

Ms, Ewa Babiarczyk,
Inspector,
c/o Administration,
Environmental Licensing Programme,
Office of Environmental Sustainability,
Environmental Protection Agency
Headquarters, PO Box 3000
Johnstown Castle Estate
Co. Wexford



JSPE

J Sheils Planning & Environmental Ltd

31 Athlumney Castle, Navan, Co Meath

Phone/Fax: Ireland +353 46 9073997

Mobile: John Sheils +353 87 2730087

Email: johnsheils@jspe.ie

Date: 27th August 2018

Our Ref: JSPE 173_L28

Your Ref: W0265-01

Re: Notice in accordance with Article 16(1) of the Waste Management (Licensing) Regulations 2004

Waste Licence Application by CLASHFORD RECOVERY FACILITIES LTD for the continued operation of its existing Waste Recovery Facility on lands at Naul Townland, Naul, Co. Meath (National Grid Reference 285633E 253005N).

Dear Ms Babiarczyk,

On behalf of Clashford Recovery Facilities Ltd, we have prepared the following response to your notice issued on 18th December 2017 in accordance with Article 16(1) of the Waste Management (Licensing) Regulations.

The notice relates to a request for further information in accordance with sub-articles 12(1)(a) to (v) of the with respect to Waste Management (Licensing) Regulations 2004, as amended.

A number of revised drawings have been included with this submission. A list of Drawing titles, drawing numbers and revision status is attached.

A revised non-technical summary is also included with this submission.

For ease of reference we have provided our response to the Article 12 compliance requirement items as follows:

1. Provide a copy of the Annual Environmental Report 2016 submitted to Meath County Council as required under the Waste Permit Reg. No. WMP 2005/25.

Please find attached copies of Annual Environmental Reports for 2016 and 2017 (Attachment A) submitted to Meath County Council as required under Waste Permit Reg. No. 2005/25. Please note that annual AER's are now submitted electronically through the National Waste Collection Permit Office (NWCPO) Annual Returns Portal and a such should be available to the EPA.

2. State the quantity (in tonnes) of soil and stone that has been placed in the quarry to date.

The following Table 1 provides a summary of the quantity (in tonnes) of soil and stone that has been placed in the quarry to date. The table also provides an estimate of the volume of void space remaining at Clashford Recovery Facility.

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Table 1 Volume of Void Space at Clashford Recovery Facility

Phase	Void Space						Life Span Remaining
	Filled		Remaining		Totals		
	<i>m</i> ³	tonnes	<i>m</i> ³	tonnes	<i>m</i> ³	tonnes	
Restored Lands	380,000	760,000	None	None	380,000	760,000	Completed 2009
1	210,000	420,000	None	None	210,000	420,000	Completed 2011
2	452,000	904,000	None	None	452,000	904,000	Restoration 6 to 12 months
3	93,000	186,000	174,000	348,000	267,000	534,000	3 to 5 Years
Final Restoration	-	-	-	-	-	-	1 year
Totals	1,135,000	2,270,000	174,000	348,000	1,309,000	2,618,000	

Notes:

- * Assumes 40,000 to 70,000 m³ recovered per annum (subject to market conditions).
- Assumes density of imported soil and stone as 2 tonnes/m³

3. State the quantity (in tonnes) of C&D waste which has been placed in the quarry to date. Include a LoW code for each type of C&D waste placed in the quarry.

The following Table 2 provides details of the quantities of inert Waste and the relevant EWC codes for materials placed in the quarry to date.

Table 2 Quantities of inert waste placed in the quarry to date

Year	EWC Code		Totals	Comments
	17 05 04	17 01 01		
2001	554,000		554,000	No AER's submitted prior to 2006. No Company records retained being over 11 years ago. Fill quantities determined from 2004 end of year topographical survey
2002				
2003				
2004				
Aug-05	150,000		150,000	Fill quantities determined from topographical survey
Dec-05	164,568		164,568	Fill quantities determined on pro-rata basis
2006	268,704	1,448	270,152	Details taken from AER's submitted to Meath County Council.
2007	232,907	34,803	267,710	
2008	121,553	16,720	138,273	
2009	46,873	27,103	73,976	
2010	72,041	8,500	80,541	
2011	83,391	4,674	88,065	
2012	94,216	8,728	102,944	
2013	112,339	10,303	122,642	
2014	143,430	26,860	170,290	
2015	234,229	52,470	286,699	
2016	76,931	14,707	91,638	
2017	31,693	4,923	36,616	
Totals	2,386,875	211,239	2,598,114	

The quantities of materials placed have been correlated with the quantities determined from topographical survey of the quarry (Refer to Table 1 above). The difference is c. 13% which is accounted for by a number of factors including variability in density of materials placed, compaction, assumed average of 20 tonnes per load, and survey accuracy.

4. State whether the restoration of Phase 1 and Phase 2 of the fill has been completed and to the satisfaction of Meath County Council.

Meath County Council confirmed in a letter dated 16/10/17 that a restoration scheme for the quarry lands as submitted (including Phase 1 and Phase 2) has been agreed with the Planning Authority. A copy of this letter was also forwarded to the EPA by Meath County Council.

A copy of the compliance submission (dated 10/10/17) as referred to above was forwarded to the EPA by James McCaldin, Environment Section, Meath County Council on 22/11/17. This submission also included a letter dated 15/11/17 with respect to Environmental Order No.

A02789/2017 (Section 55 Notice (WMA Act, 1996, as amended) - Clashford Recovery Facility, Naul, Co. Meath. As stated in this submission “*phase 3 of the area relating to Waste Permit (WMP 2005/25) is the only area remaining to be restored by importation of soils and stones. This area is also within the area relating to P.A. Reg. Ref. QY36, QC 17.QC2085*”. It should be note that the facility has remained closed since August 2017 and that Meath County Council have informed our client that the Section 55 notice is to remain in place until such time as the EPA reach a decision with respect to Waste Licence application.

Our client has also recently submitted a planning application for permission (P.A.Reg. Ref. AA180893) for development at this site, within part of a sand and gravel pit (P.A. Reg. Ref. QY36, QC 17.QC2085) which is currently under restoration at Clashford, Naul, Co. Meath. The development will consist of the recovery of construction and demolition waste to produce secondary aggregates. The existing site office including welfare facilities will be replaced including provision of septic tank and percolation area. The wheelwash will be upgraded and relocated towards the site entrance. The existing palisade fence at the entrance is to be replaced with a stone wall and separate entrance gate provided for access to the site office. A weighbridge, hard standing area with drainage to oil interceptor, semi-mobile crushing and screening plant and other ancillaries will be provided. The total application area including the site infrastructure covers c. 0.8 ha of lands. The development will be subject to the requirements of a waste management licence (Reg. No. W0265_01) which is currently under consideration by the Environmental Protection Agency (EPA).

5. State the remaining capacity (in tonnes) for the fill of phase 3 and the expected duration of this fill activity.

Refer to Table 1 above. i.e. 348,000 tonnes. It is expected that the void space remaining (Phase 3) will be filled within 3 to 5 years at a fill rate of somewhere between 80,000 to 140, 000 tonnes per annum. An additional year will be required to complete final restoration works.

6. Provide a drawing that illustrates the extent and boundary of each waste facility permit previously issued for waste activities at the facility. Also provide a list of all such permits including permit register numbers, date granted, date expired/replaced, phase number and quantity filled. The purpose is to fully understand the permit history at the facility, authorised waste acceptance and authorised fill locations, and your response should be framed in this manner.

For ease of reference we have marked various boundaries and relevant details on a copy of the Site Restoration Plan for the Quarry (Drawing No. 173_1 Rev 2 Attached). Details with respect to date of grant, commencement and completion of Waste Management Permits/Phases are shown (where known) in the legend.

As previously advised Phase 3 of the area relating to Waste Permit (WMP 2005/25) is the only area remaining to be restored by importation of soils and stones. This area is also within the area relating to P.A. Reg. Ref. QY36, QC 17.QC2085. As you are aware the Waste Licence application (Reg. No. W0265_01) is still under consideration by the EPA and as such the Waste Permit (WMP 2005/25) remains valid.

The following Table 3 provides a list of all permits including permit register numbers, date granted, date expired/replaced, phase number and quantity filled.

Table 3 Details of Waste Permits including Quantity filled to date

Waste Permit/Licence No.	Date Granted	Date Expired/Replaced	Waste Permit Phasing			Phase 2 of Waste Licence Area	Totals
			Phase 1	Phase 2	Phase 3		
2001/6	07/11/2001	08/05/2005	504,000	50,000			554,000
2005/13	30/05/2005	28/02/2006	286,000				286,000
2005/25	30/11/2005	Valid		370,000	186,000		556,000
W0265_01	Under Consideration		790,000	420,000	186,000	874,000	2,270,000

7. Provide a copy of all waste facility permits granted for waste activities at the facility including but not limited to WMP 2005/1 and 2005/25.

Copies of all waste facility permits for the site at Clashford as detailed in Table 3 above are included in Attachment B.

8. State why the waste licence application should not relate to the entire site, i.e. the area illustrated in drawings as representing the applicants' ownership and/or all areas previously used for the deposit of waste. It is noted that the waste licence application area is smaller than the area of total waste deposit.

Please find attached copy of Drawing No. 173_1 Rev 2 showing revised waste licence application area. For ease of reference we have revised the boundary along the north western and southern boundaries to correspond with physical field boundaries. The previous boundary was dictated by the extent of fill whilst the revised boundary is representative of the final restoration boundary. The eastern boundary is dictated by the extent of fill where it meets the edge of forestry planting. We trust that this clarifies matters with respect to the difference between the waste licence application area and land ownership boundary.

9. Notwithstanding your response to item 8 above, state whether the waste licence boundaries as currently proposed (ref drawing dated 16/03/2016, figure no. B2.2) cuts through or bisects any previous waste deposits.

As detailed in our response to Item 8 above the waste licence boundary as proposed represents the extent of the inert waste deposited. Refer to attached Drawing No. 173_1 Rev 2 for details.

10. Describe the measures to be taken on and following the permanent cessation of the activity or part of the activity to avoid and risk of environmental pollution and return the site of the activity to a satisfactory state. In support of this response, provide:

- An environmental liabilities risk assessment (ELRA); and
- A Closure, Restoration and Aftercare Management Plan (CRAMP),

Prepared in accordance with Guidance on assessing and costing environmental liabilities published by the EPA in 2014.

The ELRA and CRAMP have been prepared and are included in Attachment C.

The ELRA and CRAMP takes into consideration the nature and extent of waste deposited previously at the facility and the consequent risk of environmental pollution arising in future as a result of the presence of construction and demolition waste (other than soil and stone) in the fill at the unlined facility. An Environmental Assessment and Risk Assessment report (HES Report Ref. P1317-2) has been prepared by Hydro Environmental Services (HES). The HES report brings together historical monitoring data together with recent site investigation data completed by HES on 13th March 2018 and 23rd April through to 1st May 2018 (Refer to Attachment D).

11. Provide all monitoring results from the analysis of groundwater and surface water in the last 5 years, including 2013 to date. Include a summary of these monitoring results and the locations where the monitoring was carried out. State whether these locations are indicative of the up-gradient and down-gradient groundwater and surface water quality.

Refer to separate response prepared by Hydro Environmental Services (Attachment D) with respect to groundwater and surface water monitoring results.

12. Referring to the symbols and locations of the monitoring referred to in correspondence dated 20th March 2016, carry out new sampling of the following:

- (i) the discharge from the facility (DL-1)
- (ii) tributary of the Delvin River at locations upstream (SW-4) and downstream (SW-5) of the discharge from the facility;
- (iii) the Devlin River at the following locations:

- Upstream of the Kilsaran Batching Plant (SW-1);
- Downstream of the Kilsaran Batching Plant but upstream of the facility (SW-2); and
- Downstream of the tributary of the Delvin River (please provide a symbol and grid coordinates for this location)

Include an interpretation and summary of these results.

Refer to separate response prepared by Hydro Environmental Services (Attachment D).

We have also included a revised non-technical summary (Application Form) which reflects the information supplied in compliance with the notice (Refer to Attachment E).

A schedule of revised drawings including drawing titles, drawing numbers and revision status is attached.

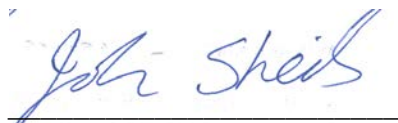
As requested, please find attached one (1) original plus two (2) copies in hardcopy format of this submission. The content of the hardcopy is a faithful reproduction of (i.e. identical to) the electronic files on the accompanying CD-ROM.

In addition, please find enclosed (2) copies of the requested information in electronic searchable PDF format on a CD-ROM. The content of the electronic files on the accompanying CD-ROM's is a true copy of the original submission.

We trust that our submission addresses your compliance requirements under Article 12 with respect to the above Licence application. Please do not hesitate to contact us if you wish to discuss any aspect of this submission.

Yours Sincerely,

For J Sheils Planning & Environmental Ltd,



John Sheils MSCSI MRICS

*Enc. Attachment A - Annual Environmental Report 2016
Attachment B – Waste Facility Permits – Clashford
Attachment C - Closure Plan & Environmental Liability Risk Assessment
Attachment D – Hydro Environmental Services submission
Attachment E - Revised Non-Technical Summary (Application Form)
Schedule of Revised Drawings (and Drawings).*