

SECTION 131 FORM

File With S. 37 McGuire

Appeal NO: ABP 321962-25

☐ Defer Re O/H

Having considered the contents of the submission dated/ received 8/4/25

from

I recommend that section 131 of the Planning and Development Act, 2000

Applicant

be/not be invoked at this stage for the following reason(s): no new material information

E.O.: Demo by car

Date: 24/04/25

For further consideration by SEO/SAO

Section 131 not to be invoked at this stage. ☐

Section 131 to be invoked – allow 2/4 weeks for reply. ☐

S.E.O.:

Date:

S.A.O.:

Date:

M

Please prepare BP - Section 131 notice enclosing a copy of the attached submission

to:

Task No:

Allow 2/3/4weeks – BP

EO:

Date:

AA:

Date:

CORRESPONDENCE FORM

S. 37

File With _____

Appeal No: ABP 321962-25

M _____

Please treat correspondence received on 8/4/25 as follows:

1. Update database with new agent for Applicant/Appellant _____ 2. Acknowledge with BP <u>20</u> 3. Keep copy of Board's Letter ☐	1. RETURN TO SENDER with BP _____ 2. Keep Envelope: ☐ 3. Keep Copy of Board's letter ☐
--	--

Amendments/Comments	Applicant's response to appeal _____ _____ _____ _____ _____ _____ _____
---------------------	---

4. Attach to file (a) R/S ☐ (b) GIS Processing ☐ (c) Processing ☐ (d) Screening ☐ (e) Inspectorate ☐	RETURN TO EO ☒ Laurie Littleton
--	--

Plans Date Stamped ☐ Date Stamped Filled in ☐	EO: <u>James J. Jones</u> AA: <u>Dillon Coleman</u> Date: <u>15/4/25</u>
--	--

James Sweeney

From: Gus Egan <gegan@mores.ie>
Sent: Tuesday 8 April 2025 15:01
To: Appeals2
Cc: Kevin O'Regan; E2077 - O'Briens Cement Gypsum Plant EIA
Subject: Response to Third-Party Appeals ABP 321962-25
Attachments: 25 04 08 E2077_03_03 Response to Third Party Observations Rev01.pdf

Caution: This is an External Email and may have malicious content. Please take care when clicking links or opening attachments. When in doubt, contact the ICT Helpdesk.

Dear Sir / Madam,

Thank you for this opportunity to comment on the two Third-Party Appeals lodged. The attached submission has been prepared by Malone O'Regan Environmental on behalf of GABM Limited ('the Applicant') in response to a letter received from the Board (ref: ABP-321962-25) on the 12th March 2025 inviting a submission / observation on the following two third party appeals:

1. Marston Planning Consultancy on behalf of Kate Coleman; and,
2. SLR on behalf of Saint-Gobain Construction Products (Ireland) Ltd.

Please can you confirm receipt of this email and attachment to ensure you have received the document (11Mb in size).

We look forward to a favourable decision within the earliest possible timeframe.

Kind Regards,

Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA

Principal Environmental Consultant

for and on behalf of
Malone O'Regan Environmental

Office 10, First Floor, The Junction,
Unit 25J, Axis Business Park,
Tullamore, County Offaly, R35 P285,
[+353 (0)57 9365208
[+353 (0)1 5677655
[+353 (0)86 1982201
✉: gegan@mores.ie
Web: www.mores.ie



**Response to Third-Party Appeals
(ABP 321962-25)
Proposed Plasterboard
Manufacturing Plant (Planning Ref:
24/60103)
GABM Limited
Gortens, Co. Kilkenny**

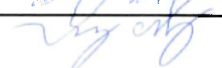
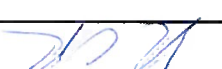
Title: Response to Third-Party Appeals (ABP 321962-25), Proposed Plasterboard Manufacturing Plant (Planning Ref: 24/60103), GABM Limited, Gortens, Co. Kilkenny

Job Number: E2077-02

Prepared By: Gus Egan

Checked By: Kevin O'Regan

Approved By: Kevin O'Regan

Signed: 
Signed: 
Signed: 

Revision Record

Issue No.	Date	Description	Remark	Prepared	Checked	Approved
01	08/04/25	Report	Final	GE	KOR	KOR

Copyright and Third-Party Disclaimer

Malone O'Regan Environmental ('MOR Environmental') has prepared this report for the sole use of our client (as named on the front of the report) in accordance with the Client's instructions using all reasonable skill and competence and generally accepted consultancy principles. The report was prepared in accordance with the budget and terms of reference agreed with the Client and does not in any way constitute advice to any third party who is able to access it by any means. MOR Environmental excludes to the fullest extent lawfully permitted all liability whatsoever for any costs, liabilities or losses arising as a result of or reliance upon the contents of this report by any person or legal entity (other than the Client in accordance with the terms of reference). MOR Environmental has not verified any documents or information supplied by third parties and referred to herein in compiling this document and no warranty is provided as part of this document. No part of this report may be copied or reproduced without express written confirmation from MOR Environmental. Any methodology contained in this report is provided to the Client in confidence and must not be disclosed or copied to third parties without the prior written agreement of MOR Environmental. Disclosure of such information may constitute an actionable breach of confidence or may otherwise prejudice our commercial interests. Third parties who obtain access to this report by any means, including disclosure by the Client, will be subject to the Copyright and Third-Party Disclaimer contained herein.

Response to Third-Party Appeals (ABP 321962-25)
Proposed Plasterboard Manufacturing Plant (Planning Ref: 24/60103)
GABM Limited
Gorteen, Co. Kilkenny

Contents

1	INTRODUCTION.....	1
1.1	First Party Appeal.....	1
2	RESPONSE TO THIRD-PARTY APPEALS.....	3
2.1	Marston Planning Consultancy on behalf of Ms. Kate Coleman.....	3
2.2	SLR on behalf of Saint-Gobain Construction Products (Ireland) Ltd	16
3	CONCLUSIONS.....	20

FIGURES

7	Figure 1: EIA Vol 2, Figure 8-4: Groundwater Flow Direction.....	7
8	Figure 2: RFI Response Attachment 2 - Figure 6-1: Idealised ZOC for PW1.....	8

TABLES

18	Table 2-1: Class 1 Conclusions.....	18
19	Table 2-2: Class 11 Conclusions.....	19

APPENDICES

Appendix A: IEL Determination Documentation and Correspondence.	
Appendix B: Article 11 declaration.	
Appendix C: IE Licence P0519-04	

1 INTRODUCTION

We are obliged to An Bord Pleanála ('the Board') for this opportunity to comment on the two Third-Party Appeals lodged.

The following submission has been prepared by Malone O'Regan Environmental ('MOR Environmental') on behalf of GABM Limited ('the Applicant') in response to a letter received from the Board (ref: ABP-321962-25) on the 12th March 2025 inviting a submission / observation on the following two third party appeals:

1. Marston Planning Consultancy on behalf of Kate Coleman; and,

2. SLR on behalf of Saint-Gobain Construction Products (Ireland) Ltd.

We respectfully consider that all of the items raised in the two Third-Party Appeals were comprehensively addressed in the documents submitted to Kilkenny County Council ('KCC') on the 1st March 2024 as part of the planning application (Planning Reference number 24/60103) and subsequent response submitted to a Request for Further Information ('RFI') on the 11th December 2024. All of these documents, including the Environmental Impact Assessment Report ('EIA') and the Natura Impact Statement ('NIS'), will be available to the Board's Inspector to review.

The comprehensive planning application which was submitted was considered by KCC to be satisfactory, as the Notification of Decision to Grant Permission for the plasterboard manufacturing facility ('the Proposed Development') was issued on the 12th February 2025.

In accordance with Section 129 of the Planning and Development Act, 2000 (as amended), this appeal response is made in writing. This response is submitted within 4 weeks from the date of the letter received from the Board.

For the purpose of this response, and in order to simplify proceedings, we have dealt with each of the Third-Party Appeals separately. For each Third-Party Appeal, we have listed their pertinent grounds for appeal and have provided the relevant responses directly beneath. Where applicable, we have also attached all relevant supporting information in the appendices that correspond to the specific appeal item. We trust that this report structure will facilitate the Board's review of this submission.

1.1 First Party Appeal

At the outset, we do wish to note that the Applicant, in general, very much welcomes the decision by Kilkenny County Council to grant permission and is fully committed to ensuring operations will be undertaken in a manner that will not result in any adverse impacts to residential and other amenities.

We do wish to note that the Board also have to consider a First Party Appeal that was submitted by MOR Environmental on behalf of the Applicant on the 25th February 2025.

The primary basis of the First Party Appeal was not to object to the principle of the KCC decision to grant permission but to address specific conditions that KCC had stipulated in their Notification to Grant Permission. Specifically, we have requested that the language in Conditions 4 and 6 be amended to ensure that works may commence onsite prior to the submission of applications for the required Air Pollution and Waste Facility permits. It is also sought that Conditions 5 and 7 be removed on the basis that they are no longer applicable. It is fully accepted that normal operations at the facility cannot commence until both an Air Pollution Licence and a Waste Facility Permit have been issued by the Council.

In addition, Condition 24 is requested to be removed, as Condition 23 already provides for control and enforcement of operational noise in the local amenity, and the management of waiting HGVs will not be relevant where restrictions to the movement are not conditioned.

We respectfully request that the Board, in their assessment of this Planning Application, consider the merits of the points raised in the First Party Appeal and set aside the various grounds of appeal raised by these two Third Parties to grant permission for Proposed Development in accordance with the proper planning and sustainable development of the area.

2 RESPONSE TO THIRD-PARTY APPEALS

2.1 Marston Planning Consultancy on behalf of Ms. Kate Coleman

As there is an overlap between the individual comments and concerns raised within the Marston Planning Consultancy observation, the comments and concerns have been grouped into the following main headings in line with the observation submission and are comprehensively responded to below.

2.1.1 Subject Site and Environs

Due to the Site's location, it is unlikely that the Site will remain in agricultural use. The Proposed Development is situated in well-contained industrial zoned lands within a peri-urban area – Belview Port industrial hinterland area, where such development is already a characteristic feature. There was considerable pre-application consultation with KCC in the context of respecting the zoning provisions of the Ferrybank Belview Local Area Plan 2017-2024 ('FBLAP') and masterplanning the port extension area on lands zoned Port Related Activity, including landscape belts and access to a riverside walkway and protection of residential amenities. The proposed specialised industry, a port-related activity that relies on the importation of the majority of raw material through the Port, was considered to be an appropriate Port-Related Activity.

The Site is part of an Inland Development Area associated with the Port of Waterford at Belview, Co. Kilkenny, where there are extensive industrial and logistics-based operations associated with the Port, located on both sides of the N29 national road and served by both the Port and mainline freight rail with a stop at the portside. There are long-established stevedore operations related to fertiliser imports and other materials, which are related to the activities of Southeast Port Services, Target and other operators.

There is an expanding IDA Science and Technology Park located on the west side of the N29, with significant food ingredients plants that are existing and under development. On the east side of the N29, there are several port-related import / export operations, mainly in fertilisers, agri-feedstuffs etc. Port of Waterford ('POW'), the semi-state commercial company responsible for the development and operation of the port, acquired circa ('ca.') 24 hectares ('ha.'), now mostly zoned for 'port-related / industrial development' in the FBLAP. The design of the Proposed Development was subject to various design amendments (refer to Chapter 4 of the EIA Vol 2), including the formation of perimeter berms along the western and southern boundaries of the Site, which will be densely planted with native woodland tree species with wild grass seeding to ensure that the Proposed Development will not significantly impact the amenity of residents in the vicinity of the Site.

2.1.2 Planning Context

The concerns raised under this heading are water supply (refer to section 2.1.5 below) and the assessment of The Lower River Suir Special Areas of Conservation ('SAC'). This SAC and other SACs were considered and assessed in the Natura Impact Statement ('NIS') and Environmental Impact Assessment Report. During the Construction Phase, mitigation measures will be implemented to ensure that the construction works will not result in any impacts on the Natura Sites. The Operational Phase will not have any adverse effects on the water quality of the Lower River Suir SAC, as the design of drainage and bunding will be undertaken in accordance with relevant best practice guidelines; refer to Section 8.6.2 of the EIA (Volume 2) and to Section 2.1.8 for further information.

2.1.3 Nature and Extent of the Proposed Development

In Section 2, Nature and extent of the proposed development, the main concern raised is the groundwater use and source protection. Mitigation regarding water supply is proposed as stated in Section 8.6 of the EIAR (Volume 2), which stated:

"GABM Limited will comply with any future water abstraction regime. The design of the Proposed Development will seek to maximise the benefit of rainwater harvesting in order to minimise the volume of water that will need to be sourced from the public mains and abstracted from the underlying groundwater."

MOR Environmental consider that the water demand / supply of the Proposed Development is not significant, and the Planning Authority has not failed to recognise water supply and abstraction in making their decision.

2.1.4 Decision of the Planning Authority

2.1.4.1 Gas Network Ireland Supply

Under RFI Item 17 (including attachments 3 and 7) of the RFI response, a letter prepared by Gas Networks Ireland ('GNI') was submitted confirming that they have identified a preliminary gas connection route for the Site. Accompanying drawings were also prepared to indicate the proposed gas route. GNI confirmed that:

"GNI will look to progress towards completing its design and connection works in-line with GNI connection standards and policy's as well as adhering to local authority road opening license requirements."

The upgrade works will be undertaken by GNI along existing public road and within the Site where construction and landscaping works have been assessed. These works are temporary and transient and will be subject to a more detailed design. Therefore, these works will have an imperceptible cumulative ecological impact and are not likely to result in a significant adverse impact.

2.1.4.2 Basis of First Party Appeal

MOR Environmental and the Applicant fundamentally disagree with the statement that *"the basis of the first party appeal is misleading and inaccurate."* The grounds of the First-Party Appeal are to ensure that works may commence onsite prior to the submission of applications for the required Air Pollution and Waste Facility permits. It is also sought that Conditions 5 and 7 be removed on the basis that they are no longer applicable. It is fully accepted that normal operations at the facility cannot commence until both an Air Pollution Licence and a Waste Facility Permit have been issued by the Council. Condition 24 is requested to be removed, as Condition 23 already provides for control and enforcement of operational noise in the local amenity, and the management of waiting HGVs will not be relevant where restrictions to the movement are not conditioned.

2.1.5 Grounds of Appeal

2.1.5.1 Negative Impact on Water Supply

A point repeated across the Third-Party Appeal is the potential for the Proposed Development to have a negative impact on the groundwater supply wells that serve the residential properties in the vicinity of the Site. The Appellant includes a summary table presenting 78 No. wells within a 2km radius of the Proposed Development Site. The source of this information was not provided with the appeal, so we cannot comment specifically on the contents. It is acknowledged that there are residential dwellings in the vicinity of the Site that have domestic wells installed. This is the specific reason why such detailed hydrogeological investigations were undertaken by the Applicant and why such a conservative approach has been taken.

It is important to note that no expert scientific evidence by a suitably qualified Hydrogeologist was provided to support this Third-Party Appeal. The statements provided are unfounded allegations that just because there is groundwater abstraction, it will automatically impact on the surrounding domestic abstraction wells. This is not factually correct.

On the contrary, the planning application was supported by expert hydrogeological input. KCC, in their adjudication of the planning application, placed a lot of weighting on groundwater abstraction, seeking a number of points of clarification during the Further Information (FI) stage.

Ultimately, KCC were satisfied with the information provided and proceeded to issue a notification to grant planning permission with the inclusion of the following Condition:

"14. (a) The developer shall identify and monitor at least four adjacent homeowner wells for a minimum period of three years during the operational phase of the development. The monitoring locations shall be agreed with the Planning Authority prior to commencement of development. The monitoring shall be undertaken at least quarterly and shall include water level and water quality testing. An end of year report shall be submitted in Year 1, Year 2 and Year 3 unless requested or agreed otherwise by the planning authority. The Planning Authority may amend or add additional locations for monitoring at any time during the three year period. The end of year reports shall assess the impact of the ongoing abstraction of groundwater on adjacent wells.

(b) Where it has been determined at (a) above or by the Planning Authority that the developers ongoing water abstraction is having a negative impact upon adjacent homeowner wells, the developer shall be required to agree and provide a replacement potable water supply to the affected homeowners. The full cost of such measures shall be borne by the developer."

For the purpose of this submission, we wish to reiterate some key points:

1. The nature of the Proposed Development means that it will only require an approximate volume of 363m³/d of water. For an industrial facility, this is not a significant volume of water. For example, industrial facilities in the food and drink sector would typically require multiples of this volume of water to operate;
2. This actual volume requirement will be reduced by approximately 30% based on the recycling measures included in the design. Subject to the successful implementation of these measures, the actual water required on a daily basis will be closer to 254m³/d, and,
3. Water will be provided from four different sources as follows:

Mains Supply

A pre-connection enquiry was submitted to Uisce Éireann by the Applicant, and confirmation of feasibility was received, verifying that a water connection is feasible for 363m³/d. A subsequent connection application will be submitted to Uisce Éireann upon the grant of planning. The pre-connection enquiry is shown in Appendix 3-2 of the EIA Volume 3 (Appendices) submitted as part of the original planning application.

Therefore, all of the water that the facility would require on a daily basis could be sourced from the mains supply. Uisce Éireann mains water supply is processed potable water, and it is best practice, in the interests of environmental sustainability, to investigate and identify alternative sources of good water that does not need treatment to potable standards for production purposes. This was done in the context of the preparation of the EIA to support the planning application.

While Uisce Éireann has confirmed they can supply the entire water needs of the Proposed Development, the Applicant wishes to seek alternative, more sustainable sources of water supply.

Therefore, the EIA assessed the water production needs of the Proposed Development based on a combination of recovered water from rainwater harvesting, mains water supply, use of recycled water and/or abstracted groundwater.

Rainwater Harvesting

The roof water run-off will be collected by rainwater downpipes into the rainwater harvesting drainage system. The roof water will be then stored in three overground rainwater harvesting tanks, and they will serve the proposed building when required. The overflow volume of roof water has been considered for the surface water soakaway capacity and the soakaway has been sized accordingly to include all stormwater run-off from the roof in extreme rain events. The three rainwater harvesting tanks have a total capacity of 900m³ of water. This needs to be compared against a daily demand of 363m³/day.

Water Recycling

As stated above the Proposed Development has been designed to ensure that ca. 30% of the water used in the manufacturing process will be recycled to reduce the overall process water demand.

Groundwater Abstraction

Groundwater abstraction is simply proposed as a supplementary supply. Robust hydrogeological testing has confirmed that ca. 7.5m³ per hour of groundwater or 180m³/day can be abstracted from the underlying aquifer in a sustainable manner.

The Planning Report dated 24th April 2024 stated:

"I have discussed the proposed abstraction from groundwater with the Water services Department in KCC and they are of the view that the sustainable abstraction of 7.5m³ per hour is very low."

This is discussed in more detail below. However, as the groundwater abstraction will be a supplementary supply, there will not be abstraction occurring every day, 365 days / year.

In addition, the pre-existing farm had its own groundwater derived well water supply, which reduces the net increase in drawdown associated with the groundwater calculations.

Groundwater Abstraction Proposal Underpinned by Detailed Hydrogeological Assessments.

The proposed sustainable abstraction rate of 180m³/day was the culmination of a detailed hydrogeological assessment by expert hydrogeologists. The scientific evidence submitted in support of the planning application clearly demonstrates that abstracting such a volume from the tested abstraction well will result in negligible impacts on the surrounding domestic abstraction wells. The MOR Environmental Hydrogeologist took a very conservative approach in setting a very much reduced limit of only 180m³/day specifically to eliminate any perceived risk on surrounding domestic wells.

MOR Environmental consider that the site investigation works are representative of the underlying aquifer, and the assessment of the predicted drawdown using the Dupuit-Thiem equation is robust and representative. The site investigation works included:

- Three production wells (PW1, PW2 and PW3) were installed at the Site in March 2023 by Fogarty Drilling Ltd. on behalf of the Applicant to assess the potential yield (m³/hr) of the aquifer to supply water for the Proposed Development;

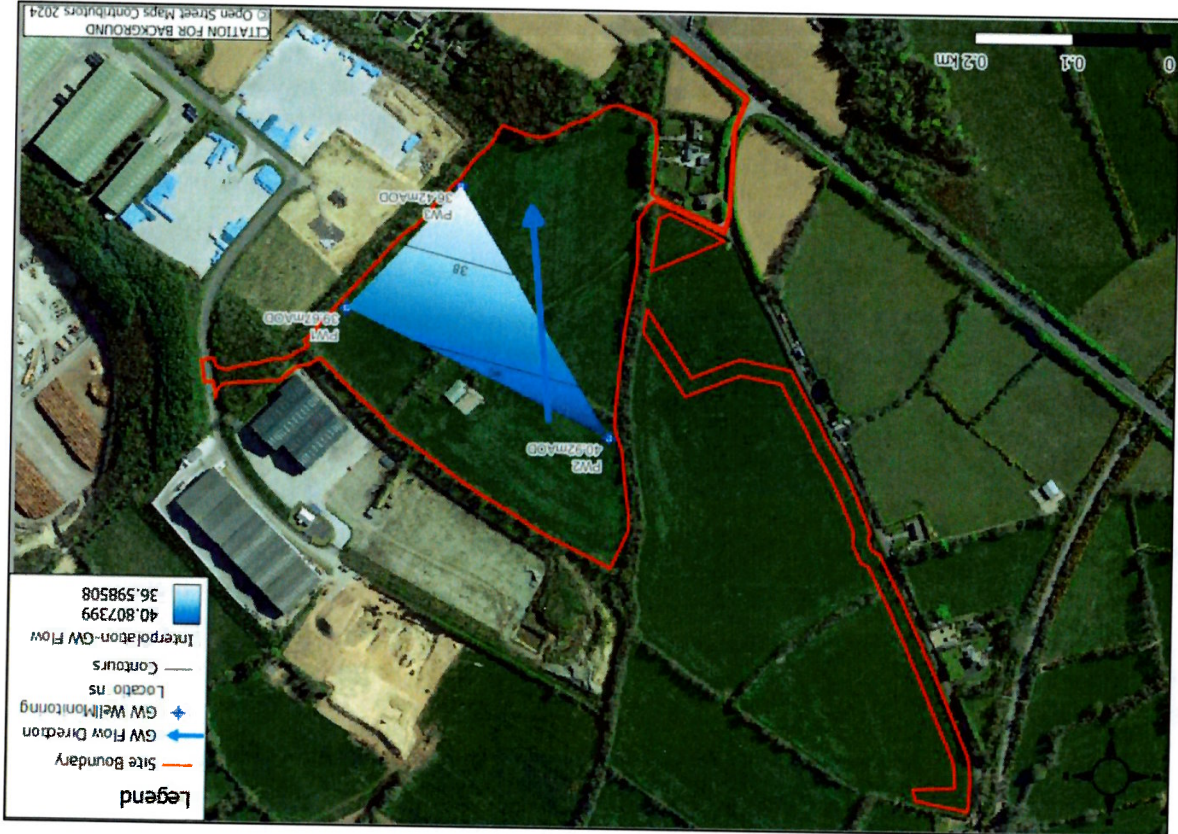
- Hydrogeological testing was undertaken at location PW1 due to the good yield encountered during drilling;

- A step test was undertaken at the production well (PW1) on 26th April 2023 to assess the potential discharge to be maintained for the duration of the pumping tests. A pumping test was carried out from 2nd May to 12th May, followed by a recovery phase to assess the sustainable yield for the Operational Phase of the Proposed Development. The data analysis is presented in Section 8.4.1 of the EIA; and,

- A constant rate pumping test (pumping test) was conducted over a period of ten consecutive days (ca. 240 hours) following a period of ten days recovery after the pumping test. The pumping test started on the 2nd of May 2023 at 11:00 and finished on the 12th of May 2023 at 13:15. PW1 was left to recover following the pumping test. The data analysis is presented in Section 8.4.2 of the EIA.

Using the Dupuit-Thiem equation, predicted drawdown with abstraction from the bedrock aquifer at 7.5m³/hr is predicted to be 1m at ca. 190m from the pumped well, 0.5m at ca. 212m from the pumped well and 0.0m at ca. 236m from the pumped well (PW1). The location of production well PW1 is shown in Figure 8-4 of the EIA (Volume 2); refer to Figure 1 below.

Figure 1: EIA Vol 2. Figure 8-4: Groundwater Flow Direction



There are no known offsite or Third-Party abstraction wells located within this proximity to the production well PW1 (i.e. 236m). According to the Geological Survey of Ireland (GSI) mapping, the closest groundwater well is located within a residential dwelling ca. 340m southwest of PW1. Another groundwater well, within a residential dwelling, is located ca. 490m south of the production well (PW1) with agri & domestic use. Therefore, it is envisaged that due to the distance to these private wells, the bedrock aquifer will be readily capable of providing a sustainable yield without impacting any private or public wells in the vicinity of the Site.

In summary, there is no evidence to suggest that the drawdown created during the pumping of the abstraction well at an abstraction rate of 7.5m³/hr will impact on the private wells in the vicinity of the Site, regardless of what number of wells that may be currently present. This was based on the extent of the aquifer in the area and a sustainable yield of ca. 7.5m³/hour (ca. 180m³/day), determined by the results of a robust pumping test. The EIA/R determined that due to the distance to the identified private wells, the bedrock aquifer will be readily capable of providing a sustainable yield without impacting on any private or public wells in the vicinity of the Site.

The Zone of Contribution ('ZOC') of the production well has been mapped with the information gathered during the intrusive site investigation, recharge data, topography and the geology of the area mapped on the GSI mapping and has been assessed on that basis. It is estimated a total area of ca. 191,489m² will be required to support the proposed abstraction rate for the Proposed Development; refer to Figure 2 below which was submitted as part of the RFI response.

Figure 2: RFI Response Attachment 2 - Figure 6-1: Idealised ZOC for PW1



Following a search of the GSI groundwater well database, there are no known public or private groundwater abstractions in the predicted ZOC. Even if there were, the proposed low volume to be abstracted would negate any potential impacts. Therefore, it can be concluded that the proposed abstraction will not significantly interfere with any other known abstractions in the area.

Regulation of Groundwater Abstraction

In addition to any planning condition that will need to be complied with regarding onsite groundwater abstraction, the groundwater abstraction will be undertaken in strict accordance with the Water Environment (Abstraction and Associated Impoundments) Act 2022 and the Water Environment (Abstraction and Associated Impoundments) Regulations 2024. Therefore, the groundwater abstraction at the Proposed Development will be registered with the EPA prior to the commencement of any abstraction. The proposed backup abstraction at

2.1.6 Inadequate Landscape Buffer

The Appellant raised concerns regarding the proposed screening of the Proposed Development and referenced the 5DM3 Development Management Standard from the FBLAP, which is reproduced below:

"5DM3 Encourage appropriate screening of future developments in the Belview Industrial area. The following principles will be applied:

- *Existing woodlands and hedgerows should be retained and incorporated wherever feasible.*
- *The protection and buffering of existing residential developments will be a priority.*
- *Landscaping schemes for any development should form an integral part of the overall development proposal. A woodland planting buffer of 15-20 metres will generally be required inside any industrial site boundary unless a suitable alternative mitigation measure is agreed with the Planning Authority. This landscape buffer will be required to be densely planted with a mix of coniferous and deciduous species. In all cases the Council encourages advance planting which it considers would be beneficial to ensure some plant maturation prior to construction.*

- *Buildings and other structures shall be located so as to provide optimum screening and noise buffering to surrounding land-uses, particularly to existing residential properties. In cases where structures are to be constructed proximate to existing residential structures, the potential for these structures to impose on the neighbouring residential amenity by virtue of their heights and bulk should be appropriately mitigated in the assessment of all planning applications.*
- *Ensure a continuous landscape buffer (15-20 metres wide) at Drumdowney which is to be densely planted, see Figure 2.4 Development Objectives. This should consist of mixed native woodland and surround the entirety of the site. This should extend west to the entrance and gate lodge of Snowhill House. Along the estuary boundary of the site, ensure an adequate landscape buffer of a similar standard."*

Given the significant retention of existing hedgerows and tree lines, an additional 15-20m woodland planting buffer was not considered to be necessary. A detailed Site-specific landscape masterplan was prepared in respect of the Proposed Development; refer to Appendix 6-4 of EIA Volume 3. This landscape masterplan proposed the retention of trees as a priority with new infill and bolstering of existing hedgerows and trees. In addition, a screening mix was specified for along the perimeter berms.

In pre-application consultation with KCC, it was agreed that the perimeter areas outside the redline boundary should be progressively developed as a contribution to the 'green network' leading to the Suir valley.

The future planting outside of the redline boundary will form part of an overall Landscape Masterplan for the lands under the control of the Applicant that will be planted on a phased basis. This future landscaping will merge into the wider area and will connect to the ecological corridor and berms. GABM Limited is committed to enhancing biodiversity both on-site and in the wider area.

Therefore, it is considered that further woodland planting of 15-20m inside the Site's boundary will not be required.

A comprehensive landscape and visual impact assessment was undertaken by MacroWorks Ltd; refer to Chapter 12, EIA Volume 2. A detailed Site-specific landscape masterplan was also prepared in respect of the Proposed Development; refer to Appendix 6-4 of EIA Volume 3.

2.1.6.1 Landscape

In terms of landscape character change, the main ameliorating factor is the presence of the adjacent industrial warehousing and ancillary infrastructure in what will be effectively read as one coherent and consistent development and will provide a rationale and context for the Proposed Development. In terms of the broader context, the rural hinterland which is characterised by pasture, woodland and river, as well as residential and industrial development, has a landscape character that the Proposed Development will be consistent with.

2.1.6.2 Visual

A comprehensive Landscape and Visual Impact Assessment ('LVIA') was completed that was supported with photomontages from 20 viewpoints. The Proposed Development will be sited in well-contained industrial zoned lands within a peri-urban area – Belview Port industrial hinterland area, where such development is already a characteristic feature.

In addition, perimeter berms will be formed along the western and southern boundaries of the Site using excavated subsoil and topsoil from the construction stage. These will rise to ca. 3m and will be densely planted with native woodland tree species with wild grass seeding.

Furthermore, the colour scheme mitigation subtly reduces the visual presence of the proposal, recessing it with low contrast against the sky.

It is considered that following the establishment of mitigation planting and application of the colour scheme, the mass and prominence of the building will be reduced.

Due to the landform and retained vegetation along the boundary, the Site will have minimal visibility despite the proximity. The upper sections of the tallest built form may be visible over the top of vegetation at some locations; however, it will have little visual presence.

2.1.7 Noise Impact

The measured baseline was representative of the conditions at the time it was measured, incorporating operational noise from existing developments, traffic on the surrounding road network, overhead planes, bird song and a variety of other sources of noise. It is best practice to use existing noise levels as they represent the actual conditions experienced in the area.

While previous developments may have influenced background noise, this is a natural aspect of how urban and industrial areas evolve.

MOR Environmental wish to confirm that the baseline noise monitoring did not indicate low daytime, evening and night-time background noise levels.

The EPA's Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4) document specifies the screening approach to determine if a development is to be located in or near an area that could be considered a 'Quiet Area'. This is presented in Table 11-3 of the EIA (Volume 2). It was determined that the Site does not qualify as a Quiet Area due to its proximity to urban area, industry and the national primary road.

In addition, the baseline monitoring results at four locations presented in Tables 11-6, 11-7 and 11-8 of the EIA (Volume 2) demonstrated that the acoustic environment in proximity to

the Site was not considered to be a low background area as the background noise ($L_{A90,T}$) levels exceed the below criterion specified within the EPA's NG4 document:

- Average Daytime Background Noise Level ≤ 40 dB L_{A90} ;
- Average Evening Background Noise Level ≤ 35 dB L_{A90} ; and,
- Average Night-time Background Noise Level ≤ 30 dB L_{A90} .

In order to be considered a Low Background Noise Area, each of the above criteria has to be met. The facts are that the four baseline monitoring locations measured higher values than the levels presented above and therefore, the Site cannot be considered as a Low Background Noise Area.

2.1.7.1 Operational Noise – Unloading Campaign

Operators involved in the existing port-related activities already conduct uploading from and downloading to ship campaigns along port-related road infrastructure, and the proposed uploading campaign (8 per annum) is not unique to the Proposed Development. An assessment of the operational noise is presented in Section 11.4.4 of the EIA (Volume 2). Two operational noise models were developed for the Proposed Development:

1. Model A – the normal typical operations; and,
2. Model B – when an unloading campaign (additional traffic) is occurring.

The differences between Models A and B are the traffic movements from the port to the Proposed Development. To represent Model B (unloading campaign), two moving sources have been modelled to represent the truck movements between the Proposed Development and the Port, which are modelled at 34 per hour.

These campaigns will be limited to ca. eight events per annum. The predicted increase in noise levels for Model B was due to the traffic between the Proposed Development and the Port. The key focus of the noise assessment was to determine whether the Proposed Development would create a noticeable additional adverse effect.

BS 8233:2014 sets a target internal noise level of $L_{Aeq,8hr}$ 30 dB for bedrooms during sleep. However, Note 7 in BS 8233:2014 allows for a relaxation of up to 5 dB if the development is deemed necessary, making 35 dB an acceptable limit. Assuming a 15 dB reduction from outside to inside with open windows, internal noise levels of 35 dB are expected at NSR07 during unloading campaigns. This represents a worst-case scenario, but the overall impact was assessed as temporary, re-occurring and not significant given the environmental context.

"We submit that the using of existing noise levels as somehow reflecting the baseline noise levels is a misrepresentation of matters in this instance. There is background creep and accumulation of noise impact based on each application that is made. This should have been considered as the baseline, without any other developments being in place. It is also unclear from the assessment as to what activities were being undertaken at the other adjoining plants during the week of acoustic monitoring. No clarification of this is provided by the applicant's agents."

The Proposed Development has been predicted to comply with typical noise nuisance values for the majority of Noise Sensitive Receptors ('NSRs') to the Site, both during construction and operation. Two NSRs have been predicted to experience an exceedance during night-time operations during the unloading campaigns; however, these will be infrequent short-duration events and based on the likely effects, found to be in line with WHO and BS8233 guidelines for a bedroom.

Following the implementation of all of the proposed mitigation measures will enable the operation of the Proposed Development to be managed, ensuring noise will be controlled. In the long term, a negligible effect at all NSRs has been predicted.

2.1.8 Flooding

The Office of Public Works (OPW's) Catchment Flood Risk Assessment and Management (CFRAM) maps, Flood Hazard Mapping (i.e. 6" and 25" base maps), were reviewed to assess flood risk in the area of the Site. As detailed in the EIA, CFRAM mapping shows that the Site is not located within any fluvial or pluvial flood zones. There is no identification of areas that are "prone to flooding" on the available historical 6" or 25" (inch) within the Site boundary.

No flood events or recurring flood incidents were identified at the Site or in its vicinity from the OPW's Flood Hazard Mapping (refer to EIA Volume 3, Appendix 8-4 for a copy of the Past Flood Event Local Area Summary Report for the Site). The closest mapped flood event is a recurring event located 2.94km southeast of the Site, at Cheekpoint. The last report on the recurring event was in 2006, where the flood was identified as occurring in a local pub as a result of high tide and strong winds.

The area up to 2km surrounding the Site is not located within any predicted flood extents or areas at elevated risk of flood for both pluvial and groundwater flooding in current or predicted future scenarios on the OPW datasets. However, there is a moderate probability National Indicative fluvial flood zone (based on theoretical flood extent modelling) associated with Luffany Stream to the 0.32m northeast of the Site and a predicted flood extent for coastal / river flooding located 1.04km south of the Site, at the edge of the River Suir.

During the Construction Phase, mitigation measures will be implemented to ensure that the construction works will not result in any impacts on the Natura Sites. These mitigation measures are detailed in Table 5-3 of the submitted Preliminary Construction Environmental & Waste Management Plan (CE&WMP).

Regarding sediment run-off, the proposed mitigation includes the following:

- Standard measures to control run-off will be incorporated into the Method Statements, including Construction Industry Research and Information Association (CIRIA) C532 – Control of Water Pollution from Construction Sites, Guidance for Consultants and Contractors and CIRIA C741 Environmental Good Practice on-site;
- No surface water will discharge to the nearby waterbodies during the construction works;
- All construction works associated with new drainage infrastructure on-site will be completed, checked, and cleaned where required in advance of discharging;
- Excavations will be left open for minimal periods to avoid acting as a conduit for surface water flows;
- During the construction period, appropriate containment measures, sandbags or similar, shall be installed on-site where the material is required to be stored temporarily, thus ensuring adequate protection in silt-laden runoff draining off site;
- The Contractor shall ensure that sediment / silt control measures are regularly maintained during the Construction Phase;
- Weather conditions will be considered when planning construction activities to minimise the risk of run-off from the Site;
- Provision of 20m exclusion zones and barriers between any stockpiled materials and any access road to prevent sediment washing into the receiving water environment;
- If dewatering is required as part of the proposed works, e.g., in trenches for services in wet areas, water must be analysed to determine how it is to be managed, i.e., use on-site soakaways or removal offsite by a licensed contractor for disposal in accordance with all relevant waste regulations;

- Entry by plant equipment, machinery, vehicles and construction personnel into watercourses, wet drainage ditches or the river riparian zones shall not be permitted;
- All routes used for construction traffic shall be protected against migration of soil or wastewater into watercourses; and,
- An Ecological Clerk of Works ('ECoW') shall be engaged to periodically inspect all elements of the works for their entire duration.

Emergency response procedures will be put in place in advance of works commencing. All staff and sub-contractors will be made aware of the emergency response procedures. The Appointed Project Manager will be responsible for developing an updated site-specific CE&WMP(s) prior to the commencement of site works. The Project Manager will be responsible for ensuring compliance with the CE&WMP. Each subcontractor will be responsible for appointing a point of contact for matters related to environmental protection. Copies of the CE&WMP(s) will be made available to all personnel at the Site. All Site personnel and subcontractors will be instructed about the objectives of the CE&WMP and informed of the responsibilities which fall upon them as a consequence of its provisions.

All staff will receive environmental awareness training as part of their site induction to ensure they will be aware of their responsibilities under the CE&WMP.

During the Operational Phase, the access road stormwater drainage has been designed to cater for adequate storage during a 1 in 100-year storm event, with an allowance of 30% increase in rainfall included in the design to account for climate change; refer to Section 8.5.2 of the EIAR (Volume 2) for more information. In summary, the stormwater run-off from the Site has been divided into two areas. The stormwater run-off from the building and yard areas will be collected via a new drainage system. Two main drainage lines will be provided that run around the perimeter of the building and discharge to a soakaway pit that will be located south of the building. Prior to discharge to the soakaway pit, the stormwater run-off will pass through a settlement tank to trap solids and a fuel / oil bypass separator (Klargester NSBE025 – Class 1 separator) to remove oils and hydrocarbons, which has the potential to infiltrate into the aquifer (receptor). The two drainage lines will be separate, and as such, each drainage line will be provided with its own dedicated settlement tank, separator, and monitoring chamber for sampling water quality.

The on-site testing to determine the infiltration rate was carried out in accordance with BRE 365 Soakaway design. The ground conditions and infiltration rates were determined to be suitable for the design of a soakaway pit. The infiltration rate at the proposed soakaway location was determined to be 1.76×10^{-5} m/sec. The soakaway was also sized in accordance with BRE 356 Soakaway design; refer to Appendix 7-2 (EIAR Volume 3) for the soakaway tests report. This soakaway will be used to treat stormwater roof run-off and stormwater yard run-off from the Proposed Development, which is unlikely to be contaminated once it is discharged into the soakaway given the design measures proposed (i.e. settlement tanks, separator and monitoring chamber). Given that the regional groundwater flow direction is towards the Estuary and the fact that the soakaway pit is located cross-gradient to the production well PW1, it is unlikely that there will be an impact to the production well (PW1) from the soakaway pit discharging to ground.

The second area that requires stormwater management is the proposed access road to the east. Stormwater run-off from this area will be located via a new drainage system. Prior to discharging to an existing 300mm diameter stormwater drain located at the proposed entrance, the stormwater will flow through a fuel / oil bypass separator (Klargester NSBE025 – Class 1 separator) to remove oils and hydrocarbons. Discharge to the existing stormwater drain will be limited by a hydrobrake that will limit flow to 26l/s. The greenfield run-off from the Site has been calculated to be 40l/s in line with the Greater Dublin Strategic Drainage Study ('GSDS') and in line with best practice.

The design of all drainage and bunding will be undertaken in accordance with relevant best practice guidelines, and the stormwater will be adequately assessed. The submitted NIS considered the surface water drainage connection between the Site and the Lower River Suir SAC and the River Barrow and River Nore SAC. The NIS concluded that the design of the drainage system and the inclusion of features such as fuel / oil bypass separator and hydrobrakes will ensure that there will be no potential for the impairment of water quality due to the increased stormwater runoff. The NIS determined that with the implementation of the proposed mitigation measures, the Proposed Development will not, either alone or in combination with other plans or projects, adversely affect the integrity or conservation status of any of the qualifying interests of the Lower River Suir SAC and the River Barrow and River Nore SAC or any other European site in light of best scientific knowledge.

2.1.9 Traffic Impact

A comprehensive transportation and traffic impact assessment, including included 12-hour traffic counts, was undertaken and detailed in Chapter 14 of the EIA.

The design of the Proposed Development will ensure that no surplus soils will be removed offsite during the Construction Phase, which will significantly reduce the construction traffic numbers. During the Construction Phase, there will be some oversized deliveries (process equipment, etc.). The Proposed Development has been specifically located in close proximity to Belview Port to minimise the transport distance on the road network. There will be increased traffic movements during the period of unloading a ship importing the gypsum rock. It is predicted that there will be approximately eight ships per year required to deliver the gypsum rock.

As part of the RFI response, a Mobility Management Plan and a Line Marking Layout drawing was prepared. The Mobility Management Plan and prepared drawings detail footpaths, crossing points and associated dimensions.

GABM Limited staff and visitors will use the proposed car park located at the southern elevation of the building. Staff and visitors will enter the building using the walkways provided by the main doors at the office location. There will be a total of 28 available parking spaces, one of which is for accessible use. One Electric Vehicle (EV) charging point will be provided and there will be three spaces that can be upgraded at a later date to EV charging points. There will be no overspill car parking.

The Proposed Development will operate a continual shift pattern of work; therefore, peak parking times will be greatly reduced with respect to the total number of direct employees.

There will be a pedestrian footpath provided along the L5282 local road and on the access road where the proposed entrance will be located. A crossing has been proposed to link the Proposed Development to the existing pedestrian network.

Noise associated with traffic movements during the night-time unloading campaigns were assessed; refer to Section 2.1.7 above.

Therefore, it has been demonstrated that the Proposed Development, when operational, will not have a significant impact on the surrounding road network or nearby residences.

2.1.10 Inadequacy of Assessments

For the purpose of the EIA, MOR Environmental assessed the Site for its potential to support species afforded legal protection under either Irish or European legislation, including wintering birds. During the initial assessment of the Site on 13th March 2023, the Site was assessed for its potential to support assemblages of birds of rare or notable species.

The Site assessment concluded that the agricultural fields (a common habitat within the vicinity of the Site and the wider area) may provide suitable foraging habitat for winter bird species.

As per the findings of the winter bird assessment in Section 4.2 of the Bird Report, the assessment concluded that:

"...given the level of disturbance onsite from agricultural practices and levels of industry surrounding the Site, it is not considered that the Site is of importance for this species, and it is likely that this species will utilize areas closer to the River Suir / Waterford Estuary."

This assessment was based on the desk-based information and the findings of the field-based assessments. Winter birds tend to prefer habitats such as mudflats, marshlands and grasslands adjacent to the coast. The habitats on site may provide suitable roosting habitats for winter species. However, the retention of these habitats and the implementation of the landscape plan will provide suitable habitats for both foraging and roosting winter birds.

The Bird Report concluded that:

"The onsite habitats are not considered to be of importance to wintering bird species and it is not considered that the Proposed Development will have a significant impact on any wintering bird species. This is based on the presence of suitable habitats in the wider area which these species are more likely to favour, namely the River Suir and the Waterford Estuary."

2.1.11 Reduction in Property Value

The Site is located ca. 0.9km northwest of Belview Port and ca. 5km northeast of Waterford City, Co. Waterford. The Site is accessible via the industrial roads through the Belview Port industrial estate, which connects to national road N29, which itself joins national road N25 ca. 2.1km to the northwest.

Belview Port is a significant trade gateway for Ireland, providing a vital link to international markets. Belview Port is strategically located, providing easy access to major road networks, including the N25 and N29 to incoming freight. The nearest residential area is located ca. 15m from the southern boundary of the Site and ca. 230m from the facility.

As stated in Section 2.1.1 above, due to the Site's location, it is unlikely that the Site will remain in agricultural use. The Proposed Development is sited in well-contained industrial zoned lands within a peri-urban area – Belview Port industrial hinterland area, where such development is already a characteristic feature.

As set out in Chapter 2 of the EIA the change that has been taking place at Belview is fully supported by strategic planning policy at National and Regional levels and in statutory Development Plans at County and local levels in the FBLAP. This change has been ongoing for ca. 35 years since the strategic decision to move the Port of Waterford to Belview, based on Government policies to improve the Ports and to open up the city centres to sustainable urban redevelopment, such as the Waterford City Strategic Development Zone at Ferrybank, which is proceeding apace under the Planning Scheme approved by the Board and with direct Government Strategic Infrastructure funding.

The original fundamental change was supported by the Board (Ref. ABP P110.81162 (KCC 241/89) – The original grant of planning permission for the development of port facilities at Belview. The commercial port at Belview on the river Suir comprises ca. 960m of marginal quays capable of handling ships of up to 9m draft and 190m length. The riverside berthage is backed up by open and covered storage areas and warehouses within a 265 ha. area of the designated Belview Port Zone. Operations are carried out by licenced stevedores and industrial operators within the port zone. The subject site is located within the port zone.

The Residential Amenity Belview context described in the FBLAP (The preparation of a new LAP commenced in May 2024), indicates "the provisions of this zoning category need to be flexible in terms of accommodating the expansion of port related activity and specialised industries in the area, but only where the amenity of existing residences in protected."

The area and region have benefitted over 35-years from the relocation of Waterford Port at Belview and the associated economic activity, wealth creation and employment in the designated Belview Port Zone. There is a reciprocal need to be flexible in terms of accommodating port expansion, specialised industries and the protection of existing residential amenities. The Proposed Development, as described in the full suite of documentation submitted to the planning authority and as described in this response, has been carefully designed with these parameters in mind.

MOR Environmental considers that the comprehensive assessments submitted as part of the planning application to KCC demonstrate that the operation of the Proposed Development will not cause any unacceptable environmental effects or be a nuisance to neighbours.

2.2 SLR on behalf of Saint-Gobain Construction Products (Ireland) Ltd

The primary basis of the SLR submission is their claim that there has been "a flawed assessment in concluding that the facility proposed does not require an EPA licence for its gypsum and waste processing activities."

However, the EPA has confirmed in writing that the Proposed Development is not a licensable activity under any class of activity under the EPA Act 1995, as amended, Schedule 1 and that the Waste Facility Permit will be required to operate the Proposed Development.

Full, detailed correspondence with the EPA is provided in Appendix A and Appendix B of this document.

Saint Gobain may have come to their conclusion, given that documents issued as part of the correspondence with the EPA was not available to them. All information was provided to the EPA via direct correspondence and through the Article 11 request. As the EPA are the competent authority for granting and enforcing Industrial Emissions ('IE') and Industrial Pollution Control ('IPC') licences, a summary of the correspondence was submitted to KCC, who were, in turn, satisfied with the EPA's conclusions. This is evident as the Notification of Decision to Grant Permission for the Proposed Development was issued on the 12th February 2025.

Detailed discussion on the licencing requirements and the EPA's conclusions is provided below.

2.2.1 Background

For clarity, the Proposed Development and the Saint Gobain licensed facility are described below.

2.2.1.1 The Proposed Development

The Proposed Development is a plasterboard manufacturing facility which will process both virgin gypsum material and recycled gypsum plasterboard in line with the circular economy principles. The Proposed Development will operate campaigns at ca. 6-week intervals throughout the year, with each campaign consisting of the arrival of ca. 24,375 tonnes of gypsum rock at Belview Port. The Proposed Development will produce a maximum of 195,000 tonnes of plasterboard per annum. The operational period will be 24 hours a day, 333 days a year, with a daily production capacity of ca. 583 tonnes.

2.2.1.2 Saint Gobain's Operations

Saint Gobain operate two distinct sites (Mining operation located at Carrickmacross, Co. Monaghan and Processing Operations located at Kells, Co. Meath) that currently fall under one Industrial Emissions Licence (Registration Number P0519-04). Saint Gobain mining operations include extraction of 200,000 – 500,000 tonnes of gypsum per annum. The gypsum extracted from the mine is used to supply a factory located in Co. Meath. The factory is licensed to accept waste gypsum. A capped / decommissioned landfill is also located at the processing site.

Saint Gobain are licensed for the following three activities:

“Class 1.3: The extraction and processing (including size reduction, grading and heating) of minerals within the meaning of the Minerals Development Acts 1940 to 1999, where an activity involves - any other operation where either the level of extracted or processed minerals is greater than 200,000 tonnes per annum or the total operational yield is greater than 1,000,000 tonnes, and storage of related mineral waste

Class 11.1: The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required

Class 11.5: Landfills, within the meaning of section 5 (amended by Regulation 11(1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008)) of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste.”

All information on Saint Gobain presented in this section is detailed in their IE Licence P0519-04 presented in Appendix C of this document.

2.2.2 The Proposed Development - Licensing Requirements

MOR Environmental undertook a detailed technical evaluation of the relevant legislation in preparation for the application and concluded that the Proposed Development does not fall into any relevant class of activity and, therefore, it is not a licensable activity. The planning application was lodged on the basis that no IPC, IE or Waste Licence would be required for the Proposed Development.

KCC issued an RFI on 25th April 2024, which, amongst other items, requested that a determination as to whether an IPC/IE or Waste Licence is required to be sought from the EPA.

MOR Environmental contacted the Environmental Protection Agency (EPA) on 28th June 2024, requesting a determination of whether an IPC/IE or Waste licence would be required for the Proposed Development. The summary of the correspondence with the EPA was provided within the RFI response.

2.2.3 Industrial Emissions Licence

The process description and proposed quantities of materials were included in the documentation provided to the EPA on June 28, 2024. This is reproduced below; refer to Appendix A for a copy of the correspondence.

Section 3.1 of the Request for determination if IPC/IE or Waste Licence is required document states:

“The proposed development is a plasterboard manufacturing facility which will process both virgin gypsum material and recycled gypsum plasterboard and will therefore enshrine the circular economy principles.

The EIA states (section 1.4) that the proposed development will operate campaigns at ca. 6-week intervals throughout the year, with each campaign consisting of the arrival of ca. 24,375 tonnes of gypsum rock at Belview Port.

The EIA states (section 1.4) that the proposed development will produce a maximum of 195,000 tonnes of plasterboard per annum. The operational period will be 24 hours a day, 333 days a year, with a daily production capacity of ca. 583 tonnes (EIA section 14.4).”

In addition, the document provides a process description in Section 3.3:
"The process has been designed to be as resource-efficient as practically possible. The general steps of the process are:

- Milling, calcining and stucco manufacturing;
- Conveying and plasterboard formation;
- Levelling and cutting into lengths; and,
- Drying.

During the process and the final drying, water and waste heat will be captured for use elsewhere in the process. The dried plasterboards will be stored in the warehouse prior to loading onto Heavy Goods Vehicles (HGVs) for distribution. Recycled plasterboard will be treated within a dedicated section of the plant. The plasterboard will be removed from the binding paper before being milled and mixed with the virgin gypsum before the creation of the stucco."

The document further provides reasoning as to the inapplicable classes of activity in Section 4. The reasoning for the classes (Classes 1.3 and 11) referenced by SLR are reproduced below in Tables 2-1 and 2-2:

Table 2-1: Class 1 Conclusions

Sub-Class No.	Sub-Class Description	Assessed Applicability	Reasoning
1.3	The extraction and processing (including size reduction, grading and heating) of minerals within the meaning of the Minerals Development Acts 1940 to 1999, where an activity involves: a) a metalliferous operation; or, b) any other operation where either the level of extracted or processed minerals is greater than 200,000 tonnes per annum, or the total operational yield is greater than 1,000,000 tonnes, and storage of related mineral waste.	Not applicable	As this class is only applicable to facilities that carry out extraction and processing, and as no extractive operations will be carried out at the Proposed Development, this class is not applicable. ¹ Additionally: • No metalliferous operation; • Will be carried out at the Proposed Development; and, • The intended processing capacity will be 195,000 tonnes per annum (see section 3.1 above), which is below the annual threshold of 200,000 tonnes.

The sub-classes within this group were considered but the conclusion was that no sub-class applied. Table 2-2 below summarises the reasoning for this conclusion.

¹ This class should be interpreted cumulatively based on a reading of the text and on the High Court's finding in *Kavanagh v an Bord Pleanála* [2020] IEHC 259 that an analogous phrase ("Industrial installations for the production of electricity, steam and hot water") should be read cumulatively (i.e. production of electricity and steam and hot water).

Table 2-2-C bss 11 Conclusions

Sub-Class No.	Sub-Class Description	Assessed Applicability	Reasoning
11.1	The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.	Not applicable	As no other activity class applies, this class cannot apply. Nonetheless, disposal of waste will not occur. Recovery of by-product gypsum will occur.

The Applicant's RFI response clearly demonstrated that the Proposed Development will not require an Integrated Pollution Control ('IPC') or an Industrial Emissions ('IE') licence to operate the Proposed Development. This was based on extensive consultation with the EPA. The EPA has confirmed that a Waste Facility Permit will be required to operate the Proposed Development. Refer to Appendix B.

2.2.4 Conclusions regarding Saint Gobain's objection

The Proposed Development is not comparable to the Saint Gobain licenced activities as:

- The Proposed Development will not undertake mining activities, which Saint Gobain does; and,
- Saint Gobain is licensed to operate a landfill. No landfilling activity will be undertaken at the Proposed Development.

The EPA has made licensing declarations in writing, as follows:

- The Proposed Development is not licensable activity under the EPA Act 1992, as amended and it requires a Waste Permit - refer to Appendix A, the EPA email dated 19th November 2024 which states:

"The Agency notes your confirmation that there will be no chemical process associated with the calcining step. I refer you to Article 11 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended. Article 11 is a mechanism by which an applicant can request a determination from the EPA as regards the most appropriate waste authorisation (i.e. Industrial Emissions licence, Waste Licence, Waste Facility Permit or Certificate of Registration, or none as the case may be) for a proposed activity. I refer you to the EPA Article 11 Declaration issued on 1 October 2024 'Article 11 No:2814' which determined a waste facility permit is required. [emphasis added]"

3 CONCLUSIONS

We ask the Board to consider this rebuttal to the two Third-Party Appeals lodged against the grant of permission of KCC for a new purpose-built plasterboard manufacturing facility at Gorteen, Co. Kilkenny.

The grounds of these third appeals have been fully addressed and refuted in the above response and the supporting reports / drawings provided by MOR Environmental. We respectfully submit that neither of the Appellants have presented any grounds for the decision of Kilkenny County Council to be overturned.

It is evident from the planning file that the planning authority took a very measured approach in considering the merits of the Proposed Development in accordance with the policies and objectives of the Kilkenny City and County Development Plan 2021 – 2027 and Ferrybank Belview Local Area Plan 2017 – 2023.

As acknowledged in the Notification of the Decision to Grant from KCC, the Proposed Development has been carefully designed with full regard to the physical and environmental setting of the site resulting in a positive design solution and appropriate proposal for these zoned lands.

It has been demonstrated in the application, the Natura Impact Statement and Environmental Impact Assessment Report, that the Proposed Development represents a suitable and sustainable use of the subject lands.

For the reasons outlined above and in the supporting documents, we, therefore, request the Board to set aside the various grounds of appeal raised by these two Third-Party Appeals and to grant permission for Proposed Development in accordance with the proper planning and sustainable development of the area. We look forward to a favourable decision within the earliest possible timeframe.

APPENDICES

APPENDIX A

Gus Egan

From: Gus Egan
Sent: Friday 28 June 2024 12:18
To: licensing@epa.ie
Cc: info@epa.ie
Subject: E2077: EPA IEL Determination Request - GABM Plasterboard
Attachments: 240628 - E2077 - IEL Declaration Request - FINAL Rev01.pdf

Dear Sir/Madam,

Please see attached a request for determination if IPC/IE or Waste licence is required as part of a request for information (RFI) from Kilkenny County Council regarding the application for an integrated plasterboard manufacturing facility at Gorteen, Slieverue, Co. Kilkenny (ref: 24/60103). MOR Environmental would welcome the EPA's formal position on the licensing status of the proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA.

Please do not hesitate to contact me, if you have any queries on the attached.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AAQ, AMIOA

Principal Environmental Consultant

for and on behalf of

Mab ne O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandyford

Dublin 18, D18 V32Y

+353(0)1 5677655

+353(0)86 1982201

gus@more.ie

Web: www.mores.ie

28th June 2024

Gr 3 Floor – Unit 3, Bracken Business Park, Bracken Road, Sandyford,
DU 18, D18 V32Y, Ireland Tel: +353-1-567 7655
Email: enviro@mores.ie Web: www.mores.ie

Environmental Protection Agency,
Environmental Licensing Programme
Office of Environmental Sustainability
Johnstown Castle Estate
Co. Wexford
Y35 W821

MOR Ref: E2077

Planning Ref: 24/60103

By Email

Re: Request for determination if IPC/IE or Waste Licence is required

Dear Sir/Madam,

1 INTRODUCTION

We, Malone O'Regan Environmental ('MOR Environmental'), are writing to you on behalf of our client, GABM Limited ('GABM'), to seek the Environmental Protection Agency's ('EPA's') consideration as to whether their proposed development which is currently under consideration by Kilkeny County Council ('KCC') for planning permission would be considered a licensable activity under the relevant EPA Acts.

2 PLANNING STATUS

MOR Environmental were commissioned to assist GABM in their planning application to KCC for permission to construct an integrated plasterboard manufacturing facility at Gorteen, Slieveue, Co. Kilkeny (Planning register No. 24/60103). The application included an Environmental Impact Assessment Report (EIA/R) and a Natura Impact Statement (NIS) and was submitted on 1st March 2024.

KCC issued a Request for Information ('RFI') on 25th April 2024, which, amongst other items, requests that a determination as to whether an IPC/IE or Waste Licence is required to be sought from the EPA. Please see item 1 below (Figure 1) of the request below. The RFI letter is attached to this request (Attachment A).

Figure 1: Item 1 of the RFI

License Requirements/Waste

1. The applicant is requested to submit a declaration to the EPA to determine if an IPC/IE or Waste Licence is required. A copy of the declaration that is submitted to the EPA, along with the response received from the EPA, shall be submitted to Kilkeny County Council for review.

MOR Environmental undertook a detailed technical evaluation of the relevant legislation in preparation of the application and concluded that the proposed development does not fall into any relevant class of activity and that therefore it is not a licensable activity. The planning application was therefore lodged on the basis that no IPC, IE or Waste Licence would be required for the proposed development.

3 OUTLINE OF THE PROPOSED DEVELOPMENT

3.1 Nature of the Proposed Development

The proposed development is a plasterboard manufacturing facility which will process both virgin gypsum material and recycled gypsum plasterboard and will therefore enshrine the circular economy principles.

The EIA states (section 1.4) that the proposed development will operate campaigns at ca. 6-week intervals throughout the year, with each campaign consisting of the arrival of ca. 24,375 tonnes of gypsum rock at Belview Port.

The EIA states (section 1.4) that the proposed development will produce a maximum of 195,000 tonnes of plasterboard per annum. The operational period will be 24 hours a day, 333 days a year, with a daily production capacity of ca. 583 tonnes (EIA section 14.4).

3.2 Location of the Proposed Development

The proposed development will be a ca. 11.57-hectare site located at Gorteen, Co. Kilkenny. The location was chosen for the following reasons:

- Sufficient space on appropriately-zoned lands;
- Extensive due diligence has been carried out on lands in proximity to the site;
- Excellent road access;
- Close proximity to Port Belview to allow efficient transport of virgin gypsum from Southern Spain and North Africa;
- Availability of all essential services; and,
- Distance from sensitive receptors.

3.3 Process Description

The process has been designed to be as resource-efficient as practically possible. The general steps of the process are:

- Milling, calcining and stucco manufacturing;
- Conveying and plasterboard formation;
- Levelling and cutting into lengths; and,
- Drying.

During the process and the final drying, water and waste heat will be captured for use elsewhere in the process. The dried plasterboards will be stored in the warehouse prior to loading onto Heavy Goods Vehicles (HGVs) for distribution.

Recycled plasterboard will be treated within a dedicated section of the plant. The plasterboard will be removed from the binding paper before being milled and mixed with the virgin gypsum before the creation of the stucco.

3.4 Proposed Development Description

The proposed development will consist of the following:

- Security fencing;
- Vehicle entrance;
- Vehicle parking;
- Berms;
- Paved areas;
- Water storage tanks;
- Two raw materials warehouses;
- A calcliner building, including:
 - Milling plant;
 - Calcliner;
 - Heat exchanger;
 - Stucco silos; and,
 - A conveyor belt;
- A dryer;
- A board warehouse.

At this juncture, it is envisaged that some waste Gypsum from construction sites will be used at the Proposed Development, where it will be recycled to produce the finished product. However, GABM is currently investigating whether Gypsum arising from construction sites would be considered as by-product in accordance with Circular Economy principles.

3.5 Emissions

High-efficiency dryer models will be used, with multiple stacked decks of plasterboard dried simultaneously. Extracted water and waste heat will be used elsewhere in the facility.

Water Conservation:

Approximately 30% of processed water will be recycled, reducing the overall demand. The water supply will utilise a combination of recovered rainwater, municipal supply and potential groundwater which minimises the reliance on a single water source. A Programmable Logic Controller (PLC) with moisture sensors will optimise water usage in stucco production.

Energy Efficiency:

- Rooftop solar panels will generate approximately 10% of the development's annual electricity needs, reducing reliance on the grid and associated emissions;
- Process heat from the calcliner will be captured and reused for building and office heating;
- A dedicated system on the final dryer will recapture heat for reuse; and,
- The PLC will also optimise temperature controls with temperature sensors, which will optimise heating.

These design measures will reduce energy and water demand and, therefore, reduce emissions of greenhouse gases (GHGs) arising from energy usage. An automated control system will allow the maximisation of heating and the control of water addition, reducing waste.

All processing of gypsum through the milling plant and onwards will take place within enclosed equipment. This will reduce fugitive dust emissions and noise emissions.

3.5.1 Emissions to Air

There will be a total of two dryer stacks and one gas-fired boiler. Emissions to air will consist of dust and NOx.

3.5.2 Emissions to Sewer

There will be no process wastewater arising from the facility.
Foul wastewater arising from staff welfare will be discharged to sewer under agreement with Irish Water.

3.5.3 Stormwater

Stormwater from the plasterboard plant and concrete yard will be collected on-site via a surface water drainage system which will divert collected water via a settlement tank, Klargestar Class 1 separator and monitoring chamber into a soakaway.
Stormwater from the access road will be diverted into a stormwater drain via a Klargestar Class 1 separator and hydrobrake.

4 PERMITS AND LICENCES

MOR Environmental reviewed the EPA Act, 1992 as amended, Schedule 1 and provided details of possible Classes of Activity that may apply to this facility:

- Class 1 – Minerals and other materials;
- Class 2 – Energy;
- Class 4 – Mineral Fibres and Glass; and,
- Class 11 – Waste

4.1 Class 1: Minerals and Other Materials

The sub-classes within this group were considered but the conclusion was that no sub-class applied. Table 1 below summarises the reasoning for this conclusion.

Table 1: Class 1 Conclusions

Sub-Class No.	Sub-Class Description	Assessed Applicability	Reasoning
1.1.1	Production of asbestos/manufacture of asbestos-based products	Not applicable	No operations using asbestos.
1.1.2	The extraction, production and processing of raw asbestos	Not applicable	No operations using asbestos.
1.2	The extraction of aluminium oxide	Not applicable	No extractive operations.
1.3	The extraction and processing (including size reduction, grading and heating) of minerals within the meaning of the Minerals Development Acts 1940 to 1999, where an activity involves: a) a metalliferous operation or b) any other operation where either the level of extracted or processed minerals is greater than 200,000 tonnes per annum, or the total operational yield is greater than 1,000,000 tonnes, and storage of related mineral waste.	Not applicable	As this class is only applicable to facilities that carry out extraction And processing, and as no extractive operations will be carried out at the Proposed Development, this class is not applicable. ¹ Additionally: • No metalliferous operation will be carried out at the proposed development. • The intended processing capacity will be 195,000 tonnes per annum (see section 3.1 above), which is below the annual threshold of 200,000 tonnes.
1.4	The extraction of peat in the course of a business, which involves an area exceeding 50 hectares.	Not applicable	No extraction operations.

4.2 Class 2: Energy

The applicable threshold is 50MW or more: “combustion of fuels in installations with a total rated thermal input of 50MW or more.”

The only fuel used at the Proposed Development will be natural gas.

The Proposed Development will have the following plant for combustion of fuels:

¹ This class should be interpreted cumulatively based on a reading of the text and on the High Court's finding in *Kavanagh v an Bord Pleanála* [2020] IEHC 259 that an analogous phrase (“industrial installations for the production of electricity, steam and hot water”) should be read cumulatively (i.e. production of electricity and steam and hot water).

Table 2: Thermal Input of Combustion Plant

No.	Combustion Plant	Thermal Input (MW)
1.	Calcining Plant	12 MW
2.	Pre-dryer and Dryer	7 MW
Total		19 MW

Therefore, it can be concluded that this class does not apply.

4.3 Class 4: Mineral Fibres and Glass

The sub-classes within this group were considered but the conclusion was that no sub-class applied. Table 3 below summarises the reasoning for this conclusion.

Table 3: Class 4 Conclusions

Sub-Class No.	Sub-Class Description	Assessed Applicability	Reasoning
4.1	Other than where carried on in conjunction with The activity specified in paragraph 1.1.1, the Processing of asbestos and asbestos-based products.	Not applicable	No operations using asbestos.
4.2.1	The melting of mineral substances including the production of mineral fibres with a melting capacity exceeding 20 tonnes per day.	Not applicable	No melting of mineral substances.
4.2.2	The manufacture of glass fibre or mineral fibre, not included in paragraph 4.2.1 or 4.3	Not applicable	No glass fibre will be manufactured on-site. Mineral fibre will be processed, not manufactured.
4.3	The manufacture of glass including glass fibre with a melting capacity exceeding 20 tonnes per day.	Not applicable	No glass will be manufactured on-site.
4.4	The production of industrial diamonds	Not applicable	No diamonds will be produced.

4.4 Class 11: Waste

The sub-classes within this group were considered but the conclusion was that no sub-class applied. Table 4 below summarises the reasoning for this conclusion.

Table 4: Class 11 Conclusions

Sub-Class No.	Sub-Class Description	Assessed Applicability	Reasoning
11.1	The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.	Not applicable	As no other activity class applies, this class cannot apply. Nonetheless, disposal of waste will not occur. Recovery of by-product gypsum will occur.
11.2	Disposal or recovery of hazardous waste with a capacity exceeding 10 tonnes per day.	Not applicable.	Disposal of waste will not occur. Recovery of by-product gypsum will occur. Note: Uncontaminated gypsum waste has EWC code 17 08 02, which is a non-hazardous code.
11.3	Disposal or recovery of waste in waste incineration plants or in waste co-incineration plants.	Not applicable	No incineration or co-incineration will take place.
11.4a	Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving one or more of the following activities: i. Biological treatment; ii. Physico-chemical treatment; iii. Pre-treatment of waste for incineration; or co-incineration; iv. Treatment of slags or ashes; v. Treatment in shredders of metal waste, including WEEE and ELV and their components	Not applicable	No such treatments will take place.
11.4b	Recovery, or a mix of recovery and disposal, of non-hazardous waste with a capacity exceeding 75 tonnes per day involving one or more of the following activities: i. Biological treatment; ii. Pre-treatment of waste for incineration; or co-incineration; iii. Treatment of slags and ashes; iv. Treatment in shredders of metal waste, including WEEE and ELV and their components.	Not applicable	No such treatments will take place.
11.4c	Notwithstanding clause (b), when the only waste activity treatment carried out is anaerobic digestion, the capacity threshold for that activity shall be 100 tonnes per day.	Not applicable	No such treatment will take place.

Sub-Class No.	Subclass Description	Assessed Applicability	Reasoning
11.5	Landfills, within the meaning of section 5 of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste.	Not applicable	The proposed development will not be or contain a landfill.
11.6	Temporary storage of hazardous waste pending any of the activities referred to in paragraph 11.2, 11.3, 11.5 or 11.7 with a total capacity exceeding 50 tonnes.	Not applicable	No storage of hazardous waste will take place, classes listed do not apply.
11.7	Underground storage of hazardous waste with a total capacity exceeding 50 tonnes	Not applicable	No underground storage of any kind.

5 CONCLUSIONS

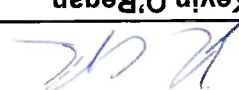
Gypsum is an entirely recyclable material which can create a closed loop. In addition, recycling plasterboard reduces the need for virgin material and therefore reduces the environmental impacts of gypsum extraction. A plasterboard recycling facility is therefore a valuable contributor to an environmentally beneficial circular economy.

If the EPA are in agreement that the proposed development will not require an IPC/IE, then the facility will be regulated under the planning legislation and other relevant environmental legislation. The application and supporting documentation have been prepared on this basis. MOR Environmental would welcome the EPA's formal position on the licensing status of this proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA.

Please do not hesitate to contact MOR Environmental should you require any further information about the Proposed Development. We would also be happy to facilitate a meeting to discuss the contents of this letter should the Agency consider that such a meeting would be of benefit.

We look forward to receipt of a timely response.

Yours sincerely,
for Malone O'Regan


Kevin O'Regan

Attachment A: RFI Letter from KCC

ATTACHMENT



25/04/2024

GABM Limited
c/o Gavin Lonergan
Malone O'Regan Cons. Engineers
3-4 Canada Street
Waterford
X91 V52K

APPLICATION: PERMISSION for development on lands with a site area of approximately 11.57ha located at Gorteens, Co. Kilkenny. The development will consist of the construction of an integrated plasterboard manufacturing facility, incorporating a production plant with access from the industrial area road infrastructure at Gorteens, Co. Kilkenny. The production facility will have a floor area of 22,400 sq.m, with a height over finished ground level ranging from 19metres to 29metres. Roof mounted solar panels are proposed. The proposed development includes all site development works, landscaping, boundary treatments including earthworks, road works, retaining walls, vehicle entrance, vehicle parking with charging (HGV, cars and bicycles/scooters), gates, fencing, paving, water storage tanks, drainage and lighting. Planted berms are proposed within and along the perimeters of the development site. The development will include for extraction of groundwater for production process purposes. Servicing arrangements include the provision of a constructed surface water attenuation area. Access to connect to the public foul network and to mains water supply is proposed. The application will be accompanied by an Environmental Impact Assessment Report (EIAR) and by a Natura Impact Statement (NIS).

PLANNING REGISTER NO: 2460103

LOCATION: Gorteens Slieverue Co. Kilkenny

A Chara,

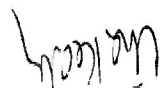
With reference to the above application in respect of the above proposed development, in accordance with Part 4, Article 33 of the Planning and Development Regulations, 2001 (as amended) you are requested to submit the further information as outlined on the attached schedule.

Your application will be held in abeyance pending receipt of the requested information.

Note: You are advised that in accordance with Article 33 of the Planning & Development Regulations 2001 (as amended), where the Planning Authority require further information—including any subsequent clarification request - on your application, responses to both the further information and clarification of further information must be received by the Planning Authority within 6 months from the date of issue of the initial further information request. Where the required responses to the request for further information – including subsequent associated clarification response -are not received within 6 months of the date of issue of the original request for further

information, the Planning Authority will declare your application to be
withdrawn.

Mise, le meas,



Una Kealy
Administrative Officer

Tel no. Planning Section: 056-7794010

With reference to your application and in accordance with Part 4, Article 33 of the Planning & Development Regulations, 2001 as amended, you are requested to submit six copies of the following information:

- 1. License requirements/Waste**
The applicant is requested to submit a declaration to the EPA to determine if an IPC/IE or Waste License is required. A copy of the declaration that is submitted to the EPA along with the response received from the EPA shall be submitted to Kilkenny County Council for review.

- 2.** The applicant shall clarify the exact source of both the recycled plasterboard that will be used as a raw material in the manufacturing process and under what legislation the plasterboard will be recycled? i.e. Article 28 process with EPA

- 3.** The applicant is requested to submit procedures for how the gypsum plasterboard will be recycled along with segregation of waste that cannot be recycled.

- 4. Water**
It is noted that the proposal is for a dual connection to both Uisce Eireann's water mains and an abstraction point with a sustainable delivery of 7.5m³ per hour or 180m³ per day. The applicant is required to assess the feasibility of supplying all of the water needs of the development through a mains water connection and shall clarify the need for the proposed ground water abstraction in light of the feasibility of a full connection to Uisce Eireann's mains. Concern exists about the potential for the cross contamination to the Uisce Eireann network and the applicant shall provide details of all measures to prevent this from occurring. The applicant is required to submit a pre-connection agreement with Uisce Eireann to Kilkenny County Council for the full supply in case the boreholes fail.

- 5.** The applicant is required to carry out a Groundwater Feasibility Study for the proposed borehole along with the delineation of the zone of contribution on a site layout drawing.
Footnote – Water Services section of Kilkenny County Council may give the exact requirement for what is required a groundwater feasibility study.

- 6. Trade Effluent**
The applicant is required to verify if there will be a trade effluent created as part of the industrial process and if so submit proposals to dispose of same. An agreement with Uisce Eireann will need to be submitted if disposing the trade effluent to Uisce Eireann mains wastewater network.

- 7. Surface Water**
The applicant is requested to submit proposals to ensure that surface water remains uncontaminated during the unloading process on site.
Air/Dust

8. Depending on the outcome of the determination from the EPA with regards to license requirements the applicant is requested to submit details of the air pollution license that the applicant will be applying for if IPC/IE license is not required by the EPA.
9. The applicant is requested to carry out an assessment on any potential odours that may be emitted from the development that maybe effect the environment and people living in the locality.

Noise

10. The applicant is requested to submit additional noise monitoring points at noise sensitive receptors within the vicinity of the development.

Roads

11. It is noted that the proposed access road traverses? lands zoned as Passive Open Space/Green Links/Biodiversity Conservation which has the objective to allow for passive open space/green links/ biodiversity conservation. Please indicate how the proposal is considered consistent with this zoning and consider which alternatives are available and submit proposals accordingly.

12. The applicant is requested to submit an internal mobility management plan to include clearly defined pedestrian routes with the site. Footpaths and crossing points shall be clearly detailed and dimensioned. The plan shall also include proposals to connect the internal pedestrian routes to existing pedestrian infrastructure on the industrial estate access road.

13. The applicant is requested to resubmit the swept path analysis for the various vehicle type accessing site. The analysis shall be detailed individually on the drawings with the vehicle type clearly identified.

14. The applicant is requested to submit a road marking layout for internal site management to ensure the safe flow of traffic, particularly Heavy Goods Vehicles (HGVs). This layout should encompass driving lanes, HGV parking areas, and queuing zones.

15. The applicant is requested to submit cross-sectional details for the access road on the east and south of the factory footprint.

Archaeology

16. The Department previously recommended in pre-planning consultation for the proposed development that an Archaeological Impact Assessment (to include Archaeological Geophysical Survey and/or Archaeological Testing and that the results be included in the EIA/R. Therefore, in line with national policy—see Section 3.7.2 of Frameworks and Principles for the Protection of the Archaeological Heritage 1999—the Department requires that an Archaeological Impact Assessment (including Archaeological Geophysical Survey and Archaeological Test Excavation) be carried out.

The Archaeological Impact Assessment shall be carried out as follows:

- a. The applicant is required to engage the services of a suitably qualified Archaeologist to carry out an Archaeological Impact Assessment (AIA) which should include a

programme of Archaeological Geophysical Survey and Archaeological Test Excavation to respond to this request for Further Information. No sub-surface work shall be undertaken in the absence of the archaeologist without his/her express consent.

b. The archaeologist shall inspect the proposed development site (PDS) and detail the historical and archaeological background of the site (consulting appropriate documentary sources), and review all cartographic sources and aerial photographs for the area.

c. The Archaeological Geophysical Survey must be carried out under licence from the National Monuments Service of this Department and in accordance with an approved method statement; note a period of 2-3 weeks should be allowed to facilitate processing and approval of the licence application and method statement.

d. The Archaeological Test Excavation must be carried out under licence from the National Monuments Service of this Department and in accordance with an approved method statement; note a period of 5-6 weeks should be allowed to facilitate processing and approval of the licence application and method statement.

e. Test trenches shall be excavated at locations chosen by the archaeologist having consulted the site drawings and the results of the Archaeological Geophysical Survey. Excavation is to take place to the uppermost archaeological horizons only, where they survive. Where archaeological material is shown to be present, the archaeologist shall have works suspended pending further advice from this Department. Please note that all features/archaeological surfaces within the test trenches are to be hand-cleaned and clearly visible for photographic purposes.

f. Having completed the work, the archaeologist shall submit a written report to this Department and the Local Authority describing the findings of the ALA including the results of the geophysical survey and test excavations. The report shall comment on the degree to which the extent, location and levels of all proposed foundations, service trenches and other sub-surface works required for the development will affect the archaeological remains. This should be illustrated with appropriate plans, sections, etc.

Gas

17. The applicant shall indicate the proposed link to the gas network which runs to the West of the site.

Visual impact and Landscaping

18. Having regard to the requirement of 5DM3 of the Ferrybank Belview LAP which is to encourage appropriate screening of future developments in the Belview Industrial area, a woodland planting buffer of 15-20 metres will generally be required inside any industrial site boundary unless a suitable alternative mitigation measure is agreed with the Planning Authority. This landscape buffer will be required to be densely planted with a mix of coniferous and deciduous species. The proposed landscaping does not seem to provide this in close proximity to the buildings but only on the site boundaries remote from the buildings, limiting the potential for screening. Please submit proposals for same.

19. In all cases the Council encourages advance planting which it considers would be beneficial to ensure some plant maturation prior to construction. From the EIAR it is noted that there are proposals for proposed current and proposed future woodland along the further perimeter of the lands to the Northwest. The applicant shall consult with the land owner of the lands to the northwest of the site (Port of Waterford) and shall propose a timeframe for the future woodland planting.
20. It is noted that the entire site is used for calculation purposes but that the proposed Development is located only on a limited extent the north of the site. The applicant shall indicate the anticipated use for the remainder of the lands and any interim uses.

Your application will be held in abeyance pending receipt of the above.

Gus Egan

From:

Gus Egan

Sent:

Monday 23 September 2024 15:05

To:

Licensing Staff

Cc:

E2077 - O'Briens Cement Gypsum Plant EIA

Subject:

RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Attachments:

2024 09 20 Letter to GABM Ltd _Confirmation Physical Process.pdf

Dear Noeleen,

Thank you for the below email. We have submitted a request for a determination via the Article 11 request system. We will forward the determination once received.

In relation to the second point below, we can confirm that the calcining step is a physical process and does not involve a chemical process. We have also attached a supporting statement from Grenzebach who specialise in the construction of gypsum manufacturing plants stating that .."the offered calcining technology with hammer mill is a physical process. It is not a chemical process in which a chemical reaction happens and in which not one or more new products are produced from one or more starting material."

We trust the above and attached is satisfactory. However, please do not hesitate to contact me, if you have any queries.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Máilín Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandycroft

Dublin 18, D18 V32Y

+353(0)1 5677655

+353(0)86 1982201

gus@malinregan.ie

www.malinregan.ie

From: Licensing Staff <licensing@epa.ie>

Sent: Tuesday 3 September 2024 16:11

To: Gus Egan <gus@malinregan.ie>

Cc: Licensing Staff <licensing@epa.ie>

Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originates from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

The Agency notes in your documented request that waste gypsum from construction sites will be used at the proposed development. The recovery of waste requires a waste authorisation. As defined in section 4(1)(b) of the Waste Management Act 1996 revised, "waste" means any substance or object which the holder discards, or intends, or is required to discard. The concept of a by-product was established by the

European Waste Framework Directive (WFD). This concept has been transposed into Irish law through Regulation 27 of the European Communities (Waste Directive) Regulations 2011, as amended. Only a production residue can be considered a potential by-product. Further information in relation to by-products can be found on the Agency's website at the following link: [By-products Regulation 27 | Environmental Protection Agency \(epa.ie\)](#)

In order to determine which type of waste authorisation may be required for the recovery of waste gypsum from construction sites, applicants may submit a request for a determination via the "Article 11 request system" as regards the most appropriate waste authorisation (i.e. Industrial Emissions Licence, Waste Licence, Waste Facility Permit or Certificate of Registration) for a proposed activity. Details of the Article 11 request system can be found here at this link: [Declaration on waste authorisations \(Art. 11\) | Environmental Protection Agency \(epa.ie\)](#)

The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity. Should you have any further queries, do not hesitate to contact us.

Regards

Noleen Keavey

Office of Environmental Sustainability, Wexford
An Oifig um Inbhuanaitheacht i leith Cúrsaí Comhshaoil, Loch Garman



From: Gus Egan <Gegan@mores.ie>
Sent: Friday 28 June 2024 12:18

To: Licensing Staff <licensing@epa.ie>

Cc: Wexford Receptionist <REC_WEX@epa.ie>

Subject: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Sir/Madam,

Please see attached a request for determination if IPC/IE or Waste licence is required as part of a request for information (RFI) from Kilkenny County Council regarding the application for an integrated plasterboard manufacturing facility at Gorteen's, Slieveue, Co. Kilkenny (ref: 24/60103). MOR Environmental would welcome the EPA's formal position on the licensing status of the proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA. Please do not hesitate to contact me, if you have any queries on the attached.

Kind Regards,

Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandymount

Dublin 18, D18 V32Y

+353(0)1 5677655

+353(0)86 1982201

gregan@mores.ie

Web: www.mores.ie

Grenzsbach BSH GmbH
Rudolf-Grenzsbach-Strasse 1
36251 Bad Hersfeld
Germany

Grenzsbach BSH GmbH | Rudolf-Grenzsbach-Str. 1 | 36251 Bad Hersfeld | Germany

GABM Ltd.

Confirmation Grenzsbach Supply

Dear Sirs:

Grenzsbach would like to confirm that the offered calcining technology with hammer mill is a physical process. It is not a chemical process in which a chemical reaction happens and in which not one or more new products are produced from one or more starting material.

If you have any further questions, please let us know.

Grenzsbach BSH GmbH


I.V. Dennis Schattauer
Director Sales
Building Materials Technology
s Manager
I.V. Gerhard Becker
Materials Technology

Commerzbank AG Augsburg | Acct No: 106 743 600 | Bank ID: 720 800 01
IBAN: DE07 7208 0001 0106 7436 00 | BIC: DRESDE33HAN
Deutsche Bank AG Augsburg | Acct No: 40 038 200 | Bank ID: 720 700 01
IBAN: DE29 7207 0001 0040 0382 00 | BIC: DEUTDE33HAN
Unicredit AG - HypoVereinsbank AG Frankfurt a. M. | Acct No: 367 920 335
IBAN: DE41 5032 0191 0367 9203 35 | BIC: HYVEDE33HAN

Executive Leadership: Robert Brler
Registration Court: Bad Hersfeld | HRB 950
VAT Number: DE813527565
Tax Number: 152/115/50314

Grenzsbach BSH GmbH
Rudolf-Grenzsbach-Strasse 1
36251 Bad Hersfeld | Deutschland
Phone: +49 6621 81-3000
E-mail: info.gbsb@grenzsbach.com
www.grenzsbach.com

Gus Egan

From:

Gus Egan

Sent:

Thursday 3 October 2024 11:15

To:

Licensing Staff

Cc:

E2077 - O'Briens Cement Gypsum Plant EIA

Subject:

RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Attachments:

Final Determination to Applicant Art 11_2814.pdf

Dear Noeleen,

Please see attached the Article 11 determination. The Agency has determined that a Waste Facility Permit is required under Class 7 of Part I of the Third Schedule of the Waste Management (Facility Permit & Registration) Regulations 2007, as amended.
We trust the attached and previous information is sufficient.
We look forward to your response.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Mab ne O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandycroft

Dublin 18, D18 V32Y

+353(0)1 5677655

+353(0)86 1982201

gegan@mores.ie

Web: www.mores.ie

From: Gus Egan <gegan@mores.ie>

Sent: Monday 23 September 2024 15:05

To: Licensing Staff <licensing@epa.ie>

Cc: E2077 - O'Briens Cement Gypsum Plant EIA <E2077-O'BriensCementGypsumPlantEIA@mores.ie>

Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Noeleen,

Thank you for the below email. We have submitted a request for a determination via the Article 11 request system. We will forward the determination once received.
In relation to the second point below, we can confirm that the calcining step is a physical process and does not involve a chemical process. We have also attached a supporting statement from Grenzebach who specialise in the construction of gypsum manufacturing plants stating that .."the offered calcining technology with hammer mill is a physical process. It is not a chemical process in which a chemical reaction happens and in which not one or more new products are produced from one or more starting material."
We trust the above and attached is satisfactory. However, please do not hesitate to contact me, if you have any queries.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on b
if of
Malone O'Keagan Environmental
Ground Floor - Unit 3
Bracken Business Park
Bracken Road, Sandycroft
Dublin 18, D18 V32Y
☎ +353(0)1 5677655
☎ +353(0)86 1982201
✉ gegan@mores.ie
Web: www.mores.ie

From: Licensing Staff <licensing@epa.ie>
Sent: Tuesday 3 September 2024 16:11
To: Gus Egan <gegan@mores.ie>
Cc: Licensing Staff <licensing@epa.ie>
Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

The Agency notes in your documented request that waste gypsum from construction sites will be used at the proposed development. The recovery of waste requires a waste authorisation. As defined in section 4(1)(b) of the Waste Management Act 1996 revised, "waste" means any substance or object which the holder discards, or intends, or is required to discard. The concept of a by-product was established by the [European Waste Framework Directive \(WFD\)](#). This concept has been transposed into Irish law through Regulation 27 of the [European Communities \(Waste Directive\) Regulations 2011](#), as amended. Only a production residue can be considered a potential by-product. Further information in relation to by-products can be found on the Agency's website at the following link: [By-products Regulation 27 | Environmental Protection Agency \(epa.ie\)](#)

In order to determine which type of waste authorisation may be required for the recovery of waste gypsum from construction sites, applicants may submit a request for a determination via the "Article 11 request system" as regards the most appropriate waste authorisation (i.e. Industrial Emissions Licence, Waste Licence, Waste Facility Permit or Certificate of Registration) for a proposed activity. Details of the Article 11 request system can be found here at this link: [Declaration on waste authorisations \(Art. 11\) | Environmental Protection Agency \(epa.ie\)](#)

The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity.

Should you have any further queries, do not hesitate to contact us.

Regards

Noeleen Keavey

Office of Environmental Sustainability, Wexford
An Oifig um Inbhuanaítheacht i leith Cúrsaí Comhshaoil, Loch Garman



053 9160600 (Reception)
licensing@epa.ie
www.epa.ie



From: Gus Egan <gegan@mores.ie>
Sent: Friday 28 June 2024 12:18

To: Licensing Staff <licensing@epa.ie>

Cc: Wexford Receptionist <REC_WEX@epa.ie>

Subject: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Sir/Madam,

Please see attached a request for determination if IPC/IE or Waste licence is required as part of a request for information (RFI) from Kilkenny County Council regarding the application for an integrated plasterboard manufacturing facility at Gorteen, Slieverue, Co. Kilkenny (ref: 24/60103). MOR Environmental would welcome the EPA's formal position on the licensing status of the proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA. Please do not hesitate to contact me, if you have any queries on the attached.

Kind Regards,

Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Máio neO' Regan Enviro mental

Ground Floor - Unit 3
Bracken Business Park
Bracken Road, Sandyford
Dublin 18, D18 V32Y
☎ +353(0)1 5677655
✉ gegan@mores.ie
Web: www.mores.ie

Ms. Laura Fitzpatrick
Malone O'Regan Environmental Services Limited
Ground Floor - Unit 3 Bracken Business Park

Sandyford
Dublin
Co. Dublin

01 October 2024

Article 11 No: 2814

Re: Article 11 Declaration

Dear Ms. Fitzpatrick

The Agency has reviewed your Article 11 Request, which was received on 16 September 2024, and, based on the information provided, advises as follows:

The Agency has determined that a Waste Facility Permit is required under Class 7 of Part I of the Third Schedule of the Waste Management (Facility Permit & Registration) Regulations 2007, as amended. This determination is contingent on:

- the activity consists of recovery of inert waste arising from construction and demolition activity;
- the annual intake shall not exceed 50,000 tonnes;
- residual waste consigned from the facility for disposal shall be less than 15% of the annual waste intake at the facility.

Please be aware that the waste will remain classified as a waste until such a time as end-of-waste status has been achieved, where required. In this regard the Agency would like to draw your attention to Regulation 28(4) of the European Union (Waste Directive) Regulations 2011 - 2020.

Further information and detailed guidance on end-of-waste is available at the following link: <https://www.epa.ie/our-services/licensing/waste/end-of-waste-art-28>

We trust this advice assists.

Yours faithfully

Jennifer Cope
Article 11

Circular Economy Programme
Office of Environmental Sustainability

cc Director of Services, Environment Section, Kilkenny County Council



Headquarters, PO Box 3000
Johnstown Castle Estate
Co Wexford,
Y35 W821, Ireland
Ceanntechní, Boscá Poist 3000
Eastáit Chaisleán Bhaile Sheáin
Contae Loch Garman,
Y35 W821, Éire

T: +353 53 916 0600
F: +353 53 916 0699
E: info@epa.ie

From: Gus Egan
Sent: Tuesday 12 November 2024 17:36
To: Article 11
Cc: Licensing Staff; Kevin O'Regan
Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard
Attachments: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Shirley,

Thank you for the reply which fully clarifies matters under the Article 11. We would greatly appreciate your assistance in closing out one final point that we require to close off to meet the requirements of the Planning Authority.

The Agency in their email dated Tuesday 3rd September 2024 requested the following:

"The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity".

We have provided a response to this query on the 23rd September 2024. Please see attached the relevant details.

Based on the supplementary information provided, could the Agency please confirm that they are satisfied that there will be no chemical process associated with the calcining step that would constitute a licensable activity?

We would greatly appreciate a timely response to this request.

Kind Regards,

Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA
Principal Environmental Consultant

for and on behalf of
Malone O'Regan Environmental

Office 10, First Floor, The Junction,
Unit 25J, Axis Business Park,
Tullamore, County Offaly, R35 P285,
+353 (0)57 9365208
+353 (0)1 5677655
+353 (0)86 1982201
✉: gegan@mores.ie
Web: www.mores.ie

From: Article11 <article11@epa.ie>
Sent: Monday 4 November 2024 10:08
To: Gus Egan <gegan@mores.ie>
Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan

I refer you to Article 11 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended. Article 11 is a mechanism by which an applicant can request a determination from the EPA as regards the most appropriate waste authorisation ((i.e. Industrial Emissions licence, Waste Licence, Waste Facility Permit or

Certificate of Registration, or none as the case may be) for a proposed activity. I refer you to the EPA Article 11 Declaration issued on 1 October 2024 'Article 11 No:2814' which determined a waste facility permit required. The EPA deems that the Article 11 declaration is sufficient to address your query.

Regards

Shirley Murphy
Programme Officer

Article 11

Circular Economy & Waste Authorisation

Circular Economy Programme

Office of Environmental Sustainability, Wexford

An Geilleagar Ciorclach & Udaruithe Dramhaíola

An Clár an Gheilleagair Chiorclach

An Oifig um Inbhunaitheacht i leith Cúrsaí Comhshaoil, Loch Garman

053-9160600 (Reception)

article11@epa.ie

www.epa.ie



From: Gus Egan <gegan@more.s.ie>
Sent: Friday, November 1, 2024 4:35 PM
To: Licensing Staff <licensing@epa.ie>
Cc: E2077 - O'Briens Cement Gypsum Plant EIAR <E2077-O'BriensCementGypsumPlantEIAR@mores.ie>; Wexford Receptionist <REC_WEX@epa.ie>
Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Noleen,
I am following up on the below. We are approaching a planning deadline and would appreciate the EPA's response providing your formal position on the licensing status of the proposed development next week please.
For reference I have attached the Article 11 determination and confirmation that the process is a physical one.
We trust the attached and previous information is sufficient for you to provide a response providing your formal position on the licensing status.
We look forward to your response.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Mab ne O'Regan Environmental

Office 10, First Floor, The Junction,

Unit 25J, Axis Business Park,

Tullamore, County Offaly, R35 P285.

+353 (0)57 9365208

+353 (0)1 5677655

+353 (0)86 1982201

gegan@mores.ie

From: Gus Egan

Sent: Thursday 3 October 2024 11:15

To: Licensing Staff <licensing@epa.ie>

Cc: E2077 - O'Briens Cement Gypsum Plant EIA R <E2077-O'BriensCementGypsumPlantEIA R@mores.ie>

Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Noeleen,

Please see attached the Article 11 determination. The Agency has determined that a Waste Facility Permit is required under Class 7 of Part I of the Third Schedule of the Waste Management (Facility Permit & Registration) Regulations 2007, as amended.

We trust the attached and previous information is sufficient.

We look forward to your response.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandymount

Dublin 18, D18 V32Y

+353(0)1 5677655

+353(0)86 1982201

gegan@mores.ie

Web: www.mores.ie

From: Gus Egan <gegan@mores.ie>

Sent: Monday 23 September 2024 15:05

To: Licensing Staff <licensing@epa.ie>

Cc: E2077 - O'Briens Cement Gypsum Plant EIA R <E2077-O'BriensCementGypsumPlantEIA R@mores.ie>

Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Noeleen,

Thank you for the below email. We have submitted a request for a determination via the Article 11 request system. We will forward the determination once received.

In relation to the second point below, we can confirm that the calcining step is a physical process and does not involve a chemical process. We have also attached a supporting statement from Grenzebach who specialise in the construction of gypsum manufacturing plants stating that .."the offered calcining technology with hammer mill is a physical process. It is not a chemical process in which a chemical reaction happens and in which not one or more new products are produced from one or more starting material."

We trust the above and attached is satisfactory. However, please do not hesitate to contact me, if you have any queries.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Ground Floor - Unit 3
Bracken Business Park
Bracken Road, Sandyford
Dublin 18, D18 V32Y
☎ +353(0)1 5677655
☎ +353(0)86 1982201
✉: gagan@mores.ie
Web: www.mores.ie

From: Licensing Staff <licensing@epa.ie>
Sent: Tuesday 3 September 2024 16:11

To: Gus Egan <gegan@mores.ie>

Cc: Licensing Staff <licensing@epa.ie>

Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

The Agency notes in your documented request that waste gypsum from construction sites will be used at the proposed development. The recovery of waste requires a waste authorisation.

As defined in section 4(1)(b) of the Waste Management Act 1996 revised, "waste" means any substance or object which the holder discards, or intends, or is required to discard. The concept of a by-product was established by the European Waste Framework Directive (WFD). This concept has been transposed into Irish law through Regulation 27 of the European Communities (Waste Directive) Regulations 2011, as amended.

Only a production residue can be considered a potential by-product. Further information in relation to by-products can be found on the Agency's website at the following link: By-products.Regulation.27.Environmental.Protection.Agency.epa.ie

In order to determine which type of waste authorisation may be required for the recovery of waste gypsum from construction sites, applicants may submit a request for a determination via the "Article 11 request system" as regards the most appropriate waste authorisation (i.e. Industrial Emissions Licence, Waste Licence, Waste Facility Permit or Certificate of Registration) for a proposed activity. Details of the Article 11 request system can be found here at this link: [Declaration.on.waste.authorisations\(Art.11\).Environment.Protection.Agency.epa.ie](http://Declaration.on.waste.authorisations(Art.11).Environment.Protection.Agency.epa.ie)

The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity.

Should you have any further queries, do not hesitate to contact us.

Regards

Noleen Keavey

Office of Environmental Sustainability, Wexford
An Oifig um Inbhuanaithheacht i leith Cúrsaí Comhshaoil, Loch Garman



From: Gus Egan <gegan@mores.ie>

Sent: Friday 28 June 2024 12:18

To: Licensing Staff <licensing@epa.ie>

Cc: Wexford Receptionist <REC_WEX@epa.ie>

Subject: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Sir/Madam,

Please see attached a request for determination if IPC/IE or Waste licence is required as part of a request for information (RFI) from Kilkenny County Council regarding the application for an integrated plasterboard manufacturing facility at Gorteens, Slieverue, Co. Kilkenny (ref: 24/60103). MOR Environmental would welcome the EPA's formal position on the licensing status of the proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA.

Please do not hesitate to contact me, if you have any queries on the attached.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandyford

Dublin 18, D18 V32Y

☎ +353(0)1 5677655

☎ +353(0)86 1982201

✉ gegan@mores.ie

Web: www.mores.ie

Gus Egan

From: Licensing Staff <licensing@epa.ie>
Sent: Tuesday 19 November 2024 11:28
To: Gus Egan; Article11
Cc: Licensing Staff; Kevin O'Regan; Shirley Murphy
Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

The Agency notes your confirmation that there will be no chemical process associated with the calcining step.

I refer you to Article 11 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended. Article 11 is a mechanism by which an applicant can request a determination from the EPA as regards the most appropriate waste authorisation ((i.e. Industrial Emissions licence, Waste Licence, Waste Facility Permit or Certificate of Registration, or none as the case may be) for a proposed activity. I refer you to the EPA Article 11 Declaration issued on 1 October 2024 'Article 11 No:2814' which determined a waste facility permit is required.

The EPA deems that the Article 11 declaration is sufficient to address your query.

Kind regards

Demetra O'Farrell
Business Support & Environmental Assessment Team
Water, Energy and Business Support Programme
Office of Environmental Sustainability, Wexford
Foireann Tacaiochta Gnó & Measúnaithe Comhshaoil
An Clár Tacaiochta maidir le hUisce, Fuinneamh agus Gnó
An Oifig um Inbhuanaitheacht Comhshaoil, Loch Garman



From: Gus Egan <gegan@mores.ie>
Sent: Tuesday, November 12, 2024 5:36 PM

To: Article11 <article11@epa.ie>
Cc: Licensing Staff <licensing@epa.ie>; Kevin O'Regan <KORegan@mores.ie>
Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Shirley,

Thank you for the reply which fully clarifies matters under the Article 11. We would greatly appreciate your assistance in closing out one final point that we require to close off to meet the requirements of the Planning Authority.

The Agency in their email dated Tuesday 3rd September 2024 requested the following:
"The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity".

We have provided a response to this query on the 23rd September 2024. Please see attached the relevant details.

Based on the supplementary information provided, could the Agency please confirm that they are satisfied that there will be no chemical process associated with the calcining step that would constitute a licensable activity?

We would greatly appreciate a timely response to this request.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Office 10, First Floor, The Junction,

Unit 25J, Axis Business Park,

Tullamore, County Offaly, R35 P285.

☎ +353 (0)57 9365208

☎ +353 (0)1 5677655

☎ +353 (0)86 1982201

✉ gegan@more.ie

Web: www.more.ie

From: Article11 <article11@epa.ie>

Sent: Monday 4 November 2024 10:08

To: Gus Egan <gegan@more.ie>

Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan

I refer you to Article 11 of the Waste Management (Facility Permit and Registration) Regulations 2007 as amended. Article 11 is a mechanism by which an applicant can request a determination from the EPA as regards the most appropriate waste authorisation ((i.e. Industrial Emissions licence, Waste Licence, Waste Facility Permit or Certificate of Registration, or none as the case may be) for a proposed activity. I refer you to the EPA Article 11 Declaration issued on 1 October 2024 'Article 11 No:2814' which determined a waste facility permit is required. The EPA deems that the Article 11 declaration is sufficient to address your query.

Regards

Shirley Murphy

Programme Officer

Article 11

Circular Economy & Waste Authorisation

Circular Economy Programme

Office of Environmental Sustainability, Wexford

An Gheilleagair Ciorclach & Udaruithe Dramaíola

An Clár an Gheilleagair Chiorclaigh

An Oifig um Inbhunaitheacht i leith Cúrsaí Comhshaoil, Loch Garman

Kind Regards,

We look forward to your response.

We trust the attached and previous information is sufficient.

Registration) Regulations 2007, as amended.

Please see attached the Article 11 determination. The Agency has determined that a Waste Facility Permit is required under Class 7 of Part I of the Third Schedule of the Waste Management (Facility Permit &

Dear Noleen,

Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard
Cc: E2077 - O'Briens Cement Gypsum Plant EIA <E2077-O'BriensCementGypsumPlantEIA@mores.ie>

To: Licensing Staff <licensing@epa.ie>

Sent: Thursday 3 October 2024 11:15

From: Gus Egan

for and on behalf of
Malone O'Regan Environmental
Office 10, First Floor, The Junction,
Tullamore, County Offaly, R35 P285.
+353 (0)1 5677655
+353 (0)57 9365208
+353 (0)86 1982201
Web: www.mores.ie
Email: gegan@mores.ie

Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA
Principal Environmental Consultant

Kind Regards,

We look forward to your response.

Your formal position on the licensing status.

We trust the attached and previous information is sufficient for you to provide a response providing physical one.

For reference I have attached the Article 11 determination and confirmation that the process is a

next week please.

EPA's response providing your formal position on the licensing status of the proposed development I am following up on the below. We are approaching a planning deadline and would appreciate the

Dear Noleen,

Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Receptionist <REC_WEX@epa.ie>

Cc: E2077 - O'Briens Cement Gypsum Plant EIA <E2077-O'BriensCementGypsumPlantEIA@mores.ie>; Wexford

To: Licensing Staff <licensing@epa.ie>

Sent: Friday, November 1, 2024 4:35 PM

From: Gus Egan <gegan@mores.ie>

Gus Egan
BSc (Hons),
AACI, AMIOA
Principal Environmental Consultant

for and on behalf of
Malone O'Regan Environmental
Ground Floor - Unit 3
Bracken Business Park
Bracken Road, Sandyford
Dublin 18, D18 V32Y
☎ +353(0)1 5677655
✉ gegan@more.ie
Web: www.more.ie

From: Gus Egan <gegan@more.ie>
Sent: Monday 23 September 2024 15:05
To: Licensing Staff <licensing@epa.ie>
Cc: E2077 - O'Briens Cement Gypsum Plant EIAR <E2077-O'BriensCementGypsumPlantEIAR@more.ie>
Subject: RE: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Noleen,

Thank you for the below email. We have submitted a request for a determination via the Article 11 request system. We will forward the determination once received.

In relation to the second point below, we can confirm that the calcining step is a physical process and does not involve a chemical process. We have also attached a supporting statement from Grenzebach who specialise in the construction of gypsum manufacturing plants stating that .."the offered calcining technology with hammer mill is a physical process. It is not a chemical process in which a chemical reaction happens and in which not one or more new products are produced from one or more starting material."

We trust the above and attached is satisfactory. However, please do not hesitate to contact me, if you have any queries.

Kind Regards,
Gus Egan
BSc (Hons), MSc, Dip IOA
AACI, AMIOA
Principal Environmental Consultant

for and on behalf of
Malone O'Regan Environmental
Ground Floor - Unit 3
Bracken Business Park
Bracken Road, Sandyford
Dublin 18, D18 V32Y
☎ +353(0)1 5677655
✉ gegan@more.ie
Web: www.more.ie

From: Licensing Staff <licensing@epa.ie>
Sent: Tuesday 3 September 2024 16:11
To: Gus Egan <gegan@more.ie>
Cc: Licensing Staff <licensing@epa.ie>
Subject: FW: E2077: EPA IEL Determination Request - GABM Plasterboard

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Mr Egan,

The Agency notes in your documented request that waste gypsum from construction sites will be used at the proposed development. The recovery of waste requires a waste authorisation.

As defined in section 4(1)(b) of the Waste Management Act 1996 revised, "waste" means any substance or object which the holder discards, or intends, or is required to discard. The concept of a by-product was established by the European Waste Framework Directive (WFD). This concept has been transposed into Irish law through Regulation 27 of the European Communities (Waste Directive) Regulations 2011, as amended.

Only a production residue can be considered a potential by-product. Further information in relation to by-products can be found on the Agency's website at the following link: [By-products Regulation 27 | Environmental Protection Agency \(epa.ie\)](#)

In order to determine which type of waste authorisation may be required for the recovery of waste gypsum from construction sites, applicants may submit a request for a determination via the "Article 11 request system" as regards the most appropriate waste authorisation (i.e. Industrial Emissions Licence, Waste Licence, Waste Facility Permit or Certificate of Registration) for a proposed activity. Details of the Article 11 request system can be found here at this link: [Declaration on waste authorisations \(Art. 11\) | Environmental Protection Agency \(epa.ie\)](#)

The Agency also notes the calcining step in the proposed process - please provide the details of this step if it involves a chemical process, rather than a physical drying process, as this may constitute a licensable activity.

Should you have any further queries, do not hesitate to contact us.

Regards

Noleen Keavey



053 9160600 (Reception)
licensing@epa.ie
www.epa.ie



Office of Environmental Sustainability, Wexford
An Oifig um Inbhuanaitheacht i leith Cúrsaí Comhshaoil, Loch Garman

From: Gus Egan <gegan@mores.ie>

Sent: Friday 28 June 2024 12:18

To: Licensing Staff <licensing@epa.ie>

Cc: Wexford Receptionist <REC_WEX@epa.ie>

Subject: E2077: EPA IEL Determination Request - GABM Plasterboard

Dear Sir/Madam,

Please see attached a request for determination if IPC/IE or Waste licence is required as part of a request for information (RFI) from Kilkenny County Council regarding the application for an integrated plasterboard manufacturing facility at Gorteen, Slieverue, Co. Kilkenny (ref: 24/60103). MOR Environmental would

welcome the EPA's formal position on the licensing status of the proposed development. As this declaration is required in support of an RFI response, we would greatly appreciate a timely response from the EPA. Please do not hesitate to contact me, if you have any queries on the attached.

Kind Regards,

Gus Egan

BSc (Hons), MSc, Dip IOA

AACI, AMIOA

Principal Environmental Consultant

for and on behalf of

Malone O'Regan Environmental

Ground Floor - Unit 3

Bracken Business Park

Bracken Road, Sandyford

Dublin 18, D18 V32Y

☎ +353(0)1 5677655

☎ +353(0)86 1982201

✉ gegan@mores.ie

Web: www.mores.ie

APPENDIX B

EDEN Article 11 Request

EPA - Article 11 Request

Section 1

Please indicate if this request is being made by a local authority or private operator:

Applicant Sector *

Private Operator

Please select the local authority that is responsible at the use location

Local Authority Operator *

Kilkenny County Council

Next

Site Details

Site Address Line 1 *

Gorteens

Site Address Line 2

Site Address Line 3

Site Address County *

Kilkenny

Site Address Postal Code/Eircode

Grid Reference Northings

(ITM) 614063

Grid Reference Eastings

(ITM) 665240

Has there been a existing waste activity at or beside this site?

Existing Waste Activity *

No

Does the site have an existing environmental authorisation (E.g. waste licence, permit, cert of registration or IPPC licence)?

Existing Environmental Authorisation *

No

Has an Article 11 request been previously submitted in relation to this site?

Previous Article 11 Request *

No

Has there been a previous waste activity at or beside this site?

Previous Waste Activity *

No

Back

Next

EPA - Article 11 Request

Nature and Extent of Proposed Activity

Describe in detail the nature of the proposed activity

Construction of an integrated plasterboard manufacturing facility, incorporating a production plant with access from the industrial area road infrastructure. Planted berms are proposed within and along the perimeters of the development site.
The waste materials imported to the Site will not exceed the 25,000t threshold in waste materials.

Description of Activity *

Describe the type and quantity of waste to be managed at the proposed activity including whether hazardous or not.

Description of waste	Solid	Liquid	EWC Code	Annual Intake (Tons)	Annual Intake (Litres)	Hazardous	Source Of waste	Others
----------------------	-------	--------	----------	----------------------	------------------------	-----------	-----------------	--------

Description of Waste * gypsum plasterboard

Solid Liquid Yes

(EWC) code 17 08 02

Annual intake in Tonnes * <25,000tonnes

Annual intake in Liters

Hazardous No

Source of Waste * CONSTRUCTION AND DEMOLITION

Other Description

Add to Grid

EPA - Article 11 Request

Classification of Activities

Is the proposed activity a waste disposal or waste recovery activity? More information what constitutes Disposal and Recovery

Disposal/Recovery * Recovery

Back

Next

Soil and Inert Waste recovery to land

Land Improvement * No

Does the proposed activity relate to land improvement, e.g. farmland remediation, quarry restoration, construction or development of land, e.g. farmstead or development?

Back

Next

EPA - Article 11 Request

Other Factors

Are there any proposed or designated sites (Natural Heritage Areas, Special Protection Areas or Special Areas of Conservation) within or beside the proposed site or within 2km of the site?

No

Designated Sites

Next

Back

EPA - Article 11 Request

Wetland Section

Is the site of the proposed activity a wetland (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 meters)?

No

Wetland

State what other types of authorisation, if any, are required. State also whether these are in place.

Other authorisation Required

Save

Submit

Back

Ms. Laura Fitzpatrick
Malone O'Regan Environmental Services Limited
Ground Floor - Unit 3 Bracken Business Park
Sandyford
Dublin
Co. Dublin

01 October 2024

Article 11 No: 2814

Re: Article 11 Declaration

Dear Ms. Fitzpatrick

The Agency has reviewed your Article 11 Request, which was received on 16 September 2024, and, based on the information provided, advises as follows:

The Agency has determined that a Waste Facility Permit is required under Class 7 of Part I of the Third Schedule of the Waste Management (Facility Permit & Registration) Regulations 2007, as amended. This determination is contingent on:

- the activity consists of recovery of inert waste arising from construction and demolition activity;
- the annual intake shall not exceed 50,000 tonnes;
- residual waste consigned from the facility for disposal shall be less than 15% of the annual waste intake at the facility.

Please be aware that the waste will remain classified as a waste until such a time as end-of-waste status has been achieved, where required. In this regard the Agency would like to draw your attention to Regulation 28(4) of the European Union (Waste Directive) Regulations 2011 - 2020.

Further information and detailed guidance on end-of-waste is available at the following link: <https://www.epa.ie/our-services/licensing/waste/end-of-waste-art-28>

We trust this advice assists.

Yours faithfully

Jennifer Cope
Article 11
Circular Economy Programme
Office of Environmental Sustainability
cc Director of Services, Environment Section, Kilkenny County Council

T: +353 53 916 0600
F: +353 53 916 0699
E: info@epa.ie

Ceanntechní, Boscá Polist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman,
Y35 W821, Éire

Headquarters, PO Box 3000
Johnstown Castle Estate
Co Wexford,
Y35 W821, Ireland





Landfills, within the meaning of section 5 (amended by Regulation 11(1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008)) of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste.

11.5

The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, which facility is connected or associated with another activity specified in this Schedule in respect of which a licence or revised licence under Part IV is in force or in respect of which a licence under the said Part is or will be required.

11.1

The extraction and processing (including size reduction, grading and heating) of minerals within the meaning of the Minerals Development Acts, 1940 to 1999, where an activity involves any other operation where either the level of extracted or processed minerals is greater than 200,000 tonnes per annum or the total operational yield is greater than 1,000,000 tonnes, and storage of related mineral waste

1.3

to carry on the following activities:

Further to notice dated 15/11/21, the Agency in exercise of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, for the reasons hereinafter set out, hereby grants an Industrial Emissions review licence to Saint-Gobain Construction Products (Ireland) Limited, Unit 4, Kilcarbery Business Park, Nangor Road, Dublin 22, CRO number 11815.

Reference number in Register of licences: P0519-04

Decision of Agency, under Section 90(2) of the EPA Act 1992 as amended in respect of licence

INDUSTRIAL EMISSIONS LICENCE

ENVIRONMENTAL PROTECTION AGENCY ACT 1992 AS AMENDED



at the townlands of Lisnabow, Kilmahinham, Kells, County Meath and in the townlands of Knocknacran, Magheracloone, Drummond, Derrynascobe, Derrynaglah, Ballycartlan, Enagh, Carrickmacross, County Monaghan subject to the conditions as set out.

GIVEN under the Seal of the Agency on this the 20th day of

December 2021.

PRESENT when the seal of the Agency

was affixed hereto:

Ray O'Kilbane, Authorised Person

Ray O'Kilbane

P



APPENDIX C



Licence Register Number:	P0519-04
Company Register Number:	11815
Licensee:	Saint-Gobain Construction Products (Ireland) Limited
Location of Installation:	Mining Operation: Knocknacran, Magheracloone, Drummond, Derrynascobe, Derrynaglah, Ballycartan, Enagh, Carrickmacross County Monaghan Processing Operation: Lisnabow, Kilmainham, Kells County Meath

INDUSTRIAL EMISSIONS LICENCE

Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland



INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

Saint-Gobain Construction Products (Ireland) Limited operates a gypsum mine near Carrickmacross, County Monaghan. The mine produces between 300,000 and 500,000 tonnes of gypsum (calcium sulphate dihydrate) per annum. Activities at the mine site include a crushing plant, lorry loading facilities, workshop, storage silos, office buildings and a water lagoon system. Extracted gypsum is processed into gypsum plaster and plasterboard at the company's processing site at Kilmalinhum, County Meath.

The mining activity falls under Class 1.3 of the EPA Act 1992 as amended. Activities at the mine and plasterboard production sites have been the subject of an IPC licence since 2002. A revised licence was issued in 2005 which itself was the subject of three subsequent technical amendments.

Until July 2009, the licensee operated a landfill which is a specified activity under Article 2(g) of the Landfill Directive (1999/31/EC). This is Category 5.4 of Annex I of the Industrial Emissions Directive. The landfill has been fully closed and restored since 2018 in accordance with the existing licence.

The revised licence provides for an amendment in limit values for parameters in discharges to water in response to a change in management of mine water; an amendment to the installation boundary to facilitate the development of a sports facility and to clarify the extent of the licensable activities; and an update of licence conditions, inter alia, in response to amendments requested by the Office of Environmental Enforcement.

The licence sets out in detail the conditions under which Saint-Gobain Construction Products (Ireland) Limited, will operate and manage this installation. It authorises the importation of up to 18,000 tonnes per annum of waste plasterboard for recycling at the installation.

Table of Contents

Page No

Glossary of Terms	1
Decision and Reasons for the Decision	8
Part I Schedule of Activities Licensed	11
Part II Schedule of Activities Refused	12
Part III Conditions	13
Condition 1. Scope	13
Condition 2. Management of the Installation	14
Condition 3. Infrastructure and Operation	16
Condition 4. Interpretation	19
Condition 5. Emissions	21
Condition 6. Control and Monitoring	22
Condition 7. Resource Use and Energy Efficiency	26
Condition 8. Materials Handling	27
Condition 9. Accident Prevention and Emergency Response	29
Condition 10. Closure, Restoration and Aftercare Management	30
Condition 11. Notification, Records and Reports	31
Condition 12. Financial Charges and Provisions	33
SCHEDULE A: Limitations	35
SCHEDULE B: Emission Limits	35
SCHEDULE C: Control & Monitoring	40
SCHEDULE D: Specified Engineering Works	50
SCHEDULE E: Annual Environmental Report	51

Glossary of Terms

All terms in this licence should be interpreted in accordance with the definitions in the Environmental Protection Agency Act 1992 as amended, unless otherwise defined in the glossary.

Accident	For the purpose of this licence an accident means an unplanned event that may result in pollution.
Adequate lighting	20 lux measured at ground level.
AER	Annual Environmental Report.
Approval	Approval in writing/electronically.
Annually	All or part of a period of twelve consecutive months.
Application	The application by the licensee for this licence.
Appropriate Facility	A waste management facility or installation, duly authorised under relevant law and technically suitable.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
BAT	Best Available Techniques.
BAT conclusions	A document containing the parts of a BAT reference document laying down the conclusions on best available techniques, their description, information to assess their applicability, the emission levels associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures.
BAT reference document	A document drawn up by the Commission of the European Union in accordance with Article 13 of the Industrial Emissions Directive, resulting from the exchange of information in accordance with that Article of that Directive and describing, in particular, applied techniques, present emissions and consumption levels, techniques considered for the determination of best available techniques as well as BAT conclusions and any emerging techniques.
Biannually	At approximately six – monthly intervals.
Biennially	Once every two years.
BOD	5 day Biochemical Oxygen Demand (without nitrification suppression).

CEN Comité Européen De Normalisation - European Committee for Standardisation.

COD

Chemical Oxygen Demand.

Compliance Point

The point (location, depth) at which a compliance value should be met. Generally, it is represented by a borehole or monitoring well from which representative groundwater samples can be obtained.

Characterisation of waste

The sampling and analysis of waste to determine, amongst other things, its nature and composition including the proportions of biodegradable, recyclable and other materials in the waste.

Classification of waste

The classification of waste as inert, non-hazardous or hazardous for the purpose of article 4 of Council Directive (1999/31/EC) on the landfill of waste.

Construction and demolition (C&D) waste

Wastes that arise from construction, renovation and demolition activities: Chapter 17 of the L.O.W. or as otherwise may be agreed.

Containment boom

A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.

CRAMP

Closure, Restoration and Aftercare Management Plan

Daily

During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.

Day

Any 24-hour period.

Daytime

0700hrs to 1900hrs.

dB(A)

Deci bels (A weighted).

Diffuse Emissions

Non-channelled emissions which result from 'area' sources (e.g. tanks) or 'point' sources (e.g. pipe flanges).

DO

Dissolved oxygen.

Documentation

Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.

Drawing

Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.

Emission limits

Those limits, including concentration limits and deposition rates, established in Schedule B: Emission Limits, of this licence.

EMP Environmental Management Programme.

EMS Environment Management System. The aspect of the organisation's overall management structure that addresses immediate and long-term impacts of its products, services and processes on the environment.

Environmental damage As defined in Directive 2004/35/EC.

EPA Environmental Protection Agency.

Evening Time 1900hrs to 2300hrs.

Facility Any site or premises used for the purpose of the recovery or disposal of waste.

Fortnightly A minimum of 24 times per year, at approximately two week intervals.

Gas Oil Gas oil as defined in Directive (EU) 2016/802 of the European Parliament and of the Council of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels.

GC/MS Gas chromatography/mass spectroscopy.

Groundwater Has the meaning assigned to it by Regulation 3 of the European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9 of 2010), as amended.

ha Hectare.

Hazardous Substances Substances or mixtures as defined in Article 3 of Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures.

Heavy metals This term is to be interpreted as set out in "Parameters of Water Quality: Interpretation and Standards" published by the Agency in 2001. ISBN 1-84095-015-3.

HFO Heavy Fuel Oil as defined in Council Directive 1999/32/EC and meeting the requirements of S.I. No. 119 of 2008.

Hours of operation The hours during which the installation is authorised to be operational.

Hours of waste acceptance The hours during which the installation is authorised to accept waste.

ICP Inductively coupled plasma spectroscopy.

IE

Industrial Emissions.

Incident

The following shall constitute an incident for the purposes of this licence:

- (i) an emergency;
- (ii) any emission which does not comply with the requirements of this licence;
- (iii) any malfunction or breakdown of key environmental abatement, control or monitoring equipment;
- (iv) any trigger level specified in this licence which is attained or exceeded;
- (v) any compliance value specified in this licence which is attained or exceeded;
- (vi) any indication that environmental pollution has, or may have, taken place;
- (vii) an uncontrolled ingress of water into the mine; and
- (viii) an unexpected mine event which may have an effect on the environment.

Industrial Emissions Directive

Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast).

As defined in Section 5 (1) of the Waste Management Act 1996 as amended.

Installation

A stationary technical unit or plant where the activity concerned referred to in the First Schedule of EPA Act 1992 as amended is or will be carried on, and shall be deemed to include any directly associated activity, which has a technical connection with the activity and is carried on at the site of the activity.

Irish Water

Irish Water, Colvill House, 24/26 Talbot Street, Dublin 1.

K

Kelvin.

kPa

Kilopascals.

$L_{Aeq,T}$

This is the equivalent continuous sound level. It is a type of average and is used to describe a fluctuating noise in terms of a single noise level over the sample period (T).

Landfill Directive

Council Directive 1999/31/EC.

$L_{A,T}$

The Rated Noise Level, equal to the L_{Aeq} during a specified time interval (T), plus specified adjustments for tonal character and/or impulsiveness of the sound.

Saint-Gobain Construction Products (Ireland) Limited, Unit 4, Kiltarbery Business Park, Nangor Road, Dublin 22, Dublin, CRO Number: 11815.

Liquid waste	Any waste in liquid form and containing less than 2% dry matter.
Local Authority	Monaghan County Council (Mining Operations). Meath County Council (Process Operations).
List of Wastes (Low)	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2014/955/EU, as amended by any subsequent amendment published in the Official Journal of the European Community.
Mass flow limit	An emission limit value expressed as the maximum mass of a substance that can be emitted per unit time.
Mass flow threshold	A mass flow rate above which a concentration limit applies.
Monthly	A minimum of 12 times per year, at intervals of approximately one month.
Night-time	2300hrs to 0700hrs.
Noise-sensitive location (NSL)	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other installation or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
Odour-sensitive location	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other premises or area of high amenity which for its proper enjoyment requires the absence of odour at nuisance levels.
Oil separator	Device installed according to the International Standard I.S. EN 858-2:2003 (Separator system for light liquids, (e.g. oil and petrol) – Part 2: Selection of normal size, installation, operation and maintenance).
Pollution Reduction Plan	Plan established in accordance with Part V of the European Communities Environmental Objectives (Surface Waters) Regulations S.I No. 272 of 2009 for the reduction of pollution from priority substances or the ceasing or phasing out of emissions, discharges and losses of priority hazardous substances.
PRTR	Pollutant Release and Transfer Register.
Quarterly	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
Relevant Hazardous Substances	Those substances or mixtures defined within Article 3 of Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures (CLP Regulation) which, as a result of their hazardousness, mobility,

persistence and biodegradability (as well as other characteristics), are capable of contaminating soil or groundwater and are used, produced and/or released by the installation.

Special Area of Conservation designated under the Habitats Directive, Council Directive 92/43/EC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.

Sample(s)

Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
Wastewater from installation toilet, washroom and canteen facilities.

Sanitary effluent

Soil

The top layer of the Earth's crust situated between the bedrock and the surface. The soil is composed of mineral particles, organic matter, water, air and living organisms.

SOP

Standard operating procedure.

Source segregated waste

Waste which is separated at source; meaning that the waste is sorted at the point of generation into a recyclable fraction(s) for separate collection (e.g., paper, metal, glass, plastic, bulk dry recyclables, biodegradables, etc.) and a residual fraction. The expression 'separate at source' shall be construed accordingly.

SPA

Special Protection Area designated under the Birds Directive, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.

Specified emissions

Those emissions listed in *Schedule B: Emission Limits*, of this licence.

Standard method

A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent), or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.

Storage

Includes holding of waste.

Storm water

Rain water run-off from roof and non-process areas.

The Agency

Environmental Protection Agency.

TOC

Total organic carbon.

Trade effluent

Trade effluent has the meaning given in the Water Services Act, 2007.

Trigger level	A parameter value, the achievement or exceedance of which requires certain actions to be taken by the licensee.
Waste	Any substance or object which the holder discards or intends or is required to discard.
Water Services Authority	Monaghan County Council (Mining Operations), Meath County Council (Process Operations).
Weekly	During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.
WWTP	Waste water treatment plant

Decision and Reasons for the Decision

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Act 1992 as amended.

The Agency also considers that the activities will not adversely affect the integrity of any European Site, and has decided to impose conditions for the purposes of ensuring they do not do so. It has determined that the activities, if managed, operated and controlled in accordance with this licence, will not have any adverse effect on the integrity of any of those sites.

The Agency has accordingly decided to grant a revised licence to Saint-Gobain Construction Products (Ireland) Limited to carry on the activities listed in *Part I, Schedule of Activities Licensed*, subject to the conditions set out in *Part III, Conditions*; such licence to take effect in lieu of Licence Register Number: P0519-03.

No objection having been received to the proposed determination, this licence is granted in accordance with the terms of the proposed determination.

In reaching this decision the Agency has considered the documentation relating to the existing licence, Register Number: P0519-03, the review application, Register Number: P0519-04 and the supporting documentation received from the applicant; submissions received. The Inspector's Report dated 7th October 2021 and has carried out an Environmental Impact Assessment (EIA) and an Appropriate Assessment of the likely significant effects of the activities on European Sites.

It is considered that the Inspector's Report contains a fair and reasonable examination, evaluation and analysis of the likely significant effects of the activities on the environment, and adequately and accurately identifies, describes and assesses those effects. The assessment as reported in this document is adopted as the assessment of the Agency. Having regard to this assessment, it is considered that the activities, if managed, operated and controlled in accordance with this licence will not result in the contravention of any relevant environmental quality standards or cause environmental pollution.

Having regard to the examination of environmental information in the Inspector's Report, and in particular to the content of the Environmental Impact Assessment Report (EIA) and supplementary information provided by the licensee, and the submissions from the planning authorities, and any other third parties in the course of the application, it is considered that the potential significant direct and indirect effects of the activities on the environment are as follows:

- Discharge of mine water to watercourses;
- Noise and vibration emissions;
- Emissions to air and dust; and
- Potential for accidents including subsidence, spillages of contaminants to ground or groundwater and in turn watercourses.

Having assessed those potential effects, the Agency has concluded as follows:

- Mine water discharges to the River Bursk will be mitigated through imposing emission limit values to ensure compliance with environmental quality standards and protection of aquatic life;
- Noise and vibration emissions will be mitigated through imposing vibration limits at specified noise sensitive locations and implementation of monitoring and control measures;
- Emissions to air will be mitigated through imposing emission limit values to ensure compliance with air quality standards, and implementing monitoring and dust control measures; and
- Potential for accidents including subsidence, spillages of contaminants to ground or groundwater and in turn watercourses, which will be mitigated through integrity assessment.

requirement for compliance with environmental quality standards, accident prevention measures and implementation of monitoring, maintenance and control measures.

Having regard to the effects (and interactions) identified, described and assessed throughout the Inspector's Report, it is considered that the monitoring, mitigation and preventative measures proposed will enable the activities to operate without causing environmental pollution, subject to compliance with the licence.

The conditions of this licence and the mitigation measures will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at Killinbeg Bog (Cloghally) SAC (Site code 000006), Strabannan-Bragansstown SPA (004091), Dundalk Bay SAC (000455), Dundalk Bay (004026).

The activities are not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it cannot be excluded, on the basis of objective information, that the activities, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activities was required, and for this reason determined to require the applicant to submit a Natura Impact Statement.

This determination has been made on the basis of the distance and hydrological connectivity to a number of European Sites and the potential effects such activities may have on European Sites and their qualifying interests.

The Agency has completed the Appropriate Assessment of potential impacts on these sites and has made certain, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the activities, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Killinbeg Bog (Cloghally) SAC (Site code 000006), Strabannan-Bragansstown SPA (004091), Dundalk Bay SAC (000455), Dundalk Bay (004026), having regard to their conservation objectives and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this licence and the conditions attached hereto for the following reasons:

- Condition 5 states that emissions may be made from the specified emission points set out in *Schedule B: Emissions Limits*, of this licence subject to compliance with the Emission Limit Values specified in that Schedule.
- Air monitoring has demonstrated that the impact of air emissions and dust from the installation is not significantly impacting on air quality as a result of the activities.
- Assimilative capacity assessment on discharges to water and river data has demonstrated that the discharges will not cause an exceedance of water quality standards and will ensure that the water dependent qualifying interests will be protected.
- Emission limit values have been specified to meet water quality standards and air quality standards and to ensure that the activities will not significantly impact on the qualifying interests in the relevant European sites.
- Limitations and control on noise, vibration and air overpressure are specified in Conditions 4 and 5, and *Schedule B: Emissions Limits*, of this licence.
- While there is potential for accidents and unplanned releases from the installation, it is considered that the licensee has demonstrated satisfactory risk management measures and the conditions of the licence in relation to prevention of accidents, containment and the protection of surface water and groundwater, are sufficient to ensure that accidental emissions from the activities will not significantly impact on the qualifying interests of any of the European sites identified above, particularly in light of the nature of the potential accidental emissions.

Part I Schedule of Activities Licensed

In pursuance of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, the Agency hereby grants this revised Industrial Emissions licence to:

Saint-Gobain Construction Products (Ireland) Limited, Unit 4, Kiltacberry Business Park, Nangor Road, Dublin 22, and CRO Number 11815

under Section 90(2) of the said Act to carry on the following activities:

Class 1.3 The extraction and processing (including size reduction, grading and heating) of minerals within the meaning of the Minerals Development Acts 1940 to 1999, where an activity involves -

any other operation where either the level of extracted or processed minerals is greater than 200,000 tonnes per annum or the total operational yield is greater than 1,000,000 tonnes, and storage of related mineral waste.

Class 11.1 The recovery or disposal of waste in a facility, within the meaning of the Act of 1996, in respect of which a licence or revised licence under Part IV is in force or in respect of which facility is connected or associated with another activity specified in this Schedule, which a licence under the said Part is or will be required.

Class 11.5 Landfills, within the meaning of section 5 (amended by Regulation 11(1) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008)) of the Act of 1996, receiving more than 10 tonnes of waste per day or with a total capacity exceeding 25,000 tonnes, other than landfills of inert waste.

in the townlands of Lisnabow, Kilmahinham, Kells, County Meath and in, the townlands of Knocknacran, Magheracloone, Drummond, Derrynascobe, Ballynaglah, Enagh, Carrickmacross, County Monaghan subject to the following 12 Conditions, with the reasons herefor and associated schedules attached thereto.

Part II Schedule of Activities Refused

None of the proposed activities as set out in this licence application have been refused.

Part III Conditions

Condition 1. Scope

- 1.1 Industrial Emissions Directive activities at this installation shall be restricted to those listed and described in *Part I Schedule of Activities Licensed* and shall be as set out in the licence application or as modified under Condition 1.5 of this licence and subject to the conditions of this licence.
- 1.2 The licensee shall carry on the licensed activities in accordance with the limitations set out in *Schedule A: Limitations* of this licence.
- 1.3 Any reference in this licence to 'installation' shall mean the areas (surface and underground) in the control of the licensee shown on Drawing No. 493a-24-21 (Mining operations) and Drawing No. 493c-24-21 (Process Operations) of the application as well as all underground workings, and lands occupied by process related groundwater pumping and monitoring stations, and surface water emission points as per this licence. The licensed activities shall be carried on only within the area outlined
- 1.4 All activities which are directly associated with, and technically connected to the licensed activity, whether operated by the licensee or by another party, shall be subject to the conditions of this licence, and the licensee shall bear full responsibility for any breach of these conditions.
- 1.5 No alteration to, or reconstruction in respect of, the activity, or any part thereof, that would, or is likely to, result in
- (i) a material change or increase in:
- the nature or quantity of any emission;
 - the abatement/treatment or recovery systems;
 - the range of processes to be carried out;
 - the fuels, raw materials, intermediates, products or wastes generated, or
- (ii) any changes in:
- site management, infrastructure or control with adverse environmental significance,
- shall be carried out or commenced without prior notice to, and without the approval of, the Agency.
- 1.6 The installation shall be controlled, operated and maintained, and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.7 This licence is for the purpose of licensing under the EPA Act 1992 as amended only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.
- 1.8 This licence shall have effect in lieu of the licence granted on 30th July 2015 (Register No P0519-03).

Reason: To clarify the scope of this licence.

Condition 2. Management of the Installation

- 2.1 Installation Management
- 2.1.1 The licensee shall employ a suitably qualified and experienced installation manager who shall be designated as the person in charge. The installation manager or a nominated, suitably qualified and experienced deputy shall be present on the installation at all times during its operation or as otherwise required by the Agency.
- 2.1.2 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this licence.
- 2.2 Environmental Management System (EMS)
- 2.2.1 The licensee shall, maintain an Environmental Management System (EMS), which shall incorporate energy efficiency management. The EMS shall be reviewed by senior management for suitability, adequacy and effectiveness and updated on an annual basis.
- 2.2.2 The EMS shall include, as a minimum, the following elements:

- 2.2.2.1 Commitment of management including senior management.
- 2.2.2.2 An environmental policy, defined by Management, that includes a commitment to continuous improvement of the environmental performance of the installation.
- 2.2.2.3 Management and Reporting Structure and responsibility.
- 2.2.2.4 The necessary procedures, objectives and targets, in conjunction with financial planning and investment.
- 2.2.2.5 Procedures for ensuring compliance with environmental legislation.
- 2.2.2.6 Procedures that ensure employee involvement in ensuring compliance with environmental legislation.
- 2.2.2.7 A procedure for checking performance by sectoral benchmarking on a regular basis including energy efficiency.
- 2.2.2.8 Schedule of Environmental Objectives and Targets

The licensee shall maintain and implement a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, as referred to in the conditions of this licence, including an evaluation of practicable options for:

- (i) energy and resource efficiency;
 - (ii) the reduction in water consumption;
 - (iii) process site drainage and segregation of clean stormwater;
 - (iv) the use of cleaner technology, cleaner production;
 - (v) dust and noise management;
 - (vi) ambient monitoring of particulates;
 - (vii) the prevention, reduction and minimisation of waste including waste reduction targets;
 - (viii) material and waste storage; and
 - (ix) the impacts from eventual decommissioning of the installation.
- The Schedule shall include time frames for the achievement of targets and shall address a five-year period as a minimum. The Schedule shall be reviewed annually.

2.2.2.9 Environmental Management Programme (EMP)

The licensee shall maintain and implement an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.8 above. The EMP shall include:

- designation of responsibility for targets;
- the means by which they may be achieved; and
- the time within which they may be achieved.

The EMP shall be reviewed annually.

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.10 Documentation

- (i) The licensee shall maintain and implement an environmental management documentation system.
- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.11 Corrective and Preventative Action

- (i) The licensee shall maintain and implement procedures to ensure that corrective and preventative action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective and preventative action in the event of a reported non-conformity with this licence shall be defined.

- (ii) Where a breach of one or more of the conditions of this licence occurs, the licensee shall without delay take measures to restore compliance with the conditions of this licence in the shortest possible time and initiate any feasible preventative actions to prevent recurrence of the breach.

- (iii) All corrective and preventative actions shall be documented.

2.2.2.12 Internal Audits

The licensee shall maintain and implement a programme for independent internal audits of the EMS. Such audits shall be carried out at least once every three years. The audit programme shall determine whether or not the EMS is being implemented and maintained properly, and in accordance with the requirements of the licence. Audit reports and records of the resultant corrective and preventative actions shall be maintained as part of the EMS in accordance with Condition 2.2.2.9.

2.2.2.13 Awareness, Training and Competence

The licensee shall maintain and implement procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment to ensure awareness and competence in their work area. Appropriate records of training shall be maintained.

2.2.2.14 Public Awareness and Communications Programme

The licensee shall maintain and implement a Public Awareness and Communications Programme to ensure that members of the public are informed, and can obtain information at the installation, at all reasonable times, concerning the environmental performance of the installation. The Public Awareness and Communications Programme shall include a specific programme of outreach to interested local residents on matters relating to the

prevention of nuisance including dust, vibration, noise, rehabilitation of land including landscaping and geohazards and other factors at the installation. The programme shall be agreed by the Agency and a report on the programme shall be prepared and submitted to the Agency annually.

The Public Awareness and Communication Programme shall as a minimum include the following:

- (a) Maintenance of information at the installation as required in Condition 11.9 which shall be available for inspection at all reasonable times;

- (b) Maintenance of a Residents Forum to facilitate regular meetings of that Forum at a frequency to be agreed between the residents and the licensee's Community Liaison Manager. The agenda shall be prepared and circulated in advance of each meeting. The licensee shall circulate a newsletter, which shall also be available on the company's website, at a frequency to be agreed with the residents, but no less than once per annum, which shall provide information of activities on-site and compliance with this licence.

2.2.2.15 Maintenance Programme

The licensee shall maintain and implement a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1 above). Thermal maintenance programme shall use appropriate techniques and measures to ensure the optimisation of energy efficiency in plant and equipment.

2.2.2.16 Efficient Process Control

The licensee shall maintain and implement a programme to ensure there is adequate control of processes under all modes of operation. The programme shall identify the key indicator parameters for process control performance, as well as identifying methods for measuring and controlling these parameters. Abnormal process operating conditions shall be documented and analysed to identify any necessary corrective action.

Reason: To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.

Condition 3. Infrastructure and Operation

- 3.1 The licensee shall ensure, at all times after the grant of this licence that all infrastructure and all equipment required under this licence has been and is:
 - (i) installed;
 - (ii) commissioned;
 - (iii) present on site; and
 - (iv) maintained in full working order.
- 3.2 Where any condition of the licence specifies any later deadline for installation of any piece of infrastructure or equipment, condition 3.1 shall apply as and from the deadline specified.
- 3.3 The licensee shall establish and maintain, for each component of the installation, all infrastructure referred to in this licence in advance of the commencement of the licensed activities in that component, or as required by the conditions of this licence. Infrastructure

specified in the application that relates to the environmental performance of the installation and is not specified in the licence, shall be installed in accordance with the schedule submitted in the application.

3.4 The licensee shall have regard to the following when choosing and/or designing any new plant/infrastructure:

(i) Energy efficiency; and

(ii) The environmental impact of eventual decommissioning.

3.5 Installation Notice Board

(i) The licensee shall maintain an Installation Notice Board on the installation so that it is legible to persons outside the main entrance to the installation. The minimum dimensions of the board shall be 1200mm by 750mm. The notice board shall be maintained thereafter.

(ii) The board shall clearly show:

(i) the name and telephone number of the installation;

(ii) the normal hours of operation;

(iii) the name of the licence holder;

(iv) an emergency out of hours contact telephone number;

(v) the licence reference number; and

(vi) where environmental information relating to the installation can be obtained.

3.6 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.

3.7 In the case of composite sampling of aqueous emissions from the operation of the installation, a separate composite sample or homogeneous sub-sample (of sufficient volume as advised) shall be refrigerated immediately after collection and retained as required for EPA use.

3.8 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. The requirement with regard to off-site points is subject to the prior agreement of the landowner(s) concerned.

3.9 Tank, Container and Drum Storage Areas

3.9.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).

3.9.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:

(i) 110% of the capacity of the largest tank or drum within the bunded area; or

(ii) 25% of the total volume of substance that could be stored within the bunded area.

3.9.3 All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated and does not exceed the trigger levels set for storm water emissions under Condition 6.17.5.

3.9.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.

3.9.5 All tanks, containers and drums shall be labelled to clearly indicate their contents.

3.9.6 All bunds shall be uniquely identified and labelled at the bund.

3.9.7 The licensee shall apply a leak detection system in accordance with BAT to all storage tanks, container and drum storage areas that contain liquid material other than water

3.10 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the installation. Once used, the absorbent material shall be disposed of at an appropriate facility.

3.11 Silt Traps and Oil Separators
The licensee shall, within six months of date of grant of this licence, install and maintain silt traps and oil separators at the installation/facility:
(i) Silt traps to ensure that all storm water discharges, other than from roofs, from the installation pass through a silt trap in advance of discharge;
(ii) An oil separator on the storm water discharge from yard areas. The separator shall be a Class I full retention.

The separator shall be in accordance with I.S. EN-858-2:2003 (separator systems for light liquids).

3.12 The licensee shall maintain firewater retention facilities as determined by a firewater retention risk assessment approved by the Agency. The firewater retention risk assessment shall be carried out in accordance with any guidance published by the Agency.

3.13 All pump sumps, storage tanks, lagoons or other treatment plant chambers from which spillage of environmentally significant materials might occur in such quantities as are likely to breach local or remote containment or separators, shall be fitted with high liquid level alarms (for oil detectors as appropriate) from the date of grant of this licence.

3.14 The licensee shall ensure a minimum freeboard of not less than 1 metre be maintained in the final lagoon (Lagoon No 4) at the process site during periods of tankering from the mine site to the process site.

3.15 The licensee shall maintain records of quantities of minewater transported to the process site. The records will be available for inspection by the Agency at all times.

3.16 The provision of a catchment system to collect any leaks from flanges and valves of all over-ground pipes used to transport material other than water shall be examined. This shall be incorporated into a Schedule of Environmental Objectives and Targets set out in Condition 2 of this licence for the reduction in diffuse emissions.

3.17 All wellheads at the installation shall be adequately protected to prevent contamination or physical damage

3.18 The licensee shall, maintain in a prominent location on the site a wind sock, or other wind direction indicator, which shall be visible from the public roadway outside the site.

3.19 The licensee shall provide and maintain a Wastewater Treatment plant at the installation for the treatment of sanitary effluent arising on-site. Any waste water treatment system and pollution area shall satisfy the criteria set out in the *Wastewater Treatment Manual: Treatment Systems for Small Communities, Business, Leisure Centres and Hotels 1999*, published by the Environmental Protection Agency.

3.20 The licensee shall maintain adequate written procedures for the de-silting and maintenance of the on-site sanitary effluent treatment system, settlement ponds, holding tanks and leachate lagoons.

3.21 Specified Engineering Works (SEW)
(i) The licensee shall submit proposals for any Specified Engineering Works, as defined in Schedule D: Specified Engineering Works, of this licence, to the Agency for its agreement at least two months in advance of the intended date of commencement of any such works. No such works shall be carried out without the prior agreement by the Agency.

(ii) All specified engineering works shall be supervised by an appropriately qualified person, and that person, or persons, shall be present at all times during which relevant works are being undertaken.

(iii) Following the completion of any specified engineering works, the licensee shall complete a construction quality assurance validation. The validation report shall be

made available to the Agency on request. The report shall, as appropriate, include the following information:

- (i) A description of the works;
 - (ii) As-built drawings of the works;
 - (iii) Records and results of all tests carried out (including failures);
 - (iv) Drawings and sections showing the location of all samples and tests carried out;
 - (v) Name(s) of contractor(s)/individual(s) responsible for undertaking the specified engineering works;
 - (vi) Records of any problems and the remedial works carried out to resolve those problems; and
 - (vii) Any other information requested in writing by the Agency.
- 3.22 Storage Areas for Waste Gypsum and Gypsum material intended for re-use

The licensee shall provide and maintain storage areas for waste gypsum and gypsum material for re-use at the processing site. This infrastructure shall at a minimum comprise the following:

- (i) An impermeable concrete slab; and
- (ii) Collection and disposal infrastructure for all runoff.

3.23 Waste Inspection and Quarantine Areas

- (i) A Waste Inspection Area and a Waste Quarantine Area shall be provided and maintained at the processing site.
 - (ii) These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area and the waste quarantine area shall be clearly identified and segregated from each other.
 - (iii) Drainage from these areas shall be directed to the settling lagoons.
- 3.24 Weighbridge

The licensee shall maintain a weighbridge at the processing site.

3.25 Natural gas, or biodiesel (meeting CEN standard EN14214) shall be used in the boilers on site. In the event of an interruption to the supply of natural gas or biodiesel, an alternative fuel such as gas oil may be used with the prior approval of the Agency

Reason: To provide for appropriate operation of the installation to ensure protection of the environment.

Condition 4. Interpretation

4.1 Emission limit values for emissions to atmosphere in this licence shall be interpreted in the following way:

- 4.1.1 Continuous Monitoring
 - (i) No 24 hour mean value shall exceed the emission limit value.
 - (ii) 97% of all 30-minute mean values taken continuously over an annual period shall not exceed 1.2 times the emission limit value.
 - (iii) No 30-minute mean value shall exceed twice the emission limit value.
- 4.1.2 Non-Continuous Monitoring
 - (i) For any parameter where, due to sampling/analytical limitations, a 30-minute sample is inappropriate, a suitable sampling period should be employed, and the value obtained therein shall not exceed the emission limit value.

- (ii) For flow, no hourly or daily mean value, calculated on the basis of appropriate spot readings, shall exceed the relevant limit value.
- (iii) For all other parameters, no 30-minute mean value shall exceed the emission limit value.
- (iv) Mass flow thresholds refer to a rate of discharge expressed in units of kg/h, above which the concentration emission limit value applies. Mass flow measurement (i.e. the concentration determined as a 30-minute average shall be multiplied by an appropriate measurement of flow and the result shall be expressed in units of g/h).
- (v) Mass flow emissions shall be calculated on the basis of the concentration, determined as an average over the specified period, multiplied by an appropriate measurement of flow. No value, so determined, shall exceed the mass flow limit value.

4.2 The concentration and volume flow limits for emissions to atmosphere specified in this licence shall be achieved without the introduction of dilution air and shall be based on gas volumes under standard conditions of:

- 4.2.1 From non-combustion sources:
Temperature 273K, Pressure 101.3 kPa (no correction for oxygen or water content).
- 4.2.2 From combustion sources:
Temperature 273K, Pressure 101.3 kPa, dry gas; 3% oxygen for liquid and gas fuels, 6% oxygen for solid fuels.

4.3 Emission limit values for emissions to waters in this licence shall be achieved without the introduction of dilution, and shall be interpreted in the following way:

- 4.3.1 Continuous Monitoring:
(i) No flow value shall exceed the specific limit.
(ii) No pH value shall deviate from the specified range.
(iii) No temperature value shall exceed the limit value.
- 4.3.2 Non-Continuous Monitoring:
(i) No pH value shall deviate from the specified range.
(ii) No temperature value shall exceed the limit value.
(iii) No pH value shall deviate from the specified range.
- 4.3.3 Discrete Sampling
(i) For parameters other than pH, temperature and no grab sample value shall exceed 1.2 times the emission limit value.
(ii) For parameters other than pH, temperature and no grab sample value shall exceed 1.2 times the emission limit value.
(iii) For parameters other than pH, temperature and flow, eight out of ten consecutive composite results, based on flow proportional composite sampling, shall not exceed the emission limit value. No individual results, similarly calculated shall exceed 1.2 times the emission limit value.

4.4 Limit values for a point of compliance in the receiving water, CP-1, shall be interpreted in the following way:

- 4.4.1 Continuous Monitoring
(i) For sulphate and conductivity, 95% of daily average concentrations over a month, shall not exceed the limit value. No individual daily average shall exceed 1.5 times the limit value.
(ii) No annual average result shall exceed the limit value.
- 4.4.2 Non-Continuous Monitoring:
(i) For barium, no grab sample value shall exceed 1.2 times the limit value.
(ii) No monthly average result shall exceed the limit value.

4.5 Where the ability to measure a parameter is affected by mixing before emission, then, with agreement from the Agency, the parameter may be assessed before mixing takes place.

4.6 Noise

4.6.1 Off-site noise, vibration & air overpressure

(i) Noise from the installation shall not give rise to sound pressure levels (Leq, T) measured at noise sensitive locations of the installation which exceed the limit value(s).

(ii) Vibration levels measured at noise sensitive locations shall not exceed the specified limit values.

(iii) Air overpressure levels measured at noise sensitive locations shall not exceed the specified limit values.

4.7 Dust and Particulate Matter

Dust and particulate matters from the activity shall not give rise to deposition levels which exceed the limit value.

Reason: To clarify the interpretation of limit values fixed under the licence.

Condition 5. Emissions

5.1 Emissions may be made from the specified emission points set out in Schedule B: Emission Limits, of this licence subject to compliance with the Emission Limit Values specified in that Schedule.

5.1.1 Uncontaminated storm water may be discharged to surface water.

5.1.2 Uncontaminated storm water may be emitted to groundwater or to soil.

5.1.3 Minor, diffuse and potential emissions may be emitted to air as specified in the application, or as approved by the Agency under Condition 1 of this licence.

5.2 Notwithstanding the requirements of Condition 5.1, there shall be no other emissions from the installation.

5.3 No emissions, including odours and dust, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary.

5.4 No substance shall be discharged in a manner, or at a concentration, that, following initial dilution, causes staining of fish or shellfish.

5.5 There shall be no discharge of mine water at the mine site or of process water or leachate at the processing site to the sanitary effluent treatment system.

5.6 The licensee shall ensure that all or any of the following:

- Vermen
- Birds
- Flies
- Mud
- Litter

associated with the activity do not result in an impairment of, or an interference with, amenities or the environment at the installation or beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary. Any method used by the licensee to control or prevent any such impairment/interference shall not cause environmental pollution.

- 5.7 Trucks or other vehicles used for transport of excavated or crushed materials from the installation shall be covered to prevent the creation of nuisance on public roads.
- 5.8 No blast or combination of simultaneous blasts shall give rise to a vibration level at any noise sensitive location which exceeds a peak particle velocity of 7.5 mm/second, as measured in three mutually orthogonal directions about a fixed point.
- 5.9 No blast or combination of simultaneous blasts shall give rise to an air-overpressure level at any noise sensitive location which exceeds 125 dB (lin) max peak.
- 5.10 There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise sensitive location other than when blasting occurs or when a siren is used to give blast warnings.
- 5.11 There shall be no blasting on Sundays and public holidays and outside the hours 09.00 to 18.00 except in the case of an emergency. The following records shall be maintained at the facility:
- (i) date and time of any blasting,
 - (ii) location of the charges,
 - (iii) amount and type of explosive used,
 - (iv) maximum instantaneous charge,
 - (v) air overpressure and vibration monitoring results.
- 5.12 and reported to the Agency quarterly. A summary table of the quantity of explosive used and blast monitoring results shall be submitted on an annual basis to the Agency.
- The licensee shall establish and maintain a documented blast design system to provide for the control of blast impact on noise sensitive locations.
- 5.B Vibration and air overpressure monitoring
- 5.13.1 The licensee shall maintain air overpressure and vibration monitoring facilities at the currently agreed locations at the installation and at any additional location as may be required the Agency.
- 5.13.2 Monitoring of air overpressure and vibration shall take place during each blast.

Reason: To provide for the protection of the environment by way of control and limitation of emissions

Condition 6. Control and Monitoring

- 6.1 Test Programme
- 6.1.1 The licensee shall prepare a test programme for abatement equipment installed to abate emissions.
- 6.1.2 The programme shall be completed within three months of the commencement of operation of the abatement equipment.
- 6.1.3 The criteria for the operation of the abatement equipment as determined by the test programme, shall be incorporated into the standard operating procedures.
- 6.1.4 The test programme shall as a minimum:
- (i) establish all criteria for operation, control and management of the abatement equipment to ensure compliance with the emission limit values specified in this licence;
 - (ii) assess the performance of any monitors on the abatement system and establish a maintenance and calibration programme for each monitor.
 - 6.1.5 A report on the test programme shall be submitted to the Agency within one month of completion.

- 6.2 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control and Monitoring*, of this licence.
- 6.2.1 Sampling and analysis shall be undertaken by competent staff in accordance with documented operating procedures. Unless otherwise approved by the Agency, sampling and analysis of emissions to atmosphere shall be carried out by ISO 17025 accredited persons/organisations, with accreditation for the relevant scope of sampling and analysis, and in accordance with the Agency's air monitoring policy.
- 6.2.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.
- 6.2.3 Such procedures shall be subject to a programme of Analytical Quality Control using appropriate control standards with evaluation of test responses.
- 6.2.4 Where any analysis is sub-contracted it shall be outsourced to a competent laboratory.
- 6.3 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the schedules to this licence; and
- (ii) any reference measurements for the calibration of automated measurement systems
- shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards, which will ensure the provision of data of an equivalent scientific quality, shall apply.
- 6.4 All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the activity is being carried on unless alternative sampling or monitoring has been approved in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable, and alternative sampling and monitoring facilities shall be put in place. The use of alternative equipment, other than in emergency situations, shall be as approved by the Agency.
- 6.5 Monitoring and analysis equipment shall be installed, operated and maintained as necessary so that all monitoring results accurately reflect any emission, discharge or parameter specified in this licence.
- 6.6 The licensee shall ensure that ground/water monitoring well sampling equipment is available or installed on-site at the installation and is fit for purpose at all times. The sampling equipment shall be to Agency specifications.
- 6.7 All treatment/abatement and emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.8 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended as required or approved by the Agency following evaluation of test results.
- 6.9 The licensee shall prepare and implement a programme, to the satisfaction of the Agency, for the identification and reduction of fugitive emissions using an appropriate combination of best available techniques. This programme shall be included in the Environmental Management Programme.
- 6.10 The licensee shall maintain and implement a Water Management Plan to the satisfaction of the Agency. The plan shall address the following:
- (i) the sources and volumes of water at the mine site;
 - (ii) existing water management system;
 - (iii) methods to manage the volumes of water;
 - (iv) methods to treat the water to reduce sulphate in the final discharge;
 - (v) options for the temporary storage of water at the mine site;
 - (vi) assessment of the discharge; and
 - (vii) monitoring measures.

- The plan shall be reviewed annually and any amendments or updates thereto shall be agreed by the Agency. The requirements of Condition 3.14 and Condition 3.15 shall form part of the plan.
- 6.11 The integrity and watertightness of all tanks, bunding structures, containment structures and pipes and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any remedial work arising from them shall be maintained by the licensee.
- 6.12 The storm water drainage system (i.e., gullies, manholes, any visible drainage conduits and such other aspects as may be required by the Agency), bunds, silt traps and oil separators shall be inspected weekly, desludged as necessary, and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal. The licensee shall maintain a drainage map on site. The drainage map shall be reviewed annually and updated as necessary.
- 6.13 Process Effluent
- 6.13.1 The acute toxicity of the undiluted final effluent to at least four aquatic species from different trophic levels shall be determined by standardised and internationally accepted procedures and carried out by a competent laboratory.
- 6.13.2 Having identified the most sensitive species outlined in Condition 6.13.1, subsequent compliance toxicity monitoring shall be carried out on the two most sensitive species.
- 6.13.3 A representative sample of effluent shall be screened for the presence of organic compounds. Such screening shall be repeated at intervals as requested by the Agency thereafter.
- 6.14 An inspection system for the detection of leaks on all flanges and valves on over-ground pipes used for transport materials other than water shall be developed and maintained.
- 6.15 Emissions to water
- 6.15.1 Receiving surface water shall be monitored as set out in Schedule C 6 Receiving Water Monitoring of this licence. Results of the monitoring shall be submitted quarterly for the mine site and biannually for the processing site. A summary of river monitoring results shall be submitted as part of the AER.
- 6.15.2 The licensee shall carry out an annual biological impact assessment in relation to discharges from the installation. A report on this assessment shall be included in the AER.
- 6.15.3 The licensee shall maintain to the satisfaction of the Agency a quality control system to ensure that the empirical relationship established between conductivity and sulphate levels in water is valid on an on-going basis. The quality control system shall include a response programme for exceedances of warning and action limits.
- 6.16 The licensee shall review the Pollution Reduction Plan for the river basin district and shall, where appropriate, implement applicable measures or controls in order to reduce emissions of priority substances and/or cease or phase out emissions, discharges and losses of priority hazardous substances. The licensee shall submit a report on such measures as part of the Annual Environmental Report (AER)
- 6.17 Storm Water
- 6.17.1 A visual examination of the stormwater discharges shall be carried out daily. A log of such inspections shall be maintained.
- 6.17.2 Visual inspection of lagoon no. 4 freeboard shall be carried out daily during times of tankering of mine water to the process site. A log of such inspections shall be maintained.
- 6.17.3 No environmentally polluting substance or matter shall be permitted to discharge to off-site surface waters or off-site storm water drains.

- 6.17.4 The licensee shall maintain the programme for reduction of sulphate levels in storm water discharges at the processing site.
- 6.17.5 The licensee shall maintain suitable trigger and action levels for contamination of storm water with sulphate and ammonia. The licensee shall have a response programme to address any exceedance of the trigger values such that storm waters exceeding these levels will be diverted for retention and suitable disposal. The licensee shall implement the current response programme when responding to exceedances of the sulphate trigger levels. The licensee shall have regard to the Environmental Protection Agency "Guidance on the setting of trigger values for storm water discharges to off-site surface waters at EPA IPPC and Waste licensed facilities" when establishing the suitable trigger levels.
- 6.18 Ground Water
- 6.18.1 Within eighteen months of the date of this licence, the licensee shall, in line with the criteria set out in the "Guidance on the Authorisation of Discharges to Groundwater", published by the Environmental Protection Agency, review the most relevant hydrogeological assessment report for the installation or where relevant, arrange for an assessment of the installation, by an appropriately qualified consultant/professional, to demonstrate compliance with the European Communities Environmental Objectives (Groundwater) Regulations 2010. A report on the review or assessment report with recommendations shall be submitted to the Agency for approval. Further to the hydrogeological review or assessment, any actions (including the setting of groundwater compliance values, if appropriate) required to demonstrate compliance with the European Communities Environmental Objectives (Groundwater) Regulations 2010, shall be implemented within a period to be agreed by the Agency.
- 6.18.2 Where agreed by the Agency, the licensee may utilise existing groundwater monitoring boreholes and quality data in order to meet the requirements of Condition 6.18.1.
- 6.18.3 No environmentally polluting substance or matter shall be permitted to discharge to ground or groundwater under the installation.
- 6.18.4 All groundwater monitoring points shall be included in the installation's maintenance programme.
- 6.18.5 Groundwater monitoring boreholes arising from the conditions of this licence or otherwise required by the Agency shall be constructed to a standard and at locations to be agreed by the Agency.
- 6.18.6 All monitoring borehole wellheads at the installation shall be labelled for identification and adequately sealed to prevent surface contamination from entering the borehole.
- 6.18.7 The licensee shall ensure that groundwater monitoring well sampling equipment is available on-site and is fit for purpose at all times. The sampling equipment shall be to Agency specifications.
- 6.18.8 The licensee shall assess annually the impact of activities at the installation on groundwater both temporally and spatially by reviewing monitoring data. A report on this assessment shall be included in the AER.
- 6.18.9 The licensee shall, within three months of date of grant of this licence, submit a list of monitoring locations of all boreholes at the mine site and at the process site that have been agreed by the Agency.
- 6.19 The licensee shall review, when received, any groundwater or surface water monitoring data. In the event that any analyses or observations made on the quality or appearance of surface water runoff or groundwater should indicate that contamination has taken place, the licensee shall:
- (i) Carry out an immediate investigation to identify and isolate the source of the contamination;
- (ii) Put in place measures to prevent further contamination and to minimise the effects of any contamination on the environment; and,

(iii) Notify the Agency as soon as is practicable.

6.20 Noise

The licensee shall carry out a noise survey of the site operations annually. The survey programme shall be undertaken in accordance with the methodology specified in the 'Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)' as published by the Agency.

6.21

Emissions to atmosphere

6.21.1 The licensee shall maintain nine dust deposition sampling stations at the currently agreed locations in the vicinity of the mine site and processing site and at any other location as may be required by the Agency.

6.21.2 The licensee shall maintain an on-going programme for improved containment of dusts in the externally-located material loading, storage and conveying systems at the installation. This programme shall be included in the EMP.

6.21.3 Dust emissions from exposed earthworks, on-site roads and other services shall be minimised. Mobile bowlers shall be employed to dampen such surfaces during dry weather conditions.

6.21.4 Machinery operating on-site shall be switched off when not in use. Where this is not possible, diesel engines shall be throttled down to minimise exhaust emissions.

6.22

Pollutant Release and Transfer Register (PRT)

The licensee shall submit a PRT data report for the site. The pollutants and/or wastes to be included in the PRT shall be determined by reference to EC Regulations No. 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register. The PRT shall be prepared in accordance with any relevant Agency guidance and shall be submitted electronically in the format specified by the Agency.

6.23

The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the monitoring data generated as a result of this licence.

6.24

Groundwater and Soil Monitoring

The licensee shall carry out monitoring for relevant hazardous substances in soil and groundwater at the site of the installation. The substances for monitoring shall be identified by the licensee by undertaking a risk-based assessment. The risk assessment, sampling and monitoring shall be carried out in accordance with any guidance published by the Agency. The licensee shall have regard to the 'Classification of Hazardous and Non-Hazardous Substances in Groundwater' as published by the Agency.

6.24.1 Groundwater monitoring shall be carried out in accordance with Schedule C.5 Groundwater Monitoring of this licence.

6.24.2 Soil monitoring shall be carried out at the site of the installation at least once every ten years. Monitoring shall be carried out in accordance with Schedule C.7 Soil Monitoring of this licence.

Reason: To provide for the protection of the environment by way of treatment and monitoring of emissions.

Condition 7. Resource Use and Energy Efficiency

7.1 The licensee shall carry out an audit of the energy efficiency of the site as required by the Agency. The audit shall be carried out in accordance with the guidance published by the Agency, "Guidance Note on Energy Efficiency Auditing".

- 7.2 The audit shall identify all practicable opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 7.3 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 7.4 The licensee shall undertake an assessment of the efficiency of use of raw materials in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for this type of activity. Where improvements are identified, these shall be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.

Reason: To provide for the efficient use of resources and energy in all site operations.

Condition 8. Materials Handling

- 8.1 The licensee shall ensure that waste generated in the carrying on of the activity shall be prepared for re-use, recycling or recovery or, where that is not technically or economically possible, disposed of in a manner which will prevent or minimise any impact on the environment.
- 8.2 Disposal or recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.
- 8.3 Waste sent off-site for recovery or disposal
- 8.3.1 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor. The waste shall be transported from the site of the activity to the site of recovery/disposal only in a manner that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.3.2 Waste sent off-site for recovery or disposal shall be transferred only to an appropriate facility.
- 8.4 The licensee shall ensure that, in advance of transfer to another person, waste shall be classified, packaged and labelled in accordance with National, European and any other standards which are in force in relation to such labelling.
- 8.5 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.6 Waste and materials shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste and materials shall be clearly labelled and appropriately segregated.
- 8.7 Waste for disposal/recovery off-site shall be analysed in accordance with Schedule C: Control and Monitoring, of this licence.
- 8.8 Unless approved in writing, in advance, by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.
- 8.9 The licensee shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14th June 2006 on shipments of waste and associated national regulations.

- 8.10 Extractive Waste Management Plan
- 8.10.1 The licensee shall draw up a Waste Management Plan (to be known as an Extractive Waste Management Plan) for the minimisation, treatment, recovery and disposal of extractive waste. This Plan shall, where appropriate, meet the requirements of Regulation 5 of the Waste Management (Management of Waste from the Extractive Industries) Regulations, 2009. The Plan shall be submitted for agreement by the Agency within six months of the date of grant of this licence. The Plan shall be reviewed at least once every five years thereafter in a manner agreeable to the Agency and amended where there are substantial changes to the operation of the waste facility or to the waste accumulated or deposited. Any amendments shall be notified to the Agency.
- 8.10.2 All extractive waste shall be managed in accordance with the Extractive Waste Management Plan. A report on the implementation of the Extractive Waste Management Plan shall be provided in the AER.
- 8.11 Excavation voids
- 8.11.1 Unless otherwise agreed by the Agency, only extractive waste shall be placed in excavation voids.
- 8.11.2 When placing extractive waste into excavation voids for rehabilitation and construction purposes, the licensee shall, in accordance with Regulations 10 and 13(5) of the Waste Management (Management of Waste from the Extractive Industries) Regulations, 2009, and the Extractive Waste Management Plan:
- (i) Secure the stability of the waste;
 - (ii) Put in place measures to prevent pollution of soil, surface water and ground water; and,
 - (iii) Carry out monitoring of the extractive waste and excavation void.
- 8.12 Extractive Waste Facilities
- (i) No new waste facility may be developed or an existing waste facility modified unless agreed by the Agency.
 - (ii) The licensee shall ensure that all existing waste facilities are managed and maintained to ensure their physical stability and to prevent pollution or contamination of soil, air, surface water or groundwater.
 - (iii) The licensee shall ensure that all new waste facilities are constructed, managed and maintained to ensure their physical stability and to prevent pollution or contamination of soil, air, surface water or groundwater.
 - (iv) Operational measures shall be continuously employed to prevent damage to waste facilities from personnel, plant or equipment.
 - (v) The licensee shall establish and maintain a system for regular monitoring and inspection of the waste facilities.
 - (vi) All records of monitoring and inspection of waste facilities, as required under the licence, shall be maintained on-site in order to ensure the appropriate handling of information in the event of a change of operator or relevant personnel.
- 8.13 Landfill
- 8.13.1 No waste shall be disposed of at the on-site landfill.
- 8.13.2 As part of the CRAMP the licensee shall set warning and action levels for the concentration of hydrogen sulphide, methane and carbon dioxide recorded in any monitoring point external to the landfilled wastes. The licensee shall immediately notify the Agency of any instance where an action level is exceeded. Such notification shall be accompanied by an investigative and/or remedial strategy to identify the source of, and resolve, the migration hazard.

- 8.13.3 No remedial pollution control/monitoring works other than those necessary in an emergency shall be effected on any part of the landfill unless agreed by the Agency.
- 8.13.4 Each landfill area shall have at least three points at which leachate head can be measured at the base of the cell.
- 8.13.5 Leachate generated in the landfill shall not be permitted by the licensee to result in significant environmental pollution as a consequence of controlled or uncontrolled migration.
- 8.13.6 The licensee shall divert all leachate-containing streams in the vicinity of the landfill away from surface water drains at the installation and into the settling lagoons.
- 8.13.7 The licensee shall submit annually a landfill status report to the Agency as part of the AER.

8.14

- Waste Acceptance
- 8.14.1 Waste shall only be accepted at the processing site from local authority waste collection or transport vehicles or holders of valid waste collection permits, unless exempted or excluded, issued under the Waste Management Act 1996 as amended.
- 8.14.2 Within one month of the date of grant of this licence, the licensee shall establish and thereafter maintain detailed written procedures and criteria for:
- (i) characterisation, compliance testing, acceptance, on-site verification and handling of all wastes arriving at the installation;
 - (ii) rejection of unacceptable incoming waste; and
 - (iii) ensuring adequate storage capacity exists in advance of waste acceptance.

- 8.14.3 Documentation relating to waste arriving at the processing site shall be checked at the point of entry to the licensed installation and subject to this verification, such waste shall be weighed and recorded. Waste that is deemed unsuitable for recovery at the processing site shall be directed to the waste quarantine area or returned directly to the supplier.
- 8.14.4 No hazardous wastes shall be accepted at the processing site.
- 8.14.5 The licensee shall ensure that any waste acceptance testing required by this licence shall be carried out by competent laboratories in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards or alternative methods shall apply with agreement by the Agency.

- 8.14.6 Waste shall be accepted at the installation only from known waste producers or new waste producers subject to initial waste profiling and waste characterisation off-site. The written records of this off-site waste profiling and characterisation shall be retained by the licensee for all active waste producers and for a two year period following termination of licensee/waste producer agreements.

Reason: To provide for the appropriate handling of material and the protection of the environment

Condition 9. Accident Prevention and Emergency Response

- 9.1 The licensee shall, ensure that a documented Accident Prevention Procedure is in place that addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.

- 9.2 The licensee shall, ensure that an approved Emergency Response Procedure is in place, that addresses any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.3 As part of the Accident Prevention Procedure and Emergency Response Procedure, the licensee shall operate, monitor and maintain a plan to mitigate against subsidence and uncontrolled ingress of water into the mine. An annual summary report on the operation of the plan (including incidents) shall be included in the AER.
- 9.4 Incidents
- 9.4.1 In the event of an incident the licensee shall immediately:
- (i) carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
 - (ii) isolate the source of any such emission;
 - (iii) evaluate the environmental pollution, if any, caused by the incident;
 - (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
 - (v) identify the date, time and place of the incident; and
 - (vi) notify the Agency as required by Condition 11.3 of this licence.
- 9.4.2 Where an incident or accident that significantly affects the environment occurs, the licensee shall, without delay take measures to limit the environmental consequences of the incident or accident and to prevent further incident or accident.

Reason: To provide for the protection of the environment.

Condition 10. Closure, Restoration and Aftercare Management

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution. A final validation report to include a certificate of completion to demonstrate there is no continuing risk to the environment shall be submitted to the Agency within three months of termination or planned cessation of the activity.
- 10.2 Closure, Restoration and Aftercare Management Plan (CRAMP)
- (i) The licensee shall maintain to the satisfaction of the Agency, a fully detailed and costed plan for the closure, restoration and long-term aftercare of the site or part thereof.
 - (ii) The plan shall be reviewed annually and proposed amendments thereto notified to the Agency for agreement. No amendments may be implemented without the agreement of the Agency.
- 10.3 The CRAMP shall include, as a minimum, the following:
- (i) a scope statement for the plan;
 - (ii) the criteria that define the successful closure and restoration and aftercare of the activity or part thereof, which ensures minimum impact on the environment;
 - (iii) a programme to achieve the stated criteria;
 - (iv) where relevant, a test programme to demonstrate the successful implementation of the plan;
 - (v) details of the long-term supervision, monitoring, control, maintenance and reporting requirements for the restored facility; and

(vi) details of the costings for the plan and the financial provisions to underwrite those costs.

10.4 The licensee shall, and to the satisfaction of the Agency, make financial provision to cover any liabilities associated with closure, restoration and aftercare identified in Condition 10.2. The amount of financial provision held shall be reviewed and revised as necessary.

10.5 The licensee shall have regard to the Environmental Protection Agency's "Guidance on Assessing and Costing Environmental Liabilities (2014)" and "Guidance on Financial Provision for Environmental Liabilities (2015)", as may be amended or replaced, when implementing Conditions 10.2, 10.3 and 10.4 above.

10.6 The licensee shall carry out closure, decommissioning and rehabilitation of the installation in accordance with the CRAMP. No deviation from the plan shall be allowed unless agreed by the Agency.

10.7 Subject to prior agreement by the Agency the licensee may use recovered materials for aftercare at the restored landfill.

10.8 The licensee shall carry out such tests, investigations or submit such certification, as may be requested by the Agency, to confirm that individual tasks of the plan are being progressed or have been completed.

10.9 A final validation report to include a certificate of completion for the CRAMP shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

Reason: To make provision for the proper closure of the activity ensuring protection of the environment.

Condition 11. Notification, Records and Reports

11.1 The licensee shall submit the reports, proposals and submissions required by this licence by the deadlines specified. The licensee shall not be in compliance with the requirements of this condition unless and until it has submitted every report, proposal and submission, the deadline for which has passed.

11.2 The licensee shall carry out every action required by the Agency, and arising out of such reports, proposals or submission, by such deadline as the Agency may specify. The licensee shall not be in compliance with the requirements of this condition unless and until it has carried out every such action.

11.3 The licensee shall notify the Agency by both telephone and either email or webform, to the Agency's headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:

- (i) an incident or accident as defined by the glossary;
- (ii) any breach of one or more of the conditions attached to this licence.

The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions. All details required to be communicated must be in accordance with any guidance provided by the Agency.

11.4 In the event of any incident which relates to discharges to sewer having taken place, the licensee shall notify Irish Water and the Local Authority in a manner prescribed by Irish Water, as soon as practicable after such an incident.

11.5 The following shall be notified, as soon as practicable after the occurrence of any incident which relates to a discharge to water:

- (i) Inland Fisheries Ireland in the case of discharges to receiving waters.
- (ii) Irish Water and/or Water Services Authority in the case of any incident where the discharge(s) have been identified as upstream of a drinking water abstraction point.
- 11.6 The licensee shall make a record of any notification made under Condition 11.3. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident or accident. The record shall include all corrective actions taken to manage the incident or accident, minimise wastes generated and the effect on the environment, and avoid recurrence. In the case of a breach of a condition, the record shall include measures to restore compliance.
- 11.7 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.8 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation.
- 11.9 The licensee shall as a minimum ensure that the following documents are accessible at the site:
 - (i) the licences relating to the installation;
 - (ii) the current EMS for the installation including all associated procedures, reports, records and other documents;
 - (iii) the previous year's AER for the installation;
 - (iv) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation;
 - (v) relevant correspondence with the Agency;
 - (vi) up-to-date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;
 - (vii) up-to-date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment; and
 - (viii) any elements of the licence application or EIA documentation referred to in this licence.
- This documentation shall be available to the Agency for inspection at all reasonable times.
- 11.10 The licensee shall submit to the Agency, by the 31st March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in Schedule E: Annual Environmental Report. of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.11 Waste Gypsum Recovery Report
- The licensee shall as part of the Annual Environmental Report for the installation submit a report on the recovery of waste gypsum at the processing site.
- 11.12 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall be maintained on a monthly basis and shall as a minimum contain details of the following:
 - (1) the tonnages and Low Code for the waste materials imported and/or sent off-site for disposal/recovery;
 - (ii) the names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);

- (iii) details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required;
- (iv) written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site;
- (v) details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record;
- (vi) details of any rejected consignments;
- (vii) details of any approved waste mixing;
- (viii) the results of any waste analyses required under *Schedule C: Control and Monitoring*, of this licence; and
- (ix) the tonnage and LoW Code for the waste materials recovered/disposed on-site.
- 11.13 The licensee shall submit report(s) electronically as required by the conditions of this licence to the Agency.
- 11.14 All reports shall be certified accurate and representative by the installation manager or a nominated, suitably qualified and experienced deputy.
- 11.15 The licensee shall notify in writing the Agency and residents at noise sensitive locations of any change in the blasting regime associated with development and operation of the underground mine or the opencast mine. This notification shall be issued to the Agency and the residents of noise sensitive locations three weeks and two weeks respectively, prior to the planned change in blasting regime.

Reason: To provide for the collection and reporting of adequate information on the activity.

Condition 12. Financial Charges and Provisions

- 12.1 Agency Charges
- 12.1.1 The licensee shall pay to the Agency an annual contribution of €30,155, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Environmental Protection Agency Act 1992 as amended. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31st day of December, and shall be paid to the Agency within one month from the date of grant of this licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Environmental Protection Agency Act 1992 as amended, and all such payments shall be made within one month of the date upon which demanded by the Agency.
- 12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.
- 12.2 Environmental Liabilities
- 12.2.1 The licensee shall arrange for the revision by an independent and appropriately qualified consultant, of a comprehensive and fully costed (revised) Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities from past and present activities. The assessment shall include those liabilities and costs identified in Condition 10 for execution of the CRAMP. A report on this assessment shall be submitted for approval and agreement by the Agency. The ELRA shall be reviewed as

necessary to reflect any significant change on site, and in any case every three years following initial agreement.

12.2.2 The licensee shall to the satisfaction of the Agency, make financial provision to cover any liabilities associated with the operation (including closure, restoration and aftercare). The amount of financial provision held shall be reviewed and revised as necessary.

12.2.3 The licensee shall have regard to the Environmental Protection Agency's "Guidance on Assessing and Costing Environmental Liabilities (2014)" and "Guidance on Financial Provision for Environmental Liabilities (2015)", as may be amended or replaced, when implementing Conditions 12.2.1 and 12.2.2 above.

Reason: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.

SCHEDULE A: Limitations

A.1 Waste Activities

The following waste activities are authorised:

1. Storage and recovery of non-hazardous waste gypsum-based construction materials including waste plasterboard.
2. Aftercare of the landfill.

No addition to these activities is permitted unless agreed in advance by the Agency.

A.2 Waste Acceptance

Table A.1 Waste Categories and Quantities

Waste Type (LoW Code 170802)	Maximum (Tonnes Per Annum)
Non-hazardous gypsum-based construction materials (EWC Code 17 08 02) ^{Note 1}	18,000

Note 1: Any proposals to accept other compatible non-hazardous waste types must be agreed in advance by the Agency

SCHEDULE B: Emission Limits

B.1 Emissions to Air

Emission Point Reference No:

Location:

Volume to be emitted:

AE-1
Processing site
Maximum in any one day: 3,240,000 m³
Maximum rate per hour: 135,000 m³

Minimum discharge height:

29m above ground

Parameter	mg/m ³	Emission Limit Value
Particulates	50	2.8
Nitrogen oxides (as NO ₂)	130	7.3

Emission Point Reference No:		AE-8
Location:		Processing site: Kettle 6
Volume to be emitted:		Maximum in any one day: 1,243,176 m ³ Maximum rate per hour: 51,799 m ³
Minimum discharge height:		27m above ground
Parameter	Emission Limit Value	
Nitrogen oxides (as NO ₂)	130 mg/m ³	
Particulates	50 mg/m ³	

Emission Point Reference No:	AE-9
Location:	Processing site: Raymond Mill 5
Volume to be emitted:	Maximum in any one day: 765,216 m ³ Maximum rate per hour: 31,884 m ³
Minimum discharge height:	26m above ground

Parameter	Emission Limit Value
Nitrogen oxides (as NO ₂)	130 mg/m ³
Particulates	50 mg/m ³

Emission Point Reference No:	AE-10	Location:	Processing site : Plaster Mill	Volume to be emitted:	600,000 m ³	Maximum rate per hour:	25,000 m ³	Minimum discharge height:	21m above ground
Parameter		Emission Limit Value							
Nitrogen oxides (as NO ₂)		50 mg/m ³							
Particulates		20 mg/m ³							

Emission Point Reference No: BE-1
Location: Processing site: Board plant Dryer exhaust
Volume to be emitted: Maximum in any one day: 3,326,400 m³
 Maximum rate per hour: 138,600 m³
Minimum discharge height: 14.5m above ground

Parameter	Emission Limit Value
Nitrogen oxides (as NO ₂)	130 mg/m ³

Emission Point Reference No: BE-4, BE-5, BE-6
Location: Processing site: Plaster mill calciner exhausts
Volume to be emitted: Maximum in any one day: 141,600 m³
 Maximum rate per hour: 5,900 m³
Minimum discharge height: BE-4: 22m above ground
 BE-5: 22m above ground
 BE-6: 24m above ground

Parameter	Emission Limit Value
Nitrogen oxides (as NO ₂)	200 mg/m ³

Note 1: Emission limit value applies to each vent separately.

B.2 Emissions to Water

Emission Point Reference No:
Name of Receiving Waters:
Location:

MSE-1 (Mine site)
River Bursk
Discharge from final holding tank
Grid Reference: 281489E 299140N
Maximum in any one day: 12,240 m³
Maximum in any one hour: 510 m³

Volume to be emitted:

Parameter	Note 1	Emission Limit Value
Temperature	1.5°C (max increase) Note 2	6 - 9
pH		
BOD		2.6
COD		40
Suspended Solids		25
Settleable Solids		5 ml/l
Total Ammonia (as N)		0.14
Molybdate Reactive Phosphorus (as P)		0.075
Total Phosphorus (as P)		0.062
Copper		0.03
Manganese		0.25
Chromium		0.0047
Nickel		0.02
Mineral oil		0.3
Chlorides		200

Note 1: In the case of metals the limit refers to the dissolved concentration (i.e. the dissolved fraction of a water sample obtained by filtration through a 0.45 µm filter or by any equivalent pre-treatment).

Note 2: Not greater than a 1.5°C rise in ambient temperature outside the mixing zone.

Compliance Point Reference No:
Location:

CP1
70m downstream of discharge to River Bursk
Grid Reference: 282041E 298746N

Parameter	Emission Limit Value	mg/l
Conductivity	Daily Average Note 1	1370 µS/cm
Sulphate (as SO ₄)	Monthly average Note 2	500
Barium	Annual Average Note 3	400
	Monthly Note 4	0.1

Note 1: The ELV refers to daily average of 24-hour continuous sampling of conductivity and empirical relationship with sulphate.

Note 2: The ELV refers to a rolling average of five consecutive discrete samples taken over 30 days.

Note 3: The ELV refers to a 365 rolling daily average.

Note 4: The ELV refers to a single discrete monthly grab sample.

Emission Point Reference No: S14 (Processing Site)
 Name of Receiving Waters: Drainage channel and thence to River Glyde
 Location: Grid Reference: 279012E 292474N

Parameter	Emission Limit Value
Temperature	25 °C Note 1
pH	6 - 9
Conductivity(µS/cm)	2000
BOD	5
COD	30
Suspended Solids	25
Sulphate (as SO ₄)	1500
Total sulphide (as S)	0.2
Total Ammonia (as N)	0.14
Molybdate Reactive Phosphorus (as P)	0.075
Total Phosphorus (as P)	0.3

Note 1: This limit applies to the effluent as discharged.

B.3 Emissions to Sewer

There shall be no process effluent emissions to sewer.

B.4 Noise Limits Note 1

Daytime dB L _A , T (15 minutes)	Evening dB L _A , T (15 minutes)	Night-time dB L _A eq, T (15 minutes)
55	50	45

Note 1: There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location.

B.5 Dust Deposition Limit

Limit (mg/m ² /day)
350 Note 1

Note 1: Applies to a 30 day composite sample with the results expressed as mg/m²/day.

SCHEDULE C: Control & Monitoring

C.1.1 Control of Emissions to Air

Emission Point Reference No: AE-1		
Description of Treatment: Bag filter		
Control Parameter	Monitoring	Key Equipment
HT Voltage	Continuous	Meter
Current	Continuous	Meter
Visual inspection of bag filter	Weekly (during operation)	N/A

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

Emission Point Reference No: AE-8		
Description of Treatment: Bag filter		
Control Parameter	Monitoring	Key Equipment
HT Voltage	Continuous	Meter
Current	Continuous	Meter

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

Emission Point Reference No: AE-9		
Description of Treatment: Bag filter		
Control Parameter	Monitoring	Key Equipment
HT Voltage	Continuous	Meter
Current	Continuous	Meter

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

Emission Point Reference No: AE-10		
Description of Treatment: Bag filter		
Control Parameter	Monitoring	Key Equipment
HT Voltage	Continuous	Meter
Current	Continuous	Meter

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

C.1.2 Monitoring of Emissions to Air**Emission Point Reference No:****AE-1**

Parameter	Monitoring Frequency	Analysis Method/Technique
NOx (as NO ₂)	Annually	Flue gas analyser
Particulate	Continuous	Iso-kinetic/Gravimetric
Visual assessment of plume	Daily	Not applicable

Emission Point Reference No:**AE-8, AE-9, AE-10**

Parameter	Monitoring Frequency	Analysis Method/Technique
NOx (as NO ₂)	Annually	Flue gas analyser
Particulate	Annually	Iso-kinetic/Gravimetric
Visual assessment of plume	Daily	Not applicable

Emission Point Reference No:**BE-1**

Parameter	Monitoring Frequency	Analysis Method/Technique
NOx (as NO ₂)	Biannually	Flue gas analyser
CO	Biannually	Flue gas analyser
Particulate	Biannually	Iso-kinetic/Gravimetric
Visual assessment of plume	Daily	Not applicable

Emission Point Reference No:**BE-4, BE-5, BE-6**

Parameter	Monitoring Frequency	Analysis Method/Technique
NOx (as NO ₂)	Annually	Flue gas analyser
Particulate	Annually	Iso-kinetic/Gravimetric
Visual assessment of plume	Daily	Not applicable

C.2.1 Control of Emissions to Water

Emission Point Reference No:
Description of Treatment:

MSE-1 (Mine Site)
Settlement lagoon and holding tank

Control Parameter	Monitoring	Key Equipment
Water level	Water level in lagoon and holding tank	Water level meter
		High level alarm

Note 1: The licensee shall maintain appropriate access to standby and/or spares to ensure the operation of the abatement system.

Emission Point Reference No:
Description of Treatment:

S14 (Processing Site)
Settlement lagoon

Control Parameter	Monitoring
Water level	Water level in lagoon - Weekly visual check

C.2.2 Monitoring of Emissions to Water

Emission Point Reference No:

MSE-1 Note 1

Control Parameter	Monitoring Frequency	Key Equipment/Technique
Flow	Continuous	On-line flow meter with recorder Note 2
Temperature	Monthly	Temperature probe
pH	Monthly	pH electrode/meter with recorder
Conductivity	Continuous	Conductivity meter with recorder
Dissolved Oxygen	4 times per month	DO meter with recorder
Biochemical Oxygen Demand	Monthly	Standard Method
Chemical Oxygen Demand	Monthly	Standard Method
Suspended Solids	4 times per month Note 3	Gravimetric
Settleable Solids	4 times per month Note 3	Standard Method
Sulphate	Daily	Empirical relationship with conductivity
Total Ammonia (as N)	Monthly	Standard Method
Nitrates (as N)	Monthly	Standard Method
MRP (as P)	Monthly	Standard Method
Total Phosphorus (as P)	Monthly	Standard Method
Copper	Bi-annually	Standard Method
Manganese	Monthly	Standard Method
Chromium	Bi-annually	Standard Method
Nickel	Bi-annually	Standard Method
Mineral oil	Monthly	Standard Method
Chlorides	Monthly	Standard Method
Total heavy metals Note 4	Bi-annually	Atomic Absorption/ICP
Toxicity Note 5	As may be required	To be agreed by the Agency

Note 1: The licensee shall maintain a composite sampler on the emission point. All samples shall be collected on a 24 hour flow proportional composite sampling basis.

Note 2: Total effluent discharged over the 24 hour period in which the composite sample is collected shall be recorded.

Note 3: There shall be no greater than 10 days and no less than 4 days between samples taken.

Note 4: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin.

Note 5: The number of toxic units (Tu) = $100 \times \text{hour EC/LC}_{50}$ in percentage vol/vol so that higher Tu values reflect greater levels of toxicity. For test regimes where species death is not easily detected, immobilisation is considered equivalent to death.

Emission Point Reference No:

S14

Control Parameter	Monitoring Frequency	Key Equipment/Technique
Flow	Continuous	On-line flow meter with recorder
Temperature	Monthly when discharge is occurring	On-line temperature probe with recorder
pH	Monthly when discharge is occurring	pH electrode/meter with recorder
Conductivity	Weekly when discharge is occurring	On-line TOC meter with recorder
Biochemical Oxygen Demand	Monthly when discharge is occurring	Standard Method
Chemical Oxygen Demand	Monthly when discharge is occurring	Standard Method
Suspended Solids	Weekly when discharge is occurring	Standard Method
Settleable Solids	Weekly when discharge is occurring	Gravimetric
Sulphate (as SO ₄)	Monthly when discharge is occurring	Standard Method
Total sulphide (as S)	Monthly when discharge is occurring	Standard Method
Ammonia (as N)	Monthly when discharge is occurring	Standard Method
Total Phosphorus (as P)	Monthly when discharge is occurring	Standard Method
MRP (as P)	Monthly when discharge is occurring	Standard Method
Mineral oil	Monthly when discharge is occurring	Standard Method
Copper	Monthly when discharge is occurring	Standard Method
Total Heavy Metals	Monthly when discharge is occurring	Standard Method
Oils, fat and greases	Monthly when discharge is occurring	Atomic Absorption/ICP
Toxicity	As may be required	Standard Method

Note 1: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin

Note 2: The number of toxic units (TU) = 100 x hour EC/LC₅₀ in percentage vol/vol so that higher TU values reflect greater levels of toxicity. For test regimes where species death is not easily detected, immobilisation is considered equivalent to death.

C.3 Monitoring of Storm Water Emissions

Emission Point Reference No:

TA1 (process site)

Location to be agreed by the Agency

Parameter	Monitoring Frequency	Analysis Method/Technique
pH	Quarterly	pH electrode/meter
Temperature	Quarterly	Standard method
BOD	Quarterly	Standard method
Calcium	Quarterly	Standard method
Sulphate	Quarterly	Standard method
Ammonia	Quarterly	Standard method
Total Phosphorous (as P)	Quarterly	Standard method
Total Nitrogen	Quarterly	Standard method
Conductivity	Quarterly	Standard method
Visual Inspection	Weekly	Sample and examine for colour and odour

C.4 Dust Deposition Monitoring

Monitoring Locations:

At all agreed locations and any additional locations as may be required by the Agency.

Parameter	Monitoring Frequency	Analysis Method/Technique
Dust deposition	Continuous	VDI 2119 (Bergerhoff method)

C.5 Groundwater Monitoring**Monitoring Locations:**

All boreholes at the mine site as agreed by the Agency and any additional boreholes as may be required by the Agency.

Parameter	Monitoring Frequency Note 1	Analysis Method/Technique
Water Level	Biannually	Dip meter
pH	Biannually	pH electrode/meter
Conductivity	Biannually	Conductivity meter
Calcium	Biannually	Standard Method
Sulphate	Biannually	Standard Method
Ammonia	Biannually	Standard Method
Nitrate	Biannually	Standard Method
Chloride	Biannually	Standard Method
Sodium	Biannually	Standard Method
Potassium	Biannually	Standard Method
Magnesium	Biannually	Standard Method
Alkalinity	Biannually	Standard Method
Total Petroleum Hydrocarbons	Biannually	Standard Method
Relevant Hazardous Substances Note 2	Every Five Years	Standard Method
Other Note 3	To be agreed by the Agency	To be agreed by the Agency

Note 1: The frequency may be amended as required by the Agency.
 Note 2: Groundwater monitoring for relevant hazardous substances shall be in accordance with Condition 62.4 of this licence.
 Note 3: Other parameters as may be agreed by the Agency.

All boreholes at the processing site, as agreed by the Agency and any additional boreholes as may be required by the Agency.

Parameter	Monitoring Frequency	Analysis Method/Technique
Water Level	Quarterly	Dip Meter
pH	Quarterly	pH meter
Conductivity	Quarterly	Conductivity meter
TOC	Quarterly	Standard Method
Calcium	Quarterly	Standard Method
Sulphate	Quarterly	Standard Method
Ammonia	Quarterly	Standard Method
Chloride	Quarterly	Standard Method
Manganese	Quarterly	Standard Method
Barium	Quarterly	Standard Method
Total Petroleum Hydrocarbons	Annually	Standard Method
Relevant Hazardous Substances ^{Note 2}	Annually	Standard Method
Other ^{Note 3}	Quarterly	To be agreed by the Agency

Note 1: The frequency may be amended as required by the Agency.
Note 2: Groundwater monitoring for relevant hazardous substances shall be in accordance with Condition 6.24 of this licence.
Note 3: Other parameters as may be agreed by the Agency.

Monitoring Location:

Mine site: B (upstream of MSE-1)
Grid reference: 281991E 298912N

Parameter	Monitoring Frequency	Analysis Method/Technique
Conductivity	Monthly	Conductivity meter
Nitrate	Monthly	Standard Method
Suspended solids	Monthly	Standard Method
Sulphate (as SO ₄)	Monthly	Standard Method
BOD	Annually	Standard Method
Ammonia (as N)	Annually	Standard Method
MRP (as P)	Annually	Standard Method
Total Phosphorous (as P)	Annually	Standard Method
Heavy metals ^{Note 1}	Annually	Standard Method

Note 1: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin.

Monitoring Location:

Mine site: CPI (downstream of MS E-1)
Grid reference: 282041E 298746N

Parameter	Monitoring Frequency	Analysis Method/Technique
Conductivity	Continuous	Conductivity meter and recorder
Nitrate	Monthly	Standard Method
Suspended solids	Monthly	Standard Method
Sulphate (as SO ₄)	Continuous	Empirical relationship with Conductivity
Barium	5 times per month	Standard Method
	Annually	Empirical relationship with Conductivity
BOD	Monthly	Standard Method
Ammonia (as N)	Annually	Standard Method
MRP (as P)	Annually	Standard Method
Total Phosphorous (as P)	Annually	Standard Method
Heavy metals	Annually	Standard Method

Note 1: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin.
Note 2: There shall be no greater than 8 days and no less than 3 days between samples taken.

Monitoring Locations:

Processing site:

S5 (upstream of S14) Grid reference : 279 109E 292084N
S3 (downstream of S14) Grid reference: 279007E 292506N

Parameter	Monitoring Frequency	Analysis Method/Technique
pH	Bi-annually	pH electrode/meter
Conductivity	Bi-annually	Conductivity meter
Temperature	Bi-annually	Thermometer
DO	Bi-annually	Standard Method
BOD	Bi-annually	Standard Method
Suspended solids	Bi-annually	Standard Method
Nitrate	Bi-annually	Standard Method
Nitrite	Bi-annually	Standard Method
Ammonia (as N)	Bi-annually	Standard Method
MRP (as P)	Bi-annually	Standard Method
Total Phosphorous (as P)	Bi-annually	Standard Method
Sulphate	Bi-annually	Standard Method
Chloride	Bi-annually	Ion selective chromatography
Heavy metals	Bi-annually	Standard Method

Note 1: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin.

Monitoring Locations:

Processing site:
S1 Grid reference: 27861E 29215N
S2 Grid reference: 27911E 29207N

Parameter	Monitoring Frequency	Analysis Method/Technique
pH	Annually	pH electrode/meter
Conductivity	Annually	Conductivity meter
Temperature	Annually	Thermometer
DO	Annually	Standard Method
BOD	Annually	Standard Method
Suspended solids	Annually	Standard Method
Nitrate	Annually	Standard Method
Nitrite	Annually	Standard Method
Ammonia (as N)	Annually	Standard Method
MRP (as P)	Annually	Standard Method
Total Phosphorous (as P)	Annually	Standard Method
Sulphate	Annually	Standard Method
Chloride	Annually	Ion selective chromatography
Heavy metals Note 1	Annually	Standard Method

Note 1: The sum of antimony, arsenic, cadmium, chromium, copper, lead, mercury, nickel, selenium, tellurium, thallium and tin.

C 7 Soil Monitoring

Monitoring Location:

Monitoring location(s) from close to or beneath the footprint of the installation and as agreed by the Agency.

Parameter	Monitoring Frequency	Analysis Method/Techniques
Relevant hazardous Substances Note 1	Within twelve months from date of grant of licence and every ten years thereafter	Standard Method

Note 1: Soil monitoring for relevant hazardous substances shall be in accordance with Condition 6.24 of this licence.

SCHEDULE D: Specified Engineering Works

Specified Engineering Works
Construction of Waste Gypsum Storage Area.
Construction of Waste Inspection Area and Waste Quarantine Area.
Significant Infrastructural Works affecting site operations/licensed activities.
Aftercare of the landfill.
Any other works notified in writing by the Agency.