

	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM	
TO:	DIRECTOR
FROM:	Noeleen Keavey
DATE:	19/05/2020
RE:	Request for the Transfer of Licence, Reg No W0227-01, from Lawlor Brothers Transport Management Limited, CRO 85281, to Padraig Thornton Waste Disposal Limited, CRO No 72366

Background

Licence Reg No W0227-01 was granted to Lawlor Brothers Transport Management Limited on the 26/07/2007. A Transfer Application was received on 07/02/2020 from Lawlor Brothers Transport Management Limited and Padraig Thornton Waste Disposal Limited. According to the applicants the basis for the transfer application is the purchase of Lawlor Brothers Transport Management Limited by Padraig Thornton Waste Disposal Limited. The transfer of licence will allow Padraig Thornton Waste Disposal Limited to operate the installation, currently operating at Unit 28, John F Kennedy Road, JFK Industrial Estate, Naas Road, Dublin 12, under Licence Reg No W0227-01.

The Agency is informed that Padraig Thornton Waste Disposal Limited is a limited company incorporated under the laws of Ireland and registered in the Companies Registration Office (Registered Number 72366).

Throntons Recycling is an Irish owned family waste management business that operates predominately in the eastern region of Ireland. The focus of the company is to maximise the recycling and recovery of wastes. The company was founded in 1979. The company collects non-hazardous wastes using its NWCPO permit from both commercial and domestic customers. The company owns and operates four EPA licensed sites and three waste permitted facilities.

The company owners are active directors of the company. The day to day management and long term direction of the company is managed by the CEO. The company has 560 staff across the business and each department is managed by a department manager. The operations manager oversees the operation of each facility and the Environmental Health and Safety manager and team are responsible for the maintenance of the company permits and licences.

Assessment

The application was assessed under Section 94 of the Environmental Protection Agency Act 1992 as amended. It is deemed to comply with the requirements of the above, as follows:

Requirements of Section 94(2) and 94(3):

The application complies with Subsection (2) having been jointly made by the current licensee and the proposed transferee.

The application was made in the form prescribed by the Agency.

The application was accompanied by the appropriate fee, in accordance with Regulation 5 of the EPA (Licensing Fees) Regulations.

Such information as may be required by Section 94(3)

Any costs associated with the closure plan (CRAMP) of the installation have been fully detailed by the licensee and have been approved by the Office of Environmental Enforcement (OEE).

Any costs associated with any environmental event (ELRA, etc.) at the installation have been fully detailed by the licensee and have been approved by OEE.

The transferee or any relevant person has not had an application for a licence refused.

Requirements of Section 94(5)

Information in relation to the status of the proposed transferee as a 'Fit and Proper Person' has been provided. The proposed transferee, Pdraig Thornton Waste Disposal, was convicted in March 2017 under the Waste Management Act in relation to their Kilmainham Wood Composting site (W0195-02). The company admitted the breaches to the licence, paid the fine and costs awarded by the Judge. The breaches related to compost quality records and incident notification to the EPA. The Office of Environmental Enforcement has since visited the site and confirmed that all issues have been resolved to the Agency's satisfaction.

The proposed transferee has demonstrated that it has sufficient technical experience and support.

Financial Provision has been agreed by the Office of Environmental Enforcement and has been transferred into the transferee's name. This Financial Provision is in place as confirmed by OEE on the 06/04/2020.

The Senior Inspector (ELP) has reviewed the transfer application and considers, on the basis of the information provided in the application, that the proposed transferee can be deemed a Fit & Proper Person for the purpose of this transfer.

Requirements of Section 94(6)

The proposed transferee has stated in writing that they accept all liabilities, requirements and obligations provided for in or arising under the licence regardless of how and in respect of what period, including a period prior to the transfer of a licence, that may arise.

OEE confirmed on 10 February 2020 that no outstanding legal issues required to be resolved.

Finance Unit confirmed on 8 May 2020 that no outstanding fees were due from the licensee.

Recommendation

It is recommended that the transfer of Industrial Emissions licence Reg. No. W0227-01 from Lawlor Brothers Transport Management Limited, CRO 85281 to Pdraig Thornton Waste Disposal Limited, CRO No 72366, is approved under Section 94 of the Environmental Protection Agency Act 1992 as amended.

This document has been cleared for submission to the Director by the Programme Manager, Marie O'Connor

Signed: NOELEEN KEAVEY

Date: 19/05/2020