementioned British Standard shall be certified by a Chartered Engineer. The permit holder shall maintain copies of such certification and shall make them available to the Local Authority on request. The permit holder shall remedy any defect in concrete surfaces within 5 working days.

4.14 Fire Water Retention Infrastructure

4.14.1 The permit holder shall ensure that no waste activities shall commence on site until such time as the additional containment in the waste processing building to contain 822m³ of fire-water has been provided. The provision of the additional containment shall be certified as being in compliance with this condition by a Chartered Engineer. The permit holder shall maintain copies of such certification and shall make them available to the Local Authority on request. The permit holder shall notify the Local Authority when said works have been completed and prior to commencement of operations at the facility.

4.15 Construction and Demolition Waste Storage Area

4.15.1 Within six months of the date of grant of this waste facility permit, the permit holder shall provide and maintain a construction and demolition waste storage area within the waste processing building if the permit holder intends to accept construction and demolition waste at the facility. This infrastructure shall at a minimum comprise the following:-

- a) an impermeable concrete slab;
- b) collection and disposal infrastructure for all run-off;
- c) appropriate bunding to provide visual and noise screening;
- d) all stockpiles shall be adequately contained to minimise dust generation.

4.16 Monitoring Infrastructure

4.16.1 The permit holder shall ensure that monitoring infrastructure, which is damaged or proves to be unsuitable for its purpose shall be replaced within three months of it being damaged or recognised as being unsuitable.

4.17 Noise Control

4.17.1 The permit holder shall, in advance of the commencement of waste activities, install and provide adequate measures for the control of noise emissions, including impulsive and tonal emissions, from the facility.

4.17.2 Noise abatement and attenuation or absorption measures shall be placed within the waste processing building or on waste processing equipment as appropriate or on items of plant that has the potential to generate excessive noise or when operational in combination with one another have the potential to exceed noise emission limit values at the facility boundary.

4.18 Dust and Odour Control

4.18.1 The permit holder shall, in advance of the commencement of waste activities, install and provide adequate measures for the control of odours and dust emissions, including fugitive dust emissions, from the facility. Such measures at a minimum should include the following:

- 4.18.1.1 Dust curtains (or equivalent approved by Cork County Council) shall be maintained on the entry/exit points from the waste processing building; all other doors in this building shall be kept closed where possible.

- 4.18.1.2 Maintenance of integrity throughout the building to ensure no significant escape of odours.
- 4.18.1.3 Dust collection and filtration shall be placed on waste processing equipment that has the potential to generate dust. Air extracted from the processing equipment shall be conveyed to atmosphere via a bag filtration system.
- 4.18.1.4 Provision of 100% duty capacity and 50% standby capacity, backups and spares must be provided for any air handling, ventilation and abatement plant.

This condition may be reviewed or amended by the Local Authority at any time.

- 4.19 The permit holder shall establish all infrastructure referred to in this permit prior to the commencement of the permitted activities or as required by the conditions of this waste facility permit.

REASON: In the interest of safety.

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| Condition 5: Waste Acceptance and Waste Handling |
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Permitted Wastes

- 5.1 The permit holder shall ensure that only the wastes as listed in table 1 hereunder shall be accepted on the site. The listing is by European Waste Catalogue codes and descriptions pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.

Table 1

| EWC Code | Description | Tonnage Range (per annum) |
|-----------------|--|----------------------------------|
| 15 01 | packaging (including separately collected municipal packaging waste) | |
| 15 01 01 | paper and cardboard packaging | 0 - 2,000 |
| 15 01 02 | plastic packaging | 0 - 2,000 |
| 15 01 03 | wooden packaging | 0 - 1,000 |
| 15 01 04 | metallic packaging | 0 - 750 |
| 15 01 06 | mixed packaging | 0 - 40,000 |
| 15 01 07 | glass packaging | 0 - 2,500 |
| 17 01 | concrete, bricks, tiles and ceramics | |
| 17 01 07 | mixtures of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06 | 0 - 1,000 |
| 17 02 | wood, glass and plastic | |
| 17 02 01 | wood | 0 - 1,000 |
| 17 02 02 | glass | 0 - 100 |
| 17 02 03 | plastic | 0 - 2,000 |
| 17 04 | metals (including their alloys) | |
| 17 04 11 | cables other than those mentioned in 17 04 10 | 0 - 500 |
| 17 05 | soil (including excavated soil from contaminated sites) stones and dredging spoil | |
| 17 05 04 | soil and stones other than those mentioned in 17 05 03 | 0 - 500 |
| 17 08 | gypsum-based construction material | |
| 17 08 02 | gypsum-based construction material other than those mentioned 17 08 01 | 0 - 100 |
| 17 09 | other construction and demolition wastes | |
| 17 09 04 | mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03. | 0 - 1,000 |
| 19 12 | Waste from mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified | |
| 19 12 01 | paper and cardboard | 0 - 500 |
| 19 12 02 | ferrous metal | 0 - 1,000 |
| 19 12 03 | non-ferrous metal | 0 - 500 |
| 19 12 04 | plastic and rubber | 0 - 2,000 |
| 19 12 05 | glass | 0 - 100 |
| 20 01 | separately collected fractions (except 15 01) | |
| 20 01 01 | paper and cardboard | 0 - 1,000 |
| 20 01 02 | glass | 0 - 2,500 |
| 20 01 38 | wood other than that mentioned in 20 01 37 | 0 - 1,000 |

| | | |
|--------------|---|------------|
| 20 01 39 | plastics | 0 - 2,000 |
| 20 01 40 | metals | 0 - 750 |
| 20 03 | other municipal wastes | |
| 20 03 01 | mixed municipal waste (Dry Recyclables only) | 0 - 40,000 |
| 20 03 07 | bulky waste | 0 - 2,000 |

No other waste types are permitted to be accepted at this facility unless in accordance with prior written approval from the Local Authority. The permit holder shall ensure that adequate steps are taken to prevent acceptance of any other waste types at the facility.

The permit holder shall ensure that the annual intake of waste shall not exceed **49,999 tonnes**.

Waste Acceptance

- 5.2 The permit holder shall establish and maintain detailed written procedures for the acceptance and handling of waste permitted at the facility. (*Specific details of these procedures are listed in condition 2.2*)
- 5.3 The permit holder shall ensure each load of waste arriving at the facility shall be inspected at the point of entry to the facility and subject to inspection, weighed, documented and directed to the designated area. Each load of waste arriving at the designated area shall be inspected upon tipping. Only after such inspection shall the waste be processed for recovery or disposal. A record of all inspections of incoming waste shall be maintained.
- 5.4 The permit holder shall provide and maintain a digital CCTV system on site. It shall include the required number of CCTV cameras on the site, within 1 month of the grant of the permit, to allow the following:
- The cameras shall be positioned such that all vehicles entering the facility are recorded on at least 2 cameras.
 - One of the cameras shall be positioned such that it views both the entrance to the facility and the other CCTV camera.
 - The CCTV cameras shall record time and date and all footage recorded shall be maintained on site for a period of 3 months.
 - External access to recording equipment by telephone to be available to the Local Authority if required.
- 5.5 Waste Acceptance Hours and Hours of Operation
- 5.5.1 Waste shall only be accepted at the facility between the hours of 06:30 – 20:00 Monday to Saturday and 09:30 – 18:00 on a Bank Holiday
- 5.5.2 The facility shall only be operated during the hours of 06:00 – 22:00 Monday to Saturday and 09:00 – 18:00 on a Bank Holiday.
- 5.5.3 Waste shall not be accepted at the facility and the facility shall not be operated on Sundays
- This condition may be reviewed and amended by the Local Authority at any time.
- 5.6 The permit holder shall ensure that employees with responsibilities in the waste control area shall receive training to enable them to execute their tasks in relation to pollution control. (*Refer to template 6 of Appendix 1*).

- 5.7 The permit holder shall ensure that any waste deemed unsuitable for processing at the facility and/or in contravention of this permit shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition. All such incidents shall be reported to the Local Authority in writing on the next working day.
- 5.8 The permit holder shall remove immediately any waste placed on or in the vicinity of the site other than in accordance with the requirements of the permit.
- 5.9 The permit holder shall take adequate steps to ensure that no waste material or debris can fall or be blown from vehicles entering and exiting the facility. Any such waste material or debris deposited onto the road network in the vicinity of the facility shall be removed without delay.
- 5.10 The permit holder shall recycle or recover all waste in so far as is practicable. All recyclable and recoverable waste streams received at the facility shall not be mixed or contaminated with any other waste stream and shall provide for receptacles/ bays that shall achieve same.
- 5.11 The permit holder shall ensure that the loading and unloading of waste material shall be carried out in designated areas protected against spillage and leachate run-off. While awaiting disposal, all wastes shall be collected and stored in designated areas protected against spillage and leachate run-off.
- 5.12 The permit holder shall ensure that waste shall be accepted at the facility only from known customers or new customers subject to initial waste profiling and waste characterisation off-site. The written records of this off-site waste profiling and characterisation shall be retained by the permit holder for all active customers and for a two year period following termination of permit holder/customer agreements. There shall be no casual public access to the facility.
- 5.13 The permit holder shall ensure that disposal, recycling or recovery of waste shall only take place in accordance with the conditions of this permit and in accordance with the appropriate National and European legislation and protocols.
- 5.14 The permit holder shall only transfer the control of gypsum wastes to an authorised person for recovery or for disposal in accordance with the Council Decision of 19 December 2002 establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 of and Annex to Directive 1999/31/EC [2003/33/EC].
- 5.15 Waste Handling, Ventilation & Processing Plant
- 5.15.1 The permit holder shall ensure that items of plant deemed critical to the efficient and adequate processing of waste at the site (including inter alia waste loading vehicles and ejector trailers) shall be provided on the following basis:-
- (i) 100% duty capacity;
 - (ii) 50% standby capacity available on a routine basis; and

- (iii) Provision of contingency arrangements and/or back up and spares in the case of breakdown of critical equipment.

This condition may be reviewed and amended by the Local Authority at any time.

5.15.2 Within three months from the date of grant of this waste facility permit, the permit holder shall provide a report for the agreement of the Local Authority detailing the duty and standby capacity in tonnes per day, of all waste handling and processing equipment to be used at the facility. These capacities shall be based on the authorised waste intake, as per *Condition 5.1*, of this waste facility permit.

5.15.3 The permit holder shall ensure that the quantity of waste to be accepted at the facility on a daily basis shall not exceed the duty capacity of the equipment at the facility. Any exceedence of this intake by greater than 10% shall be treated as an incident.

Waste Movement

5.16 The permit holder shall ensure that wastes entering or leaving the site shall be carried by permit holders/waste collectors/carriers authorised in accordance with the Waste Management Acts 1996 and the Waste Management (Collection Permit) Regulations, 2007 as amended or else persons exempted from holding waste collection permits. The waste shall be transported only from the site of the activity to the site of recovery, recycling or disposal in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.

5.17 Off-site disposal and Recovery

5.17.1 Waste sent off-site for recovery or disposal shall only be conveyed by a waste carrier agreed in advance by the Local Authority. Any request for such agreement of a waste carrier shall include the following:

- i) Copies of the waste carriers permit(s) under the Waste Management (Collection Permit) Regulations 2007 as amended.
- ii) Details of the waste types it is proposed the carrier will transfer from the facility.

5.17.2 All waste transferred from the facility shall only be transferred to an appropriate facility agreed by the Local Authority. Any request for agreement of such a facility shall be forwarded to the Local Authority at least one month in advance of its proposed use and shall include the following:

- i) A copy of the certificate of registration, waste permit or waste licence where applicable.
- ii) The proposed waste types and quantities.
- iii) Details of any limitations on waste types and quantities acceptable at the facility.
- iv) Written consent from the operator of each certified or permitted or licensed facility to which it is proposed to transfer the waste, confirming that the facility will accept the waste for recovery or disposal from the

permit holder and specifying the waste types that will be accepted inclusive of weekly and monthly tonnages quotas where possible.

- v) Contact details of the permitting or licensing authority if this authority is not within the state.
- vi) For waste entering or leaving the State the permit holder shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14th of June 2006, on shipments of waste and associated national regulations.
- vii) In the case of mixed municipal / industrial / commercial waste leaving the state provide a letter from the competent authorities stating that they have no objections to the waste transfer and that the relevant transfrontier shipment authorisations are in place.

5.18 The permit holder shall ensure that all waste transferred off-site for recycling, recovery or disposal shall only be transferred to a facility with an appropriate Waste Licence, or, Waste Facility Permit or Certificate of Registration authorising the acceptance of such waste by an authorised collector.

5.19 The permit holder shall ensure that all wastes transferred off-site for recycling, recovery or disposal shall be transported from the facility to the consignee in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.

Waste Storage/ Waste Processing

5.20 The permit holder shall ensure that all waste handling operations- waste tipping, sorting, baling, processing, storage shall be conducted inside the waste processing building. No waste (unprocessed or processed) and/ or material shall be stored externally.

5.21 The permit holder shall ensure that within the waste processing building:

- i) the incoming waste stockpile shall be limited to a maximum quantity of 100 tonnes at any one time
- ii) the amount of combustible product shall be limited to a maximum quantity of 200 tonnes at any one time
- iii) the product storage shall be kept at least 30m away from the incoming waste stockpile.

Waste Inspection and Quarantine

5.22 The permit holder shall provide and maintain waste inspection area(s) and waste quarantine area(s) at the facility.

These areas shall be constructed and maintained inside the waste processing building in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area(s) and waste quarantine area(s) shall be clearly identified and segregated from each other.

The quarantine area shall include a skip for the storage of rejected waste.

- 5.23 The permit holder shall clearly label each container / bay at the facility to indicate their contents. This shall be maintained to the satisfaction of the Local Authority.
- 5.24 The permit holder shall ensure that the quarantine area will be bunded and provided with an internal blind sump. The permit holder shall ensure that all drainage from these areas shall be collected for safe disposal.
- 5.25 The permit holder shall ensure that all containers of oil cleaning agents and other such substances will be stored in a designated contained area within the waste quarantine area.

5.26 Construction and Demolition Waste Storage Area

5.26.1 Only Construction and Demolition waste shall be accepted at this Area. Wastes which are capable of being recovered shall be separated and shall be stored temporarily in this area prior to being subjected to other recovery activities at the facility or transported off the facility.

5.26.2 All stockpiles shall be maintained so as to minimise dust generation.

Maintenance

- 5.27 The permit holder shall ensure that all treatment/ abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/ supplier or installer. Written records of the calibrations and maintenance shall be made and kept by the permit holder.
- 5.28 The permit holder shall maintain and clearly label and name all sampling and monitoring locations.
- 5.29 The permit holder shall ensure that the wheel cleaner shall be inspected on a daily basis and drained as required. Silt, stones and other accumulated material shall be removed as required from the wheel cleaner and disposed of appropriately.
- 5.30 The permit holder shall maintain all waste processing machinery in accordance with the manufacturers' instructions.

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| REASON: | To provide for the acceptance and management of wastes authorised under this waste permit. |
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Condition 6: Nuisances, Emissions and Environmental Control and Monitoring

- 6.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits* of this waste facility permit and Trade Effluent Discharge Licence. There shall be no other emissions of environmental significance.
- 6.2 The permit holder shall ensure that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the facility boundary.
- 6.3 Emission limits for emissions to atmosphere in this waste facility permit shall be interpreted in the following way.
- 6.3.1 Non-Continuous Monitoring
- (i) For any parameter where, due to sampling/analytical limitations, a 30 minute sample is inappropriate, a suitable sampling period should be employed and the value obtained therein shall not exceed the emission limit value.
 - (ii) For all other parameters, no 30 minute mean value shall exceed the emission limit value.
 - (iii) For flow, no hourly or daily mean value shall exceed the emission limit value.
- 6.4 Emissions to Surface Water
- 6.4.1 The trigger levels for surface water discharges from the facility measured at monitoring point(s) SW1 shown in drawing no 4348-WP04 Rev 3:-
- a) BOD 25mg/l.
 - b) Suspended Solids 60 mg/l.
- 6.4.2 No substance shall be discharged in a manner, or at a concentration which, following initial dilution causes tainting of fish or shellfish.
- 6.5 The permit holder shall ensure that any potential discharge to surface water shall be in compliance with SI 272 of 2009 (European Communities Environmental Objectives (Surface Waters) Regulations 2009). The permit holder shall also screen for substances identified in SI 272 of 2009, **upon request** from the Local Authority. Any written correspondence in relation to the above between the Permit holder and the Local Authority shall be deemed a condition of this waste facility permit.
- 6.6 The permit holder shall ensure that any potential discharge to ground water shall be in compliance with SI No. 9 of 2010 (European Communities Environmental Objectives (Groundwater) Regulations, 2010). Any written correspondence in relation to the above between the Permit Holder and the Local Authority shall be deemed a condition of this waste facility permit.
- 6.7 The permit holder shall ensure that there shall be no direct emissions to groundwater.
- 6.8 There shall be no clearly audible tonal component or impulsive component in the noise emissions from the activity at the noise sensitive locations.

Disposal of Wastewater

- 6.9 A trade effluent discharge licence, (reference IW-DTS-728357-01) subject to conditions attached, has been granted by Irish Water, to the permit holder for the facility site under the Local Government (Water Pollution) Acts 1977 and 1990, as amended. The permit holder shall carry out all associated sampling and monitoring in accordance with the above referenced trade effluent discharge licence.
- 6.10 The permit holder shall discharge wastewater and contaminated storm water to the foul sewer system via emission point Reference FW-1 as shown on drawing no. 4348-WP03 Rev 2 unless otherwise agreed in writing with Irish Water and in accordance with the conditions attached to trade effluent discharge licence, (reference IW-DTS-728357-01), as amended).

Nuisance Control

- 6.11 The permit holder shall ensure that vermin, birds, flies, mud, dust, litter and odours do not give rise to nuisance at the facility or in the immediate area of the facility. Any method used by the permit holder to control any such nuisance shall not cause environmental pollution.
- 6.12 The permit holder shall take adequate steps to ensure that the road network in the vicinity of the facility shall be kept free from any debris caused by vehicles entering or leaving the facility.
- 6.13 Vermin and Flies
- 6.13.1 Within three months of the date of grant of this waste facility permit the permit holder shall establish and maintain a programme for the control and eradication of vermin and fly infestations at the facility. The programme shall include as a minimum, operator training, details on the rodenticide(s) and insecticide(s) to be used, mode and frequency of application and measures to contain sprays within the facility boundary.
- 6.14 Bird Control
- 6.14.1 Within three months of the date of grant of this waste facility permit the permit holder shall establish and maintain detailed written procedures for the control and prevention of birds nuisances at the facility.
- 6.15 Litter Control
- 6.15.1 All loose litter or other waste placed on or in the vicinity of the facility, other than in accordance with the requirements of this waste facility permit, shall be removed, subject to the agreement of the landowners, immediately and in any event by 10.00 a.m. of the next working day after such waste is discovered. (Template 7)
- 6.15.2 The permit holder shall ensure that all vehicles delivering waste to and removing waste and materials from the facility are appropriately covered.

Dust and Odour Control

- 6.16 The permit holder shall ensure that all waste for disposal stored overnight at the facility, shall be stored in suitably covered and enclosed containers,

and shall be removed from the facility within forty eight hours of its arrival at the facility except at Bank Holiday Weekends. At Bank Holiday weekends, waste for disposal shall be removed from the site within seventy-two hours of its arrival on site.

- 6.17 Prior to exiting the facility, all waste vehicles shall use the wheel cleaner.
- 6.18 The permit holder shall take adequate steps to prevent dust generation. During any construction works and operation of the facility and in dry weather, site roads and any other areas used by vehicles shall be sprayed with water as and when required to minimise airborne dust nuisance.

Monitoring

- 6.19 The permit holder shall carry out such monitoring and at such locations and frequencies as set out in *Schedule C: Monitoring* of this waste facility permit. Unless otherwise specified by this waste facility permit, all environmental monitoring shall commence no later than two months after the date of grant of this waste facility permit.
- 6.20 The permit holder shall amend the frequency, locations, methods and scope of monitoring as required by this waste facility permit only upon the written instruction of the Local Authority and shall provide such information concerning such amendments as may be requested in writing by the Local Authority. Such alterations shall be carried out within any timescale nominated by the Local Authority.
- 6.21 The permit holder shall ensure that monitoring and analysis equipment shall be operated and maintained in accordance with the manufacturers' instructions (if any) so that all monitoring results accurately reflect any emission, discharge or environmental parameter.
- 6.22 The permit holder shall provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Local Authority.
- 6.23 The permit holder shall install four monitoring points as specified in Schedule C: Monitoring Table C.1.1. within two months from the date of grant of this waste facility permit.
- 6.24 The permit holder shall maintain all sampling and monitoring points, and clearly label and name all sampling and monitoring locations, so that they may be used for representative sampling and monitoring.
- 6.25 The permit holder shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Local Authority. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.
- 6.26 Within two months of the date of grant of this waste facility permit, the following information shall be submitted to the Local Authority for its agreement: the names, qualifications and a summary of relevant experience of all persons that will carry out all sampling and monitoring as required by this waste facility permit and who carry out the interpretation of the results of such sampling and monitoring. Any proposed changes to the above shall be submitted in writing to the Local Authority for its agreement.

- 6.27 All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the activity is being carried on, unless alternative sampling or monitoring has been agreed, in writing, by the Local Authority for a limited period. In the event of the malfunction of any continuous monitor, the permit holder shall contact the Local Authority as soon as practicable, and alternative sampling and monitoring facilities shall be put in place. Prior written agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Local Authority.
- 6.28 Nuisance Monitoring.
- 6.28.1 The permit holder shall, at a minimum of one week intervals, inspect the facility and its immediate surrounds for nuisances caused by litter, vermin, birds, flies, mud, dust and odours.

Environmental Control

- 6.29 The permit holder shall take preventative measures to ensure that the activity is carried out in a manner which does not have any adverse effect on drainage of lands, watercourses, shallow wells, bored wells, raw water intakes or other sources of water supply, public and private roads or footways.
- 6.30 The permit holder shall carry out a visual inspection of the surface water discharge points daily and any abnormalities in water quality shall be noted. All drains and gullies shall be kept free of any litter. In the event of any such abnormalities, the Permit holder shall immediately notify the Local Authority and initiate an investigation into the possible cause of the abnormality.
- 6.31 The Permit holder shall provide and maintain at the facility a spill kit to deal with spillages of oils, fuels and acids. In addition the Permit holder shall ensure that:
- Refuelling of site vehicles is to be carried out at a designated point no closer than 5m from the nearest drain.
 - A spill kit is to be available at the refuelling point at all times.
 - A procedure for refuelling is to be maintained
 - Employees are to be trained in the implementation of the refuelling procedure.
 - Fuels shall only be stored at appropriate bunded locations on the facility.
- 6.32 The permit holder shall ensure that no leachate, trade effluent and/or contaminated storm water shall be discharged to surface water drains and/or surface water courses.
- 6.33 The permit holder shall ensure that site operations are carried out in such a manner that no surface water shall be allowed to discharge onto adjoining properties or onto the public roadway.
- 6.34 The permit holder shall ensure that the on-site ground water well is protected from contamination from surface water or otherwise.
- 6.35 If so requested by the Local Authority, the permit holder shall, at his/her/its own expense, carry out such further investigations and monitoring of the facility as required by the Local Authority. The scope, detail and programme, including report structure and reporting schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the

Local Authority. In the event of pollution of waters in the vicinity of the site, or of a leachate discharge onto adjoining lands, input of waste onto the site shall cease, and remedial measures shall be carried out immediately as directed by the Local Authority.

Housekeeping

6.36 The permit holder shall ensure that the floor of the waste processing building shall be cleaned on a weekly basis as a minimum. The floor of the storage bays for recovered wastes shall be washed down and cleaned on each occasion such bays are emptied.

Japanese Knotweed

6.37 The permit holder shall ensure that the area around the Japanese Knotweed as detailed on Drawing 1 submitted on the 5th of August 2015 entitled Location of Japanese Knotweed will be fenced off prior to the commencement of any works. No materials will be stored in this fenced off area. The permit holder shall ensure that the Japanese Knotweed will be treated and controlled to prevent it from spreading in accordance with current Best Practice Management Guidelines published by Invasive Species Ireland

REASON: To ensure compliance with the requirements of the conditions of this permit.

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Condition 7: Accident Prevention and Emergency Response

- 7.1 The permit holder shall , within 12 months of the date of grant of this waste facility permit, ensure that a documented Accident Prevention Procedure is in place which shall address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. The permit holder shall ensure that this procedure shall be reviewed annually by a competent person and updated as necessary. The permit holder shall maintain written proof of all such reviews and shall make them available to the Local Authority on request.
- 7.2 Within six months of the date of grant of this waste facility permit, the permit holder shall submit a written Emergency Response Procedure (ERP) to the Local Authority for its agreement. The ERP shall address any emergency situations which may originate on the facility and shall include provision for minimising the effects of any emergency on the environment. This shall include a risk assessment to determine the requirements at the facility for fire fighting and fire water retention facilities. The Fire Authority shall be consulted by the permit holder during this assessment. This ERP shall be reviewed annually by a competent person and updated as necessary and confirmation of the annual review with changes (if any) submitted with the AER.
- 7.3 The permit holder shall ensure that adequate fire extinguishers and emergency response equipment shall be maintained on site.
- 7.4 The permit holder shall have in storage an adequate supply of containment booms and/ or suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be disposed of at an appropriate facility.
- 7.5 In the event that any observation, sampling or monitoring indicates that environmental contamination has, or may have, taken place, the permit holder shall immediately:
- (a) identify the date, time and place of environmental contamination
 - (b) carry out an immediate investigation to identify the nature, source and cause of the incident and any emission
 - (c) isolate the source of the emission
 - (d) evaluate the environmental pollution if any
 - (e) identify and execute measures to minimise the emissions and effects thereof
 - (f) identify and put in place measures to avoid re-occurrence
 - (g) identify and put in place any other appropriate remedial action, and

And maintain a written record of the above.

7.6 Incidents

7.6.1 In the event of an incident the permit holder shall immediately:

- (a) carry out an investigation to identify the nature, source and cause of the incident and any emissions arising therefrom
- (b) isolate the source of any such emission
- (c) evaluate the environmental pollution if any, caused by the incident
- (d) identify and execute measures to minimise the emissions/ malfunctions and effects thereof
- (e) identify the date, time and place of the incident
- (f) notify the Local Authority and other relevant authorities

7.6.2 The permit holder shall provide a proposal to the Local Authority for its agreement within one month of the incident occurring or as otherwise agreed by the Local Authority, to:

- (a) identify and put in place measures to avoid recurrence of the incident; and
- (b) identify and put in place any other appropriate remedial actions

7.7 Emergencies

7.7.1 In the event of a complete breakdown of equipment or any other occurrence which results in the closure of the facility, any waste arriving at or already collected at the facility shall be transferred directly to appropriate facilities until such time as the facility is returned to a fully operational status. Such a breakdown event will be treated as an emergency and rectified as soon as possible.

7.7.2 All significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.

7.7.3 No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.

7.7.4 In the event that monitoring of local wells indicates that the facility is having a significant adverse effect on the quantity and/or quality of the water supply this shall be treated as an emergency and the permit holder shall provide an alternative supply of water to those affected.

REASON: To ensure compliance with the requirements of the conditions of this permit.

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| Condition 8: Charges and Financial Provision |
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Annual Fees

- 8.1 The permit holder shall pay to the Local Authority an annual contribution of €1,000, or such sum as Cork County Council determines from time to time, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Local Authority. This fee shall be paid towards the cost of administering the waste facility permit and monitoring the activity as the Local Authority considers necessary for the performance of its functions under the Waste Management (Facility Permit and Registration) Regulations 2007 as amended.
- 8.2 The Permit Holder shall pay the amount specified in condition 8.1 annually, no later than the 31st of January of any given year. The Permit Holder shall make his first payment no later than the 31st of January 2016.
- 8.3 The Local Authority may revise the annual contribution in subsequent years and the permit holder shall pay to the Local Authority such revised annual contribution as the Local Authority shall determine to enable performance by the Local Authority of its relevant functions under the Waste Management (Facility Permit and Registration) Regulations 2007 as amended, and all such payments shall be made within one month of the date upon which demanded by the Local Authority.
- 8.4 In the event that the frequency or extent of monitoring or other functions carried out by the Local Authority requires to be increased for whatsoever reason, the permit holder shall contribute such increased and/or additional sums as may be determined by the Local Authority to defray its costs.

Financial Provisions

- 8.5 The permit holder shall effect and maintain a policy of insurance insuring him/her/it as respects any liability on his/her/its part to pay any damages or costs on account of injury to persons or property arising from the activities concerned or for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.
- 8.6 Without prejudice to the foregoing, the minimum level of indemnity to be maintained by the permit holder shall be to the value of **€6,500,000** for Public Liability Insurance including cover for *sudden and unforeseen pollution*. The permit will be automatically revoked by the Local Authority if any part of the insurance is removed or not renewed.
- 8.7 The permit holder shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.
- 8.8 The permit holder shall arrange for the completion, by an independent and appropriate qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) to address the liabilities from the past and present activities. The assessment shall include those liabilities and costs

identified in Condition 9 for the execution of the Decommissioning Management Plan (DMP). A report on this assessment shall be submitted to the Local Authority for agreement within twelve months of the date of grant of this waste facility permit. The ELRA shall be reviewed as necessary to reflect any significant change on site, and in any case every three years following initial agreement. The results of the review shall be notified as part of the AER.

- 8.9 As part of the measures identified in Condition 8.7, the permit holder shall, within 6 months of the date of grant of this waste facility permit, to the satisfaction of the Local Authority, make financial provision to cover any liabilities associated with the activity (including closure, restoration and aftercare). The amount of indemnity held shall be reviewed and revised as necessary but at least annually. Proof of renewal or revision of such financial indemnity shall be included in the annual 'Statement of Measures' report identified in Condition 8.7.
- 8.10 The permit holder shall revise the cost of closure, restoration and aftercare annually and any adjustments shall be reflected in the financial provision made under Condition 8.9.
- 8.11 The permit holder shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Residual Management Plans and Financial Provision when implementing conditions 8.8 and 8.9 above.
- 8.12 The permit holder shall ensure that all insurance policies shall be extended to indemnify Cork County Council. The permit will be automatically revoked by Cork County Council if any part of the insurance is removed or not renewed.
- 8.13 The permit holder shall ensure that no waste activities shall commence on site until the public liability insurance policy has been altered to cover the operations at the facility, rather than an unoccupied site. The permit holder shall submit proof of same to the Local Authority prior to commencement of operations at the facility.

REASON: To provide for adequate financing measures to protect the environment.

Condition 9: Restoration and Aftercare

- 9.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the permitted activity, the permit holder shall, to the satisfaction of the Local Authority, decommission, render safe or remove for disposal/recovery, any soil, subsoils, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution. The permit holder shall carry out such tests, investigation or submit certification, as requested by the Local Authority, to confirm that there is no risk to the environment.
- 9.2 Decommissioning Management Plan (DMP)
- 9.2.1 The permit holder shall prepare, to the satisfaction of the Local Authority, a fully detailed and costed plan for the decommissioning or closure of the site or part thereof. This plan shall be submitted to the Local Authority for agreement within six months of the date of grant of the waste facility permit.
- 9.2.2 The plan shall be reviewed annually and proposed amendments thereto notified to the Local Authority for the agreement as part of the AER. No amendments may be implemented without the agreement of the Local Authority.
- 9.2.3 The permit holder shall have regard to the Environmental Protection Agency Guidance on the Environmental Liability Risk Assessment, Residual Management Plans and Financial Provision when implementing Condition 9.2.1 above.
- 9.3 The Decommissioning Management Plan shall include, as a minimum, the following:
- (i) a scope statement for the plan
 - (ii) the criteria that define the successful decommissioning of the activity or part thereof, which ensures minimum impact on the environment;
 - (iii) a programme to achieve the stated criteria
 - (iv) where relevant, a test programme to demonstrate the successful implementation of the decommissioning plan; and
 - (v) details of the costings for the plan and financial provisions to underwrite these costs.
- 9.4 A final validation report to include a certificate of completion for the DMP, for all or part of the site as necessary, shall be submitted to the Local Authority within three months of execution of the plan. The permit holder shall carry out such tests, investigations or submit certification, as requested by the Local Authority, to confirm that there is no continuing risk to the environment.

REASON: To provide for the restoration and aftercare of the facility.

SCHEDULE A: Specified Engineering Works

| |
|---|
| Installation of additional fire water retention containment in the waste processing building to contain 822m ³ |
| Installation of designated waste quarantine area |
| Installation of bunded areas |
| Any other works notified in writing by Cork County Council. |

SCHEDULE B: Emission Limits

B.1 Noise Emissions: (Measured at the monitoring points to be agreed- refer to condition 6.23).

| Day dB(A) LAeq(30 minutes) | Night dB(A) LAeq(30 minutes) |
|----------------------------|------------------------------|
| 55 | 45 |

B.2 Dust Deposition Limits: (Measured at the monitoring points indicated in Figure 11.3 submitted as part of the EIS.)

| Level (mg/m ² /day) ^{Note 1} |
|--|
| 350 |

Note 1: 30 day composite sample with the results expressed as mg/m²/day.

B.3 Surface Water Discharge Limits (Measured at the monitoring point SW-1 indicated on drawing no 4348-WP04 Rev 3)

| Parameter | Emission Limit Value |
|--------------|----------------------|
| Mineral oils | 5mg/l |

B.4 Emission Limits for Foul Water Emissions to Sewer

Emission Point Reference No. FW1
 Volume to be emitted: In accordance with Irish Water requirements
 Emission Limit Values: In accordance with Irish Water requirements

SCHEDULE C: Monitoring

Monitoring to be carried out as specified below.

C.1 Monitoring Locations

Monitoring locations shall be as specified hereunder.

Table C.1.1 Noise, Surface water, Groundwater, Wastewater, and Dust Monitoring Locations

| NOISE | SURFACE WATER | GROUNDWATER | WASTEWATER | DUST |
|------------------------|------------------------|-----------------------|------------------------|------------------------|
| STATIONS | STATIONS | STATION | STATIONS | STATIONS |
| NS-1 ^{Note 1} | SW-1 ^{Note 2} | GW1 ^{Note 3} | FW-1 ^{Note 4} | ST-1 ^{Note 5} |
| NS-2 ^{Note 1} | | | | ST-2 ^{Note 5} |
| NS-3 ^{Note 1} | | | | ST-3 ^{Note 5} |
| NS-4 ^{Note 1} | | | | ST-4 ^{Note 5} |

Note 1: To be agreed under Condition 6.23 of this waste facility permit

Note 2: Refer to drawing 4348-WP04 Rev 3

Note 3 Refer to Figure 13.3 (as referenced in the EIS submitted as part of the waste facility permit application)

Note 4 Refer to drawing 4348-WP03 Rev 2 unless otherwise agreed with Irish Water

Note 5 Refer to Figure 11.3 (as referenced in the EIS submitted as part of the waste facility permit application)

C.2 Dust

Table C.2.1 Dust Monitoring Frequency and Technique

| Parameter (mg/m ² /day) | Monitoring Frequency | Analysis Method/Technique |
|------------------------------------|-----------------------------|-----------------------------------|
| Dust | Quarterly ^{Note 2} | Standard Method ^{Note 1} |

Note 1: Standard method VD2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute). A modification (not included in the standard) which 2 methoxy ethanol may be employed to eliminate interference due to algae growth in the gauge.

Note 2: Twice during the period May to September.

C.3 Noise

Table C.3.1 Noise Monitoring Frequency and Technique

| Parameter | Monitoring Frequency | Analysis Method/Technique |
|--|----------------------|----------------------------|
| L(A) _{EQ} [30 minutes] | Annual | Standard ^{Note 1} |
| L(A) ₁₀ [30 minutes] | Annual | Standard ^{Note 1} |
| L(A) ₉₀ [30 minutes] | Annual | Standard ^{Note 1} |
| Frequency Analysis(1/3 Octave band analysis) | Annual | Standard ^{Note 1} |

Note 1: "International Standards Organisation. ISO 1996. Acoustics - description and Measurement of Environmental noise. Parts 1, 2 and 3."

C.4 Surface Water Emissions

Table C.4.1 Surface Water Monitoring Frequency and Techniques

| Parameter | Monitoring Frequency | Analysis Method/Technique |
|------------------------------|----------------------|---|
| pH | Quarterly | Electrometry |
| Biological Oxygen Demand | Quarterly | Standard Methods ^{Note 1} |
| Suspended Solids | Quarterly | Standard Methods ^{Note 1} |
| Heavy metals | Bi-annually | Standard Methods ^{Note 1} |
| Total Petroleum Hydrocarbons | Quarterly | Standard Methods ^{Note 1} |
| Ammonical Nitrogen | Quarterly | Standard Methods ^{Note 1} |
| Mineral Oils | Quarterly | Standard Methods ^{Note 1} |
| Fats, Oils, Grease | Quarterly | Standard Methods ^{Note 1} |
| Odour / Visual Inspection | Daily | Sample and examine for odour and colour |

Note 1: "Standards Methods for the Examination of Water and Wastewater", (prepared and published jointly by A.P.H.A., A.W.W.A & W.E.F) 20th Ed., American Public Health Association, 1015 Fifteenth Street, Washington DC 20005, USA.

C.5 Groundwater Emissions

Table C.5.1 Groundwater Monitoring Frequency and Techniques

| Parameter | Monitoring Frequency ^{Note 2} | Analysis Method/Technique |
|------------------------------|--|-------------------------------------|
| Visual Inspection/Odour | Bi-annually | Standard Methods ^{Note 1,} |
| Ammonical Nitrogen | Bi-annually | Standard Methods ^{Note 1,} |
| Heavy Metals | Bi-annually | Standard Methods ^{Note 1,} |
| Total Petroleum Hydrocarbons | Bi-annually | Standard Methods ^{Note 1,} |

Note 1: "Standards Methods for the Examination of Water and Wastewater", (prepared and published jointly by A.P.H.A., A.W.W.A & W.E.F) 20th Ed., American Public Health Association, 1015 Fifteenth Street, Washington DC 20005, USA or as otherwise agreed with the Local Authority.

Note 2: Frequency and sampling method may be reduced as per Condition 6.20 of the waste facility permit.

SCHEDULE D: Recording and Reporting to the Local Authority

| Report | Reporting Frequency <i>Note 1</i> | Report Submission Date |
|---|---|---|
| Environmental Management System Updates | Annually | One month after the end of the year reported on. |
| Annual Environment Report (AER) | Annually | Refer to condition 3.5 |
| Record of incidents | As they occur | Within five days of the incident. |
| Bund, tank and container integrity assessment | Every three years | Six months from the date of grant of the permit and one month after end of the three year period being reported on. |
| Specified Engineering Works reports | As they arise | Prior to the works commencing. |
| Monitoring of Surface Water Quality | Quarterly | Ten days after end of the quarter being reported on. |
| Monitoring of Groundwater Quality | Bi-annually | Ten days after end of the quarter being reported on. |
| Monitoring of Foul water | Quarterly | Ten days after end of the quarter being reported on. |
| Dust Monitoring | Three times a year | Ten days after the period being reported on. |
| Noise Monitoring | Annually | One month after end of the year being reported on. |
| Any other monitoring | As they occur/required by the Local Authority | Within ten days of obtaining results. |

Note 1: Unless altered at the request of the Local Authority

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APPENDIX 1

Template 1 Condition 2.1: Register of Employee Receipt of Waste Management Permit _____

| Name of Employee | Issue Date of Permit to Employee | Declaration: I have read and understand the conditions of the above waste management permit. (Signature of Employee) | Date |
|------------------|----------------------------------|---|------|
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Template 2 Condition 2.4: Breach of Permit Condition

| Date of Non-Compliance | Condition | Details of non-compliance | Measures taken to Rectify Non-Compliance | Date on which Compliance with Condition is achieved | Date of Notification to Local Authority |
|------------------------|-----------|---------------------------|--|---|---|
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Template 3 Condition 3.4: Register of Incoming Waste and Outgoing Waste

| Date In/ Out | Time In/ Out | Source | Waste Description | EWC Code | Tonnage In | Tonnage Out | Destination Facility incl Waste Ref No | Waste Collector Collection Permit No | Tracking Form No | Vehicle Registration | Name of Load Checker | Initial |
|--------------|--------------|--------|-------------------|----------|------------|-------------|--|--------------------------------------|------------------|----------------------|----------------------|---------|
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Template 4 Condition 3.6: Register of Incident which has Potential to Cause Environmental Pollution

| Date of Incident | Time of Incident | Details of Incident | Evaluation of Environmental Pollution | Measure taken to Minimise Environmental Pollution | Actions Taken to Avoid Reoccurrence | Date of Notification to Local Authority |
|------------------|------------------|---------------------|---------------------------------------|---|-------------------------------------|---|
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Template 5 Condition 3.9: Register of Complaints

| Date of Complaint | Time of Complaint | Name of Complainant | Details of Complaint | Actions Taken | Response to Complainant | Date of Notification to CCC / Method |
|-------------------|-------------------|---------------------|----------------------|---------------|-------------------------|--------------------------------------|
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Section B9: Public Liability Insurance Declaration.

This document must be completed to satisfy the local authority that the applicant meets the full definition of a 'fit and proper person' as interpreted in Article 5 of the Waste Management (Facility and Registration) Regulations, 2007 as amended.

Please note that under Articles 18(4) (e) and 37(12) (d) a local authority shall not grant a Waste Facility Permit / Certificate of Registration unless it is satisfied that the applicant is a fit and proper person.

All applicants are required to provide the attached signed declaration stating that their Public Liability Insurance is to the satisfaction of Cork County Council.

The following declaration is to be completed by the Applicant's Insurance Broker / Underwriter.

Signed Declaration.

I confirm that the applicant (Name) _____ has a Public Liability Insurance Policy covering his/her/its activities which are the subject matter of the Waste Facility Permit / Certificate of Registration, including

1. Limit of indemnity of at least €6.5m any one occurrence, including sudden/unforeseen pollution risks.
2. An indemnity to Cork County Council.
3. Commencement Date of Policy: _____
4. Expiry Date of Policy: _____

Signature: _____

Name (Block capitals) : _____

Position or Title: _____

Insurance Broker or Company : _____

Date: _____

Official
Stamp

Warning: It is an offence under Article 43 (1) of the Waste Management (Facility Permit and Registration) Regulations 2007, as amended, for any person to provide false or misleading information for the purposes of obtaining a Waste Facility Permit or Certificate of Registration.

| Template for record complying with Article 19.(1)(j) of WM(FP & R)Regs 2014 on purchase of any waste materials, Template 10 Condition 3.21 | | |
|---|---|---|
| The Permit Holder requires the production of proof of identity of the person supplying the material, such proof being: (tick minimum of one box): | Permit Holder tick minimum of one box (a) to (c) | Comment |
| (a) a valid passport, or | | |
| (b) a current Irish driving licence, or learner driver permit, or, | | |
| (c) a Public Services Card issued by the Department of Social Protection. | | |
| The Permit Holder requires the production of proof of current address of the person supplying the material, such proof being (tick minimum of one box): | Permit Holder tick minimum of one box (i) to (iv) | Comment |
| (i) a current utility bill addressed to that person at their stated address, or, | | |
| (ii) a document issued by a Government Department addressed to that person at their stated address within the previous three months, or | | |
| (iii) a current car or home insurance policy addressed to that person at their stated address, or, | | |
| (iv) a current Tax Credit Certificate or Tax Clearance Certificate issued by the Office of the Revenue Commissioners to that person at their stated address, | | |
| RECORD of PERSON SUPPLYING the MATERIAL | | |
| Name | Permit Holder Record | Comment |
| Identity | | |
| Vehicle registration number | | |
| Waste collection permit number of the delivery vehicle, where appropriate | | |
| RECORD of WASTE PURCHASED | | |
| Waste description (include EWC Code) | Permit Holder Record | Comment |
| Weight of the materials | | Confirm units in kilograms (kg) or tonnes (t) |
| Time of sale | | |
| Date of sale | | |
| Amount paid (in Euro) for the materials | | Confirm amount in Euro (€) |
| Signed Statement of the Person Supplying the material | | |
| I confirm that, as the person supplying the material: (delete as appropriate) | | |
| I am the lawful owner of the material or | | |
| I have the consent of the lawful owner to sell the material | | |
| Signed Statement of the Permit Holder | | |
| I confirm that, as the permit holder, I have been provided with the necessary proofs in both (a) to (c) and (i) to (iv) above, and, that I have accurately recorded the required details of the PERSON SUPPLYING THE MATERIAL and WASTE PURCHASED | | |
| | Signature | Signature |
| | Name in Block Capitals | Name in Block Capitals |

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Attachment B.3(b).1 – EIS prepared by FTC in 2002

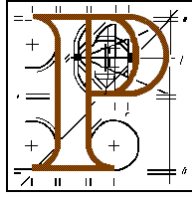
Provided in separate stand-alone Folder

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Attachment B.3(b).2 – Planning Consent from An Bord Pleanála granted in 2003

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An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS, 2000 TO 2002

Cork County

Planning Register Reference Number: S/02/4286

An Bord Pleanála Reference Number: PL 04.202198

APPEAL by City Link Park (Management) Company Limited care of W.B. O'Flaherty of 5 Wilton Villas, Glasheen, Cork and by MW Consultants of Forge House, Forge Hill, Kinsale Road, Cork against the decision made on the 17th day of February, 2003 by Cork County Council to grant subject to conditions a permission to IPODEC Ireland Limited care of Fehily Timoney and Company of Core House, Pouladuff Road, Cork in accordance with plans and particulars lodged with the said Council.

PROPOSED DEVELOPMENT: Materials Recovery Facility including demolition of an existing office building, extension to existing process building and concrete yard slab, construction of a new two-storey office building and waste transfer building, modifications to site entrance, skip storage area, installation of site services including petrol interceptors, truck wash area and firewater retention facilities at Forge Hill, Kinsale Road, Ballycurreen, County Cork.

DECISION

GRANT permission 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 zoning provisions of the current Cork County Development Plan, the established use on the site, the provisions of the Cork waste management plan and the proposed nature of the operations, including the enclosed nature of activities on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The development shall be carried out in accordance with the plans and particulars lodged with the application, as amended by the revised details received by the planning authority on the 27th day of September, 2002 and the 23rd day of December, 2002, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. (1) The site shall be landscaped in accordance with the scheme of landscaping lodged with the planning authority on the 23rd day of December, 2002.
(2) All planting shall comply with the specifications of the landscaping scheme submitted to the planning authority and shall be maintained by the developer. If any plant should die it shall be replaced within the next planting season.

Reason: In the interest of visual amenity.

3. The developer shall lodge within one month of this order, the sum of € 5,000 (five thousand euro) to guarantee the satisfactory completion of tree and shrub planting and all other landscaping proposals for the site as required by condition number 2. The sum lodged pursuant to this condition shall be refunded only when it is certified that the planting and landscaping has been carried out to the planning authority.

Reason: To ensure the satisfactory completion of landscaping works and in the interest of visual amenity.

4. Details of colours/textures of all buildings/structures on the site shall be submitted to and agreed with the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

5. Details of all external lighting within the curtilage of the site shall be submitted to and agreed with the planning authority prior to commencement of development.

Reason: In the interest of orderly development.

6. The developer shall provide a two metre wide public footpath along the entire frontage of the site at their own expense. Details, including a timescale of implementation, shall be agreed with the planning authority prior to commencement of development works on the site.

Reason: In the interest of the amenities of the area to safeguard the movement of pedestrians on Forge Hill.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

8. All service cables associated with the proposed development (such as electrical, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

9. The quantity of material imported into the site shall not exceed 82,000 tonnes per annum. The site shall not be used by members of the public in private vehicles for the purpose of transporting material to the site.

Reason: To control the scale of development.

10. The facility shall not open to receive waste outside of the terms as specified in the waste licence issued to the operator of the site.

Reason: In the interest of orderly development.

11. The developer shall pay a sum of money to the planning authority as a contribution towards expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development. The amount of the contribution and the arrangements for payment shall be agreed between the developer and the planning authority or, in default of agreement, shall be determined by An Bord Pleanála.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of section 26(2)(h) of the Local Government (Planning and Development) Act, 1963 generally, and in particular, the specified period for the purposes of paragraph (h) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

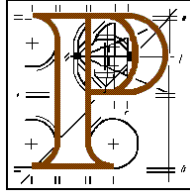
**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2003.

Attachment B.3(b).3 – Bord Pleanála Inspector’s Report from 2003

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An Bord Pleanála



Inspector's Report

PL 04. 202198

DEVELOPMENT: Materials recovery facility at Forge Hill, Kinsale Road, Ballycurreen, Co. Cork.

PLANNING APPLICATION

Planning Authority: Cork County Council

Planning Authority Reg. No: S / 02 / 4286

Applicant: IPODEC Ireland Ltd.

Application Type: Permission

Planning Authority Decision: Permission with conditions.

APPEAL

Appellants: 1. City Link (Management) Co. Ltd.
2. M.W.Consultants

Type of Appeal: 3rd Party

Observers: None

DATE OF SITE INSPECTION: 26th August 2003

INSPECTOR: Derek Daly

Introduction

This is a third party appeal against the decision of the Planning Authority to grant planning permission for the development subject to 21 conditions.

Inspection

I inspected this site and its environs on the 26th of August 2003, during which I took the photographs to which I refer below. These are included at the end of the report as Appendix 1.

Site location and description

The site is located in the Forge Hill area, which is located on the southern fringe of the built up area of Cork City environs. The site is stated to have an area of 2.54 acres and fronts onto the eastern side of Forge Hill, which is a local road but which now carries a considerable volume of traffic. The Forge Hill road connects the Pouladuff Road / Tramore Valley area, which has a large concentration of industrial / commercial development and the N 28 Kinsale Road. The road is used by traffic avoiding the heavily congested interchange of the southern ring road and the Kinsale Road with the result that traffic is now heavily congested on Forge Hill in the late afternoon. When I inspected the site at 3.30 p.m. traffic was extremely slow moving in both directions on the road.

The Forge Hill area is characterised by commercial / industrial / warehousing development. Immediately to the north of the site is City Link Park and to the south is Forge Hill Business Park. On the opposite (western) side of the road are other commercial developments including a car sales outlet.

The site is currently in use by the applicants and there is an established waste use on the site dating back by the applicants to 1991 and it appears to have been in use for waste operations before that.

On the site there are a number of structures. There is a large building located towards the northern boundary used as a recycling building with a sorting line and baling of material and it is also used for the service of vehicles and repair of skips. Immediately to the west of this building and attached to this building is a structure used for offices. South of these structures is a weighbridge and access control building, which is a portacabin structure. Parking is provided to the west of these buildings in two areas.

Elsewhere on the site there is a waste tipping facility located in the northeastern area of the site. This is u-shaped area formed by containers stacked on top of each other enclosing an hard asphalt surface with netting on top. There is also a trucking washing area in close proximity to the northern boundary between the tipping area and the

recycling building. This area is covered in concrete and tarmac. There were forklifts and other vehicles in this area for the conveying of material. There were storage bins and skips stored on the site mainly in the southern area.

In relating to boundary treatment the western (Forge Hill) boundary is defined by a chainlink fence in excess of 2 metres in height with a hedge inside this boundary. This assists in screening the facility from the public road. There is palisade fencing on the other boundaries with in places planting and on the southern boundary cladding.

Proposed Development

The proposed development is for the development of a materials recovery facility, which will include the following,

1. Demolition of an existing office building
2. Extension to existing process building of 183 sq. metres and concrete yard slab
3. Construction of a new two storey office building with a area of 594 sq. metres and waste transfer building with a floor area of 1,181 sq. metres
4. Modifications to site entrance
5. Skip storage area
6. Installation of site services including petrol interceptors, truck wash area and fire water retention facilities

An **EIS** accompanied the application and the facility requires a waste licence.

A major component of the development is to construct a redeveloped and enclosed Materials Recovery Facility (MRF) replacing activities currently in more open areas. The capacity of waste to be treated handled on the site arising from the proposed development is to increased to approximately 80,000 tonnes per annum from the current 40,000 tonnes. There is an existing waste permit for 5,000 tonnes. In addition to increased handling of waste within covered space new sorting / line processes are proposed. The hours of opening are to be increased including provision for opening on Sundays.

It is proposed to connect to the existing foul sewer on the public road and dispose of surface water to the existing system on site, which outfalls to a stream off site.

Environmental Impact Statement.

The EIS includes a non-technical summary. I have read the EIS and the following points are of note:

Introduction.

Refers to the National and County policies on Waste Management and the need for a materials recovery facility outlining current and projected demands for such a facility. **Alternative sites** were considered but not in the context of alternative sites given that

the site is established but alternatives were examined in the context of the efficiency of the site, redesign of the site and an assessment of mitigation measures.

Description of the development

The nature of the existing development and processes are indicated and the proposed works are then outlined. In addition to redesigning the utilisation of the site the variation in volume, processes and other changes including proposed hours of operation are indicated.

Human Beings.

The context of the site in relation to land use and the road network is indicated and the zoning of the site. The nearest residential property is 90 metres from the site. Surveys relating to noise, traffic and air (incorporating odour, dust and weather conditions) were prepared, potential impacts considered and mitigation measures where a need was identified were outlined. In relation to **noise** the impact is considered minimal and the anticipated noise level increase will arise from increased traffic movements to the site.

In relation to **traffic** the estimated increase of traffic on Forge Hill arising from the development is an additional 16 movements per hour on a road with an AADT of 8,162. The interesting observation is a 9% increase on this road in the two year period from 2000 to 2002 when surveys were carried out. IPODEC accounted for 3.9% of the traffic in both surveys. The percentage of traffic movements on Forge Hill arising from the increased capacity is estimated to rise to between 5% and 7%.

In relation to **air**, odour impacts are identified as direct short term nuisances, which can be addressed by minimising putrescible waste, increased enclosure of facilities and the installation of an odour neutralising system. Surveys indicated elevated levels of dust were generated on the site arising from the large hardcore area. Mitigation measures / procedures and new enclosed facilities will address these and ongoing monitoring is indicated.

Nuisance generated by vermin, birds and litter will be addressed by minimising putrescible waste and its disposal, and the new enclosed facilities will also address this.

Geology and Hydrogeology.

The limestone bedrock to the north of the site is classified as being a regionally important aquifer and the vulnerability rating for the aquifer underlying the site is considered to be high to extreme. It is noted, however, that the risk of contaminated material released to the subsurface at the appeal site is minimal. Groundwater underlying the site based on tests indicates a satisfactory quality. Potential impacts are identified and although the risk is low mitigation measures are included to address these including discharge to the foul sewer of leachate, truck washing and staff toilets, which currently discharge to a septic tank and which will be decommissioned.

Hydrology

Sampling of surface water on the site indicated elevated levels of suspended solids, chemical oxygen demand, aluminium and petroleum due to the truck washing facilities and the runoff from hard standing areas. Currently there is no surface water sediment trap or oil interceptor on the site. The impacts to the receiving surface water are considered to be minimal but needs to be addressed. Mitigation measures are outlined to address the current deficiencies.

Climate.

Meteorological data from Cork Airport station is presented. It is stated that the proposed development will not have any effect on climatological conditions at the site.

Cultural Heritage

There is no evidence to suggest the facility infringes on heritage

Ecology.

The existing flora of the site is of little ecological value but the hedge provides cover for birds and a habitat for insects.

Landscape and visual assessment.

The site is located in an area zoned industrial in the development plan and is not within a formal or proposed designated landscape area. There are no built features / structures of landscape significance in the vicinity of the site or landscape characteristics within the study area of concern. The proposed development will not alter the situation significantly.

Land use

The site is zoned industrial, is located in an industrial area.

Material Assets.

The site is in use as a waste management facility since 1987 and the main associated asset of the site is the infrastructure.

Planning History

Nothing specific to the site but there was a recent decision by An Bord Pleanala on the 13th of June relating to Waste materials recovery and transfer facility on a site on the opposite side of Forge Hill in close proximity to the current appeal. **(04. 200583)**

Planning Authority Reports

Area engineer report refers to need to upgrade storm water sewer and for a two metre wide footpath along the frontage of the site.

Water services report of 29 / 10 / 2002 refers to status of the foul sewer and whether the applicant can connect into what is indicated to be a private sewer.

The Roads report indicates traffic flows of 8,000 vehicles per day on Forge Hill and the increase of 100 HGVs per day as indicated in the EIS is acceptable.

The Planning report of the 18 / 11 / 2002 indicated no objection in principle to the development but requested further information in relation to ownership and the capacity of the foul sewer and a detailed landscaping plan. Further information submitted on the 23rd of December 2002 and permission was recommended in a report dated the 11th of January 2003.

Planning Authority's Decision

The Planning Authority decided to grant permission for the development, subject to twenty one conditions. Apart from the standard engineering conditions, the decision includes the following conditions of note: -

- Condition no. 9 indicates that the quantity of material imported into the site shall not exceed 80.000 tonnes per annum.
- Condition no.10 limits the time for receiving waste material,
- Condition nos. 17, 18, 19 and 20 relate to financial contributions to the local authority.

Appeal Submissions

3rd Party Appeal

The appellant **City Link Park (Management) Company Ltd.** in the grounds of appeal states,

- The appellants are involved in the management of an industrial estate of 25 units with a broad range of activity and almost no manufacturing element involving machinery
- There are no works, which generate dust or odours,
- Any deterioration in air quality will affect a number of the units,
- The appellants adjoin the proposed development,
- The site is unsuitable and a similar facility 2 kilometres away at a landfill site was turned down on environmental grounds,
- There has been a significant increase in traffic and congestion on Forge Hill in recent years,
- Forge Hill is an old link road between Pouladuff Road and Kinsale Road, with no lighting and footpaths. Widening has occurred in piecemeal fashion and the road is used as a rat run to avoid congestion at the Kinsale Road roundabout of the southern ring road,

- The development will generate additional traffic movements on an already congested road,
- The level of increase of traffic generated by the development as indicated in the EIS does not correspond with the anticipated increase in volume of waste to be imported to the site,
- The odours generated by the development are unacceptable to the appellants,
- The level of dust generated will infiltrate the property of the appellants and several businesses will be seriously affected,
- Vermin will be a constant problem as will litter the disposal of which will generate additional costs to the appellants,
- Additional noise will be generated,
- The development will devalue the appellants property.

The appellant **M W Consultants** in the grounds of appeal states under the following headings,

Zoning

- Appellants are reflecting the concerns of businesses in the Forge Hill area in addition to their own
- The area is unzoned in the 1996 and 2003 Cork County Development Plan and the zoned areas are residential and industrial,
- The current IPODEC licence limits the handling of waste to 5,000 tonnes per annum and the increase to 80,000 tonnes should be considered as a new development and could not be appropriately consistent with other businesses currently in the area,
- Applicants have operated outside of the licence for some time,

Location

- The development in the area is commercial uses,
- The site is opposite to another waste facility, which will result in the two largest collection points of waste located on a minor road on the opposite side of the city to the likely landfill facility at Bottle Hill,
- Forge Hill is not the appropriate location and a more strategic approach must be taken,
- The development will have an adverse impact on the local patterns of employment, land use and economic activity,

Road infrastructure

- The road infrastructure is inadequate to meet the anticipated additional traffic, which the development will generate. There is an need to improve the road before further development is permitted,
- The business by its nature generates traffic,
- Traffic on the road is at an absolute standstill after 3 p.m.
- The conditions of the Planning Authority do not preclude the use of the facility by private vehicles,
- Peak hour congestion has not been addressed and congestion is getting worse,
- There is no footpath along sections of the road,

Other infrastructure

- Foul sewer is in private hands and no evidence is submitted of any arrangement with the owner.

Waste Management Plan

- The IPODEC facility is in conflict with the plan

Destination of waste

- No details are furnished in respect of the final destination of waste

Noise

- EIS does not take account of the scale, frequency of activities or duration of activities
- No condition in relation to noise barriers / attenuators.

Odour / dust

- EIS has many shortfalls in this regard
- Many nearby businesses are sensitive to any airborne contamination

Other issues

- Vermin is a problem in the area,
- The development will impact on an aquifer, which supplies water to a number of neighbouring businesses,
- Site coverage is excessive,
- Fire hazard is a major concern to businesses in the area
- No bunding for potential leachate
- Development will affect profitability and value of neighbouring businesses,
- No visual assessment has been carried out.

Responses to Grounds of Appeal

First Party Responses

In a response to the appeal the applicants indicate under the following headings,

Site suitability

- Waste activities have been carried out on the facility since 1987 prior to the other owners / tenants occupying premises close to the facility and many of the users of units opened since then were aware of the waste activities,
- Site is 150 metres to the east of proposed residential lands
- The applicants have identified the key to successful operation of a waste transfer and recycling facility and these have been put in place

Traffic

- A survey of traffic flows on Forge Hill on the 3rd of April 2003 indicates that the number of HGVs travelling to the IPODEC site accounts for 2% of traffic on this road and based on the survey the number of HGVs delivering to the site daily based on a handling of 80,000 tonnes of waste per annum would be 104.

- Traffic rarely backs up to the IPODEC site and the main use of Forge Hill is as a “rat run”.
- The applicant has by condition to contribute to the upkeep of the road and provide a footpath along the site frontage
- The peak usage of the site is low peaks for cars and the development will not add sufficient traffic to cause a nuisance.

Odours

- The EPA developed BAT Guidance Notes for Waste Transfer Activities in August 2002 and techniques to control odours are mooted. These will be used on the site.

Dust

- Mitigation measures will be employed on site to control dust including sweeping, additional planting, monitoring and all active areas will be asphalted or concreted

Litter

- All activities will be carried out in accordance with the EPA BAT Guidance Notes for transfer Stations and litter patrols will be carried out.

Noise

- Traffic as the EIS indicates is the main contributor to ambient noise levels along site boundaries and the increased traffic will increase the traffic noise level by 3dB, which is barely detectable to the human ear.
- Improvements the road network including the proposed Kinsale Road Roundabout Flyover will decrease traffic on the Forge Hill.
- Noise mitigation measures will be carried out on site and the applicant is committed to employing BAT Waste Transfer Activities and that all activities within dedicated buildings, regular servicing and the transfer building will have double skinned cladding on the walls.

Other matters

- IPODEC have permission to connect to a private sewer with surplus capacity,
- Most of the waste handled is of a dry mature and leachate will not be generated. Work areas will be covered in concrete or asphalt, interceptors will be used and oil storage areas are bunded.
- A fire certificate will be required, which will address fire control.
- Increased landscaping is provided along boundaries.

Need for the proposed development

- The Waste Management Plan puts forward the need for the provision of materials recovery facility and transfer stations and greater involvement by the private sector.
- Applicant handles 40% of commercial waste in the region and has over 800 commercial clients.
- The Kinsale Road landfill has imposed quotas on commercial waste and will impose a total ban at the end of 2003.

- Given the lack of space for landfill there will be a need for increased waste transferred to the facility.
- With greater haulage distance to any new landfill the proposed development will provide adequate and efficient transfer facilities in the Cork region
- The IPODEC site will cater mainly for commercial waste.

Waste Licence

The applicant applied the EPA for a Waste Licence and was granted a licence under ref 173-1 on the 9th of September 2003. Among the provisions stated

- The maximum tonnage accepted at the facility is 82,000 tonnes per annum (condition no1).
- The hours of opening as stated do not include Sundays (condition no.1)
- Bunded area shall be provided for tank and drum storage areas (condition no.3).
- Emission limits are set out in condition no.6 and Schedule C relating to noise, dust and surface water discharge,
- Condition no.7 relates to nuisance control re vermin, flies, mud, dust, litter, and odours,
- Monitoring requirements are set out in condition no.8 and Schedule D

National Context.

Sustainable Development: A Strategy for Ireland 1997.

The policy for Waste Management is set out in Chapter 13 (pages 139-141). In line with the EU approved hierarchy, Irish waste policy seeks to promote waste prevention, reuse and recycling and targets have been set.

Changing Our Ways 1998.

This policy statement on Waste Management published by the DoE.&LG, among other issues, advocates consideration of alternative waste collection systems. It says different approaches may be utilised in order to segregate materials for recovery purposes and the factors that require consideration in choosing the individual components of collection systems include

- Population density,
- The materials targeted for recovery,
- Financial implications,
- Recycling infrastructure, and
- The extent of public participation.

County Context

Development Plan

The operative Development Plan is the Cork County Development Plan 2003.

The site is zoned for “Primarily Industrial / Enterprise” uses in “Established Areas”. The zoning largely extends along both sides of Forge Hill.

Section 9.3.34 of the Plan says that

“These areas usually contain one or more of a broad mix of employment related uses, including manufacturing, office based industry, warehousing, research facilities, waste disposal uses, and some retailing”.

The Plan distinguishes between “industrial areas” (sections 9.3.36 to 38) and “enterprise areas” (sections 9.3.39 to 41). Enterprise areas are those where the primary uses include employment uses that require environmental standards higher than those in industrial areas. They include office-based industry and business or technology parks.

The objective in ZON 3-13 identifies “appropriate uses in industrial areas” and promotes the development of industrial areas as the primary locations for uses that, among others, include waste materials treatment and recovery. Industrial areas not used mainly by small to medium industry etc. are considered generally suitable for waste management activities (including the treatment and recover of waste materials but not including landfill or contract incineration facilities).

The policies for waste recovery and recycling are set out in Section 5.3. These present the key proposals of the Waste Management Plan 1999.

Cork Waste Management Plan 1999.

Section 2.6.2 indicates that it is proposed to provide a network of solid waste transfer stations in Cork County, which will allow for the efficient and economic transport of waste. The primary purpose of these is to minimise the cost of increased haulage distances and to ensure that refuse collection vehicles remain free to perform their primary function of refuse collection.

Section 4.1 states that

“Cork County Council is committed to a system of waste management that will see the least possible amount of waste going to modern engineered landfills. This will be achieved through the use of bring sites, civic amenity sites and material recovery and treatment plants”.

Section 6 presents a series of action plans for Cork County. Action 16 refers to waste transfer stations and says that a comprehensive study is being undertaken on the specifics of the network of transfer stations required.

Assessment

I consider that the main planning issues have been addressed in the decision of the planning authority and the grounds of appeal. I propose to assess the appeal under a number of issues.

Zoning / Use.

Site zoning.

The site is currently zoned for “Primarily Industrial / Enterprise” uses in “Established Areas” in the County Development Plan 2003. The Plan distinguishes between “industrial areas” (sections 9.3.36 to 38) and “enterprise areas” (sections 9.3.39 to 41). The objective in ZON 3-13 identifies “appropriate uses in industrial areas” and promotes the development of industrial areas as the primary locations for uses that, among others, include **waste materials treatment and recovery**. Industrial areas not used mainly by small to medium industry etc. are considered generally suitable for waste management activities (including the treatment and recovery of waste materials but not including landfill or contract incineration facilities). The zoning provisions of the plan are I consider reasonable and in addition to the zoning, which would permit the proposal.

An important consideration is the long established nature of a waste related facility on the site, which has developed over a number of years and predates other industrial / commercial uses in the vicinity and which does not appear to be in dispute by the parties. This in itself is not solely a consideration to permit any scale of development or process on the site. I consider that the existing uses on the adjoining sites at Forge Hill could be classified as a mix of industrial and enterprise uses that are small to medium in size. These enterprises have operated in close proximity to a facility, I would accept of a lower scale and capacity to what is proposed but which currently operate in open areas where risk of fugitive emissions occur. The appellants contention that the development will have an adverse impact on the local patterns of employment, land use and economic activity does not appear to have impaired the growth of commercial / industrial enterprise to date.

I consider that the establishment of the proposed use, which provides for enclosure of many of the processes and activities, would be appropriate in relation to the zoning and subject to appropriate monitoring and the application of BAT an acceptable development in this location.

Location

The appellants contention that is that the development in the area predominated with commercial uses, that the site is opposite to another waste facility, which will result in the two largest collection points of waste located on a minor road on the opposite side of the city to the likely landfill facility at Bottle Hill, and that therefore Forge Hill if a more strategic approach is taken is not the appropriate location.

The consideration is one of sustainability and there is probably no perfect site in this regard. A site near the new proposed landfill will involve the transit of waste from a wide area to the site. Equally in the interest of sustainability it could be stated that a transfer / recycling facility should be near the main generators of the waste. The site is located in close proximity to a large concentration of commercial / industrial enterprises in the Tramore Valley area. It is in close proximity to the main road network i.e. the southern ring road around the city and the south link road to the city and would be from a locational consideration acceptable.

Environmental Issues.

The applicants applied for and received a waste licence from the EPA. Under section 257 of the Planning and Development Act 2000, a Planning Authority or An Bord Pleanala, where a waste licence is required from the EPA for an activity, may refuse permission on environmental grounds but may not impose conditions for the purpose of controlling emissions.

Noise.

The appellants contend that the development will generate additional noise and that the EIS does not take account of the scale, frequency of activities or duration of activities and that there are no conditions in relation to noise barriers / attenuators. The applicants contend that the EIS indicates traffic is the main contributor to ambient noise levels along site boundaries and the increased traffic will increase the traffic noise level by 3dB, which is barely detectable to the human ear. Noise mitigation measures will be carried out on site and the applicant is committed to employing BAT Waste Transfer Activities and that all activities within dedicated buildings, regular servicing and the transfer building will have double skinned cladding on the walls.

I consider that the applicants have presented a reasonable account of predicted noise levels. I note that EPA guidelines define daytime as 0800hrs to 2200hrs and nighttime as 2200hrs to 0800hrs. Condition no1 of the licence permit the facility to open at 0600hrs and will accept waste from 0630hrs. This means that the facility would be operational during a period of the night, i.e. between 0600hrs and 0800hrs. Given its location in an area zoned commercial and that the nearest residence is over 90 metres distant I do not consider that this impacts on adjoining properties.

Odours.

The appellants have stated that the EIS has many shortfalls in this regard and that many nearby businesses are sensitive to any airborne contamination. In response the applicants indicate the EPA developed BAT Guidance Notes for Waste Transfer Activities in August 2002 and techniques to control odours are mooted and these will be used on the site. The response by the applicants also states that the proposed odour control measures involve rapid same day transfer off-site of wastes containing organic materials. Odour impacts are identified as direct short term nuisances, which can be addressed by minimising putrescible waste, increased enclosure of facilities and the installation of an odour neutralising system

The emission / control of odours is perhaps one of the most problematic aspects of the proposed use and is largely dependent on the rapid transfer of waste and the nature / volume of the waste in particular putrescible waste. Mitigation measures / procedures and the new enclosed facilities will I consider address these and ongoing monitoring is indicated and required by the conditions of the licence.

Dust.

The appellants have identified dust as a problem that will impact on adjoining properties and businesses. The applicants have responded by outlining dust mitigation measures, the enclosing of facilities, increased landscaping and increased paved / dust free areas and these measures will minimise dust generation.

The enclosing of processes and the mitigation measures will assist in controlling dust. I note that emission levels are set out and ongoing monitoring is also required. I am satisfied with the measures as outlined.

Groundwater / leachate.

The current proposal provides for improved internal drainage systems, the elimination of a septic tank, connection to a sewer, provision of interceptors and traps. I consider that the issue of groundwater has been adequately examined. Bunding an issue raised by appellants is referred to within the conditions of the waste licence.

Vermin.

The enclosing of processes currently conducted outdoors or within a semi-enclosed situation will assist in the control of vermin / birds. There are mitigation measures outlined in relation to this issue. I consider that the issue of groundwater has been adequately examined.

Traffic & Road Network.

Road capacity / congestion.

There is general agreement among all parties that there is congestion on Forge Hill and that this is confined to the morning and evening commuter peak periods. I have

witnessed this congestion at the time of my inspection of the site. It is also agreed that the source of this congestion is due to commuters avoiding bottlenecks in the road network in particular the Kinsale Road interchange and is not due to the traffic generation of existing industries and enterprises on Forge Hill.

The applicants have argued that the traffic generation from the proposed development will contribute an additional 2% to existing volumes when the facility is operating at full capacity. The appellants have argued that even a small increase in existing traffic amounts will have an unacceptable impact. It is also argued by the applicants that the facility will tend to generate traffic outside of peak traffic times

As the land is zoned for development, in this case industrial, an applicant has a legitimate expectation that it may be developed for a suitable purpose. I consider that the applicants have reasonably argued that the proposed development will not significantly increase traffic flows on Forge Hill. Conditions relating to congestion are related to broader traffic patterns in the area.

Forge Hill alignment.

The carriageway width on Forge Hill is variable. It is narrower at each end with a pinch point at the bridge but widens along its central section where boundaries have been set back following recent developments. Having inspected the site, I consider that the existing carriageway is adequate to allow two trucks to pass at the pinch point. The applicants have set back their boundary and I note the condition of the Planning Authority in relation to a footpath along the site frontage. I consider that the proposed development will not give rise to a traffic hazard along the site frontage.

The appellants argue that realignment / improvement of Forge Hill is being implemented piecemeal by the Planning Authority. They say that there is no definite timescale for full implementation and that this is unsatisfactory and raises safety issues for pedestrians and cyclists. I agree that it would be preferable to improve Forge Hill in a single contract a that a uniform system of lighting and footpaths was put in place, it is not uncommon in urban areas for incremental improvement to take place where opportunities arise.

The alternative would be to prohibit all further development on Forge Hill pending road widening. I do not consider that this alternative is acceptable for zoned land. The objections of the appellants, if accepted, would prohibit the development of this and any other site for any industrial purpose, and not just particular to the proposed site. On balance, therefore, I consider that the proposed development is acceptable.

Private vehicles.

The appellants state that the application does not rule out the use of the facility by private vehicles or that the conditions of the Planning Authority do not preclude the use of the facility by private vehicles. I consider that this issue could be clarified by the imposition of suitable conditions prohibiting use of the facility by members of the public in the event that permission were to be granted.

Design / Visual Impact.

I consider that the design of the main building is acceptable in relation to scale, features and finishes and will not negatively impact on existing visual amenities.

Additional landscaping and planting is also proposed and required by condition. The site is not located in a designated scenic/landscape protection area or near a scenic route. On the basis of the above, I consider that the proposed development would not be visually obtrusive.

Waste Management Plan.

The appellants have argued that the proposed IPODEC facility is in conflict with the Waste Management Plan (WMP) 1999 for Cork City and County.

The proposal would generally be in line with the overall policy contained in the WMP for waste transfer. I do not consider that the proposed development would prejudice the provision of a regional waste recovery facility bearing in mind the increasing level of waste production.

Summary and conclusions.

- From my examination of the issues raised in the grounds of appeal, I would conclude the following:
- Zoning / use – it is considered that the proposed use is appropriate to the zoning. The proposed development is an intensification of an established use on the site.
- Environmental issues – the proposed development is unlikely to give rise to significant impact in terms of noise generation, groundwater / leachate and birds / vermin. The nature of the development does present issues in relation to odour and dust mitigation but the enclosing of processes currently undertaken in a less enclosed setting will assist in this regard. The waste licence provides for permission levels and ongoing monitoring.
- Traffic & Road Network – it is considered that the level of additional traffic generated by the proposed development will not give rise to significant traffic congestion or a significant increase in existing traffic congestion. The provision of a footpath along the frontage will assist in the ongoing improve of Forge Hill
- Visual impact – the design of the main building is acceptable in relation to scale, features and finishes and will not negatively impact on existing visual amenities.
- Waste Management Plan - the proposal would be generally consistent with the policies and objectives.

Recommendation

I would, therefore, recommend that permission be granted.

Reasons and considerations

Having regard to the provisions of the zoning provisions of the current Cork County Development Plan 2003, the established use on the site, the provisions of the Cork waste management plan and the proposed nature of the operations including the enclosed nature of activities on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities or depreciate the value of properties in the vicinity of the site and would be acceptable in terms of traffic safety and convenience. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

Conditions

1. The development shall be carried out in accordance with the plans and particulars lodged with the application as amended by revised particulars received by the planning authority on the 27th September and 23rd December 2002, except as may otherwise be required in order to comply with the following conditions.

Reason: In the interest of clarity.

2. (1) The site shall be landscaped in accordance with the scheme of landscaping lodged with the Planning Authority on the 23rd December 2002.

(2) All planting shall comply with the specifications of the landscaping scheme agreed and shall be maintained by the developer. If any plant should die it shall be replaced within the next planting season.

Reason: In the interest of visual amenity.

3. The developer shall lodge within one month of this order, the sum of € 5,000 to guarantee the satisfactory completion of tree and shrub planting and all other landscaping proposals for the site as required by condition no.2. The sum lodged pursuant to this condition shall be refunded only when it is certified

Council's Planning Officer that the planting and landscaping has been carried out to the Council's satisfaction.

Reason: To ensure the satisfactory completion of landscaping works and in the interest of visual amenity.

4. Details of colours / textures of all buildings / structures on the site shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

Reason: In the interest of visual amenity.

5. Details of all external lighting within the curtilage of the site shall be submitted to and agreed with the Planning Authority prior to the commencement of development.

Reason: In the interest of orderly development

6. The applicants shall provide a two metre wide public footpath along the entire frontage of the site at their own expense details including timescale of implementation of which are to be agreed with the Planning Authority prior to the commencement of development works on the site.

Reason: In the interest of the amenities of the area to safeguard the movement of pedestrians on Forge Hill.

7. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health and to ensure a proper standard of development.

8. The internal road network serving the proposed development, including turning bays, parking areas, verges and kerbs shall be in accordance with the detailed requirements of the Planning Authority for such works.

Reason: In the interest of amenities and public safety.

9. All service cables associated with the proposed development (such as electrical, telephone and public lighting cables) shall be run underground within the site.

Reason: In the interest of orderly development and the visual amenities of the area.

10. The quantity of material imported into the site shall not exceed 82.000 tonnes per annum. The site shall not be used by members of the public in private vehicles for the purpose of transporting material to the site.

Reason: To control the scale of development.

11. The facility shall not open to receive waste outside of the terms as specified in a waste licence issued to the operator of the site.

Reason: In the interest of orderly development.

12. Prior to commencement of development, the developer shall pay a sum of money (updated at the time of payment in accordance with changes in the Wholesale Price Index - Building and Construction (Capital Goods), published by the Central Statistics Office), to the Planning Authority as a contribution towards expenditure that was and / or that is proposed to be incurred by the planning authority in respect of road improvement, water and drainage works facilitating the proposed development.

In the case of expenditure that is proposed to be incurred, the requirement to pay this contribution is subject to the provisions of Section 48 (12) (b) of the Planning and Development Act, 2000 generally, and in particular, the specified period for the purposes of paragraph (b) shall be the period of seven years from the date of this order.

Reason: It is considered reasonable that the developer should contribute towards the expenditure that was and/or that is proposed to be incurred by the planning authority in respect of works facilitating the proposed development.

Derek Daly

6th October 2003

Inspectorate