



## OFFICE OF ENVIRONMENTAL SUSTAINABILITY

### Environmental Licensing Programme Memorandum

<b>To:</b>	Eimear Cotter, Director
<b>From:</b>	Suzanne Wylde, Inspector, Environmental Licensing Programme
<b>Date:</b>	20 November 2018
<b>RE:</b>	Request for a Technical Amendment to Waste Licence Register Number W0129-02, held by Integrated Materials Solutions Limited Partnership.

#### Introduction

A waste licence (Register Number W0129-01) was first granted to Murphy Concrete (Manufacturing) Ltd in the Naul, Co. Dublin by the Environmental Protection Agency on 4<sup>th</sup> December 2002 for operating an inert landfill. A revised licence was issued by the Agency on 21<sup>st</sup> May 2008 (W0129-02) to increase the landfill footprint and to increase the tonnages accepted. The licence was amended (Clerical Amendment A) to correct a clerical error on 23<sup>rd</sup> June 2011. The licence was transferred to Integrated Materials Solutions Limited Partnership in June 2017.

#### Request for Technical Amendment

The licensee has requested an amendment to Condition 3.5.5 (relating to the landfill lining), which reads as follows:

*The formation level of the basal liner prior to emplacement of compacted clay shall be constructed at least one metre above the water table and in any event the formation level of the liner shall be no lower than 104.5 mAOD Malin. Any excavations deeper than the formation level shall only be backfilled with granular materials quarried from the facility.*

The site was previously operated as a commercial quarry but ceased operating as such in 2008 due to the economic collapse and the lack of readily available rock for quarrying at the site.

The licensee has requested to amend the condition to read as follows:

*The formation level of the basal liner prior to emplacement of compacted clay shall be constructed at least one metre above the water table and in any event the formation level of the liner shall be no lower than 104.5 mAOD Malin. Any excavations deeper than the formation level shall **only** be backfilled with granular materials quarried from the facility, or **as approved by the Agency.***

The amendment would allow for other activities relating to the licence to be approved by the Office of Environmental Enforcement under the conditions of the licence. In particular, the amendment would allow for infilling of a large pond on the site with inert soil and stones, before any future development works in that area could commence. Due to the fact, that, the

site is no longer used for quarrying purposes, granular materials are no longer available on site to infill the pond to formation level as per Condition 3.5.5.

### **Appropriate Assessment**

The landfill in the Naul, Co. Dublin is located approximately 10km upstream of the Rogerstown Estuary Special Area of Conservation. The site is selected for the protection of priority habitats listed under Annex 1 of the Habitats Directive and for the protection of species listed under Annex II of the same directive. The site is also selected, under the Birds Directive, for the conservation of wild birds.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Site(s) at Rogerstown Estuary Special Area of Conservation and Rogerstown Estuary Special Protection Area.

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required.

This determination is based on the fact that the proposed amendments will not result in a material change to the nature of the discharges from the agglomeration.

### **Consultation with the Office of Environmental Enforcement (OEE)**

I have consulted with the OEE in relation to this technical amendment request. The OEE confirmed that there are no legal proceedings in train in respect of this licence. The OEE confirmed that the condition cannot be accommodated under the conditions of the licence.

### **Recommendation**

I recommend that the licence amendment be approved as set out in the attached Recommended Technical Amendment. The making of the amendment will not result in the relevant requirements of Section 83(5) of the EPA Acts 1992, as amended, ceasing to be satisfied.

Signed



---

Suzanne Wylde  
Environmental Licensing Programme