

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION  
APPLICATION FORM**

**LIMERICK CITY & COUNTY COUNCIL**



**For Office Use Only:**

**Application Reference Number:**

**Return Number (If Applicable):**

**Income Codes – Waste Facilities**

**WAS11- Applications**

**WAS12 – Reviews**

**WAS13 - Transfers**

**Income Codes - Certificates of Registration**

**WAS14 - Applications**

**WAS16 – Transfers and Reviews**

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## **APPENDICES**

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## 1. GENERAL

### 1.1 Introduction

This form is for the following purposes under the Waste Management (Facility Permit and Registration) Regulations S.I No. 821 of 2007, the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No. 86 of 2008, the Waste Management (Food Waste) Regulations 2009 S.I. No. 508 of 2009 and Waste Management (Management of Waste From the Extractive Industries) Regulations 2009 S.I. No. 566 of 2009 and European Communities (Waste Directive) Regulations 2011, S.I. 126 Of 2011 and S.I. 320 of 2014 Waste Management (Facility Permit and Registration) (Amendment) Regulations 2014 (hereafter referred to as the Regulations);

- (a) The making of an application for a Waste Facility Permit; or
- (b) The making of an application for a Review of a Waste Facility Permit; or
- (c) The making of an application for a Certificate of Registration; or
- (d) The making of an application for a Review of a Certificate of Registration.

The Guidance Manual and application form are available to download from

**<http://www.limerick.ie/council/waste-facility-permits-and-registrations-enforcement>**

In order to make the application process as efficient as possible it may be necessary for the relevant local authority to contact the applicant or a representative for the applicant while processing the application. The application contact person must have a good knowledge of the application form and the detail within. For this reason it is recommended that the application contact person should be the person who has completed the application form and any relevant supporting information.

### 1.2 Pre-application consultation

It is **strongly recommended that pre-application consultations** or discussions with the relevant local authority (In the case of a private sector application) is undertaken before a formal submission of any of the above types of applications. **Applications will be deemed invalid if they do not meet the requirements of articles 7, 8 and 10 of the Regulations, and will be returned to the applicant. Limerick City and County Council will retain part of the application fee in this instance.**

The pre-application consultation also fulfils requirements under the Environmental Impact Assessment (EIA) Regulations, for sites that may require an EIA. It may be that you need to hold a separate meeting with the relevant planning authority.

Where people want clarification under Article 11 of the Regulations, Appendix three contains a proforma on **Request to Environmental Protection Agency for determination as to whether an activity requires a waste licence, waste facility permit, certificate of registration or none of these.** **<http://www.epa.ie/licensing/licques/article11declarations/>** contains an online form for completion.

It is recommended that the applicant familiarise themselves with the application form and regulations before beginning to complete the application. In addition applicants need to be aware of the requirements of the relevant Waste Management Plan/s for the region or regions and the National Hazardous Waste Management Plan 2014 to 2020.

Waste management plans are available to download from all local authority websites. The National Hazardous Waste Management Plan 2014 to 2020 produced by the EPA is available at:

<http://www.epa.ie/waste/hazardous/#.U8ZdDe1OPow>

If you need to contact the Environment Section of Limerick City and County Council, concerning your application, please contact the following number 061 556264 and request to speak with a member of the Waste Enforcement Team

### **1.3 Guidance on the Application Form**

An application for a Waste Facility Permit is made under Article 10 of the Regulations. The contents of an application and the information to accompany an application are specified in this Article.

An application for a Review of an existing Waste Facility Permit by a permit holder is made under Article 31.

An application for a Certificate of Registration is made under Article 37.

An application for a Review of an existing Certificate of Registration is made under Article 38.

The application form is designed in such a way as to set out these questions in a structured manner and not necessarily in the order presented in the Regulations.

All sections in this application form may not be relevant to every application, activity or type of applicant. However, the applicant should look carefully through the complete form and provide all relevant information. If any question is considered 'not applicable' this should be stated in full. The use of the abbreviations (e.g., N.A. or dash) should be avoided.

Applicants for a review of a facility permit or a certificate of registration should provide all relevant information specific to the review. If any question is considered 'not applicable' this should be stated in full.

Additional attachments may be included to supply any further information supporting the application. Attachments should be clearly numbered, titled and paginated and must contain the required information as set out in the application form.

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Consistent measurement units must be used throughout the application form. **Table 1** on page 3 details the volume to weight conversion factors taken from the Waste Management (landfill levy) Regulations, 2015, S.I. No 189 of 2015.

**Table 1. Volume to weight conversion factors**

Waste category	Typical waste types	Cubic metres to tonnes - multiply by:	Cubic yards to tonnes – multiply by:
Inactive or inert waste	Largely water insoluble and non or very slowly biodegradable: e.g. sand, subsoil, concrete, bricks, mineral fibres, fibreglass etc.	1.5	1.15
General industrial waste - non-special, not compacted. (As compaction can significantly increase the density of this category of waste, if compacted wastes are accepted it will be necessary to uplift the conversion factor accordingly)	Paper and plastics.	0.15	0.11
	Card, pallets, plasterboard, canteen waste, sawdust, textiles, leather.	0.4	0.3
	Timber, building and construction wastes, factory waste and sweepings, etc.	0.6	0.46
	Foundry sands, slags, pulverised fuel ash, ashes from waste incineration.	1.5	1.15
Household waste - not compacted	Non-special, non-inert wastes from domestic premises, including collected household waste.	0.2	0.15
Household waste - compacted (includes all bulk disposals)	Non-special, non-inert wastes from domestic premises, including collected household waste.	0.4	0.30
Commercial waste - not compacted. (As compaction can significantly increase the density of this category of waste, if compacted wastes are accepted it will be necessary to uplift the conversion factor accordingly)	Non-special, non-inert wastes from shops, hospitals, leisure centres, offices, etc., including civic amenity waste, parks and gardens waste, supermarket, shop and restaurant waste, general office waste.	0.2	0.15
Other wastes not otherwise referred to		1.0	0.76

**Note:** If a consignment of waste falls into more than one of the categories specified in the above table, the higher conversion factor shall apply to all of the waste.

**1.4 Additional Documents to be Included:**

Documents and information which must be supplied with the application are presented as a checklist in **Appendix 1** of this application form. The applicant is advised to complete the checklist and submit with the application. Any applicant

who does not submit all of the relevant documents may be contacted by the local authority to supply the missing documents within a set timescale or the application may be invalidated. **The applicant is required to submit 3 copies of all documentation to Limerick City and County Council, including application form, maps, drawings, reports, and other supporting documentation.**

## 1.5 About these Guidance Notes

These guidance notes have been developed to assist applicants in the preparation of an application for a Waste Facility or Certificate of Registration authorisation.

This document does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the Waste Management (Facility Permit and Registration) Regulations 2007, the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No.86 of 2008, Waste Management (Management of Waste From the Extractive Industries) Regulations 2009, S.I. No. 566-2009 and European Communities (Waste Directive) Regulations 2011, S.I. 126 Of 2011.

While every effort has been made to ensure the accuracy of the material contained in this document, the competent authority assumes no responsibility and gives no guarantees; undertakings and warranties concerning the accuracy, completeness or up-to-date nature of the information provided herein and does not accept any liability whatsoever arising from any errors or omissions.

For more detailed guidance please refer to the website at <https://www.epa.ie/pubs/advice/waste/wastepermitregulations/wfpguidancemanualweb.pdf>.

## 2. WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

### Section A: Type of Application

A.1 Please tick the relevant box to which this application applies (Only one box may be ticked).

Application for a Waste Facility Permit	<input type="checkbox"/> (Income Code) – E07H011i (WAS11) (Cash desk – please type on receipt)
Application for a Review of a Waste Facility Permit	<input type="checkbox"/> (Income Code) – E07H011i (WAS12) (Cash desk – please type on receipt)
Application for a Certificate of Registration	<input type="checkbox"/> (Income Code) – E07H011i (WAS14) (Cash desk – please type on receipt)
Application for a Review or Transfer of a Certificate of Registration	<input type="checkbox"/> (Income Code) – E07H011i (WAS16) (Cash desk – please type on receipt)

A.2 Is the application being completed by a Consultant/Agent?

Yes

No

If **yes** give the Consultant's/Agent's name, address and contact details below.

<b>Address:</b>	
<b>Tel:</b>	
<b>Fax:</b>	
<b>e-mail:</b>	
<b>Contact Name:</b>	

## Section B: About the Applicant

This section relates to the applicant(s) who will be operating the waste facility.

### B.1 Full name of applicant(s) [Article 10 (1) (a)]

Applicant(s) must be a legal entity (individual, sole trader, partnership or body corporate).

Name(s):	
Name(s):	
Name(s):	

### B.2 All trade name(s) used or proposed to be used by the applicant(s) [Article 10 (1) (b)]

Trade Name:	
Trade Name:	

If the applicant(s) is a sole trader, section B3 and B4 do not need to be completed.

### B.3 Is the applicant(s) a body corporate? [Article 10 (1) (h)]

Yes

No

(i) If **yes** please give the company number and supply a copy of the appropriate certificate issued by the Companies Registration Office

(ii) If **yes** please give the specified Company Registration or Trade Name if trading under a name. [Article 10 (1) (i)]

Company Number:	
Document(s) Reference:	

### B.4 Is the applicant(s) a partnership? [Article 10 (1) (e)]

Yes

No

If the applicant is a partnership, give the names and addresses of all partners:



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<b>Name:</b>	
<b>Address:</b>	
<b>Name:</b>	
<b>Address:</b>	
<b>Name:</b>	
<b>Address:</b>	

**B.5 Full address of applicant(s) [Article 10 (1) (d)]**

The address of the principal place of business, or in the case of a body corporate the registered or principal office, of the applicant(s) and, where applicable, the telephone number, telefax number and e-mail address of the applicant(s), and, if different, any address to which correspondence relating to the application should be sent:

<b>Address:</b>	
<b>Tel:</b>	
<b>Fax:</b>	
<b>e-mail:</b>	
<b>Contact Name:</b>	

If the applicant(s) is a body corporate please give the name and address of any person who is a director, manager, company secretary or other similar officer of each body corporate: [Article 10 (1) (f)]

<b>Name, address and position:</b>	
<b>Name, address and position:</b>	
<b>Name, address and</b>	

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<b>position:</b>	
<b>Name, address and position</b>	
<b>Name, address and position:</b>	

**B.6 Legal Interest in the land [Article 10 (1) (c)]**

State and provide a copy of the proof of the legal interest and permission held by the applicant(s) in the land on which the proposed facility is located (e.g. leaseholder, owner, tenant, prospective purchaser):

<b>Legal Interest:</b>	
<b>Document(s) Reference:</b>	

**B.7 Relevant Convictions/Court Order**

Has the applicant, including in the case of a body corporate any officer of that body corporate, been convicted of any offence under, the Waste Management Act 1996,(as amended), the Environmental Protection Agency Acts 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990 or the Air Pollution Act 1987 and the Waste Management (Facility Permit and Registration) Regulations S.I No. 821 of 2007(as amended)

Yes

No

If yes (a) please include a supplementary sheet detailing the court hearing, case, nature of the offence and any penalty or requirements imposed by the court. Where there is more than one offence to be considered, please use a separate sheet for each offence. [Article 10 (1) (dd)]

<b>Document(s) Reference:</b>	
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If yes (b) please include a supplementary sheet detailing any requirement imposed on the applicant by order of the court under the Act [Article 10 (1) (ee)]

<b>Document(s) Reference:</b>	
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Where the applicant is a person or partnership, include details of any such conviction where the person or partner was at any time within the last 10 years prior to this application, a director, manager, company secretary or similar officer for a body corporate. [Article 10 (2) (b)]

<b>Document(s) Reference:</b>	



## Section C: About the Facility

### C.1 The location or postal address of the facility to which the application relates [Article 10 (1) (g)]

Address:	
Townland:	
Eircode	
National Grid Reference for centre of site (10 digit 5E,5N)	

### C.2 Site Location Map and Layout Plans [Article 10 (1) (k)]

*All maps and drawings submitted with an application should have the following:*

- Project name
- Drawing title
- Unique drawing number
- Scale
- Date

The following details must also be included (**3 copies of each, unless otherwise specified by Limerick City and County Council**):

- (i) Ordnance Survey Sheet Reference Number(s) (1:50,000 – discovery series) – with the location of the site identified in red.
- (ii) Site location map (1:2500) relating to the facility including:
  - Site boundaries clearly marked in red
  - Ground levels shall be shown relative to the Ordnance Survey Malin Head datum. This must be stated on the drawings
  - Dimensions (metres)
  - Orientation of North Point
- (iii) Site layout plan (1:500), showing

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- the position of the site notice
  - the site boundary outlined in red on the site plan, identifying boundary type(s) e.g. wall/fence, watercourse
  - the site entrance
  - the layout of the facility identifying the nature and purpose of each part of the facility (inspection area, quarantine area, processing area, waste storage areas, welfare facilities, Site office & weighbridge (if present) etc)
  - the layout of water mains, fire hydrants, surface water drains, foul sewers, septic tanks, percolation areas,
  - the position of interceptors (if installed), bunding walls etc.,
  - Traffic flow
  - Nature of surfacing within the permitted facility
  - North point indicated
  - Site dimensions in metres
- (iv) Site layout plan (1:500)
- the position of the site notice
  - the site boundary outlined in red on the site plan, identifying boundary type(s) e.g. wall/fence, watercourse
  - the site entrance
  - the point or points from which emissions are made or are to be made, and
  - the point or points at which monitoring and sampling are or are to be undertaken
  - North point indicated
  - Site dimensions in metres

### C.3 Planning Permission and Planning Authority [Article 10 (1) (t)]

State the planning permission for the facility, along with a copy of the planning permission. If a certificate/declaration of exemption applies, please state this and supply a copy of the certificate/declaration of exemption:

<b>Planning Permission Number :</b>	
<b>Planning application number*:</b>	
<b>Local Authority:</b>	
<b>Document(s) Reference:</b>	

**The applicant is advised that should there not be a valid planning permission or exemption certificate in place within the timeframe allowable to make a decision on the waste facility permit/cert of registration application, Limerick City and County Council will have to refuse the application. It is recommended that the applicant has a planning or an exemption cert in place prior to making an application for a waste facility permit or cert of registration**

**C.4 Operating Hours**

What are the proposed operating hours of the facility?

<b>Weekdays:</b>	
<b>Weekends:</b>	

**C.5 Traffic Management System [Article 10 (1) (v)]**

Please provide details on any proposed internal traffic management system (including queuing)

<b>Document(s) Reference:</b>	
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**C.6 Lifetime of the facility [Article 10 (1) (r)]**

What is the expected lifetime, in years, of the facility or activity? If the lifetime of the authorisation is less than 5 years demonstrate why a shorter period is appropriate.

<b>Expected Lifetime:</b>	
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**C.7 Agency declaration on type of authorisation [Article 10 (1) (u) & Article 11]**

Has the Environmental Protection Agency declared what type of authorisation the proposed activity requires? If yes, please enclose a copy of this declaration.

Yes

No

<b>Document(s) Reference:</b>	
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### Section D: About the Activity

#### D.1 Description of the waste activity

Describe the nature of the waste related activity which is proposed to be carried on within the facility. [Article 10 (1) (j)]. (Continue on a separate sheet if necessary)


D.2 Is an Environmental Impact Statement (EIS) required for this activity? If yes, please enclose a copy of the EIS.

Yes

No

<b>Document(s) Reference:</b>	
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#### D.3 Class or classes of the waste activity [Article 10 (1) (l)]

Identify the class or classes of activity that will take place at the facility, in accordance with;

- (i) Disposal and Recovery activities as per the third and fourth schedules of the Waste Management Act 1996 (as amended) (see **Appendix 2**); **and**

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- (ii) Classes of Activity subject to waste facility permit application to a local authority as per Part I of the third schedule of the Regulations (see **Appendix 3) or**
- (iii) Classes of Activity subject to certificate of registration with the local authority or the Agency as per Part II of the third schedule of the Regulations (see **Appendix 4)**

Where two or more activities are carried out at the facility, identify the principal activity as per the Regulations.

Please use a separate sheet if required.

Disposal activities as per the third schedule of the Waste Management Act 1996 (as amended)	
<b>Insert Class Number:</b>	<b>Insert Class Description</b>
<i>Example: Class No. 1</i>	<i>Example: Deposit on, in or under land.</i>
Recovery activities as per the fourth schedule of the Waste Management Act 1996 (as amended)	
<b>Insert Class Number:</b>	<b>Insert Class Description</b>
Classes of Activity subject to waste facility permit application to a local authority as per Part I of the third schedule of the Regulations	
<b>Insert Class Number:</b>	<b>Insert Class Description</b>
Classes of Activity subject to certificate of registration with the local authority or the Agency as per Part II of the third schedule of the Regulations	
<b>Insert Class Number:</b>	<b>Insert Class Description</b>
<b>Principal Activity:</b>	
<b>Document(s) Reference:</b>	



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**D.4 Waste Volumes: [Article 10 (1) (m)]**

Detail the annual quantity of waste to be handled at the facility, for each class. Please provide specifics of the following, where relevant:

- The lifetime tonnage for WFP Class 5&6 and CoR Class 5&6.
- The amount of residual waste for WFP Class 7&10 & 13 and CoR Class 7, 10
- Days of storage for CoR Class 1&10
- Quantity at any one time for WFP Class 8 and CoR Class 11, 12 & 13

Class	Upper Threshold as per 3 <sup>rd</sup> Schedule	Proposed Volume

Please state units used, which may be tonnes, cubic metres or number of units dependent upon waste type. Refer to section Table 1 Volume to weight Conversion factors in section 1.3 Guidance on the application form.

<b>Site Throughput (with Units):</b>	
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Where waste is accepted by volume, or estimations are used, the volumes to weight conversion factors shall be detailed on a separate sheet.

<b>Document(s) Reference:</b>	
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**D.5 Waste Types [Article 10 (1) (m) (i)]**

Using the current List of Waste Classification (LoW) effective from 1<sup>st</sup> June 2015 (formerly European Waste Catalogue Code- EWC), state the waste types to be handled at the facility:

LoW Code (6 digits)	Quantity/units

**D.6 Improvement or development of land [Article 10 (1) (x)]**

Does the proposed activity involve the improvement or development of land?

Yes

No

If yes, please supply details of

- Average and maximum depth of fill
- A topographical survey drawing (**3 copies, unless otherwise specified by Limerick City and County Council**) showing the existing and proposed contours to a scale of 1:500; the contours shall be shown in 2 distinctive colours, e.g. Existing Contours in Blue and proposed Contours in Red. The existing datum (Poolbeg or Malin) must be clearly shown on each drawing, bench Marks (e.g. B.M.238.80) or existing road spot levels to be used as a basis to determine the existing contoured levels of the site. A secure temporary bench mark (T.B.M.) to be positioned and detailed on the topographical survey drawing. These drawings should also indicate all relevant road, watercourse and building levels, particularly on immediately adjoining properties.
- A cross sectional drawing (**3 copies, unless otherwise specified by Limerick City and County Council**) showing cross sections through the proposed site (cross sections at 50m intervals through the entire site North-South and East-West) with a horizontal scale and vertical scale to a ratio of 1:10 (for example horizontal scale 1:1000, vertical scale 1:100)
- Calculation of the quantity required to achieve the proposed final contours
- Purpose of fill (landscaping, engineering, etc.)
- 
- Supporting statement as to the purpose of the placement of waste on land from agricultural advisor, engineer, landscape architect or other technical expert. Reports from Agricultural Scientists claiming agricultural benefit from raising ground levels shall include a comprehensive specification detailing the soil

types and placement methods required to ensure the creation of free draining land.

- Facility closure plan, including costings
  
- A phased restoration plan and for the site in cases where the site is larger than 2 Hectares (drawing showing the phased infilling and restoration at the site)

<b>Document(s) Reference:</b>	
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**D.7 Waste Processes [Article 10 (1) (n)]**

Please describe the plant, methods, processes, and operating procedures for all activities undertaken at the facility.

If necessary continue onto additional sheets, ensuring that all sheets are numbered and labelled.

<b>Document(s) Reference:</b>	

**D.8 Recording waste types and quantities [Article 10 (1) (m) (ii)]**

Detail how the types and quantities of waste accepted will be accurately recorded. If any estimation or conversion factors are to be applied please detail these.

<b>Waste Quantities:</b>	
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<b>Document(s) Reference:</b>

**D.11 Monitoring Emissions at Source [Article 10 (1) (p)]**

Detail how the emissions and the environmental impact of such emissions will be monitored. Include on the site layout plan details of monitoring and sampling points, including a key to allow clear identification of these points.

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

Label emissions and sampling/monitoring points as follows:

- Discharge points to water and associated sampling/monitoring locations - SW1, SW2, etc
- Discharge points to sewer – S1, S2, etc
- Discharge points to air and associated sampling/monitoring locations - A1, A2, etc
- Noise sources and associated monitoring locations – N1, N2, etc
- Discharges to land (for example, via percolation area or sludge for landspreading) – LD1, LD2
- Soil Sampling: SS1, SS2


<b>Document(s) Reference:</b>
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**D.12 Minimising environmental impact of emissions [Article 10 (1) (gg)]**

What are the likely environmental impacts of these emissions? Include details of how these emissions will be minimised to prevent the following:

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

- (i) adverse environmental impact
- (ii) Litter
- (iii) Dust
- (iv) Odour
- (v) Noise

<b>Document(s) Reference:</b>

**D.13 Ambient Monitoring [Article 10 (1) (p)]**

Detail how the emissions and the environmental impact of such emissions will be monitored. Include on the site layout plan details of monitoring and sampling points, including a key to allow clear identification of these points. Label emissions and sampling/monitoring points as follows:

- Surface water ambient sampling/monitoring locations – ASW1, ASW2, etc
- Groundwater – GW1, GW2
- Air ambient sampling/monitoring locations – AA1, AA2, etc
- Noise ambient monitoring locations – AN1, AN2, etc

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.


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<b>Document(s) Reference:</b>

**D.14 Housekeeping [Article 10 (1) (q)]**

What are the measures in place to prevent unauthorised or unexpected emissions from the facilities and minimise the impact on the environment of any such emissions, including emergency measures for incidents such as spillages.

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

<b>Document(s) Reference:</b>

Description of the proposed measures to be taken to control pests and nuisances (for example, flies, birds and rodents) at the facility [Article 10 (1) (hh)].

<b>Document(s) Reference:</b>

**D.15 Facility Security [Article 10 (1) (gg)]**

Provide details of the on-site security measures, including details of how unauthorised disposal of waste at the facility will be prevented.

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

<b>Document(s) Reference:</b>

**D.16 Management of Food Waste {Article 10(1)(ii)}**

In the case of a facility which involves the treatment of food waste provide details on how it is intended to manage food waste collected in accordance with the Waste Management (Food Waste) Regulations, 2009

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

<b>Document(s) Reference:</b>

**D.17 Other Procedures**

Provide details of any other operational or housekeeping procedures on site, not already covered (for example accident and emergency, EMS/EMAS, environmental reporting).

If necessary, continue onto additional sheets, ensuring that all sheets are numbered and labelled.

<b>Document(s) Reference:</b>



**D.18 Arrangements for the off-site recovery or disposal of wastes [Article 10 (1) (bb)]**

Provide a description of any proposed arrangements for the off-site recovery or disposal of wastes. If this waste is destined for another waste facility, include the site name and permit / licence number of the site(s) which it is proposed to use:

If waste is destined for export relevant details (for example, waste broker, proposed TFS arrangements, etc.) should be provided.

<b>Document(s) Reference:</b>	
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**D.19 Animal By-Products [Article 10 (1) (w)]**

Does the facility biologically treat animal by-products within the meaning of Regulation (EC) 1774/2002 (as amended)?

Yes

No

If yes, please supply details of any application made to the Minister for Agriculture and Food for veterinary authorisation for the facility.

<b>Document(s) Reference:</b>	
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## Section E: Facility Setting.

### E.1 Proximity to European or designated sites [Article 10 (1) (x)]

Is the proposed facility located in, or adjacent to, or impinges upon any European (for example SAC's, SPA's or Ramsar) sites? Does the facility sit within any other designated sites (for example NHA'S)?

Designation	Yes	No
Special Area of Conservation (SACs)		
Special Protection Area (SPAs)		
Ramsar		
Natural Heritage Areas (NHAs)		
Nature Reserves		
Refuge for Flora or Fauna		
Wildfowl Sanctuaries		
Management Agreements <sup>1</sup>		

If yes, please give details of the sites and identify on a map their location relative to site of the activity:

Affected Sites:	
Document(s) Reference:	

### E.2 Water Catchment [Article 10 (1) (aa)]

Is the site located in the immediate catchment of a water course<sup>2</sup>?

Yes

No

If yes, please supply details of the flood studies undertaken to ensure that the potential for increased run-off or contamination of the watercourse is adequately mitigated.

<sup>1</sup> The Wildlife Act 1976, enables the Minister to enter into a voluntary management agreement with private landowners. Under these agreements landowners will manage their lands to ensure that desirable wildlife habitats are protected. The number and type of such agreements depends on the resources available to the Department at any time

<sup>2</sup> Local Government (Water Pollution) Act, 1977 defines "waters" to include the following:

( a ) any (or any part of any) river, stream, lake, canal, reservoir, aquifer, pond, watercourse or other inland waters, whether natural or artificial,

( b ) any tidal waters, and

( c ) where the context permits, any beach, river bank and salt marsh or other area which is contiguous to anything mentioned in paragraph (a) or (b), and the channel or bed of anything mentioned in paragraph (a) which is for the time being dry,

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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<b>Document(s) Reference:</b>	
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**E.3 Land Use**

Please provide details of the following:

<b>Current use of the land:</b>	
<b>Historic Use of the Land:</b>	
<b>Condition of the land (for example contamination):</b>	
<b>Adjacent land use:</b>	North:
	South:
	East:
	West:

**E.4 Correspondence with Minister/National Parks and Wildlife Service [Article 10 (1) (z)]**

Please supply details of any discussions or correspondence which have taken place with the Minister for the Environment, Heritage and Local Government and/or the National Parks and Wildlife Service.

<b>Document(s) Reference:</b>	
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**E.5 Biodiversity [Article 10 (1) (y)]**

Please provide details of the biodiversity of the site.

<b>Document(s) Reference:</b>	
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**Section F: Additional Information.**

**F.1 Additional Information**

If there is additional information which the applicant feels may be required by the authority in making its decision and any information identified as part of pre-application consultation, should be included here.

Supporting documents may be provided.

<b>Document(s) Reference:</b>

**F.2 Additional information for applicants applying for a cert of registration.**

Provide details of measures proposed to enable the applicant to comply with the requirements set out in Article 6(2)c and the Fourth Schedule of the Regulations, or a statement of reasons why such measures are not deemed necessary.

<b>Document(s) Reference:</b>

## Section G: Application Fee /Declaration

### G1: Application Fee

**PLEASE INCLUDE THE APPROPRIATE FEE FOR THE TYPE OF AUTHORISATION BEING SOUGHT**

Application Type Please Note – Income Code is FOR OFFICE USE ONLY	Application Fee Payable	Included
Application for a Waste facility permit for Classes 5, 6 and 7 – <b>Income Code WAS11 (Cash Desk – please type this code on receipt)</b>	€2,000	<input type="checkbox"/>
Application for all other Waste Permit Facility Activities – <b>Income Code WAS11 (Cash Desk – please type this code on receipt)</b>	€1,000	<input type="checkbox"/>
Application for the review of a facility permit (classes 5,6 &7) – <b>Income Code WAS12 (Cash Desk – please type this code on receipt)</b>	€1,000	<input type="checkbox"/>
Application for the review of a facility permit for all other classes - <b>Income Code WAS12 (Cash Desk – please type this code on receipt)</b>	€500	<input type="checkbox"/>
Application for a certificate of registration for Classes 5, 6, 7 and 10 – <b>Income Code WAS14 (Cash Desk – please type this code on receipt)</b>	€600	<input type="checkbox"/>
Application for a certificate of registration for all other classes – <b>Income Code WAS14 (Cash Desk – please type this code on receipt)</b>	€300	<input type="checkbox"/>
Application for the review of a certificate for Classes 5, 6, 7 and 10 – <b>Income Code WAS16 (Cash Desk – please type this code on receipt)</b>	€300	<input type="checkbox"/>
Application for the review of a certificate for all other classes – <b>Income Code WAS16 (Cash Desk – please type this code on receipt)</b>	€150	<input type="checkbox"/>

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**G2: FINANCIAL DECLARATION - TO BE COMPLETED BY A FINANCIAL REPRESENTATIVE OF THE APPLICANT'S E.G. A BANK/FINANCIAL INSTITUTION, A CHARTERED/CERTIFIED ACCOUNTANT, OR THE COMPANY AUDITOR).**

- THIS DOCUMENT MUST BE COMPLETED TO SATISFY THE NOMINATED AUTHORITY THAT THE APPLICANT MEETS THE FULL DEFINITION OF A 'FIT AND PROPER PERSON' AS INTERPRETED IN ARTICLE 5 OF THE WASTE MANAGEMENT (FACILITY PERMIT & REGISTRATION) REGULATIONS 2007 AS AMENDED.
- PLEASE NOTE THAT UNDER ARTICLE 18(4)(E) A NOMINATED AUTHORITY SHALL NOT GRANT A WASTE FACILITY PERMIT/REGISTRATION UNLESS IT IS SATISFIED THAT THE APPLICANT IS A 'FIT AND PROPER PERSON'.
- ALL APPLICANTS ARE REQUIRED TO PROVIDE A SIGNED DECLARATION STATING THEIR FINANCIAL ABILITY TO PROPERLY CARRY OUT THE WASTE DISPOSAL/RECOVERY ACTIVITY AT THE FACILITY IN ACCORDANCE WITH BEST AVAILABLE TECHNIQUES (BAT) AND IN A MANNER THAT WILL NOT CAUSE ENVIRONMENTAL POLLUTION OR BREACH ENVIRONMENTAL STANDARDS.
- AN APPLICANT CAN ALSO SUBMIT ANY NON-CONFIDENTIAL FINANCIAL INFORMATION, E.G. COMPANY ACCOUNTS ETC IN SUPPORT OF THE FINANCIAL DECLARATION.
- 

SIGNED FINANCIAL DECLARATION.

IT IS MY OPINION THAT \_\_\_\_\_ (APPLICANT NAME) IS LIKELY TO BE IN A POSITION TO MEET ANY FINANCIAL COMMITMENTS OR LIABILITIES THAT WILL BE ENTERED INTO OR INCURRED BY THE APPLICANT IN CARRYING OUT THE WASTE ACTIVITY TO WHICH THE WASTE FACILITY PERMIT/REGISTRATION RELATES IN ACCORDANCE WITH THE TERMS OF THE PERMIT/REGISTRATION, OR AS A CONSEQUENCE OF CEASING TO CARRY ON THAT ACTIVITY.

SIGNATURE: \_\_\_\_\_

NAME (BLOCK CAPITALS): \_\_\_\_\_

FINANCIAL INSTITUTION (IF APPLICABLE) \_\_\_\_\_

DATE: \_\_\_\_\_

OFFICIAL STAMP

*WARNING: IT IS AN OFFENCE UNDER ARTICLE 43 (1) OF THE WASTE MANAGEMENT (FACILITY PERMIT & REGISTRATION) REGULATIONS 2007, (AS AMENDED), FOR ANY PERSON TO PROVIDE FALSE OR MISLEADING INFORMATION FOR THE PURPOSES OF OBTAINING A WASTE FACILITY PERMIT OR REGISTRATION.*

WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

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**G3. Sign off**

I/WE HEREBY MAKE APPLICATION FOR A PERMIT, PURSUANT TO THE PROVISIONS OF THE WASTE MANAGEMENT ACT 1996(AS AMENDED) AND THE WASTE MANAGEMENT (FACILITY PERMIT & REGISTRATION) REGULATIONS 2007 (AS AMENDED ) MADE THEREUNDER.

I/WE CERTIFY THAT THE INFORMATION GIVEN IN THIS APPLICATION IS TRUTHFUL, ACCURATE AND COMPLETE (SEE NOTE BELOW).

SIGNATURE:	_____	_____	_____
PRINT NAME:	_____	_____	_____
DATE:	_____	_____	_____
POSITION IN ORGANISATION:	_____	_____	_____
ON BEHALF OF (NAME OF ORGANISATION):	_____	_____	_____

COMPANY STAMP OR SEAL:

IF THE APPLICATION IS SIGNED BY AN AGENT/CONSULTANT, THE PROPOSED PERMIT/CERT OF REGISTRATION HOLDER MUST ALSO SIGN AND DATE THE DECLARATION. IN THE CASE OF THE PARTNERSHIP, ALL PARTNERS MUST SIGN. IN THE CASE OF A CORPOPRATE BODY A RELEVANT PERSON SHOULD SIGN AND DATE THE DECLARATION.



**G4: Statutory Declaration**

I declare that the information given in the application by (Legal Entity)

\_\_\_\_\_ for the purpose of obtaining a **<<Select appropriate waste facility permit>>** **<<certificate of registration>>** is correct, and that no information which is required to be included in the said application has been omitted.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938.

I authorise Limerick City and County Council to make any enquiries from official sources as it may consider necessary for the purpose of determining this application and, pursuant to section 8 of the Data Protection Act 1988, I consent to the disclosure of details of convictions for relevant offences specified under article 10 of the Waste Management (Facility Permit & Registration) Regulations 2007( as amended).

Signature:

\_\_\_\_\_

Name (block capitals)

Declared before me at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_, 20\_\_\_\_. #

# To be completed by a Solicitor/Commissioner of Oaths/Notary Public/Peace Commissioner/Garda Síochána.

Signature of Witness

Occupation

Date \_\_\_\_\_

**WARNING:** Any person who gives false or misleading information for the purpose of obtaining a **<< Select appropriate waste facility permit>>** **<<certificate of registration>>** renders themselves liable to severe penalties.

**APPENDICES**

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

**1. CHECKLIST OF INFORMATION TO BE SUPPLIED WITH APPLICATION – 3 COPIES OF EACH**

Information required	Article	Included	Official use
Completed application form	10 (1)	<input type="checkbox"/>	
Where applicable, details of any court hearing, case, nature of the offence and any penalty or requirements imposed by the court.	10(1)	<input type="checkbox"/>	
Where the applicant is a person or partnership, include details of any such conviction where the person or partner was at any time within the last 10 years prior to this application, a director, manager, company secretary or similar officer for a body corporate	10(1)	<input type="checkbox"/>	
Evidence of legal interest in land, i.e. folio number and map, and where the applicant is not the registered owner of the land a letter of consent by way of a legal agreement between the owner and the applicant consenting to the use of the land, or copy of lease agreement.	10(1)(d)	<input type="checkbox"/>	
Evidence of applicants ability to meet Financial Commitments/liabilities – insurance cover to include environmental liabilities cover and indemnity to Limerick City and County Council together with credit rating report or applicants accounts (as submitted to CRO). In the case of CoR applications a bond shall be submitted at application stage. Signed Financial Commitment Discharge Declaration.	10(1)(c)	<input type="checkbox"/>	
Facility Closure Plan (adequately costed plus 25% contingency)	10(1)(x)	<input type="checkbox"/>	
Topographical and cross sectional drawings (classes 5&6 only)	10(1)(x)	<input type="checkbox"/>	
Biodiversity Plan/Statement	10(y)	<input type="checkbox"/>	
Details of an application to the Minister of Agriculture & Food where an application has been made for a facility which deals with biological treatment of animal by-products (Class 8 WFP & classes 11 & 12 CoR)	10(1)(w)	<input type="checkbox"/>	
Flood Study (when site adjoins a watercourse)	10(1)(a)(a)	<input type="checkbox"/>	
Supporting statement as to the purpose of the placement of waste on land from agricultural advisor, engineer, landscape architect or other technical expert (classes 5&6 only)	10(1)(cc)	<input type="checkbox"/>	
A phased restoration plan for the site in cases where the site is larger than 2 Hectares for classes 5 & 6 only (drawing showing the phased infilling and restoration at the site)	10(1)(cc)	<input type="checkbox"/>	
Signed declaration	10(1)(cc)	<input type="checkbox"/>	
Copy of EIS if necessary	10(1)(cc)	<input type="checkbox"/>	
Map showing European sites and environmental designations if necessary	10(1)(cc)	<input type="checkbox"/>	
A copy of the relevant page from the newspaper(s) in which notices in accordance with articles 7 and 8 have been published. Only required for Waste Facility Permit	10(3)(a)	<input type="checkbox"/>	

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

applications.			
A copy of the text of the notices erected or fixed in accordance with articles 7 & 8 must also be supplied. A dated photograph of the site notice in position on the site at the location detailed in the site layout plan. Only required for waste facility permit applications,	10(3)(b)	<input type="checkbox"/>	
Ordnance Survey Sheet (1:50,000 – discovery series) with location of site clearly marked	10(3)(c)	<input type="checkbox"/>	
Site location plan, with clearly marked site boundaries in red, and North point indicated, Ordnance survey reference sheet number(s), the site elevation with reference to the ordnance datum used must be included	10(3)(c)	<input type="checkbox"/>	
Proposed site layout must be included, with the North point indicated and site dimensions in metres. There should be a clearly legible key for the identification of the relevant points. Ordnance survey reference sheet number(s), the site elevation with reference to the ordnance datum used must be included. Title 'proposed site layout plan'	10(3)(c)	<input type="checkbox"/>	
An additional copy of the site layout plan, detailing the site boundary in red, with the locations of the notice erected or fixed in accordance with article 8 clearly marked on it. This plan should include all necessary monitoring and sampling point locations, and any emission point(s) clearly marked. Title: Site layout plan detailing location of site notice and monitoring points'	10(3)(c) & (i), (ii) and (iii)	<input type="checkbox"/>	
A copy of the current tax clearance / C2 certificate issued to the applicant(s) by the Revenue Commissioners, or appropriate certificate from the relevant tax authority for non-domiciled applicants.	10(3)(d)	<input type="checkbox"/>	
Where applicable, a copy of proof of the company registration and trade name must be supplied.	10(3)(e)	<input type="checkbox"/>	
Where applicable, a proposal/statement to ensure compliance with article 6(2)(c) and the Fourth Schedule of the Regulations. (Required for applications for registration only).	37(5)(b)	<input type="checkbox"/>	
The correct application fee in accordance with article 42 and as specified in the fifth schedule of the Regulations.	10(3)(f)	<input type="checkbox"/>	

**2. DISPOSAL AND RECOVERY OPERATIONS AS PER THE THIRD AND FOURTH SCHEDULES OF THE WASTE MANAGEMENT ACT 1996 AS AMENDED**

**2.1 THIRD SCHEDULE - DISPOSAL OPERATIONS**

- D 1 Deposit into or on to land (e.g. landfill, etc.)
- D 2 Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D 3 Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D 4 Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.)
- D 5 Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D 6 Release into a water body except seas/oceans
- D 7 Release to seas/oceans including sea-bed insertion
- D 8 Biological treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12
- D 9 Physico-chemical treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcination, etc.)
- D 10 Incineration on land
- D 11 Incineration at sea (this operation is prohibited by EU legislation and international conventions)
- D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.)
- D 13 Blending or mixing prior to submission to any of the operations numbered from D 1 to 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12)

- D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13
- D 15 Storage pending any of the operations numbered D 1 to D 14 (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).

## 2.2 FOURTH SCHEDULE - RECOVERY OPERATIONS

- R 1 Use principally as a fuel or other means to generate energy: This includes incineration facilities dedicated to the processing of municipal solid waste only where their energy efficiency is equal to or above: *0.60 for installations in operation and permitted in accordance with applicable Community acts before 1 January 2009, — 0.65 for installations permitted after 31 December 2008, using the following formula, applied in accordance with the reference document on Best Available Techniques for Waste Incineration:*
- Energy efficiency  $\geq (E_p - (E_f \times E_i) / (0.97 \times (E_w + E_f))$*
- where—'E<sub>p</sub>' means annual energy produced as heat or electricity and is calculated with energy in the form of electricity being multiplied by 2.6 and heat produced for commercial use multiplied by 1.1 (GJ/year),*
- 'E<sub>f</sub>' means annual energy input to the system from fuels contributing to the production of steam (GJ/year),*
- 'E<sub>w</sub>' means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year),*
- 'E<sub>i</sub>' means annual energy imported excluding E<sub>w</sub> and B<sub>f</sub> (GJ/year),*
- '0.97' is a factor accounting for energy losses due to bottom ash and radiation.*
- R 2 Solvent reclamation/regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation

processes), which includes gasification and pyrolysis using the components as chemicals

- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological Improvement
- R 11 Use of waste obtained from any of the operations numbered R 1 to R 10
- R 12 Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre-processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11)
- 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)".

### 3. THIRD SCHEDULE PART 1 AND PART 11

Extract from the Waste Management (Facility Permit and Registration) Amendment Regulations, 2008 and amendment from Waste Management (Management of Waste From the Extractive Industries) Regulations 2009

#### THIRD SCHEDULE

#### PART I

#### CLASSES OF ACTIVITY SUBJECT TO WASTE FACILITY PERMIT APPLICATION TO A LOCAL AUTHORITY

Article 6

The carrying on by a person (other than a local authority) at a facility (other than a facility located in whole or in part in an area which is not within the functional area of a local authority) of any of the following activities, provided that –

- (a) the activity is not an activity which is carried on in, on or adjacent to, a facility at which a licensable activity is being carried on, and
- (b) In the cases of Class 5 and Class 6 the upper limits on the amount of waste, which may be accepted, shall relate to
  - (i) the total quantity of waste which has been received and is proposed to be accepted at the facility at any time, or
  - (ii) in the case of an activity which is carried on in, on or adjacent to, a facility at which a waste-related activity is being carried on which is the subject of a waste facility permit or certificate of registration, the total quantity of waste which has been received at both the facility itself and all such facilities at any time.

CLASS NO.	DESCRIPTION
1.	The reception and temporary storage, pending collection, other than by a local authority, where not otherwise regulated by a waste licence or certificate of registration, or exempted in accordance with the provisions of article 39 of EUROPEAN UNION (WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT) REGULATIONS 2014 of – (1) Household hazardous waste (other than WEEE and mercury containing waste or used batteries and accumulators) at a civic amenity facility, recycling centre or central collection point where annual intake shall not exceed – (i) in the case of liquid waste, 100,000 litres, (ii) in the case of non-liquid waste, 100 tonnes. (2) WEEE at any premises for the purpose of onward transport and submission to recovery at an authorised facility.
2.	The Reception, storage (including temporary storage) and recovery of waste vehicles (other than end-of-life vehicles) having regard to the provisions of articles 14 and 15 of the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014).
3.	The reception, treatment and recovery of WEEE (including removal of all fluids



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	and dismantling or disassembly or removal of WEEE substances, preparations and components prior to treatment) in accordance with the provisions of the European Union (Waste Electrical and Electronic Equipment) Regulations (S.I. No. 149 of 2014). Annual intake shall not exceed 10,000 tonnes per annum.
4.	<p>The reception, storage and recovery of scrap metal, including scrap metal arising from end-of-life vehicles, waste vehicles (other than end-of-life vehicles) and WEEE where scrap metal from –</p> <ul style="list-style-type: none"> <li>(1) end-of-life vehicles shall be subject to appropriate treatment and recovery in accordance with the provisions of the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014) prior to acceptance at the scrap metal facility, and as appropriate,</li> <li>(2) waste vehicles (other than end-of-life vehicles) shall be subject to appropriate treatment and recovery having regard to the provisions of the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014) prior to acceptance at the scrap metal prior to acceptance at the scrap metal facility, and as appropriate,</li> <li>(3) WEEE shall be subject to appropriate treatment and recovery in accordance with the provisions of S.I. No. 149 of 2014 - EU WEEE Regulations 2014 prior to acceptance at the scrap metal facility.</li> </ul>
5.	Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 100,000 tonnes.
6.	Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone) through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 50,000 tonnes.
7.	<p>Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding land improvement or development) where –</p> <ul style="list-style-type: none"> <li>(a) the annual intake shall not exceed 50,000 tonnes, and</li> <li>(b) the maximum quantity of residual waste consigned from the facility for collection, onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</li> </ul>
8.	<p>The reception, storage and biological treatment of biowaste at a facility where –</p> <ul style="list-style-type: none"> <li>(a) the maximum amount of compost and biowaste held at the facility does not exceed 6,000 cubic metres at any time, and</li> <li>(b) the annual intake shall not exceed 10,000 tonnes.</li> </ul>
9.	<p>The reception, temporary storage and recovery of used batteries and accumulators where-</p> <ul style="list-style-type: none"> <li>(a) from 26 September 2008, the treatment and recycling of used batteries and accumulators meets the requirements of article 12 of Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and</li> <li>(b) the annual intake shall not exceed 1,000 tonnes.</li> </ul>

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10.	<p>The recovery of waste (not mentioned elsewhere in this part of the third schedule), other than hazardous waste or an activity where there is a scheduled requirement to hold an IPPC licence or a waste licence, where –</p> <p style="text-align: center;">(a) the annual intake does not exceed 50,000 tonnes, and (b) the maximum quantity of residual waste consigned from the facility for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</p>
11.	<p>The reception, storage and transfer of waste (other than hazardous waste) for disposal at a facility (other than a landfill facility) where the annual intake does not exceed 7,500 tonnes.</p>
12.	<p>The collection and storage (including the temporary storage) and the appropriate treatment and recovery of end-of-life vehicles in accordance with the provisions of the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014).</p>

Note: Where the waste-related activities being undertaken within a facility encompass a number of the classes as set out within Part I of the third schedule, the quantity of waste concerned shall be taken as meaning the total quantity of waste accepted at the facility taking account of inputs relating to all classes of activity and compared to the threshold of the principal class.

## THIRD SCHEDULE

### PART II

#### CLASSES OF ACTIVITY SUBJECT TO REGISTRATION WITH LOCAL AUTHORITY OR THE AGENCY

Article 6

The carrying on by a person at a facility of any of the following activities, provided that –

- (1) the activity is not an activity which is carried on in, on or adjacent to, a facility at which a licensable activity is being carried on, and
- (2) In the cases of Class 5 and Class 6, the upper limits on the amount of waste, which may be accepted, shall relate to -
  - (a) the total quantity of waste which has been received and is proposed to be accepted at the facility at any time, or
  - (b) in the case of an activity which is carried on in, on or adjacent to, a facility at which a waste-related activity is being carried on which is the subject of a waste facility permit or certificate of registration, the total quantity of waste which has been received at both the facility itself and all such facilities at any time.

CLASS NO.	DESCRIPTION
1.	<p>The storage, pending collection, of household hazardous waste (other than WEEE) at a civic amenity facility, recycling centre or central collection point, where not otherwise regulated by a waste licence or waste facility permit for the purpose of onward transport and submission to recovery at an authorised facility where-</p> <p>(a) annual intake shall not exceed -</p> <p>(i) in the case of liquid waste, 25,000 litres</p> <p>(ii) in the case of non-liquid waste, 25 tonnes, and</p> <p>(b) the maximum period of storage of waste does not exceed 30 days.</p>
2.	<p>The reception and temporary storage of waste (other than WEEE) deposited by members of the public at a central collection point (including a temporary central collection point) when such activity is undertaken by, on behalf of, or with the approval of the local authority, where the maximum amount of waste stored at any time does not exceed 1,000 tonnes.</p>
3.	<p>The reception and interim storage of crashed or immobilised vehicles, other than end-of-life-vehicles, pending decisions by the registered owners of these vehicles, or as appropriate, by an authorised person of a local authority, or a member of An Garda Síochána on whether the vehicles are to be classed as end-of-life vehicles. The number of vehicles stored at any one time shall not exceed 6 at any one location and at any one time.</p>

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4.	<p>Reception and temporary storage, pending collection for recovery of –</p> <ul style="list-style-type: none"> <li>(a) less than 1000 kilograms of used batteries and accumulators, or</li> <li>(b) less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE), or</li> <li>(c) less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE) or</li> <li>(d) less than <ul style="list-style-type: none"> <li>(i) 540 cubic meters of household WEEE, other than waste specified in part (ii) and (iii),</li> <li>(ii) 12,000 units of WEEE categories in accordance with category 5 of the First Schedule of the European Union (Waste Electrical and Electronic Equipment) Regulations, 2014. (S.I. No. 149 of 2014) or, as appropriate</li> <li>(iii) 300 kilograms of mobile phones,</li> </ul> </li> </ul> <p>For the purpose of onward transport to an authorised treatment facility of WEEE when undertaken in accordance with the requirements of the the European Union (Waste Electrical and Electronic Equipment) Regulations, 2014. (S.I. No. 149 of 2014)</p>
5.	<p>Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 25,000 tonnes.</p>
6.	<p>Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone), for the purpose of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 10,000 tonnes.</p>
7.	<p>Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding the improvement or development of land) where –</p> <ul style="list-style-type: none"> <li>(a) the annual intake shall not exceed 10,000 tonnes, and</li> <li>(b) the maximum quantity of residual waste consigned from the facility for submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</li> </ul>
8	<p>This is a spare class.</p>
9	<p>The storage at the place of extraction, for an indefinite length of time to await possible use for site restoration of waste material arising from quarrying or excavation where –</p> <ul style="list-style-type: none"> <li>(a) conditions on waste management have not been imposed under section 261 of the Planning and Development Act 2000 (No. 30 of 2000), and</li> <li>(b) such material is in a chemically unaltered state.</li> </ul>
10.	<p>The reception, storage and transfer of waste by a local authority, not mentioned elsewhere in this schedule, where the annual intake does not exceed 10,000 tonnes, and –</p> <ul style="list-style-type: none"> <li>(a) the maximum amount of waste dispatched from the facility for onward transport and disposal does not exceed 1,500 tonnes per annum, and</li> <li>(b) a period of storage of waste for disposal does not exceed 30 days.</li> </ul>

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11.	<p>The reception, storage and composting of biowaste by a local authority, not mentioned elsewhere in this schedule, where –</p> <p>(a) the annual intake does not exceed 5,000 tonnes, and</p> <p>(b) the maximum amount of biowaste and compost held at a composting facility does not exceed 2,000 tonnes at any time.</p>
12.	<p>The storage and biological treatment on the premises where it is produced, of biowaste, where –</p> <p>(a) the amount stored and treated does not exceed 50 tonnes per annum, and</p> <p>(b) the maximum amount of biowaste and compost held at the facility at any time does not exceed 20 tonnes.</p>
13	<p>Recovery of organic waste, other than manure and sludge when used in agriculture for the purposes of benefit to agriculture (including energy crops), silviculture or ecological improvement, where the total quantity of organic waste recovered at the facility shall not exceed 1,000 tonnes per annum.</p>
14.	<p>The reception and temporary storage of –</p> <p>(a) waste, returned or recovered refrigerant gases in refrigerant containers, or</p> <p>(b) waste, returned or recovered halons in halon containers, or</p> <p>(c) waste, returned or recovered fluorinated greenhouse gases in fluorinated greenhouse gas containers,</p> <p>pending collection or onward transport prior to submission to recycling, reclamation or destruction in accordance with the relevant legislative requirements for the specific type of refrigerant gas, halon or fluorinated greenhouse gas, where recovery has the meaning assigned to it under Regulation (EC) No. 2037/2000 and Regulation (EC) No. 842/2006, and where the total quantity stored at any one time on a premises does not exceed 18 tonnes.</p>

Note: Where the waste-related activities being undertaken within a facility encompass a number of the classes as set out within part II of the third schedule, the quantity of waste concerned shall be taken as meaning the total quantity of waste accepted at the facility taking account of inputs relating to all classes of activity and compared to the threshold of the principal class.

#### 4. GENERAL RULES IN RESPECT OF REGISTERED ACTIVITIES

##### FOURTH SCHEDULE

##### PART I

##### Article 32

- (1) A Registration holder shall demonstrate within the application for a Certificate of registration the manner in which it is proposed to comply in all respects with the particulars of the Rules of this schedule, unless as may otherwise agreed in writing by the local authority or, as the case may be, the Agency.
- (2) Any emissions from the recovery or disposal activity concerned (including both storage and temporary storage) shall not result in contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any enactment.
- (3) The registration holder shall ensure that all recovery and disposal of waste (including both storage and temporary storage) is undertaken in a manner which does not endanger human health.
- (4) Waste shall only be accepted by the registration holder at the site between 0800 and 1800 hours, Monday to Friday inclusive, and between 0800 and 1400 hours on Saturdays unless otherwise approved in writing by the relevant local authority or, as the case may be, the Agency.
- (5) The registration holder shall put in place appropriate procedures relating to the acceptance of waste at the facility, including
  - (i) waste inspection procedures,
  - (ii) waste acceptance and handling procedures,
  - (iii) waste characterisation and waste quarantine procedures,
  - (iv) other appropriate procedures and arrangements relating to the acceptance of waste,  
and
  - (v) measures to ensure compliance with article 6 of these Regulations.
- (6) The registration holder shall put in place appropriate procedures relating to the supervision of the storage, recovery or disposal activity.
- (7) The registration holder shall ensure that all waste accepted at the facility has been collected and transported in accordance with Section 34 of the Act and the Waste Management (Collection Permit) Regulations, 2007.
- (8) The registration holder shall take all necessary measures relating to prevention of unauthorised waste activities and the establishment of controls on entry to the facility, including the rejection of all waste arriving at the facility where the vehicle does not possess the requisite authorisation to permit the collection and transportation of waste in accordance with Section 34 of the Act and the Waste Management (Collection Permit) Regulations, 2007.
- (9) The registration holder shall conduct, document and maintain an assessment of the risk of environmental pollution, having regard to the types of the wastes to be accepted and the nature of the activity being undertaken at the facility.

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- (10) The registration holder shall take preventative measures to ensure that the activity is carried out in a manner which does not have any adverse effect on drainage of lands, watercourses, shallow wells, bored wells, raw water intakes or other sources of water supply, public and private roads or footways.
- (11) In the case of an activity involving the storage or temporary storage of waste, the registration holder shall establish the necessary measures to ensure the secure and safe storage of the wastes, including appropriately designed storage locations and containment arrangements.
- (12) The registration holder shall take all necessary measures to ensure compliance with all legal obligations pertaining to the carrying on of the activity or activities at the facility.
- (13) The registration holder shall take preventative measures to ensure that the activity does not result in unreasonable noise, dust, grit and other nuisances, which would result in the impairment of, or significant interference with, the amenities or the environment beyond the site boundary.
- (14) The registration holder, if requested by the Agency or relevant local authority, shall provide detailed written reports on investigations and monitoring of the activities and related ancillary matters.
- (15) The registration holder shall maintain a register in relation to the activity to which the certificate of registration relates, which shall be available for inspection by the local authority, which details:
  - (a) the dates, time of arrivals and quantities of each waste consignment (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments) delivered to the facility,
  - (b) names of the carriers, including details of vehicle registrations and waste collection permits numbers,
  - (c) origin of waste delivered,
  - (d) quantities and composition of wastes rejected at the facility, and
  - (e) quantities, composition and destination of waste consigned for onward transport from the facility.
- (16) The registration holder shall compile and maintain records in a format agreed with the local authority or, as the case may be, the Agency in respect of the particulars of the summary information contained in the register established in accordance with Rule (15), for a period of not less than 7 years.
- (17) The registration holder shall immediately notify the relevant local authority or, as the case may be, the Agency of any incident arising from the activity, which:
  - (a) has the potential for contamination of surface or ground water, or
  - (b) poses an environmental threat to air or land.
- (18) As part of the notification process, the operator shall include, within the 24 hours of any such incident occurring, details as to -
  - (a) the date and time of the incident,
  - (b) details of the incident,
  - (c) evaluation of the pollution caused, and
  - (d) remedial corrective measures undertaken or to be undertaken, including details of preventative measures.
- (19) Not later than the 28th day of February in each year, the registration holder shall furnish to the local authority or, as the case may be, the Agency in such form as may be agreed, an

## WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

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Annual Environmental Report containing summary information in relation the preceding calendar year or part thereof as the case may be, in respect of the activities to which the Certificate of registration relates and giving particulars of the manner in which the Rules specified in this schedule have been implemented.

- (20) The registration holder shall also comply with any additional rules for the management of particular streams of waste:

Part II: Waste Electrical and Electronic Equipment Facilities,  
Part III: Refrigerant Gas, Halon and Fluorinated Greenhouse Gas Facilities,  
Part IV: Organic Waste Composting Facilities,  
Part V: Spreading of Organic Waste on Land, and  
Part VI: Storage of Immobilised Vehicles.

### PART II

#### **ADDITIONAL RULES FOR WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT FACILITIES**

- (1) The registration holder shall comply with all requirements of S.I. No. 149 of 2014 - EU WEEE Regulations 2014, subject to any amendment that may be made to those regulations from time to time.
- (2) The registration holder shall establish the provenance of WEEE deposited (e.g. deposited on behalf of a collective compliance scheme approved for the management of WEEE, a self complying producer of electrical and electrical equipment, a business end user etc.).
- (3) The registration holder shall forward details of the source of household WEEE deposited at a waste facility on behalf of a person (other than a collective compliance scheme approved for the management of WEEE or a self complying producer of electrical and electrical equipment or a householder depositing a quantity of household WEEE similar to that arising in a single household), together with details of the person depositing the WEEE to the local authorities in the functional area or areas where the –
- waste facility is located,
  - person depositing the WEEE has his or her place of business and if not a business his or her place of residence, and
  - source of the household WEEE concerned has his or her place of business and if not a business his or her place of residence.

### PART III

#### **ADDITIONAL RULES FOR FACILITIES ACCEPTING WASTE, RETURNED OR RECOVERED REFRIGERANT GASES IN REFRIGERANT CONTAINERS OR WASTE, RETURNED, OR RECOVERED HALONS IN HALON CONTAINERS OR WASTE, RETURNED OR RECOVERED FLUORINATED GREENHOUSE GASES IN FLUORINATED GREENHOUSE GAS CONTAINERS**

- (1) In the case of the temporary storage of waste, returned or recovered refrigerant gases in refrigerant containers or waste, returned or recovered halons in halon containers or waste returned or recovered Fluorinated Greenhouse Gases in Fluorinated Greenhouse Gas Containers the operator shall take all necessary measures to ensure that the handling and controlled storage of the containers is carried out in a manner that shall prevent the leakage or venting of the gases to the atmosphere.
- (2) In the case of temporary storage at the facility:



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- (a) each container should be consigned for onward transport to an authorised facility for appropriate recycling, reclamation or disposal in accordance with the relevant legislative requirements for the specific gas type,
- (b) there should be no mixing of refrigerant gases or the transfer of individual types of refrigerant gas from one cylinder to another to facilitate bulking for onward transportation,
- (c) there should be no mixing of halons or the transfer of halons from one cylinder to another to facilitate bulking for onward transportation,
- (d) there should be no mixing of fluorinated greenhouse gases or the transfer of fluorinated greenhouse gases from one cylinder to another to facilitate bulking for onward transportation.

### PART IV

#### ADDITIONAL RULES FOR COMPOSTING FACILITIES

The registration holder shall comply with all requirements of –

- (1) the Animal By-products Regulation (EC) No. 1774/2002 of 3 October 2002,
- (2) Diseases of Animals Act, 1966 (Prohibition on the Use of Swill) Order 2001 (S.I. No. 597 of 2001),
- (3) Diseases of Animals Act, 1966 (Transmissible Spongiform Encephalopathies) (Meat and Bone Meal and Poultry Offal) Order 2002 (S.I. No. 551 of 2002),
- (4) Waste Management (Use of Sewage Sludge in Agriculture) Regulations, 1998 (S.I. No. 148 of 1998), as amended by Waste Management (Sewage Sludge in Agriculture) (Amendment) Regulations 2001 (S.I. No. 267 of 2001),
- (5) European Communities (Transmissible Spongiform Encephalopathies and Animal By-products) Regulations 2006 (S.I. No. 612 of 2006), and
- (6) Diseases of Animals Act 2006 (Transmissible Spongiform Encephalopathies) (Fertilisers & Soil Improvers) Order 2006 (S.I. No. 615 of 2006),

subject to any amendment that may be made to those regulations from time to time.

### PART V

#### ADDITIONAL RULES FOR SPREADING OF ORGANIC WASTE ON LAND

- (1) The spreading of organic waste on land shall be confined to the application of compost derived from source segregated municipal waste, spent mushroom compost and sewage sludge used for non-agricultural purposes
- (2) The registration holder shall comply with all requirements of –
  - (a) the Animal By-products Regulation (EC) No. 1774/2002 of 3 October 2002, and

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- (b) Diseases of Animals Act, 1966 (Prohibition on the Use of Swill) Order 2001 (S.I. No. 597 of 2001),
- (c) Diseases of Animals Act, 1966 (Transmissible Spongiform Encephalopathies) (Meat and Bone Meal and Poultry Offal) Order 2002 (S.I. No. 551 of 2002),
- (d) European Communities (Transmissible Spongiform Encephalopathies and Animal By-products) Regulations 2006 (S.I. No. 612 of 2006), and
- (e) Diseases of Animals Act 2006 (Transmissible Spongiform Encephalopathies)(Fertilisers & Soil Improvers) Order 2006 (S.I. No. 615 of 2006)

Subject to any amendment that may be made to those regulations from time to time.

**PART VI**

**ADDITIONAL RULES FOR STORAGE OF IMMOBILISED VEHICLES**

In circumstances where the condition of an immobilised vehicle is considered to represent a threat to the environment, the registration holder shall comply with the storage requirements set out within the second schedule of the of the European Union (End-of-Life Vehicles) Regulations 2014 (S.I. No. 281 of 2014) subject to any amendment that may be made to those regulations from time to time.

## **5. GUIDANCE NOTES ON FLOOD STUDIES, BIODIVERSITY PLANS AND HYDROGEOLOGICAL ASSESSMENTS**

### **5.1 GUIDANCE NOTES ON FLOOD STUDIES**

If the site adjoins a watercourse extra information may be sought including the following:

A Flood Study may be required as the proposed activity has the potential to remove part of a flood plain. Development on a flood plain is undesirable unless mitigation measures are undertaken to prevent any increase in flood risk. Development on a flood plain may increase the flood risk upstream if it restricts the conveyance capacity of the flood plain, thus leading to increased upstream water levels. The proposed development may increase downstream flood risk if it causes a reduction in the volume available for the storage of floodwater on the flood plain, thereby displacing water downstream.

#### **Sample Request for Flood Plain Assessment:**

It should be noted that development on a flood plain is undesirable unless mitigation measures are undertaken to prevent any increase in flood risk. The proposed development may increase the flood risk upstream if it restricts the conveyance capacity of the flood plain, thus leading to increased upstream water levels. The proposed development may increase downstream flood risk if it causes a reduction in the volume available for the storage of floodwater on the flood plain, thereby displacing water downstream.

The applicant should now supply the following information:

- Establish the \*100-year flood level and flow for the stream. This will indicate what portion of the site forms part of the \*100-year flood plain. Calculations should be submitted to support levels and extents estimated.
- Details of catchment area.
- Extent and frequency of flood events.
- Storage volume of flood plain.
- Quantify the reduction of the flood plain as a result of the proposed raised soil levels.
- Assess the impacts caused by any reduction of the flood plain of the stream, i.e. increase in water levels, possible flooding of adjacent lands.
- Details of proposed mitigation measures to prevent increased flood risk.

\*An appropriate design flood standard must be selected. 100 year for urban areas or where developments are involved and 25 year for rural areas or where developments are not involved.

### **5.2 GUIDANCE ON BIODIVERSITY**

Article 10(1)(y) requires that an application for a waste facility permit or certificate of registration contain details of the biodiversity of the land. Where the proposed activity will be located in an area that is already developed<sup>1</sup> and will not, due to its nature and scale, significantly impact on biodiversity off-site, a statement to that effect shall be sufficient. Examples could include the following:

- Proposed location of a materials recycling facility in an industrial estate.
- Proposed redevelopment of an existing garage for de-pollution of waste vehicles.
- Proposed location of a storage and transfer facility for road maintenance and street cleaning wastes in an existing local authority depot.
- Proposed location of a composting facility in the yard of a hotel.
- Proposed location of small-scale civic amenity facility in a car park.

Where details of biodiversity is required, an ecological study of the site and surrounding environment<sup>2</sup> shall be conducted by a person with an ecological qualification as follows:

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Habitats shall be identified to level 3 in accordance with *A Guide to Habitats in Ireland*<sup>8</sup> and mapped.

The habitat nomenclature scheme in *A Guide to Habitats in Ireland* shall be used, except in the case of any EU Habitats Directive<sup>4</sup> Annex I habitats, which shall be identified in accordance with the nomenclature used in the EU Habitats Directive.

Key species of flora and fauna shall be identified, with particular emphasis on any rare, protected or annexed species by reference to the following:

- Irish Red Data Books 1 (plants) and 2 (animals)<sup>5</sup>.
- Annex I of the EU Habitats Directive.
- Annex I of the EU Birds Directive<sup>6</sup>.
- Red or amber listed bird species in the current list of Birds of Conservation Concern in Ireland<sup>7</sup>.
- Sites of conservation interest shall be identified including:
  - European sites<sup>8</sup>.
  - Proposed or designated Natural Heritage Areas<sup>9</sup>.
  - Nature Reserves<sup>9</sup>.
  - Refuges for fauna or flora<sup>9</sup>.
  - Wildfowl sanctuaries<sup>9</sup>.
  - Sites subject to management agreements under the Wildlife Acts<sup>9</sup>.
  - Wetlands<sup>10</sup>.

The study shall include an assessment of the impact of the proposed activity on the above and detail any measures proposed to mitigate same. Also cognizance must be taken of the policies set out current County Development Plan and Local Area Plans of the Local Authority when carrying out any assessment.

1. This assumes that any existing development is authorised, e.g. has planning permission if necessary
2. To include the area of the waste activity and any area that could be impacted by it
3. Fossitt, J.A. (2000) *A Guide to Habitats in Ireland*. Heritage Council, Kilkenny.
4. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as amended)
5. <http://www.npws.ie/en/PublicationsLiterature/RedLists/>
6. Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (as amended)
7. <http://www.birdwatchireland.ie/>
8. See Article 5(2) of the *Waste Management (Facility Permit and Registration) Regulations 2007* for definition.
9. <http://www.npws.ie/en/ConservationSites/>
10. See code of Practice – Environmental Risk Assessment for Unregulated Waste Disposal Sites (EPA 2006) regarding protection of wetlands in the context of waste activities. Wetlands' are defined as 'areas of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt, including marine waters, the depth of which at low tide does exceed six metres'.

### 5.3 GUIDANCE NOTES ON HYDRO-GEOLOGICAL ASSESSMENT

#### Hydro-geological Assessment Guidelines

Under article 17 of the Waste Management (Facility Permit & Registration) Regulations 2007 as amended, a local authority may require such investigations as it deems necessary in order to comply with the requirements of articles 3, 4, 5 and 7 of Council Directive 80/68/EEC for application where the proposed activity may give rise to

- (i) the indirect discharge into groundwater of a substance for the time being specified in List I of the Annex of Council Directive 80/68/EEC, or
- (ii) the direct or indirect discharge into groundwater of a substance for the time being in List II of the said Annex.

The purpose of the Directive is to prevent the pollution of groundwater by substances in List I and II in the Annex to the Directive. The substances listed as either List I or List II are harmful to the environment because of their properties, i.e., toxic, persistent or bioaccumulable. Examples of List I substances include: Pesticides, organo-phosphorus compounds, oils, diesel, greases etc. Examples of List II substances include; inorganic compounds of phosphorus and elemental P contained in chemical detergents; ammonia and nitrites contained in dirty water etc., metals and metalloids such as zinc, copper, cobalt, selenium contained in dirty waters.

Direct discharge means the introduction of substances into groundwater without percolation through the ground or subsoil. Indirect discharge means the introduction of substances into groundwater after percolation through the ground or subsoil.

Limerick City and County Council in assessing an application for a facility permit or certificate of registration for waste activities which may result in a direct or indirect discharge into groundwater of List I and II substances will require a full hydrogeological assessment to be carried out. This assessment is necessary in order to comply with the requirements set out in the First and Second Schedule of the Protection of Groundwater Regulations S.I. No. 41 of 1999 (List I & II Substances).

This assessment should at a minimum include:

- The hydro-geological conditions of the area in which the aquifer is located (including aquifer category)
- Prediction of pollutant attenuation beneath the percolation area.
- Prediction, based on appropriate calculations, of the vertical and horizontal movement of contaminated groundwater or plume beneath and away from the percolation area.

- An assessment of the risk of deterioration in the quality of the water therein due to the entry of harmful substances
- An assessment of the risk to human health or water supplies, living resources and the aquatic ecosystem and potential interference with the use of the water for agriculture, commercial, domestic, fisheries, industrial or recreational purposes due to the entry of the effluent to the aquifer.
- Conceptual modelling (Source, Pathway and Receptor)

In most circumstances, the hydro-geological site investigation and assessment will require the following:

- Drilling boreholes and representative sampling of groundwater
- Trial pits
- Percolation tests
- Permeability testing of subsoil and bedrock
- Subsoil particle size distribution
- Vulnerability rating
- Aquifer classification
- Groundwater levels (particularly in winter)
- Water table gradient/groundwater flow direction
- Recharge
- Existing surface/groundwater quality

Investigations shall be carried out in accordance with *BS5930 Code of Practice for Site Investigations, and BS10175:2001 Investigation of Potentially contaminated sites Code of Practice and the Code of Practice on Environmental Risk Assessment for Unregulated Waste Disposal Sites – EPA 2007*. Geo-technical investigation to determine the hydraulic suitability of the site for the disposal and attenuation of contaminants shall be carried out by a *suitably qualified hydro-geologist*.

The receiving waters shall be sampled and analysed for the following parameters:

**a) Chemical analysis for surface waters**

- Ammoniacal Nitrogen
- BOD
- COD

- Chloride
- Dissolved Oxygen
- Electrical Conductivity
- pH
- Total Suspended Solids
- Temperature
- Metals
- Fluoride
- List I/II substances
- Sulphate
- Total Alkalinity
- Total P/orthophosphate
- Total Oxidised Nitrogen
- Total Organic Carbon

**b) Chemical analysis for groundwaters**

- Ammoniacal Nitrogen
- BOD
- COD
- Chloride
- Dissolved Oxygen
- Electrical Conductivity
- pH
- Total Suspended Solids
- Temperature
- Metals
- Fluoride
- List I/II substances
- Sulphate
- Total Alkalinity
- Total P/orthophosphate
- Total Oxidised Nitrogen
- Total Organic Carbon

**c) Bacteriological analysis for surface waters and groundwaters**

- Total Coliforms per 100mls
- Faecal Coliforms per 100mls

**d) Sampling**

Sampling for chemical and bacteriological analysis shall be carried out by a suitably qualified person with a third level academic qualification in a relevant scientific field

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(minimum NCEA/HETAC National Certificate in Science in Applied Biology, Environmental Science or Applied Chemistry) or have completed the FAS training course in Laboratory Procedures.

Sampling of groundwaters shall be representative of the aquifer to which the discharge is to be made. Analysis results shall be no more than 12 months old from the date of submission of application. Where substantial development or change has occurred within the catchment more recent sampling is required.

All water quality analysis shall be carried out by an INAB accredited laboratory or a laboratory approved by an external calibration programme.



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**Recommended Format for an Hydro-geological Assessment**

SECTION	TEXT CONTENT	SUPPORTING INFORMATION
<b>SUMMARY</b>	Concise description of purpose, activities, findings.	
<b>INTRODUCTION</b>  <input type="checkbox"/> <b>Purpose / objective</b>  <input type="checkbox"/> <b>Background</b>  <input type="checkbox"/> <b>Scope</b>	<p>The purpose of the HA and the parties with an interest in the HA.</p> <p>Further information on the background to the HA and its relationship to other studies may be necessary.</p> <p>The <b>scope</b> of the assessment and whether it is based on a <b>desk study</b> includes information from a site inspection or from more detailed field investigations and laboratory testing.</p>	<p>Locality plan. Site plan.</p> <p>Table that lists sequence of events and resources used.</p> <p>Appendix – work plan (for complex sites).</p>
<b>SITE OVERVIEW</b>		
<input type="checkbox"/> <b>Description</b> <input type="checkbox"/> <b>Setting</b>   <input type="checkbox"/> <b>History</b>  <input type="checkbox"/> <b>Previous Studies</b>  <input type="checkbox"/> <b>Summary</b>	<p>A brief <b>description</b> of the site locality and features, the geographic <b>setting</b> in terms of climate, topography, surface water drainage, vegetation and land use (this is elaborated upon in discussion of conceptual hydro-geological model).</p> <p>Details on the <b>history</b> of the site and surrounds, and potential contaminants of concern relevant to the HA.</p> <p>Identify any <b>previous studies</b> of groundwater or soil contamination relevant to the HA.</p> <p>A clear <b>summary statement</b> of the <b>potential</b> for groundwater contamination.</p>	<p>Plans showing setting and relevant features.</p> <p>Plan showing relevant historical features.</p>
<b>METHODOLOGY &amp; RESULTS</b>		
<input type="checkbox"/> <b>Desk study</b> <input type="checkbox"/> <b>Data sources</b> <input type="checkbox"/> <b>Data quality</b> <input type="checkbox"/> <b>Data summary</b>  <input type="checkbox"/> <b>Field study</b> <input type="checkbox"/> <b>Scope</b> <input type="checkbox"/> <b>Methods</b> <input type="checkbox"/> <b>Results</b>	<p><u>HA desk study</u> <b>Scope</b> of desk study, information <b>sources</b> and data sets discovered in the desk study; comment on <b>data quality</b> and present a data <b>summary</b>.</p> <p><u>HA field study</u> <b>Scope</b> of field investigation work, <b>methods</b> used (drilling, geophysical, water sampling, water level measurement, hydraulic testing etc.) and any field <b>results</b> (factual) or observations. Bore construction details (summary table).</p>	<p>Summary of desk study data, including statistical analysis.</p> <p>Appendix – spreadsheets, data from GSI ,climatic data.</p> <p>Plan showing bore locations.</p> <p>Tabulation (detailed) of bore construction and survey data, tabulation of water level data. Appendices – Bore logs, geophysical logs, pumping test</p>

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	<p><b>Laboratory</b> testing of water samples, test methods and detection limits. Collation of results.</p> <p>The means used to ensure <b>quality assurance and quality control</b>, and a commentary on data validity.</p>	<p>data and analysis, water sampling field records, bore construction licence, elevation and location survey, equipment calibration detail.</p> <p>Tabulated water quality results including field parameters.</p> <p>Laboratory test reports - INAB accredited laboratory.</p> <p>Appendix – work plan, tabulation of QC data, data validation report.</p>
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**CONCEPTUAL HYDROGEOLOGICAL MODEL**

<p><input type="checkbox"/> <b>Setting</b></p> <p><input type="checkbox"/> <b>Geology/aquifers</b></p> <p><input type="checkbox"/> <b>Groundwater flow Systems</b></p> <p><input type="checkbox"/> <b>Groundwater chemistry</b></p>	<p>Local <b>setting</b> in terms of topography, geology, groundwater flow, surface water drainage, the position of the locality in the landscape, land use and vegetation.</p> <p>Climatic averages to identify potential recharge periods.</p> <p>The <b>geology</b> and relationships between <b>aquifers</b> at the <b>regional and local scale</b>. Aquifer classification (Regionally important, local of poor), Vulnerability rating (E, H, M, L)</p> <p>Comment on whether aquifers are confined or unconfined.</p> <p>Comment on the protection potentially offered to aquifers by the soil profile (detail depth of overburden to aquifer and its permeability), unsaturated zone and aquitards; or conversely the opportunity for downward seepage through soil fissures, permeable soil etc.</p> <p>The <b>groundwater flow systems</b> through the distribution of groundwater potentials, water table depth and morphology, directions and rates of groundwater flow, and seasonal fluctuations. Comment on vertical gradients.</p> <p>Describe any interpreted/inferred recharge, discharge and interactions between surface water and groundwater.</p> <p>Describe the natural water, <b>groundwater chemistry</b>/quality and relate to the interpreted geology and flow systems. Include a discussion on TDS and major ion chemistry, as a minimum.</p>	<p>Topographic plan.</p> <p>Tabulation of monthly rainfall and pan evaporation data. Stream stage/flow hydrographs.</p> <p>Geological map.</p> <p>Tabulated geological column showing main aquifers, and properties (hydraulic conductivity, transmissivity, storativity, aquifer thickness and porosity).</p> <p>Hydro-geological cross-sections showing the levels of surface facilities, geology, aquifer units, intervals monitored in bores and water level.</p> <p>Figures showing the water table and/or potentiometer levels and principal flow lines (map view and cross-section).</p> <p>Tabulations and hydrographs of groundwater level data.</p> <p>Summary table of water chemistry data/statistics or ratios.</p> <p>Contour and other plots of water chemistry data (Stiff diagrams, Schoeller plots, Piper diagrams etc.).</p>
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**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

<p><input type="checkbox"/> <b>Groundwater Protection Zones</b></p> <p><input type="checkbox"/> <b>Groundwater resource utilisation</b></p> <p><input type="checkbox"/> <b>Summary</b></p>	<p>Identify the groundwater segment and list the <b>protected beneficial uses</b> of the groundwater <a href="#"><u>Groundwater Protection Schemes Guidelines Document</u></a> (DELG/EPA/GSI, 1999)</p> <p>Discuss the development and <b>utilisation of the groundwater resource</b> and its potential for future development and use.</p> <p>Identify the location of receptors/users (such as bore owners, surface water bodies, wetlands).</p> <p>Conceptual hydro-geological model (<b>CHM summary</b>): A concise summary of the CHM. This can be useful for inclusion in site assessment and review or auditing reports by others.</p>	<p>Plan showing the location of the nearest existing receptors including known water supply bores and protection zones</p> <p>Tabulate the protected beneficial uses.</p> <p>Diagrams and tables as required.</p>
<p><b>GROUNDWATER CONTAMINATION ASSESSMENT</b></p>		
<p><input type="checkbox"/> <b>Description of Contamination</b></p> <p><input type="checkbox"/> <b>Impact assessment</b></p> <p><input type="checkbox"/> <b>Risk assessment</b></p>	<p>Discuss the results and any <b>interpretations</b> of groundwater contamination data. Include description of the processes leading to the observed containment distribution.</p> <p><b>Impact assessment</b> (source-pathway-receptor model): discuss the possible and likely impacts on receptors (beneficial uses) of groundwater by evaluating sources of contamination and the potential for active pathways to exist between the sources and receptors.</p> <p>Discussion could include description of contaminant release mechanism, transport and attenuation, reversibility of attenuation reactions etc.</p> <p>Where a groundwater model is used this generally requires a separate report or appendix to adequately document the work.</p> <p>As a minimum, assess whether each of the protected beneficial uses of groundwater is protected, or precluded by contamination.</p> <p>In cases where contamination is serious and the risks may cause environmental pollution, more detailed <b>groundwater risk assessment</b> protocols may be appropriate at this stage.</p> <p>This may include site-specific assessment of human health risk or ecological risks.</p> <p>This is generally beyond the scope of most HAs.</p>	<p>Tabulated and contoured data on contamination concentrations and/or ratios of contaminants.</p> <p>Appendix – modelling report.</p> <p>Tabulate the sources in terms of location and chemical properties, the beneficial uses in terms of water quality criteria and the groundwater flow system (and travel times) providing the pathway. The data used in this discussion should already have been presented earlier in the report.</p> <p>Groundwater flow and solute transport model parameters. Appendix – modelling report.</p> <p>Tabulate protected beneficial uses and whether each is existing, likely or unlikely.</p> <p>Appendix – risk assessment data and analyses.</p>
<p><b>CONCLUSIONS AND RECOMMENDATIONS</b></p>		

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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Provide concise conclusions and recommendations that are aligned but not limited to the objectives of the study.		
<b>REFERENCES</b>		
	References may be provided in footers, as a separate section in the report, or as an appendix.	Reference list.

*Notes:*

- 1. Investigations shall be carried out in accordance with BS5930 Code of Practice for Site Investigations, and the Code of Practice on Environmental Risk Assessment for Unregulated Waste Disposal Sites – EPA 2007, and BS10175:2001 Investigation of Potentially contaminated sites Code of Practice. Geo-technical investigation to determine the hydraulic suitability of the site for the disposal and attenuation of contaminants shall be carried out by a suitably qualified hydro-geologist.*
- 2. This is suggested content for a typical detailed HA report. As the scope of the HA and therefore the report is dependent on the 'risk' presented to groundwater beneficial use, a detailed assessment that does not include all of these aspects may be sufficient.*
- 3. A report arising from an HA desk study would follow the same format, but the level of data available will be less than for a HA that includes field investigation.*
- 4. The report for an HA that did not detect any contamination would not require detailed discussion of the 'groundwater contamination assessment'.*
- 5. The report should be signed by the hydro-geologist responsible for the HA.*

### **Useful Documents for Report Reviews:**

The following documents are regularly used in England for the assessment of contaminated land.

#### **Environment Agency:**

- Environment Agency R&D Publication 95, June 2000 – Guidance on the Assessment and Monitoring of Natural Attenuation of Contaminants in Groundwater.
- Environment Agency Guidance Note: 25, November 2000. A Practical Guide to Environmental Risk Assessment for Waste Management Facilities.
- Environment Agency July, 2005, Guidance on Requirements for Land Contamination Reports.
- Environment Agency (2000), Technical Aspects of Site Investigation (Volumes I and II) R&D Technical Report P5-065/TR.
- Environment Agency (2000), Secondary Model Procedure for the Development of Appropriate Soil Sampling Strategies for Land Contamination, R&D Technical Report P5 066/TR.
- Environment Agency 2006, Remedial Targets Methodology Hydrogeological Risk Assessment for Land Contamination (Note: This document replaces the previous “P20” guidance “Environment Agency (1999) Methodology for the Derivation of Remedial targets for Soil and Groundwater to Protect Water Resources, R&D Technical Report P20”).
- Environment Agency July 2001, Guide to Good Practice for the Development of Conceptual Models and the Selection and Application of Mathematical Models of Contaminant Transport Processes in the Subsurface.
- Environment Agency, January 2006, Guidance on the design and installation of groundwater quality monitoring points. Science Report SC020093.
- Environment Agency and National House Building Council (2000) Guidance for the Safe Development of Housing on Land Affected by Contamination, R&D Publication 66.

#### **British Standards:**

- BS 10175:2001 Investigation of potentially contaminated sites. Code of practice.
- BS 5930:1999 Code of practice for site investigations.

**Defra/Department of the Environment:**

- Defra/Environment Agency September 2004: Model Procedures for the Management of Land Contamination. Contaminated Land Report 11.
- Defra 2006 Environmental Protection Act 1990: Part 2A Contaminated land Defra Circular 01/2006.
- Department of the Environment (1994) CLR Report No.4: Sampling Strategies for Contaminated Land.
- Department of the Environment (1994) Industry Profiles (lists likely contaminants for particular types of industrial sites).
- Department of the Environment, Food and Rural Affairs and Environment Agency (2002) Potential Contaminants for the Assessment of Land (CLR 8).
- Department of the Environment, Transport and the Regions (2000) Guidelines for Environmental Risk Assessment & Management, Revised Departmental Guidance.

**Construction Industry Research and Information Association (CIRIA)**

- Construction Industry Research and Information Association (1995-1998) Special Publications 101-112, Remedial Treatment for Contaminated Land, Volumes I to XII.

**Websites**

These websites contain many useful references:

- British Standards Online at: [www.bsi-global.com](http://www.bsi-global.com)
- Construction Industry and Research and Information Association contaminated land website at: [www.contaminated-land.org](http://www.contaminated-land.org)
- DEFRA website at: [www.defra.gov.uk](http://www.defra.gov.uk)
- Environment Agency website at: [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)

## **6. FIT & PROPER PERSON**

### **6.1 Overview of Fit and Proper Person**

In the context of Article 5 of the Regulations, the term “fit and proper person” applies to a person with no convictions of offences, has the appropriate technical competence and is likely to be in a position to meet any financial commitments or liabilities. Local authorities will be required to determine “fit and proper” at various stages in an application process or where a permit has been granted, this determination will be required at the following stages:

- Application for a waste facility permit and certificate of registration (Article 10 (dd) and (ee) the applicant must provide information on any offence where they were convicted within the past 10 years, they must detail the hearing, the nature of the offence, penalties and any terms of any requirements imposed by order of a court
- Local authorities must determine information provided under Article 10 (dd) and (ee) and decide to grant or refuse a waste facility permit or a certificate of registration
- Under Article 18(4)(e) the local authority shall not grant a waste facility permit unless it is satisfied that the applicant is a fit and proper person
- Article 36(1) (a) provides for a waste facility permit to be revoked if the local authority or Agency deem the permit holder to not be “fit and proper”.
- Under Article 36(2) the local authority shall consider the extent to which the person is, or is likely to be, in a position to direct or control the carrying on of the activity to which the relevant application or waste facility permit relates
- Article 38(7) (a) provides for a certificate of registration to be revoked if the local authority or Agency deem the permit holder to not be “fit and proper”.

### **6.2 Determining ‘relevant person’ – Article 36 (2)**

A person who is in a position to direct or control the carrying on of the waste activity to which the facility permit relates may be regarded as a ‘relevant’ person. This may be the facility manager or owner i.e. the “legal person” holding or applying for the permit, or a person, persons in a partnership, or a corporate body being a director, manager, secretary or other similar officer of an operator.

Section 32 of the Act does provide for specific requirements for “holders” of waste and this can apply to any persons.

### **6.3 Relevant Convictions/Court Order**

Article 22 of the Regulations specifies the offences for the purpose of articles 10(1) (dd). Within a 10 year period A “relevant person” in relation to a conviction for a relevant offence would include:

- The operator (i.e. the “legal person” holding or applying for the permit – a person, sole trader, persons in a partnership, or a corporate body), and
- A director, manager, secretary or other similar officer of an operator (when it is a corporate body) or a partner or partners in the case of a partnership.
  - It is important in the determination of an application that the details of any convictions are taken into account and that a fair and reasonable decision is made on the basis of information provided at the application stage.

## **6.4 Technical Competence (Fit and Proper person)**

Applicants or permit holders should be technically competent to operate their waste facilities. Technical competence is not just specific to one individual but to the organisation's employees that have a role in direction and control of a waste facility activity. Article 5 requires a person or persons to have either "the requisite technical knowledge or qualifications to carry on that activity". Technical knowledge or qualifications can include:

- Experience in managing or operating a waste facility or waste collection operation
- Membership of technical institutions, such as the Chartered Institution of Waste Management (CIWM)
- Relevant business management, science or engineering degrees, certificates or diplomas
- Attendance of relevant training events on waste management activities

If the operator or staff have successfully completed the Fás Waste Management Training Course this would be considered one of the appropriate means of demonstrating technical competence.

If the operator has an Environmental Management System or a Quality Management System, the system will require the allocation and description of roles and responsibilities within that organisation, such as organisational structure, description of roles and responsibilities for different staff members and training and awareness for staff specific to their responsibilities related to the permit and management system.

## **6.5 Guidance on Financial liabilities and security**

### **Information necessary as part of the Application**

The following information is necessary as part of an application for a waste facility permit or certificate of registration to satisfy Article 10(1) (s). **The level of detail should be proportionate to the environmental risk posed by the activity (determined by its nature and scale) and to the sensitivity of the environment in which the activity will be located.**

#### **6.5.1 Financial commitments:**

The applicant should make a signed declaration regarding the financial ability of the applicant to properly operate the facility using best available techniques and in a manner that will not cause environmental pollution or breach environmental standards. Any non-confidential financial information, which can be submitted in support, should be included.

##### *Known environmental liabilities*

The applicant should provide a costed closure/rehabilitation plan. The closure/rehabilitation plan should address the following areas:

- (a) plant/equipment decontamination
- (b) plant/equipment recovery or disposal
- (c) materials removal, e.g. fuels
- (d) waste recovery or disposal by appropriately authorised persons to appropriately authorised sites
- (e) soil placement and seeding, e.g. infill sites
- (f) drainage, e.g. infill sites
- (g) timeframe; and
- (h) Verification monitoring and reporting to local authority.

Clean closure (i.e. full closure without residual environmental issues) should be achievable for most waste facility permit and certificate of registration activities. However, if there are any residual issues, e.g. contaminated land, the plan should identify these and detail how they will be



addressed. Costs should be based on independent quotations and/or be presented in a way that enables assessment by the local authority, e.g. unit costs.

#### *Unknown environmental liabilities*

The applicant should provide a risk assessment identifying potential unknown liabilities and the cost of redressing the environmental impact of same were they to occur. The risk assessment should cover as a minimum:

- (a) leaks from aboveground and underground storage tanks
- (b) spillages from bunds
- (c) leaks from process and effluent pipes and drains
- (d) fire
- (e) tank overflows
- (f) mobile tanker spills on-site; and
- (g) Leaks from underground sumps.

It may be preferable for the applicant to reduce/eliminate the risk of unknown liabilities by mitigation measures thus reducing the financial security required.

### **6.5.2 Financial Security**

The applicant should provide details of any financial instruments proposed or in place to cover unknown liabilities (e.g. insurance) and, if necessary, closure/rehabilitation (e.g. bond). The principal methods of assessing a person's financial ability are as follows:

*Credit rating report* – A credit rating report is a report regarding repayments on credit agreements (e.g. mortgages, loans, hire purchase agreements, credit cards) between financial institutions and borrowers. Credit rating reports are available from the Irish Credit Bureau Limited (<http://www.icb.ie/>) but can only be obtained by people in relation to themselves or by a financial institution when a person applies for credit. Therefore, the local authority would have to request the applicant to provide this information.

*Applicant accounts* – For some companies, accounts can be obtained by the local authority itself from the Companies Registration Office (<http://www.cro.ie/>). Otherwise, the local authority would have to request the applicant to provide this information.

#### *Known environmental liabilities*

In the case of known liabilities, the local authority should satisfy itself that the closure/rehabilitation plan is complete and adequately costed. In the case of a waste facility permit, if financial security is considered necessary to cover the costs, the local authority should insert a condition in the waste facility permit requiring that financial security is put in place to the satisfaction of the local authority before the activity commences and is maintained thereafter on an ongoing basis.

#### *Unknown environmental liabilities*

In the case of unknown liabilities, the local authority should satisfy itself that all risks have been identified and adequately costed and that the applicant is in a financial position to cover the costs. Any financial security (e.g. insurance) proposed or in place must cover environmental matters adequately and, in particular, cover clean-up costs. Where financial security to the satisfaction of the local authority is provided in an application for a waste facility permit, a condition should be inserted in the waste facility permit requiring same to be maintained on an ongoing basis. Where financial security is proposed but not provided in an application for a waste facility permit, it is recommended that a condition be inserted in the waste facility permit requiring that financial security is put in place to the satisfaction of the local authority before the activity commences and is maintained thereafter on an ongoing basis. Applicants for Certificates of Registration will have to have financial security in place and submitted as part of the application as there is no facility for the local authority to require it to be put in place by condition.

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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*Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision* (EPA, 2006) provides useful guidance in relation to the above.

## 7. SAMPLE PUBLIC NOTICES

### 7.1 WASTE FACILITY PERMIT - SITE NOTICE SAMPLE FORMAT

#### ***APPLICATION TO LIMERICK CITY AND COUNTY COUNCIL FOR A WASTE FACILITY PERMIT***

Notice is hereby given in accordance with Articles 7 and 8 of the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended), that <<Name of Applicant>> of <<Address of Applicant's Principal Place of Business>> intends to apply for a Waste Facility Permit at <<address of site to which the application relates>> to <<brief description of the nature and purpose of the activity>>). The application for a waste facility permit will be made to Limerick City and County Council within 10 working days of the date of this notice.

The Class(es) of Activity at the site, as specified in the <<Third or Fourth>> Schedule of the Waste Management Act, 1996 (as amended), is/are as follows;  
<<Class of Activity under the Third and Fourth Schedules. In the case of two or more activities, identify the principal activity>>

The Class(es) of Activity at the site, as specified in Part I of the Third Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended), is/are as follows;<<Class of Activity under Part I of the Third Schedule. In the case of two or more activities, identify the principal activity>>

It is an offence for any person other than the applicant, his/her agent, Limerick City and County Council or the Environmental Protection Agency to remove this site notice.

A copy of the application for the waste facility permit will be available for inspection or purchase, as soon as is practicable after receipt by Limerick City and County Council, at the office at Dooradoyle, Limerick.

Date Site Notice Erected:

#### Note

The specific requirements in relation to newspaper and site notices are set out in Articles 7 and 8 of the Waste Management (Facility Permit and Registration) Regulations 2007, (as amended). The sample format is included for information purposes only and it is the responsibility of the applicant to ensure that the relevant requirements are complied with.

## 7.2 WASTE FACILITY PERMIT - NEWSPAPER NOTICE SAMPLE FORMAT

### APPLICATION TO LIMERICK CITY AND COUNTY COUNCIL FOR A WASTE FACILITY PERMIT

Notice is hereby given in accordance with Articles 7 and 8 of the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended) that <<Name of Applicant>> of <<Address of Applicant's Principal Place of Business>> intends to apply for a Waste Facility Permit at <<address of site to which the application relates>> to <<brief description of the nature and purpose of the activity>>. The application for a waste facility permit will be made to Limerick County Council within 10 working days of the date of this notice.

The Class(es) of Activity at the site, as specified in the <<Third or Fourth>> Schedule of the Waste Management Act, 1996 (as amended), is/are as follows;  
<<Class of Activity under the Third and Fourth Schedules. In the case of two or more activities, identify the principal activity>>

The Class(es) of Activity at the site, as specified in Part I of the Third Schedule of the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended), is/are as follows;  
<<Class of Activity under Part I of the Third Schedule. In the case of two or more activities, identify the principal activity>>

A copy of the application for the waste facility permit will be available for inspection or purchase, as soon as is practicable after receipt by Limerick City and County Council, at the office of Dooradoyle, Limerick.

#### Note

The specific requirements in relation to newspaper and site notices are set out in Articles 7 and 8 of the Waste Management (Facility Permit and Registration) Regulations 2007, (as amended). The sample format is included for information purposes only and it is the responsibility of the applicant to ensure that the relevant requirements are complied with.

## 8. ARTICLE 11 REQUEST FORM

**Request to Environmental Protection Agency for determination as to whether an activity requires a waste licence, waste facility permit, certificate of registration or none of these**

Enquires regarding this application should be made should be made to:

Office of Climate, Licensing and Resource Use, Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, Co. Wexford

Tel: 053-9160600

Fax: 053-9160699

Email: info@epa.ie

LoCall: 1890 335599

Opening hours: 9.00am to 5.00pm

Reception hours: 9.00am to 5.30pm

The application must be submitted to the same point of contact. The form can be submitted by post, facsimile or email. If submitting electronically, the form should be in WORD or PDF format and the declaration must still contain a signature, e.g. a scanned version of the original signed hardcopy could be submitted.

Where there is insufficient space, additional information should be attached.

Details of person/body/company making request for determination	
<b>Name</b> (if Local Authority, give name of Local Authority)	
Address	
<b>Telephone</b>	
<b>Fax</b>	
<b>Email</b>	
<b>Contact name &amp; position</b>	

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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<b>Details of person/body/company proposing to carry-out the activity</b>	
<b>Name</b> (if Local Authority, give name of Local Authority)	
Address	
<b>Telephone</b>	
<b>Fax</b>	
<b>Email</b>	
<b>Contact name &amp; position</b>	
<b>Details of the proposed activity</b>	
<b>Proposed location<sup>3</sup></b>	
<b>Local Authority in whose functional area the activity is located:</b>	
<b>Interest of person making request, in the proposed activity</b>	
<b>Does the person proposing to carry-out the activity own the land on which it is to be carried out</b>	

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<sup>3</sup> Provide map (scale 1:10,000) showing the location of the proposed activity and the boundary outlined in red

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

Nature and extent of proposed activity					
<b>Describe in detail the nature of the proposed activity</b>					
<b>Describe the type and quantity of waste(s)/material(s) to be managed at the proposed activity including whether hazardous or not</b>					
	Description	Annual intake <sup>4</sup>	Total intake <sup>3</sup>	Hazardous	
				Yes	No
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
<b>Total =</b>					

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<sup>4</sup> In tonnes for solid waste, in tonnes and litres for liquid waste

WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

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<p><b>For recovery activities, also detail the quantity of residual waste that will arise annually for disposal – in tonnes for solid waste and in litres and tonnes for liquid wastes</b></p>	
<p><b>For composting activities, also detail the amount of compost and biowaste that will be held at the facility at any one time - in tonnes and cubic meters</b></p>	
<p><b>Detail the source(s) of the waste/material</b></p>	



**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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<b>Deposition for improvement or development of land, e.g. farmland reclamation or construction foundations</b>	
<b>Detail the purpose of the fill<sup>5</sup></b>	
<b>Detail the suitability of the material as fill, where possible by reference to specific standards<sup>4</sup></b>	
<b>Detail whether the material to be used as fill will undergo any processing prior to use<sup>4</sup></b>	

<b>Other factors</b>	
<b>Describe any associated activities on or adjacent to the site, e.g. industrial activities</b>	
<b>Is the proposed waste activity part of a larger waste plan for the site involving further activities or is it a once-off activity</b>	
<b>Describe adjacent land use</b>	

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<sup>5</sup> Provide support by way of written statement from appropriately qualified person, e.g. farm advisor, engineer. Please also provide a cross-section of the proposed fill.

**WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM**

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<p><b>Identify any proposed or designated Natural Heritage Areas, Special Protection Areas or Special Areas of Conservation within, or contiguous to, the proposed site of the waste activity within 2km of the site</b></p>	
<p><b>Is the site of the proposed activity a wetland<sup>6</sup></b></p>	
<p><b>Does the activity require any environmental protection measures?</b></p>	
<p><b>Does the activity require any other authorisations? (e.g. planning permission, ministerial consent for works in protected sites) and, if so, are these in place</b></p>	

**Declaration**

**I hereby request the Environmental Protection Agency (EPA) to make determination under Article 11 of the Waste Management (Facility Permit and Registration) Regulations, 2007 (as amended) as to whether the above detailed activity requires a waste licence, waste facility permit, certificate of registration or none of these**

**I certify that the information given in this application is truthful, accurate and complete.**

**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 and local authority offices, and via the EPA's website. This consent relates to this application itself and to any further associated information whether provided by me as, any person acting on my behalf, or any other person.**

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

**Print name** \_\_\_\_\_

**Position**  
\_\_\_\_\_

<sup>6</sup> Wetlands are defined as: areas of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt, including marine waters, the depth of which at low tide does exceed six metres.

**Environment Section  
WFP/LK/GEN**

**August 2018.**

**Re: Waste Management Act 1996(as amended)**  
Waste Management (Facility Permit and Registration) Regulations 2007  
(as amended)  
**Application Form & Guidance**

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Dear Sir/Madam,

Please find enclosed an application form and guidance notes for a Waste Facility Permit or Certificate of Registration, as requested.

The Environmental Services Section strongly recommends that you arrange a **pre-application consultation** before you submit an application. **Please contact Ms Ursula Ahern, Assistant Scientist at 061 556592 to arrange a pre-application consultation.**

You should ensure that the most up to date revision of application form and guidance is being used. – currently version August 2018.

Yours sincerely,  
*Helen Kenneally*

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**Staff Officer,**