



**For Office Use Only:**

**Application Reference Number:**

**Return Number (If Applicable):**

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

**COMHAIRLE CONTAE CHIARRAI  
KERRY COUNTY COUNCIL**

**Please Note: Failure to submit all necessary information  
may result in invalidation and return of the application.**

**It is strongly recommended that pre-application  
consultation be carried out with the Environment  
Section, Kerry County Council prior to submitting an  
application.**

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## **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 and the Waste Management (Facility Permit and Registration) Amendment Regulations S.I. No. 86 of 2008 (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 application form and guidance notes are available to download from the <http://www.kerrycoco.ie/environment/wastepermits.asp> or from the EPA website at [www.epa.ie/downloads/advice/waste/wasteregulations/](http://www.epa.ie/downloads/advice/waste/wasteregulations/)

In order to make the application process as efficient as possible it may be necessary for Kerry County Council 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 recommended that pre-application consultations or discussions with Kerry County Council (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<sup>1</sup>. 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, a formal request should be made directly to the Environmental Protection Agency for a determination as to whether an activity requires a waste licence, waste facility permit, certificate of registration or none of these. Details of the request procedure are available from the EPA website ([www.epa.ie](http://www.epa.ie)).

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.

Article 1. \_\_\_\_\_

<sup>1</sup> 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% of the appropriate threshold, whichever is the greater. (S.I. No. 93 of 1999. European Communities (Environmental Impact Assessment) (Amendment) Regulations, 1999.)

The current waste management plan for the Limerick, Clare and Kerry region is available at:

<http://www.managewaste.ie/publications.asp>.

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 **Kerry County Council** concerning your application, please use the contact details and numbers provided in the table below.

<b>Environment Section, Kerry County Council, Maine Street, Tralee, Co. Kerry</b>	
Article I.	<b>Tel. 066 7162000</b>
Article II.	<b>Fax.066 7162001</b>
Article III.	<b>Email: environ@kerrycoco.ie</b>

### **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. **Note that an application for a Waste Facility Permit must include a copy of the relevant page from the newspaper and a copy of the text of the site notice, a template for both notices is included in Appendix 2.** 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. **5 No. copies of the application form and of all additional documentation, including drawings and plans, shall be submitted by the applicant.**

<b>1.5</b>	<b>About these Guidance Notes</b>
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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.ie/downloads/advice/waste/wasteregulations/](http://www.epa.ie/downloads/advice/waste/wasteregulations/)

**Waste facility permit & certificate of registration application form**

**Section A: Type of Application**

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

Application for a Waste Facility Permit	<input type="checkbox"/>
Application for a Review of a Waste Facility Permit	<input type="checkbox"/>
Application for a Certificate of Registration	<input type="checkbox"/>
Application for a Review of a Certificate of Registration	<input type="checkbox"/>

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

Yes

No

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

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

**Section B: About the Applicant**

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

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

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

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

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

Trade Name:	
Trade Name:	

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

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

- Yes
- No

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

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

Company Number:	
Document(s) Reference:	

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

- Yes
- No

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

Name:	
Address:	

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

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

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

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

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

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

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

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

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

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

Has the applicant, including in the case of a body corporate any officer of that body corporate, been convicted of any offence, 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 and the Waste Management (Facility Permit and Registration) Amendment Regulations S.I No. 86 of 2008 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)]

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

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

<b>Document(s) Reference:</b>	
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**B.8 Technical Competence (Fit and Proper Person)**

Please detail the applicant's technical knowledge and qualification and/or experience (Article 5) relevant to the management of a waste facility. Alternatively, where the facility is to be managed on behalf of the applicant by an employee or agent, please provide details of their technical knowledge and qualification and/or experience relevant to the management of the facility. Please use a separate sheet if required.

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<b>Section C: About the Facility</b>
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**C.1 The location or postal address of the facility to which the application relates [Article 10 (1) (g)]**

<b>Address:</b>	
<b>Townland:</b>	
<b>National Grid Reference for centre of site (10 digit 5E, 5N)</b>	

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

The following details must also be included:

- five of the appropriate plans and maps relating to the facility including:
  - site location plan (1), (Scale 1,50,000)
  - site location plan (2), (Scale 1:2500)
  - site layout plan or proposed layout plan of facility, (Scale 1:500 or other suitable scale)
  - a clear delineation of the site boundaries, and
  - particulars of:
    - Ordnance Survey Sheet Reference Number(s)
    - Elevation Levels (metres) and Ordnance Datum used
    - Dimensions (metres)
    - Orientation of North Point
- The site layout plan or proposed layout plan of the facility must show how the site will be laid out, including details of (where applicable):
  - Site entrance
  - Waste Storage areas
  - Waste Treatment areas
  - Site drainage, including oil interceptor (if installed)
  - Site office
  - Weighbridge (if present)

- Traffic flow
- Nature of surfacing within the permitted facility
- Emission points

**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:

<b>Planning Permission Number :</b>	
<b>Planning Application Number:</b>	
<b>Local Authority:</b>	
<b>Document(s) Reference:</b>	

**Please note** failure to have **planning permission** or a **certificate of exemption** from planning permission in place, prior to the making of a decision on an application, will result in a refusal to grant the application as the applicant will not have demonstrated compliance with all the requirements of Article 18(4) of the regulations.

**C.4 Operating Hours**

What are the proposed operating hours of the facility?

<b>Weekdays:</b>	
<b>Weekends:</b>	
<b>Public Holidays:</b>	

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

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

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

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

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

Has the Environmental Protection Agency declared what type of authorisation the proposed activity requires? If yes, please enclose a copy of this declaration. Article 11 request form included in **Appendix 5**.

Yes

No

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

Also, provide details of the quantity of waste to be handled at the facility. For each class, the units used to describe the quantity in question should be consistent with those referred to in the Third Schedule of the regulations (see Appendix 3).

Please use a separate sheet if required.

<b>Disposal operations as per the third schedule of the Waste Management Acts 1996-2011</b>		
<b>Insert Code:</b>	<b>Insert Code Description</b>	<b>Proposed Quantity (please state units used ie. tonnes, cubic metres or number of units)</b>
<i>Example: Code D 1</i>	<i>Example: Deposit into or on to land.</i>	
<b>Recovery operations as per the fourth schedule of the Waste Management Acts 1996-2011</b>		
<b>Insert Code:</b>	<b>Insert Code Description</b>	<b>Proposed Quantity</b>
<b>Classes of Activity subject to waste facility permit application to a local authority as per Part I of the third schedule of the Regulations</b>		
<b>Insert Class Number:</b>	<b>Insert Class Description</b>	<b>Proposed Quantity</b>
<b>Classes of Activity subject to certificate of registration with the local authority or the Agency as per Part II of the third schedule of the Regulations</b>		
<b>Insert Class Number:</b>	<b>Insert Class Description</b>	<b>Proposed Quantity</b>
<b>Principal Activity:</b>		
<b>Document(s) Reference:</b>		

**D.4 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.5 Improvement or development of land [Article 10 (1) (x)]**

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

Yes

No

If yes, please supply details of

- Average and maximum depth of fill
- A topographical survey drawing (5 copies) showing the existing and proposed contours to a scale of 1:500; the contours shall be shown in 2 distinctive colours, e.g. Existing Contours in Blue and proposed Contours in Red. The existing datum (Poolbeg or Malin) must be clearly shown on each drawing, bench Marks (e.g. B.M.238.80) or existing road spot levels to be used as a basis to determine the existing contoured levels of the site. A secure temporary bench mark (T.B.M.) to be positioned and detailed on the topographical survey drawing.
- 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
- Facility closure plan
- A phased restoration plan and for the site in cases where the site is larger than 2 Hectares (drawing showing the phased infilling and restoration at the site).

<b>Document(s) Reference:</b>	
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**D.11 Minimising environmental impact of emissions [Article 10 (1) (gg)]**

Include details of how these emissions will be minimised to prevent the following:

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

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

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

**D.12 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.

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

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

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

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

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

**D.13 Facility Security [Article 10 (1) (gg)]**

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

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

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

**D.14 Arrangements for the off-site recovery or disposal of wastes [Article 10 (1) (bb)]**

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

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

<b>Document(s) Reference:</b>	
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**D.15 Animal By-Products [Article 10 (1) (w)]**

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

- Yes
- No

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

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

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

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

Designation	Yes	No
Special Area of Conservation (SACs)		
Special Protection Area (SPAs)		
Ramsar		
Natural Heritage Areas (NHAs)		
Nature Reserves		
Refuge for Flora or Fauna		
Wildfowl Sanctuaries		
Management Agreements <sup>2</sup>		

If yes, please give details of the sites:

Affected Sites:	
Document(s) Reference:	

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

Is the site located in the immediate catchment of a water course<sup>3</sup>?

Yes

No

If yes, please supply details of the flood studies undertaken to ensure that the potential for increased run-off or contamination of the watercourse is adequately mitigated. (See **Appendix 5** for guidance on information required.)

Article 1. \_\_\_\_\_

<sup>2</sup> The Wildlife Act 1976, enables the Minister to enter into a voluntary management agreement with private landowners. Under these agreements landowners will manage their lands to ensure that desirable wildlife habitats are protected. The number and type of such agreements depends on the resources available to the Department at any time

<sup>3</sup> Local Government (Water Pollution) Act, 1977 defines "waters" to include the following:

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

( b ) any tidal waters, and

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

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

Please provide details of the following:

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

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

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

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

Please provide details of the biodiversity of the site. (See **Appendix 6** for guidance on information required.)

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

**F.1 Additional Information**

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

Supporting documents may be provided.

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

**Section G: Application Fee /Declaration**

**G.1 Application Fee**

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

<b>Application Type</b>	<b>Application Fee Payable</b>	<b>Included</b>
Application for a Waste facility permit for Classes 5, 6 and 7	€2,000	<input type="checkbox"/>
Application for all other Waste Permit Facility Activities	€1,000	<input type="checkbox"/>
Application for the review of a facility permit (classes 5,6 &7)	€1,000	<input type="checkbox"/>
Application for the review of a facility permit for all other classes	€500	<input type="checkbox"/>
Application for a certificate of registration for Classes 5, 6, 7 and 10	€600	<input type="checkbox"/>
Application for a certificate of registration for all other classes	€300	<input type="checkbox"/>
Application for the review of a certificate for Classes 5, 6, 7 and 10	€300	<input type="checkbox"/>
Application for the review of a certificate for all other classes	€150	<input type="checkbox"/>

**G.1 Statutory Declaration**

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

\_\_\_\_\_ for the purpose of obtaining a waste facility permit or certificate of registration (delete as appropriate) 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 Kerry 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 waste facility permit or certificate of registration, as appropriate, renders themselves liable to severe penalties.

**Waste Facility Permit/Certificate of Registration Application Summary Sheet**

*Permit Ref. No. (for office use only)* \_\_\_\_\_

Name of Applicant: \_\_\_\_\_

Address of Applicant: \_\_\_\_\_

Contact Tel. No. of Applicant: \_\_\_\_\_

Address of Facility: \_\_\_\_\_

Brief Description of Activity:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Waste Types to be accepted :

\_\_\_\_\_  
\_\_\_\_\_

Tonnage of waste to be accepted (tonnes per annum) :

\_\_\_\_\_

Operating Hours

\_\_\_\_\_

Duration of Permit (maximum of 5 years) :

\_\_\_\_\_

Signed:

Date:

## APPENDICES

### APPENDIX 1 - Checklist of information to be supplied with application - 5 copies of each

Information required	Article	Included	Official use
Completed application form	10 (1)	<input type="checkbox"/>	
Details of any court hearing, case, nature of the offence and any penalty or requirements imposed by the court.	10(1)	<input type="checkbox"/>	
Evidence of legal interest in land, i.e. folio number and map, and where the applicant is not the registered owner of the land a letter of consent by way of a legal agreement between the owner and the applicant consenting to the use of the land, or lease agreement.	10(1)(d)	<input type="checkbox"/>	
Where the applicant is a person or partnership, include details of any such conviction where the person or partner was at any time within the last 10 years prior to this application, a director, manager, company secretary or similar officer for a body corporate	10(1)	<input type="checkbox"/>	
Evidence of applicants ability to meet Financial Commitments/liabilities – insurance cover to include environmental liabilities cover	10(1)(c)	<input type="checkbox"/>	
Facility Closure Plan	10(1)(x)	<input type="checkbox"/>	
Topographical and cross sectional drawings (classes 5&6 only)	10(1)(x)	<input type="checkbox"/>	
Biodiversity Plan	10(y)	<input type="checkbox"/>	
Details of an application to the Minister of Agriculture & Food where an application has been made for a facility which deals with biological treatment of animal by-products (Class 8 WFP & classes 11 & 12 CoR)	10(1)(w)	<input type="checkbox"/>	
Flood Study	10(1)(a)(a)	<input type="checkbox"/>	
Supporting statement as to the purpose of the placement of waste on land from agricultural advisor, engineer, landscape architect or other technical expert (classes 5&6 only)	10(1)(cc)	<input type="checkbox"/>	
A phased restoration plan for the site in cases where the site is larger than 2 Hectares for classes 5 & 6 only (drawing showing the phased infilling and restoration at the site)	10(1)(cc)	<input type="checkbox"/>	
Supporting statement as to the purpose of the placement of waste on land from agricultural advisor, engineer, landscape architect or other technical expert (classes 5&6 only)	10(1)(cc)	<input type="checkbox"/>	
Signed declaration	10(1)(cc)	<input type="checkbox"/>	

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Copy of EIS if necessary	10(1)(cc)	<input type="checkbox"/>	
Map showing European sites and environmental designations if necessary	10(1)(cc)	<input type="checkbox"/>	

**Additional Information for Waste Facility Permit Applications**

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

## APPENDIX 2 – Waste Facility Permit Site Notice and Newspaper Notice

### Waste Facility Permit Site Notice

#### APPLICATION TO KERRY COUNTY COUNCIL FOR A WASTE FACILITY PERMIT

Notice is hereby given that in accordance with Articles 7 and 8 of the Waste Management (Facility Permit and Registration) Regulations 2007 that <<*Name and Address of the applicant*>>

intends to apply for a Waste Management Facility Permit at full <<*address of facility*>>  
>  
Co. Kerry to apply to *brief description of the nature and purpose of activity*

The application for a waste facility permit will be made to Kerry County Council within 10 working days of the date of this notice.

The Class (es) of Operation at the site, as specified in the <<*Third or Fourth*>>  
- \_\_\_\_\_ Schedule of the Waste Management Act, 1996- 2011, is/are as follows;

<< Class of Activity under the Third and Fourth Schedules. In the case of two or more activities, identify the principal activity >>

A copy of the application for the waste permit will as soon as is practicable after receipt by Kerry County Council, be available for inspection or purchase at the principal office of the Environment Section, Kerry County Council, Maine Street, Tralee, Co. Kerry during normal working hours.

It is an offence for any person other than the applicant, his agent, the Local Authority or Agency to remove this site notice.

Date: \_\_\_\_\_

## Waste Facility Permit Newspaper Notice

### **APPLICATION TO KERRY COUNTY COUNCIL FOR A WASTE FACILITY PERMIT.**

Notice is hereby given that in accordance with Articles 7 and 8 of the Waste Management (Facility Permit and Registration ) Regulations 2007 that *Name and Address of the applicant to be entered*

*address of facility* intends to apply for a Waste Management Facility Permit at *full* *address of facility* .Co. Kerry to *brief description of the nature and purpose of the activity*

The application for a waste facility permit will be made to Kerry County Council within 10 working days of the date of this notice.

The Class(es) of Operation at the site, as specified in the *Third or Fourth* Schedule of the Waste Management Act, 1996-2011, is/are as follows;

*Class of Activity under the Third and Fourth Schedules. In the case of two or more activities, identify the principal activity*

A copy of the application for the waste permit will as soon as is practicable after receipt by Kerry County Council, be available for inspection or purchase at the principal of the Environment Section, Kerry County Council, Maine Street, Tralee, Co. Kerry during normal working hours.

## **APPENDIX 3 - Disposal and Recovery Operations as per the third and fourth schedules of the Waste Management Acts 1996-2011**

### **THIRD SCHEDULE WASTE DISPOSAL OPERATIONS**

- D 1. Deposit into or on to land (e.g. landfill, etc.)
- D 2. Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D 3. Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.).
- D 4. Surface impoundment (e.g. placement of liquid or sludge 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 12. Permanent storage (e.g. emplacement of containers in a mine, etc.).
- D 13. Blending or mixture prior to submission to any of the operations numbered from D 1 to D 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 D 1 to D 12)
- D 14. Repackaging prior to submission to any of the operations numbered D 1 to D 13
- D 15. Storage prior to submission to 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 OPERATIONS**

R 1. Use principally as a fuel or other means to generate energy : This includes incineration facilities dedicated to the processing of municipal solid waste only where their energy efficiency is equal to or above :

- 0.60 for installations in operation and permitted in accordance with applicable Community Acts before 1 January 2009,
- 0.65 for installations permitted after 31 December 2008,

Using the following formula, applied in accordance with the reference document on Best Available Techniques for Waste Incineration :

$$\text{Energy efficiency} = (E_p - (E_f + E_i)) / (0.97 \times (E_w + E_f))$$

Where-

‘E<sub>p</sub>’ means annual energy produced as heat or electricity and is calculated with energy in the form of electricity being multiplied by 2.6 and heat produced for commercial use multiplied by 1.1 (GJ/year),

‘E<sub>f</sub>’ means annual energy input to the system from fuels contributing to the production of steam (GJ/year),

‘E<sub>w</sub>’ means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year),

‘E<sub>i</sub>’ means annual energy imported excluding E<sub>w</sub> and E<sub>f</sub> (GJ/year)

‘0.97’ is a factor accounting for energy losses due to bottom ash and radiation.

- R 2. Solvent reclamation/regeneration
- R 3. Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals
- R 4. Recycling/reclamation of metals and metal compounds
- R 5. Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials
- R 6. Regeneration of acids or bases
- R 7. Recovery of components used for pollution abatement
- R 8. Recovery of components from catalysts
- R 9. Oil re-refining or other re-uses 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 R 1 to R 11)
- 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).

**APPENDIX 4 - Waste Management (Facility Permit and Registration) (Amendment) Regulations, 2008 Classes of Activities**

**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.	<p>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 –</p> <ul style="list-style-type: none"> <li>1. household hazardous waste (other than WEEE and mercury containing waste or used batteries and accumulators) at a civic amenity facility, recycling centre or central collection point where annual intake shall not exceed –                             <ul style="list-style-type: none"> <li>i. in the case of liquid waste, 100,000 litres,</li> <li>ii. in the case of non-liquid waste, 100 tonnes</li> </ul> </li> <li>2. WEEE at any premises</li> </ul> <p>for the purpose of onward transport and submission to recovery at an authorised facility.</p>
2.	<p>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).</p>

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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.	<p>The reception, storage and recovery of scrap metal, including scrap metal arising from end-of-life vehicles, waste vehicles (other than end-of-life vehicles) and WEEE where scrap metal from –</p> <ol style="list-style-type: none"> <li>1. end-of-life vehicles shall be subject to appropriate treatment and recovery in accordance with the provisions of 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,</li> <li>2. waste vehicles (other than end-of-life vehicles) shall be subject to appropriate treatment and recovery having regard to the provisions of 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,</li> <li>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.</li> </ol>
5.	Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 100,000 tonnes.
6.	Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone) through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 50,000 tonnes.
7.	<p>Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding land improvement or development) where –</p> <ol style="list-style-type: none"> <li>(a) the annual intake shall not exceed 50,000 tonnes, and</li> <li>(b) the maximum quantity of residual waste consigned from the facility for collection, onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</li> </ol>
8.	<p>The reception, storage and biological treatment of biowaste at a facility where –</p> <ol style="list-style-type: none"> <li>(a) the maximum amount of compost and biowaste held at the facility does not exceed 6,000 cubic metres at any time, and</li> <li>(b) the annual intake shall not exceed 10,000 tonnes.</li> </ol>
9.	<p>The reception, temporary storage and recovery of used batteries and accumulators where-</p> <ol style="list-style-type: none"> <li>(a) from 26 September 2008, the treatment and recycling of used batteries and accumulators meets the requirements of article 12 of Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and</li> </ol>

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	(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 specified in Category 5 of Annex I of Council Directive 96/61/EC, where –  (a) the annual intake does not exceed 50,000 tonnes, and  (b) the maximum quantity of residual waste consigned from the facility for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.
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 collection and storage (including the temporary storage) and the appropriate treatment and recovery of end-of-life vehicles 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).

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 –  (a) less than 1000 kilograms of used batteries and accumulators, or  (b) less than 10 tonnes of automotive batteries and accumulators, or used industrial batteries and accumulators, or

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	<p>(c) less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE), or</p> <p>(d) less than</p> <ul style="list-style-type: none"> <li>(i) 540 cubic metres of household WEEE</li> <li>(ii) 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</li> <li>(iii) 300 kilograms of mobile phones,</li> </ul> <p>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.</p>
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 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 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 –
	<ul style="list-style-type: none"> <li>(a) the annual intake shall not exceed 10,000 tonnes, and</li> <li>(b) the maximum quantity of residual waste consigned from the facility for submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</li> </ul>
8	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 –
	<ul style="list-style-type: none"> <li>(a) conditions on waste management have not been imposed under section 261 of the Planning and Development Act 2000 (No. 30 of 2000), and</li> <li>(b) such material is in a chemically unaltered state.</li> </ul>
10.	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 –
	<ul style="list-style-type: none"> <li>(a) the maximum amount of waste dispatched from the facility for onward transport and disposal does not exceed 1,500 tonnes per annum, and</li> <li>(b) a period of storage of waste for disposal does not exceed 30 days.</li> </ul>
11.	The reception, storage and composting of biowaste by a local authority, not mentioned elsewhere in this schedule, where –
	<ul style="list-style-type: none"> <li>(a) the annual intake does not exceed 5,000 tonnes, and</li> <li>(b) the maximum amount of biowaste and compost held at a composting</li> </ul>

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	facility does not exceed 2,000 tonnes at any time.
12.	<p>The storage and composting, on the premises where it is produced, of biowaste, where –</p> <p>(a) the amount stored and treated does not exceed 50 tonnes per annum, and</p> <p>(b) the maximum amount of biowaste and compost held at the facility at any time does not exceed 20 tonnes.</p>
13	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.	<p>The reception and temporary storage of –</p> <p>(a) waste, returned or recovered refrigerant gases in refrigerant containers, or</p> <p>(b) waste, returned or recovered halons in halon containers, or</p> <p>(c) waste, returned or recovered fluorinated greenhouse gases in fluorinated greenhouse gas containers,</p> <p>pending collection or onward transport prior to submission to recycling, reclamation or destruction in accordance with the relevant legislative requirements for the specific type of refrigerant gas, halon or fluorinated greenhouse gas, where recovery has the meaning assigned to it under Regulation (EC) No. 2037/2000 and Regulation (EC) No. 842/2006, and where the total quantity stored at any one time on a premises does not exceed 18 tonnes.</p>

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

## **APPENDIX 5 – Guidance Notes on Flood Studies**

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

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

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

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

The applicant should now supply the following information:

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

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

## APPENDIX 6 – Guidance on Biodiversity

Article 10(1)(y) requires that an application for a waste facility permit or certificate of registration contain details of the biodiversity of the land.

Where the proposed activity will be located in an area that is already developed<sup>4</sup> and will not, due to its nature and scale, significantly impact on biodiversity off-site, a statement to that effect shall be sufficient. Examples could include the following:

- Proposed location of a materials recycling facility in an industrial estate.
- Proposed redevelopment of an existing garage for depollution 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 a small-scale civic amenity facility in a car park.

Where details of biodiversity is required, an ecological study of the site and surrounding environments shall be conducted by a person with an ecological qualification as follows:

Habitat shall be identified to level 3 in accordance with *A Guide to Habitats in Ireland* and mapped.

The habitat nomenclature scheme in *A Guide to Habitats in Ireland* shall be used, except in the case of any EU Habitats Directive<sup>7</sup> Annex 1 habitats, which shall be identified in accordance with the nomenclature used in the EU Habitats Directive.

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

- Irish Red Data Books 1 (plants) and 2 (animals)<sup>8</sup>
- Annex I of the EU Habitats Directive.
- Annex I of the EU Birds Directives<sup>9</sup>.
- Red or amber listed bird species in the current list of Birds of Conservation Concerns in Ireland<sup>10</sup>.

Article 1. \_\_\_\_\_

<sup>4</sup> This assumes that any existing development is authorised, e.g. has planning permission if necessary

<sup>5</sup> To include the area of the waste activity and any area that could be impacted by it.

<sup>6</sup> Fossitt, J.A. (2000) *A Guide to Habitats in Ireland*. Heritage Council, Kilkenny.

<sup>7</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as amended)

<sup>8</sup> <http://www.npws.ie/en/PublicationsLiterature/RedLists/>

<sup>9</sup> Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (as amended).

<sup>10</sup> <http://www.birdwatchireland.ie/>

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Sites of conservation interest shall be identified including:

- European Sites<sup>11</sup>.
- Proposed or designated Natural Heritage Areas<sup>12</sup>.
- Nature Reserves<sup>17</sup>.
- Refuges for fauna or flora<sup>17</sup>.
- Wildfowl sanctuaries<sup>17</sup>.
- Sites subject to management agreements under Wildlife Acts<sup>17</sup>.
- Wetlands<sup>13</sup>

Article 1. \_\_\_\_\_

<sup>11</sup> See Article 5(2) of the Waste Management (Facility Permit and Registration) Regulations 2007 for definition.

<sup>12</sup> <http://www.npws.ie/en/ConservationSites/>

<sup>13</sup> 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”