



**Certificate of Authorisation
Application Form
For Listowel Historical Landfill,
Ballygowlogue, Listowel, Co. Kerry.**

Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008

EPA Ref. No:

(Office use only)

Environmental Protection Agency
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APPLICATION GUIDANCE NOTES

This application must be completed in accordance the guidance notes below and the instructions accompanying each Section of the application form.

This form is for the purpose of making an application for a Certificate of Authorisation in accordance with Regulation 7 (1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008 (hereinafter referred to as 'the Regulations'). A valid application must, as a minimum, contain the information prescribed in Regulation 7(2) of the Regulations.

The applicant must conform to the format set out in this application form and accompanying instructions. Each page of the completed application form must be numbered, e.g. *page 5 of 20*, etc. The basic information should be supplied in the spaces given in the application form, with supporting documentation supplied as attachments, as specified. All Sections of the form must be completed. Where a Section is not relevant to the application, the words "not applicable" should be clearly written. The abbreviation "N/A" should not be used.

The Risk Assessment (required under Regulation 6(1) of the Regulations) shall be submitted in full as Attachment D.1 to this application form. Risk Assessments are to be carried out in accordance with the '*Code of Practice - Environmental Risk Assessment for Unregulated Waste Disposal Sites*' (hereinafter referred to as the Code of Practice).

All maps/drawings/plans must be no larger than A3 size and scaled appropriately such that they are clearly legible. In exceptional circumstances, where A3 is considered inadequate, a larger size may be requested by the Agency.

All drawings should

- be titled and dated;
- have a unique reference number and be signed by a clearly identifiable person; and
- indicate a scale and the direction of north.

Information supplied on this application, including supporting documentation, will be put on public display and open to inspection by any person. Should the applicant consider information to be confidential, this information should be submitted in a separate enclosure bearing the legend "In the event that this information is deemed not to be held as confidential, it must be returned to.....". In the event that information is considered to be of a confidential nature, then the nature of this information, and the reasons why it is considered confidential (with reference to the "Access to Information on the Environment" Regulations) should be stated in the Application Form, where relevant.

An original signed application form shall be submitted together with 1 copy, including (Risk Assessment, Screening for Appropriate Assessment (or a Natura Impact Statement if required)). The application shall also be provided on 2 CD-ROMs in searchable PDF format (individual files should be no larger than 50MB in size).

It should be noted that it will not be possible to process or determine the application until the required documents have been provided in sufficient detail and to a satisfactory standard.

This document does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008).

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CHECKLIST

Regulation 7(2) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 sets out the information which must, in all cases, accompany an application for a Certificate of Authorisation. In order to ensure that the application fully complies with the legal requirements of Regulation 7(2) of the 2008 Regulations and the Code of Practice, all applicants should use the following checklist.

In each case, refer to the Section or attachment number of your application which contains the information requested.

The following checklist will be applied to the application as detailed below:

Requirement of Regulations	Location in application form or attachment no.	Applicant	EPA
Article 7(2) (a)	Section C.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (b)	Section B.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (c)	Section C.4 and attachment C.4	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (d)	Section C.2	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (e)	Attachment C.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (f)	Section D and attachment D.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (g)	Section C.5	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Article 7(2) (h)	Section D and attachment D.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Regulation 7(2) (h) outlines the requirement for a risk assessment and the following checklists will be applied to the risk assessment, appropriate assessment screening or Natural Impact Statement and remediation strategy:

Tier 1 Risk Assessment:

Requirement	Section or attachment no.	Applicant	EPA
Conceptual site model.	<i>See Figure 5.1 of Tier 2 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Identification of conservation areas, foreshore areas or other relevant designations.	<i>See Section 4.4 of Tier 1 ERA, Section 2.2.8 and Figure 2.7 of Tier 2 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPRs ¹ and SPR linkages: justified and scored.	<i>See Section 5 of Tier 1 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tier 1 risk classification. Risk:	Moderate – Class B <i>See Section 5 of Tier 1 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

¹ SPR = Source/Hazard – Pathway – Receptor.

Tier 2 Risk Assessment:

Requirement	Section or attachment no.	Applicant	EPA
Walk over survey checklist.	See Appendix 4 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justification for chosen site investigations (SI), SI methods and sampling strategies.	See Section 3.1 and Appendix 2 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justification for any SPR linkage not investigated as part of the SI.	See Section 3.1 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Description of how the matrix was used.	See Section 5.4 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SI result comparison against the requirements of the EC Environmental Objectives (Surface Waters) Regulations 2009.	See Section 4.5 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SI result comparison against the requirements of the EC Environmental Objectives (Groundwater) Regulations 2010.	See Section 4.3 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SI result comparison against the guidance document 'Guidance on the Authorisation of Discharges to Groundwater', EPA 2011.	See Section 4.3 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SI result comparison against the Department of the Environment publication on the 'Protection of New Buildings and Occupants from Landfill Gas' (1994).	Section 4.4 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justification for any conclusions drawn from the comparison of SI results to current standards.	See Sections 4.1, 4.2, 4.3, 4.4 and 4.5 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comparison of SI results against each SPR linkage and justification for any conclusions drawn.	See Section 5.4 and Table 5.1 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justification for the risk ranking of each SPR linkage.	See Section 5.4 and Table 5.2 of Tier 2 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Appropriate Assessment (AA):

Requirement	Section or attachment no.	Applicant	EPA
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Requirement	Section or attachment no.	Applicant	EPA
AA Stage 1 - Screening for Appropriate Assessment.	See Attachment E.1. for Stage 1 Appropriate Assessment Screening Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement confirming the result of Stage 1 Screening, e.g. "The screening assessment (Stage 1) undertaken demonstrated that the project is/is not likely to have significant effects on the European site(s) having regard to its conservation objectives".	See Section 6.6 of Attachment E.1. Stage 1 Appropriate Assessment Screening Report	<input checked="" type="checkbox"/>	<input type="checkbox"/>
AA Stage 2 - Natura Impact Statement.	Not Applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Statement confirming the result of Stage 2 of the Appropriate Assessment, e.g. "The assessment (Stage 2) demonstrates that the project will/will not adversely affect the integrity of the European site(s) having regard to its conservation objectives".	Not Applicable	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Tier 3 Risk Assessment:

Requirement	Section or attachment no.	Applicant	EPA
Refined conceptual site model.	See Section 3.4 and Figure 3.1 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPRs and SPR linkages: justified and scored.	See Section 4 of Tier 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Tier 3 risk classification and justification.	See Section 4.1 of the Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Generic Quantitative Risk Assessment (QRA)	See Section 3 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Detailed QRA.	See Section 3 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Justification for generic QRA/detailed QRA.	See Section 3 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Overall site risk evaluation.	See Section 4 of Tier 3	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Remediation Strategy:

Requirement	Section or attachment no.	Applicant	EPA
Description of remediation works.	<i>See Section 5.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comparison of the proposed remediation works against the 'Landfill Restoration and Aftercare Manual', EPA 1999 and justification for any departure from the manual.	<i>See Section 5.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comparison of the proposed remediation works against the 'Landfill Site Design Manual', EPA 2000 and justification for any departure from the manual.	<i>See Section 5.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comparison of the proposed remediation works against the report on the 'Management of Low Levels of Landfill Gas', EPA 2011 and justification for any departure from the report.	<i>See Section 5.2.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Demonstration of how the remediation works will allow for the completion of a validation report and the breakage of each SPR linkage.	<i>See Section 5.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date on which the proposed remediation works are due to be completed: _____	<i>Dependent of the acceptance of the remediation strategy by the EPA and the availability of Departmental Funding</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Demonstration of how SPR linkages which have no remediation measures proposed will meet the requirements of a validation report.	<i>See Section 5.2 of Tier 3 ERA</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Date on which a completed validation report is proposed to be submitted to the Agency: _____	<i>Within 6 months of completion of remedial works on site</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Monitoring Programme:

Requirement	Section or attachment no.	Applicant	EPA
Identification of the parameters which require analysis and the related sampling plan for any on-going or long-term monitoring or assessment programme required to ensure the effectiveness of completed remediation measures.	See Section 5.3 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Comparison of the proposed monitoring or assessment programme against the 'Landfill Monitoring Manual', EPA 2003 and justification for any departure from the manual.	See Section 5.3.1 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Demonstration of how the proposed monitoring or assessment programme will confirm that the objectives of the remediation measures have been met.	See Section 5.3 of Tier 3 ERA	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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SECTION A: NON-TECHNICAL SUMMARY

A non-technical summary of the application is to be included here. The summary should identify all environmental impacts of significance associated with the site.

The following information must be included in the non-technical summary:

A description of:

- The site location.
- A brief history of the site, types and volumes of waste deposited, duration of disposal activities and date of cessation.
- The hydrogeology and ecology of the site and surrounding area, to include protected areas.
- Risk category of the site
- Actual and potential environmental impacts.
- Proposed remediation including timescale.

Supporting information should form **Attachment A.1.**

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SECTION B: GENERAL

B.1. Applicant's Details

Only application documentation submitted by the applicant and by the nominated person will be deemed to have come from the applicant.

Name*:	Kerry County Council
Address:	Environmental Services
	Kerry County Council
	Main Street
	Tralee, Co. Kerry
Tel:	
Fax:	
e-mail:	

*Full name and address of the local authority making the application.

Name and Address for Correspondence

Name*:	Colm Lynch
Address:	Environmental Services
	Kerry County Council
	Main Street
	Tralee
	Co. Kerry
Tel:	066 7183500
Fax:	N/A
e-mail:	clynch@kerrycoco.ie

*This should be the name of the person nominated by the local authority for the purposes of this application.

Co-Applicant's Details

Name*:	
Address:	
Tel:	
Fax:	
e-mail:	

*This should be the name of a local authority, other than the lead authority, where a site lies in more than one local authority functional area.

Name of Qualified Person

Site investigations must be supervised by a suitably qualified, trained and experienced person. Section 2.3 of the Code of Practice sets out the requirements in this regard, which should be observed by local authorities. The Code of Practice states that, notwithstanding the fact that a local authority will be in position to carry out much of the risk assessment using in-house resources, "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 successfully conducted risk assessments at other sites, should supervise the Site Investigations ... and be used to carry out the risk assessment." Please provide the name of the qualified person, in-house or external, used for this risk assessment.

Name:	Chris Cronin
Qualification:	Chartered Engineer
Professional Body:	Engineers Ireland
Address:	Fehily Timoney and Company
	Core House,
	Pouladuff Road
	Cork
Tel:	021 496 4133
Fax:	
e-mail:	chris.cronin@ftco.ie

Interest in Site

State whether the applicant(s) is the registered owner of the land (please check):

Landowner	<input type="checkbox"/>
Landowner (part)	<input type="checkbox"/>
Not Landowner	<input type="checkbox"/>

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Provide the name and address of the current owner(s) and lessees of the land. An appropriately scaled drawing (≤A3) outlining the land ownership should be included in **Attachment B.1.**

Name:	Unregistered land
Address:	Unregistered land
Tel:	
Fax:	
e-mail:	

B.2. Fees

Appropriate Fee (€5,000) Included	Yes	No
	Yes	

SECTION C: SITE DETAILS

C.1. Site Location

Name:	Listowel Historical Landfill
Address*:	Ballygowlogue
	Co. Kerry
Tel:	N/A
Fax:	N/A
e-mail:	N/A

* Include any townland

Attachment C.1. should contain appropriately scaled drawings or maps ($\leq A3$) showing the site location in the context of its surroundings and clearly highlighting the site boundary.

C.2. Unauthorised Waste Sites Register (Section 22) – Site Boundary and Site Code

State that the site has been recorded on the online Section 22 Register at www.epa.ie/uwsr and that the boundary drawn of the site represents the full extent of the site.

Following the Tier 2 and Tier 3 site investigations, if the extent of the site is determined to be greater or less than that initially recorded in the Section 22 Register, then the boundary must be amended accordingly.

Finalised boundary entered in Section 22 Register?

Provide the unique code assigned to the site in the Section 22 Register

Site Code S22-02667

Provide a six-digit National Grid Reference for the site location

Grid Reference	99726	E	133535	N
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Confirm the following waste details entered on the Section 22 Register:

- State which type of waste activity was carried out at the site (please check):

Disposal

Recovery	<input type="checkbox"/>
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- State the principal waste type at the site (please check):

C&D	<input type="checkbox"/>
Industrial	<input type="checkbox"/>
Municipal	<input checked="" type="checkbox"/>
Pre 1977	<input type="checkbox"/>
Unknown	<input type="checkbox"/>

- State any additional waste types at the site (please check):

Agriculture	<input type="checkbox"/>
C&D	<input type="checkbox"/>
Dredged Soil	<input type="checkbox"/>
ELV/Scrap Metal	<input type="checkbox"/>
Hazardous	<input type="checkbox"/>
Industrial	<input type="checkbox"/>
Mining	<input type="checkbox"/>
Municipal	<input type="checkbox"/>
Municipal Sludge	<input type="checkbox"/>
Other	<input type="checkbox"/>

- State whether or not hazardous waste is present at the site (please check):

Present on site	<input checked="" type="checkbox"/>
Not present on site	<input type="checkbox"/>

- Estimate the total quantity of waste at the site (tonnes):

Total waste quantity at the site:	<u>Approx. 137,200</u> <u>tonnes</u>
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- Provide the start date and end date of waste activities at the site:

Start date	c. 1968
End date	c. 1988

C.3. Risk Category

State which Risk Category* the site belongs to (please check):

Class A (High)	<input type="checkbox"/>
Class B (Moderate)	<input checked="" type="checkbox"/>
Class C (Low)	<input type="checkbox"/>

*See Chapter 4, Code of Practice (as required under Section 6(2) of the Regulations)

C.4. Land Use

Provide details of the current use of the land on which the closed landfill is situate.

Attachment C.4. should detail this information or refer to the specific Section of the risk assessment documentation where this information is contained.

C.5. Types and quantities of waste deposited

Provide details of the types and estimated quantities of waste deposited at the site.

Attachment C.5. should detail this information or refer to the specific Section of the risk assessment documentation where this information is contained.

In addition, state whether the types and quantities of waste which have been recorded on the online Section 22 Register at www.epa.ie/uwsr represent the final estimated quantities at the site.

Following the Tier 2 and Tier 3 site investigations, if the type and quantities of waste are determined to be greater or less than that initially recorded in the Section 22 Register, then these quantities must be amended accordingly.

Finalised estimate of waste types and quantities entered in Section 22 Register	137,200 Tonnes
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SECTION D: RISK ASSESSMENT

For sites which have been assigned risk category Class A (High Risk) or Class B (Moderate Risk) during the Tier 1 assessment, a full risk assessment (Tier 1, 2 and 3) must be carried out. Class C (Low Risk) sites must have, as a minimum, Tier 1 and exploratory Tier 2 assessments. All Sections of the risk assessment must be included as part of this application, including any part of the Tier 1 assessment carried out using the EPA Section 22 Register risk assessment tool at www.epa.ie/uwsr.

For all sites, a proposal detailing necessary measures for remediation, risk attenuation and site restoration must be provided, and must as a minimum contain the following information:

- Details of all necessary measures proposed, including a statement of the impact of the remediation measures. Proposed measures must clearly address all risks identified in the revised Conceptual Site Model for the site. This should also include details of alternative measures considered and reasons for rejection of same, where applicable.
- Schedule for completion of the proposed necessary measures, including a timeframe for the submission of a validation report.
- Details of any ongoing or long-term monitoring or assessment programme which may be required to evaluate and ensure the effectiveness of the necessary measures as carried out.

Two copies of the risk assessment shall be submitted. The risk assessment shall also be provided on two CD-ROMs in searchable PDF format.

The Risk Assessment should be submitted as **Attachment D.1**.

SECTION E: APPROPRIATE ASSESSMENT

In addition to the foregoing, all sites (whether low, moderate or high risk) should be subject to screening for Appropriate Assessment in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). The results of any such screening should be submitted as part of this application. The screening should demonstrate whether the project is/is not likely, whether individually or in combination with other plans or projects, to have significant effects on any European Site or sites as defined in Regulation 2(1) of the Habitats Regulations (S.I. No. 477 of 2011) having regard to best scientific knowledge and its conservation objectives. Where, based on the Stage 1 screening, it is considered that an appropriate assessment *is not* required, a reasoned response should be provided.

Where screening has determined that an appropriate assessment *is* required, an appropriate assessment in accordance with Article 6(3) of the Habitats Directive (92/43/EEC) should be completed and a copy of the Natura Impact Statement submitted as part of this application. The assessment should consider the following impacts on any European Site(s):

1. The impact of the existing landfill on European sites;
2. The cumulative effects of the project combined with other plans or projects that might impact on the European site or sites;
3. An assessment of the implications of the project for the European site in view of the European site's conservation objectives;
4. The objectives of proposed remediation measures with regard to existing impacts identified in item 1;
5. The impact on the European site of any physical works carried out at the closed landfill as part of the remediation plan;
6. Details of any mitigation measures proposed at or in relation to the European site, including timeframes for the implementation and monitoring of the measures; and
7. Natura Impact Statement conclusion statement. The statement should conclude whether the project will or will not adversely affect the integrity of the European site(s) having regard to its conservation objectives.

While the appropriate assessment is subject to a separate report (the Natura Impact Statement), it should be carried out in tandem with the overall risk assessment. This is to ensure that a holistic approach is undertaken, whereby all relevant appropriate assessment and risk assessment parameters are addressed and to ensure that the remediation measures proposed address all risks identified.

Please refer to the guidance document '*Appropriate Assessment of Plans and Projects in Ireland – Guidance for Planning Authorities*', issued in 2009 by the Department of the Environment, Heritage and Local Government, and revised in 2010 with regard to this assessment. This document is available at: http://www.npws.ie/publications/archive/NPWS_2009_AA_Guidance.pdf.

Three copies of the screening report and, where relevant, the Natura Impact Statement shall be submitted. The screening report/Natura Impact Statement shall also be provided on two CD-ROMs in searchable PDF format (no larger than 50MB for each electronic file).

The Appropriate Assessment (screening and, where relevant, Natura Impact Statement) should be submitted as **Attachment E.1.**

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SECTION F: DECLARATION

Declaration

I hereby make application for a Certificate of Authorisation pursuant to the provisions of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008 (S.I. No. 524 of 2008).

I certify that the information given in this application is truthful, accurate and complete and the enclosed Risk Assessment is a full and complete representation of all relevant work carried out in relation to the site in question.

I give consent to the EPA to copy this application for its own use and to make it available for inspection and copying by the public, both in the form of paper files available for inspection at EPA offices and via the EPA's website.

This consent relates to this application itself and to any further information or submission, whether provided by me as Applicant, any person acting on the Applicant's behalf, or any other person.

Signed by : Gerardo Brien Date : 26/8/2021
(on behalf of the organisation)

Print signature name: GERARDO BRIEN

Position in organisation: Senior Executive Officer
Environmental Services Dept.

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SECTION G: JOINT DECLARATION

Joint Declaration ^{Note1}

I hereby make application for a Certificate of Authorisation pursuant to the provisions of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations, 2008 (S.I. No. 524 of 2008).

I certify that the information given in this application is truthful, accurate and complete and the enclosed Risk Assessment is a full and complete representation of all relevant work carried out in relation to the site in question.

I give consent to the EPA to copy this application for its own use and to make it available for inspection and copying by the public, both in the form of paper files available for inspection at EPA offices and via the EPA's website.

This consent relates to this application itself and to any further information or submission whether provided by me as Applicant, any person acting on the Applicant's behalf, or any other person.

Lead Authority

Signed by : _____ **Not Applicable** _____ **Date :** _____
(on behalf of the organisation)

Print signature name: _____ **Not Applicable** _____

Position in organisation: _____ **Not Applicable** _____

Co-Applicants

Signed by : _____ **Not Applicable** _____ **Date :** _____
(on behalf of the organisation)

Print signature name: _____ **Not Applicable** _____

Position in organisation: _____ **Not Applicable** _____

Signed by : _____ **Not Applicable** _____ **Date :** _____
(on behalf of the organisation)

Print signature name: _____ **Not Applicable** _____

Position in organisation: _____ **Not Applicable** _____

Note 1: In the case of an application being lodged on behalf of more than one local authority the above declaration must be signed by all applicants.