

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland

Ceanncheathrú, Bosca Poist 3000
Easáit Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire

T: +353 53 9160600

F: +353 53 9160699

E: info@epa.ie

W: www.epa.ie

LoCall: 1890 33 55 99

Director of Services - Environment Section,
County Hall,
Emmett Street,
Clonmel,
Co. Tipperary

FAO Mr Denis Holland

15th December 2016

Reg. No. H0004-01

Re: Tipperary Closed Landfill – Notice in accordance with Regulation 7(4) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008.

Dear Director

I am to refer to the above referenced application for a certificate of authorisation in relation to the above referenced closed landfill.

For the purpose of determining the application and in accordance with Regulation 7(4) of the abovementioned Regulations, you are requested to provide the information detailed below:

1. Provide any updated monitoring data obtained since the making of the application for a certificate of authorisation insofar as that data is relevant to the Agency's consideration of the application.
2. To ensure the quality of data, including monitoring data, conclusions and recommendations of the risk assessment and any revisions to the risk assessment, provide a letter from a qualified person to South Tipperary County Council in accordance with the template that can be downloaded at: <http://www.epa.ie/pubs/advice/licensee/historiclandfilltemplateletterqualifiedpersontolocalauthority.html>.
3. The Agency has determined that due to the reasons set out below an Appropriate Assessment is required and notice of that determination is hereby given in accordance with Regulation 42(8)(a) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). You are thereby required to submit a Natura Impact Statement, as defined in Regulation 2(1) of the aforesaid Regulations.



You are furthermore advised to refer to the document 'Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities', issued in 2009 by the Department of the Environment, Heritage and Local Government, and revised in 2010. This document is available at:

http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf.

The reasons for this determination are as follows:

1. The applicant presented evidence that leachate is discharged from the landfill to the adjacent marsh and that water in the adjacent land drain has elevated levels of ammonia;
2. Surface water monitoring data was provided at locations on the Spital-land surface water body. Surface water monitoring data has not been provided for the segment of the Fidaghta surface water body downstream of the landfill and prior to the confluence with the Spital-land surface water body;
3. It is not clear if the landfill connects to the Spital-land, Fidaghta and/or Ara surface water bodies and no diagram or schematic figure showing actual drainage pathways were provided in the application;
4. The Ara and Fidaghta surface water bodies are connected to the Lower River Suir SAC;
5. The surface water assessments have been made on one sampling occasion at SW1, SW2 and SW3 in July 2010. This appears to be an inadequate database of sampling data.

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

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of one original plus one copy. In addition, please submit one copy of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is H0004-01. Please direct all correspondence in relation to this matter to *Administration, Environmental Licensing Programme, Office of Environmental Sustainability, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.



Yours sincerely,

Caroline Murphy

Caroline Murphy
Inspector
Environmental Licensing Programme
Office of Environmental Sustainability



