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Planning Department

31st March 2017

RE: Nurendale, Rathdrinagh, Beauparc, Navan, Co Meath

Dear Jim

I refer to your letter dated 28th March together with enclosure.

Based on the content of same the Planning Authority has no issue with the proposal as outlined therein and subject to meeting the terms and conditions of relevant planning permissions the Council is satisfied that said proposal is compliant.

I trust that the foregoing is to your satisfaction.

Yours sincerely

Pat Gallagher
Senior Planner

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Mr. Pat Gallagher,
Senior Planner,
Meath County Council Planning Department,
Buvinda House,
Dublin Road,
Navan,
Co. Meath.

28th March 2017

My Ref: 1742/Nurendale

Dear Mr Gallagher,

1. I act on behalf of Nurendale, Rathdrinagh, Beauparc, Navan, Co. Meath. My clients currently operate a waste transfer/recycling facility at Rathdrinagh, Beauparc, Navan, Co. Meath. They are currently engaged in the preparation of an application to the Environmental Protection Agency for a review of the facility's waste license – W0140 04. The review is being requested to enable them to introduce changes to the recycling process and the types of materials being processed at their facility. At present the Licence includes, inter alia, the acceptance and processing of non-hazardous construction and demolition waste. My clients wish to change from that process and introduce a new process and new form of waste material. The latter has been assigned List of Waste (LOW) Code: 19 01 02 and comprises "*Bottom ash and slag other than those mentioned in 19 01 11*", which is a non-hazardous incinerator generated waste. Please note that it was formerly known as EWC Code: 19 01 02.
2. In completing the form for the review of the license, my clients are required to answer a question as to whether or not planning permission is required for the changes proposed as part of the application and also to provide confirmation in writing from the relevant planning authority or An Bord Pleanála that this is the case.
3. I have been requested by my clients to make a representation to Meath County Council as the planning authority for the area in which the facility is located, seeking confirmation that the proposed changes do not require planning permission.
4. The original grant of permission authorising the development of the waste transfer/recycling facility at Rathdrinagh was issued by Meath County Council in 2002

with a limitation of 45,000 tonnes on the volume of material that could be accepted at the facility (**Meath County Council Planning Register Reference No: 01/4304**). In 2004 permission was granted for a new recycling facility for dry packaging which resulted in an increase in the volume of inputs to 165,000 tonnes per annum (**Meath County Council Planning Register Reference No: SA/30347**). In October 2007 permission was granted for a materials processing building (c.4320m²), a skip repair building (c.416m²) a reed bed surface water treatment area, and ancillary site works (**Meath County Council Planning Register Reference No: SA/60656**). Condition No: 1 attached to the permission stipulated that the development was to be in accordance with the plans and particulars submitted on 19/12/2006 and as amended on 17/08/2007, except "where conditions hereinunder specify". In response to a request for Additional Information as to, inter alia, the full range of materials accepted on the site – it was indicated that it accepted and processed non-hazardous commercial and Industrial (C & I) and construction and demolition (C & D) waste. The volume throughput of waste was 160,000 tonnes.

5. The processing of the construction and demolition waste involves the reception of waste inside a building. It is then screened into different fraction sizes with metals being removed from the waste using magnets and eddy current separators. The salvaged metal is sent for recycling while the rubble is sent to landfill for use in construction works or waste permitted recovery sites. The C & D waste is now to be redirected to other facilities operated by my clients.
6. The new waste material which it is proposed to process is incinerator bottom ash – LOW Code No: 19 01 02. It, too, is a non-hazardous waste. It will be off-loaded within the building, screened into different fractions and the metals will be removed. They will be sent for recycling while the residual ash will be sent to landfill. There will, in effect, be no material difference from a planning perspective with regard to the processing of the waste material. The volume will be c.130,000 tonnes. With the redirection of the C & D waste to other facilities operated by my clients, there will be no increase in the overall quantity of waste being taken in at the facility.
7. With regard to the nature of the waste, the facility is authorised to accept non-hazardous industrial waste. The bottom ash, as described above, has been generated by what is commonly accepted to be an industrial type process in that it involves the breaking down through incineration of articles i.e. the items of waste being processed.
8. It would, therefore, be my submission that the processing, handling and recycling of this new waste would be in compliance with the relevant grants of planning permission for

development on the Rathdrinagh site and would constitute an authorised activity, once the terms and conditions of the permission are complied with.

9. In this regard, I would refer you to the response from Fingal County Council in relation to recent correspondence between Starrus Eco Holdings Limited and the Council with regard to the review of the EPA license which the former hold for their Waste Materials Recovery Facility and Biowaste Treatment facility, which includes, inter alia, a recovery and transfer building, at Millennium Business Park, Cappagh Road, Townland of Grange, Ballycoolin, Dublin 11 (copy attached). The review was necessitated by the fact that it was proposed to process a range of new waste materials emanating from the new Covanta incinerator in Poolbeg, which is the same source of the waste materials covered in this letter.

10. The facility, as referred to above, had been the subject of a grant of permission on appeal by **An Bord Pleanála – PL. 06F. 202468 (Fingal County Council Planning Register Reference No: 02A/1474)**. It authorised the handling of a range of wastes including Municipal Solid Waste (MSW), Construction and Demolition Waste (C & D) and Biowaste. A query was raised with the Council which is identical to that which is the subject of this correspondence as to whether or not the processing of a proposed annual tonnage of c.130,000 tonnes, (which was within the tonnage approved for the facility) of:-

“EWC Code 19 01 12 Bottom ash and slag other than those mentioned in 19 01 11”

which was confirmed by the operators as a non-hazardous incinerator bottom ash (IBA), was compliant with the terms and conditions of the subject planning permission.

11. The response of the Council was: –

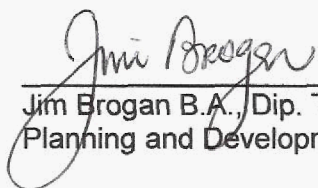
“Subject to this meeting the terms and conditions of the planning permission, the proposal is compliant.”

12. With regard to the facility at Rathdrinagh, the nature of my clients’ request is the same – Whether or not the processing of c. 130,000 tonnes of List of Waste (LOW) Code 19 01 02 – “Bottom ash and slag other than those mentioned in 19 01 11” which is a non-hazardous incinerator bottom ash complies with the terms and conditions of the relevant permissions, which authorise my clients’ facility/activities at Rathdrinagh.

13. It is my submission to Meath County Council that once it complies with the terms and condition of those permissions that it is compliant.

14. My clients request that the Council confirm in writing that this is the case and that planning permission is accordingly not required for the changes proposed as part of their application to the Environmental Protection Agency for a review of the waste licence for their facility at Rathdrinagh, Beauparc, Navan, Co. Meath.

Yours faithfully,



Jim Brogan B.A., Dip. T.P., M.I.P.I., Dip. L.S., Dip. Arb., F.C.I. Arb., B.L.
Planning and Development Consultant

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