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**WASTE LICENCE**

<b>Waste Licence Register Number:</b>	<b>W0260-01</b>
<b>Company Register Number:</b>	<b>304224</b>
<b>Licensee:</b>	<b>Crystalhill Inns Limited trading as CHI Environmental</b>
<b>Location of Facility:</b>	<b>The Quarry, Grannagh, Kilmacow, County Kilkenny.</b>



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## WASTE MANAGEMENT ACT 1996 AS AMENDED

### WASTE LICENCE

Decision of the Agency, under Section 40(1) of the Waste Management Act 1996 as amended

*Waste Licence Register No:* **W0260-01**

Further to notice dated the 18th day of December, 2015, the Agency in exercise of the powers conferred on it by the Waste Management Act 1996 as amended, for the reasons hereinafter set out in the attached Decision, grants this waste licence to Crystalhill Inns Limited trading as CHI Environmental, Dunbrinn, Grannagh, Kilmacow, County Kilkenny, CRO Number 304224, to carry on the waste activities set out below at The Quarry, Grannagh, Kilmacow, County Kilkenny, subject to twelve Conditions, as set out in the schedules attached thereto.

A copy of the Decision is attached.

### Licensed Waste Activities

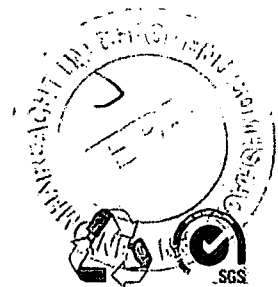
Waste Recovery Activities, in accordance with the Fourth Schedule  
of the Waste Management Act 1996 as amended:

- Class R 5.** Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.
- Class R 10 (P).** Land treatment resulting in benefit to agriculture or ecological improvement.
- Class 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).

Sealed by the seal of the Agency on this the 23<sup>rd</sup> day of May 2016

PRESENT when the seal of the Agency  
was affixed hereto:

  
\_\_\_\_\_  
Mary Turner, Authorised Person



## ***INTRODUCTION***

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

This waste licence relates to the operation of an inert waste recovery facility at The Quarry, Grannagh, Kilmacow, County Kilkenny by Crystalhill Inns Limited trading as CHI Environmental. The principal activity is backfill of an exhausted quarry void using imported natural soil and stone. The total amount of material to be used to backfill the quarry is 550,000 tonnes. The licensee is also proposing to produce secondary aggregate for resale from inert construction and demolition waste that will be imported to the facility.

The licence requires the development and implementation of waste acceptance criteria and inspection procedures to ensure that only suitable soil and stone is used for back fill. The licence specifies a number of environmental controls in order to minimise the risk of environmental pollution and nuisance to the public arising from the activities at the facility. The environmental monitoring requirements include monitoring of emissions to surface water, groundwater quality, and ambient dust and noise.

The licence sets out in detail the conditions under which Crystalhill Inns Limited trading as CHI Environmental, Dunbrinn, Grannagh, Kilmacow, County Kilkenny will operate and manage this facility.

## Table of Contents

	<b>Page No</b>
Glossary of Terms .....	1
Decision & Reasons for the Decision.....	7
Part I Schedule of Activities Licensed .....	9
Part II Schedule of Activities Refused .....	9
Part III Conditions .....	10
Condition 1.    Scope.....	10
Condition 2.    Management of the Facility .....	10
Condition 3.    Infrastructure and Operation .....	13
Condition 4.    Interpretation.....	15
Condition 5.    Emissions .....	16
Condition 6.    Control and Monitoring .....	16
Condition 7.    Resource Use and Energy Efficiency.....	18
Condition 8.    Materials Handling.....	19
Condition 9.    Accident Prevention and Emergency Response.....	21
Condition 10.   Closure, Restoration and Aftercare Management .....	21
Condition 11.   Notification, Records and Reports .....	22
Condition 12.   Financial Charges and Provisions .....	24
SCHEDULE A:   Limitations .....	26
SCHEDULE B:   Emission Limits.....	29
SCHEDULE C:   Control & Monitoring.....	29
SCHEDULE D:   Annual Environmental Report.....	33

## ***Glossary of Terms***

All terms in this licence should be interpreted in accordance with the definitions in the Waste Management Act 1996 as amended, unless otherwise defined in the section.

<b>Adequate lighting</b>	20 lux measured at ground level.
<b>AER</b>	Annual Environmental Report.
<b>Aerosol</b>	A suspension of solid or liquid particles in a gaseous medium.
<b>Agreement</b>	Agreement in writing.
<b>Annually</b>	At approximately twelve-monthly intervals.
<b>Application</b>	The application by the licensee for this licence.
<b>Appropriate facility</b>	A waste management facility, duly authorised under relevant law and technically suitable.
<b>Attachment</b>	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
<b>Basic characterisation of waste</b>	A thorough determination, according to standardised analysis and behaviour testing methods, of the short and long-term leaching behaviour and/or characteristic properties of the waste.
<b>BAT</b>	Best Available Techniques.
<b>Biannually</b>	At approximately six – monthly intervals.
<b>Biennially</b>	Once every two years.
<b>BOD</b>	5 day Biochemical Oxygen Demand (without nitrification suppression).
<b>By-product</b>	Material notified under Article 27 of the European Community (Waste Directive) Regulations 2011 (SI No. 126 of 2011) which the Agency has not determined (under article 27(3) of the Regulations) to be waste.
<b>CEN</b>	Comité Européen De Normalisation – European Committee for Standardisation.
<b>COD</b>	Chemical Oxygen Demand.
<b>Compliance Point</b>	The point (location, depth) at which a compliance value should be met. Generally it is represented by a borehole or monitoring well from which representative groundwater samples can be obtained.
<b>Compliance Value</b>	The concentration of a substance and associated compliance regime that, when not exceeded at the compliance point will prevent pollution and/or achieve water quality objectives at the receptor.

<b>Compliance testing of waste</b>	Periodical testing by standard analysis and behaviour-testing methods to determine whether a waste complies with a condition and/or specific reference criteria. The tests focus on key variables and behaviour identified by basic characterisation.
<b>Contaminated soil and stone</b>	Soil and stone that contains anthropogenic or man-made substances (such as rubble, concrete, bricks, metal and bitumen) that are not natural to the environment from which the material was extracted.
<b>Construction and demolition (C&amp;D) waste</b>	Wastes that arise from construction, renovation and demolition activities: Chapter 17 of the EWC or as otherwise may be agreed.
<b>Containment boom</b>	A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
<b>CRO Number</b>	Company Register Number.
<b>Daily</b>	During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
<b>Day</b>	Any 24 hour period.
<b>Daytime</b>	0700 hrs to 1900 hrs.
<b>dB(A)</b>	Decibels (A weighted).
<b>DO</b>	Dissolved oxygen.
<b>Documentation</b>	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
<b>Drawing</b>	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
<b>Dredge Spoil</b>	Waste materials arising from dredging operations from the sea, an estuary or an inland waterway.
<b>Emission limits</b>	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> , of this licence.
<b>EMP</b>	Environmental Management Programme.
<b>End-of-Waste status</b>	As specified in Article 28 of the European Community (Waste Directive) Regulations 2011 (SI No. 126 of 2011).
<b>Environmental damage</b>	As defined in Directive 2004/35/EC.
<b>EPA</b>	Environmental Protection Agency.
<b>European Waste Catalogue (EWC)</b>	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2000/532/EC, as amended by Commission Decision 2014/955/EU and any subsequent amendment published in the Official Journal of the European Community.

<b>Evening Time</b>	1900 hrs to 2300 hrs.
<b>Facility</b>	Any site or premises used for the purpose of the recovery or disposal of waste.
<b>Fortnightly</b>	A minimum of 24 times per year, at approximately two week intervals.
<b>Gas Oil</b>	Gas Oil as defined in Council Directive 1999/32/EC and meeting the requirements of S.I. No. 119 of 2008.
<b>GC/MS</b>	Gas chromatography/mass spectroscopy.
<b>Greenfield soil and stone</b>	Soil and stone from land that has not been previously developed and is not contaminated soil and stone.
<b>Green Waste</b>	Waste wood (excluding timber), plant matter such as grass cuttings, and other vegetation.
<b>ha</b>	Hectare.
<b>Heavy metals</b>	This term is to be interpreted as set out in "Parameters of Water Quality, Interpretation and Standards" published by the Agency in 2001. ISBN 1-84095-015-3.
<b>HFO</b>	Heavy Fuel Oil as defined in Council Directive 1999/32/EC and meeting the requirements of S.I. No. 119 of 2008.
<b>Hours of operation</b>	The hours during which the facility is authorised to be operational.
<b>Hours of waste acceptance</b>	The hours during which the facility is authorised to accept waste.
<b>ICP</b>	Inductively coupled plasma spectroscopy.
<b>Incident</b>	The following shall constitute as incident for the purposes of this licence: (i) an emergency; (ii) any emission which does not comply with the requirements of this licence; (iii) any exceedance of the daily duty capacity of the waste handling equipment; (iv) any trigger level specified in this licence which is attained or exceeded; (v) any compliance value specified in this licence which is attained or exceeded; and, (vi) any indication that environmental pollution has, or may have, taken place.

<b>Inert waste</b>	Waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular must not endanger the quality of surface water and/or groundwater.
<b>Industrial waste</b>	As defined in Section 5(1) of the Waste Management Act 1996 as amended.
<b>IPPC</b>	Integrated Pollution Prevention & Control.
<b>K</b>	Kelvin.
<b>kPa</b>	Kilopascals.
<b><math>L_{Aeq,T}</math></b>	This is the equivalent continuous sound level. It is a type of average and is used to describe a fluctuating noise in terms of a single noise level over the sample period (T).
<b>Landfill Directive</b>	Council Directive 1999/31/EC.
<b><math>L_{Ars,T}</math></b>	The Rated Noise Level, equal to the $L_{Aeq}$ during a specified time interval (T), plus specified adjustments for tonal character and/or impulsiveness of the sound.
<b>Letter of suitability</b>	A letter from a qualified person which states the following: (i) The waste is greenfield soil and stone. (ii) A description of the source and nature of the soil and stone. (iii) The location of the source of the soil and stone (including a map showing the source site boundary). (iv) The material is suitable for use as backfill at the facility. (v) The material will not cause environmental pollution at the facility.
<b>Licensee</b>	Crystalhill Inns Limited trading as CHI Environmental, Dunbrinn, Grannagh, Kilmacow, County Kilkenny. CRO Number 304224.
<b>Liquid waste</b>	Any waste in liquid form and containing less than 2% dry matter.
<b>List I</b>	As listed in the EC Directives 2006/11/EC and 80/68/EEC and amendments.
<b>List II</b>	As listed in the EC Directives 2006/11/EC and 80/68/EEC and amendments.
<b>Local Authority</b>	Kilkenny County Council.
<b>Maintain</b>	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.



<b>Mass flow limit</b>	An emission limit value expressed as the maximum mass of a substance that can be emitted per unit time.
<b>Mass flow threshold</b>	A mass flow rate above which a concentration limit applies.
<b>Monthly</b>	A minimum of 12 times per year, at intervals of approximately one month.
<b>Night-time</b>	2300 hrs to 0700 hrs.
<b>Noise-sensitive location (NSL)</b>	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
<b>Non-greenfield soil and stone</b>	Soil and stone that is not greenfield soil and stone.
<b>Oil separator</b>	Device installed according to the International Standard I.S. EN 858-2:2003 (Separator system for light liquids, (e.g. oil and petrol) – Part 2: Selection of normal size, installation, operation and maintenance).
<b>On-site verification of waste</b>	Rapid check methods to confirm that a waste is the same as that which has been subjected to compliance testing and that which is described in any accompanying documents. It may merely consist of a visual inspection of a load of waste before and after unloading at the waste facility.
<b>PRTR</b>	Pollutant Release and Transfer Register.
<b>Qualified person</b>	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.
<b>Quarterly</b>	At approximately three – monthly intervals.
<b>Sample(s)</b>	Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
<b>Sanitary effluent</b>	Wastewater from facility toilet, washroom and canteen facilities.
<b>Secondary aggregate</b>	Recycled engineering material that has been recovered from inert construction and demolition waste and has achieved end-of-waste status.
<b>SOP</b>	Standard operating procedure.
<b>Soil and stone</b>	Excavation or dredge spoil comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste.
<b>Soil and stone derived from construction and demolition (C&amp;D) waste</b>	Soil and stone (and equivalent material) that is recovered from construction and demolition waste.

<b>Source segregated waste</b>	Waste which is separated at source; meaning that the waste is sorted at the point of generation into a recyclable fraction(s) for separate collection (e.g., paper, metal, glass, plastic, bulk dry recyclables, biodegradables, etc.,) and a residual fraction. The expression 'separate at source' shall be construed accordingly.
<b>Specified emissions</b>	Those emissions listed in <i>Schedule B: Emission Limits</i> , of this licence.
<b>Standard method</b>	A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent); or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.
<b>Storm water</b>	Rain water run-off from roof and non-process paved areas.
<b>The Agency</b>	Environmental Protection Agency.
<b>TOC</b>	Total organic carbon.
<b>Trade effluent</b>	Trade effluent has the meaning given in the Water Services Act, 2007.
<b>Trigger level</b>	A parameter value, the achievement or exceedance of which requires certain actions to be taken by the licensee.
<b>Water Services Authority</b>	Kilkenny County Council.
<b>Weekly</b>	During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.
<b>WWTP</b>	Waste water treatment plant.

## ***Decision & Reasons for the Decision***

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activities will comply with and will not contravene any of the requirements of Section 40(4) of the Waste Management Act 1996 as amended.

The Agency also considers that the activities will not adversely affect the integrity of any European site, and has decided to impose conditions for the purposes of ensuring they do not do so. It has determined that the activities, if managed, operated and controlled in accordance with the permit, will not have any adverse effect on the integrity of any of those sites.

In reaching this decision the Environmental Protection Agency has considered the documentation relating to the application Register Number: W0260-01. This includes supporting documentation and the objection received from the applicant, the submission received, the reports of its Inspectors and the Environmental Impact Assessment (EIA) report contained therein.

It is considered that the Environmental Impact Assessment report (as included in the Inspector's Report dated 16<sup>th</sup> December 2015 contains a fair and reasonable assessment of the likely significant effects of the licensed activities on the environment. The assessment as reported is adopted as the assessment of the Agency. Having regard to this assessment, it is considered that the proposed activities, if managed, operated and controlled in accordance with the licence will not result in the contravention of any relevant environmental quality standards or cause environmental pollution.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European sites at the Lower River Suir SAC [site code: 002137] and the River Barrow and River Nore SAC [site code: 002162]. The Agency considered, for the reasons set out below, that the activities are not directly connected with or necessary to the management of any European site and that it cannot be excluded, on the basis of objective information, that the 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 activities was required, and for this reason determined to require the applicant to submit a Natura Impact Statement.

This determination is based on the following reasons:

1. The facility's proximity to the Lower River Suir SAC;
2. The presence of a historic landfill within the site boundary;
3. The groundwater analysis provided with the application does not take into consideration the entire facility i.e. the historic landfill; and
4. There is the potential for effects due to the disturbance from noise and dust.

The Agency has completed the Appropriate Assessment of potential impacts on these sites and has made certain, 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 activities, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular the Lower River Suir SAC [site code: 002137] and the River Barrow and River Nore SAC [site code: 002162], 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 Licence and the conditions attached hereto for the following reasons:

- The facility is not located within a European site;
- The activity will not result in damage to, or loss of, habitat in a European Site;
- There will be no process discharge from this facility to the European Site;
- The only emission to water authorised from the facility is of storm water which will be treated via a silt trap and oil separator (Condition 3.14);

- Condition 6.17.3 requires trigger levels to be set for specific parameters for any discharge of storm water to surface water. The licensee is required to have regard to the Environmental Protection Agency "*Guidance on the setting of trigger values for storm water discharges to off-site surface waters at EPA IPPC and Waste licensed facilities*" when establishing trigger levels. This guidance requests the licensee to have regard to the water quality status of and the possible impacts on the receiving water when setting trigger levels. Any storm water that exceeds these trigger levels is required to be diverted for retention prior to disposal off site;
- *Schedule B: Emission Limits* of this licence has set out emissions limit values for dust deposition and noise. *Schedule C: Control and Monitoring* of this licence has set out the monitoring requirements for both dust deposition and noise at the facility. These measures will prevent any significant disturbance of the European Sites;
- Condition 2.2.2.5 requires the licensee to implement procedures to ensure corrective and preventative action is taken should the specified requirements of the licence not be fulfilled to prevent a recurrence of the breach;
- The Licence requires the establishment of waste characterisation and acceptance procedures which will ensure that all wastes arriving at the facility are handled in such a manner so as to prevent any impact on the European Sites;
- Kilkenny County Council completed a Tier 1 Risk Assessment of the landfill in January 2010 which concluded that the historic landfill was low risk (Class C). The Council are required to make an application to the Agency for a certificate of authorisation for the site.

The Agency is satisfied that no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the following European Sites: the Lower River Suir SAC [site code: 002137] and the River Barrow and River Nore SAC [site code: 002162].

### ***Part I Schedule of Activities Licensed***

In pursuance of the powers conferred on it by the Waste Management Act 1996 as amended the Environmental Protection Agency (the Agency), under Section 40(1) of the said Act hereby grants this Waste Licence to Crystalhill Inns Limited trading as CHI Environmental, Dunbrinn, Grannagh, Kilmacow, County Kilkenny, to carry on the waste activities listed below at The Quarry, Grannagh, Kilmacow, County Kilkenny, subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence.

#### **Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Act 1996, as amended.**

- |                        |   |
|------------------------|---|
| <b>Class R 5.</b>      | Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials.   |
| <b>Class R 10 (P).</b> | Land treatment resulting in benefit to agriculture or ecological improvement.   |
| <b>Class R 13.</b>     | 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). |

### ***Part II Schedule of Activities Refused***

None of the activities as set out in the licence application have been refused.

## Part III Conditions

### Condition 1. Scope

- 1.1 Waste activities at this facility shall be restricted to those listed and described in *Part I Schedule of Activities Licensed* and shall be as set out in the licence application or as modified under Condition 1.4 of this licence and subject to the conditions of this licence.
- 1.2 Activities at this facility shall be limited as set out in *Schedule A: Limitations* of this licence.
- 1.3 For the purposes of this licence, the facility authorised by this licence is the area of land outlined in red on Figure 4.2.1.3 - Site Layout Plan with Cross Sections (dated 07/2014) of the application. Any reference in this licence to "facility" shall mean the area thus outlined in red. The licensed activities shall be carried on only within the area outlined.
- 1.4 No alteration to, or reconstruction in respect of, the activity, or any part thereof, that would, or is likely to, result in
- (i) a material change or increase in:
- the nature or quantity of any emission;
  - the abatement/treatment or recovery systems;
  - the range of processes to be carried out;
  - the fuels, raw materials, intermediates, products or wastes generated, or
- (ii) any changes in:
- site management, infrastructure or control with adverse environmental significance;
- shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.
- 1.5 The facility shall be controlled, operated and maintained, and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.6 This licence is for purposes of waste licensing under the Waste Management Act 1996 as amended only and nothing in this licence shall be construed as negating the licensee's statutory obligations, or requirements under any other enactments or regulations.
- 1.7 Hours of Operation
- 1.7.1 The facility may accept waste and other material between 08:00 to 18:00 Monday to Friday inclusive (excluding Public Holidays) and between 08:00 and 14:00 on Saturdays.
- 1.7.2 The facility may operate between 08:00 to 18:00 Monday to Friday inclusive (excluding Public Holidays) and between 08:00 and 14:00 on Saturdays.
- 1.7.3 The facility shall not operate on Sundays or on Public or Bank Holidays.

**Reason:** To clarify the scope of this licence.

### Condition 2. Management of the Facility

- 2.1 Facility Management
- 2.1.1 The licensee shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced deputy shall be present on the facility at all times during its operation or as otherwise required by the Agency.

2.1.2 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence.

2.2 Environmental Management System (EMS)

2.2.1 The licensee shall establish, maintain and implement an Environmental Management System (EMS) not later than six months from the date of grant of this licence. The EMS shall be reviewed by senior management for suitability, adequacy and effectiveness and updated on an annual basis.

2.2.2 The EMS shall include, as a minimum, the following elements:

2.2.2.1 Management and Reporting Structure.

2.2.2.2 Schedule of Environmental Objectives and Targets

The licensee shall prepare, maintain and implement a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, including an evaluation of practicable options, for energy and resource efficiency, the use of cleaner technology, cleaner production and the prevention, reduction and minimisation of waste and shall include waste reduction targets. The schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The schedule shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

2.2.2.3 Environmental Management Programme (EMP)

The licensee shall, not later than six months from the date of grant of this licence, prepare, maintain and implement an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.2. It shall include:

- designation of responsibility for targets;
- the means by which they may be achieved;
- the time within which they may be achieved.

The EMP shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.4 Documentation

- (i) The licensee shall, maintain and implement an environmental management documentation system which shall be to the satisfaction of the Agency.
- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.5 Corrective and Preventative Action

2.2.2.5.1 The licensee shall establish, maintain and implement procedures to ensure that corrective and preventative action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective and preventative action in the event of a reported non-conformity with this licence shall be defined.

2.2.2.5.2 Where a breach of one or more of the conditions of this licence occurs, the licensee shall without delay take measures to restore compliance with the conditions of this licence in the shortest possible time and initiate any feasible preventative actions to prevent recurrence of the breach.

2.2.2.5.3 All corrective and preventative actions shall be documented.

2.2.2.6 Awareness, Training and Competence

The licensee shall establish, maintain and implement procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment to ensure awareness and competence in their work area. Appropriate records of training shall be maintained.

2.2.2.7 Communications Programme

The licensee shall establish, maintain and implement a Public Awareness and Communications Programme to ensure that members of the public can obtain information at the facility at all reasonable times, concerning the environmental performance of the facility.

2.2.2.8 Maintenance Programme

The licensee shall establish, maintain and implement a programme for maintenance, including preventative maintenance, of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1 above).

2.2.2.9 Efficient Process Control

The licensee shall establish, maintain and implement a programme to ensure there is adequate control of processes under all modes of operation. The programme shall identify the key indicator parameters for process control performance, as well as identifying methods for measuring and controlling these parameters. Abnormal process operating conditions shall be documented, and analysed to identify any necessary corrective action.

2.2.2.10 Invasive Species Prevention and Eradication Plan

The licensee shall prior to commencement of activities, establish, maintain and implement an invasive species prevention and eradication plan, to cover at least, Japanese Knotweed, Giant Knotweed, Bohemian Knotweed and any other relevant invasive species. The plan shall as a minimum identify specific actions for:

- (i) The prevention, to the extent possible, of acceptance of invasive species in loads of soil, spoil and stone arriving at the facility, actions to include requesting of information on the presence of invasive species at source sites,
- (ii) quarterly surveys of filled areas for the detection of the growth of invasive species,
- (iii) the method for plant detection and identification
- (iv) the remedial actions for eradication of invasive species growing at the facility,
- (v) staff training on plant identification and eradication, and
- (vi) validation to confirm the absence of invasive species at the restored facility.

The Plan shall have regard to the Environment Agency's guidance: "The Knotweed Code of Practice, 2013" or other guidance issued by the Agency.

The licensee shall maintain evidence of having obtained the advice and implemented the recommendations of an independent and appropriately qualified consultant, in the establishment of the Plan and any amendments to it that concern the action items listed above.



**Reason:** *To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.*

### **Condition 3. Infrastructure and Operation**

- 3.1 The licensee shall establish and maintain, for each component of the facility, all infrastructure referred to in this licence in advance of the commencement of the licensed activities in that component, or as required by the conditions of this licence.
- 3.2 Facility Notice Board
- 3.2.1 The licensee shall, within one month of the date of grant of this licence, provide a Facility Notice Board on the facility 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 notice board shall be maintained thereafter.
- 3.2.2 The board shall clearly show:
- (i) the name and telephone number of the facility;
  - (ii) the normal hours of opening;
  - (iii) the name of the licence holder;
  - (iv) an emergency out of hours contact telephone number;
  - (v) the licence reference number; and
  - (vi) where environmental information relating to the facility can be obtained.
- 3.2.3 A plan of the facility clearly identifying the location of each storage and treatment area shall be displayed as close as is possible to the entrance to the facility. The plan shall be displayed on a durable material such that is legible at all times. The plan shall be replaced as material changes to the facility are made.
- 3.3 Facility Security
- 3.3.1 Security and stock-proof fencing and gates shall be maintained at the facility. Subject to the implementation of the Closure, Restoration and Aftercare Management Plan (as required by Condition 10.2 of this licence) the requirement for such facility security may be removed.
- 3.3.2 The licensee shall maintain a CCTV monitoring system which records all waste vehicle movement into and out of the facility. The CCTV system shall be operated at all times with digital date stamping. Copies of recordings shall be kept on site and made available to the Agency on request.
- 3.3.3 There shall be no unauthorised public access to the facility.
- 3.3.4 Gates shall be locked shut when the facility is unsupervised.
- 3.3.5 The licensee shall remedy any defect in the gates and/or fencing as follows:-
- (i) A temporary repair shall be made by the end of the working day; and
  - (ii) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.
- 3.4 Facility Roads and Hardstanding
- 3.4.1 Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.
- 3.4.2 The facility entrance and hardstanding areas shall be appropriately paved and maintained in a fit and clean condition.
- 3.5 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.

3.6 Facility Office

- 3.6.1 The licensee shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.
- 3.6.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.

3.7 Weighbridge and Wheel Cleaning

- 3.7.1 The licensee shall provide and maintain a weighbridge and wheel cleaner at the facility.
- 3.7.2 The wheel cleaner shall be used by all vehicles leaving the facility as required to ensure that no wastewater, waste or storm water is carried off-site. All water from the wheel cleaning area shall be directed to a vehicle wash water interceptor sump.
- 3.7.3 The wheel cleaner interceptor sump shall be inspected on a weekly basis. Silt, stones and other accumulated material shall be removed as required and sent off-site for disposal or, subject to agreement by the Agency, used as fill on-site.

3.8 Waste Inspection and Quarantine Areas

- 3.8.1 A Waste Inspection Area and a Waste Quarantine Area shall be provided and maintained at the facility.
- 3.8.2 These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area and the waste quarantine area shall be clearly identified and segregated from each other.
- 3.8.3 All waste deposited at the waste quarantine area shall be stored in a skip or other appropriate vessel as may be agreed with the Agency.

3.9 Construction and Demolition Waste Recovery Area

- 3.9.1 The licensee shall, within nine months of the date of grant of this licence, provide and maintain a construction and demolition waste recovery area. This infrastructure shall at a minimum comprise the following:
  - (i) an impermeable concrete slab;
  - (ii) collection and disposal infrastructure for all run-off;
  - (iii) appropriate bunding to provide visual and noise screening.
- 3.9.2 All stockpiles shall be adequately contained to minimise dust generation.
- 3.9.3 Only construction and demolition waste shall be accepted at this area. Wastes that are capable of being recovered shall be separated and shall be stored temporarily in this area in advance of being subjected to other recovery activities at the facility or transported off the facility.

3.10 Surface Water Management

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

- (i) the prevention of discharge of contaminated water into surface water drains and courses; and
- (ii) the collection/diversion of run-off arising from paved areas.

- 3.11 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. The requirement with regard to off-site points is subject to the prior agreement of the landowner(s) concerned.

3.12 Tank, Container and Drum Storage Areas

- 3.12.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).

- 3.12.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
- (i) 110% of the capacity of the largest tank or drum within the bunded area; or
  - (ii) 25% of the total volume of substance that could be stored within the bunded area.
- 3.12.3 All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated and does not exceed the trigger levels set for storm water emissions under Condition 6.17.
- 3.12.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 3.12.5 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 3.13 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used, the absorbent material shall be disposed of at an appropriate facility.
- 3.14 Silt Traps and Oil Separators
- The licensee shall maintain silt traps and oil separators at the facility:
- (i) Silt traps to ensure that all storm water discharges, other than from roofs, from the facility pass through a silt trap in advance of discharge;
  - (ii) An oil separator on the storm water discharge from yard areas. The separator shall be a Class I full retention separator.
- The silt traps and separator shall be in accordance with I.S. EN-858-2: 2003 (separator systems for light liquids), unless otherwise agreed by the Agency.
- 3.15 All pump sumps, storage tanks, lagoons or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separators, shall be fitted with high liquid level alarms (or oil detectors as appropriate) prior to commencement of waste acceptance.
- 3.16 The provision of a catchment system to collect any leaks from flanges and valves of all over-ground pipes used to transport material other than water shall be examined. This shall be incorporated into a Schedule of Environmental Objectives and Targets set out in Condition 2. of this licence for the reduction in fugitive emissions.
- 3.17 Groundwater Wells
- 3.17.1 All groundwater monitoring boreholes shall be adequately protected to prevent contamination or physical damage.
- 3.17.2 Any new groundwater monitoring wells shall be constructed having regard to the guidance given in the Guidance Note Landfill Manual – Guidance Note on Landfill Monitoring, which was published by the Agency.
- 3.18 The licensee shall, within three months of the date of grant of this licence, install in a prominent location on the facility a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.

**Reason:** *To provide for appropriate operation of the facility to ensure protection of the environment.*

## Condition 4. Interpretation

- 4.1 Emission limit values for emissions to waters in this licence shall be interpreted in the following way:
- For discrete sampling of parameters other than pH and temperature, no grab sample value shall exceed 1.2 times the emission limit value.

- 4.2 Where the ability to measure a parameter is affected by mixing before emission, then, with agreement from the Agency, the parameter may be assessed before mixing takes place.
- 4.3 Noise
- Noise from the facility shall not give rise to sound pressure levels ( $L_{Aeq, T}$ ) measured at the boundary of the facility which exceed the limit values.
- 4.4 Dust
- Dust from the activity shall not give rise to deposition levels which exceed the limit value.

**Reason:** To clarify the interpretation of limit values fixed under the licence.

## Condition 5. Emissions

- 5.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule B: Emission Limits*, of this licence. There shall be no other emissions of environmental significance.
- 5.2 No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary.
- 5.3 There shall be no clearly audible tonal component or impulsive component in the noise emissions from the facility at noise sensitive locations.
- 5.4 No substance shall be discharged in a manner, or at a concentration, that, following initial dilution, causes tainting of fish or shellfish.
- 5.5 The licensee shall ensure that all or any of the following:
- Vermin
  - Mud
  - Dust
  - Litter
- associated with the activity do not result in an impairment of, or an interference with, amenities or the environment at the facility or beyond the facility boundary or any other legitimate uses of the environment beyond the facility boundary. Any method used by the licensee to control or prevent any such impairment/interference shall not cause environmental pollution.
- 5.6 Unless otherwise agreed with the Agency, there shall be no direct emissions to groundwater or surface water.
- 5.7 No trade effluent, leachate or contaminated storm water shall be discharged to surface water courses.

**Reason:** To provide for the protection of the environment by way of control and limitation of emissions.

## Condition 6. Control and Monitoring

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring*, of this licence.
- 6.1.1 Analyses shall be undertaken by competent staff in accordance with documented operating procedures.
- 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.

- 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
- 6.1.4 Where any analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the Schedules to this licence; and
  - (ii) any reference measurements for the calibration of automated measurement systems;
- shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards that will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.3 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the emission/discharge (or ambient conditions where that is the monitoring objective).
- 6.4 All treatment/abatement and emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.5 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 6.6 The licensee shall prepare a programme, to the satisfaction of the Agency, for the identification and reduction of fugitive emissions using an appropriate combination of best available techniques. This programme shall be included in the Environmental Management Programme.
- 6.7 The integrity and water tightness of all underground pipes, tanks, bunding structures and containers and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee prior to use. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 6.8 The stormwater drainage system (i.e., gullies, manholes, any visible drainage conduits and such other aspects as may be agreed) and bunds, silt traps and oil separators shall be inspected weekly and desludged as necessary. All sludge and drainage from these operations shall be collected for safe disposal. The drainage system, bunds, silt traps and oil interceptors shall be properly maintained at all times.
- 6.9 The settlement ponds shall be inspected monthly and shall be de-silted as necessary. Subject to compliance with waste acceptance criteria and procedures established under this licence, the silt can be used as backfill on-site.
- 6.10 An inspection for leaks on all flanges and valves on over-ground pipes used to transport materials other than water shall be carried out weekly. A log of such inspections shall be maintained.
- 6.11 Dust and Noise Control
- 6.11.1 The licensee shall implement adequate measures for the control of noise and dust, including fugitive dust emissions, from the facility.
  - 6.11.2 In dry weather site roads and any other areas used by vehicles shall be sprayed with water as and when required to minimise airborne dust nuisance.
  - 6.11.3 The road network in the vicinity of the facility shall be kept free from any debris caused by vehicles entering or leaving the facility. Any such debris or deposited materials shall be removed without delay.
- 6.12 Noise
- The licensee shall carry out a noise survey of the site operations as required by the Agency. The survey programme shall be undertaken in accordance with the methodology specified in the 'Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)' as published by the Agency.

6.13 Litter Control

6.13.1 All loose litter or other waste, present on or in the vicinity of the facility, other than in accordance with the requirements of this licence, shall be removed, subject to the agreement of the landowners, immediately and in any event by 10.00am of the next working day after such waste is discovered.

6.13.2 The licensee shall ensure that all vehicles delivering waste to, and removing waste and materials from, the facility are appropriately covered.

6.14 Pollutant Release and Transfer Register (PRTR)

The licensee shall prepare and report a PRTR for the site. The substance and/or wastes to be included in the PRTR shall be as agreed by the Agency each year by reference to EC Regulations No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.

6.15 The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the monitoring data generated as a result of this licence.

6.16 Topographical Monitoring

A topographical survey shall be carried out on an annual basis. The survey shall include measurement of the remaining available void space. The survey shall be in accordance with any written instructions issued by the Agency.

6.17 Storm Water

The licensee shall:

6.17.1 Agree any storm water discharge with the Agency prior to discharge.

6.17.2 Carry out a visual examination of any agreed storm water discharges daily. A log of such inspections shall be maintained.

6.17.3 Establish suitable trigger levels for parameters agreed with the Agency in storm water discharges, such that storm waters exceeding these levels will be diverted for retention and suitable disposal. The licensee shall have regard to the Environmental Protection Agency "Guidance on the setting of trigger values for storm water discharges to off-site surface waters at EPA IPPC and Waste licensed facilities" when establishing the suitable trigger levels.

6.18 Stability Assessment

The licensee shall carry out an annual stability assessment of the temporary side slopes along the internal access road at the facility. The results of this assessment shall be reported as part of the Annual Environmental Report (AER).

**Reason:** *To provide for the protection of the environment by way of treatment and monitoring of emissions.*

## **Condition 7. Resource Use and Energy Efficiency**

7.1 The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall be carried out in accordance with the guidance published by the Agency, "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency.

7.2 The audit shall identify all practicable opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.

- 7.3 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into Schedule of Environmental Objectives and Targets.
- 7.4 The licensee shall undertake an assessment of the efficiency of use of raw materials in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for this type of activity. Where improvements are identified, these shall be incorporated into the Schedule of Environmental Objectives and Targets.

**Reason:** *To provide for the efficient use of resources and energy in all site operations.*

## Condition 8. Materials Handling

- 8.1 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.
- 8.2 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. The waste shall be transported from the site of the activity to the site of recovery/disposal only in a manner that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.3 The licensee shall ensure that, in advance of transfer to another person, waste shall be classified, packaged and labelled in accordance with National, European and any other standards which are in force in relation to such labelling.
- 8.4 Greenfield soil and stone
- 8.4.1 Prior to the acceptance of greenfield soil and stone from any individual source site, the licensee shall obtain a letter of suitability for the first 5,000 tonnes of the material obtained from that source.
- 8.4.2 The licensee shall obtain a further letter of suitability for each subsequent 5,000 tonnes of material obtained from that source.
- 8.4.3 The licensee shall, if directed by the Agency, carry out basic characterisation of greenfield soil and stone from any individual source site. The basic characterisation shall be carried out in a manner agreeable to the Agency.
- 8.5 Non-greenfield soil and stone
- 8.5.1 The licensee shall, in a manner and format agreeable to the Agency, propose maximum concentrations and/or trigger levels for relevant contaminants in non-greenfield soil and stone proposed for acceptance and backfill at the facility. Non-compliant materials shall be dealt with in accordance with Condition 8.13.8 of this licence.
- 8.5.2 Non-greenfield soil and stone shall be tested according to protocols agreed by the Agency. Sampling and testing shall be carried out by independent institutions with proven experience in waste testing and analysis.
- 8.6 Backfill
- 8.6.1 Only soil and stone that meet the appropriate waste acceptance criteria as stipulated in *Schedule A.2 Waste Acceptance Criteria for Backfill Material* of this licence shall be used for backfill at the facility.
- 8.6.2 The following materials shall not be used for backfill at the facility:
- (i) Top soil;
  - (ii) Peat;
  - (iii) Soil and stone and fines derived from the treatment of construction and demolition waste; and,
  - (iv) Any other waste that the Agency deems to be unsuitable.

- 8.7 No hazardous waste or liquid waste shall be accepted at the facility.
- 8.8 Scavenging shall not be permitted at the facility.
- 8.9 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.10 All vehicle and machinery refuelling and maintenance operations shall be carried out in designated areas protected against spillage and run-off.
- 8.11 Waste shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste shall be clearly labelled and appropriately segregated.
- 8.12 Unless otherwise agreed only secondary aggregate that has achieved end-of-waste status shall be used for engineering purposes at the facility.
- 8.13 Waste Acceptance and Characterisation Procedures
- The licensee shall develop and maintain written procedures for the acceptance, characterisation, processing and backfill of waste arriving at the facility. The procedures shall, as a minimum, address the following conditions:
- 8.13.1 Waste shall only be accepted at the facility from holders of valid waste collection permits issued under the Waste Management (Collection Permit) Regulations 2007, as amended, unless exempted or excluded.
- 8.13.2 Waste shall only be accepted at the facility from known pre-cleared customers.
- 8.13.3 Waste shall be accepted from new customers only after initial waste profiling and waste characterisation off-site. The written records of this off-site waste profiling and characterisation shall be retained by the licensee for all active customers and for a two year period following termination of licensee/customer agreements.
- 8.13.4 Waste arriving at the facility shall be visually inspected (on-site verification) before and after unloading to confirm the nature of the waste and that it is as described in the accompanying documents.
- 8.13.5 The documentation of waste arriving at the facility shall be checked at the point of entry to the facility. Subject to its verification, the waste shall be weighed, recorded and directed to the waste acceptance/quarantine area as appropriate.
- 8.13.6 Waste accepted for backfill shall, prior to its use as backfill, be checked against the appropriate waste acceptance criteria as specified in *Schedule A.2 Waste Acceptance Criteria for Backfill Material* of this licence and, as appropriate, *Schedule A.3 Waste Characterisation for non-greenfield soil and stone* of this licence.
- 8.13.7 In the case of suspicion of contamination (either from visual inspection or from knowledge of the origin of the waste) the waste shall be tested in accordance with *Schedule A.3 Waste Characterisation for non-greenfield soil and stone* of this licence or the waste shall be refused/rejected.
- 8.13.8 Any waste deemed unsuitable for backfill at the facility and/or in contravention of this licence shall be immediately separated and removed from the facility at the earliest possible time to an off-site authorised facility. Temporary storage of such wastes shall be in the designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid odour nuisance, the attraction of vermin and any other nuisance or objectionable condition.
- 8.14 No waste classified as green list waste in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended) shall be consigned for recovery without the agreement of the Agency.
- 8.15 Unless approved in writing, in advance, by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.
- 8.16 The licensee shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14th June 2006 on shipments of waste and associated national regulations.



- 8.17 Unless agreed by the Agency the licensee shall not dispose of any waste that has been accepted at the facility for the purpose of recovery.

**Reason:** *To provide for the appropriate handling of material and the protection of the environment.*

## **Condition 9. Accident Prevention and Emergency Response**

- 9.1 The licensee shall, within three months of the date of grant of this licence, ensure that a documented Accident Prevention Procedure is in place that addresses 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.
- 9.2 The licensee shall, within three months of the date of grant of this licence, ensure that a documented Emergency Response Procedure is in place that addresses 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.
- 9.3 Incidents
- 9.3.1 In the event of an incident the licensee shall immediately:
- (i) carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
  - (ii) isolate the source of any such emission;
  - (iii) evaluate the environmental pollution, if any, caused by the incident;
  - (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
  - (v) identify the date, time and place of the incident;
  - (vi) notify the Agency and other relevant authorities.
- 9.3.2 The licensee shall provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency, to:
- (i) identify and put in place measures to avoid recurrence of the incident; and
  - (ii) identify and put in place any other appropriate remedial actions.

**Reason:** *To provide for the protection of the environment.*

## **Condition 10. Closure, Restoration and Aftercare Management**

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution.
- 10.2 Closure, Restoration and Aftercare Management Plan (CRAMP)
- 10.2.1 The licensee shall prepare, to the satisfaction of the Agency, a revised, fully detailed and costed plan for the decommissioning, closure, restoration and aftercare of the facility or part thereof. This plan shall be submitted to the Agency for agreement within three months of the date of grant of this licence.

- 10.2.2 The plan shall be reviewed annually and proposed amendments thereto notified to the Agency for agreement as part of the AER. No amendments may be implemented without the agreement of the Agency.
- 10.2.3 The licensee shall have regard to the Environmental Protection Agency's Guidance on Assessing and Costing Environmental Liabilities (2014) when implementing Conditions 10.2.1 and 10.2.2 above.
- 10.3 The Closure, Restoration and Aftercare Management Plan shall include, as a minimum, the following:
- (i) a scope statement for the plan;
  - (ii) the criteria that define the successful decommissioning of the activity or part thereof, which ensures minimum impact on the environment;
  - (iii) a programme to achieve the stated criteria;
  - (iv) where relevant, a test programme to demonstrate the successful implementation of the CRAMP; and
  - (v) details of the costings for the plan and the financial provisions to underwrite those costs.
- 10.4 A final validation report to include a certificate of completion for the Closure, Restoration and Aftercare Management Plan, for all or part of the site as necessary, shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

**Reason:** *To make provision for the proper closure of the activity ensuring protection of the environment.*

## Condition 11. Notification, Records and Reports

- 11.1 The licensee shall notify the Agency by both telephone and either email or webform, to the Agency's headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:
- (i) Any waste imported to the facility for backfill that does not meet Waste Acceptance Criteria as specified in *Schedule A.2 Waste Acceptance Criteria for Backfill Material* of this licence;
  - (ii) any release of environmental significance to atmosphere from any potential emissions point including bypasses;
  - (iii) any emission that does not comply with the requirements of this licence;
  - (iv) any malfunction or breakdown of key control equipment or monitoring equipment set out in *Schedule C: Control and Monitoring*, of this licence which is likely to lead to loss of control of the abatement system; and
  - (v) any incident with the potential for environmental contamination of surface water or groundwater, or posing an environment threat to air or land, or requiring an emergency response by the Local Authority.
- The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.
- 11.2 The following shall be notified, as soon as practicable after the occurrence of any incident which relates to a discharge to water:
- (i) Inland Fisheries Ireland;
  - (ii) The Local Authority.
- 11.3 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to manage the incident, minimise wastes generated and the

effect on the environment, and avoid recurrence. The licensee shall, as soon as practicable following incident notification, submit to the Agency the incident record.

- 11.4 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.5 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility.
- 11.6 The licensee shall as a minimum ensure that the following documents are accessible at the site:
- (i) the licences relating to the facility;
  - (ii) the current EMS for the facility;
  - (iii) the previous year's AER for the facility;
  - (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the facility;
  - (v) relevant correspondence with the Agency;
  - (vi) up-to-date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;
  - (vii) up-to-date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment; and,
  - (viii) any elements of the licence application or EIS documentation referenced in this licence.

This documentation shall be available to the Agency for inspection at all reasonable times.

- 11.7 The licensee shall submit to the Agency, by the 31<sup>st</sup> March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report*, of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.8 **Waste Recovery Reports**
- The licensee shall as part of the AER submit a report on the contribution by this facility to the achievement of the recovery targets and strategy stated in national and European Union waste policies.
- 11.9 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:
- (i) the tonnages and EWC Code for the waste materials imported and/or sent off-site for disposal/recovery;
  - (ii) 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);
  - (iii) details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required;
  - (iv) written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site;
  - (v) details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record;
  - (vi) details of any rejected consignments;

- (vii) details of any approved waste mixing;
  - (viii) the results of any waste analyses required under *Schedule C: Control & Monitoring*, of this licence;
  - (ix) the tonnage and EWC Code for the waste materials recovered/disposed on-site; and,
  - (x) original copies of letters of suitability for greenfield soil and stone.
- 11.10 The licensee shall maintain a written record for each load of waste arriving at the facility. The licensee shall record the following:
- (i) the date and time;
  - (ii) the name of the carrier (including if appropriate, the waste carrier registration details);
  - (iii) the vehicle registration number;
  - (iv) the trailer, skip or other container unique identification number (where relevant);
  - (v) the job/order/invoice number for the load;
  - (vi) the name of the producer(s)/collector(s) of the waste as appropriate;
  - (vii) the name of the waste facility (if appropriate) from which the load originated including the waste licence or waste permit register number;
  - (viii) the type, source and origin of the waste;
  - (ix) the type of process producing the waste;
  - (x) reference to the applicable letter of suitability (for greenfield soil and stone);
  - (xi) a description of the waste including physical form, colour and odour;
  - (xii) the quantity of the waste, recorded in tonnes;
  - (xiii) data on the waste, where available;
  - (xiv) details of the treatment(s) to which the waste has been subjected;
  - (xv) the classification and EWC coding of the waste;
  - (xvi) the name of the person checking the load; and
  - (xvii) where loads or wastes are removed or rejected, details of the date of occurrence, the types of waste and the facility to which they were removed.
- 11.11 The licensee shall submit report(s) as required by the conditions of this licence to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency.
- 11.12 All reports shall be certified accurate and representative by the facility manager or a nominated, suitably qualified and experienced deputy.

**Reason:** *To provide for the collection and reporting of adequate information on the activity.*

## **Condition 12. Financial Charges and Provisions**

### **12.1 Agency Charges**

- 12.1.1 The licensee shall pay to the Agency an annual contribution of €6,306, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Act 1996 as amended. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Act 1996 as amended, and all such payments shall be made within one month of the date upon which demanded by the Agency.

12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

12.2 Environmental Liabilities

12.2.1 The licensee shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.

12.2.2 The licensee shall arrange for the completion, by an independent and appropriately qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities from past and present activities. The assessment shall include those liabilities and costs identified in Condition 10 for execution of the CRAMP. A report on this assessment shall be agreed by the Agency not later than three months from the date of grant of this licence. The ELRA shall be reviewed and updated as necessary to reflect any significant change on site, and in any case every three years following initial agreement. Review results are to be notified as part of the AER.

12.2.3 Within six months of the date of grant of this licence, the licensee shall, to the satisfaction of the Agency, make financial provision to cover any liabilities associated with the operation (including closure, restoration and aftercare). The amount of indemnity held shall be reviewed and revised as necessary, but at least annually. Proof of renewal or revision of such financial indemnity shall be included in the annual 'Statement of Measures' report identified in Condition 12.2.1.

12.2.4 The licensee shall revise the cost of closure, restoration and aftercare annually and any adjustments shall be reflected in the financial provision made under Condition 12.2.3.

12.2.5 The licensee shall have regard to the Environmental Protection Agency's Guidance on Assessing and Costing Environmental Liabilities (2014) and, as appropriate, Guidance on Financial Provision for Environmental Liabilities (2015) when implementing Conditions 12.2.2, 12.2.3 and 12.2.4 above.

**Reason:** *To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

**SCHEDULE A: Limitations**

The following waste related processes are authorised:

- Importation, stockpiling and use of inert soil and stone for quarry backfill.
- Use of inert soil and stone for land improvement.
- Importation of Construction and Demolition waste.
- Separation of inert waste streams from imported Construction and Demolition waste.
- Use of inert Construction and Demolition waste streams to produce secondary aggregate for resale.

No additions to these processes are permitted unless agreed in advance with the Agency.

**A.1 Waste Acceptance**

Only the wastes as specified in Table A.1 are acceptable for recovery at the facility unless otherwise agreed by the Agency.

**Table A.1.1 Waste Categories and Quantities**

<b>EW CODE</b>	<b>WASTE TYPE</b> <small>Notes 1 &amp; 2</small>	<b>MAXIMUM (TONNES PER ANNUM)</b>
17 05 04	Soils and stones other than those mentioned in 17 05 03	125,000
17 05 06	Dredge spoil other than those mentioned in 17 05 05	
17 05 08	Track Ballast other than those mentioned in 17 05 07	
17 01 01	Concrete	45,000
17 01 02	Bricks	
17 01 07	Mixtures of concrete, bricks, tiles and ceramics (other than those mentioned in 17 01 06)	
17 03 02	Bituminous mixtures other than those mentioned in 17 03 01*	
17 09 04	Mixed construction and demolition wastes	
<b>Total</b>		<b>170,000</b>

**Note 1:** Any proposals to accept other compatible inert waste types shall be agreed in advance by the Agency.

**Note 2:** The limitation on individual inert waste types may be varied with the agreement of the Agency subject to the total limit for inert waste staying the same.

**TABLE A.1.2 TOTAL WASTE QUANTITY FOR BACKFILL**

Total quantity of soil and stone permitted for backfill at the facility	550,000 tonnes <sup>Note 1</sup>
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Note 1: Not including material required for final profiling as may be required by the Planning Authority and agreed by the Agency.



**A.2 Waste Acceptance Criteria for Backfill Material**

Soil and Stone	Minimum Criteria
Greenfield soil and stone	Letter of suitability
Non-greenfield soil and stone	<ol style="list-style-type: none"> <li>1. Less than 2% contamination with non-natural materials in accordance with the definition of 'contaminated soil and stone' in this licence, and;</li> <li>2. Characterised in accordance with <i>Schedule A.3 Waste Characterisation for non-greenfield soil and stone</i> of this licence and compliant with concentration limits and/or trigger levels established under Condition 8.5.1 of this licence.</li> </ol>



**A.3 Waste Characterisation for non-greenfield soil and stone**

Amount/Source	Test Method <small>Note 1 &amp; 2</small>	Frequency
Where the material comprises greater than 2,000 tonnes from a single source	Basic characterisation	To be carried out off-site prior to agreeing acceptance of the waste at the facility.
	Compliance testing	Once every 2,000 tonnes. <small>Note 3 &amp; 4</small>
	On-site verification	Every load.
Where the material comprises less than 2,000 tonnes from a single source	Basic characterisation	To be carried out on-site prior to use of the material for backfill at a frequency of at least one sample on every 2,000 tonnes of waste from the collective of single sources each of which is less than 2,000 tonnes. <small>Note 3, 4</small>
	On-site verification	Every load.

**Note 1:** Testing to be carried out in accordance with Condition 8.5.2 of this licence.

**Note 2:** Maximum contaminant concentration levels and/or trigger levels to be developed in accordance with Condition 8.5.1 of this licence.

**Note 3:** To be carried out on representative samples of waste upon delivery.

**Note 4:** Part of each sample shall be retained at the facility for three years and be available for inspection/analysis by the Agency.





**SCHEDULE B: Emission Limits**

**B.1 Emissions to Air**

There shall be no emissions to air of environmental significance.



**B.2 Emissions to Water**

There shall be no emissions to water of environmental significance.



**B.3 Noise Emissions**

Daytime dB L <sub>Ar,T</sub> (30 minutes)	Evening time dB L <sub>Ar,T</sub> (30 minutes)	Night-time dB L <sub>Aeq,T</sub> (15-30 minutes)
55	50	45 <sup>Note 1</sup>

Note 1: There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location.



**B.4 Dust Deposition Limits**

Level (mg/m <sup>2</sup> /day) <sup>Note 1</sup>
350

Note 1: 30 day composite sample with the results expressed as mg/m<sup>2</sup>/day.



**SCHEDULE C: Control & Monitoring**

**C.1.1. Control of Emissions to Water**

There shall be no emissions to water of environmental significance.



**C.1.2. Monitoring of Emissions to Water**

There shall be no emissions to water of environmental significance.



**C.2 Noise Monitoring**

**Location:** At locations agreed by the Agency

Period	Minimum Survey Duration <sup>Note 1</sup>
Daytime (07:00 to 19:00 hrs)	A minimum of 3 sampling periods at each noise monitoring location
Evening-time (07:00 to 23:00 hrs)	A minimum of 1 sampling period at each noise monitoring location.
Night-time <sup>Note 2</sup> (23:00 to 07:00 hrs)	A minimum of 2 sampling periods at each noise monitoring location.

**Note 1:** Sampling period T will be in accordance Schedule B.3 Noise Emissions of this licence. This applies to day, evening and night time periods.

**Note 2:** Night-time measurements shall be made between 2300hrs and 0400hrs, Sunday to Thursday, with 2300hrs being the preferred start time.



**C.3 Ambient Monitoring**

**Location:** D1, D2 and at additional locations as may be agreed by the Agency

Parameter	Monitoring Frequency	Analysis Method/Technique
Dust deposition	Bi-annual	VDI 2119 (Bergerhoff method)



**C.4 Waste Monitoring**

Waste	Frequency	Parameter	Method
Deposited waste <sup>Note 1</sup>	Dependent on rate of waste deposition. See Note 1.  Maximum 5 samples per year	To be agreed	To be agreed
Other <sup>Note 2</sup>			

**Note 1:** A representative sample of the deposited waste shall be taken at least every 3,000m<sup>2</sup> area of fill and depth of fill of 1.5 metres, or at an equivalent frequency as may be agreed by the Agency. Samples of the deposited waste shall be taken by trial pit or other appropriate method.

**Note 2:** Analytical requirements to be determined on a case by case basis.



**C.5 Groundwater Monitoring**

Reference No: PT-1, PT-2, PT-3

Location: As per drawing 'Site Layout – Groundwater Monitoring wells – Revision 1' dated 14/01/05 and at additional locations as may be agreed by the Agency.  
 PT-1: S57736 15008  
 PT-2: S57682 14713  
 PT-3: S57992 14798

Parameter	Monitoring Frequency	Analysis Method/Techniques
pH	Annual	pH electrode/meter
Conductivity	Annual	Standard Method
BOD	Annual	Standard Method
COD	Annual	Standard Method
TOC	Annual	Standard Method
Ammonia (as N)	Annual	Standard Method
Nitrate	Annual	Standard Method
Total Nitrogen (as N)	Annual	Standard Method
Total Phosphorus (as P)	Annual	Standard Method
Orthophosphate (as P)	Annual	Standard Method
Total Dissolved Solids	Annual	Standard Method
Dissolved Metals <sup>Note 1</sup>	Annual	Standard Method
Total Petroleum Hydrocarbons (to include mineral oils).	Annual	Standard Method
Diesel Range Organics	Annual	Standard Method
Petrol Range Organics	Annual	Standard Method
Aluminium	Annual	Standard Method
Arsenic	Annual	Standard Method
Boron	Annual	Standard Method
Chloride	Annual	Standard Method
Chromium	Annual	Standard Method
Cyanide	Annual	Standard Method
Mercury	Annual	Standard Method
Potassium (as K)	Annual	Standard Method
Sodium	Annual	Standard Method
Sulphate	Annual	Standard Method
Total Coliforms	Annual	Standard Method
Faecal Coliforms	Annual	Standard Method

Note 1: Cd, Cu, Fe, Pb, Mg, Mn, Ni and Zn.

**C.6.1 Control of Storm Water Emissions**

**Emission Point Reference No:** SW1  
**Emission Point Location:** To be agreed with the Agency.  
**Grid reference:** To be agreed with the Agency.  
**Description of Treatment:** Oil interceptor/Silt trap.

Control Parameter	Monitoring	Key Equipment <sup>Note 1</sup>
Oil removal	Mineral oil concentration in water at discharge point	Class I full retention oil separators. Shut-off valve.
Suspended solids	Suspended solids concentration in water at discharge point	Silt trap.

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



**C.6.2 Monitoring of Storm Water Emissions**

**Emission Point Reference No:** SW1

Parameter	Monitoring Frequency	Analysis Method/Technique
pH	Weekly	Standard method
Temperature	Weekly	Standard method
COD	Quarterly	Standard method
BOD	Quarterly	Standard method
Suspended Solids	Quarterly	Standard method
Total Ammonia	Quarterly	Standard method
Total Nitrogen	Quarterly	Standard method
Conductivity	Quarterly	Standard method
Mineral Oil	Quarterly	Standard method
Sulphate	Quarterly	Standard method
Visual Inspection	Daily	Sample and examine for colour and odour <sup>Note 1</sup> .
Other <sup>Note 2</sup>	As may be agreed by the Agency	As may be agreed by the Agency

**Note 1:** Where there is evidence of contamination, additional samples should be analysed and the full suite of parameters shown tested.

**Note 2:** Any parameters as may be required by the Agency.



**SCHEDULE D: Annual Environmental Report**

<b>Annual Environmental Report Content</b> <sup>Note 1</sup>
Emissions from the facility. Waste management record. Resource consumption summary. Complaints summary. Schedule of Environmental Objectives and Targets. Environmental management programme – report for previous year. Environmental management programme – proposal for current year. Pollutant Release and Transfer Register – report for previous year. Pollutant Release and transfer Register – proposal for current year. Noise monitoring report summary. Tank and pipeline testing and inspection report. Reported incidents summary. Energy efficiency audit report summary. Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated. Report on progress made and proposals being developed to minimise water demand. Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information. Review of Closure, restoration & aftercare management Plan. Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities). Environmental Liabilities Risk Assessment Review (every three years or more frequently as dictated by relevant on-site change including financial provisions). Any other items specified by the Agency.

**Note 1:** Content may be revised subject to the agreement of the Agency.

**Sealed by the seal of the Agency on this the 23<sup>rd</sup> day of May 2016.**

**PRESENT when the seal of the Agency was affixed hereto:**

  
\_\_\_\_\_  
**Mary Turner/Authorised Person**

