

Attachment-4-5-1-Applicable Regulation or Directive

Applicable Regulation or Directive

Waste disposal and recovery activities in Ireland are required to hold an authorisation in accordance with the Waste Management Act 1996 as amended.

Depending on the authorisation required, these activities are controlled either by the Environmental Protection Agency (EPA) or by Local Authorities within their own areas.

Local Authorities are the competent authorities for granting and enforcing Waste Permits and Certificates of Registration issued to Private Operators for those waste activities listed in the Third Schedule to the Waste Management (Facility Permit & Registration) Regulations S.I. No. 821 of 2007 as amended.

The principal legislative texts governing the form of authorisation required for waste facilities are:

- Waste Management (Licensing) Regulations 2004 to 2011
- Waste Management (Facility Permit & Registration) Regulations 2007, as amended

Packaging Laundry currently operates under a Waste Facility Permit issued by Wicklow County Council in May 2018 (Permit Ref. No. WFP-WW-18-0043-04). The permit was granted listing the site as Class 10 activity with List of Waste (LoW) codes 15 01 02 and 15 01 04. A copy of the Waste Facility Permit is provided overleaf.

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Waste Facility Permit

Issued by:



Wicklow County Council

**Waste Management Act 1996
and
Waste Management (Facility Permit and Registration) Regulations 2007**

Waste Facility Permit No: WFP-WW-18-0043-01
Applicant: Packaging Laundry Ltd.
Facility location: 4C OldCourt Business Park, Boghall Rd, Bray, Co. Wicklow
Date of issue: 30th May 2018
Expiry date: 29th May 2023

Signed:

Theresa O'Boe

Date:

30/5/2018

Note 1: The granting of this Waste Facility Permit, and any condition imposed by it, does not exempt the holder of the Waste Facility Permit from complying with the statutory obligations of any relevant legislation, including water pollution, air pollution, waste, litter and planning legislation or legal liabilities under any other enactment or regulations whatsoever. The permit holder is legally responsible for all aspects of the operation and management of the Permitted activity.

Note 2: Should the permit holder wish to continue to operate after the date of expiry, an application to review the facility permit shall be made to Wicklow County council in accordance with Article 31 (1) of the Regulations no later than 60 working days before the date of the expiry of this Waste Facility Permit.

Note 3: Should the permit holder not wish to continue waste activities at any time or after the date of expiry of this Waste Facility Permit, the holder shall by notice in writing to Wicklow County council, surrender the permit in accordance with Article 29 of the Regulations.

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GENERAL

Wicklow County Council having granted a Waste Facility Permit, Register Reference No. WFP-WW-18-0043-01 to Packaging Laundry Ltd.

Herein after called the Waste Facility Permit holder.

At;

Address:	The Burren
	Manor Avenue
	Greystones
	County Wicklow

Operating a facility at:

Address:	4C OldCourt Business Park	
	Boghall Rd	
	Bray	
	County Wicklow	

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Issued on:

Date:	30th May 2018
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Expires on:

Date:	29th May 2023
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Subject to the attached schedule of conditions.

This Waste Facility Permit WFP-WW-18-0043-01 and attached conditions, may at any time be reviewed, and subsequently amended should Wicklow County Council consider it necessary.

Signed: _____

**Senior Executive Officer,
Water & Environmental Services.**

Date: _____

Part 1 Activities Waste facility permit

In pursuance of the powers conferred on it by the Waste Management Act 1996 and the Waste Management (Facility Waste facility permit and Registration) Regulations S.I No.821 of 2007 as amended by the Waste Management (Facility Waste facility permit and Registration) (Amendment) Regulations S.I No.86 of 2008, Wicklow County Council under Article 37 of the Regulations hereby grants this Waste Facility Permit to Packaging Laundry, 4C OldCourt Business Park, Boghall Rd, Bray, Co. Wicklow

Waste Facility Permit Recovery Activities in accordance with the Fourth Schedule, of the Waste Management Acts 1996 to 2010

Class Number	Definition
R 4	Recycling/ reclamation of metals and metal Compounds
R 12	Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminarily operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelleting, drying, shredding, conditioning, repackaging, separation, blending or mixing prior to submission to any of the operations numbered R 1 to R 11)

Class of Activity subject to waste facility permit application to a local authority as per Part I of the third schedule of the Regulations

Class Number	Definition
10 (Principle Activity)	Recovery of non-hazardous waste <50,000 tonnes per annum and with <15% residual to onward Disposal.

Interpretation

All terms in this Waste facility permit should be interpreted in accordance with the definitions in the Waste Management Act 1996 (the Act) and its associated regulations.

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CONDITION 1 – SCOPE

- 1.1 The Waste Facility Permit is for the purpose of waste activity authorisation under the Waste Management (Facility Permit & Registration) Regulations S.I. No. 821 of 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 86 of 2008 only, and nothing in this Waste facility permit shall be construed as negating the Waste facility permit holder's statutory obligations or requirements under any other enactments or regulations.
- 1.2 The Waste Facility Permit is granted to **Packaging Laundry Ltd.** for the waste activities in accordance with the Third Schedule, Part I of the Waste Management (Facility Permit and Registrations) Regulations 2007, as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 86 of 2008.
- 1.3 Wicklow County Council may alter the conditions of this Waste Facility Permit where warranted at any stage during its lifespan.
- 1.4 The Waste Facility Permit is granted for **5 years**.
- 1.5 The maximum annual intake of waste to this facility shall not exceed **500 tonnes**, with less than 75 tonnes per annum to be assigned for disposal.
- 1.6 For the purposes of this Waste Facility Permit, the site authorised is the area outlined in red on the Land Registry Map that accompanied the application for this Waste Facility Permit. The authorised activities shall be carried out only within the area outlined.
- 1.7 The permit holder shall ensure that waste which has been processed for recovery shall not be sent disposal, nor shall it be transported, mixed or handled in a manner so as to make it unsuitable for recycling or recovery.
- 1.8 The Waste Facility Permit holder shall ensure that the site is managed, operated and maintained in compliance with the conditions of the Waste Facility Permit.

- 1.10 Any non-conformance with the conditions of this Waste Facility Permit is an offence under Article 43 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 86 of 2008 and Section 39(9) of the Waste Management Act 1996 for which you may be prosecuted.
- 1.11 Where Wicklow County Council considers that non-compliance with the conditions of this Waste Facility Permit has occurred, it may serve Notice on the Waste Facility Permit Holder to address the non-compliance.
- 1.12 The permit holder shall notify Wicklow County Council in writing of any proposed changes to the information furnished in the application process or any proposed changes to the activity, and shall obtain written approval from Wicklow County Council prior to these changes taking effect. Should the the submission identify a material or significant change in
- A. The nature, extent or focus of the waste activities;
 - B. The nature or extent of any emission;
- a facility permit review application including the relevant fee may be required before the proposed change can be assessed.

REASON - To clarify the scope of this WASTE FACILITY PERMIT

CONDITION 2 – MANAGEMENT OF THE ACTIVITY

- 2.1 The facility shall be adequately manned and supervised at all operating times. It shall be maintained to the satisfaction of Wicklow County Council, and adequate precautions shall be taken to prevent unauthorised access to the facility.
- 2.2 No activities relating to this Waste Facility Permit shall take place outside of the following hours. **08:00 hrs to 18:00 hrs – Monday to Friday.**
- 2.3 All vehicles collecting waste materials from this facility shall hold a **valid Waste Collection Permit**, it is the responsibility of the Waste Facility Permit holder to ensure that this condition is adhered to. The Waste Collection Permit Number and the permit holder's name must be displayed on the vehicle.
- 2.4 The Waste Facility Permit holder is legally responsible for all aspects of the operation including Health & Safety issues and maintenance of the site.
- 2.5 Where Wicklow County Council observes that non-compliance with the conditions of this Waste Facility Permit has occurred, it may serve Notice on the Waste Facility Permit Holder to address the non-compliance or it may temporarily close the facility pending compliance with the conditions.
- 2.6 A copy of this permit shall be maintained on site at all times and a copy is made available to all staff (including replacement personnel) whose duties relate to any condition of this permit.
- 2.7 The permit holder should ensure that authorised staff of Wicklow County Council shall have unrestricted access to the facility at all reasonable times on the production of their identification, for the purposes of Wicklow County Council's functions under the Waste Management Act, 1996, including such inspections, monitoring and investigations as deemed necessary by Wicklow County Council.

- 2.8 Within 3 months of the date of grant of this permit the permit holder shall develop procedures for the following:
- (a) waste inspection
 - (b) waste acceptance and handling
 - (c) waste quarantine
 - (d) waste rejection and notification
 - (e) corrective action

REASON - To makes provision for the proper management of the facility

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CONDITION 3 – NOTIFICATION AND RECORD KEEPING

- 3.1 The Waste Facility Permit holder shall maintain an official site register. The register shall detail the following:
- (a) The dates, times of arrivals and quantities of each waste consignment delivered to the facility.
 - (b) Name of carriers, including details of vehicle registrations.
- 3.2 A separate record shall be maintained to detail the following:
- (a) The quantity and composition of any waste rejected at the site.
 - (b) Details of the destination where the rejected was moved or returned to.
- 3.3 The Waste Facility Permit holder shall maintain a register of any incident that may have the potential to cause environmental pollution.
- 3.4 The Waste Facility Permit holder shall maintain a register of complaints received from members of the public.
- 3.5 In the case where all works at the facility cess and the Waste Facility Permit has expired these records shall be kept at the principal place of business of the Waste Facility Permit holder for a period of 3 years.
- 3.6 The permit holder shall submit to Offaly County Council as the National Waste Collection Permit Office (NWCPO) an **Annual Report (AR)** before the end 28th February each year. The completed AR must be submitted online (<https://ar.nwcpo.ie/>) and provide all the information that is required to satisfactorily complete the AR. Failure to submit the AR by the 28th February each year will result in the temporary closure of the facility pending the submission of the AR.
- 3.7 The on-line Annual Report, shall include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the NWCPO or Wicklow County Council , the following information;
- (a) For each supplier/waste collector who delivered waste to the facility, in the preceding calendar year, the following summary details are required:
 - (i) Waste Collection Permit Holder Details;
 - (ii) Waste Code
 - (iii) Quantity (in tonnes)
 - (iv) Code of Activity

- (b) Supporting Documentation;
- (i) The management and staffing structure of the facility
 - (ii) Any court Conviction under the Waste Management Act
 - (iii) Any loads rejected as per condition 5.4 below
 - (iv) Reportable incidents during the reporting year
 - (v) All complaints received as per condition 3.4 above
 - (vi) Copy of the public liability & environmental liability insurance policies as per condition 8.3 & 8.4 below.

3.8 All communications shall quote the Waste Facility Permit number and the name of the Waste Facility Permit holder.

3.9 All records required to be made by these standard rules shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval; and
- (d) be retained, unless otherwise agreed by Wicklow County Council for at least 3 years from the date when the records were made, or in the case of the following records until Waste facility permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of land and groundwater.

3.10 The permit holder shall immediately notify Wicklow County Council by telephone or email of any incident which occurs as a result of the activity that:

- i) Has the potential to contaminate surface or ground water or;
- ii) Poses an environmental threat to air or land or;
- iii) Requires an emergency response by Wicklow County Council or other state agency

REASON - To provide for the notification of incidents, update information on the activity and to provide for the making of records

CONDITION 4 – SITE INFRASTRUCTURE, ACCESS AND OPERATION

- 4.1 Within two weeks of the date of grant of this Permit, the Permit Holder shall erect a Site Notice Board at the entrance to the facility. The minimum dimension of the board shall be 1200mm by 750mm. The board shall clearly show:
- (a) The name, address and telephone number of the Permit Holder.
 - (b) The permit number and date of grant of the permit.
 - (c) The normal opening hours of the facility.
 - (d) The name, address and telephone number of Wicklow County Council.
- 4.2 The Permit Holder shall maintain adequate security at the facility to prevent unauthorised access
- 4.3 There shall be no casual public access to the facility.
- 4.4 All tanks, containers and drums shall be labelled to clearly identify their contents.
- 4.5 The permit holder shall ensure that adequate storage is available for recovered materials.
- 4.6 A copy of the facility lay-out shall be submitted to Wicklow Fire Services, Bray Station within one month of this permit being issued. This layout shall identify waste storage areas and access/ egress locations.

REASON - To provide for the protection of the environment.

CONDITION 5 – WASTE ACCEPTANCE HANDLING

- 5.1 The maximum quantity of waste to be delivered to the site shall not exceed **500 tonnes per annum**.
- 5.2 This Waste Facility Permit is limited to the processing of the following materials in a combined quantity not exceeding condition 1.5 above; European Waste Catalogue Numbers; **15 01 02 – Plastic Packaging and 15 01 04 – Metallic Packaging**.
- 5.3 All materials arriving at the facility shall be inspected on arrival and only that deemed suitable may be accepted. Any inappropriate or contaminated material must be moved to a Waste Quarantine Area, the location of which will be agreed with Wicklow County Council, from where it shall be removed off-site by the contractor to an authorised facility.
- 5.4 Records shall be maintained of all rejected waste loads leaving the facility. Records of such loads shall include details on the haulier, final destination of reason for rejections.
- 5.5 Recovered waste materials shall only be removed to authorised waste treatment facilities.

REASON - To provide for the control of nuisances and emissions from the facility and to provide for the protection of the environment.

CONDITION 6 - ENVIRONMENTAL PROTECTION AND EMISSIONS

- 6.1 Noise and Vibration Emissions from the activities shall be free from noise and vibration at levels likely to cause annoyance outside the site, as perceived by Wicklow County Council.
- 6.2 The Noise emissions from the facility shall not give rise to noise levels at noise sensitive locations in the vicinity of the activity in excess of:
- (i) 55 dBA Leq, LT during the operating hours
- There shall be no clearly audible tonal component, or impulsive component, in the noise emission from the development at any noise sensitive location.
- 6.3 The Permit Holder must take all necessary measures to collect any solid debris (i.e. plastic off-cuts) that arise from the cutting of plastic bulk containers. In particular, no plastic should enter the drainage system or become windborne. The Waste facility permit holder shall take adequate precautions to prevent undue noise, fumes, dust, mud, grit, untidiness and other nuisances during the course of the work that would result in a significant impairment of, or a significant interference with amenities or the environment beyond the site boundary. **If unacceptable levels occur, the Waste facility permit holder shall abide by Wicklow County Council abatement requirements, which may include immediate cessation of operations.**
- 6.4 The Waste facility permit holder shall take adequate steps to ensure that no material of any sort can fall or be blown from vehicles entering or exiting the facility onto the roadway or adjoining lands.
- 6.5 Neither waste activities nor any other works required as a condition of this Waste facility permit shall be carried out in such a manner that is in contravention of any statutory obligations under the **Wildlife Acts** including those obligations providing for the conservation of protected species and the protection of birds.

Reason - To control emissions from the site and provide for protection of the environment.

- 7.1 The Waste facility permit holder shall ensure that an Emergency Response Procedure is in place, which shall address any emergency situation, which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment.
- 7.2 In the event of any spillage of chemicals or hydrocarbon based products on site, the facility manager on site shall immediately,
- Isolate the source of the contamination
 - Designate one or more persons to assist with the clean up using suitable equipment
 - The spillage shall be confined to the local area using appropriate absorbent material
 - Ingress to drains shall be prevented by sealing off drains with an impervious membrane or other suitable device
 - Implement appropriate remedial action to prevent a reoccurrence of the incident
 - Inform Wicklow county Council in writing of any remedial action

REASON- To minimise any effect on the environment in the event of an accident or emergency.

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CONDITION 8 – CHARGES AND FINANCIAL PROVISIONS

- 8.1 The Waste Facility Permit Holder shall pay an annual contribution of **€250** to Wicklow County Council towards the costs of inspecting, monitoring or otherwise performing any functions in relation to the Waste Facility Permit activity. This payment is due within one month of the date of grant of this permit. As this permit will be issued in June 2018, a half year payment of **€125** is required for 2018.
- 8.2 In the event that the frequency or extent of monitoring or other functions carried out by Wicklow County Council needs to be increased for whatever reason, the permit holder should contribute such sums as are determined by Wicklow County Council as to defray these costs.
- 8.3 The permit holder shall effect and maintain a policy of insurance insuring him/her/it as respects any liability on his/her/its part to pay any damages or costs on account of injury to persons or property arising from the activities concerned or for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.
- 8.4 The permit holder shall obtain and maintain public liability & environmental insurance in their name for the operation of the waste facility. The permit holder shall maintain Public Liability Insurance cover to include for sudden/unforeseen pollution for a value of €6.5 million. A copy of the insurance certificate shall be furnished to Wicklow County Council within two months of the date of grant of this permit, thereafter evidence of cover shall be submitted with the Annual Environmental Report. *The permit will be automatically revoked if any part of the insurance is either removed or not renewed.*
- 8.5 The permit holder shall ensure that all insurance policies relating to this facility indemnify Wicklow County Council. The permit will be automatically revoked if any part of the insurance is either removed or not renewed.

REASON - To offset the costs of administering the Waste Facility Permit and monitoring the activity as the local authority considers necessary for the performance of its functions under the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended).

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