

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

*Signed: Noeleen Keavey*

*Date: 29/04/2020*



**OFFICE OF ENVIRONMENTAL SUSTAINABILITY**

**INSPECTOR'S REPORT ON AN WASTE LICENCE APPLICATION, LICENCE REGISTER NUMBER W0305-01**

**TO: EIMEAR COTTER**

**FROM: MICHAEL MARTIN**

**DATE: 29<sup>th</sup> April 2020**

Applicant: MSK Silversands Limited.

CRO number: 407922 (status: normal)

Location/address: Rural site located at Ballinrooan, Screen, County Wexford.

Application date: 09<sup>th</sup> August 2019

Classes of activity (under Waste Management Act 1996 as amended):

(Principal Activity) R 5 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials;

R 13 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).

European Directives/Regulations (and international legal instruments) relevant to this assessment are listed in the appendix of this report.

Activity description/background:

The applicant proposes to restore a quarry through the recovery of waste inert soil and stone from greenfield sites only. The proposed maximum annual intake is 80,000 tonnes of inert soil and stone over a period of 17 years. The proposed total volume of material required to restore the quarry is c.1,354,400 tonnes.

Types of waste sought for acceptance and recommended to be authorised in the Recommended Decision (RD):

- Inert subsoil containing soil and stone, sourced from greenfield development sites - LoW code 17 05 04 (soil and stones other than those mentioned in 17 05 03)

Additional information received: Unsolicited information (16<sup>th</sup> January 2020) and Regulation 14 Reply (15<sup>th</sup> April 2020).

No of submissions received: One

EIAR submitted: Yes (09<sup>th</sup> August 2019)

NIS submitted: Yes (15<sup>th</sup> April 2020)

Site visit: 15<sup>th</sup> January 2020

Site notice check: 29<sup>th</sup> September 2019

## 1. Activity description/background

### **Existing quarrying activities (not a subject activity of this licence application):**

MSK Silversands Limited (hereinafter MSK Silversands), Ballyfarnogue, Screen, Co. Wexford operate a sand and gravel quarry at the site at Ballinrooaun, Screen, Co. Wexford. The site is located approximately 1 km west of the village of Screen and 1.75 km west of the R741 Regional Road that connects the towns of Gorey and Wexford.

The applicant advises that the original sand pit (quarry) was opened in the 1940's with several other sand pits reported on the applicants land. Its use has been periodic since then with sand extracted for construction of local dwellings. The sand pit has had a more continued use since 1999.

An application for registration of the quarry under Section 261 of the Planning and Development Act 2000 was lodged with Wexford County Council in April 2005. It appears that the planning authority did not register the quarry as it was determined to be unauthorised development.

Planning permission for retention, continued operation and extension of the existing sand and gravel pit was sought by the site owner in 2008 and permission was granted on 24/07/2009 by Wexford County Council (Planning Reference Number: 20082323).

### **Proposed importation of inert soil and stone to restore the landform (the subject activity of this licence application):**

The applicant proposes to extend the sand and gravel pit and progressively restore the extracted landform to existing levels through the importation of waste inert soils from greenfield sites only. It is estimated that c.1,354,400 tonnes (c. 846,000 cubic metres) of inert soil and stone will be imported at the site over approximately 17 years (years 4 – 20) (Figure 1).

Year	Extraction Quantity (tonnes)	Extraction Volume (m <sup>3</sup> )	Filling Quantity (tonnes)	Filling Volume (m <sup>3</sup> )
1	100,000	62,500	No filling	No filling
2	100,000	62,500	No filling	No filling
3	100,000	62,500	No filling	No filling
4	100,000	62,500	80,000	50,000
5	100,000	62,500	80,000	50,000
6	100,000	62,500	80,000	50,000
7	100,000	62,500	80,000	50,000
8	100,000	62,500	80,000	50,000
9	100,000	62,500	80,000	50,000
10	100,000	62,500	80,000	50,000
11	100,000	62,500	80,000	50,000
12	100,000	62,500	80,000	50,000
13	100,000	62,500	80,000	50,000
14	54,400	34,000	80,000	50,000
15	Extraction ended	Extraction ended	80,000	50,000
16	Extraction ended	Extraction ended	80,000	50,000
17	Extraction ended	Extraction ended	80,000	50,000
18	Extraction ended	Extraction ended	80,000	50,000
19	Extraction ended	Extraction ended	80,000	50,000
20	Extraction ended	Extraction ended	74,400	46,500
Total	1,354,400	846,500	1,354,400	846,500

**Figure 1. Annual extraction and infill rate.**

The inert soil shall be used as backfill material in the quarry void and the proposed process will include:

- stockpiling/ storage of stripped topsoil and overburden from the surface of the extraction area;
- verification of waste classification of waste soil prior to acceptance at the facility;
- delivery & receipt of waste at the facility including onsite verification inspections and testing;
- onsite storage of accepted waste, as required; and
- filling of quarry void with imported (recovered) inert soil waste.

The proposed main areas of operation on the site include:

- waste soil and stone fill and inspection area (quarry void);
- waste soil and stone quarantine and inspection area;
- waste soil and stone storage and inspection area;
- top soil and overburden storage bund;
- vehicle wheel / underbody wash area; and
- weighbridge.

In 2017 MSK Silversands sought planning permission to extend the existing quarry development into adjoining lands to the west at Ballinrooan, Screen, Co. Wexford (Figure 2) and for the progressive restoration of the final pit void (extractive area) to the original level through the importation of inert soils. Planning permission was granted on 4th March 2019 by An Bord Pleanála (ABP Planning Ref. ABP-301615-18 / Wexford County Council Planning Ref. 20171532).



**Figure 2. Existing sandpit and proposed extension - c 8.45 hectares. Subject area for inert infill (IGR E309399, N130076). (Map extracted from the EIAR submitted to the EPA as part of the application**

## 2. Best Available Techniques (BAT)

Even though the facility is not a landfill (i.e. it is a backfilling project which is a waste recovery activity, not a waste disposal activity) BAT for the activity is taken to be best represented by the guidance given in the Agency's Guidance Note on Best Available Techniques for the Waste Sector: Landfill Activities (2011), insofar as it relates to the backfill activities at this facility.

I have examined and assessed the application documentation and I am satisfied that the site, technologies and techniques specified in the application and as confirmed, modified or specified in the attached Recommended Decision comply with the requirements and principles of BAT. I consider the technologies and techniques as described in the application, in this report and in the RD, to be the most effective in achieving a high general level of protection of the environment having regard – as may be relevant – to the way the facility is located, designed, built, managed, maintained, operated and decommissioned.

## 3. Planning Permission and EIA Requirements

### 3.1 EIA Screening

In accordance with Section 40(2A) of the Waste Management Act 1996 as amended, the Agency must ensure that before a licence or revised licence is granted, that the application is made subject to an environmental impact assessment (EIA), where the activity meets the criteria outlined in Section 40(2A)(b) and 40(2A)(c). In accordance with the EIA Screening Determination, the Agency has determined that the activities are likely to have a significant effect on the environment, and accordingly has carried out an assessment for the purposes of EIA.

An Environmental Impact Assessment Report (EIAR) was submitted on 9<sup>th</sup> August 2019 by the applicant in support of this licence application.

### 3.2 Planning Status

A number of planning applications have been made by the applicant/licensee for the area within the facility boundary. Details of these planning applications and permissions have been provided in the application form and are summarised below.

Planning reference	Purpose of planning application	Date of decision
Wexford County Council (WCC) Ref. 20171532  ABP Ref. ABP-301615-18	For a period of 20 years. Extend existing quarry; stockpiling, landscaping and boundary treatment works; progressive restoration of pit void through the importation of inert soils.	WCC: Grant 16 <sup>th</sup> April 2018 (appealed to An Bord Pleanála (ABP) by a third party)  ABP: Granted 04 <sup>th</sup> March 2019 (following the appeal process)
Wexford County Council Ref. 20160261	For a period of 25 years. Permission to continue operations on existing quarry and extend on to adjoining lands.	WCC: Refused 06 <sup>th</sup> May 2016

Wexford County Council Ref. 20082323	Retention and continued operation of existing sand and gravel pit	WCC: Granted 24 <sup>th</sup> July 2009 (for a period of 7 years and 6 months)
Planning order	Purpose of order	Date of decision
Wexford County Council Order No. P0778/012 (Q019)  ABP Ref. 26. QV. 0239	WCC served notice under Section 261A(3) requiring the applicant to submit an application to ABP for Substitute Consent for quarry development.	WCC: Order 16 <sup>th</sup> August 2012 (ABP review requested by the applicant)  ABP: Determination of planning authority set aside 09 <sup>th</sup> January 2014

The applicant has submitted the EIAR associated with planning permission Wexford County Council Ref. 20171532 (ABP Ref: ABP-301615-18).

Having reviewed the (planners) reports for previous planning permissions, it is considered that the EIAR submitted with the licence application, along with the licence application, the Regulation 14 additional information and the unsolicited information received, contains adequate information to inform the Agency's assessment.

### **3.3 Content of EIAR and licence application**

I have considered and examined the content of the licence application, the EIAR and other relevant material submitted with it.

I consider that the EIAR complies with the requirements of the *Waste Management Licensing Regulations, 2004, as amended, S.I. 395 of 2004*, when considered in conjunction with the additional unsolicited material submitted with the application.

### **3.4 Environmental Impact Assessment Directive**

Having specific regard to EIA, this Inspector's report as a whole is intended to identify, describe and assess for the Agency the likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following environmental factors: human beings, flora, fauna, soil, water, air, climate, the landscape, material assets and cultural heritage.

This Inspector's report addresses the interaction between those effects and the related development forming part of the wider project. The cumulative effects, with other developments in the vicinity of the activity have also been considered, as regards the combined effects of emissions. The main mitigation measures proposed to address the range of predicted significant effects arising from the activity have been outlined. This Inspector's report proposes conclusions to the Agency in relation to such effects.

In preparing this Inspector’s report I have considered and examined:

- the licence application, Register Number: W0305-01;
- the EIAR associated with the most recent planning permission. Planning Authority reference: Wexford County Council Ref. 20171532 (ABP Ref. ABP-301615-18);
- the submission received;
- the planning documents and associated assessments carried out by Wexford County Council (Ref. 20171532, 20160261 & 20082323) and An Bord Pléanala (Ref. ABP-301615-18) and the issues that interact with the matters that were considered by those authorities and which relate to the activity; and
- responses to consultations.

While the environmental factors have been considered throughout my entire assessment, the following table identifies, for ease of reference, the sections of this report where each environmental factor has been predominantly discussed.

Table of Environmental Factors

<b>Environmental Factor</b>	<b>Addressed in the following Sections:</b>
Human Beings	Greenhouse gases and Climate Impact, Emissions to Air, Discharges to Water and Ground, Noise, Waste, Other matters relating to EIA
Flora and Fauna	Greenhouse gases and Climate Impact, Emissions to Air, Discharges to Water and Ground, Noise, Waste
Soil	Discharges to Water and Ground,
Water	Discharges to Water and Ground
Air	Emissions to Air
Climate	Emissions to Air
Landscape	Other matters relating to EIA
Material Assets	Use of Resources
Cultural Heritage	Other matters relating to EIA

### **3.5 Consultation with Competent Authorities**

The Agency consulted with Wexford County Council and An Bord Pleanála under the relevant section of the Waste Management Act.

Wexford County Councils’ response was received by the Agency on 13<sup>th</sup> February 2020 and included the following comments on the licence application and EIAR (note that the original submission should be referred to at all times for greater detail and expansion of particular points):

- “providing that the mitigation measures included in the EIAR are adhered to, and compliance with the conditions of the Planning permission, it is considered that there will be no significant impacts on the environment as a result of the

- construction, operational phase and restoration of the proposed extension to the existing sand and gravel pit”,
- “subject to compliance with the conditions, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not be prejudicial to public health or would not pose an unacceptable risk of environmental pollution. Based on a visual observation and the documentation available, that the proposed restoration would be an adequate mitigation measure to address potential adverse landscape and visual impacts”.

An Bord Pleanálas response was received by the Agency on 23<sup>rd</sup> September 2019 and included the following comments on the licence application and EIAR (note that the original submission should be referred to at all times for greater detail and expansion of particular points):

- “the Board consider that the activity .... would appear to be the same, for which planning permission was granted, subject to conditions”.
- “the decision was made by the Board after carrying out an environmental impact assessment and the receipt of an inspectors report on the said case, which includes a section on environmental impact assessment and consideration of key associated issues”.

#### 4. Submissions

There was one submission made on this application.

While the main points raised in the submission are briefly summarised in the table below, the original submission should be referred to at all times for greater detail and expansion of particular points.

The issues raised in the submission are noted and addressed in this Inspectors’ report and the submission was taken into consideration during the preparation of the Recommended Decision.

<b>Submission</b>		
<b>Name &amp; Position:</b> Ms. Siobhan Byrne, Principal Environmental Health Officer.	<b>Organisation:</b> Environmental Health Service, HSE South.	<b>Date received:</b> 20 <sup>th</sup> September 2019
<b>Issues raised:</b> EHS recommends that a system is put in place for dealing with complaints from the public.		<b>Agency response:</b> Condition 11.6 of the RD as drafted requires the licensee to record all complaints of an environmental nature related to the operation of the activity and to keep a record of the response made in the case of each complaint.

<p>Mitigation measures as outlined in Chapter 4.8.1 Operational Report which if implemented in full should minimise the risk of pollution of surface water.</p>	<p>Condition 3 of the RD as drafted requires the licensee to implement a range of measures including management of stormwater, onsite storage, tanks, bunds, level alarms and containment booms to protect surface water.</p> <p>Condition 5.5 of the RD as drafted requires that other than naturally percolating uncontaminated storm water and surface run-off, there shall be no direct emissions to ground, groundwater or surface water.</p>
<p>EHS recommends that the proposal to maintain the final sandpit floor depth at least 5m above the highest water table is strictly adhered to at all times.</p>	<p>Planning permission was granted by ABP for the extractive activities.</p> <p>This matter lies outside the remit of the Agency and this licensing process.</p>
<p>Mitigation measures, in particular relating to fuel spills and the grading and screening of imported waste soil are adhered to in order to protect groundwater.</p>	<p>Condition 3 of the RD requires the licensee to implement a range of measures including management of stormwater, onsite storage, tanks, bunds, level alarms and containment booms to protect groundwater.</p>
<p>Mitigation measures outlined in Attachment 7-1-3-3 Noise Emission Impact Assessment are implemented in full in order to minimise noise from the site.</p>	<p>The RD includes conditions in relation to noise and emission limits, which will apply at noise sensitive locations.</p> <p>Condition 6.11.1 requires implementation of adequate measures for the control of noise from the facility.</p> <p>Schedule B.4 specifies noise emission limits and requires that there shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise sensitive location.</p> <p>Schedule C.2 requires noise monitoring at noise sensitive locations.</p>
<p>Dust mitigation measures outlined in Section 5 of Attachment 7-1-3-4 should be implemented in full in order to protect public health.</p>	<p>Condition 6.11 requires measures for dust control. Specifically, Condition 6.11.2 requires that in dry weather all stockpiles, site roads and any other areas used by vehicles shall be sprayed with water.</p>



	<p>Condition 5.4 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.</p> <p>It is considered the above measures are adequate to control dust at the facility.</p>
<p>Measures should be taken by the applicant to protect the health of staff involved in the manual segregation of soil and stone materials. This should involve the provision of PPE (construction gloves), hand washing facilities and First Aid facilities.</p>	<p>Matters directly relating to the onsite health and welfare of staff lie outside the remit of the Agency and this licensing process.</p>

## 5. Emissions to Air

This section addresses the following:

- Greenhouse gases and climate impact
- Fugitive dust
- Odour

### 5.1 Greenhouse gases and Climate Impact

Climate change is a significant global issue which affects weather and environmental conditions (air, water and soil) which consequently affects human beings and amenities (material assets and cultural heritage) as well as biodiversity and habitats (flora and fauna). Climate change is caused by warming of the climate system by enhanced levels of atmospheric greenhouse gases (GHG) due to human activities.

Operation of heavy goods vehicles (HGVs) delivering and collecting waste to and from the facility will generate exhaust gases with greenhouse gas potential. Also, the operation of vehicles and machines in the soil recovery facility will generate exhaust gases with greenhouse gas potential.

MSK Silversands proposes to utilise solar panels onsite to generate renewable electricity for the weighbridge operations.

With regard to reducing the climate impact of the facility, the RD as drafted requires an energy efficiency audit and an assessment of resource use efficiency to be undertaken in accordance with Condition 7.

It is considered that the likelihood of accidental emissions occurring which could affect climate is low in light of the measures outlined in the "Prevention of Accidents" section below and the proposed conditions in the RD.

Given the small quantity of climate altering substances that could be released from the activity, in a national context, I consider that the impact of any emissions from the facility on climatic considerations should be minimal.

The facility is located in a rural area with most of the developments in the vicinity of the facility being dwelling houses and farm yards, all of which would use modest

amounts of energy and will not be significant contributors of climate altering substances. Therefore, significant cumulative effects on the environment from the use of energy by this facility and other local developments are not likely.

Based on the above assessment, I am satisfied that there will not be significant effects on climate from the operation of the activity.

## **5.2 Fugitive Dust**

Dust from the facility is the main potential emission to air that could affect local air quality. Generation of dust during dry weather is associated mainly with the operation of vehicles arriving at and departing from the facility, movement of machinery onsite, stockpiling, filling, grading and levelling activities.

As operations will remain closely similar when infill work commences it is considered that dust emissions at the existing site are representative of dust emissions which will arise during proposed future operations at the site.

In the Air Quality and Climate section of the EIAR it is noted that dust monitoring at 4 No. locations around the facility during 2013 -2015 show that the results do not exceed the TA Luft limit of 350 mg/m<sup>2</sup>/day and all results were significantly below this threshold.

The applicant has proposed the following mitigation / control measures:

- speed limits will be enforced on-site to minimize dust generation associated with traffic movement;
- the spraying of haul routes, stockpiles and equipment with water during periods of dry and windy conditions will take place to minimize dust generation;
- visual inspections of the site, the site boundary, the site entrance/exit and haul routes will take place on a daily basis to ensure that there is no build-up of dusty material;
- a pumped water wheel and underbody washing facility will be installed at the entrance to the quarry to minimize the deposition of material at the site exit or local access roads;
- a fixed sprinkler system will be installed at the exit gate to dampen down dry loads leaving the site;
- all plant and stockpiles will be situated on the lowest level of the extraction area at time;
- road sweeping will take place as appropriate to minimize the build-up of dust on haul routes and the potential for airborne dust generation;
- material which leaves the site in bulk in HGV's will be covered in tarpaulin to prevent dust emissions from the back of HGV's; and
- situate stockpiles in such a manner to ensure minimum exposure to the wind and away from sensitive receptors.

During the EPA site visit on 15<sup>th</sup> January 2020 the Agency's inspector observed that a substantial section of the onsite haul route extending from the entrance/exit point towards the quarry void was tarmacked to help prevent dust emissions arising from traffic movements on the route. The applicant advised the inspector that he planned to tarmac/coat the remaining short section of the onsite haul route in the near future.

The RD as drafted requires that dust control measures are employed to minimise the emission of dust at the facility. Schedule B.5 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 3.17.2 requires that all vehicles leaving the facility shall use a wheel wash. Condition 6.11.2 requires for site roads and other relevant areas used by vehicles to be sprayed with water during dry weather to minimise dust emissions.

For the purposes of EIA, the environmental factors potentially affected by dust emissions from the activity include: Human beings, flora and fauna and air.

Dust arising from the activity could have the potential to deposit beyond the site boundary, causing nuisance for those living nearby and potentially affect habitats located close to the site boundary.

The likelihood of accidental fugitive dust emissions is considered low in light of the measures outlined in the "Prevention of Accidents" section below and the proposed conditions discussed above.

Significant cumulative effects on the environment from dust deposition by this facility and other local developments are not likely.

Based on the above assessment, I consider that dust emissions from the operation of the activity are not likely to have a significant effect on the environment when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

### **5.3 Odour**

Odour is not expected to be an issue because no odorous waste will be accepted at the facility. Accordingly, no specific mitigation measures are proposed. The applicant will be required to implement waste acceptance procedures to prevent the acceptance of unauthorised (including contaminated) waste at the facility (Condition 8.10).

For the purposes of EIA, the environmental factors potentially affected by odour emissions from the activity include: human beings, fauna and air

Accidental odour emissions could occur if odorous waste is accepted at the facility, causing odour nuisance beyond the facility boundary. However, the likelihood of accidental odour emissions occurring is considered low in light of the waste acceptance limitations, the measures outlined in the "Prevention of Accidents" section below and the proposed condition discussed above.

Significant cumulative effects from odour by this facility and other local developments are not likely.

Based on the above assessment, I am satisfied that there will not be significant effects on the environment from odour emissions when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

## **Overall Conclusions in relation to effects of air emissions from the activity on the environment**

I am satisfied that there will not be significant effects on climate, air quality, human beings, flora and fauna or any other aspect of the environment from air emissions arising from the operation of the activity when operated in accordance with the conditions of the Recommended Decision as drafted.

## **6. Discharges to Water and Ground**

This section addresses the following:

- Direct discharges to waters (process emissions)
- Emissions to sewer
- Emissions to ground/groundwater
- Storm water discharges

### **6.1 Discharges to Waters**

#### 6.1.1 Direct discharges to surface waters

There are no direct process emissions to surface waters at the facility.

#### 6.1.2 Storm water discharges to surface waters

There are no storm water discharges to surface waters at the facility.

### **6.2 Emissions to Sewer**

#### 6.2.1 Process emissions to sewer

There are no process emissions to sewer at the facility.

#### 6.2.2 Storm water discharges to sewer

There are no storm water emissions to sewer at the facility

### **6.3 Discharges to ground/groundwater**

#### 6.3.1 Direct process emissions to ground/groundwater

There are no direct process emissions to ground/groundwater at the facility.

#### 6.3.2 Storm water discharges to ground/groundwater

There are no direct storm water discharges to ground. Rainfall may pool in localised spots on the site but will naturally percolate rapidly down through the ground in this area.

### Ground / groundwater receptors (Figure 3)

The groundwater source of the Glenbough Stream (IE\_SE\_12SO30600) lies c. 0.5 km approximately south west of the site and in the vicinity of Glenbough Lake (SWF8).

The Hydrology and Hydrogeology section of the EIAR notes for Glenbough Lake (IE\_SE\_12\_11) "it is not possible to ascertain with a sufficient degree of confidence whether this feature is only a surface water feature .... or if it is at least partially groundwater fed".

Kettle hole ponds / lakes (SWF1 – SWF7, SWF9 and SWF10) are also located in the vicinity of the facility and others are located outside the associated catchment area of the site. The EIAR notes that based on the hydrochemical and water level results, "the kettlehole ponds/lakes surrounding the site are considered to be mainly perched water features and should not be affected by the proposed extraction activities".

The EIAR also notes that the "the groundwater flow direction is oriented to the Southwest, i.e. towards the Glenbough Stream .... and confirms that this stream is mainly groundwater fed". The waters from this stream eventually flow in to the lower estuary of the River Slaney (IE\_SE\_040\_0200 - not the main freshwater channel) at Wexford Harbour via the Sinnottsmill River (IE\_SE\_12SO30600) and River Sow (IE\_SE\_12SO30600) (a source for the Wexford County Council public water main in the area). Glenbough Stream is 'Unassigned' under the Water Framework Directive (WFD) and is determined as 'Nutrient Sensitive' by the EPA.

During the EPA site visit on 15<sup>th</sup> January 2020 the Agency's inspector viewed the Glenbough Stream at a road bridge close to its source point and it was visually free flowing, clear and devoid of an oily film.

"The main receptor to be potentially at risk is considered to be the regionally important sand and gravel aquifer underlying the proposed site area, which is in hydraulic continuity with the Glenbough stream c. 490m downgradient from the site.

The final sandpit floor will remain at a maximum of 38m a.O.D., i.e. a minimum of 5.0m above the highest water table at all times. As a result, the vulnerability of the underlying aquifer will remain unchanged and ranked as "High" as per GSI criteria. As the groundwater is drained by the Glenbough stream, there is a potential indirect impact to that stream".

### Pollution risk

There is a possible risk of pollution from the machinery operating on site, the spent water and silt from the wheel wash and from contaminated imported infill.

### Mitigation / Controls

The applicant has confirmed:

- refuelling and maintenance of vehicles will not take place on the sandpit floor but on a dedicated hard standing area located in the nearby farm (property of the applicant) and runoff from this area will be discharged through an oil separator,
- no petroleum-based products or chemicals will be stored onsite. Fuel storage is located at the farm and consists of a bunded area with a double skin tank,

- the tracked excavator and tracked bulldozer required to infill the sandpit will need to be refuelled onsite. This will be carried out using a mobile bunded fuel bowser which will be towed to and from the sandpit as required. Drip trays will be placed beneath the fill points during refuelling operations and funnels will be utilised to help prevent spills,
- Emergency Response spill kits will be provided by the applicant close to the sandpit machinery and delivery vehicles,
- The existing wheel wash at the entrance/exit will be upgraded and spent water from the wash will be diverted to a holding tank for subsequent collection and offsite disposal by a licensed waste contractor.

Imported infill material will be inert. However, if following the delivery inspection, material is deemed not to meet the acceptance criteria, and is not immediately taken offsite by the supplier, it will be quarantined in suitable containers/skips on a hardstand area adjacent to the weighbridge for subsequent return to the supplier or collection by an authorised waste contractor.

#### Groundwater quality

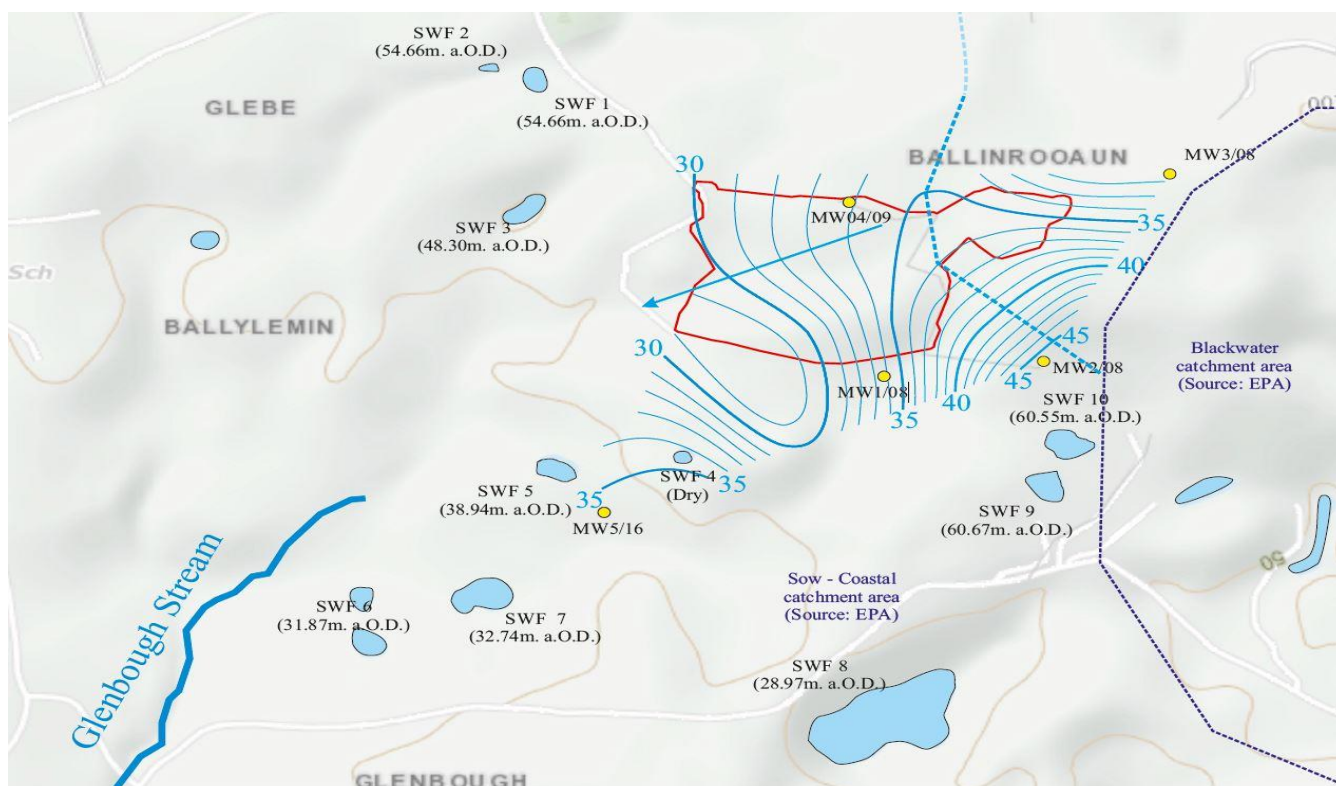
Results of monitoring from bore wells at the facility in December 2016 (MW1, MW2, MW3, MW4 & MW5) "show that groundwater in the vicinity of the site is generally good quality". The results from monitoring well MW4 (upgradient of the site and not attributable to the sandpit activities) "indicate that there may be a sewage related type of contamination, most likely associated with farming activities", giving rise to levels of nitrate and orthophosphate in excess of the thresholds stipulated in S.I. No. 9 of 2010, European Communities Environmental Objectives (Groundwater Regulations), 2010 as amended. Recorded levels of chloride also exceeded the Groundwater Regulations threshold "but this is not considered unusual given the proximity of the site to the Irish Sea". Other parameters were well below Interim Guideline Values or threshold levels as applicable. Condition 6.16.1 requires the annual assessment of groundwater monitoring results against the requirements of the European Communities Objectives (Groundwater) Regulations 2010, as amended.

#### Accidental emissions to water / groundwater

Accidental polluting emissions could occur to ground / groundwater if contaminated infill is imported or there are spillages of petroleum or chemical products from the vehicles and machinery onsite potentially causing an adverse impact on the quality of connected surface or aquifer water. However, the likelihood of accidental polluting emissions to ground/groundwater occurring is considered low in light of the measures outlined in the "Prevention of Accidents" section below.

Compliance with the requirements of Condition 5: *Emissions*, Condition 6: *Control and Monitoring*, Condition 8: *Materials Handling*, Condition 9: *Accident Prevention and Emergency Response*, Schedule A: *Limitations* and Schedule C: *Control and Monitoring* of the RD as drafted will help protect ground, surface water quality and groundwater quality in the vicinity of the proposed facility.

I am satisfied that based on the above assessment, the nature of the activity, the proposed mitigation measures, and the conditions in the RD that a significant effect on the environment occurring because of contaminated runoff or accidental spillages percolating to ground/groundwater is unlikely.



**Figure 3. Map of water features and monitoring bore holes at and in the vicinity of the facility (outlined in red). General direction of ground water flow indicated by blue arrow. (Map extracted from the EIA submitted to the EPA as part of the application)**

### **Overall Conclusions in relation to effects of emissions to water and ground on the environment**

I am satisfied that there will not be significant effects on human beings, flora and fauna, water quality, soil quality or any other aspect of the environment from emissions to water and ground arising from the operation of the activity when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

### **7. Noise**

The main sources of noise at the facility associated with this licence application include heavy goods vehicles, the tipping of material, tracked bulldozer and tracked excavator.

For the purposes of EIA, the environmental factors potentially affected by noise emissions from the activity include: human beings and fauna.

Noise arising from site could have the potential to cause nuisance for those living in the vicinity of the activity or on noise sensitive species near the site. 4 No. residential properties were identified as Noise Sensitive Locations (NSL1 – NSL4) for the noise impact study (Figure 4).



**Figure 4. NSL locations near the application site (outlined in red). (Map extracted from the EIAR submitted to the EPA as part of the application)**

#### *Assessment and Mitigation*

A noise assessment study was undertaken as part of the EIAR and has been used to predict worst-case impacts of noise sources from the proposed facility at nearby NSL's.

As operations will remain closely similar when infill work commences it is considered that noise emissions at the existing site are representative of noise emissions which will arise during proposed infill / waste recovery operations at the site.

The applicant can apply a number of noise control measures including:

- strategic placing of stockpiles between sources and receptors,
- noise damping on machinery body panels and running gear,
- regular maintenance of machinery and vehicles,
- operations limited to normal business hours (08:00-18:00 Monday – Friday and 09:00-13:00 Saturday. No operations on Sunday or public holidays).

The Noise section of the EIAR notes that "no significant noise impacts are envisaged on the basis of the following:

- background noise levels at NSL's are closely similar to background noise levels when combined with development noise i.e. site noise, occurring at NSL's.



There is no significant increase in noise levels as a result of development noise contributions.

- predicted ambient noise levels (i.e. Development and Background noise combined) at NSL's is below the EPA limit of 55 dB. Noise sources will not be operational during evening or night-time hours as defined by the EPA."

For assessment purposes, limits specified in the Agency guidance<sup>1</sup> were used as ambient standards. The results of the noise assessment study indicate that the impact is low, and well within the standard noise emission limit values in the RD.

Standard noise conditions and emission limit values, which apply at the noise sensitive locations, have been included in the RD.

The likelihood of accidental noise emissions occurring is considered low in light of the measures outlined in the "Prevention of Accidents" section below.

It is therefore considered that direct significant effects as a result of noise from the activity are unlikely.

### ***Overall Conclusions in relation to effects of noise emissions from the activity on the environment***

Based on the above assessment and the controls in place, I am satisfied that there will not be significant effects on the environment from noise from the activity when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

## **8. Waste Generation**

The activity does not produce significant quantities of waste. Some municipal type waste is generated from office and welfare facilities which are located off-site (on adjacent farm owned by applicant). All municipal type waste generated is transported and recovered/disposed off-site in accordance with National and European Legislation.

The main hazardous operational wastes may include waste oils, adhesives, sealants, contaminated packaging, inorganic chemical waste associated with vehicle and machinery maintenance. These hazardous wastes shall be collected / managed by authorised hazardous waste contractors and recovered/disposed off-site in accordance with National and European Legislation.

The majority of other operational wastes generated by the activity are and will be recyclable or recoverable, e.g. scrap metal, plastic packaging, timber, cardboard and glass. All recyclable or recoverable type waste generated by the activity shall be recovered and/or transported/disposed off-site in accordance with National and European Legislation.

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<sup>1</sup> NG4 Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (EPA, 2016)

The RD requires that disposal or recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.

For the purposes of EIA, the environmental factors potentially affected by waste generated by the activity include: material assets; flora and fauna.

If dealt with in accordance with the conditions of the RD, the management of waste generated at the facility will be in accordance with the requirements of Section 29 (2A) of the Waste Management Acts as amended.

The controls in the RD in relation to waste will prevent the occurrence of possible direct and indirect negative effects on the environment.

Significant cumulative effects on the environment from the generation of waste by this facility are not likely.

### ***Overall Conclusions in relation to effects of the generation of waste from the activity on the environment***

Based on the above assessment and the waste control measures in place, I am satisfied that there will not be significant effects on the environment from the generation of wastes from the operation of the activity when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

## **9. Use of Resources**

The applicant has provided a list of resources consumed at the facility; these are listed in the application form. As the proposed sandpit infill operations will operate in tandem with the existing extraction activities, it is unlikely that significant additional resources will be consumed when the infilling commences.

The operation of the facility involves the consumption of electricity, diesel fuel and water.

### Electricity

Electricity will be used for powering the weighbridge and it is planned to install a solar powered weighbridge unit. An estimated 1 kW of renewable electricity will be generated per annum to power the weighbridge. No other equipment or machinery requires onsite electricity.

### Fuels

Diesel fuels will be used for powering the onsite plant and equipment required to backfill and compact the infill material and to fuel the applicants works vehicles.

### Water abstraction

Water for the wheel wash and dust suppression will be abstracted from a bore hole well located offsite in an adjacent farm (owned by the applicant). The application notes the future predicted groundwater usage per annum will be 2,817 m<sup>3</sup>. There is no requirement to use water for the operational activity of infilling the sandpit void.

Condition 7 of the RD as drafted sets out requirements with regard to resource use and efficiency

For the purposes of EIA, the environmental factors potentially affected by resource use include material assets.

Condition 7 of the RD as drafted provides for the efficient use of resources and energy in all site operations. This condition also requires an energy audit to be carried out and repeated at intervals as required by the Agency.

The facility is located in a rural area with most of the developments in the vicinity of the facility being dwelling houses and farm yards, all of which would use minimal amounts of resources. Therefore, significant cumulative effects on the environment from the use of resources by this facility and other developments are not likely.

***Overall Conclusions in relation to effects of the use of resources by the activity on the environment***

I am satisfied that there will not be significant effects on the environment from the use of natural resources from the operation of the activity when the facility is operating in accordance with the conditions of the Recommended Decision as drafted.

**10. Prevention of Accidents**

Potential accidents & measures for prevention/limitation of consequences	
<p>Potential for an accident or hazardous/ emergency situation to arise from activities at the facility</p>	<p>Due to the non-hazardous and inert nature of the waste to be accepted at the facility (soil and stone), the risk of adverse effects on human beings and the environment as a result of an accident is low.</p> <p>Unplanned events and risks have been identified as:</p> <ul style="list-style-type: none"> <li>• Instability following the placement of materials,</li> <li>• Spill from traffic accidents,</li> <li>• Flooding,</li> <li>• Accidental spillages or leaking of fuel or refuelling of plant and machinery, or the storage of such materials has the potential to impact on groundwater quality,</li> <li>• Release of suspended solids from soil and subsoil stripping,</li> <li>• Accidental spillage of fuel and release of fuels during refuelling, and</li> <li>• Accidental importation of non-inert material to site.</li> </ul> <p>It is noted that the soil and stones being placed / recovered at this site are free of flammable materials and biodegradable waste that could create a fire or explosion risk.</p>

Potential accidents & measures for prevention/limitation of consequences	
Preventative/Mitigation measures to reduce the likelihood of accidents and mitigate the effects of the consequences of an accident at the facility	<p>Measures relate to avoidance, prevention and reduction include:</p> <ul style="list-style-type: none"> <li>• Provision and maintenance of adequate bunding,</li> <li>• No faces or high stockpiles of material at the site which could be liable to instability,</li> <li>• Refuelling and maintenance of vehicles will not take place on the sandpit floor but on a dedicated hard standing area and runoff from this area will be discharged through an oil separator,</li> <li>• the tracked excavator and tracked bulldozer required to infill the sandpit will need to be refuelled onsite. This will be carried out using a mobile bunded fuel bowser which will be towed to and from the sandpit as required. Drip trays will be placed beneath the fill points during refuelling operations and funnels will be utilised to help prevent spills,</li> <li>• Emergency Response spill kits will be provided by the applicant close to the sandpit machinery and delivery vehicles.</li> </ul> <p>In order to prevent fire at the site:</p> <ul style="list-style-type: none"> <li>• plant and equipment will be maintained regularly,</li> <li>• no petroleum-based products or chemicals will be stored onsite.</li> </ul>
Additional measures provided for in the RD	<p>The RD requires the licensee to:</p> <ul style="list-style-type: none"> <li>• implement waste acceptance procedures to prevent the acceptance of unauthorised (including contaminated) waste at the facility (Condition 8.10);</li> <li>• employ a suitably qualified and experienced facility manager (Condition 2.1.1);</li> <li>• put in place a documented Accident Prevention Procedure which addresses all hazards on-site (Condition 9.1);</li> <li>• put in place an Emergency Response Procedure which will ensure any effects of an emergency on-site are minimised (Condition 9.2)</li> <li>• implement a preventative maintenance programme (Condition 2.2.2.8); and implement procedures to ensure corrective and preventative action is taken should the specified requirements of the licence not be fulfilled (Condition 2.2.2.5).</li> </ul>

The risk of accidents and their consequences, and the preventative and mitigation measures listed in the table above, have been considered in full in the assessments carried out throughout this report.

It is considered that the conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

## **11. Cessation of activity**

The application details groundwater monitoring as a measure to be employed upon cessation of the activity.

In addition, the applicant will need to make provision for the removal of all plant, machinery and site infrastructure associated with the soil and stone recovery activity.

The applicant advises that in compliance with their planning permission conditions they have lodged a bond of €60,000 with Wexford County Council to ensure funds are available for restoration of the quarry and aftercare.

Condition 10 of the RD as drafted requires the proper closure of the activity with the aim of protecting the environment. In particular the RD requires that the licensee submits a Closure, Restoration and Aftercare Management Plan (CRAMP).

The measures to be taken upon cessation of the activity have been considered in full in the assessments carried out throughout this report.

I am satisfied that there will not be significant effects on the environment from the measures that will be taken upon cessation of the activity.

## **12. Other matters relating to EIA**

### **12.1 Effects on landscape, material assets and cultural heritage**

#### **(a) Disturbance of archaeology and architecture from the operation of the activity**

Any loss of archaeological or architectural heritage could impact negatively on human beings. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on site and are not controlled by the Agency. The planning authority has considered the effect to be acceptable.

#### **(b) Landscape, visual and cultural effects**

Any disturbance of the landscape or the cultural heritage of an area has the potential to impact on human beings and their enjoyment of the surrounding area. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on site and are not controlled by the Agency. The planning authority has considered the effects to be acceptable.

It is not envisaged that emissions from the operation of the activity will impact on the sites surrounding landscape and culture of the area.

**Overall Conclusions in relation to effects on landscape, material assets and cultural heritage from the activity**

I am satisfied that there will not be significant effects on landscape, material assets and cultural heritage from the operation of the activity.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution.

**12.2 Interaction of effects**

I have considered the interaction between human beings, flora and fauna, soil, water, air, climate, landscape, material assets, cultural heritage and the interaction of the likely effects identified throughout this report.

The interaction between factors as a result of the operation of the facility are summarised below:

Interaction of effects

	Human Beings	Flora and Fauna	Soil	Water	Air	Climate	Material assets, landscape, cultural heritage
Human Beings		✓	✓	✓	✓	✓	✓
Flora and Fauna	✓		✓	✓	✓	✓	
Soil	✓	✓		✓	✓	✓	
Water	✓	✓	✓			✓	✓
Air	✓	✓	✓			✓	
Climate	✓	✓	✓	✓	✓		
Material assets, landscape, cultural heritage	✓			✓			

The most significant interactions, as addressed in the earlier parts of this report, are as follows:

Human beings and groundwater and soil

In the event of the waste acceptance criteria not being adhered and contaminated waste is accepted, infilling such waste may impact directly on the quality of groundwater and soil and indirectly on surface water quality if polluted groundwater flows in to a surface water body.

Based on the assessment carried out throughout this report, and the control/mitigation measures proposed (including the relevant conditions in the RD), I do not consider that the interactions identified are likely to cause or exacerbate any potentially significant environmental effects of the activity.

### **13. Reasoned Conclusion on Environmental Impact Assessment**

Having regard to the effects (and interactions) identified, described and assessed throughout this report, I consider that the mitigation / control measures proposed will enable the activity to operate without causing environmental pollution. I also consider that the potential effects on the environment identified above, even if they occur, are unlikely to damage the environment, and the risk of them occurring is not unacceptable.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

### **14. Appropriate Assessment**

Appendix 2 lists the European Sites assessed, their associated qualifying interests and conservation objectives along with the assessment of the effects of the activity on the European Sites.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the proposed activities, 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 Sites at Screen Hills SAC (Site Code 000708), The Raven SPA (Site Code 004019), Wexford Harbour & Slobs SPA (Site Code 004076) and Slaney Valley SAC (Site Code 000781).

Four other European sites within a 15km radius of the proposed facility, Long Bank SAC (Site Code 002161), Blackwater Bank SAC (Site Code 002953), Kilmuckridge-Tinnaberna Sandhills SAC (Site Code 001741) and Raven Point Nature Reserve SAC (Site Code 000710) were screened out as having no potential impact, directly or indirectly, and were not considered further.

The proposed activities are 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 cannot be excluded, on the basis of objective information, that the proposed activities, 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 proposed activities was required, and for this reason determined to require the applicant to submit a Natura Impact Statement.

The proposed activities are directly adjacent to Screen Hills SAC (000708), are hydrologically connected to Slaney River Valley SAC (000781) and Wexford Harbour & Slobs SPA (004076) and are in close proximity (c. 2.2 kms) to The Raven SPA (004019).

An Inspector's Appropriate Assessment has been completed and has determined, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to

Article 6(3) of the Habitats Directive, that the proposed activities, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Screen Hills SAC (Site Code 000708), The Raven SPA (Site Code 004019), Wexford Harbour & Slobbs SPA (Site Code 004076) and Slaney Valley SAC (Site Code 000781), having regard to their conservation objectives and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this recommended decision and the conditions attached hereto for the following reasons:

- The proposed waste recovery facility does not have the potential for significant effects on any European site due to the inert nature of the soil and stone waste.
- There are no direct discharges from the proposed facility to surface water, ground or groundwater. During normal operating conditions the only water with the potential to percolate to ground/groundwater is rain water and associated run-off.
- It is considered that wind-blown dust/sand from the proposed facility will be limited and does not have the potential to damage the dry heath habitat or impact on the surface waters of the Screen Hills SAC which is adjacent to the facility nor will it impact on the other European Sites because of distance.
- Potential operations noise is not an issue for the Qualifying Interests of the adjacent Screen Hills SAC nor will it impact on the other European Sites because of distance.
- The RD as drafted requires the licensee to comply with conditions that protect habitat, groundwater and surface water under normal operating conditions and in the unlikely event of accident / emergency.
- Condition 8.10 of the RD as drafted requires the licensee to implement waste acceptance procedures to prevent the acceptance of unauthorised (including contaminated) waste at the facility.
- Condition 5.5 requires that other than the natural percolation of uncontaminated storm water and surface run-off, there shall be no direct emissions to ground, groundwater or surface water.
- Condition 3 requires the licensee to implement a range of measures including management of stormwater, onsite storage, tanks, bunds, level alarms and containment booms to protect groundwater and surface water.
- Condition 6.11 requires measures for dust control. Specifically, Condition 6.11.2 requires that in dry weather all stockpiles, site roads and any other areas used by vehicles shall be sprayed with water.
- Condition 5.4 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.
- In respect of risk due to accident or emergency, the RD as drafted requires the licensee to:
  - put in place a documented Accident Prevention Procedure which addresses all hazards on-site (Condition 9.1);
  - put in place an Emergency Response Procedure which will ensure any effects of an emergency on-site are minimised (Condition 9.2)



- implement a preventative maintenance programme (Condition 2.2.2.8); and
  - implement procedures to ensure corrective and preventative action is taken should the specified requirements of the licence not be fulfilled (Condition 2.2.2.5).
- Condition 10 requires the proper closure of the activity with the aim of protecting the environment upon cessation of activity.

In light of the foregoing reasons no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of those European Sites, Screen Hills SAC (Site Code 000708), The Raven SPA (Site Code 004019), Wexford Harbour & Slob SPA (Site Code 004076) and Slaney Valley SAC (Site Code 000781).

## **15. Fit & Proper Person Assessment**

The Fit & Proper Person test requires three elements of examination:

### Technical Ability

The licensee has provided details of the technical knowledge and experience of key personnel. The licence application also includes information on the on-site management structure. It is considered that the applicant has demonstrated the technical knowledge required.

### Legal Standing

Neither the applicant nor any relevant person has relevant convictions under the Waste Management Act 1996, as amended, or under any other relevant environmental legislation.

### Financial Provision/Strength

#### *ELRA, CRAMP & FP*

The licence category and proposed facility was assessed for the requirements of Environmental Liabilities Risk Assessment (ELRA), Closure, Restoration and Aftercare Management Plan (CRAMP) and Financial Provision (FP), in accordance with Agency guidance. Under this assessment it has been determined that ELRA, costed CRAMP and FP were not required.

Condition 10.2 of the RD as drafted requires the review of a Closure, Restoration and After Management Plan (CRAMP), uncosted, within six months of the grant of the licence. In accordance with EPA policy, there is no apparent need to require the preparation of an Environmental Liabilities Risk Assessment or the making of financial provision. This is based on the fact that only non-hazardous, inert wastes will be deposited at the facility, the environmental risk posed is low and restoration activities will cease, aftercare excepted, within 20 years.

### Fit & Proper Conclusion

It is my view, and having regard to the section 40(8) of the Waste Management Act 1996 as amended, and the Conditions of the RD, that the applicant can be deemed a Fit & Proper Person for the purpose of this application.

## **16. Cross Office Consultation**

I consulted OEE Inspector Mr. Larry Kavanagh in relation to financial charges.

## **17. Charges**

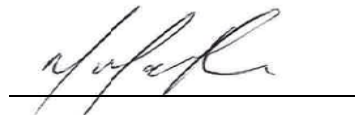
The annual enforcement charge recommended in the RD is €5,088, which reflects the anticipated enforcement effort required and the cost of monitoring.

## **18. Recommendation**

The RD specifies the necessary measures to provide that the installation shall be operated in accordance with the requirements Section 40(4) of the Waste Management Act 1996 as amended and has regard to the AA screening and EIA screening. The RD gives effect to the requirements of the Waste Management Act 1996 as amended and has regard to submission made.

I recommend that a Proposed Decision be issued subject to the conditions and for the reasons as drafted in the RD.

Signed

A handwritten signature in black ink, appearing to read 'Michael Martin', is written over a horizontal line.

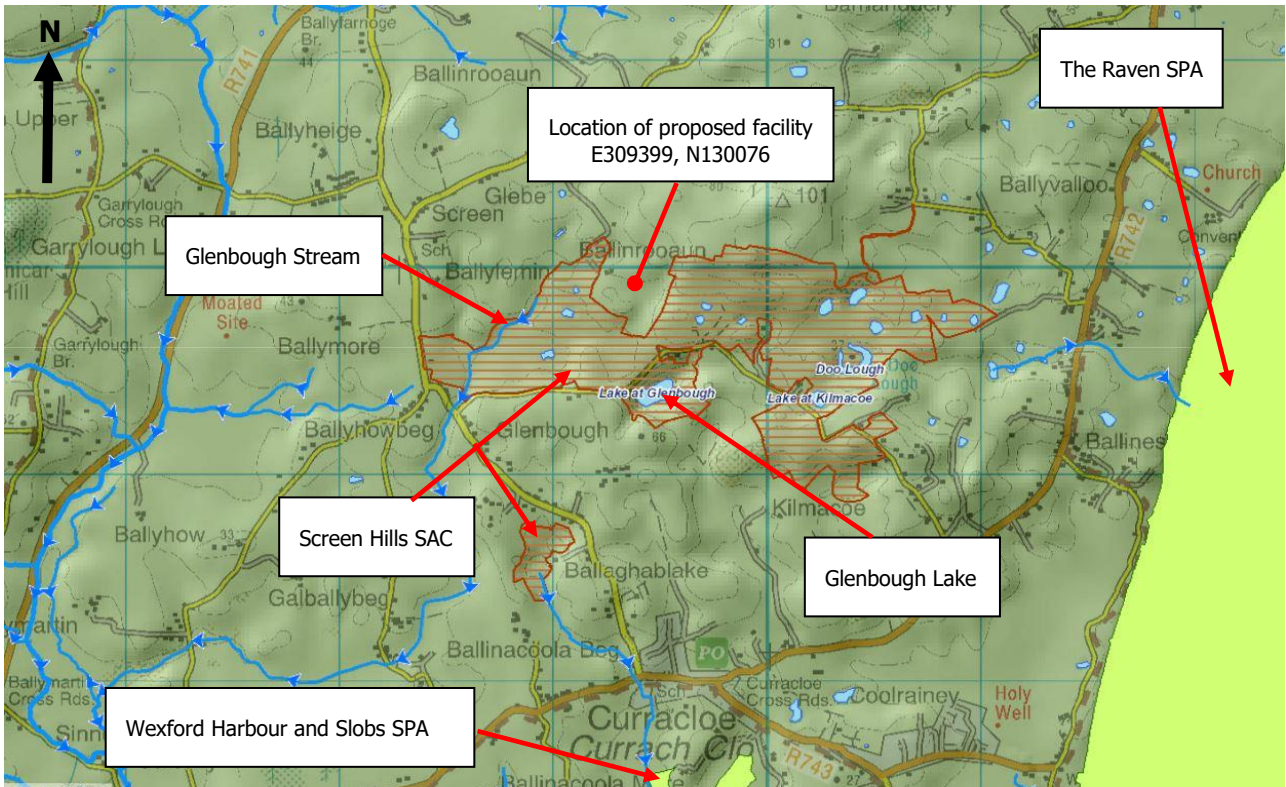
Michael Martin

## **Procedural Note**

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Act 1996 as amended, as soon as may be after the expiration of the appropriate period.

## Appendices

### Appendix 1: Location of MSK Silversands Limited, Co. Wexford.



**Appendix 2: Assessment of the effect(s) of activity on European sites and proposed mitigation measures.**

Site Code	Site Name	Qualifying Interests (* denotes priority habitat)	Conservation Objectives	Assessment
000708	Screen Hills SAC	<p><b>Habitats</b>            3110 Oligotrophic waters containing very few minerals of sandy plains (<i>Littorelletalia uniflorae</i>)            4030 European dry heaths</p>	<p>NPWS (2018) Conservation objectives for Screen Hills SAC [000708]. Generic Version 6.0. Department of Arts, Culture, Heritage, and Gaeltacht.</p>	<p><u>Normal Operations.</u></p> <p><u>Water</u></p> <p>There is a possible risk of ground water pollution from the machinery operating on site, the spent water and silt from the wheel wash and from contaminated imported infill.</p> <p>Condition 8.10 of the RD as drafted requires the licensee to implement waste acceptance procedures to prevent the acceptance of unauthorised (including contaminated) waste at the facility.</p>
004019	The Raven SPA	<p><b>Birds</b>            A141 Grey Plover (<i>Pluvialis squatarola</i>)            A065 Common Scoter (<i>Melanitta nigra</i>)            A001 Red-throated Diver (<i>Gavia stellata</i>)            A144 Sanderling (<i>Calidris alba</i>)            A395 Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>)            A017 Cormorant (<i>Phalacrocorax carbo</i>)</p> <p><b>Habitats</b>            Wetlands</p>	<p>NPWS (2012) Conservation Objectives: The Raven SPA 004019. Version 1.0 National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>Condition 5.5 of the RD as drafted requires that other than naturally percolating uncontaminated storm water and surface runoff, there shall be no direct emissions to ground, groundwater or surface water.</p>

004076	Wexford Harbour and Slobs SPA	<p><b>Birds</b></p> <p>A037 Bewick's Swan (<i>Cygnus columbianus bewickii</i>)</p> <p>A395 Greenland White-fronted Goose (<i>Anser albifrons flavirostris</i>)</p> <p>A160 Curlew (<i>Numenius arquata</i>)</p> <p>A156 Black-tailed Godwit (<i>Limosa limosa</i>)</p> <p>A125 Coot (<i>Fulica atra</i>)</p> <p>A162 Redshank (<i>Tringa totanus</i>)</p> <p>A050 Wigeon (<i>Anas penelope</i>)</p> <p>A183 Lesser Black-backed Gull (<i>Larus fuscus</i>)</p> <p>A052 Teal (<i>Anas crecca</i>)</p> <p>A004 Little Grebe (<i>Tachybaptus ruficollis</i>)</p> <p>A048 Shelduck (<i>Tadorna tadorna</i>)</p> <p>A130 Oystercatcher (<i>Haematopus ostralegus</i>)</p> <p>A195 Little Tern (<i>Sterna albifrons</i>)</p> <p>A028 Grey Heron (<i>Ardea cinerea</i>)</p> <p>A017 Cormorant (<i>Phalacrocorax carbo</i>)</p> <p>A179 Black-headed Gull (<i>Chroicocephalus ridibundus</i>)</p> <p>A069 Red-breasted Merganser (<i>Mergus serrator</i>)</p> <p>A062 Scaup (<i>Aythya marila</i>)</p> <p>A046 Light-bellied Brent Goose (<i>Branta bernicla hrota</i>)</p> <p>A038 Whooper Swan (<i>Cygnus cygnus</i>)</p> <p>A143 Knot (<i>Calidris canutus</i>)</p> <p>A140 Golden Plover (<i>Pluvialis apricaria</i>)</p> <p>A157 Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p>A005 Great Crested Grebe (<i>Podiceps cristatus</i>)</p> <p>A067 Goldeneye (<i>Bucephala clangula</i>)</p>	<p>NPWS (2012) Conservation Objectives: Wexford Harbour and Slobs SPA [004076]. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage, and Gaeltacht.</p>	<p><u>Noise</u></p> <p>Noise levels from the installation will not impact on the qualifying interests within a European Site. The RD, as drafted, specifies noise emission limit values of 55dB(A) LAr,T (daytime), 50dB(A) LAr,T (evening) and 45dB(A) LAeq,T (night-time) at any noise sensitive location.</p> <p><u>Air</u></p> <p>Emissions to air will be mitigated through imposing emission limit values and regular monitoring, as per the schedules of the RD, as drafted.</p>
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		<p>A054 Pintail (<i>Anas acuta</i>)  A149 Dunlin (<i>Calidris alpina</i>)  A053 Mallard (<i>Anas platyrhynchos</i>)  A141 Grey Plover (<i>Pluvialis squatarola</i>)  A082 Hen Harrier (<i>Circus cyaneus</i>)  A144 Sanderling (<i>Calidris alba</i>)  A142 Lapwing (<i>Vanellus vanellus</i>)</p> <p><b>Habitats</b>  Wetlands</p>		<p><u>Accidents and Emergencies.</u></p> <p>There is potential for accidents and unplanned spillages from the installation.</p> <p>It is considered that the conditions of the RD, as drafted, in relation to bunding and the protection of surface water and groundwater, are sufficient to ensure that accidental emissions from the activity will not impact on the qualifying interests of any of the European sites identified above.</p>
000781	Slaney River Valley SAC	<p><b>Habitats</b>  1130 Estuaries  1140 Mudflats and sandflats not covered by seawater at low tide  1330 Atlantic salt meadows (Glauco-Puccinellietalia maritimae)  1410 Mediterranean salt meadows (Juncetalia maritimi)  3260 Water courses of plain to montane levels with the Ranunculion fluitantis and Callitricho-Batrachion vegetation  91A0 Old sessile oak woods with Ilex and Blechnum in the British Isles  91E0 Alluvial forests with Alnus glutinosa and Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae)*</p> <p><b>Species</b>  1365 Harbour Seal (<i>Phoca vitulina</i>)  1355 Otter (<i>Lutra lutra</i>)  1103 Twaité Shad (<i>Alosa fallax fallax</i>)</p>	<p>NPWS (2011) Conservation Objectives: Slaney River Valley SAC 000781. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</p>	<p>The RD, as drafted, specifies accident prevention and emergency response requirements.</p>

		1106 Salmon ( <i>Salmo salar</i> ) 1099 River Lamprey ( <i>Lampetra fluviatilis</i> ) 1029 Freshwater Pearl Mussel ( <i>Margaritifera margaritifera</i> ) 1096 Brook Lamprey ( <i>Lampetra planeri</i> ) 1095 Sea Lamprey ( <i>Petromyzon marinus</i> )		
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### **Relevant European (and international) legal instruments**

The following Irish and European and international legal instruments are regarded as relevant to this application assessment and have been considered in the drafting of the Recommended Decision.

Environmental Impact Assessment (EIA) Directive (85/337/EEC, as amended)

Habitats Directive (92/43/EEC) & Birds Directive (79/409/EC)

Environmental Liability Directive (2004/35/CE)

Waste Framework Directive (2008/98/EC)

Energy Efficiency Directive.