

WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

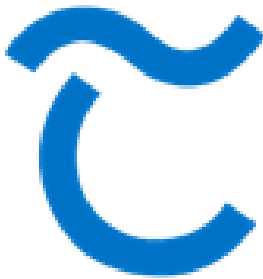


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Comhairle Contae Thiobraid Árann
Tipperary County Council

ENVIRONMENT SECTION

APPLICATION FORM

WASTE FACILITY PERMIT / CERTIFICATE OF REGISTRATION

or a REVIEW thereof

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

For Office Use Only:

Application Reference Number:

Return Number (If Applicable):

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APPENDICES

- 1. CHECKLIST OF INFORMATION TO BE SUPPLIED WITH APPLICATION**
- 2. DISPOSAL AND RECOVERY OPERATIONS AS PER THE THIRD AND FOURTH SCHEDULES OF THE WASTE MANAGEMENT ACTS 1996-2011**
- 3. THIRD SCHEDULE PART I AND PART II**
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- 5. FINANCIAL & PUBLIC LIABILITY DECLARATION FORMS**
- 6. GUIDANCE ON FLOOD STUDIES**
- 7. GUIDANCE ON BIODIVERSITY**
- 8. GUIDANCE ON LEASE AGREEMENT**

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 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 is available to download from the **Tipperary County Council website** www.tipperarycoco.ie/environment

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 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 EIA¹. It may be that you need to hold a separate meeting with the relevant planning authority.

Where an applicant wants a determination under Article 11 of the Regulations, a request on the electronic webform shall be made to the Environmental Protection Agency (at www.epa.ie) for the final 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 Joint Waste Management Plan for the South East Region 2006 www.wastenot.ie, and,

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

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- the Waste Management Plan for the Midlands Region 2005 – 2010, www.offaly.ie/eng/Services/Environment/Waste/Waste_Management_Plan_for_the_Midlands_Region_2005-2010.html and,
- the EPA's National Hazardous Waste Management Plan 2008-2012, www.epa.ie/pubs/reports/waste/haz/nationalhazardouswastemanagementplan2008-2012.html and,
- any revisions thereto.

In 2013, a rationalisation of the existing 10 waste management planning regions has resulted in the reconfiguration of the Cork Region, Limerick / Clare / Kerry Region, South East Region and part of the Midlands Region, into the Southern Waste Region comprising of the Councils of Carlow, Clare, Cork City, Cork County, Kerry, Kilkenny, Limerick, Tipperary, Waterford & Wexford.

The Southern Waste Region is preparing a Draft Waste Management Plan for the new Region and the preparation is expected to be completed in the 3rd Quarter of 2014.

The EPA has prepared a Proposed Revised National Hazardous Waste Management Plan (2008-2012) for public consultation.

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

Administrative Officer, Environment Section, Tel.: 0761 06 5000
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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.

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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 Schedule 1 the Waste Management (Landfill Levy) Regulations, 2011, S.I. No. 434 of 2011.

Table 1. Volume to weight conversion factors

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

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

1.4 Additional Documents to be Included:

Documents and information which must be supplied with the application are presented as a checklist in **Appendix 1** of this application form. The applicant is advised to complete the checklist and submit with the application. Any applicant who does not submit all of the relevant documents may be contacted by the local authority to supply the missing documents within a set timescale.

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

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 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/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	<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.

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

A.3 Correspondence Address for this application (if different from A.2 above):

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:

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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:	

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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) and provide appropriate information under **Appendix 8**:

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 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)]

Document(s) Reference:	
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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)]

Document(s) Reference:	
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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)]

Document(s) Reference:	
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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:

- **Three copies** of the appropriate plans and maps (1:2500) relating to the facility including:
 - site location map,
 - proposed layout plan of facility
 - a clear delineation of the site boundaries, and
 - particulars of:
 - Ordnance Survey Sheet Reference Number(s) (1:50,000 – discovery series)
 - Elevation Levels (metres) and Ordnance Datum used
 - Dimensions (metres)
 - Orientation of North Point
- In addition three copies of a site layout plan (<1:500) must also be supplied showing how the site will be laid out and including details of (where applicable)
 - Site entrance
 - Waste Storage areas
 - Waste Treatment areas
 - Site drainage, including oil interceptor (if installed)

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- 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:

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:	
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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?

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

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

Yes

No

Document(s) Reference:	
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Disposal Operations as per the third schedule of the Waste Management Acts 1996-2011	
Insert Class Number:	Insert Class Description
Recovery Operations as per the fourth schedule of the Waste Management Acts 1996-2011	
Insert Class Number:	Insert Class Description
Principal Activity:	
Document(s) Reference:	

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.

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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 Class 11, 12 & 13

Class	Upper Threshold as per 3 rd 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.

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

Document(s) Reference:	
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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
- 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:	
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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 detail the source, location, nature, composition, quantity, level and rate of these emissions. State whether the emissions will be continuous or periodic and if periodic please give details.

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

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.

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

Label emissions and sampling/monitoring points as follows:

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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. Include on the site layout plan details of monitoring and sampling points, including a key to allow clear identification of these points. Label emissions and sampling/monitoring points as follows:

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

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

Document(s) Reference:

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

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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.

Document(s) Reference:

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

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).

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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:	
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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:	
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D.19 Food Waste [Article 10 (1) (ii)]

Does the facility involve the treatment of Food Waste?

Yes

No

If yes, please supply details of how the applicant intends to manage food waste collected in accordance with the Waste Management (Food Waste) Regulations 2009 (S.I. 508 of 2009) or as the case may be Waste Management (Household Food Waste and Bio-Waste) Regulations 2013 (S.I. 71 of 2013).

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)?

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)] (See Appendix 6 for information required)

Is the site located in the immediate catchment of a water course³?

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.

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,

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Document(s) Reference:	
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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:	
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E.5 Biodiversity [Article 10 (1) (y)] (See Appendix 7 for information required.)

Please provide details of the biodiversity of the site.

Document(s) Reference:	
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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.

Document(s) Reference:

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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	<input type="checkbox"/>
		All other Activities €1,000	<input type="checkbox"/>
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.	<input type="checkbox"/> <input type="checkbox"/>
3.	Application for a certificate of registration in accordance with article 37	Classes 5, 6, 7 and 10 €600	<input type="checkbox"/>
		All other Activities €300	<input type="checkbox"/>
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.	<input type="checkbox"/> <input type="checkbox"/>
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	<input type="checkbox"/>
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	<input type="checkbox"/>

Is the payment/receipt attached with application?

Yes No

Section G: Statutory Declaration

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

for the purpose of obtaining a Waste Facility Permit, reviewed Waste Facility Permit, Certificate of Registration, or, reviewed 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.

Signature(s): _____

Name(s) (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: _____

Name (block capitals): _____

Occupation: _____

Date: _____

Company / Organisation
Stamp or Seal:

WARNING: Any person who gives false or misleading information for the purpose of obtaining a Waste Facility Permit, reviewed Waste Facility Permit, Certificate of Registration, or, reviewed Certificate of Registration, as appropriate, renders themselves liable to severe penalties.

APPENDICES

WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

1. CHECKLIST OF INFORMATION TO BE SUPPLIED WITH APPLICATION

Information required	Article	Included
A copy of the relevant page from the newspaper(s) in which notices in accordance with articles 7 and 8 have been published.	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.	10(3)(b)	<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"/>
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"/>
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. 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)	<input type="checkbox"/>
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)	<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"/>

2. DISPOSAL AND RECOVERY OPERATIONS AS PER THE THIRD AND FOURTH SCHEDULES OF THE WASTE MANAGEMENT ACTS 1996-2011**THIRD SCHEDULE
DISPOSAL OPERATIONS – Section 4(1)**

- 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 RECOVERY OPERATIONS – Section 4(1)

- 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_p’ 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_f’ means annual energy input to the system from fuels contributing to the production of steam (GJ/year),
 - ‘E_w’ means annual energy contained in the treated waste calculated using the net calorific value of the waste (GJ/year),
 - ‘E_i’ means annual energy imported excluding E_w and E_f (GJ/year),
 - ‘0.97’ is a factor accounting for energy losses due to bottom ash and radiation.
- R 2 Solvent reclamation / regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals
- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement

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- 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 PART 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	<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> <p>(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—</p> <ul style="list-style-type: none"> (i) in the case of liquid waste, 100,000 litres, (ii) in the case of non-liquid waste, 100 tonnes. <p>(2) WEEE at any premises</p> <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> <p>(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,</p> <p>(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,</p> <p>(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.</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, 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> <p>(a) the annual intake shall not exceed 50,000 tonnes, and</p> <p>(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.</p>
8	<p>The reception, storage and biological treatment of biowaste at a facility where—</p> <p>(a) the maximum amount of compost, biowaste and digestate held at the facility does not exceed 6,000 cubic metres at any time, and</p> <p>(b) the annual intake shall not exceed 10,000 tonnes.</p>
9	<p>The reception, temporary storage and recovery of used batteries and accumulators where—</p> <p>(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</p> <p>(b) the annual intake shall not exceed 1,000 tonnes.</p>

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10	<p>The recovery of waste (not mentioned elsewhere in this part of the third schedule), other than hazardous waste or an activity specified in Category 5 of Annex I of Council Directive 96/61/EC, where—</p> <p>(a) the annual intake does not exceed 50,000 tonnes, and</p> <p>(b) the maximum quantity of residual waste consigned from the facility for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake.</p>
11	<p>The reception, storage and transfer of waste (other than hazardous waste) for disposal at a facility (other than a landfill facility) where the annual intake does not exceed 7,500 tonnes.</p>
12	<p>The collection and storage (including the temporary storage) and the appropriate treatment and recovery of end-of-life vehicles in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006).</p>
13	<p>Non —hazardous non-inert facilities under Directive 2006/21/EC of the European Parliament and of the Council of 15 March 2006 on the management of waste from extractive industries</p>

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

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THIRD SCHEDULE

PART II

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

Article 6

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

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

CLASS No.	DESCRIPTION
1	<p>The storage, pending collection, of household hazardous waste (other than WEEE) at a civic amenity facility, recycling centre or central collection point, where not otherwise regulated by a waste licence or waste facility permit for the purpose of onward transport and submission to recovery at an authorised facility where—</p> <p>(a) annual intake shall not exceed—</p> <p style="padding-left: 40px;">(i) in the case of liquid waste, 25,000 litres</p> <p style="padding-left: 40px;">(ii) in the case of non-liquid waste, 25 tonnes, and</p> <p>(b) the maximum period of storage of waste does not exceed 30 days.</p>
2	<p>The reception and temporary storage of waste (other than WEEE) deposited by members of the public at a central collection point (including a temporary central collection point) when such activity is undertaken by, on behalf of, or with the approval of the local authority, where the maximum amount of waste stored at any time does not exceed 1,000 tonnes.</p>
3	<p>The reception and interim storage of crashed or immobilised vehicles, other than end-of-life-vehicles, pending decisions by the registered owners of these vehicles, or as appropriate, by an authorised person of a local authority, or a member of An Garda Síochána on whether the vehicles are to be classed as end-of-life vehicles. The number of vehicles stored at any one time shall not exceed 6 at any one location and at any one time.</p>

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4	<p>Reception and temporary storage, for a period not exceeding 30 days, pending collection for recovery of—</p> <p>(a) less than 1000 kilograms of used batteries and accumulators other than waste specified in paragraph (b), or</p> <p>(b) less than 10 tonnes of used automotive batteries and accumulators, or used industrial batteries and accumulators, or</p> <p>(c) less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE), or</p> <p>(d) less than</p> <p>(i) 540 cubic metres of household WEEE, other than waste specified in subparagraphs (ii) and (iii),</p> <p>(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</p> <p>(iii) 300 kilograms of mobile phones,</p> <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	<p>Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 25,000 tonnes.</p>
6	<p>Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone), for the purpose of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 10,000 tonnes.</p>
7	<p>Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding the improvement or development of land) where—</p> <p>(a) the annual intake shall not exceed 10,000 tonnes, and</p> <p>(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.</p>
8	<p>This is a spare class.</p>
9	<p>The storage at the place of extraction, for an indefinite length of time to await possible use for site restoration of waste material arising from quarrying or excavation where —</p> <p>(a) conditions on waste management have not been imposed under section 261 of the Planning and Development Act 2000 (No. 30 of 2000), and</p> <p>(b) such material is in a chemically unaltered state.</p>

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10	<p>The reception, storage and transfer of waste by a local authority, not mentioned elsewhere in this schedule, where the annual intake does not exceed 10,000 tonnes, and—</p> <p>(a) the maximum amount of waste dispatched from the facility for onward transport and disposal does not exceed 1,500 tonnes per annum, and</p> <p>(b) a period of storage of waste for disposal does not exceed 30 days.</p>
11	<p>The reception, storage and biological treatment of biowaste by a local authority, not mentioned elsewhere in this schedule, where —</p> <p>(a) the annual intake does not exceed 5,000 tonnes, and</p> <p>(b) the maximum amount of biowaste, compost and digestate held at a composting facility does not exceed 2,000 tonnes at any time.</p>
12	<p>The storage and biological treatment on the premises where it is produced, of biowaste, where—</p> <p>(a) the amount stored and treated does not exceed 50 tonnes per annum, and</p> <p>(b) the maximum amount of biowaste, compost and digestate held at the facility at any time does not exceed 20 tonnes.</p>
13	<p>Recovery of organic waste, other than manure and sludge when used in agriculture for the purposes of benefit to agriculture (including energy crops), silviculture or ecological improvement, where the total quantity of organic waste recovered at the facility shall not exceed 1,000 tonnes per annum.</p>
14	<p>The reception and temporary storage of—</p> <p>(a) waste, returned or recovered refrigerant gases in refrigerant containers, or</p> <p>(b) waste, returned or recovered halons in halon containers, or</p> <p>(c) waste, returned or recovered fluorinated greenhouse gases in fluorinated greenhouse gas containers,</p> <p>pending collection or onward transport prior to submission to recycling, reclamation or destruction in accordance with the relevant legislative requirements for the specific type of refrigerant gas, halon or fluorinated greenhouse gas, where recovery has the meaning assigned to it under Regulation (EC) No. 2037/2000 and Regulation (EC) No. 842/2006, and where the total quantity stored at any one time on a premises does not exceed 18 tonnes.</p>

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

4. 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.

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

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

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

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

PART II

ADDITIONAL RULES FOR WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT FACILITIES

- (1) The registration holder shall comply with all requirements of 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:

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

PART IV**ADDITIONAL RULES FOR COMPOSTING FACILITIES**

The registration holder shall comply with all requirements of –

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

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

PART V**ADDITIONAL RULES FOR SPREADING OF ORGANIC WASTE ON LAND**

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

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

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

PART VI

ADDITIONAL RULES FOR STORAGE OF IMMOBILISED VEHICLES

In circumstances where the condition of an immobilised vehicle is considered to represent a threat to the environment, the registration holder shall comply with the storage requirements set out within the second schedule of the 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. FINANCIAL & PUBLIC LIABILITY DECLARATION FORMS

Section B.9: Financial Commitment Discharge Declaration

This document must be completed to satisfy the local authority that the applicant meets the full definition of a 'fit and proper person' as interpreted in Article 5 of the Waste Management (Facility and Registration) Regulations, 2007 as amended.

Please note that under:

- Article 18(4) (e) a local authority shall not grant a waste facility permit,
- Article 35(6) (d) a local authority shall not grant a reviewed waste facility permit,
- Article 37(12) (d) a local authority shall not grant a certificate of registration

unless it is satisfied that the applicant is a fit and proper person.

All applicants are required to provide a signed declaration stating their financial ability to properly carry on the waste activity at the facility in a manner that will not cause environmental pollution or breach environmental standards.

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

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

Signed Financial Declaration

It is my opinion that (applicant name) _____ is likely to be in a position to meet any financial commitments or liabilities that will be entered into or incurred by the applicant in carrying on the waste activity at the facility to which the Waste Facility Permit / reviewed Waste Facility Permit / Certificate of Registration / reviewed Certificate of Registration* relates in accordance with the terms of the Waste Facility Permit / reviewed Waste Facility Permit / Certificate of Registration / reviewed Certificate of Registration*, as appropriate, or as a consequence of ceasing to carry on that activity. (*delete as appropriate).

Signature: _____

Name (Block Capitals): _____

Financial Institution (if applicable): _____

Position or Title: _____

Date: _____

Official Stamp

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

Section B.9: Public Liability Insurance Declaration

This document must be completed to satisfy the local authority that the applicant meets the full definition of a 'fit and proper person' as interpreted in Article 5 of the Waste Management (Facility and Registration) Regulations, 2007 as amended.

Please note that under Articles 18(4) (e); 35(6) (d) and 37(12) (d) a local authority shall not grant a Waste Facility Permit; a reviewed Waste Facility Permit, a Certificate of Registration, or, a reviewed a Certificate of Registration, as appropriate, unless it is satisfied that the applicant is a fit and proper person.

All applicants are required to provide the attached signed declaration stating that their Public Liability Insurance is to the satisfaction of Tipperary County Council.

The following declaration is to be completed by the Applicant's Insurance Broker / Underwriter.

Signed Declaration.

I confirm that the applicant (Name) _____ has a Public Liability Insurance Policy covering his/her/its activities which are the subject matter of the Waste Facility Permit, reviewed Waste Facility Permit, Certificate of Registration, or, reviewed Certificate of Registration, as appropriate, including:

1. Limit of indemnity of at least €6.5m any one occurrence, including sudden/unforeseen pollution risks.
2. An indemnity to Tipperary County Council as Principal.
3. Insurance Policy Number: _____
4. Commencement Date of Policy: _____
5. Expiry Date of Policy: _____

Signature: _____

Name (Block capitals) : _____

Position or Title: _____

Insurance Broker or Company : _____

Date: _____

Official Stamp

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

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6. GUIDANCE 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 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.
- Assess the impact the proposed works shall have on adjoining lands.

** 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.*

7. GUIDANCE ON BIODIVERSITY

An application for a sewage sludge facility certificate of registration should contain details of the biodiversity of the land.

Where the proposed activity will be located in an area that is already developed⁹ 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 environment¹⁰ 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 Ireland¹¹ and mapped.

The habitat nomenclature scheme in A Guide to Habitats in Ireland shall be used, except in the case of any EU Habitats Directive¹² 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)¹³
- Annex I of the EU Habitats Directive.
- Annex I of the EU Birds Directive¹⁴.
- Red or amber listed bird species in the current list of Birds of Conservation Concerns in Ireland¹⁵.

⁹ This assumes that any existing development is authorised, e.g. has planning permission if necessary.

¹⁰ To include the area of the waste activity and any area that could be impacted by it.

¹¹ Fossitt, J.A. (2000) A Guide to Habitats in Ireland. Heritage Council, Kilkenny.

¹² Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (as amended)

¹³ <http://www.npws.ie/en/PublicationsLiterature/RedLists/>

¹⁴ Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (as amended).

¹⁵ <http://www.birdwatchireland.ie/>

Sites of conservation interest shall be identified including:

- European Sites¹⁶.
- Proposed or designated Natural Heritage Areas¹⁷.
- Nature Reserves¹⁷.
- Refuges for fauna or flora¹⁷.
- Wildfowl sanctuaries¹⁷.
- Sites subject to management agreements under Wildlife Acts¹⁷.
- Wetlands¹⁸

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 currently in the County Development Plan and Local Area Plans of Tipperary County Council when carrying out any assessment.

16 See Article 5(2) of the Waste Management (Facility Permit and Registration) Regulations 2007 for definition.

17 <http://www.npws.ie/en/ConservationSites/>

18 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”

8. GUIDANCE ON LEASE AGREEMENT

The applicant is required to submit 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 facility/infrastructure.

Sample information required on lease agreement:

1. Submit an original copy of the lease or a copy certified by a solicitor linking the proposed tenant back to the registered owner. The lease agreement shall award sufficient rights to the tenant to enable the Waste Facility Permit or Certificate of Registration Holder, as appropriate to comply with all conditions of the Permit or Certificate for the duration of the authorisation (5 years maximum).

The lease agreement shall also include the following declaration from the owner, confirming:

- a. That he/she is the owner, and
 - b. The following has been granted to the applicant by the owner:
 1. Permission to carry on a waste activity on the land,
 2. Permission to fence / secure the land to prevent access,
 3. Access/ rights to comply with all conditions,
 4. Access/ rights to complete all works e.g. drainage, capping and aftercare, and
 - c. Declaration witnessed by peace commissioner or Garda etc.
2. Identify the owner's land-take on the Facility Plan Drawings. (Scale 1:500)