This Report has been cleared for submission to the Board by Programme Manager Marie O'Connor.

Signed: Gráinne Oglesby *Date:* *22nd August 2019*

	OFFICE OF ENVIRONMENTAL SUSTAINABILITY

REPORT OF THE TECHNICAL COMMITTEE ON OBJECTIONS TO PROPOSED DECISION

TO:	Directors	
FROM:	Technical Committee	Environmental Licensing Programme
DATE:	22 August 2019	
RE:	Objection to Proposed Decision for Clashford Recovery Facilities Limited, Naul Townland, Naul, County Meath. Waste Reg: W0265-01.	

Application Details	
Class(s) of activity:	R05 - Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials. R13 - Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).
Location of activity:	Naul Townland, Naul, Meath
Licence application received:	13 February 2009
PD issued:	03 April 2019
First party objection received:	Yes
Third Party Objection received:	No
Submissions on Objections received:	No

Article 26/27 issued:	No
Additional Information received:	No
Article 33 extension of time:	Yes (08 Aug 2019, 22 Aug 2019)

Company

The application relates to the operation of an inert waste recovery facility at Naul Townland, Naul, County Meath by Clashford Recovery Facilities Ltd. The activity relates to the backfill of a quarry void using inert soil and stone and dredging spoil. The total proposed licensed quantity of waste for backfill is 348,000 tonnes, with a maximum annual intake of 170,000 tonnes. The proposed licence also permits the acceptance of inert construction and demolition (C&D) waste for the production of secondary aggregates. The proposed maximum annual intake of C&D waste for this purpose is 20,000 tonnes.

Four submissions were received in relation to the application and these were considered by the Board at PD stage.

Consideration of the Objection

The Technical Committee, comprising of Anne Lucey, has considered all of the issues raised in the Objections and this report details the Committee's comments and recommendations following the examination of the objections together with discussions with Environmental Licensing Programme Inspector Ewa Babiarczyk, and Office of Environmental Enforcement Inspectors Brian Meaney, Carol O'Sullivan and Cathal Gahan, who also provided comments on the points raised.

This report considers the first party objection received by the Agency in relation to the Proposed Decision (PD) issued to Clashford Recovery Facilities Ltd on 03 April 2019.

First Party Objection

The applicant makes 11 points of objection which are summarised below. The original objection should be referred to at all times for greater detail and expansion of particular points.

A.1. Condition 3.2.1

The applicant objects to Condition 3.2.1 which requires the licensee to submit proposals for any Specified Engineering Works, as defined in Schedule D, to the Agency for its agreement at least two months 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.

The applicant objects to the condition on the basis that the two month advance notice is too long and proposes that this notice requirement be removed from the condition.

Technical Committee's Evaluation:

Schedule D of the Proposed Decision outlines specific items of engineering works for which proposals must be submitted to the Agency for agreement, at least two months in advance. These are as follows:

- 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.

The licensee wishes to commence backfilling of the quarry at the earliest opportunity while the C&D waste recovery operations will not be commenced for at least a further two months. However, the following additional four items are now recommended to be included in the Specified Engineering Works in Schedule D as a result of this Technical Committee Report (Ref. Objection Numbers A2, A5 and A10):

- Construction works associated with the upgrade of the wheel cleaner.
- Construction works associated with the installation of reed beds within the settlement lagoons.
- Decommissioning of infrastructure associated with Storm water Discharge Point Reference No.: DL-2, DL-3, DL-4 and DL-5, as shown on Figure No. F1.0 Rev C, dated 8/07/18.
- Installation and commissioning of infrastructure associated with Storm water Discharge Point Reference No.: DL-2, as shown on Figure No. F1.0 Rev D, dated 28/04/19.

Considering the inclusion of these additional items in the Specified Engineering Works and on consultation with OEE, the advance period of 2 months is required to ensure adequate time is available for OEE to adequately assess the proposals submitted. Consequently, the commencement of backfilling will be dependent on the submitted proposals for prior agreement by the Agency. It is therefore recommended that the existing proposed condition is not changed to ensure adequate time is allowed to assess submitted proposals.

Reason for Decision

The TC propose not to amend Condition 3.2.1 as set out below and has reached its conclusion having regard to the following reason:

To mitigate and protect against the release of contaminants to groundwater and surface water from the installation.

Recommendation: No change.

A.2. Condition 3.8.2

The applicant objects to Condition 3.8.2 which requires all water from the wheel cleaning area to be directed to a vehicle wash water interceptor sump and sent off-site for disposal.

The applicant objects to the condition on the basis that the wheel wash will incorporate settlement and recycling of water. The applicant states that details of a typical wheel wash incorporating settlement lagoons was provided with the planning application for the C&D Recovery facility and included the drawing of the proposed wheel wash as submitted to the Planning Authority as part of the objection (Ref. Figure No. D07). The applicant maintains that there will be no discharge of water from the wheel wash and if the wheel wash requires to be drained, the water will be sent for disposal off-site as per the proposed condition.

Technical Committee's Evaluation:

Reference to the upgrade of the existing wheel wash within the licence application refers to the wash water being recycled through a system of silt lagoons and the system is also included as part of the granted planning permission for the activity (Planning Ref. AA180893). As the recycling of the wash water will be an efficient use of water resources, it is recommended to allow for the alternative option of recycling within the condition and to specifically include the wheel cleaner in the list of Specified Engineering Works as per Schedule D. The inclusion of the wheel cleaner in Schedule D will ensure that provisions related to the integrity of the wheel cleaner and silt lagoons are considered in proposals submitted for prior agreement to the Agency.

Reason for Decision

The TC propose to amend Condition 3.8.2 as set out below and has reached its conclusion having regard to the following reason:

To permit the recycling of natural resources and to ensure soil and groundwater are protected against the release of contaminants.

Recommendation: Amend Condition 3.8.2 and Schedule D as follows:

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 **and recycled back to the wheel cleaner** or shall be sent off-site for disposal.

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.
Construction works associated with the upgrade of the wheel cleaner.
Any other works notified in writing by the Agency.

A.3. Condition 3.8.3

The applicant objects to Condition 3.8.3 which specifies that silt, stones and other accumulated material removed from the wheel cleaner as required and sent off-site for disposal or, subject to agreement by the Agency, used as fill on-site. The applicant requests instead that the condition is reworded to include "recovered within the C&D Recovery facility and/or used as fill on-site.

The objection in based on the applicant's consideration 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.

Technical Committee's Evaluation:

The permission granted in relation to the C&D recovery facility (Planning Ref. AA180893) is subject to a number of conditions including condition 3 which states that "The imported material shall comprise of demolition waste (principally mixed concrete, bricks, blacktop, tiles and ceramics) only…" and does not include material generated from sources such as wheel cleaners. Furthermore, the silt, stones and other accumulated material removed from the wheel cleaner has the potential to be contaminated with hydrocarbons. Only inert construction and demolition materials identified in the planning permission and PD are permitted to be accepted in the Construction and Demolition Waste Recovery Area. It is therefore recommended that there is no change to the condition.

Reason for Decision

The TC propose not to amend Condition 3.8.3 as set out below and has reached its conclusion having regard to the following reason:

To comply with planning permission requirements and Conditions of the PD.

Recommendation: No change.

A.4. Condition 3.10

The applicant objects to two conditions within Condition 3.10 relating to the Construction and Demolition Waste Recovery Area as follows:

3.10.1 which requires a roofed structure over all screening and crushing plant and;

3.10.2 which requires that all stockpiles shall be adequately covered and managed to minimise dust generation and rainwater infiltration.

The applicant objects to the two conditions on the basis that the conditions are specified for minimisation of dust emissions according to the Inspector's Report (IR) for the licence application and highlights a number of other licence conditions that require measures for control of dust at the overall facility. The applicant also refers to the EIAR submitted as part of the licence application and highlights the mitigation measures to be put/already in place with respect to the quarry to reduce dust emissions. The applicant considers that

there will be adequate control measures in place for the minimisation of dust without the requirement to provide a roofed structure for the screening and crushing plant and covering of stockpiles relating to the Construction and Demolition Waste Recovery Area.

The applicant suggests re-wording Condition 3.10.2 to state "All stockpiles shall be adequately contained to minimise dust generation" in accordance with other referenced waste licences.

Technical Committee's Evaluation:

The applicant lists a number of mitigation measures that were included in the Environmental Impact Assessment Report (EIAR) and planning application for controlling dust emissions including the following:

- Spraying roads and stockpiles with water to dampen dust during dry weather and the use of a mobile water bowser to cover locations not suitable for a fixed water spray.
- The operation of a sprinkler system on the site access road which operates during dry weather periods.
- Locating mobile plant to ensure dust sources can not adversely affect sensitive off-site locations.
- The use of static and mobile wet dust suppression systems at strategic points in the process if required.
- Minimising drop heights from conveyors and maintaining stocks at load out points.
- Maintaining site haulage routes and the use of a road sweeper on site and on adjacent sections of national road R108 on a minimum of a weekly basis.

The applicant also refers to aspects of the PD which relate to control of dust at the overall facility; Condition 6.12.1 which requires adequate measures to be implemented for the control of dust, including fugitive dust emissions, Condition 6.12.2 which requires stockpiles stored outdoors, site roads and any other areas used by vehicles to be sprayed with water to minimise airborne dust nuisance. Reference is also made to Condition 3.8.2 which specifies that the wheel cleaner is used by all vehicles leaving the facility and Schedule C.3 which relates to bi-annual ambient dust deposition monitoring and Schedule B.4 which specifies the ambient dust deposition limit at the facility boundary.

All measures identified are important for the control of dust from the facility and following consultation with OEE, it is considered that these controls are sufficient to enable the requirement for a roofed structure over all screening and crushing plant to be removed. Furthermore, ambient dust monitoring points A2-4 and A-6 are located northeast and southwest of the C&D Waste Recovery Area and additional locations may be provided for under Schedule C.3 of the PD to ensure the area is adequately monitored. The Inspector's Report also notes that no complaints were received by Meath Environmental Health Department in relation to the facility. With regard to the covering of stockpiles under Condition 3.10.2, it is considered that this is an important requirement to protect against dust generation at source and prevent leachate from rainwater infiltration. It is also regarded as a feasible requirement considering the maximum waste acceptance of 20,000 tonnes per annum for C&D waste recovery. It is therefore recommended that the requirement to cover stockpiles is retained under Condition 3.10.2.

Reason for Decision

The TC propose to amend Condition 3.10.1 as set out below and has reached its conclusion having regard to the following reason:

The prevention of dust and leachate generation utilising adequate control measures.

Recommendation: Amend Condition 3.10.1 as follows:

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.

A.5. Condition 3.15.1

Condition 3.15.1 relates to the management of surface water on site which is passed through settlement lagoons, screening barrier and oil separators prior to discharge. The applicant does not object to Condition 3.15.1 but proposes to further enhance the settlement lagoons by incorporating reed beds within the lagoons.

Technical Committee's Evaluation:

The applicant proposes that the benefits of incorporating reed beds 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

As the applicant is proposing the measure to further enhance the settlement lagoons, it is recommended to amend Condition 3.15 to enable the applicant to submit proposals on incorporating reed beds to OEE for approval prior to implementation. It is further recommended to include the construction of the reed beds in the list of Specified Engineering Works as per Schedule D. The inclusion in Schedule D will ensure that

construction and implementation activities, along with any required interim control measures, are considered in proposals submitted for prior agreement to the Agency.

Reason for Decision
The TC propose to amend Condition 3.15 as set out below and has reached its conclusion having regard to the following reason:

To allow for the enhancement of storm water treatment to improve surface water discharges from the facility.

Recommendation: Amend Condition 3.15 as follows:

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. 01.2 titled 'Site Inhstructure - 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 infastructure, screening barrier and oil separators in advance of discharge.

3.15.2 The oil separators shall be a Class I full retention separator and shall be in accordance with 1.S. EN-858-2: 2003 (separator systems for light liquids).

3.15.3 **Reed beds may be incorporated within the settlement lagoons, subject to agreement by 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.
Construction works associated with the upgrade of the wheel cleaner.
Construction works associated with the installation of reed beds within the settlement lagoons.
Any other works notified in writing by the Agency.

A.6. Condition 6.8

Condition 6.8 requires that the storm water drainage system and bunds, silt traps and oil separators are inspected weekly and desludged as necessary. All sludge and drainage from these operations is required to be collected for safe disposal. The applicant proposes that this condition is reworded to facilitate possible recovery of the coarser sand and gravel fraction in the C&D recovery facility with the condition reworded to state that "All sludge and drainage from these operations shall be collected for safe disposal and/or recovery".

Technical Committee's Evaluation:

Planning permission granted in relation to the C&D recovery facility is subject to the condition that the imported material shall comprise of demolition waste (principally mixed concrete, bricks, blacktop, tiles and ceramics) only…" and does not include material generated from oil interceptors and bunds which may be contaminated with hydrocarbons and other substances. Only inert construction and demolition materials identified in the planning permission and PD are permitted to be accepted in the Construction and Demolition Waste Recovery Area. It is therefore recommended that there is no change to Condition 6.8.

Reason for Decision
The TC propose not to amend Condition 6.8 as set out below and has reached its conclusion having regard to the following reason:

To comply with planning permission requirements and Conditions of the PD.

Recommendation: No change.

A.7. Condition 6.11.3

Condition 6.11.3 requires that run-off from process areas of the facility used for the holding, storage and treatment of C&D waste shall be diverted for collection and safe disposal off-site. The objection details that the applicant is considering "recycling/clarification of surface water run-off from the impermeable concrete slab in the C&D waste recovery area for dust suppression and/or use in the C&D processing plant". As a result, the applicant proposes that the condition is reworded to allow the run off to be diverted for "collection/recycling, and/or safe disposal off site".

Technical Committee's Evaluation:

Recycling/clarification of surface water run-off from the C&D recovery operation provides a potential opportunity to reduce water consumption on site. It is therefore recommended to amend Condition 6.11.3 to enable the applicant to submit proposals on recycling surface water to OEE for approval prior to implementation.

Reason for Decision
The TC propose to amend Condition 6.11.3 as set out below and has reached its conclusion having regard to the following reason:

To provide the opportunity to reduce water consumption in a manner which does not negatively impact the receiving environment.

Recommendation: Amend Condition 6.11.3 as follows:

Condition 6. Control and Monitoring

6.11 Storm Water and Run-Off Management

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 **or, subject to agreement by the Agency, recycled for use on-site.**

A.8. Condition 12.1.1

The condition relates to Agency charges and the proposed annual contribution of €6,171. The applicant objects to the charge on the basis that it appears high when compared on a pro-rata basis to another recently granted waste licence. The applicant also states that the EPA should provide the basis on which the annual contribution has been calculated.

Technical Committee's Evaluation:

The applicant refers to a licence which is permitted for soil and stone recovery only and does not include a C&D recovery facility.

The following aspects were considered when establishing the Agency annual contribution in relation to the Proposed Decision:

- Compliance assessment;
- Audits and Inspectors visits;
- Sampling costs;
- Analysis costs;
- Standing charge; and;
- Enforcement support services.

It is recommended to retain the proposed condition as currently presented in the Proposed Decision.

Reason for Decision

The TC propose not to amend Condition 12.1.1 as set out below and has reached its conclusion having regard to the following reason:

Charges are determined as per Agency method applied to all licenses and are commensurate with the activities being carried out in accordance with the PD.

Recommendation: No change.

A.9. Schedule A.1

Schedule A.1 states that only the wastes as specified Table A.1.1 are acceptable for recovery at the facility unless otherwise agreed by the Agency. The applicant requests that Table A.1.1 is amended to include the following waste type:

LoW Code	***Waste Type***
17 03 02	*Bituminous mixtures other than those mentioned in 17 03 01*

The request is on the basis that Condition 3 of the granted planning permission for the C&D waste recovery (Ref. No AA180893) states that "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".

Technical Committee's Evaluation:

The applicant's request refers to the waste type 'bituminous mixtures other than those mentioned in 17 03 01'. While this LoW code (17 03 02) is for a non-hazardous waste type, it is however not an inert waste type. Only inert wastes can be accepted at the facility. It is therefore recommended to retain Table A.1.1 as set out in the Proposed Decision.

Reason for Decision

The TC propose not to amend Schedule A.1 as set out below and has reached its conclusion having regard to the following reason:

Only inert waste types can be accepted at the facility.

Recommendation: No change.

A.10. Schedule C.1.1

Schedule C.1.1 Control of Storm Water Discharges, identifies the storm water discharge points from the facility and where relevant the type of treatment in place such as silt trap, oil interceptor, settlement lagoons and monitoring parameters such as flow and siltation. There is currently one discharge point (DL-1) to the Fourknocks River and four discharge points (DL-2, DL-3, DL-4 and DL-5) to the River Delvin as shown on Figure No. F1.0 Rev C, dated 8/07/18 in Appendix 1. Schedule C.1.1 specifies a silt trap and oil interceptor treatment for the four discharge points to the River Delvin and a flow meter to monitor flow.

The applicant objects to Schedule C.1.1 and proposes that it would be more appropriate to seal off three of the discharge points to the River Delvin in order to provide a single discharge point (DL-2) as shown on Figure No. F1.0 Rev D, dated 28/04/19 in Appendix 2.

Technical Committee's Evaluation:

Rain that falls on the site either runs to the quarry void, percolates to ground or is intercepted by site drainage. As per the Site Plan in Appendix 3, surface water drainage within the Phase 2 area drains via existing settlement lagoons into River Fourknocks at discharge point DL-1. Surface water run-off from the Phase 1 area and Phase 3 area (only active area of the quarry) discharges to the Delvin River at four separate locations i.e. discharge points DL-2, DL-3, DL-4 and DL-5.

Combining the four discharge points to the River Delvin into one single discharge point is a practical approach to managing storm water discharge at the facility. Discharging through a single emission point will also provide a more convenient and cost effective option to comply with Condition 3.15 and Schedule C.1.1, which requires all storm water to pass through a silt trap and oil interceptor. Similarly, flow monitoring in accordance with C.1.1 may be more practical from a single discharge point and also compliance with Condition 6.11, which requires a daily visual examination of storm water discharges and diversion of storm waters for retention and suitable disposal in the event of trigger value exceedances.

To ensure compliance with storm water management at the facility, the decommissioning of infrastructure at discharge points DL-2, DL-3, DL-4 and DL-5 is recommended, along with the installation and commissioning of the new combined DL-2 discharge point, prior to commencement of waste acceptance. It is therefore recommended to amend Schedule C.1.1 and subsequently Condition 3.11 Storm Water Management, Schedule C.1.2 Monitoring of Storm Water Discharges and Schedule D Specified Engineering Works, to reflect the change. Update of C.1.2 is addressed in A.11.

Reason for Decision

The TC propose to amend Schedule C.1.1 and Schedule D as set out below and has reached its conclusion having regard to the following reason:

To provide for appropriate storm water infrastructure at the facility and to ensure storm water discharges are compliant with licence conditions.

Recommendation: Amend Schedule C.1.1 and Schedule D as follows:

SCHEDULE C: Control & Monitoring

C.1.1 Control of Storm Water Discharges

Point Reference No.: DL-1 (outlet to Fourknocks River as shown on Figure No. **F 1.0 Rev D, dated 28/04/19)**

Description of Treatment: silt trap, oil interceptor, settlement lagoons

and

Point Reference No.: DL-2 (outlet to River Delvin as shown on Figure No. **F 1.0 Rev D, dated 28/04/19)**

Description of Treatment: silt trap, oil interceptor

Control Parameter	Monitoring	Key Equipment [Note 1]
Flow	Flow	Flow
Siltation	Silt levels in settlement lagoons or other settlement infrastructure	As agree

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

Condition 3.11 Storm Water Management

3.11.1 Storm water management infrastructure shall be provided and maintained at the facility during operation, closure and decommissioning of the facility. As a minimum, the infrastructure shall be capable of the following:

- the prevention of discharge of contaminated water into ground or surface water drains and courses: and
- the collection/diversion of run-off arising from paved areas.

3.11.2 Prior to commencement of waste acceptance, infrastructure associated with Storm water Discharge Point Reference No.: DL-2, DL-3, DL-4 and DL-5, as shown on Figure No. F1.0 Rev C, dated 8/07/18, shall be decommissioned to the satisfaction of the Agency.

3.11.3 Prior to commencement of waste acceptance, infrastructure associated with Storm water Discharge Point Reference No.: DL-2, as shown on Figure No. F1.0 Rev D, dated 28/04/19, including silt trap and oil interceptor, shall be installed and commissioned to the satisfaction 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.
Construction works associated with the upgrade of the wheel cleaner.
Construction works associated with the installation of reed beds within the settlement lagoons.
Decommissioning of infrastructure associated with Storm water Discharge Point Reference No.: DL-2, DL-3, DL-4 and DL-5, as shown on Figure No. F1.0 Rev C, dated 8/07/18.
Installation and commissioning of infrastructure associated with Storm water Discharge Point Reference No.: DL-2, as shown on Figure No. F1.0 Rev D, dated 28/04/19.
Any other works notified in writing by the Agency.

A.11. Schedule C.1.2

Schedule C.1.2 relates to Monitoring of Storm water Discharges and the applicant requests that the schedule is updated to take account of the following aspects:

- *Changes following the update of Schedule C.1.1 as per A.10 above, and*
- *Schedule C.1.2 refers to storm water monitoring points which are upstream and downstream of the current proposed discharge points. As shown on Figure No. F 1.0 Rev D, dated 28/04/19 in Appendix 2, storm water monitoring point SW-4A is located upstream of stormwater discharge point DL-1, while monitoring point SW4 and SW5 are located downstream of DL-1. The applicant states that SW4 is redundant and should be removed from the schedule.*

Technical Committee's Evaluation:

As from Figure No. F1.0, dated 8/07/18 in Appendix 1, it was not clear that the downstream surface water monitoring point SW4 was redundant. As monitoring point SW5 is also located downstream it is considered reasonable to remove SW4 from Schedule C.1.2 and update the Schedule to reflect the changes made in Schedule C.1.1.

Reason for Decision

The TC propose to amend Schedule C.1.2 as set out below and has reached its conclusion having regard to the following reason:

To provide clarity on storm water emission points for monitoring of discharges.

Recommendation: Amend Schedule C.1.2 as follows:

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 Rev D, dated 28/04/19)**

DL-2 (outlet to River Delvin as shown on Figure No. **F 1.0 Rev D, dated 28/04/19)**

SW-4A, SW5 (upstream and downstream of DL-1 as shown on Figure No. **F 1.0 Rev D, dated 28/04/19)**

SW-1, SW-2 and SW-3 (upstream and downstream of DL-2 as shown on Figure No. **F 1.0 Rev D, dated 28/04/19)**

Control Parameter	Monitoring Frequency	Analysis Method /Technique
Visual inspection	Daily	Sample and examine for colour and odour
Flow	Daily	Flow meter

pH	Weekly	pH electrode/meter
BOD	Monthly	Standard Method
Suspended Solids (mg/l)	Weekly	Standard Method
Ammonia (as N)	Monthly	Standard Method
Orthophosphate (as P)	Monthly	Standard Method
Dissolved metals [Note 1]	Quarterly	Standard Method
Total Dissolved Solids	Quarterly	Standard Method
Total Petroleum Hydrocarbons	Biannually	Standard Method
Diesel Range Organics	Biannually	Standard Method
Petrol Range Organics	Biannually	Standard Method

Note 1: Cd, Cu, Fe, Pb, Mg, Mn, Ni, Cr (total) and Zn.

Environmental Impact Assessment Directive – Reasoned Conclusion Update

The TC has reviewed the assessment in the Inspector's Report and, taking into account all objections received, and the contents of this TC report, the TC considers that the likely significant direct and indirect effects of the activity have been identified, described and assessed in an appropriate manner as respects the matters that come within the functions of the Agency, and as required by Section 83(2A) and Section 87(1G)(a) of the EPA Act 1992 as amended.

It is considered that the mitigation measures as proposed in the Inspector's Report, will adequately control any likely significant environmental effects from the activity.

It is also considered that the proposed activity, if managed, operated and controlled in accordance with the licence conditions included in the PD, with the inclusion of the amendments proposed in this report, is unlikely to damage the environment as a whole and the risk of potential impacts occurring is not unacceptable.

It is further considered that the proposed activity, if managed, operated and controlled in accordance with the licence conditions included in the PD, with the inclusion of the amendments proposed in this report, will not cause environmental pollution or the breach of any environmental quality or emission standard, and can be authorised by the Agency in accordance with Section 83(5) of the EPA Act.

Appropriate Assessment – Technical Committee Review

The TC has reviewed the inspector's Appropriate Assessment screening in the Inspector's Report and, taking into account all objections received, and the content of this TC report, the TC is satisfied that the Inspector's Report provides an adequate examination and evaluation of the effects of the proposed activities on the European Sites concerned; **River Nanny Estuary and Shore SPA (Site Code: 004158), Boyne Coast and Estuary SAC (Site Code: 001957), Boyne Estuary SPA (Site Code: 004080), Rockabill to Dalkey Island SAC (Site Code: 003000), Rockabill SPA (Site Code: 004014), Skerries Islands SPA (Site Code: 004122), Rogerstown Estuary SAC (Site Code: 000208), Rogerstown Estuary SPA (Site Code: 004015), Lambay Island SAC**

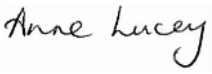
(Site Code: 000204), Lambay Island SPA (Site Code: 004069) in the light of their conservation objectives.

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

(i) for the reasons outlined in the Proposed Decision and
(ii) subject to the conditions and reasons for same in the Proposed Determination, and
(iii) subject to the amendments proposed and the reasons set out in this report.

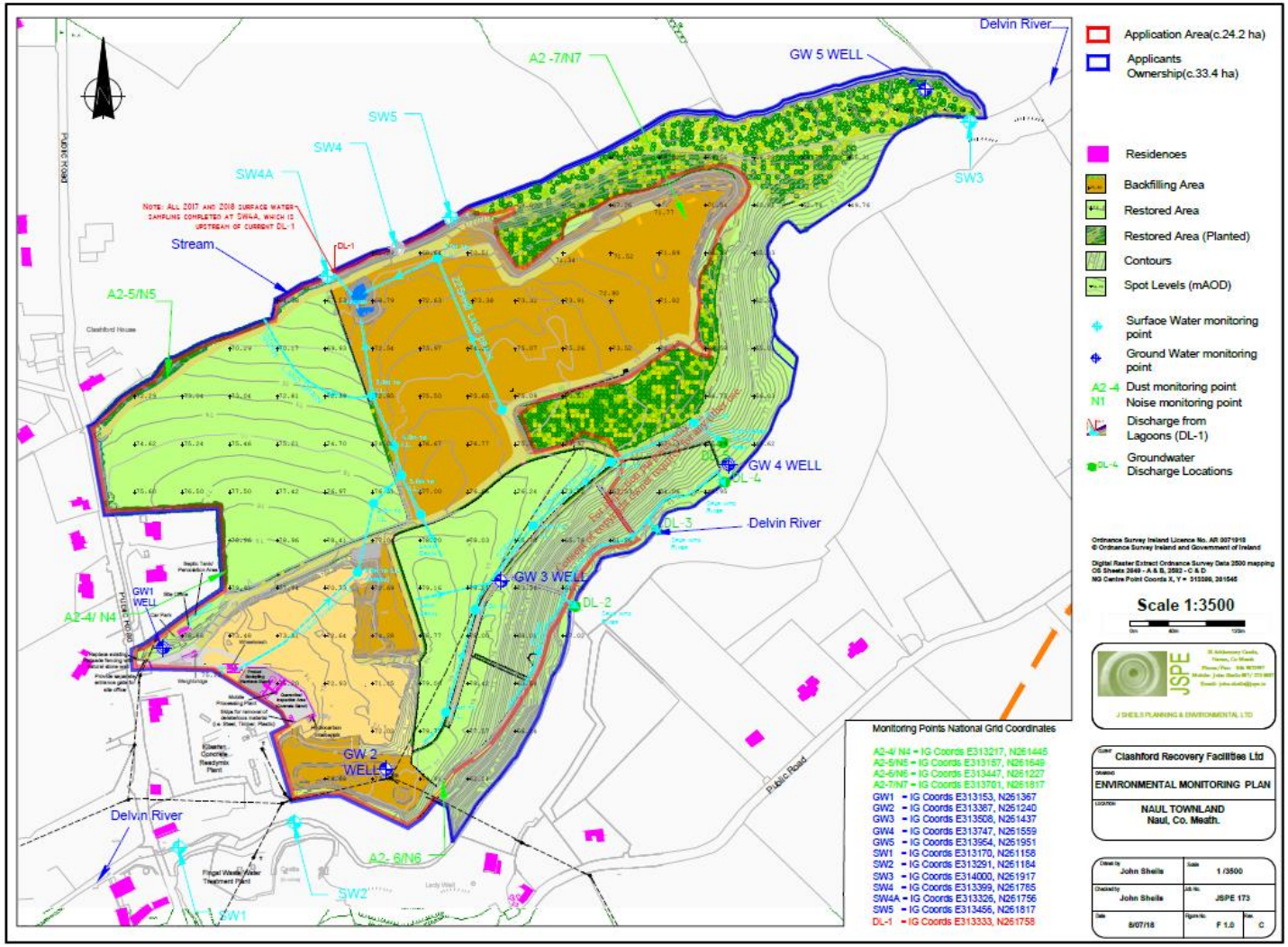
Signed



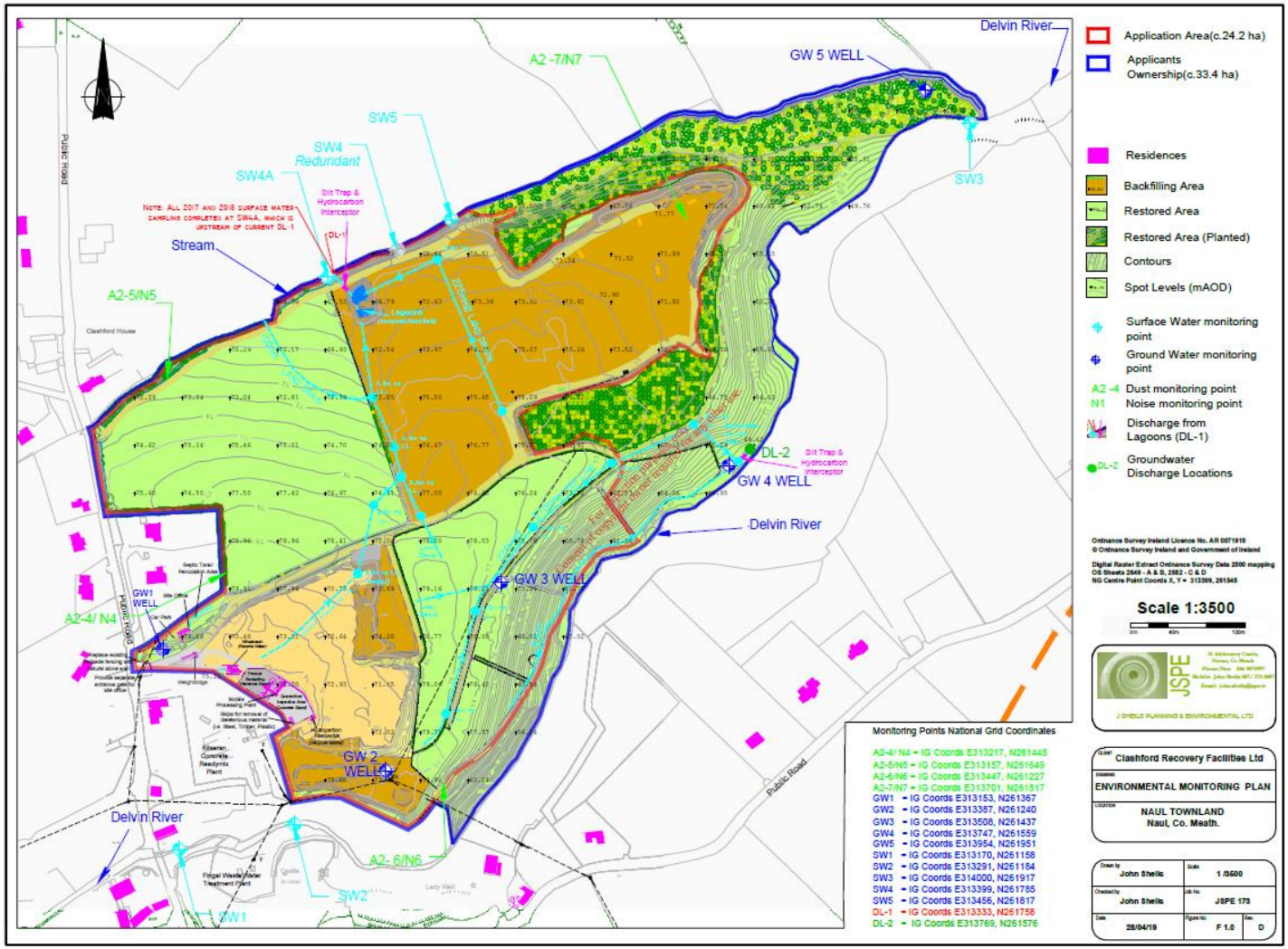
Anne Lucey

for and on behalf of the Technical Committee

Appendix 1: Current Surface Water Discharge Points - Figure No. F1.0 dated 8/07/18.



Appendix 2: Proposed Surface Water Discharge Points - Figure No. F1.0 Rev D, dated 28/04/19.



Appendix 3: Site Plan