

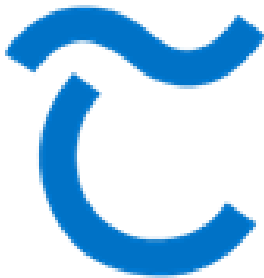


Comhairle Contae Thiobraid Árann  
Tipperary County Council

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Comhairle Contae Thiobraid Árann  
Tipperary County Council

## ENVIRONMENT SECTION

### APPLICATION FORM

## SURRENDER of a WASTE FACILITY PERMIT / CERTIFICATE OF REGISTRATION

**Any person who gives false or misleading information for the purpose of obtaining the surrender of a Waste Facility Permit or Certificate of Registration, shall be guilty of an offence [Article 43]**

#### For Office Use Only:

**Application Reference Number:**

**Return Number (If Applicable):**

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## 1. GENERAL

### 1.1 Introduction:

This form is for the following purposes surrendering a Waste Facility Permit or a Certificate of Registration issued 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 the Surrender of a Waste Facility Permit;
- (b) The making of an application for the Surrender of a Certificate of Registration.

The application form is available to download from the **Tipperary County Council website** [www.tipperarycoco.ie/environment](http://www.tipperarycoco.ie/environment)

### 1.2 Guidance on the Application Form:

- An application for the surrender of a Waste Facility Permit is made under Article 29 of the Regulations.
- An application for the surrender of a Certificate of Registration is made under Article 39 of 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.
- 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.

### 1.3 Surrender of a Waste Facility Permit:

A Waste Facility Permit may, subject to the agreement of the local authority, be surrendered at any time by notice in writing to the local authority of an application for the surrender for a Waste Facility Permit.

A Waste Facility Permit shall, subject to the agreement of the local authority, be surrendered by notice in writing by the permit holder to the local authority when the–

- (a) waste related activity ceases,
- (b) Waste Facility Permit expires after 5 years (or a shorter period as specified in the permit), and no application to review the permit has been applied for, at least 60 working days prior to the expiration date,
- (c) Waste Facility Permit is revoked under article 36 of the Regulations, or
- (d) Waste Facility Permit is refused under articles 18 or 35 of the Regulations.

The making of an application for the surrender of a Waste Facility Permit, the revocation of the Waste Facility Permit or the cessation of the activity to which a Waste Facility Permit relates, shall in no way affect or diminish such conditions, requirements or obligations applying to or falling on the permit holder as are specified in or arise under the Waste Facility Permit.

#### 1.4 Surrender of a Certificate of Registration:

An application for the surrender of a Certificate of Registration shall be made in writing –

- (a) in the case of an activity carried on by or on behalf of a local authority, to the Agency, or
- (b) in the case of an activity carried on by a person other than a local authority, to a local authority in whose functional area the relevant facility is located.

A Certificate of Registration, upon an application in writing being made by the Registration Holder to and subject to the agreement of the by the local authority or, as the case may be, the Agency,

- (a) may be surrendered at any time,
- (b) shall be surrendered by the registration holder when the waste-related activity ceases, or
- (c) shall be surrendered by the registration holder when the Certificate of Registration expires

The making of an application for the surrender of a Certificate of Registration, the revocation of the Certificate of Registration or the cessation of the activity to which a Certificate of Registration relates, shall in no way affect or diminish such conditions, requirements or obligations applying to or falling on the registration holder as are specified in or arise under the terms of the Certificate of Registration.

#### 1.5 Additional Information and Conditions:

A local authority (or the Agency as the case may be) shall not agree to the surrender of a Waste Facility Permit or a Certificate of Registration unless it is satisfied that the condition of the facility is not causing or likely to cause environmental pollution.

The competent authority may require the applicant for surrender to carry out investigations as are necessary, in the reasonable opinion of the authority, to verify the condition of the facility. In this event reference should be made to the **EPA Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision, 2006**.

Reports detailing the results of any such investigations should be submitted with the surrender application.

A competent authority may, in agreeing to the surrender of a Waste Facility Permit or a Certificate of Registration attach conditions by way of a notice in writing to the permit holder, which shall be complied with by the person surrendering the permit. These conditions may include requirements for continued monitoring or assessments of the pollution risks at the facility for a period of time.

**NOTE: 5 of copies of all documentation to be submitted with application form.**

## 1.6 Financial Bond or Security:

If the permit holder who has applied to surrender their Waste Facility Permit currently holds a bond or financial security under article 19(1) of the Regulations, the local authority may decide, as the case may be, that the financial security:

- (a) shall be maintained in place for such period as the authority may require, or
- (b) may be released to the permit holder.

## 1.7 About these Guidance Notes:

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

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 S.I No. 821 of 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.

If you need to contact **Tipperary County Council's Environment Section** concerning your application, please use the numbers provided in the table below.

<b>Administrative Officer, Environment Section, Tel.: 0761 06 5000</b>
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For more detailed guidance on the Waste Facility Permit and Certificate of Registration regulation system please refer to the Waste Facility Permit and Registration Regulations Guidance Manual available to download from the EPA website at [www.epa.ie/wastepermit](http://www.epa.ie/wastepermit)

## 2. SURRENDER OF A WASTE FACILITY PERMIT OR A CERTIFICATE OF REGISTRATION APPLICATION FORM

### Section A: Type of Application

A.1 Please tick the relevant box to which this application applies.

Surrender of a Waste Facility Permit	<input type="checkbox"/>
Surrender of a Certificate of Registration by a private operator	<input type="checkbox"/>

A.2 Waste Facility Permit or Certificate of Registration number to be surrendered.

Permit / Registration Number:	
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### Section B: About the Applicant

This section relates to the applicant who is applying to surrender the Waste Facility Permit/ or a Certificate of Registration.

B.1 Full name of applicant(s):

In the case of joint applicants, identify the principal applicant. If applicable.

Name(s):	
Principal Applicant	

B.2 Any Trade Name(s) the facility will be operated under.

Trade Name:	
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B.3 Address and contact details of applicant.

Address:	
Tel:	
Fax:	
e-mail:	

B.4 Is the applicant a different person to the Permit / Certificate Holder?

Yes

No

If **yes**, confirm relationship with Permit / Certificate holder and legal entitlement to Surrender the Permit / Certificate:

<b>Document Reference:</b>	
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### Section C: About the Facility being Surrendered

**C.1 The location or postal address and contact details of the facility to which the application relates.**

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

**C.2 Reason why the Waste Facility Permit / Certificate of Registration is being surrendered**

State the reason why an application for surrender of Waste Facility Permit / Certificate of Registration is being made:

REASON FOR SURRENDER	COMMENTS / ADDITIONAL INFORMATION
Waste related activity has ceased	
Waste Facility Permit / Certificate of Registration has expired	
Waste Facility Permit has been revoked under article 36 of the Regulations	
Waste Facility Permit is refused under articles 18 or 35 of the Regulations	

**C.3 Please provide a copy of the Waste Facility Permit / Certificate of Registration licence you wish to surrender.**

<b>Document Reference:</b>	
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**Section D: Environmental Pollution and Liabilities**

**D.1 Environmental Pollution**

Provide information on any investigations that have been carried out to ascertain whether environmental pollution is likely to have been caused due to the conditions of the facility. If investigative reports OR Environmental Liability Risk Assessments have been furnished these should be attached and submitted as part of this application.

- Yes
- No

If **yes**, provide additional Information on the investigations carried out.


<b>Document Reference:</b>	
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**Section E: Financial Bond for Waste Facility Permit Holders**

Please provide information regarding any bond or financial security that is held as part of the current Waste Facility Permit. On surrender of the Waste Facility Permit the local authority may decide whether the bond shall be maintained for a period of time, or whether it may be released to the permit holder.

**E.1 Is a bond or financial security currently in place as required under article 19(1) of the Regulations?**

- Yes
- No

If **yes**, provide details of the bond or financial security below, and attach a copy of your financial bond with this application.


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

If there is additional information which the applicant feels may be required by the authority in making its decision, it should be included here.


**Section G: Signatures**

This section must be signed by an authorised representative of the applicant.

<b>Name:</b>	
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Position within Organisation (if body corporate or partnership).

<b>Position:</b>	
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**Signature:**

<b>Signature:</b>	
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**Date:**

<b>Date:</b>	
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## Section H: Statutory Declaration

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

\_\_\_\_\_ for the purpose of surrendering a Waste Facility Permit, or, Certificate of Registration, 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 **Tipperary 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 and Registration) Regulations 2007, as amended.

Applicant 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 surrendering a Waste Facility Permit or Certificate of Registration renders themselves liable to severe penalties.