For Office Use Only:

Application Reference Number:

Return Number (If Applicable):

WASTE FACILITY PERMIT
AND
CERTIFICATE OF REGISTRATION
APPLICATION FORM

WEXFORD COUNTY COUNCIL

Wexford County Council

CONTENTS PAGE

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 (as amended) (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 the Wexford County Council website, www.wexford.ie or from www.epa.ie/wastepermit

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) or with the Agency (In the case of a Local Authority application) are undertaken before a formal submission of any of the above types of applications.

The pre-application consultation also fulfils requirements under the Environmental Impact Assessment (EIA) Regulations, for sites that may require an EIA[1]. 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 Five contains information on how to make an online request to the Environmental Protection Agency for determination as to whether an activity requires a waste licence, waste facility permit, certificate of registration or none of these.

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 2008-2012.

1 Disposal or recovery activity >25,000 tonnes require an EIS (S.I. No. 349/1989: European Communities (Environmental Impact Assessment) Regulations, 1989.)

Any change or extension of development which would result in an increase in size greater than 25%, or an amount equal to 50%50% of the appropriate threshold, whichever is the greater. (S.I. No. 93 of 1999. European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1999.)

Waste management plans are available to download from all local authority websites. The National Hazardous Waste Management Plan 2008-2012 produced by the EPA is available at:

http://www.epa.ie/downloads/pubs/waste/haz/

If you need to contact Environment Section, Wexford County Council, Co. Hall, Wexford concerning your application, please use the numbers provided in the table below.

053 9196313
053 9196318

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.

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, 2002, S.I. No. 86 of 2002.

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 will be contacted by the local authority to supply the missing documents within a set timescale. **Note: 1 original and 5 copies of all documents must be submitted. Failure to submit all necessary information may result in invalidation of the application.**

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 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 and the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No.86 of 2008.

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 www.epa/wastepermit

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	☐
Application for a Review of a Waste Facility Permit	☐
Application for a Certificate of Registration	☐
Application for a Review of a Certificate of Registration	☐

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.

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

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:

Name:	
Address:	
Name:	
Address:	
Name:	
Address:	

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:

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

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)]

Name, address and position:	
Name, address and position:	
Name, address and position:	
Name, address and position	
Name, address and position:	

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):

Legal Interest:	
Document(s) Reference:	

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, the Act, 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) within the previous 10 years? [Article 10 (1) (dd)]

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)]

Document(s) Reference:	

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)]

Document(s) Reference:	

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)]

Document(s) Reference:	

B.8 Technical Competence (Fit and Proper Person)

Please detail the applicant(s) technical knowledge and qualifications (Article 5) relevant to the management of a waste facility. Please use a separate sheet if required.

Document(s) Reference:

B.9 Financial Commitment Discharge [Article 10 (1) (s)]

Please provide particulars in respect of such matters affecting the ability of the applicant(s) to meet the financial commitments or liabilities which will be entered into or incurred by the person(s) in carrying on the activity or in ceasing to carry on the activity at the facility.

Document(s) Reference:	

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

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

The following details must also be included:

- **Six copies** of the appropriate plans and maps relating to the facility including:
- Proposed Layout Plan of Facility showing how the Facility will be laid out. For all applications the scale of the proposed Layout Plan of Facility shall be 1:500, with the exception of soil permit applications where a scale of 1:1000 is acceptable. The Proposed Layout Plan of the Facility ***must include*** the following details:
  - Site entrance
  - Waste Storage areas
  - Waste Treatment areas
  - Site drainage, including oil interceptor, silt traps etc (if installed)
  - Site office
  - Weighbridge (if present)
  - Traffic flow
  - Nature of surfacing within the permitted facility
  - Emission points
  - a clear delineation of the site boundaries
  - Elevation Levels (metres) and Ordnance Datum used
  - Dimensions (metres).
  - Orientation of North Point
  - Scale, drawing reference number, revision number and date of issue.

- Ordnance Survey Sheet Reference Number(s) (1:50,000 – discovery series).
- Site Location Map (Scale 1:2500) showing the following details:
  - Orientation of North Point.
  - Site Boundary outlined in red.
  - Location of Site Notice – which should be in clear public view.

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

State the planning permission or planning application number (whichever is applicable at the time of submission of the application) for the facility, along with the name of the planning authority who issued it. If a certificate/declaration of exemption applies, please state this and supply a copy of the certificate/declaration of exemption:

Planning Permission Number :	
Planning Application Number:	
Local Authority:	
Document(s) Reference:	

C.4 Operating Hours

What are the proposed operating hours of the facility?

Weekdays:	
Weekends:	
Public Holidays:	

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

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

Document(s) Reference:	

C.6 Lifetime of the facility [Article 10 (1) (r)]

What is the expected lifetime, in years, of the facility or activity?

Expected Lifetime:	

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 **and** the submission to the EPA.

Yes ☐

No ☐

Document(s) Reference:	

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[1]? If yes, please enclose a copy of the EIS.

Yes ☐

No ☐

Document(s) Reference:	

[1]**Note:** Refer to Schedule 5 of the Planning and Development Regulations, 2001 (S.I. No. 600 of 2001).

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 Acts 1996-2007 (see **Appendix 2**); **and**

(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 Acts 1996-2007	
Insert Class Number:	**Insert Class Description**
Example: Class No. 1	*Example: Deposit on, in or under land.*
Recovery activities as per the fourth schedule of the Waste Management Acts 1996-2007	
Insert Class Number:	**Insert Class Description**
Classes of Activity subject to waste facility permit application to a local authority as per Part I of the third schedule of the Regulations	
Insert Class Number:	**Insert Class Description**
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	
Insert Class Number:	**Insert Class Description**
Principal Activity:	
Document(s) Reference:	

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 and CoR Class 7, 10
- Days of storage for CoR Class 1&10
- Quantity at any one time for WFP Class 8 and CoR Class11, 12 &13

Class	Upper Threshold as per 3rd 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.

Site Throughput (with Units):	

Where waste is accepted by volume, or estimations are used, the volumes to weight conversion factors shall be detailed on a separate sheet.

Document(s) Reference:	

D.5 Waste Types [Article 10 (1) (m) (i)]

Using the current European Waste Catalogue Code(s), state the waste types to be handled at the facility:

EWC 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:

- The existing and final profiles and contours of the land using Plans (refer to Section C.2) and Cross Sectional drawings at suitable and legible scales. Note that the Infill Area is to be clearly identified.
- Total Site Area (in hectares) and Infill Area (in hectares).
- Average and maximum depth of fill.
- Facility closure plan.
- 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.

If necessary some of this information may be supplied in drawing plan form.

Document(s) Reference:	

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.

Document(s) Reference:

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.

Waste Quantities:	

D.9 Waste Acceptance Procedures [Article 10 (1) (ff)]

What are the waste acceptance procedures that will be applied at the facility? Include details of what will happen with wastes that do not comply with the acceptance criteria (quarantine or rejection):

D.10 Emissions from the Facility [Article 10 (1) (o)]

Will the facility create any emissions to air (including dust and odour), water, land, sewer or noise?

Yes ☐

No ☐

If yes, please fully complete Tables (a) and (b) below.

Guideline for Completion of Table:

Source of Emission:	Name the source, e.g. sewer pipe etc.
Location:	Name the location e.g. machine yard etc.
Nature of Emission:	Name the type of Emission, e.g. waste water etc.
Composition:	Name contents of the Emission, e.g. oils, solids etc.
Frequency:	Name how often it occurs, e.g. 1/day, 1/week etc.
Flowrate:	Name the Flowrate in m^3/h.
Treatment Facilities:	Name any treatment facilities, e.g. septic tank etc.

Label emissions and sampling/monitoring points as follows:

1. SURFACE WATER source monitoring location (SW1, SW2).
2. GROUNDWATER source monitoring location (GW1, GW2).
3. AIR source monitoring location (A1, A2).
4. NOISE source monitoring location (N1, N2).

(a) Emissions to Waters

Source of Emission	Location	Nature of Emission	Composition	Frequency	Flowrate m^3 /h	Treatment Facilities

(b) Emissions to Air

Source of Emission	Location	Nature of Emission	Composition	Frequency	Flowrate m^3 /h	Treatment Facilities

Document(s) Reference:

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.

Guideline for Completion of Table:

Ref. Point: Name the Reference Point, e.g. SW1 (if Surface water Emission).
Location: Location where monitoring takes place (exit point to stream).
Parameters: Name Parameters monitored, e.g. BOD etc.
Frequency: Name how often it occurs, e.g. 1/day, 1/week etc.
Impact: Name the Impact of the Emission, e.g. polluted watercourse etc.

Monitoring and Sample Points

Ref. Point for Emission	Monitoring Location	Monitoring Parameters	Frequency	Impact

Document(s) Reference:

D.12 Minimising environmental impact of emissions [Article 10 (1) (p)]

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

Document(s) Reference:

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

Detail how the emissions and the environmental impact of such emissions will be monitored (ambient refers to existing conditions). 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:

Guideline for Completion of Table:

Ref. Point:	Name the Monitoring Reference Point, e.g. SW1 (if Surface water Point).
Location:	Location where monitoring takes place, eg. exit point to stream.
Parameters:	Name Parameters monitored, e.g. BOD etc.
Frequency:	Name how often monitoring occurs, e.g. 1/day, 1/week etc.
Impact:	Name the Impact of the Emission, e.g. polluted watercourse etc.

Label emissions and sampling/monitoring points as follows:

1. SURFACE WATER ambient monitoring location (SW1, SW2).
2. GROUNDWATER ambient monitoring location (GW1, GW2).
3. AIR ambient monitoring location (A1, A2).
4. NOISE ambient monitoring location (N1, N2).

Monitoring and Sample Points

Ref. Point for Monitoring	Monitoring Location	Monitoring Parameters	Frequency	Impact

Document(s) Reference:

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.

1. AIR_____

2. ECOLOGY_____

3. HUMAN BEINGS _____

4. HYDROGEOLOGY_____

5. NOISE_____

6. SURFACE WATER _____

7. OTHER_____

Document(s) Reference:

Description of the proposed measures to be taken for the following [Article 10 (1) (hh) and (gg)].

1. AEROSOLS _____

2. BIRDS _____

3. FIRE _____

5. LITTER _____

6. ODOUR _____

7. TRAFFIC CONTROL _____

8. VERMIN _____

9. ROAD CLEANING _____

10. FLIES _____

Document(s) Reference:

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.

Document(s) Reference:

D.16 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.

Document(s) Reference:

D.17 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.

Document(s) Reference:	

D.18 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.

Document(s) Reference:	

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)? ***Any Natura 2000 sites within the likely zone of impact of a plan or project – A distance of 15km is currently recommended as a guide when considering a Plan. For a Project, the distance could be much less than 15km, less than 100 meters in some cases but this should be evaluated on a case by case basis, dependent on the nature of the activity and on the Natura 2000 site in question.*

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[2]		

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[3]?

Yes ☐ No ☐

2 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.

3 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.

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.

Document(s) Reference:	

E.3 Land Use

Please provide details of the following:

Current use of the land:	
Historic Use of the Land:	
Condition of the land (for example contamination):	
Adjacent land use:	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.

Document(s) Reference:	

E.5 Biodiversity [Article 10 (1) (y)]

Please provide details of the biodiversity of the site.

Document(s) Reference:	

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.

Document(s) Reference:

F.2 Fee payable

Please tick the appropriate box below:

Category of Application (1)	Type of Application (2)	Fee Payable (3)	Tick Box
1.	Application for a waste facility permit in accordance with article 9	Classes 5, 6 and 7 €2,000 All other Activities €1,000	☐ ☐
2.	Application for the review of a waste facility permit in accordance with article 30	50% of the fees applicable to an application for a waste facility permit, or €100 for minor changes not requiring a full review.	☐ ☐
3.	Application for a certificate of registration in accordance with article 37	Classes 5, 6, 7 and 10 €600 All other Activities €300	☐ ☐
4.	Application for the review of a certificate of registration in accordance with article 38	50% of the fees applicable to an application for a certificate of registration, or €100 for minor changes not requiring a full review.	☐ ☐
5.	Application for the transfer of a waste facility permit in accordance with article 27	25% of the fees applicable to an application for a waste facility permit	☐
6.	Application for the transfer of a certificate of registration in accordance with article 38	25% of the fees applicable to an application for a certificate of registration	☐

Is the payment/receipt attached with application?

Yes ☐

No ☐

SECTION G (1) Financial Commitment Discharge Declaration Waste Facility Permit Application

This document must be completed to satisfy Wexford County Council that the applicant meets the full definition of a 'fit and proper person' as defined in the Waste Management (Facility Permit and Registration) Regulations 2007, as amended.

Please note that a local authority shall not grant a Waste Facility Permit unless it is satisfied that the applicant is a fit and proper person.

In order to satisfy the requirements all applicants are required to submit a signed declaration stating their financial ability to properly carry out waste handling/storage activity in a manner that will not cause environmental pollution or breach environmental standards.

The following declaration below is to be completed by a financial representative of the applicant, e.g. company accountant or bank manager, or finance director/manager etc.

An applicant can also submit any non-confidential financial information e.g. company accounts etc with the declaration in support of the financial declaration.

Signed Financial Declaration

It is my opinion that the applicant _____
(please insert the name of the Applicant) 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 handling activity to which the Waste Facility Permit relates in accordance with the terms of the permit or in consequence of ceasing to carry on that activity.

Signature: _____

Name (Block Capitals): _____

Position: _____

Financial Institution (If applicable): _____

Date: _____

Warning: Any person who gives false information or misleading information for the purpose of obtaining a Waste Facility Permit or Certificate of Registration renders themselves liable to severe penalties

Section G (2) Public Liability Insurance Declaration

This document must be completed to satisfy Wexford County Council that the applicant meets the full definition of a 'fit and proper person' as defined in the Waste Management (Facility Permit and Registration) Regulations 2007, as amended.

Please note that under Article 18(4)(e) a nominated authority shall not grant a waste facility permit unless it is satisfied that the applicant is a fit and proper person.

All applicants are required to provide the attached signed declaration which must be completed by their insurer/insurance broker stating that their Public Liability Insurance Policy meets the criteria outlined below and is to the satisfaction of Wexford County Council.

Signed Declaration

I confirm that the applicant (Name) _____
Has the following **Public Liability** Insurance in place to cover their activities which are the subject matter of their Waste Facility Permit/Certificate of Registration:-

1. Policy No: _____
2. Insurer: _____
3. Limit of indemnity of at least €6.5 million for any one occurrence Including sudden/unforeseen pollution risks Yes ☐ No ☐
4. Expiry Date of Policy: _____
5. An Indemnity to Wexford County Council.

Signature: _____

Name (Block Capitals): _____

Position of Title: _____

Insurance Broker or Company: _____

Date: _____

Warning: It is an offence under Article 43(1) of the Waste Management (Facility Permit) Regulations 2007, as amended, for any person to provide false or misleading information for the purpose of obtaining a Waste Facility Permit or Certificate of Registration.

Section G: Statutory Declaration

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

_____ for the purpose of obtaining a (select as appropriate) **Waste Facility Permit or 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 **Wexford 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 Regulations 2007.

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 as appropriate) **Waste Facility Permit or Certificate of Registration** renders themselves liable to severe penalties.

APPENDICES

1. CHECKLIST OF INFORMATION TO BE SUPPLIED WITH APPLICATION

Information required	Article	Included
1 original and 5 copies of the application form		☐
1 original and 5 copies of relevant page from the newspaper(s) in which notices in accordance with articles 7 and 8 have been published	10(3)(a)	☐
6 copies of the text of the notices erected or fixed in accordance with articles 7 & 8 must also be supplied.	10(3)(b)	☐
6 copies of details of any court hearing, case, nature of the offence and any penalty or requirements imposed by the court.	10(1)	☐
Where the applicant is a person or partnership, include **6 copies** of 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)	☐
6 copies of 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)	☐
6 copies of the proposed site layout must be included, with the North point indicated and site dimensions in metres. This plan should include all necessary monitoring and sampling point locations, and any emission point(s) clearly marked. 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. All maps/drawings/plans must be no larger than A3 size and scaled appropriately such that they are clearly legible. In exceptional circumstances, where A3 is considered inadequate, a larger size may be requested	10(3)(c) (ii) and (iii)	☐
6 copies of an additional copy of the site location 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.	10(3)(c) & (i)	☐
6 copies 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)	☐
Where applicable, **6 copies** of proof of the company registration and trade name must be supplied.	10(3)(e)	☐
The correct application fee in accordance with article 42 and as specified in the fifth schedule of the Regulations.	10(3)(f)	☐

2. DISPOSAL AND RECOVERY ACTIVITIES AS PER THE THIRD AND FOURTH SCHEDULES OF THE WASTE MANAGEMENT ACT 1996 (AS AMENDED)

THIRD SCHEDULE
WASTE DISPOSAL ACTIVITIES

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).

FOURTH SCHEDULE
WASTE RECOVERY ACTIVITIES

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 = (Ep — (Ef + Ei)/ (0.97x(Ew+Ef)
where—

'Ep' 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),
'Ef' means annual energy input to the system from fuels contributing to the production of steam (GJ/year),
'Ew' means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year),
'Ei' means annual energy imported excluding Ew and Bf(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 pyrolisis 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 I AND II

Extract from the Waste Management (Facility Permit and Registration) Amendment Regulations, 2008

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 the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 of – 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, or WEEE at any premises for the purpose of onward transport and submission to recovery at an authorised facility. 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.	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 Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006).
3.	The reception, treatment and recovery of WEEE (including removal of all fluids and dismantling or disassembly or removal of WEEE substances, preparations and components prior to treatment) in accordance with the provisions of articles 20 and 21 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations (S.I. No. 340 of 2005). Annual intake shall not exceed 10,000 tonnes per annum.
4.	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 – (1) end-of-life vehicles shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate, waste vehicles (other than end-of-life vehicles) shall be subject to appropriate treatment and recovery having regard to the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate, (3) WEEE shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 20, 21 and 22 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) prior to acceptance at the scrap metal facility.
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.	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 – the annual intake shall not exceed 50,000 tonnes, and (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.
8.	The reception, storage and biological treatment of biowaste at a facility where – the maximum amount of compost and biowaste held at the facility does not exceed 6,000 cubic metres at any time, and the annual intake shall not exceed 10,000 tonnes.
9.	The reception, temporary storage and recovery of used batteries and

	accumulators where- 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 (b) the annual intake shall not exceed 1,000 tonnes.
10.	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 – the annual intake does not exceed 50,000 tonnes, and 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.
11.	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.
12.	The reception, treatment and recovery of End of Life vehicles.

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.	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- (a) annual intake shall not exceed - (i) in the case of liquid waste, 25,000 litres (ii) in the case of non-liquid waste, 25 tonnes, and (b) the maximum period of storage of waste does not exceed 30 days.
2.	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.
3.	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.

4.	Reception and temporary storage, pending collection for recovery of - less than 1000 kilograms of used batteries and accumulators, or less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE), or less than 540 cubic metres of household WEEE, (b) 12,000 units of WEEE categories in accordance with Category 5 of the first schedule of the Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005 (S.I. No. 340 of 2005) or, as appropriate (c) 300 kilograms of mobile phones, for the purpose of onward transport to an authorised treatment facility of WEEE when undertaken in accordance with the requirements of article 39 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005.
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 works do not constitute exempted development within the meaning of Classes 11 (b) and 11(f) of Exempted Development – Rural within part 3 of the second schedule of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001), and the total quantity of waste recovered at the site shall not exceed 25,000 tonnes.
6.	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 where the works do not constitute exempted development within the meaning of Classes 11 (b) and 11(f) of Exempted Development – Rural within part 3 of second schedule of the Planning and Development Regulations 2001 (S.I. No. 600 of 2001), and the total quantity of waste recovered at the site shall not exceed 10,000 tonnes.
7.	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 – (a) the annual intake shall not exceed 10,000 tonnes, and (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.
8	This is a spare class.
9	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 – (a) conditions on waste management have not been imposed under section 261 of the Planning and Development Act 2000 (No. 30 of 2000), and (b) such material is in a chemically unaltered state.

10.	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 – (a) the maximum amount of waste dispatched from the facility for onward transport and disposal does not exceed 1,500 tonnes per annum, and (b) a period of storage of waste for disposal does not exceed 30 days.
11.	The reception, storage and composting of biowaste by a local authority, not mentioned elsewhere in this schedule, where – (a) the annual intake does not exceed 5,000 tonnes, and (b) the maximum amount of biowaste and compost held at a composting facility does not exceed 2,000 tonnes at any time.
12.	The storage and composting, on the premises where it is produced, of biowaste, where – (a) the amount stored and treated does not exceed 50 tonnes per annum, and (b) the maximum amount of biowaste and compost held at the facility at any time does not exceed 20 tonnes.
13	Recovery of organic waste, other than manure and sludge when used in agriculture for the purposes of benefit to agriculture or ecological improvement, where the total quantity of organic waste recovered at the facility shall not exceed 1,000 tonnes per annum.
14.	The reception and temporary storage of – (a) waste, returned or recovered refrigerant gases in refrigerant containers, or (b) waste, returned or recovered halons in halon containers, or (c) waste, returned or recovered fluorinated greenhouse gases in fluorinated greenhouse gas containers, 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.

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. FOURTH SCHEDULE

FOURTH SCHEDULE

PART I

GENERAL RULES IN RESPECT OF REGISTERED ACTIVITIES

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, 2006.

(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.

(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 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 the Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005 (S.I. No. 340 of 2005), 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 –

(a) waste facility is located,
(b) person depositing the WEEE has his or her place of business and if not a business his or her place of residence, and
(c) 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:

(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
(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 Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006), subject to any amendment that may be made to those regulations from time to time.

5. ARTICLE 11 REQUEST – GENERAL INFORMATION

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[4]

An Article 11 request **may only be made** online to the Environmental Protection Agency.

All Article 11 requests should be made on the electronic webform through the Agency's website at www.epa.ie. Please quote the Article 11 Reference Number when making an enquiry regards an Article 11 application.

General Enquires regarding making an Article 11 online application should be directed to:

Environmental Licensing Programme, 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

4 Under Article 11 of the Waste Management (Facility Permit and Registration) Regulations, 2007

6. WASTE FACILITY PERMIT NEWSPAPER NOTICE

APPLICATION TO WEXFORD COUNTY COUNCIL FOR A WASTE FACILITY PERMIT

Notice is hereby given in accordance with Article 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 the 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 Wexford County Council within 10 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 or Fourth Schedule. 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;

<<Identify the Class and Description of the activity>> ***In the case of two or more activities identify the principal activity>>***

A copy of the application for the waste permit will as soon as is practicable after receipt by the Local Authority, be available for inspection or purchase at the principal office at Wexford County Council, County Hall, Co. Wexford.

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. WASTE FACILITY PERMIT SITE NOTICE

APPLICATION TO WEXFORD COUNTY COUNCIL FOR A WASTE FACILITY PERMIT

Notice is hereby given in accordance with Article 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 the 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 Wexford County Council within 10 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 or Fourth Schedule. 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;

<<Identify the Class and Description of the activity>> ***In the case of two or more activities identify the principal activity>>***

A copy of the application for the waste permit will as soon as is practicable after receipt by the Local Authority, be available for inspection or purchase at the principal office at Wexford County Council, County Hall, Co.Wexford.

(Date 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.**

8. LIST OF EWC CODES

Excerpt from
European Waste Catalogue and Hazardous Waste List
-Valid from 1 January 2002

CHAPTERS OF THE LIST

01 Wastes resulting from exploration, mining, quarrying, physical and chemical treatment of minerals
02 Wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing, food preparation and processing
03 Wastes from wood processing and the production of panels and furniture, pulp, paper and cardboard
04 Wastes from the leather, fur and textile industries
05 Wastes from petroleum refining, natural gas purification and pyrolytic treatment of coal
06 Wastes from inorganic chemical processes
07 Wastes from organic chemical processes
08 Wastes from the manufacture, formulation, supply and use (MFSU) of coatings (paints, varnishes and vitreous enamels), sealants and printing inks
09 Wastes from photographic industry
10 Wastes from thermal processes
11 Wastes from chemical surface treatment and coating of metals and other materials; non-ferrous hydro-metallurgy
12 Wastes from shaping and physical and mechanical surface treatment of metals and plastics
13 Oil wastes and wastes of liquid fuels (except edible oils, 05 and 12)
14 Waste organic solvents, refrigerants and propellants (except 07 and 08)
15 Waste packaging; absorbents, wiping cloths, filter materials and protective clothing not otherwise specified
16 Wastes not otherwise specified in the list
17 Construction and demolition wastes (including excavated soil from contaminated sites)
18 Wastes from human or animal health care and/or related research (except kitchen and restaurant wastes not arising from immediate health care)
19 Wastes from waste management facilities, off-site waste water treatment plants and the preparation of water intended for human consumption and water for industrial use
20 Municipal wastes (household waste and similar commercial, industrial and institutional wastes) including separately collected fractions

Please note the full text of the European Waste Catalogue and Hazardous Waste List is available on the internet at
www.epa.ie/OurEnvironment/Waste/europeanwastecatalogue/

European Waste Catalogue and Hazardous Waste List -Valid from 1 January 2002

EUROPEAN WASTE CATALOGUE AND HAZARDOUS WASTE LIST

02 WASTES FROM AGRICULTURE, HORTICULTURE, AQUACULTURE, FORESTRY, HUNTING AND FISHING, FOOD PREPARATION AND PROCESSING

02 01	**wastes from agriculture, horticulture, aquaculture, forestry, hunting and fishing**
02 01 01	sludges from washing and cleaning
02 01 06	animal faeces, urine and manure (including spoiled straw), effluent, collected separately and treated off-site
02 01 07	waste from forestry
02 03	**wastes from fruit, vegetables, cereals, edible oils, cocoa, coffee, tea and tobacco preparation and processing; conserve production; yeast and yeast extract production, molasses preparation and fermentation**
02 03 04	materials unsuitable for consumption or processing
02 03 05	sludges from on-site effluent treatment
02 04 01	soil from cleaning and washing beet
02 05 02	sludges from on-site effluent treatment

03	**WASTES FROM WOOD PROCESSING AND THE PRODUCTION OF PANELS AND FURNITURE, PULP, PAPER AND CARDBOARD**
03 01	**wastes from wood processing and the production of panels and furniture**
03 01 01	waste bark and cork
03 01 05	sawdust, shavings, cuttings, wood, particle board and veneer other than those mentioned in 03 01 04

13	**OIL WASTES AND WASTES OF LIQUID FUELS (except edible oils, and those in chapters 05, 12 and 19)**
13 01	**waste hydraulic oils**
13 01 01*	hydraulic oils, containing PCBs (15)
13 01 04*	chlorinated emulsions
13 01 05*	non-chlorinated emulsions
13 01 09*	mineral-based chlorinated hydraulic oils
13 01 10*	mineral-based non-chlorinated hydraulic oils
13 01 11*	synthetic hydraulic oils
13 01 12*	readily biodegradable hydraulic oils
13 01 13*	other hydraulic oils

13 02 waste engine, gear and lubricating oils

13 02 04*	mineral-based chlorinated engine, gear and lubricating oils
13 02 05*	mineral-based non-chlorinated engine, gear and lubricating oils

13 02 06*	synthetic engine, gear and lubricating oils
13 02 07*	readily biodegradable engine, gear and lubricating oils
13 02 08*	other engine, gear and lubricating oils

15	**WASTE PACKAGING; ABSORBENTS, WIPING CLOTHS, FILTER MATERIALS AND PROTECTIVE CLOTHING NOT OTHERWISE SPECIFIED**
15 01	**packaging (including separately collected municipal packaging waste)**
15 01 01	paper and cardboard packaging
15 01 02	plastic packaging
15 01 03	wooden packaging
15 01 04	metallic packaging
15 01 05	composite packaging
15 01 06	mixed packaging
15 01 07	glass packaging
15 01 09	textile packaging

16	**WASTES NOT OTHERWISE SPECIFIED IN THE LIST**
16 01	**end-of-life vehicles from different means of transport (including off-road machinery) and wastes from dismantling of end-of-life vehicles and vehicle maintenance (except 13, 14, 16 06 and 16 08)**
16 01 03	end-of-life tyres
16 01 04*	end-of-life vehicles
16 01 06	end-of-life vehicles, containing neither liquids nor other hazardous components
16 01 07*	oil filters
16 01 17	ferrous metal
16 01 18	non-ferrous metal
16 01 19	plastic
16 01 20	glass
16 06	**batteries and accumulators**
16 06 01*	lead batteries
16 06 02*	Ni-Cd batteries
16 06 04	alkaline batteries (except 16 06 03)
16 06 05	other batteries and accumulators

17	**CONSTRUCTION AND DEMOLITION WASTES (INCLUDING EXCAVATED SOIL FROM CONTAMINATED SITES)**
17 01	**concrete, bricks, tiles and ceramics**
17 01 01	concrete
17 01 02	bricks
17 01 03	tiles and ceramics
17 01 07	mixture of concrete, bricks, tiles and ceramics other than those mentioned in 17 01 06

17 02	**wood, glass and plastic**
17 02 01	wood
17 02 02	glass
17 02 03	plastic
17 03 02	bituminous mixtures containing other than those mentioned in 17 03 01
17 04	**metals (including their alloys)**
17 04 01	copper, bronze, brass
17 04 02	aluminium
17 04 03	lead
17 04 04	zinc
17 04 05	iron and steel
17 04 06	tin
17 04 07	mixed metals
17 04 11	cables other than those mentioned in 17 04 10
17 05	**soil (including excavated soil from contaminated sites), stones and dredging spoil**
17 05 04	soil and stones other than those mentioned in 17 05 03
17 05 06	dredging spoil other than those mentioned 17 05 05
17 05 08	track ballast other than those mentioned in 17 05 07
17 09 04	mixed construction and demolition wastes other than those mentioned in 17 09 01, 17 09 02 and 17 09 03
19	**WASTES FROM WASTE MANAGEMENT FACILITIES, OFF-SITE WASTE WATER TREATMENT PLANTS AND THE PREPARATION OF WATER INTENDED FOR HUMAN CONSUMPTION AND WATER FOR INDUSTRIAL USE**
19 08	**wastes from waste water treatment plants not otherwise specified**
19 08 05	sludges from treatment of urban waste water
19 08 09	grease and oil mixture from oil/water separation containing only edible oil and fats
19 12	**wastes from the mechanical treatment of waste (for example sorting, crushing, compacting, pelletising) not otherwise specified**
19 12 01	paper and cardboard
19 12 02	ferrous metal
19 12 03	non-ferrous metal
19 12 04	plastic and rubber
19 12 05	glass
19 12 07	wood other than that mentioned in 19 12 06
19 12 08	textiles
19 12 09	minerals (for example sand, stones)
20	**MUNICIPAL WASTES (HOUSEHOLD WASTE AND SIMILAR COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL WASTES) INCLUDING SEPARATELY COLLECTED FRACTIONS**

20 01	**separately collected fractions (except 15 01)**
20 01 01	paper and cardboard
20 01 02	glass
20 01 08	biodegradable kitchen and canteen waste
20 01 10	clothes
20 01 11	textiles
20 01 25	edible oil and fat
20 01 34	batteries and accumulators other than those mentioned in 20 01 33
20 01 36	discarded electrical and electronic equipment other than those mentioned in 20 01 21, 20 01 23 and 20 01 35
20 01 38	wood other than that mentioned in 20 01 37
20 01 39	plastics
20 01 40	metals
20 02	**garden and park wastes (including cemetery waste)**
20 02 01	biodegradable waste
20 02 02	soil and stones
20 02 03	other non-biodegradable wastes
20 03	**other municipal wastes**
20 03 01	mixed municipal waste
20 03 02	waste from markets
20 03 03	street-cleaning residues
20 03 04	septic tank sludge
20 03 06	waste from sewage cleaning
20 03 07	bulky waste
20 03 99	municipal wastes not otherwise specified

9. GUIDANCE NOTES ON FLOOD STUDIES, BIODIVERSITY PLANS AND HYDROGEOLIGAL ASSESSMENTS

9.1 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 floodplain, 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.

9.2 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 developed1 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 are required, an ecological study of the site and surrounding Environment[2] shall be conducted by a person with an ecological qualification as follows:

Habitats shall be identified to level 3 in accordance with *A Guide to Habitats in Ireland*[3] 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[4] 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) [5]
• Annex I of the EU Habitats Directive.
• Annex I of the EU Birds Directive[6].
• Red or amber listed bird species in the current list of Birds of Conservation
• Concern in Ireland[7]
• Sites of conservation interest shall be identified including:
• European sites[8]
• Proposed or designated Natural Heritage Areas9
• Nature Reserves [9].
• Refuges for fauna or flora[9].
• Wildfowl sanctuaries[9].
• Sites subject to management agreements under the Wildlife Acts[9].
• Wetlands[10].

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 acitivity 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'.

9.3 GUIDANCE NOTES ON HYDRO-GEOLOGICAL ASSESSMENT

Under article 17 of the Waste Management (Facility Permit & Registration) Regulations 2007 and Amendment 2008 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.

LCC 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 hydro-geological assessment to be carried out.

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 effluent 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 and testing of boreholes
• Trial pits
• Percolation tests
• Permeability measurements in subsoil and bedrock
• Subsoil particle size distribution
• Vulnerability rating
• Groundwater levels (particularly in winter)
• Water table gradient
• Recharge
• Existing surface/groundwater quality

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. 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.

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).

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 / non metals
- Fluoride
- List I/II organic substances
- Mercury
- 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 / non metals
- Fluoride
- List I/II organic substances
- Mercury
- Sulphate
- Total Alkalinity
- Total P/orthophosphate
- Total Oxidised Nitrogen
- Total Organic Carbon

c) 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 (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.