



### Objection

|                          |   |
|--------------------------|---|
| Objector:                | Mr John Sheils  |
| Organisation Name:       | J Sheils Planning & Environmental Ltd                           |
| Objector Address:        | 31 Athlumney Castle, Navan, Co. Meath.                          |
| Objection Title:         | Objection #OS005493 - Applicant objection for Reg No:[W0265-01] |
| Objection Reference No.: | OS005493  |
| Objection Received:      | 29 April 2019   |
| Objector Type:           | Applicant   |
| Oral Hearing Requested?  | No  |

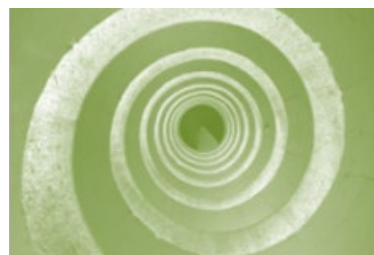
### Application

|            |                                       |
|------------|---------------------------------------|
| Applicant: | Clashford Recovery Facilities Limited |
| Reg. No.:  | W0265-01                              |

See below for Objection details.

Attachments are displayed on the following page(s).

c/o Administration,  
Environmental Licensing Programme,  
Office of Environmental Sustainability,  
Environmental Protection Agency  
Headquarters, PO Box 3000  
Johnstown Castle Estate  
Co. Wexford, Ireland  
Y35 W821



JSPE

J Sheils Planning & Environmental Ltd

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Date: 29<sup>th</sup> April, 2019  
Our Ref: JSPE 173\_L34  
Your Ref: W0265-01

**Re: Objection under Section 42(3) to the Agency in relation to Notification in accordance with Section 42(2) of the Waste Management Act 1996 as amended, of a proposed determination/decision to grant a licence, subject to conditions, to Clashford Recovery Facilities Limited in respect of the site named Clashford Recovery Facilities LTD, Naul Townland, Naul, Meath, Register No. W0265-01.**

Dear Sir,

J Sheils Planning & Environmental Ltd (address as per above letterhead) have been instructed on behalf of Clashford Recovery Facilities Limited, Naul Townland, Naul, County Meath to make an objection in relation to a number of conditions attached to a notification in accordance with Section 42(2) of the Waste Management Act 1996 as amended, of a proposed determination/decision to grant a licence, subject to conditions, to Clashford Recovery Facilities Limited in respect of the site named Clashford Recovery Facilities LTD, Naul Townland, Naul, Meath, Register No. W0265-01.

Our client accepts all of the conditions of the proposed decision to grant the waste licence with the exception of condition No's (3.2.1, 3.8.2, 3.8.3, 3.10, 3.15 (*Clarification*), 6.8, 6.11.3, 12.1, Table A.1.1, Schedules C.1.1 and C.1.2).

Please find enclosed the appropriate fee for making an objection by the applicant in accordance with Article 42 of the Waste Management (Licensing) Regulations 2004. i.e.

| Sub-Article | Application                            | Amount of fee |
|-------------|--|---------------|
| Article 42  | Objection by the applicant or licensee | €500          |

The grounds of objection and the reasons, considerations and arguments on which they are based are laid out as follows. For ease of referencing we have cross-referenced the relevant conditions/schedules under objections as laid out in the proposed Waste Licence decision.

|       |   |
|-------|---|
| 3.2   | Specified Engineering Works (SEW)   |
| 3.2.1 | The licensee shall submit proposals for any Specified Engineering Works, as defined in Schedule D: Specified Engineering Works of this licence, to the Agency for its agreement <b>at least two months</b> in advance of the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency. |

#### **SCHEDULE D: Specified Engineering Works**

| Specified Engineering Works  |
|--|
| Construction works associated with development of the C&D waste recovery facility.                         |
| Relocation of the site office and welfare facilities and construction of septic tank and percolation area. |
| Any other works notified in writing by the Agency.   |

Our client considers that the two month advance notice with respect to Specified Engineering Works is too long. It is noted that the Specified Engineering Works relates to the C&D Waste Recovery facility.

The C&D waste Recovery Facility operations will not be commenced for at least two months. However, our client wishes to recommence the backfill of the quarry at the earliest opportunity. As such, it is proposed to commence construction works relating to the wheelwash and relocation of the site office and welfare facilities including septic tank and percolation area at the earliest opportunity, as these facilities are considered necessary with respect to the recommencement of backfilling. Details with respect to these facilities were submitted to the Planning Authority in relation to the planning application for C&D Waste Recovery Facility (P.A. Ref. AA180893). As such we would ask that the EPA consider rewording the condition to simply say:-

*“The licensee shall submit proposals for any Specified Engineering Works, as defined in Schedule D: Specified Engineering Works of this licence”. No such works shall be carried out without the prior agreement of the Agency.*

This will allow more flexibility with respect to commencement of the development in a phased manner.

|       |  |
|-------|--|
| 3.8.2 | The wheel cleaner shall be used by all vehicles leaving the facility as required to ensure that no wastewater, waste or storm water is carried off-site. All water from the wheel cleaning area shall be directed to a vehicle wash water interceptor sump <b>and shall be sent off-site for disposal.</b> |
|-------|--|

The wheelwash will incorporate settlement and recycling of water. Details of a typical wheelwash incorporating settlement lagoons was provided with the planning application for the C&D Recovery

facility (Refer to Drawing D07 – Copy attached). There shall be no discharge of water from the wheelwash. If the wheelwash requires to be drained the water will be sent for disposal off-site for disposal as per the proposed condition. It is considered the condition should be reworded accordingly to facilitate recycling of water. e.g.

*“All water from the wheel cleaning area shall be recycled. If the wheel cleaner requires to be drained the water shall be sent off-site for disposal”.*

3.8.3 The wheel cleaner shall be inspected on a weekly basis and drained as required. Silt, stones and other accumulated material shall be removed as required and sent off-site for disposal or, subject to agreement by the Agency, **used as fill on-site**.

It is considered that although small quantities only will be generated, it may be possible to recover some of the coarser sand and gravel fraction in the C&D recovery facility. As such it is considered that the condition should be reworded so that:-

*“Silt, stones and other accumulated material shall be removed as required and sent off-site for disposal or, subject to agreement by the Agency, **recovered within the C&D Recovery facility and/or used as fill on-site**”.*

3.10 Construction and Demolition Waste Recovery Area

3.10.1 The licensee shall, prior to the acceptance of C&D waste, provide and maintain a construction and demolition waste recovery area. This infrastructure shall at a minimum comprise the following:

- (i) an impermeable concrete slab;
- (ii) a roofed structure over all screening and crushing plant;**
- (iii) collection and disposal infrastructure for all run-off; and,
- (iv) appropriate noise screening.

3.10.2 **All stockpiles shall be adequately covered and managed to minimise dust generation and rainwater infiltration.**

It is noted from the EPA’s inspectors report dated 13/03/19 that “*provision of a **roofed structure for the screening and crushing plant (Condition 3.10.1) and covering of all stockpiles (Condition 3.10.2)***” have been conditioned on the basis of **minimisation of dust emissions**.

The inspector also states that “*Condition 6.12.1 requires implementation of adequate measures for control of dust. Condition 6.12.2 requires that in dry weather **all stockpiles, site roads and any other areas used by vehicles shall be sprayed with water**. Condition 3.8.2 requires that all vehicles leaving the facility shall use the wheel cleaner. Schedule B.4 of the RD sets a limit on ambient dust*

deposition at the facility boundary while Schedule C.3 requires bi-annual monitoring of ambient dust deposition”.

Condition 5.5 requires that the licensee shall ensure that dust associated with the activity does not result in an impairment of, or an interference with, amenities beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary.

As stated in the EIAR (Section 4.6.6) that accompanied the Waste Licence Application and Planning & Environmental Report that accompanied the planning application for the Recovery and Construction and Demolition Waste Facility (Section 3.5.6):

*Mitigation measures are already in place with respect to the quarry to reduce dust emissions, to aid fugitive dust reduction, and to ensure that the operations remain within the stated thresholds. The company will put place an Environmental Management System (EMS) that sets out procedures to follow to ensure emissions are kept to a minimum.*

*A number of measures have/will be adopted to minimise dust emissions to the atmosphere from general site activity, internal haulage, processing and tipping operations as follows:*

- *During dry weather the haul roads and **stockpiles are sprayed** with water to dampen any likely dust blows.*
- *A mobile water browser is provided in periods of dry or windy weather to cover locations where it is impractical or inappropriate to use a fixed water spray system.*
- *Consideration will be given to location of mobile plant so as to ensure that any principle dust sources cannot adversely affect sensitive off-site locations.*
- ***Static and mobile wet dust suppression systems will be located at strategic points in the process if required.***
- ***Drop heights are kept to a minimum by using short conveyors and maintaining stocks under the head drum load out points.***
- *A wheel wash facility has been installed on site and all vehicles are required to pass through the wheel wash on exiting the site.*
- *A sprinkler system has been installed on the site access road and is in operation during periods of dry weather.*
- *Main site haulage routes within the site shall be maintained with a good temporary surface, as is the case at present.*
- *All internal roadways will be adequately drained, to prevent ponding.*
- *A road sweeper is available for use on site and adjacent sections of the R108 at least on a weekly basis and/or if a spillage occurs onto the public roadway.*

- *Suitable vegetation is to be provided on restored areas at the earliest opportunity.*
- *Regular servicing of facility plant & machinery will ensure that exhaust emissions are kept to a minimum.*
- *Ongoing dust monitoring to ensure threshold limits are not exceeded.*

*Dust emissions from the facility will be controlled and monitored. Dust emissions and their management will be addressed in the 'Environmental Management System' (EMS) for the Clashford site.*

As such it is considered that there will be adequate control measures in place with respect to minimisation of dust without requirement to provide a **roofed structure** for the screening and crushing plant (Condition 3.10.1) and **covering of all stockpiles** (Condition 3.10.2)

The following Plate 1 shows an example of a state of the art Construction and Demolition Waste Recovery Plant. As shown these plants are generally not enclosed (roofed) and the stockpiles are not covered. These plants typically employ wet dust suppression techniques with recovery and recycling of water.

It should also be noted that in accordance with Condition No. 5 of Planning Permission P.A. Ref. AA180893 "Prior to the commencement of development on site the applicant shall submit final design detail of the proposed crusher / screener for the written agreement of the Planning Authority".



Plate 1 Typical C&D Waste Recovery Plant



It is noted that a number of similar Waste Licences (e.g. W0262-01, W0280-01) granted by the EPA use an alternative wording to Condition 3.10.2 i.e. “*All stockpiles shall be adequately contained to minimise dust generation*”. We consider this wording to be more acceptable as it gives greater flexibility to the control measures that can be incorporated e.g. screening bunds/walls around stockpiles, and/or wet dust suppression. It should be noted that it is proposed that all runoff from the impermeable concrete slab in the C&D waste recovery area is to be collected and passed through a silt trap and interceptor prior to reuse (Refer also to submission relating to Condition No. 6.11.3 below for further details).

### 3.15 Settlement Lagoons and Oil Separator

3.15.1 The licensee shall maintain the oil separators and settlement lagoons on-site in the area indicated on Figure No. D\_1.2 titled ‘Site Infrastructure - Surface Water Management Plan’ (Figure date: 8/06/18), of the application. The licensee shall ensure that all storm water, other than from roofs, arising from the facility shall pass through the settlement lagoons or other settlement infrastructure, screening barrier and oil separators in advance of discharge.

Whilst this condition is acceptable to our client, it is proposed to further enhance the settlement lagoons by incorporation of reed beds within the settlement lagoons. Our client has experience of constructing and managing settlement lagoons incorporating reed beds as illustrated by the following Plates 2&3. The benefits of incorporating reed beds/constructed wetland system within the settlement lagoons are:

- Improved treatment of runoff from the site
- Management of collected runoff and reducing discharges from site especially during dry weather periods
- Avoidance of quick discharge of intercepted water by releasing water slowly from wetland cells
- Carbon sequestration (storage)
- Additional buffering of runoff between the site and adjacent aquatic environment
- Enhances the habitat and biodiversity of the existing settlement lagoons and site
- Low maintenance and operations

It is proposed that the settlement lagoons incorporating reed beds will be carried out under the supervision of VESI Environmental Ltd. VESI is acknowledged experts in this field and has undertaken the successful implementation of treatment wetland systems for a range of applications to meet licencing requirements, including large scale systems for the quarry and mine industry.



Plate 2 Example of settlement pond incorporating constructed wetland for water treatment at Vegetable Washing Plant



Plate 3 Example of treatment wetland cell constructed by Applicant



6.8 The storm water drainage system (i.e., gullies, manholes, any visible drainage conduits and such other aspects as may be agreed) and bunds, silt traps and oil separators shall be inspected weekly and desludged as necessary. **All sludge and drainage from these operations shall be collected for safe disposal.** The drainage system, bunds, silt traps and oil interceptors shall be properly maintained at all times. The licensee shall maintain a drainage map on site. The drainage map shall be reviewed annually and updated as necessary.

It is considered that this condition should be reworded to facilitate possible recovery of the coarser sand and gravel fraction in the C&D recovery facility. i.e. the condition could be simply be reworded to state that *“All sludge and drainage from these operations shall be collected for safe disposal and/or recovery.”*

6.11.3 Run-off from process areas of the facility used for the holding, storage and treatment of construction and demolition waste shall be diverted for collection and **safe disposal off site.**

Our client is considering recycling/clarification of surface water runoff from the impermeable concrete slab in the Construction and Demolition waste recovery area for dust suppression, and/or use in the C&D processing plant.

As such it is considered that the proposed condition should be reworded to facilitate reuse. e.g. *“Run-off from process areas of the facility used for the holding, storage and treatment of construction and demolition waste shall be diverted for collection/recycling, and/or safe disposal off site”.*

## 12.1 Agency Charges

12.1.1 The licensee shall pay to the Agency an annual contribution of **€6,171**, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Act 1996 as amended. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Act 1996 as amended, and all such payments shall be made within one month of the date upon which demanded by the Agency.

The proposed Agency charges appear high when compared on a pro-rata basis to other recently granted licences (e.g. Waste Licence W0296-01 – Kilsaran Concrete, Tullykane, Kilmessan, Co. Meath). As shown in the following table in comparison to Waste Licence W0296-01 on a pro-rata basis the annual contribution would be €3,800. It is also considered that the EPA should provide the basis on which the annual contribution has been calculated.

**Table 1 Agency Fees on a pro-rata basis**

| Waste Licence | Agency Charges<br>€ | Waste Quantities<br>tonnes | Cost/tonne<br>€ |
|---------------|---------------------|----------------------------|-----------------|
| W0265-01      | 6,171               | 190,000                    | 0.032           |
| W0296-01      | 7,953               | 400,000                    | 0.020           |
| W0265-01      | 3,800               | 190,000                    | 0.020           |

#### A.1 Waste Acceptance

Only the wastes as specified in Table A.1.1 are acceptable for recovery at the facility unless otherwise agreed by the Agency.

In accordance with Condition No. 3 of Planning Permission P.A. Ref. AA180893 *“the imported material shall comprise of demolition waste (principally mixed concrete, bricks, **blacktop**, tiles and ceramics) only and shall be only deposited on that part of the landholding as indicated on the site layout map received by the Planning Authority on the 10/08/18”*.

For consistency with the Planning permission our client would be grateful if the EPA could amend Table A.1.1 to include for the following waste categories to be accepted at the C&D Waste Recovery Facility.

| LoW Code | Waste Type   |
|----------|--|
| 17 03 02 | bituminous mixtures other than those mentioned in 17 03 01 |

### SCHEDULE C: Control & Monitoring

#### C.1.1 Control of Storm water Discharges

.....

Point Reference No.: **DL-2, DL-3, DL-4, DL-5** (outlets to River Delvin as shown on Figure No. F\_1.0 dated 8/07/18)

Description of Treatment: Silt trap, oil interceptor

As shown by Figure F\_1.0 Environmental Monitoring Plan dated 8/07/18 Discharge Points DL-2, DL-3, DL-4 are spurs taken from an 80mm land drain running along the bottom of the slope adjoining the River Delvin. In accordance with the above Schedule C.1.1 the EPA have specified that silt traps and interceptors are a requirement to treat the storm water prior to discharge. Our client considers that it would be more appropriate to seal off the spurs and provide a single discharge point as shown by the revised Figure F\_1.0\_Rev\_D. As shown a silt trap and interceptor will be incorporated into the storm water system prior to discharge. As such it is considered that the EPA should amend the schedule accordingly to refer to the single discharge point i.e. DL-2.

### C.1.2 Monitoring of Storm water Discharges

Emission Point Reference No: DL-1 (outlet to Fourknocks River as shown on Figure No. F\_1.0)

**DL-2, DL-3, DL-4, DL-5** (outlets to River Delvin as shown on F\_1.0 dated 8/07/18)

SW-4A, **SW4**, SW5 (upstream and downstream of DL-1 as shown on Figure No. F\_1.0 dated 8/07/18)

SW-1, SW-2 and SW-3 (upstream and downstream of **DL-2 to DL-5** as shown on Figure No. F\_1.0 dated 8/07/18)

As detailed above in relation to *Schedule C.1.1. Control of Storm water Discharges* the applicant is proposing a single discharge point with respect to discharge to the Delvin River (i.e. DL-2); as such we would ask that the EPA amend the above details under Schedule C.1.2 to reflect this.

It is also note that schedule C.1.2 refers to monitoring at SW4. As shown on Figure F\_1.0 this monitoring point is considered redundant (greyed out) and has been relocated to SW-4A upstream of Discharge Point DL-1. SW5 has been retained being downstream of DL-1. As such it is considered that there is no requirement to carryout monitoring at Location SW4 and this should be removed from the schedule.

On the basis of the grounds of objection and the reasons, considerations and arguments on which they are based we respectfully request that the Agency amend the said conditions accordingly as set out above. Please contact us if you require any further clarification with respect to the matters raised.

Yours Sincerely,

For J Sheils Planning & Environmental Ltd,



John Sheils MSCSI, MRICS

*Attachments*

*Figures D07 and F\_1.0 Rev\_D*

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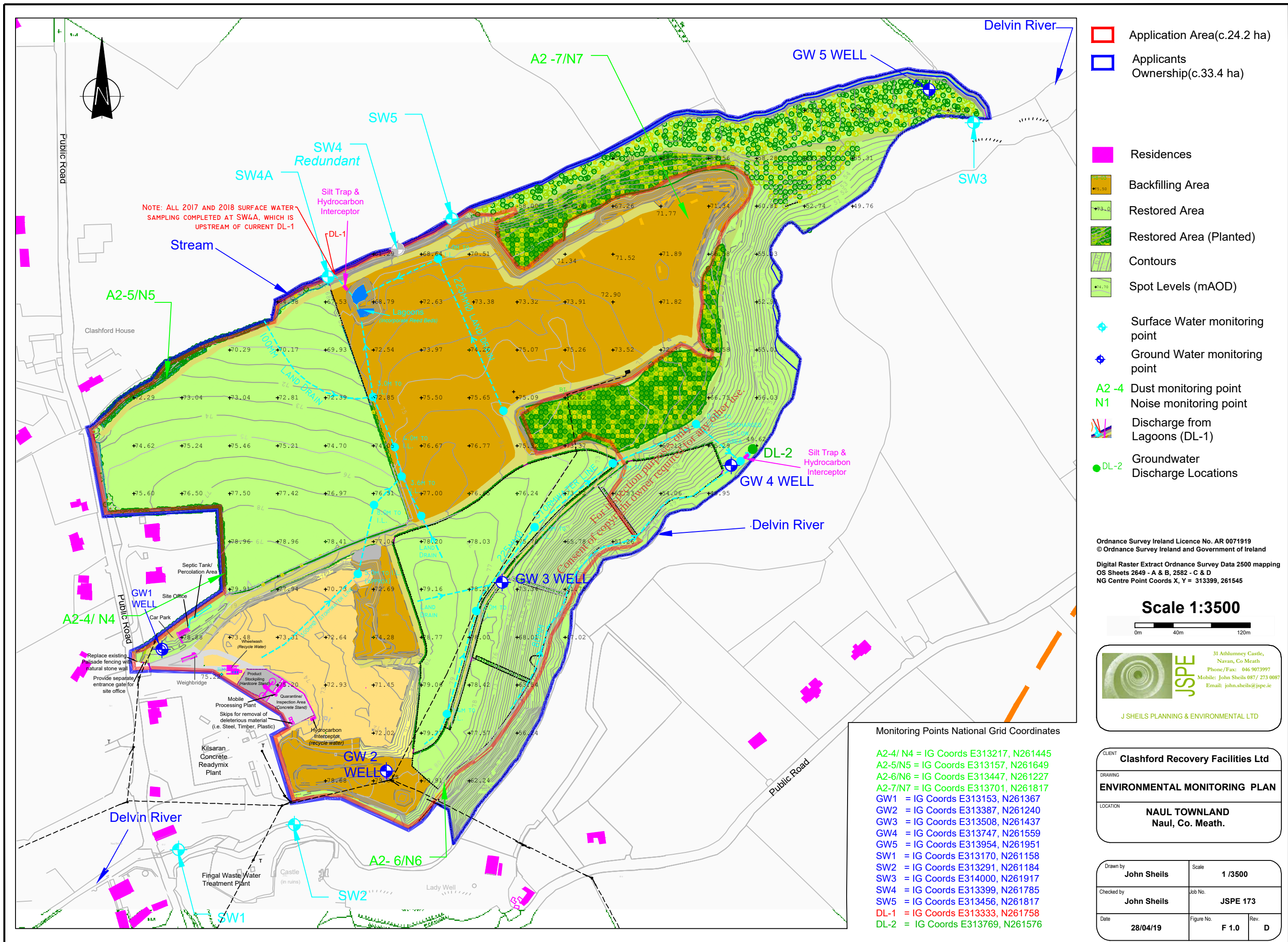


## Figures

### Schedule of Plans, Drawings & Maps

| Ref.  | Details                       | Size | Rev | Scale    |
|-------|-------------------------------|------|-----|----------|
| F 1.0 | Environmental Monitoring Plan | A3   | D   | 1:3,5000 |
| D07   | Wheel Wash                    | A3   | 0   | 1:100    |

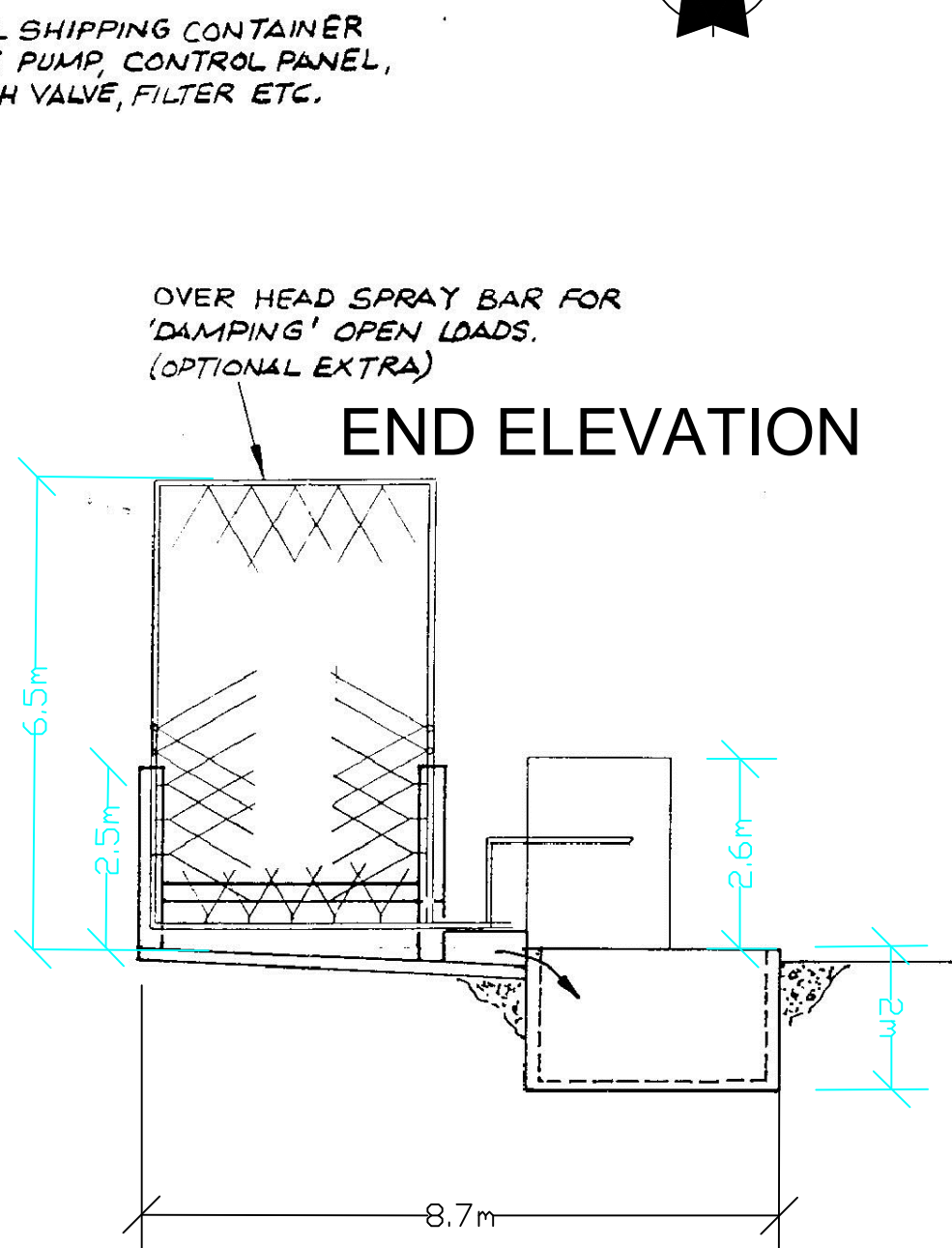
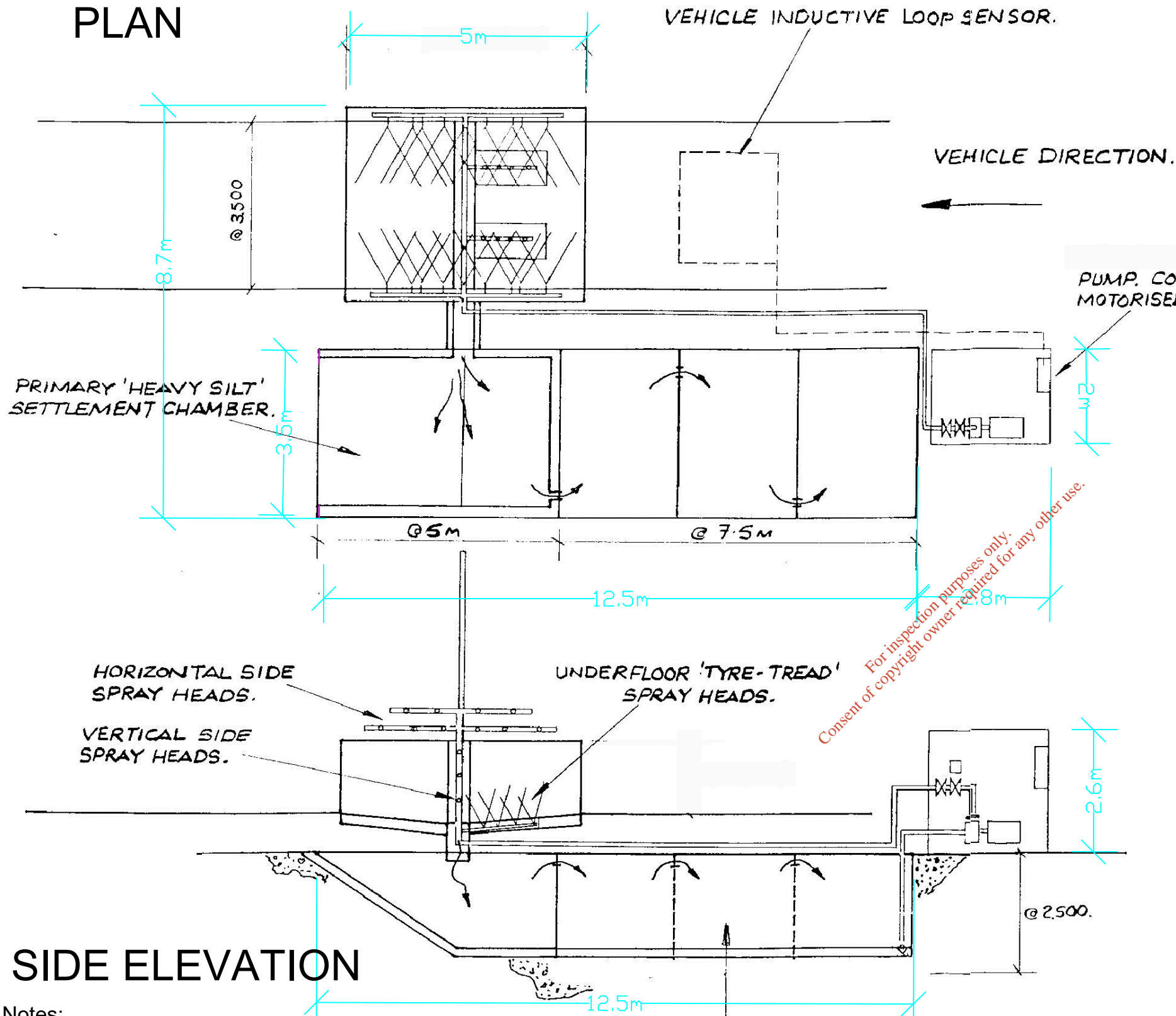
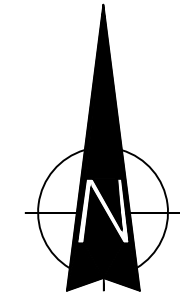
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# PLAN

Scale 1:100



# SIDE ELEVATION

- Notes;
1. Ground level at c. 75m AOD
  2. Refer to Drawing D03 for location
  3. Both Side and End Elevations Same

PLEASE DO NOT SCALE.

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**JSPE**  
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J SHEILS PLANNING & ENVIRONMENTAL LTD

|                                  |   |
|----------------------------------|---|
| Drawn by<br><b>John Sheils</b>   | Scale<br><b>1: 100</b>                    |
| Checked by<br><b>John Sheils</b> | Job No.<br><b>JSPE 173</b>                |
| Date<br><b>18/04/18</b>          | Figure No.<br><b>D07</b> Rev.<br><b>0</b> |

|  |
|--|
| CLIENT<br><b>Clashford Recovery Facilities Ltd</b>                     |
| DRAWING<br><b>WHEELWASH</b>  |
| LOCATION<br><b>Clashford Recovery Facility<br/>Naul,<br/>Co. Meath</b> |