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15/12/2016

Reg. No. H0006-01

Re: Finisklin 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. The risk assessment provided with the application is completed to Tier 2 only. Given the high risk presented by the closed landfill, present a revised risk assessment taken to Tier 3 and completed in accordance with the *Code of Practice: Environmental Risk Assessment for Unregulated Waste Disposal Sites* (EPA, 2007) and the matrices (Matrix 1 and 2) published by the EPA in 2011 that are available for download at: <http://www.epa.ie/pubs/advice/waste/waste/>.
2. 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.
3. 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 Sligo County Council in accordance with the template that can be downloaded at: <http://www.epa.ie/pubs/advice/licencee/historiclandfilltemplateletterqualifiedpersontolocalauthority.html>.

4. 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](http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf)

The reasons for requiring a NIS are as follows:

- The closed landfill is adjacent to Cummeen Strand/Drumcliff Bay (Sligo Bay) SAC and Cummeen Strand SPA
- There is evidence of landfill leachate seeping into the adjacent SAC and SPA.
- The conclusion that there is no impact on surface water quality is based on one round of surface water sampling in two locations in Sligo Harbour. This appears to be an inadequate database of sampling data.

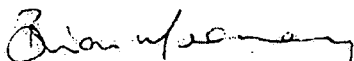
Your reply to this notice should include a revised non-technical summary, which reflects the information you supply in compliance with the notice: insofar as that information impinges on the non-technical summary.

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 H0006-01. Please direct all correspondence in relation to this matter to *Administration, Environmental Licensing Programme, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



Brian Meaney  
Environmental Licensing Programme  
Office of Environmental Sustainability