

**Comhairle Contae
Fhine Gall**
Fingal County
Council



**WASTE FACILITY PERMIT
GRANTED BY:**

FINGAL COUNTY COUNCIL

ON

13TH MARCH 2020

**GRANTED TO:
Glv Bay Lane Ltd.**

**FOR A WASTE FACILITY AT:
Bay Lane Quarry, Bay Lane, St. Margaret's,
Co. Dublin**

**WASTE FACILITY PERMIT NO.
WFP-FG-19-0003-01**

TECHNICAL AMENDMENT A-

CHANGE TO CONDITION 4.3

GRANTED on 30/10/2020

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GENERAL

Fingal County Council, having evaluated the application form for a waste facility permit and has granted Waste Facility Permit Number WFP-FG-19-0003-01 to Glv Bay Lane Ltd. herein after called the permit holder to operate a waste facility subject to the attached schedule of conditions activities at:

Address:	Bay Lane Quarry
	Bay Lane
	St. Margaret's
	Co. Dublin

Issued on:

Date:	13th March 2020
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Expires on:

Date:	12th March 2025
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With reference to Planning Permission FWH19A/0207 and subject to the attached schedule of conditions.

Fingal County Council may at any time review, and subsequently amend conditions of, or revoke this permit.

Signed:

Enda IDoey

 Senior Executive Scientist
 Environment and Water Services Department
 Fingal County Council

Date: 13th March 2020

Part 1 Activities Permitted

In pursuance of the powers conferred on it by the Waste Management Act, 1996 as amended, the Waste Management (Facility Permit and Registration) Regulations, 2007 (S.I. No.821 of 2007) as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations (S.I. No.86 of 2008) and the Waste Management (Facility Permit and Registration) (Amendment) Regulations (S.I. No. 320 of 2014) and the Waste Management (Facility Permit and Registration) (Amendment) Regulations (S.I. No. 546 of 2014) and the Waste Management (Facility Permit and Registration) (Amendment) Regulations (S.I. No. 198 of 2015) and the European Communities (Waste Directive) Regulations, 2011 (S.I. No. 126 of 2011 herein after called the legislation this permit is granted by Fingal County Council under Article 18 of the Waste Management (Facility Permit and Registration) (S.I. No. 821 of 2007) Regulations, 2007 as amended to Glv Bay Lane Ltd. Bay Lane Quarry, St. Margaret's, Co. Dublin.

Permitted Activities in accordance with the Fourth Schedule, Part 1 of the Waste Management (Facility Permit and Registration) Regulations 2007, as amended

Class No.	Inert Class Description
R5	Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.

Permitted Activity in accordance with the Third Schedule, Part I of S.I 821/2007 Waste Management (Facility Permit and Registration) Regulations 2007, as amended by S.I 250/2019 Waste Management (Facility Permit and Registration) Regulations 2019

Class No.	Class Description
5	Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 200,000 tonnes.

This development is to restore a disused rock quarry to previous, pre-quarry condition and topography.

Part 2 Activities Refused

None of the proposed activities as set out in the facility permit application have been refused.

Interpretation

All terms in this permit should be interpreted in accordance with the definitions in the Waste Management Act 1996, as amended.

CONDITION 1 SCOPE

- 1.1 This waste facility permit is issued by Fingal County Council under the Waste Management (Facility Permit & Registration) Regulations S.I No. 821 of 2007, as amended.
- 1.2 This waste facility permit is for the purpose of waste activity authorisation under the Waste Management (Facility Permit & Registration) Regulations S.I No. 821 of 2007, as amended and nothing in this permit shall be construed as negating the permit holders statutory obligations, or requirements under any other enactments or regulations.
- 1.3 This waste facility permit is granted to Glv Bay Lane Ltd. for the waste activities listed and described in Part 1 Activities Permitted only and shall be carried out as set out in the waste facility permit application and supporting documentation.
- 1.4 For the purposes of this facility permit, the facility boundary is outlined in blue on Drawing No. DG0004, titled 'Drawing 4 Proposed Site Plan Layout' (Scale 1:2500), dated Feb 2019, Rev F01 (Appendix 1). Any reference in this permit to "facility" shall mean the area thus outlined in red. Infilling shall be within the area marked as. Phase 1 on Drawing 6A 'Phasing Plan Phases 1&2' (Appendix 2).
- 1.5 The maximum amount of waste to be accepted at the facility is **200,000 tonnes** to include all infill soil and stone material and topsoil material.
- 1.6 This waste facility permit shall remain in force until 12th March 2025 or until such a time as EPA Waste Licence (ref W030-01) is granted by the Agency.
- 1.7 Should the permit holder wish to continue to operate after the date of expiry, an application to review the waste facility permit shall be made to Fingal County Council in accordance with Article 31(1) of the Regulations no later than **60 working days** before the date of expiry of the waste facility permit.
- 1.8 Should the permit holder wish to cease to continue waste activities on or after the date of expiry of the facility permit it shall by notice in writing to the Council surrender the facility permit under Article 29 of the Waste Management (Facility Permit & Registration) Regulations S.I No. 821 of 2007, as amended.
- 1.9 This waste facility permit is non-transferrable to any person, concern or premises without the completion of an application form for its transfer and the grant of approval by Fingal County Council.
- 1.10 A facility permit shall not be deemed surrendered until the permit holder has satisfied the Council that the facility is not causing or likely to cause environmental pollution. The permit holder will be required to comply with any conditions imposed by the Council as part of the surrendering of the waste facility permit.
- 1.11 The conditions of this permit may be reviewed or altered at any stage during its lifespan by Fingal County Council.
- 1.12 Any proposed changes in the activity as outlined in the information furnished with this application shall be submitted in writing to Fingal County Council for written agreement prior to that change taking effect. Should the submission identify a material or significant change in;
 - (a) The nature, extent or focus of the waste activities; or
 - (b) The nature or extent of any emission;

a facility permit review or new application may be required before the proposed change can be assessed. Fingal County Council reserves the right to review and/or

revoke this permit at any time and shall give written notice to the permit holder in such an event.

- 1.13 The permit holder shall be responsible and ensure that the facility is managed, operated, maintained and that emissions are controlled as submitted with the permit application and in strict accordance with the conditions set down in this permit. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Fingal County Council shall be notified of any such breach by telephone/email by the next working day and full details shall be forwarded in writing *within 3 working days*.
- 1.14 Any non-conformance with the conditions of this permit are an offence under the Waste Management (Facility Permit & Registration) Regulations 2007 as amended.
- 1.15 Where Fingal County Council considers that a non-compliance with the conditions of this permit has occurred, it may serve notice on the Permit Holder. The permit holder should comply with the requirements of such notice within the time-scale specified in the notice. Written confirmation should be furnished to Fingal County Council when the requirements of the notice have been complied with.
- 1.16 Fingal County Council may at any time make an amendment to this permit of a technical or clerical nature under Article 26 of the Waste Management (Facility Permit and Registration) Regulations, 2007 as amended.
- 1.17 Within 2 weeks the permit holder shall acknowledge in writing to Fingal County Council receipt of this permit after examination of its conditions.

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REASON: To clarify the scope of this permit

CONDITION 2 MANAGEMENT OF THE ACTIVITY

- 2.1 The permit holder shall be the designated person in charge. The facility manager or a nominated, suitably qualified and experienced deputy shall be present at the facility at all times during its operation. Drivers of waste delivery vehicles are not deemed site supervisory staff. The permit holder shall be available on site to meet with authorised persons of Fingal County Council at all reasonable times.
- 2.2 1 month prior to the acceptance of waste the permit holder shall submit written details of the management and staffing structure of the facility and maintain a copy at the site. Any subsequent changes to the management or staffing structure shall be notified to Fingal County Council in writing as required.
- 2.3 1 month prior to the acceptance of waste the permit holder shall establish and maintain an Awareness and Training Procedure for identifying training needs and for providing appropriate training to personnel whose work is related to the permitted facility and associated activities.
- 2.4 1 month prior to the acceptance of waste the permit holder shall ensure that the facility is managed, operated and maintained:
- (a) in accordance with an environmental management system and plan, which identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances and closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) by sufficient persons who are competent in respect of the responsibilities to be undertaken by them in connection with the operation of the activities and personnel performing specifically assigned tasks shall be qualified on the basis of appropriate training, education and experience and shall be aware of the requirements of this permit. In addition, the facility manager and his/her deputy shall successfully complete a certified waste management training programme on Facility Management, Compliance and Reporting or an equivalent waste management course agreed in writing by Fingal County Council to ensure that emissions are controlled as set down in this permit.
 - (c) the environmental management plan shall be submitted to Fingal County Council for agreement prior to the importation of any material on-site and reviewed/updated annually with a view to certification of the management system by an accredited body.
- 2.5 The permit holder shall acquaint all staff, employees, leasees and agents, including replacement personnel and contract personnel, of the provisions and conditions of this permit and provide them with a copy of this permit.
- 2.6 No leasees are permitted at the site without the prior agreement of Fingal County Council.
- 2.7 The facility shall be adequately manned and supervised at all times. It should be maintained to the satisfaction of Fingal County Council and adequate precautions shall be taken to prevent unauthorised access to the site. All waste carriers must be agreed in advance of entry with Fingal County Council and updated to the register established under Condition 3.4 of this permit.
- 2.8 Within 2 months of the date of grant of this permit and in advance of the importation of any material on-site the permit holder shall develop and maintain procedures for the following items for agreement with Fingal County Council
- (a) waste inspection procedure at source sites;
 - (b) waste acceptance and handling procedures on-site;

- (c) waste rejection and notification procedures on-site;
- (d) waste quarantine procedures;
- (e) other appropriate procedures and arrangements relating to the acceptance of waste e.g. method statements, risk assessments, standard operating procedures;
- (f) waste sampling, analysis and characterisation procedure at source sites;
- (g) air/noise monitoring procedure;
- (h) bund management and maintenance procedure;
- (i) drain management and maintenance procedure;
- (j) accident prevention procedure;
- (k) emergency response procedure;
- (l) maintenance plan for plant and machinery;
- (m) surface water/groundwater sampling procedure.

2.9 The site shall only operate between the hours of 08.00am to 19.00pm Monday to Friday and on Saturday from 08.00am to 13.00pm. No works or vehicular movements shall take place on any Sunday or Public Holidays.

2.10 The permit holder shall ensure that authorised staff of Fingal County Council shall have unrestricted access to the premises at all reasonable times on production of their identification, for the purpose of the Local Authority's functions under the Waste Management Act, 1996 as amended.

2.11 For the purposes of ensuring that the permit holder does not breach the annual tonnage limit, the permit holder shall provide Fingal County Council with an electronic copy of a baseline topographical survey in conjunction with a detailed breakdown of volumetric calculations for the three infill phases i.e. volumetric assessment report.

The permit holder shall undertake a repeat topographical survey of the site annually (to be submitted with the Annual Report in accordance with Condition 3.10 referenced to the Irish Grid Malin Head Datum and upon completion of Phase 1 and provide an electronic copy of the survey in an agreed format to Fingal County Council. Based on a review of baseline and current ground levels volumetric calculations of waste material placed at the facility in Phase 1 shall also be provided with each topographical survey as a volumetric assessment report for review purposes. For the purpose of assessing tonnages a density of 1.5 tonnes/m³ shall be used.

Both the baseline topographical survey and the annual topographical surveys shall be undertaken by an independent surveyor who is a member of a professional association.

2.12 Any non-conformance with the conditions of this permit are an offence under the Waste Management (Facility Permit & Registration) Regulations 2007 as amended by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I No.86 of 2008, the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 320 of 2014 and by the Waste Management (Facility Permit and Registration) (Amendment) Regulations S.I. No. 198 of 2015. The permit holder shall establish procedures to ensure that corrective action is taken should any condition of this permit not be complied with. Fingal County Council shall be notified of any such breach by telephone/email by the next working day and full details shall be forwarded in writing within 3 working days.

2.13 1 month prior to the acceptance of waste the permit holder shall propose for approval a system to ensure that the volume of waste accepted at the facility is accurately recorded.

2.14 There shall be no processing of fill material at the site.

2.15 The permit holder shall ensure that adequate steps are taken to prevent unauthorised entry of waste to the facility. The permit holder shall make provisions to control access to the site to prevent fly tipping of waste. Such provisions shall be agreed with Fingal County Council prior to the commencement of waste activities at the facility.

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REASON: To make provision for the proper management of the activity

CONDITION 3 RECORD KEEPING AND REPORTING

3.1 Unless otherwise agreed with the Local Authority, all written communications, including reports and notifications related to this permit, shall be submitted to the local authority as follows:

To:	Senior Engineer
Address of Local Authority	Environment and Water Services Department, Fingal County Council, County Hall, Main Street, Swords, Co. Dublin.
Telephone No. (normal working hours)	01-8905000
Email	environment@fingal.ie

On-site records

3.2 The permit holder shall ensure that a copy of this waste facility permit is retained on site, in an easily accessible location, at all times. A copy of this permit shall be issued by the permit holder to all relevant personnel whose duties relate to any condition within it. The permit holder shall maintain a written register of personnel who receive a copy of this waste facility permit.

3.3 The permit holder shall ensure that a copy of the layout plan is retained on site, in an easily accessible location, at all times. The layout plan shall include the following;

- (a) site boundary;
- (b) ordnance survey sheet reference number(s);
- (c) elevation levels (metres) and Ordnance datum;
- (d) dimensions (metres);
- (e) orientation of north point;
- (f) drainage layout;

Waste Acceptance and Handling procedure

3.4 The permit holder shall maintain a logbook in relation to the activity to which the waste facility permit relates, which shall be available for inspection by the local authority. A template is provided in Appendix 3. The logbook shall detail the following as a minimum:

- (a) The source site from where the waste originated.
- (b) The dates and time of all waste delivered to the facility.
- (c) Details of the waste carrier for each load including vehicle registration and WCP number.
- (d) Origin of waste.
- (e) LoW code.
- (f) Description of the waste i.e. greenfield or non-greenfield.

- (g) The quantities and composition of each waste consignment, (by European Waste Catalogue code(s) set out in the EPA consolidated document 'Waste Classification – List of Waste (formerly EWC code) and determining if waste is hazardous or non-hazardous'.
- (h) The location within the facility where the waste was deposited.
- (i) The quantities and composition of wastes rejected at the facility, and details of where they were rejected from or diverted to.

3.5 The permit holder shall submit a copy of the logbook records to Fingal County Council at the end of each month.

3.6 The permit holder shall maintain an electronic copy of all logbook records in a specified format agreed with the local authority and submit this record to Fingal County Council at the end of each month.

3.6 The permit holder shall compile and maintain specified records and logbook records for a period of not less than 7 years in relation to the activity to which the permit relates of;

- (a) The quantities and composition of each waste consignment, (by European Waste Catalogue code(s) set out in the EPA consolidated document 'Waste Classification – List of Waste (formerly EWC code) and determining if waste is hazardous or non-hazardous'; and
- (b) the treatment, recovery or disposal activities to which the waste is subject, including the compilation of commercial documentation for all collected waste deposited at the facility.

3.7 All written communication, reports etc, shall:

- (a) Be formatted in accordance with any written instruction or guidance issued by Fingal County Council;
- (b) Include whatever information as is specified in writing by Fingal County Council;
- (c) Be submitted in accordance to the relevant reporting frequencies specified in this permit;
- (d) Be accompanied by a written interpretation setting out their significance in the case of all monitoring data;
- (e) Be transferred electronically to Fingal County Council's computer system if required by Fingal County Council.
- (f) Be held at the facility for a period of 7 years. Some records can be maintained electronically subject to the prior written agreement of Fingal County Council.

Annual Environmental Reports

3.8 The permit holder shall submit an Annual Return (AR) through the National Waste Collection Permit Office (NWCPO) online waste facility annual return system. The permit holder shall submit any additional information in relation to the AR as required by the Local Authority and in a format that has been approved by the Local Authority.

3.9 On or before the 28th February each year the online return of the AR shall be submitted to the NWCPO and any additional information (if required) shall be sent electronically to environment@fingal.ie or by post to the Senior Engineer, Environment and Water Services Department, Fingal County Council, County Hall, Swords, Co. Dublin. The completed form shall relate to waste activities in the preceding calendar year.

3.10 An Annual Report (AR) shall be submitted to Fingal County Council on or before the 28th February each year, to the satisfaction of the local authority, to include as a minimum the following information and shall be prepared in accordance with any relevant guidelines issued by the NWCPO and Fingal County Council:

A summary of compliance with all the conditions attached to the permit.

- (a) The management and staffing structure of the site;
- (b) Any court order or conviction under the Act;
- (c) The tonnages and LoW code for the waste materials imported and/or sent off-site for disposal/recovery within the reporting year. All LoW codes recorded for each load shall correspond with the LoW code recorded by the Waste Collection Permit Holder bringing waste to or removing waste from the facility;
- (d) The names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);
- (e) Quantity, type and composition of all wastes accepted at the site during the reporting year;
- (f) Any loads rejected at the site;
- (g) Reportable incidents during the reporting year;
- (h) All complaints received during the reporting year;
- (i) In relation to quarantined waste the final destination of the waste including a breakdown of the amount of waste disposed of during the reporting period;
- (j) Copies of current Insurance policy documentation held under condition 8.4;
- (k) Maintenance certificates for the oil/petrol interceptor;
- (l) Maintenance certificates for the settlement and separator tank;
- (m) A summary of results for soil analysis and characterisation of soils completed for all source sites;
- (n) Topographical surveys and associated volumetric assessment reports as per Condition 2.11;
- (o) A summary of monitoring results and compliance records including interpretation against relevant quality standards over the term of the permit with reference to any modifications to the monitoring programme at the site;
- (p) An updated version of the document titled 'Bay Lane – Measures to Manage Emissions' submitted with the waste facility permit application;
- (q) A summary of staff training undertaken;
- (r) Risk assessment of the site regarding environmental emissions and all associated activities, including a fire risk assessment and fire water retention risk assessment;
- (s) Any other items specified from time to time by the Fingal County Council.

Incidents

3.11 The permit holder shall immediately notify the local authority by telephone/email of any incident which occurs (including notification of contaminated loads) as a result of the activity at the facility and which;

- (a) has the potential for environmental contamination of surface water or ground water, or
- (b) poses an environmental threat to air or land, or
- (c) requires an emergency response by the Local Authority or is classified as an emergency.

Full details shall be forwarded in writing on the next working day. The permit holder shall include as part of this notification:

- (a) the date and time of incident, or when incident was noticed;
- (b) details of the incident and the causes or potential causes of it;
- (c) an evaluation of environmental pollution caused including results;
- (d) actions taken to minimise any impact on the environment;
- (e) steps taken to avoid a reoccurrence;
- (f) details of any site investigations instigated by the permit holder;
- (g) any other remedial action taken.

The permit holder shall make a record of any such incident in a register to be maintained at the facility.

Complaints

3.12 The permit holder shall maintain a register of all complaints received relating to the operation of the activity. Each such complaint entry in the register should give details of the following:

- (a) time and date of the complaint;
- (b) the name, address and telephone number of the complainant;
- (c) details of the nature of the complaint;
- (d) actions taken to deal with the complaint and the results of such actions;
- (e) the response made to each complainant.

After the receipt of a complaint, the Local Authority shall be notified in writing as soon as possible and in any event not later than five working days of receipt of the complaint. A copy of the written response(s) to each complaint shall be forwarded to Fingal County Council also.

General

3.13 The permit holder shall make all records maintained on the site available to authorised staff of Fingal County Council at all reasonable times and shall provide any relevant information when so requested by an authorised person of the Council.

- 3.14 Where Fingal County Council has requested in writing that it shall be notified when the operator is proposing to undertake monitoring and/or spot sampling, the operator shall inform Fingal County Council when the relevant monitoring is to take place. The operator shall provide this information to Fingal County Council at least 14 days before the date the monitoring is to be undertaken unless otherwise agreed.
- 3.15 Where the operator is convicted of any offence, prescribed under article 19(3) (a) of the Waste Management (Facility Permit and Registration) Regulations 2007, the operator shall inform Fingal County Council within 7 days of the conviction, including information in relation to the court hearing the case, the nature of the offence and any penalty or requirement imposed by the court.
- 3.16 The permit holder shall inform the Local Authority in writing when an activity ceases at the facility, within a week of the activity ceasing. The permit holder shall provide a summary of compliance with all conditions relating to that activity with reference to the information contained in the registers described above.

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REASON: To make provision for the notification of incidents, to update information on the activity and to provide for the keeping of proper records

CONDITION 4 SITE INFRASTRUCTURE

Facility Notice Board

- 4.1 The permit holder shall provide and maintain a Facility Notice Board at the facility, within 1 month of grant of this permit, so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm. The board shall clearly show:-
- (a) the name, address and telephone number of the facility;
 - (b) the normal hours of opening;
 - (c) the name of the permit holder;
 - (d) an emergency out of hours contact telephone number;
 - (e) the permit reference number; and
 - (f) where environmental information relating to the facility can be obtained.

Traffic Management

- 4.2 The permit holder is required to erect and maintain adequate temporary advance warning signage at the proposed vehicular entrance to allow safe use of the proposed entrance and to eliminate any potential traffic hazard. All signing, lighting and guarding is to be erected and maintained in accordance with Traffic Signs Manual, Chapter 8 "Signs for Roadworks" issued by Department of the Environment, Heritage and Local Government.
- 4.3 The Maximum number of truck movements in and out of the facility shall be as follows:
- i. An annualised average of 98 trucks arriving to the quarry per day (196 truck movements in total per day).
 - ii. A peak limit of 196 trucks arriving to the quarry per day (392 truck movements in total per day)

Tank, Container and Drum Storage Areas

- 4.4 No fuel or oil shall be stored on site
- 4.5 The permit holder shall have in storage an adequate supply of containment booms and spill kits/suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be kept in a clearly labelled container for subsequent disposal off-site at an appropriate licensed facility.
- 4.6 The permit holder shall submit a drawing showing the location of spill kits on the site, within 1 month of the date of grant of this permit and in advance of any material being imported on-site.

Facility Security

- 4.7 All access points should be adequately secured when the facility is not in use or is unsupervised. Security and stockproof fencing and gates shall be maintained at the site.
- 4.8 Gates shall be locked shut when the facility is unsupervised;
- 4.9 The permit holder shall remedy any defect in the gates and/or fencing or wall as follows:-

A temporary repair shall be made by the end of the working day; and

A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

Facility Roads and Surfaces

- 4.10 Effective or adequate site roads and surfaces shall be provided and maintained to ensure the safe and nuisance free movement of vehicles within the facility.

Facility Office

- 4.11 Prior to the commencement of acceptance of fill material, the permit holder shall make appropriate arrangements for the processing or storage of documentation relating to the intake of material and removal of quarantined material off site subject to the written approval of Fingal County Council.

- 4.12 The permit holder shall provide and use adequate lighting during the operation of the facility in hours of darkness.

Waste Inspection and Quarantine

- 4.13 A waste inspection area(s) shall be provided and maintained at the facility and a skip shall be provided on site to act as a waste quarantine area.

Wheelwash Facility

- 4.14 The proposed wheel-wash facility shall be self-contained and all water shall be recycled throughout the system.

- 4.15 The wheelwash facility shall be serviced regularly to ensure that all water is contained within the system and there is no risk of accidental discharge.

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REASON: To provide for the protection of the environment

CONDITION 5 WASTE HANDLING

Permitted Wastes

5.1 The permit holder shall ensure that only wastes permitted at this facility are accepted. The type and quantities permissible wastes are presented in Table 1 below. The listing is by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments.

Table 1 Types and Quantities of permissible wastes to be handled at the facility

LoW Code	Description of Waste	Quantity (tonnes)
17 05 04	Construction and Demolition Waste - Soil and Stone	200,000 tonnes
20 02 02	Municipal Wastes – Soil and Stone	

5.2 The permit holder shall only accept such wastes for recovery at this permitted facility provided for in this permit and which are listed in Table 1 of this permit. Wastes not listed within Table 1 of this permit are not permitted for recovery at this facility.

Waste Acceptance

Greenfield Soil & Stone

5.3 Where there is less than 1,000 tonnes of greenfield soil and stone waste accepted from a source site, a visual check must be undertaken to verify that the material is greenfield soil and stone. A record of the visual checks must be maintained – refer to Appendix 3.

5.4 Where there is greater than 1,000 tonnes of greenfield soil and stone waste accepted from a source site, a letter of suitability signed by a qualified person¹ shall be obtained. A further letter of suitability for each subsequent 5,000 tonnes of material received from the same source site shall also be obtained.

5.5 The letter of suitability shall state the following (Refer to Appendix 4 for template letter).

- The waste is greenfield soil and stone.
- A description of the source and nature of the soil and stone.
- The location of the source of the soil and stone (including a map showing the source site boundary).
- The material is suitable for use within the facility.
- The material will not cause environmental pollution at the facility. When the material arrives at the facility a record of the visual checks must be maintained – refer to Appendix 3.

5.6 If required, the sampling and testing of the greenfield soil and stone waste shall be undertaken as specified by Fingal County Council.

¹ **Qualified person:** A suitably qualified, trained and experienced person who is a registered professional with chartered status (or equivalent) awarded by a relevant professional body and who has the requisite knowledge and experience required to issue a letter of suitability.

Non-Greenfield Soil & Stone²

- 5.7 Prior to accepting material from each individual source site, the facility operator must obtain information on the past use of the site and must reject non-greenfield sites where soil or groundwater contamination has been identified or where there is an increased risk of contamination being present.
- 5.8 Soil and stone shall not be accepted from sites where activities in the past have involved the manufacture or storage of hazardous substances (e.g. chemical manufacturing facilities, oil storage facilities, retail filling stations) unless it is clear that the risk of contamination being present is low.
- 5.9 Prior to the acceptance from each individual source of non- greenfield soil and stone² waste at the facility, the permit holder shall ensure there is:
- (i) Not greater than 2% non-natural materials³ by weight
 - (ii) Basic characterisation, compliance testing and on-site verification has been undertaken, as outlined in Appendix 5.
- 5.10 The permit holder shall propose site specific maximum concentrations and/or soil trigger levels for relevant contaminants in non-greenfield soil and stone, to be accepted at the facility, within 1 month of the date of grant of this permit for agreement with Fingal County Council. The permit holder shall follow the methodology set out in EPA guidance entitled 'Guidance on waste acceptance criteria at authorised soil recovery facilities', when developing their site specific trigger levels.
- 5.11 The permit holder shall update the document titled 'Waste Licence Application – Waste Acceptance' submitted with the waste facility permit application to refer specifically to waste acceptance procedures at the facility and in line with Condition 5.15 and this shall be submitted to the Council within 1 month of the date of grant of this permit.
- 5.12 Only authorised waste collectors holding a valid waste collection permit in accordance with the Waste Management (Collection Permit) Regulations, 2001 (where the permit holder has a valid permit granted under such Regulations) or the Waste Management (Collection Permit) Regulations, 2007 (where a valid permit was granted since 31st March, 2008) shall deliver waste to the facility.
- 5.13 Prior to the acceptance of waste at the facility, the permit holder shall provide details of authorised waste collectors engaged to deliver waste to the facility.
- 5.14 The permit holder shall notify Fingal County Council of the commencement of the waste activity at the site.
- 5.15 The permit holder shall provide Fingal County Council with the logbook tare weight of the vehicle/s to be used by the authorised waste collector under Condition 5.6 within 2 weeks of the date of grant of this permit.

Waste Movement

- 5.16 Quarantined material sent off-site for recovery, recycling, or disposal shall be transported only by an authorised waste collector in accordance with the Waste Management (Collection Permit) Regulations, 2001 (where the permit holder has a valid permit granted under such Regulations) or the Waste Management (Collection Permit) Regulations, 2007 (where a valid permit was granted since 31st March, 2008).

² **Non-greenfield soil & stone** – soil & stone that is not greenfield soil & stone

³ **Non-natural materials** are anthropogenic or man-made substances such as rubble, concrete, bricks, metal and bitumen that are non-natural to the environment from which the material was extracted

Waste Storage

- 5.17 There shall be no stockpiling of fill material on the site. Loads arriving at the site shall be levelled after inspection if deemed acceptable as per the waste acceptance procedure.

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REASON: To provide for the acceptance and management of wastes authorised under this permit

CONDITION 6 ENVIRONMENTAL PROTECTION AND EMISSIONS

Environmental Protection

- 6.1 The permit holder shall take preventative measures to ensure that the activity is carried out in a manner which does not have any adverse effect on drainage of lands, watercourses, shallow wells, bored wells, raw water intakes or other sources of water supply, public and private roads or footways.
- 6.2 The permit holder shall take preventative measures to ensure that the activity does not result in unreasonable noise, dust, mud, grit, litter and other nuisances, which would result in the impairment of, or significant interference with, the amenities or the environment beyond the site boundary.
- 6.3 All vehicles transporting waste to and from the facility must be adequately covered to ensure that no wastes are deposited on the public roadway or adjoining lands.
- 6.4 Effective site roads shall be provided and maintained to ensure the safe and nuisance-free movement of vehicles within the facility.
- 6.5 The permit holder shall ensure that all loose litter accumulated within the site and its environs shall be removed and appropriately disposed of at an appropriate facility.
- 6.6 The permit holder shall implement measures to manage emissions as set out in the document titled 'Bay Lane – Measures to Manage Emissions' submitted with the waste facility permit application. This document shall be updated annually and submitted with the Annual Report under Condition 3.10(p).

Noise Emissions

- 6.7 Noise emissions from the facility shall not give rise to noise levels at noise sensitive locations in the vicinity of the activity in excess of:
- (i) 55 dBA Leq, _{LT} during the hours 08.00 - 20.00
 - (ii) 45 dBA Leq, _{LT} during the hours 20.00 - 08.00
 - (iii) There shall be no clearly audible tonal component, or impulsive component, in the noise emission from the development at any noise sensitive location.

The permit holder shall at his own expense arrange for monitoring of noise levels if so requested by Fingal County Council.

Vermin

- 6.8 The permit holder shall maintain sufficient and continuous vermin control at the site. A register of pest control inspections and actions shall be maintained.

Air Pollution Control

- 6.9 All direct and indirect emissions to the atmosphere, including odours, shall be controlled to ensure that they do not:
- (i) Result in injury to health;
 - (ii) Have a deleterious effect on flora or fauna or cause damage to property;
 - (iii) Impair or interfere with amenities or with the environment.

The permit holder shall at his own expense arrange for monitoring of dust levels if so requested by Fingal County Council.

Surface Water Emissions

- 6.10 Within 1 month of the date of grant of this permit, the permit holder shall submit to Fingal County Council, full details of suitable precautions to be taken to ensure the complete protection of streams, ditches and other watercourses against pollution, silting and erosion.
- 6.11 No trade effluent, leachate or contaminated storm water shall be discharged to surface water drains and surface water courses except in compliance with a Trade Effluent Discharge Licence granted by Irish Water under the Water Pollution Act 1977.
- 6.12 The permit holder shall clearly label and provide safe and permanent access to all on-site/off-site sampling and monitoring points including the outfall to the surface water stream indicated on Drawing 15A 'Proposed Drainage Layout Phase 1' (See Appendix 6).
- 6.13 If so requested by Fingal County Council, the permit holder shall, at his own expense, carry out such further investigations and monitoring of the facility as required by Fingal County Council. The scope, detail and programme including report structure and report schedule, for any such investigations and monitoring shall be in accordance with any written instructions issued by the County Council.
- 6.14 In the event that monitoring, sampling or observations indicate that an incident of pollution has taken place or may have taken place, remedial measures shall be carried out immediately as directed by Fingal County Council.

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REASON: To ensure compliance with the requirements of other conditions of this permit by provision of a satisfactory system of measurement and monitoring of emissions

CONDITION 7 ACCIDENT PREVENTION AND EMERGENCY RESPONSE

- 7.1 The permit holder shall ensure that a documented Accident Prevention Policy is in place which will address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 7.2 The permit holder shall ensure that a documented Emergency Response Procedure is in place, which shall address any emergency situation which may originate on site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 7.3 The permit holder shall ensure that all significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.
- 7.4 No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.

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REASON: To provide for an emergency situation at the facility

CONDITION 8 CHARGES AND FINANCIAL PROVISIONS

Annual Fees

- 8.1 The permit holder shall pay to Fingal County Council an annual contribution of €1,600 per annum, or such sum as Fingal County Council determines from time to time, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the local authority. This cost shall be paid towards the cost of administering the facility permit and monitoring the activity as the local authority considers necessary for the performance of its functions under the Waste Management (Facility Permit and Registration) Regulations 2007 as amended.
- 8.2 In subsequent years the permit holder shall pay to the local authority such revised annual contribution as the local authority shall determine to enable performance by the local authority of its relevant functions under the Waste Management (Facility Permit and Registration) Regulations 2007, and all such payments shall be made within one month of the date upon which demanded by the local authority.

Financial Provisions

- 8.3 Prior to the commencement of works and waste activities on site the permit holder shall lodge with Fingal County Council a cash deposit of **€30,000** or an equivalent bond (template provided by Fingal County Council) or other approved financial provision as a security for the satisfactory compliance by the permit holder with the terms and conditions attached to this permit. In the event of non-compliance by the permit holder with any terms or conditions attached to this permit Fingal County Council shall be empowered to apply the said funds or part thereof for the satisfactory compliance with the terms and conditions attached to this permit as necessary. Any amount not so used by the Council will be released to the permit holder when all activities on site have ceased and the permit holder has fully complied with the terms and conditions attached to the permit to the satisfaction of Fingal County Council.
- 8.4 The permit holder shall effect and maintain a policy of insurance insuring him or her as respects any liability on his or her part to pay any damages or costs on account of injury to persons or property arising from the activities concerned or for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity. The level of financial provision for unknown environmental liabilities shall be calculated using the EPA document "Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision" (EPA 2006) and the EPA document "Guidance on Financial Provision for Environmental Liabilities (EPA 2015)".
- 8.5 All insurance policies shall be extended to indemnify Fingal County Council in respect of all claims, losses, damages arising out of injury to any person or loss of or damage to any property whatsoever caused by or in connection with the operation and management of the facility. The permit will be automatically revoked if any part of the insurance is either removed or not renewed.
- 8.6 The permit holder shall submit copies of all insurance policies to Fingal County Council within 1 month of grant of this permit and prior to commencement of activities (and thereafter) annually as per Condition 3.10(j) of this permit.

REASON: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment
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CONDITION 9 RESTORATION AND AFTERCARE

Cessation of Operations

- 9.1 In the event of closure of the facility, the permit holder shall submit a Decommissioning, Restoration and Aftercare Plan for the facility to Fingal County Council, three months in advance of closure unless otherwise agreed with Fingal County Council. The content of this plan shall be agreed with the Council before any closure occurs and comply with the conditions imposed under Planning Permission FW19A/0207 as well as other required measures, as notified by Fingal County Council. The permit holder shall carry out such tests, investigation or submit certification, as requested by Fingal County Council to confirm that there is no risk to the environment.
- 9.2 The permit holder shall submit to Fingal County Council for approval, a plan within 1 month of the date of grant of this permit outlining how the site shall be fertilized and seeded at the first appropriate planting season following the completion of the proposed works in each Zone, so as to provide for a suitable covering of grass on the site within a reasonable period to prevent run-off of material to nearby streams/ivers.

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REASON: To provide for the restoration and aftercare of the facility

APPENDIX 1

Drawing No. DG0004, titled 'Drawing 4 Proposed Site Plan Layout' (Scale 1:2500), dated Feb 2019, Rev F01

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APPENDIX 2

Drawing No. DG0006A titled 'Drawing 6A Phasing Plan Phases 1&2' (Appendix 2).

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APPENDIX 3

Waste Register

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APPENDIX 4

Letter of Suitability

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APPENDIX 5

Basic Characterisation

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APPENDIX 6

Drawing No. DG0015A, 'Drawing DG0015A Proposed Drainage Layout Phase 1'

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