



COMHAIRLE | CLARE
CONTAE AN CHLÁIR | COUNTY COUNCIL

WASTE FACILITY PERMIT (WFP) & CERTIFICATE OF REGISTRATION (CoR) APPLICATION FORM

For New & Review Applications



WASTE FACILITY PERMIT (WFP) & WFP REVIEW, CERTIFICATE OF REGISTRATION (CoR) & CoR Review APPLICATION FORM

Note: Please be advised that information supplied in this application, including supporting documentation, shall be made available for public inspection at the principal office of Clare County Council. Furthermore, following the application process, details of your application may be made available to those interested parties under the Freedom of Information Act 2014 and/or the Access to Information on the Environment (AIE) Regulations 2007-2018.

| Application Form Contact Details | |
|----------------------------------|--|
| Applicant's Name: | |
| Contact Name: | |
| Phone No: | |
| Phone No (Mobile): | |
| E-mail: | |

In order to make the application process as efficient as possible, it may be necessary for Clare County Council to contact the applicant, or a representative of the applicant, while processing the application. The contact person/s named on the Application Form must have a good knowledge of this application and the details contained within.

Please return completed Application Form, by post or email to:

Clare County Council
New Rd., Ennis, Co Clare DXP2
 Clare County Council E-mail Address: enviroff@clarecoco.ie

| | |
|--|-----------------------------------|
| <p><u>For Office Use Only</u></p> <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 60%;"> <p style="margin-top: 20px;">Application Reference Number:</p> <div style="border: 1px solid black; height: 25px; width: 100%;"></div> <p style="margin-top: 10px;">Return Number (If Applicable)</p> <div style="border: 1px solid black; height: 25px; width: 100%;"></div> </div> <div style="width: 35%; text-align: center;"> <p>Application</p> <p>Received Stamp</p> </div> </div> | <p>Date Received Stamp</p> |
|--|-----------------------------------|

In recognition of the EU Plastics Strategy, please do not attach plastic dividers, binders, clips, plastic wrappers etc to Application Form and accompanying documents. Clare County Council is endeavouring to promote the reduction and elimination of all unnecessary waste.



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1

General



1. GENERAL

1.1 Introduction

The Application Form is for the following purposes under the Waste Management (Facility Permit and Registration) Regulations S.I. No. 821 of 2007, as amended (hereafter referred to as the Regulations):

- (a) The making of an application for a Waste Facility Permit (stipulated under Article 9 of the Regulations); or
- (b) The making of an application for a Review of a Waste Facility Permit (stipulated under Article 31 of the Regulations); or
- (c) The making of an application for a Certificate of Registration (CoR) [stipulated under Article 37 of the Regulations]; or
- (d) The making of an application for a Review of a Certificate of Registration (stipulated under Article 38 of the Regulations)

The contents of an application, and the information to accompany an application, are specified under Article 10 of the Regulations.

1.2 Pre-Application Recommendations

Applicants need to understand that they must be first considered a 'Fit and Proper Person' as per the Regulations, before the granting of any Waste Facility Permit or Certificate of Registration. Further details regarding what constitutes a 'Fit and Proper Person' can be found under [Section B: About the Applicant, B7 to B9 inclusive](#). It is highly recommended that pre-application consultations/discussions are undertaken by the applicant - including reference to current waste legislation and policy - before a formal submission of any of the above types of applications. These may include:

1.2.1 Consultation with Clare County Council including:

- **1.2.1.1 Consultation with Local Authority Planning Department:** Consultation should take place with Clare County Council Planning Department, as planning permission or an authorisation exemption must be sought in advance of completing this application. Pre-application consultation also fulfils requirements under the Environmental Impact Assessment (EIA) Regulations, for sites that may require an EIA¹. For more information on EIA, please click on the following links:
 - <https://ec.europa.eu/environment/eia/eia-support.htm>
 - <https://www.epa.ie/our-services/monitoring--assessment/assessment/environmental-impact-assessment/>
- **1.2.1.2 Consultation with Local Authority Environment Section:** If you need to contact Clare County Council concerning your application, please email Clare County Council at email:

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

enviroff@clarecoco.ie or phone Clare County Council 0656846331. A pre-application consultation meeting with Clare County Council - if considered appropriate - can also be requested by the applicant.

1.2.2 Consultation with the Environmental Protection Agency (EPA) including:

- **1.2.2.1 Article 11 (of the Regulations) request to the EPA:** 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. Waste Licence, Waste Facility Permit or Certificate of Registration, or none as the case may be) for a proposed activity. If a Local Authority receives an application and has doubts about the appropriate waste authorisation for a proposed activity, the Local Authority can also request a determination from the EPA, in which case the Local Authority may not consider an application they have received, until they have been notified of the Article 11 determination by the EPA. Further clarification about Article 11 is available through the following link:

<https://www.epa.ie/our-services/licensing/waste/declaration-on-waste-authorisations-art-11/>.

1.2.3 Understanding the legal framework and policy behind any waste authorisations, applicants should:

- **1.2.3.1 Review current Regulations and Waste Management Plans:** It is recommended that the applicant familiarise themselves with this Application Form, and corresponding Regulations, before beginning to complete the application. Furthermore, applicants need to be aware of the requirements of the most up-to-date Regional Waste Management Plan and National Hazardous Waste Management Plan, links to which can be found in [Appendix 6](#).
- **1.2.3.2 Understand the key concepts of Ireland's roadmap for a Circular Economy:** Applicants should understand the benefits associated with Ireland's Waste Action Plan for a Circular Economy i.e. the use of waste-derived materials as products or what is termed as End-of-Waste (EoW). EoW shifts focus away from waste disposal and looks instead at how resources can be preserved. Please note that if applicants can demonstrate that a waste material they accept can be 'fully recovered' - and subsequently used as a 'secondary' resource in place of - and fulfils the same role as a non-waste derived or virgin 'primary' resource, then the applicant can apply to the EPA for EoW status. Criteria for EoW status, and the requirements thereunder, are detailed under Article 28 of the European Communities (Waste Directive) Regulations 2011. Further information in relation to EoW is available on the EPA website: <https://www.epa.ie/our-services/licensing/waste/end-of-waste-art-28/>

1.3 Guidance on the Application Form

- Consistent measurement units must be used throughout the Application Form. For the calculation of weight of waste - in the absence of a weighbridge - please use Table 1 Volume to weight conversion factors, which is detailed in [Appendix 6](#).
- Additional attachments may be included to support the application. Attachments must be clearly referenced.

- Documents and information, which must be supplied with the application, are presented as a Checklist in [Appendix 1](#). The applicant is advised to complete the checklist before submitting the completed Application Form.
- Please submit the original Application Form including all documentation (plus 5 no. of copies), or as specified by Clare County Council to Environment Section, Clare County Council, New Rd., Ennis, Co. Clare and/or email Clare County Council by email: enviroff@clarecoco.ie Further guidance - and relevant links - in relation to the application process is further provided in [Appendix 6](#).

1.4 Note re: Freedom of Information (FOI) Act 2014 & Access to Information on the Environment (AIE) Regulations 2007-2018

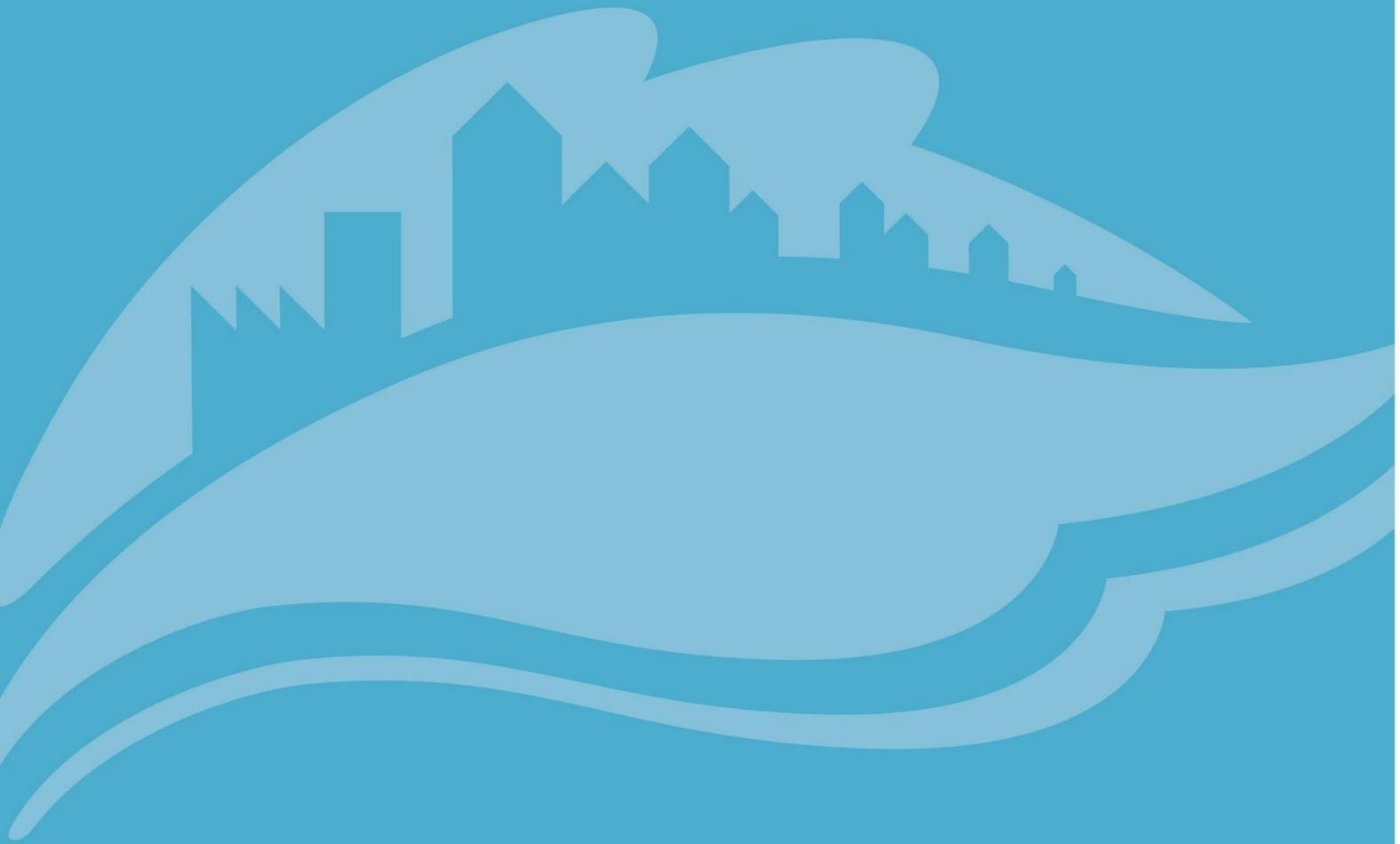
Clare County Council is subject to the provisions of the FOI Act 2014 and the AIE Regulations 2007-2018.

If you consider that any of the information supplied by you is either commercially sensitive, or confidential in nature, this should be highlighted and the reasons for its sensitivity specified.

In such cases, the relevant material, will, in response to FOI request, be examined in the light of the exemptions provided for in the FOI Act 2014 and the AIE Regulations 2007-2018.

2

Waste Facility Permit & Certificate of Registration Application Form



2. WASTE FACILITY PERMIT & CERTIFICATE OF REGISTRATION APPLICATION FORM

Section A: Type of Application

A.1 Please tick the relevant box to which this application applies (Only one box to be ticked). In instances where the application is for a review of a WFP or CoR, please provide the 'current' Authorisation Number.

| | |
|---|--------------------------|
| Application for a Waste Facility Permit | <input type="checkbox"/> |
| Application for a Review of a Waste Facility Permit | <input type="checkbox"/> |
| Current Waste Facility Permit Authorisation No.: | |
| Application for a Certificate of Registration | <input type="checkbox"/> |
| Application for a Review of a Certificate of Registration | <input type="checkbox"/> |
| Current Certificate of Registration Authorisation No.: | |

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

Yes No

If 'Yes', please provide the Consultant's/Agent's name, address and contact details below.

| | |
|--------------------------|--|
| Contact Name: | |
| Address: | |
| | |
| Eircode (if applicable): | |
| Phone No: | |
| Phone No (Mobile): | |
| E-mail: | |

Section B: About the Applicant

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

B.1 Full name of applicant(s) [as per Article 10 (1) (a) of the Regulations]

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

| | |
|----------|--|
| Name(s): | |
| Name(s): | |
| Name(s): | |

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

| | |
|-------------|--|
| Trade Name: | |
| Trade Name: | |

If the applicant(s) is a sole trader, then Sections B.3 and B.4 do not need to be completed.

B.3 Is the applicant(s) a body corporate? [as per Article 10 (1) (f) of the Regulations]

Yes No

- (i) If 'Yes', please provide the specified Company Registration or Trade Name
(ii) If 'Yes', please provide the company number and supply a copy of the appropriate certificate issued by the Companies Registration Office

| | |
|------------------------|--|
| Company or Trade Name: | |
| Company Number: | |
| Document(s) Reference: | |

B.4 Is the applicant(s) a partnership? [as per Article 10 (1) (e) of the Regulations]

Yes No

If 'Yes', please provide the names and addresses of all partners:

| | |
|---------------------------------|--|
| Name: | |
| Address: | |
| Eircode (if applicable): | |
| Name: | |
| Address: | |
| Eircode (if applicable): | |
| Name: | |
| Address: | |
| Eircode (if applicable): | |

B.5 Full address of applicant(s) [as per Article 10 (1) (d) & Article 10 (1) (f) of the Regulations]

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

| | |
|---------------------------------|--|
| Address: | |
| | |
| Eircode (if applicable): | |
| Tel: | |

| | |
|----------------------|--|
| E-mail: | |
| Contact Name: | |

If the applicant(s) is a body corporate please give the name and address of any person who is a Director, Manager, Company Secretary or other similar officer of each body corporate:

| | |
|------------------------------------|--|
| Name, address and position: | |

B.6 Legal Interest in the land [as per Article 10 (1) (c) of the Regulations]

State and provide a copy of the proof of the legal interest and permission held by the applicant(s) in the land on which the proposed facility is located (e.g. leaseholder, owner, tenant, prospective purchaser). In relation to leaseholders, please provide a copy of the commercial lease registration stamped by Revenue.

| | |
|--|--|
| Legal Interest/Lease Registration: | |
| Expiry Date of current Lease Agreement: | |
| Document(s) Reference: | |

Please note that Clare County Council shall not grant a Certificate of Registration or Waste Facility Permit to an applicant, unless it is fully satisfied that the applicant is considered a 'fit and proper person'. A 'fit and proper person' is defined under Article 5 of the Regulations, and the following sections – B.7 to B.9 inclusive – are required to be addressed by each applicant.

B.7 Relevant Convictions/Court Order - (Fit and Proper Person) [as per Article 10 (1) (dd) & Article 10 (1) (ee) of the Regulations]

Has the applicant, including in the case of a company and/or any officer of that company, been convicted of an offence under the Waste Management Act 1996 as amended, the Environmental Protection Agency Act 1992 as amended, the Local Government (Water Pollution) Act 1977 as amended, or the Air Pollution Acts 1987 as amended, within the previous 10 years?

Yes No

If 'Yes', (a) please include a supplementary sheet, detailing information in relation to the court hearing, the case, nature of the offence and any penalty or requirement imposed by the court. Where there is more than one offence to be considered, please use a separate sheet for each offence.

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

If 'Yes', (b) please include a supplementary sheet detailing the terms of any requirement imposed on the applicant by order of the court under the Waste Management Act 1996.

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

Where the applicant is a sole trader or partnership, include details of any such conviction where the person or partner was at any time within the last 10 years prior to this application, a Director, Manager, Company Secretary or similar officer for a company.

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

B.8 Technical Competence (Fit and Proper Person) [as per Article 10 (1) (cc)]

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

Does the applicant have waste related qualifications?

Yes No

If 'Yes', please provide details below.

| Waste Related Qualifications: |
|-------------------------------|
| |
| |
| |
| |
| |
| |
| |
| |
| Document(s) Reference: |

Does the applicant have relevant experience?

Yes No

If 'Yes', please provide details below.

| Relevant Experience: |
|-------------------------------|
| |
| |
| |
| |
| |
| |
| Document(s) Reference: |

| Any Other Qualifications/Experience etc (complete if necessary): |
|--|
| |
| |
| |
| |
| |
| |
| Document(s) Reference: |

B.9 Financial Commitment Discharge (Fit and Proper Person) [as per Article 10 (1) (s) of the Regulations]

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

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

| | |
|---|-------|
| Signed Financial Declaration | |
| <p>It is my opinion that the applicant _____ (please insert the name of the Applicant) is likely to be in a position to meet any financial commitments or liabilities that will be entered into or incurred by the applicant in carrying out the waste handling activity to which the Certificate of Registration or Waste Facility Permit relates in accordance with the terms of the permit or in consequence of ceasing to carry on that activity.</p> | |
| Signature: | _____ |
| Name (Block Capitals): | _____ |
| Position: | _____ |
| Financial Institution (If applicable): | _____ |
| Date: | _____ |

WARNING: As per Article 43 of the Regulations, a person shall not compile information, which he or she knows to be false or misleading in a material respect, or furnish any such information in support of an application or in response to any notice or other document used for the purposes of these Regulations and any person who does so shall be guilty of an offence

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

| | |
|-------------------------------|--|
| Document(s) Reference: | |
|-------------------------------|--|

Section C: About the Facility

C.1 The location or postal address of the facility to which the application relates [as per Article 10 (1) (g) of the Regulations]

| | |
|---|--|
| Address: | |
| | |
| | |
| | |
| Townland: | |
| Eircode (if applicable): | |
| National Grid Reference for centre of site (X Coordinates, Y Coordinates) | |

C.2 Site Location Map and Layout Plans [as per Article 10 (1) (k) of the Regulations]

The following details must be included:

Five (5) copies of the appropriate plans and maps – (site location map size 1:50,000) - relating to the facility including:

- Site location map
- Proposed layout plan of facility
- A clear delineation of the site boundaries, and
- Particulars of the following:
 - i. Ordnance Survey Sheet Reference Number(s)
 - ii. Elevation Levels (metres) and Ordnance Datum used
 - iii. Dimensions (metres)
 - iv. Orientation of North Point

In addition, **five (5) copies** of a site layout plan – (site layout map size 1:500) - must also be supplied showing how the site will be laid out and including details of (where applicable):

- i. Site entrance
- ii. Waste Storage areas

- iii. Waste Treatment areas
- iv. Site drainage, including oil interceptor (if installed)
- v. Site office
- vi. Weighbridge (if present)
- vii. Traffic flow
- viii. Nature of surfacing within the permitted facility
- ix. Emission points

C.3 Planning Permission and Planning Authority [as per Article 10 (1) (t) of the Regulations]

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

| | |
|---|--|
| Planning Permission Number(s): | |
| Planning Application Number (s): | |
| Planning Permission Expiry Date: | |
| Local Authority: | |
| Document(s) Reference: | |

C.4 Operating Hours [as per Article 10 (1) (cc) of the Regulations]

What are the proposed operating hours of the facility?

| | |
|------------------------------|--|
| Weekdays: | |
| Weekend - Saturday: | |
| Weekend - Sunday: | |
| Bank/Public Holidays: | |

C.5 Traffic Management System [as per Article 10 (1) (v) of the Regulations]

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

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

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

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

| | |
|-------------------------------|--|
| Expected Lifetime: | |
|-------------------------------|--|

C.7 EPA declaration on type of authorisation (if appropriate) [as per Article 10 (1) (u) of the Regulations]

Has the EPA declared what type of authorisation (Waste Facility Permit or Certificate of Registration) the proposed activity requires? (Refer to [Section 1.2](#) above)

Yes No

If 'Yes', please enclose a copy of this declaration.

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

Section D: About the Activity

D.1 Description of the waste activity [as per Article 10 (1) (j) of the Regulations]

Describe the nature of the waste related activity which is proposed to be carried on within the facility.
(Continue on a separate sheet if necessary)

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| |

D.2 Is an Environmental Impact Assessment (EIA) required for this activity? [as per Article 10 (1) (cc) of the Regulations]

Yes No

If 'Yes', please enclose a copy of the Environmental Impact Assessment Report (EIAR).

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

For more information on EIARs please click on following link:

https://www.epa.ie/publications/monitoring--assessment/assessment/EPA_EIAR_Guidelines.pdf

D.3 Class or classes of the waste activity as per [Article 10 (1) (l) of the Regulations]

Identify the class or classes of activity that will take place at the facility, in accordance with:

- (i) Disposal and Recovery Operations as per the Third and Fourth Schedules of the Waste Management Act 1996 as amended ([see Appendix 2](#)), **and**
- (ii) Classes of Activity subject to waste facility permit application to a Local Authority as per Part I of the Third Schedule of the Regulations ([see Appendix 3](#)), **or**

- (iii) Classes of Activity subject to certificate of registration application to a Local Authority or the Agency as per Part II of the Third Schedule of the Regulations ([see Appendix 3](#))

Where two or more activities are carried out at the facility, identify the principal activity as per the Regulations. Please use a separate sheet if required.

| Disposal Operations - where applicable - as per the Third Schedule of the Waste Management Act 1996, as amended (see Appendix 2) | |
|--|--|
| Insert Class Number: | Insert Class Description |
| <i>Example: D13</i> | Blending or mixing prior to submission to any of the operations numbered from D 1 to 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12) |
| | |
| | |
| Recovery Operations as per the Fourth Schedule of the Waste Management Act 1996, as amended (see Appendix 2) | |
| Insert Class Number: | Insert Class Description |
| | |
| | |
| | |

| Classes of Activity subject to <u>Waste Facility Permit application</u> to a Local Authority as per Part I of the Third Schedule of the Regulations (see Appendix 3) | |
|--|--------------------------|
| Insert Class Number: | Insert Class Description |
| | |
| | |
| Principal Activity: | |
| Document(s) Reference: | |

| Classes of Activity subject to <u>Certificate of Registration application to a Local Authority as per Part II of the Third Schedule of the Regulations (see Appendix 3)</u> | |
|---|--------------------------|
| Insert Class Number: | Insert Class Description |
| | |
| | |
| Principal Activity: | |
| Document(s) Reference: | |

D.4 Waste Volumes [as per Article 10 (1) (m) (ii) of the Regulations]

Detail the annual quantity of waste (in tonnes or cubic metres or number of units as appropriate to the waste stream concerned) to be handled at the facility for each class. Please provide specifics of the following, where relevant:

- The lifetime tonnage for WFP Classes 5 & 6 and CoR Classes 5 & 6.
- The tonnage of residual waste for WFP Classes 7 & 10 and CoR Classes 7 & 10
- Days of storage for CoR Classes 1 & 10
- Tonnage at any one time for WFP Class 8 and CoR Classes 11, 12 & 13

| •Class | Upper Threshold as per Third Schedule (see Appendix 3) | Proposed Quantity: Units: _____* |
|--------|--|-------------------------------------|
| | | |
| | | |
| | | |
| | | |
| | | |

* Please state units used, which may be tonnes, cubic metres or number of units dependent upon waste type. Refer to section Table 1 Volume to Weight Conversion factors in [Appendix 6](#).

| | |
|------------------------------|--|
| Site Throughput (with Units) | |
|------------------------------|--|

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

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

D.5 Waste Types [as per Article 10 (1) (m) (i) of the Regulations]

State below the waste types and quantities to be handled at the facility.

| LoW Code (6 digits) | Waste Description | Quantity (Applicant to specify i.e. tonnes, cubic metres or number of units) |
|---------------------|-------------------|--|
| | | |
| | | |
| | | |
| | | |
| | | |

To see the current List of Waste (LoW) code(s), please click on following link:

<https://www.epa.ie/publications/monitoring--assessment/waste/national-waste-statistics/2019--FULL-template.pdf>

D.6 Improvement or development of land [as per Article 10 (1) (x) and Article 10 (1) (cc) of the Regulations]

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

Yes No

If 'Yes', please supply details in relation to the following:

- The existing topography of the area in question (including clearly labelled photographic imagery of the site from North, South, East, West viewpoint)
- The proposed final profile and topography of the area in question
- Average and maximum depth of fill
- Facility closure plan
- Purpose of fill (landscaping, engineering, etc,)
- Supporting statement - as to the purpose of the placement of waste on land - from agricultural advisor, engineer, landscape architect or other technical expert. If necessary, some of this information may be supplied in drawing plan form.

D.9 Food Waste [as per Article 10 (1) (ff) of the Regulations]

Does the facility involve the treatment of Food Waste?

Yes No

If yes, please supply details of how the applicant intends to manage food waste collected in accordance with the Waste Management (Food Waste) Regulations 2009, as amended, or as the case may be the European Union (Household Food Waste and Bio-Waste) Regulations 2015, as amended.

| | |
|-----------------------------------|--|
| Document(s) Reference: | |
|-----------------------------------|--|

D.10 Waste Acceptance Procedures [as per Article 10 (1) (ff) of the Regulations]

What are the waste acceptance procedures that will be established and applied at the facility? Include details of what will happen with wastes that do not comply with the acceptance criteria - quarantine or rejection - such as removal of these wastes off-site.

| |
|--|
| |
| |
| |
| |
| |
| |

Is the application for a new and/or review of a Soil Recovery Facility? (as per Class 5 of the Third Schedule of the Regulations)

Yes No

If 'Yes', please supply details in relation to the acceptance of **'non-greenfield soil and stone'**² waste **only** i.e. proposed site specific maximum concentrations and/or soil trigger levels for relevant contaminants in non-greenfield soil and stone, to be accepted at the facility, for agreement with Clare County Council. Further guidance in relation to the methodology for developing site specific trigger levels is set out in the EPA guidance entitled '*Guidance on waste acceptance criteria at authorised soil recovery facilities*', which can be accessed through the following link:

<https://www.epa.ie/publications/compliance--enforcement/waste/Guidance-on-Waste->

² **Greenfield soil and stone:** Soil and stone from land that has not been previously developed and is not contaminated soil and stone
Non-greenfield soil and stone: Soil and stone that is not greenfield soil and stone

D.14 Housekeeping [as per Article 10 (1) (q) and Article 10 (1) (hh) of the Regulations]

What are the existing or proposed measures to prevent unauthorised or unexpected emissions from the facility and to minimise the impact on the environment of any such emissions, including emergency measures for incidents such as spillages and unexpected noise emissions i.e. Emergency Response Procedure, Safety Statement (incl. Fire) etc.

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

| |
|-------------------------------|
| |
| |
| |
| |
| |
| Document(s) Reference: |

Describe the existing and proposed measures to be taken for pest and nuisance control (for example, flies, birds and rodents)

| |
|-------------------------------|
| |
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| |
| |
| |
| Document(s) Reference: |

D.15 Litter abatement at the Facility [as per Article 10 (1) (gg) of the Regulations]

Provide details of the proposed measures to be taken to prevent litter at the facility.

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

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| Document(s) Reference: |

D.16 Facility Security [as per Article 10 (1) (gg) of the Regulations]

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

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

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| Document(s) Reference: |

D.17 Other Procedures [as per Article 10 (1) (cc) of the Regulations]

Provide details of any other existing or proposed operational procedures on site, not already covered [(for example Environmental Management System (EMS), environmental reporting)].

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

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| Document(s) Reference: |

D.18 Arrangements for the off-site recovery or disposal of wastes [as per Article 10 (1) (bb) of the Regulations]

Provide a description of any proposed arrangements for the onward transport of waste from the facility. Include the site name and permit/licence number of the site(s) being proposed to be used to receive such waste.

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| Document(s) Reference: |

D.19 Animal By-Products [as per Article 10 (1) (w) of the Regulations]

Does the facility biologically treat animal by-products within the meaning of Regulation (EC) 1774/2002³ (as amended)?

Yes No

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

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| Document(s) Reference: | |
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³ Regulation (EC) No 1774/2002 of the European Parliament and of the Council of 3 October 2002 laying down health rules concerning animal by-products not intended for human consumption

Section E: Facility Setting

E.1 Proximity to European sites [as per Article 10 (1) (x) of the Regulations]

Is the proposed facility located in, or adjacent to, or impinging upon any European sites [(for example Special Areas of Conservation (SAC's) or Special Protection Areas (SPA's))]?

| Site Designation | Yes | No |
|---|--------------------------|--------------------------|
| Select 'Yes', if the proposed facility is either located in, adjacent to or impinging upon European sites (within 15km) | | |
| Select 'No', if the proposed facility is not located in, adjacent to or impinging upon European sites (outside 15km) | | |
| Special Area of Conservation (SACs) | <input type="checkbox"/> | <input type="checkbox"/> |
| Special Protection Area (SPAs) | <input type="checkbox"/> | <input type="checkbox"/> |

If the applicant has answered 'Yes' to any of the options detailed above, please detail the site/s and identify on a map their location, relative to site of the facility.

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| Affected Sites: | |
| Document(s) Reference: | |

Further information in relation to European sites is available on the National Parks and Wildlife Service website at <https://www.npws.ie/maps-and-data>.

Please note that Clare County Council, as part of the assessment of this application, will undertake an Appropriate Assessment (AA) screening. If the site is screened 'in' for AA, Clare County Council may require the applicant to furnish a Natura Impact Statement (NIS) prior to undertaking an AA.

E.2 Water Catchment [as per Article 10 (1) (aa) of the Regulations]

Is the site located in the immediate catchment of a water course?⁴

Yes No

If 'Yes', please supply details of any flood studies undertaken to ensure that the potential for increased run-off or contamination of the watercourse is adequately mitigated.

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⁴ Local Government (Water Pollution) Act, 1977 defines "waters" to include the following:

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

(b) any tidal waters, and

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

but does not include a sewer

E.3 Land Use [as per Article 10 (1) (cc) of the Regulations]

Please provide details of the following:

| | |
|---|--------|
| Current use of the land: | |
| | |
| | |
| Historic Use of the Land: | |
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| | |
| Condition of the land (for example contamination): | |
| | |
| | |
| Adjacent land use: | North: |
| | |
| | South: |
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| | East: |
| | |
| | West: |
| | |

E.4 Correspondence with relevant Minister/National Parks and Wildlife Service [as per Article 10 (1) (z) of the Regulations]

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

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E.5 Biodiversity [as per Article 10 (1) (y) of the Regulations]

“Biological diversity” or “Biodiversity” means the variability among living organisms from all sources including, inter alia, terrestrial, marine and other aquatic ecosystems and the ecological complexes of which they are part of⁵. Any proposed plan or project, for example a waste facility, must take into consideration the possible effects it has on biodiversity, in combination with other plans and projects.

The types of habitats that are located on, or adjacent to the waste facility site, will give an indication of the overall biodiversity of the site. Please tick as appropriate:

| | | | |
|------------------------------|--------------------------|--------------------------------------|--------------------------|
| Brownfield | <input type="checkbox"/> | River | <input type="checkbox"/> |
| Coastal | <input type="checkbox"/> | Sand Dune | <input type="checkbox"/> |
| Grassland | <input type="checkbox"/> | Stream | <input type="checkbox"/> |
| Lake | <input type="checkbox"/> | Wetland | <input type="checkbox"/> |
| Pond | <input type="checkbox"/> | Woodland | <input type="checkbox"/> |
| <20% Vegetation ⁶ | <input type="checkbox"/> | If ‘Other’ (Please describe Habitat) | |

Please note that an applicant can also submit any supplementary information in relation to biodiversity, to support the application i.e. relevant biodiversity surveys etc.

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| Document(s) Reference: | |
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⁵ Taken from ‘National Biodiversity Action Plan 2017-2021, as defined by the United Nations Convention on Biological Diversity (CBD)

⁶ i.e. Built environment

Section F: Additional Information

F.1 Additional Information [as per Article 10 (1) (cc) of the Regulations]

If there is additional information, which the applicant feels may be required by the Local Authority in making its decision and/or any information identified as part of pre-application consultation, this should be included here. Supporting documents may be provided.

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| Document(s) Reference: |

F.2 Additional information for applicants applying for a Certificate of Registration [as per Article 6 (2) (c) & Article 10 (1) (cc) of the Regulations]

Provide details of measures proposed to enable the applicant to comply with the requirements set out in Article 6 (2) (c) and the Fourth Schedule of the Regulations ([see Appendix 4](#)), or a statement of reasons why such measures are not deemed necessary

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| Document(s) Reference: |

Section G: Statutory Declaration

I declare that the information given in the application

by ⁷ _____

of ⁸ _____

for the purpose of obtaining a **Waste Facility Permit** / **Certificate of Registration** (**please tick as appropriate**) is correct, and that no information which is required to be included in the said application has been omitted.

I make this solemn declaration conscientiously believing the same to be true and by virtue of the Statutory Declarations Act 1938 as amended.

I authorise **Clare County Council** to make any enquiries from official sources as it may consider necessary for the purpose of determining this application and, pursuant to Data Protection (Amendment) Act 2003. I consent to the disclosure of details of convictions for relevant offences specified under Article 10 of the Waste Management (Facility) Permit Regulations 2007 as amended.

Signature(s)⁹:

Name (Block Capitals):

Declared before me at¹⁰ _____ this _____ day

of _____, _____, 20 _____

Signature of Witness: _____

Occupation: _____

Date: _____

WARNING: As per Article 43 of the Regulations, a person shall not compile information, which he or she knows to be false or misleading in a material respect, or furnish any such information in support of an application or in response to any notice or other document used for the purposes of these Regulations and any person who does so shall be guilty of an offence.

⁷ Insert full name of the applicant (legal entity)i.e Sole Trader / Partnership / Company.

⁸ Insert address of the principal place of business.

⁹ To be signed by the applicant, each partner in the case of a partnership, each director in the case of a company.

¹⁰ To be witnessed by a Solicitor/Commissioner of Oaths/Notary Public/Peace Commissioner/Garda Síochána.

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Appendices



APPENDIX 1 CHECKLIST OF INFORMATION TO BE SUPPLIED WITH APPLICATION

| Information required | Included |
|---|--------------------------|
| Fully completed Application Form – 5 Hard Copies and/or 1 Electronic Copies – Section 1.3 . | <input type="checkbox"/> |
| One (1) copy of the relevant page from the newspaper(s) in which notices in accordance with Articles 7 and 8 of the Regulations have been published (WFP Applications Only). | <input type="checkbox"/> |
| One (1) copy of the text of the notices erected or fixed in accordance with Articles 7 and 8 of the Regulations must also be supplied. | <input type="checkbox"/> |
| Details of any court hearing, case, nature of the offence and any penalty or requirements imposed by the court under the Waste Management Act 1996, as amended – Section B.7 . | <input type="checkbox"/> |
| Where the applicant is a person or partnership, include details of any such conviction where the person or partner was at any time within the last 10 years prior to this application, a director, manager, company secretary or similar officer for a body corporate – Section B.7 . | <input type="checkbox"/> |
| Five (5) copies of site location plan, with clearly marked site boundaries in red, and North point indicated, Ordnance survey reference sheet number(s), the site elevation with reference to the ordnance datum used must be included – Section C.2 . | <input type="checkbox"/> |
| Five (5) copies of proposed site layout must be included, with the North point indicated and site dimensions in metres. This plan should include all necessary monitoring and sampling point locations, and any emission point(s) clearly marked. There should be a clearly legible key for the identification of the relevant points. Ordnance survey reference sheet number(s), the site elevation with reference to the ordnance datum used must be included. All maps/drawings/plans must be no larger than A3 size and scaled appropriately such that they are clearly legible. In exceptional circumstances, where A3 is considered inadequate, a larger size may be requested – Section C.2 . | <input type="checkbox"/> |
| An additional copy of the site location plan, detailing the site boundary in red, with the locations of the notice erected or fixed in accordance with Article 8 clearly marked on it – Section C.2 . | <input type="checkbox"/> |
| A full Safety Statement for the Waste Facility – Section D.14 . | <input type="checkbox"/> |
| Evidence of the applicant's compliant tax status from Revenue i.e. Tax Clearance Certificate – Section B.9 . | <input type="checkbox"/> |
| Where applicable, a copy of proof of the company registration and trade name must be supplied i.e. a copy of the Certificate of Incorporation and/or Certificate of Registration of Business Name – Section B.3 . | <input type="checkbox"/> |

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| <p><u>APPROPRIATE FEES</u> – email Clare County Council for payment details.</p> <p>The correct application fee in accordance with Article 42 of the Regulations and as specified in the Fifth Schedule of the Regulations (see Appendix 5).</p> <p>Application for a Waste Facility Permit:</p> <ul style="list-style-type: none"> • Class 5, 6 and 7 = €2,000 • All other Activities = €1,000 <p>Application for a review of a Waste Facility Permit:</p> <ul style="list-style-type: none"> • Class 5,6 and 7 = €1,000 • All other Activities = €500 • Minor changes not requiring a full review = €100 <p>Application for a Certificate of Registration:</p> <ul style="list-style-type: none"> • Class 5, 6, 7 and 10 = €600 • All other Activities = €300 <p>Application for a review of Certificate of Registration:</p> <ul style="list-style-type: none"> • Class 5, 6, 7, and 10 = €300 • All other Activities = €150 • Minor changes not requiring a full review = €100 | <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> |
| <p>A copy of the granted planning permission, or if applicable copy of the Certificate of Exemption issued by the relevant planning authority – Section C.3.</p> | <input type="checkbox"/> |
| <p>Proof of the interest held by the applicant in the land e.g. copy of the Land Registry Folio or copy of the Lease Agreement or letter from the applicant’s solicitor – Section B.6.</p> | <input type="checkbox"/> |
| <p>Environmental Impact Assessment Report (if applicable) – Section D.2.</p> | <input type="checkbox"/> |
| <p>Original signed Financial Commitment Discharge Declaration, signed by the applicant’s Bank Manager or Accountant – Section B.9.</p> | <input type="checkbox"/> |
| <p>Original signed Statutory Declaration, signed in the presence of a Solicitor / Commissioner of Oaths / Notary Public / Peace Commissioner / Garda Síochána – Section G.</p> | <input type="checkbox"/> |

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| <p>Upon grant of a waste facility permit the applicant will be required to pay to Clare County Council:</p> <ul style="list-style-type: none"> ○ A monitoring fee, to be determined by Clare County Council, to cover the cost associated with monitoring of the facility over the lifetime of the permit [as per Article 44 (2) (b) of the Regulations] <p>The applicant is also required to put in place, depending on the nature and scale of the activity:</p> <ul style="list-style-type: none"> ○ A financial security or a bond i.e. cash deposit (the level of which will depend on the nature and extent of the activity to be carried out on site), to be determined by Clare County Council. If a cash deposit is deemed necessary it will be required to be put in place upon grant of the permit [as per Article 19 (1) (h) of the Regulations] | <input type="checkbox"/> |
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APPENDIX 2 DISPOSAL AND RECOVERY OPERATIONS AS PER THE THIRD AND FOURTH SCHEDULE OF THE WASTE MANAGEMENT ACT 1996 AS AMENDED

THIRD SCHEDULE

Disposal Operations

- D 1 Deposit into or on to land (e.g. landfill, etc.)
- D 2 Land treatment (e.g. biodegradation of liquid or sludgy discards in soils, etc.)
- D 3 Deep injection (e.g. injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)
- D 4 Surface impoundment (e.g. placement of liquid or sludgy discards into pits, ponds or lagoons, etc.)
- D 5 Specially engineered landfill (e.g. placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)
- D 6 Release into a water body except seas/oceans
- D 7 Release to seas/oceans including sea-bed insertion
- D 8 Biological treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12
- D 9 Physico-chemical treatment not specified elsewhere in this Schedule which results in final compounds or mixtures which are discarded by means of any of the operations numbered D 1 to D 12 (e.g. evaporation, drying, calcination, etc.)
- D 10 Incineration on land
- D 11 Incineration at sea (this operation is prohibited by EU legislation and international conventions)
- D 12 Permanent storage (e.g. emplacement of containers in a mine, etc.)
- D 13 Blending or mixing prior to submission to any of the operations numbered from D 1 to 12 (if there is no other D code appropriate, this can include preliminary operations prior to disposal including pre-processing such as, amongst others, sorting, crushing, compacting, pelletising, drying, shredding, conditioning or separating prior to submission to any of the operations numbered D1 to D12)
- D 14 Repackaging prior to submission to any of the operations numbered D 1 to D 13
- D 15 Storage pending any of the operations numbered D 1 to D 14 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5(1)), pending collection, on the site where the waste is produced).]

FOURTH SCHEDULE

Recovery Operations

- R 1 Use principally as a fuel or other means to generate energy
- R 2 Solvent reclamation/regeneration
- R 3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes), which includes gasification and pyrolysis using the components as chemicals
- R 4 Recycling/reclamation of metals and metal compounds
- R 5 Recycling/reclamation of other inorganic materials, which includes soil cleaning resulting in recovery of the soil and recycling of inorganic construction materials
- R 6 Regeneration of acids or bases
- R 7 Recovery of components used for pollution abatement
- R 8 Recovery of components from catalysts
- R 9 Oil re-refining or other reuses of oil
- R 10 Land treatment resulting in benefit to agriculture or ecological improvement R 11 Use of waste obtained from any of the operations numbered R 1 to R10
- R 12 Exchange of waste for submission to any of the operations numbered R 1 to R 11 (if there is no other R code appropriate, this can include preliminary operations prior to recovery including pre- processing such as, amongst others, dismantling, sorting, crushing, compacting, pelletising, drying, shredding, conditioning, repackaging, separating, blending or mixing prior to submission to any of the operations numbered R1 to R11)
- R 13 Storage of waste pending any of the operations numbered R 1 to R 12 (excluding temporary storage (being preliminary storage according to the definition of "collection" in section 5(1)), pending collection, on the site where the waste is produced).

APPENDIX 3 THIRD SCHEDULE PART 1 AND PART 11 OF THE WASTE MANAGEMENT (FACILITY PERMIT AND REGISTRATION) REGULATIONS 2007 AS AMENDED

THIRD SCHEDULE PART I

CLASSES OF ACTIVITY SUBJECT TO WASTE FACILITY PERMIT APPLICATION TO A LOCAL AUTHORITY

Article 6

The carrying on by a person (other than a local authority) at a facility (other than a facility located in whole or in part in an area which is not within the functional area of a local authority) of any of the following activities, provided that –

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

| CLASS NO. | DESCRIPTION |
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| 1. | <p>The reception and temporary storage, pending collection, other than by a local authority, where not otherwise regulated by a waste licence or certificate of registration, or exempted in accordance with the provisions of article 39 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 of –</p> <ul style="list-style-type: none"> (1) household hazardous waste (other than WEEE and mercury containing waste or used batteries and accumulators) at a civic amenity facility, recycling centre or central collection point, where annual intake shall not exceed - <ul style="list-style-type: none"> (i) in the case of liquid waste, 100,000 litres, (ii) in the case of non-liquid waste, 100 tonnes (2) WEEE at any premises <p>for the purpose of onward transport and submission to recovery at an authorised facility.</p> |
| 2. | <p>The Reception, storage (including temporary storage) and recovery of waste vehicles (other than end-of-life vehicles) having regard to the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006).</p> |

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| 3. | The reception, treatment and recovery of WEEE (including removal of all fluids and dismantling or disassembly or removal of WEEE substances, preparations and components prior to treatment) in accordance with the provisions of articles 20 and 21 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations (S.I. No. 340 of 2005). Annual intake shall not exceed 10,000 tonnes per annum. |
| 4. | The reception, storage and recovery of scrap metal, including scrap metal arising from end-of-life vehicles, waste vehicles (other than end-of-life vehicles) and WEEE where scrap metal from – (1) end-of-life vehicles shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate, waste vehicles (other than end-of-life vehicles) shall be subject to appropriate treatment and recovery having regard to the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006) prior to acceptance at the scrap metal facility, and as appropriate, (2) WEEE shall be subject to appropriate treatment and recovery in accordance with the provisions of articles 20, 21 and 22 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005 (S.I. No. 340 of 2005) prior to acceptance at the scrap metal facility. |
| 5. | Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 200,000 tonnes. |
| 6. | Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone) through deposition for the purposes of the improvement or development of land, where the total quantity of waste recovered at the facility is less than 50,000 tonnes. |
| 7. | Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding land improvement or development) where – (a) the annual intake shall not exceed 50,000 tonnes, and (b) the maximum quantity of residual waste consigned from the facility for collection, onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake. |
| 8. | The reception, storage and biological treatment of biowaste at a facility where – (a) the maximum amount of compost, biowaste and digestate held at the facility does not exceed 6,000 cubic metres at any time, and (b) the annual intake shall not exceed 10,000 tonnes. |
| 9. | The reception, temporary storage and recovery of used batteries and accumulators where- (a) from 26 September 2008, the treatment and recycling of used batteries and accumulators meets the requirements of article 12 of Directive 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and the annual intake shall not exceed 1,000 tonnes. |
| 10. | The recovery of waste (not mentioned elsewhere in this part of the third schedule), other than hazardous waste or an activity specified in Category 5 of Annex 1 of Council of Directive 96/61/EC, where - (a) the annual intake does not exceed 50,000 tonnes, and the maximum quantity of residual waste consigned from the facility |

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| | for onward transport and submission to disposal at an authorised facility shall not exceed 15% of the annual intake. |
| 11. | The reception, storage and transfer of waste (other than hazardous waste) for disposal at a facility (other than a landfill facility) where the annual intake does not exceed 7,500 tonnes. |
| 12. | The collection and storage (including temporary storage) and the appropriate treatment and recovery of end-of-life vehicles in accordance with the provisions of articles 14 and 15 of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006). |

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

THIRD SCHEDULE PART II**CLASSES OF ACTIVITY SUBJECT TO REGISTRATION WITH LOCAL AUTHORITY**

Article 6

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

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

| CLASS NO. | DESCRIPTION |
|-----------|---|
| 1. | <p>The storage, pending collection, of household hazardous waste (other than WEEE) at a civic amenity facility, recycling centre or central collection point, where not otherwise regulated by a waste licence or waste facility permit for the purpose of onward transport and submission to recovery at an authorised facility where-</p> <p>(a) annual intake shall not exceed -</p> <ol style="list-style-type: none"> (i) in the case of liquid waste, 25,000 litres (ii) in the case of non-liquid waste, 25 tonnes, and <p>(b) the maximum period of storage of waste does not exceed 30 days.</p> |
| 2. | <p>The reception and temporary storage of waste (other than WEEE) deposited by members of the public at a central collection point (including a temporary central collection point) when such activity is undertaken by, on behalf of, or with the approval of the local authority, where the maximum amount of waste stored at any time does not exceed 1,000 tonnes.</p> |
| 3. | <p>The reception and interim storage of crashed or immobilised vehicles, other than end-of-life-vehicles, pending decisions by the registered owners of these vehicles, or as appropriate, by an authorised person of a local authority, or a member of An Garda Síochána on whether the vehicles are to be classed as end-of-life vehicles. The number of vehicles stored at any one time shall not exceed 6 at any one location and at any one time.</p> |

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| 4. | <p>Reception and temporary storage, pending collection for recovery of –</p> <ul style="list-style-type: none"> (a) less than 1000 kilograms of used batteries and accumulators, or (b) less than 1 tonne of discarded equipment containing chlorofluorocarbons (other than WEEE), or (c) less than <ul style="list-style-type: none"> (i) 540 cubic metres of household WEEE, (ii) 12,000 units of WEEE categories in accordance with Category 5 of the first schedule of the Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005 (S.I. No. 340 of 2005) or, as appropriate (iii) 300 kilograms of mobile phones, <p>for the purpose of onward transport to an authorised treatment facility of WEEE when undertaken in accordance with the requirements of article 39 of the Waste Management (Waste Electrical and Electronic Equipment) Regulations 2005.</p> |
| 5. | <p>Recovery of excavation or dredge spoil, comprising natural materials of clay, silt, sand, gravel or stone and which comes within the meaning of inert waste, through deposition for the purposes of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 25,000 tonnes.</p> |
| 6. | <p>Recovery of inert waste (other than excavations or dredgings comprising natural materials of clay, silt, sand, gravel or stone), for the purpose of the improvement or development of land and the total quantity of waste recovered at the site shall not exceed 10,000 tonnes.</p> |
| 7. | <p>Recovery of inert waste arising from construction and demolition activity, including concrete, bricks, tiles, or other such similar material, at a facility (excluding the improvement or development of land) where –</p> <ul style="list-style-type: none"> (a) the annual intake shall not exceed 10,000 tonnes, and (b) the maximum quantity of residual waste consigned from the facility for submission to disposal at an authorised facility shall not exceed 15% of the annual intake. |
| 8 | <p>This is a spare class.</p> |
| 9 | <p>The storage at the place of extraction, for an indefinite length of time to await possible use for site restoration of waste material arising from quarrying or excavation where –</p> <ul style="list-style-type: none"> (a) conditions on waste management have not been imposed under section 261 of the Planning and Development Act 2000 (No. 30 of 2000), and (b) such material is in a chemically unaltered state. |
| 10. | <p>The reception, storage and transfer of waste by a local authority, not mentioned elsewhere in this schedule, where the annual intake does not exceed 10,000 tonnes, and –</p> <ul style="list-style-type: none"> (a) the maximum amount of waste dispatched from the facility for onward transport and disposal does not exceed 1,500 tonnes per annum, and (b) a period of storage of waste for disposal does not exceed 30 days. |
| 11. | <p>The reception, storage and composting of biowaste by a local authority, not mentioned elsewhere in this schedule, where –</p> <ul style="list-style-type: none"> (a) the annual intake does not exceed 5,000 tonnes, and (b) the maximum amount of biowaste, compost and digestate held at a composting facility does not exceed 2,000 tonnes at any time. |

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

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

APPENDIX 4 FOURTH SCHEDULE OF THE WASTE MANAGEMENT (FACILITY PERMIT AND REGISTRATION) REGULATIONS 2007 AS AMENDED

FOURTH SCHEDULE

PART I

GENERAL RULES IN RESPECT OF REGISTERED ACTIVITIES

Article 32

- (1) A Registration holder shall demonstrate within the application for a Certificate of registration the manner in which it is proposed to comply in all respects with the particulars of the Rules of this schedule, unless as may otherwise agreed in writing by the local authority or, as the case may be, the Agency.
- (2) Any emissions from the recovery or disposal activity concerned (including both storage and temporary storage) shall not result in contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any enactment.
- (3) The registration holder shall ensure that all recovery and disposal of waste (including both storage and temporary storage) is undertaken in a manner which does not endanger human health.
- (4) Waste shall only be accepted by the registration holder at the site between 0800 and 1800 hours, Monday to Friday inclusive, and between 0800 and 1400 hours on Saturdays unless otherwise approved in writing by the relevant local authority or, as the case may be, the Agency.
- (5) The registration holder shall put in place appropriate procedures relating to the acceptance of waste at the facility, including
 - (i) waste inspection procedures,
 - (ii) waste acceptance and handling procedures,
 - (iii) waste characterisation and waste quarantine procedures,
 - (iv) other appropriate procedures and arrangements relating to the acceptance of waste, and
 - (v) measures to ensure compliance with article 6 of these Regulations.
- (6) The registration holder shall put in place appropriate procedures relating to the supervision of the storage, recovery or disposal activity.
- (7) The registration holder shall ensure that all waste accepted at the facility has been collected and transported in accordance with Section 34 of the Act and the Waste Management (Collection Permit) Regulations, 2007.
- (8) The registration holder shall take all necessary measures relating to prevention of unauthorised waste activities and the establishment of controls on entry to the facility, including the rejection of all waste arriving at the facility where the vehicle does not possess the requisite authorisation to permit the collection and transportation of waste in accordance with Section 34 of the Act and the Waste Management (Collection Permit) Regulations, 2007 as amended.
- (9) The registration holder shall conduct, document and maintain an assessment of the risk of environmental pollution, having regard to the types of the wastes to be accepted and the nature of the activity being undertaken at the facility.
- (10) The registration holder shall take preventative measures to ensure that the activity is carried out in a manner which does not have any adverse effect on drainage of lands, watercourses, shallow wells, bored wells, raw water intakes or other sources of water supply, public and private roads or footways.
- (11) In the case of an activity involving the storage or temporary storage of waste, the registration holder shall establish the necessary measures to ensure the secure and safe storage of the wastes, including appropriately designed storage locations and containment arrangements.

- (12) The registration holder shall take all necessary measures to ensure compliance with all legal obligations pertaining to the carrying on of the activity or activities at the facility.
- (13) The registration holder shall take preventative measures to ensure that the activity does not result in unreasonable noise, dust, grit and other nuisances, which would result in the impairment of, or significant interference with, the amenities or the environment beyond the site boundary.
- (14) The registration holder, if requested by the Agency or relevant local authority, shall provide detailed written reports on investigations and monitoring of the activities and related ancillary matters.
- (15) The registration holder shall maintain a register in relation to the activity to which the certificate of registration relates, which shall be available for inspection by the local authority, which details:
- (a) the dates, time of arrivals and quantities of each waste consignment (by European Waste Catalogue code(s) and description(s) pursuant to Commission Decision 2001/118/EC of 16 January 2001 or subsequent amendments) delivered to the facility,
 - (b) names of the carriers, including details of vehicle registrations and waste collection permits numbers,
 - (c) origin of waste delivered,
 - (d) quantities and composition of wastes rejected at the facility, and
 - (e) quantities, composition and destination of waste consigned for onward transport from the facility.
- (16) The registration holder shall compile and maintain records in a format agreed with the local authority or, as the case may be, the Agency in respect of the particulars of the summary information contained in the register established in accordance with Rule (15), for a period of not less than 7 years.
- (17) The registration holder shall immediately notify the relevant local authority or, as the case may be, the Agency of any incident arising from the activity, which:
- (a) has the potential for contamination of surface or ground water, or
 - (b) poses an environmental threat to air or land.
- (18) As part of the notification process, the operator shall include, within the 24 hours of any such incident occurring, details as to -
- (a) the date and time of the incident,
 - (b) details of the incident,
 - (c) evaluation of the pollution caused, and
 - (d) remedial corrective measures undertaken or to be undertaken, including details of preventative measures.
- (19) Not later than the 28th day of February in each year, the registration holder shall furnish to the local authority or, as the case may be, the Agency in such form as may be agreed, an Annual Environmental Report containing summary information in relation to the preceding calendar year or part thereof as the case may be, in respect of the activities to which the Certificate of registration relates and giving particulars of the manner in which the Rules specified in this schedule have been implemented.
- (20) The registration holder shall also comply with any additional rules for the management of particular streams of waste:

Part II: Waste Electrical and Electronic Equipment Facilities,

Part III: Refrigerant Gas, Halon and Fluorinated Greenhouse Gas Facilities, Part IV: Organic Waste Composting Facilities,

Part V: Spreading of Organic Waste on Land, and

Part VI: Storage of Immobilised Vehicles,

Part VII Pay to Use Compactor Units accepting Household Waste

ADDITIONAL RULES FOR WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT FACILITIES

- (1) The registration holder shall comply with all requirements of the Waste Management (Waste Electrical and Electronic Equipment) Regulations, 2005 (S.I. No. 340 of 2005), subject to any amendment that may be made to those regulations from time to time.
- (2) The registration holder shall establish the provenance of WEEE deposited (e.g. deposited on behalf of a collective compliance scheme approved for the management of WEEE, a self-complying producer of electrical and electrical equipment, a business end user etc.).
- (3) The registration holder shall forward details of the source of household WEEE deposited at a waste facility on behalf of a person (other than a collective compliance scheme approved for the management of WEEE or a self-complying producer of electrical and electrical equipment or a householder depositing a quantity of household WEEE similar to that arising in a single household), together with details of the person depositing the WEEE to the local authorities in the functional area or areas where the –
 - (a) waste facility is located,
 - (b) person depositing the WEEE has his or her place of business and if not a business his or her place of residence, and
 - (c) source of the household WEEE concerned has his or her place of business and if not a business his or her place of residence.

PART III

ADDITIONAL RULES FOR FACILITIES ACCEPTING WASTE, RETURNED OR RECOVERED REFRIGERANT GASES IN REFRIGERANT CONTAINERS OR WASTE, RETURNED, OR RECOVERED HALONS IN HALON CONTAINERS OR WASTE, RETURNED OR RECOVERED FLUORINATED GREENHOUSE GASES IN FLUORINATED GREENHOUSE GAS CONTAINERS

- (1) In the case of the temporary storage of waste, returned or recovered refrigerant gases in refrigerant containers or waste, returned or recovered halons in halon containers or waste returned or recovered Fluorinated Greenhouse Gases in Fluorinated Greenhouse Gas Containers the operator shall take all necessary measures to ensure that the handling and controlled storage of the containers is carried out in a manner that shall prevent the leakage or venting of the gases to the atmosphere.
- (2) In the case of temporary storage at the facility:
 - (a) each container should be consigned for onward transport to an authorised facility for appropriate recycling, reclamation or disposal in accordance with the relevant legislative requirements for the specific gas type,
 - (b) there should be no mixing of refrigerant gases or the transfer of individual types of refrigerant gas from one cylinder to another to facilitate bulking for onward transportation,
 - (c) there should be no mixing of halons or the transfer of halons from one cylinder to another to facilitate bulking for onward transportation,
 - (d) there should be no mixing of fluorinated greenhouse gases or the transfer of fluorinated greenhouse gases from one cylinder to another to facilitate bulking for onward transportation.

PART IV

ADDITIONAL RULES FOR COMPOSTING FACILITIES

The registration holder shall comply with all requirements of –

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

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

PART V

ADDITIONAL RULES FOR SPREADING OF ORGANIC WASTE ON LAND

- (1) The spreading of organic waste on land shall be confined to the application of compost derived from source segregated municipal waste, spent mushroom compost and sewage sludge used for non-agricultural purposes
- (2) The registration holder shall comply with all requirements of –
 - the Animal By-products Regulation (EC) No. 1774/2002 of 3 October 2002, and
 - Diseases of Animals Act, 1966 (Prohibition on the Use of Swill) Order 2001 (S.I. No. 597 of 2001),
 - Diseases of Animals Act, 1966 (Transmissible Spongiform Encephalopathies) (Meat and Bone Meal and Poultry Offal) Order 2002 (S.I. No. 551 of 2002),
 - European Communities (Transmissible Spongiform Encephalopathies and Animal Byproducts) Regulations 2006 (S.I. No. 612 of 2006), and
 - Diseases of Animals Act 2006 (Transmissible Spongiform Encephalopathies)(Fertilisers & Soil Improvers) Order 2006 (S.I. No. 615 of 2006)

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

PART VI

ADDITIONAL RULES FOR STORAGE OF IMMOBILISED VEHICLES

In circumstances where the condition of an immobilised vehicle is considered to represent a threat to the environment, the registration holder shall comply with the storage requirements set out within the second schedule of the Waste Management (End-of-Life Vehicles) Regulations 2006 (S.I. No. 282 of 2006), subject to any amendment that may be made to those regulations from time to time.

PART V11

ADDITIONAL RULES FOR PAY TO USE COMPACTOR UNITS ACCEPTING HOUSEHOLD WASTE

In this Part, "household waste" means that fraction of household waste brought from a household premises by a householder for consignment to a pay to use compactor as appropriate and excludes waste water, construction and demolition waste and bulky waste more suitable for collection in a skip or other such receptacle (which includes but is not limited to heavy waste materials such as furniture, carpets and rubble), as well as household hazardous waste and other streams of household waste which are required to be collected in another appropriate manner, such as, but not limited to, WEEE and waste batteries and accumulators. "Food waste" includes any food substance used, available to be used, or intended to be used, for food by human persons and discarded as household waste.

The registration holder shall comply with the following requirements in relation to the acceptance of household waste:

- (1) Use of the Facility shall be confined to the reception of household waste.
- (2) Without prejudice to the power of any local authority to provide for additional policy objectives under a relevant waste management plan, the Facility shall at least, subject to rule (4), provide separate receptacles for the acceptance of segregated fractions of recyclable material and non-recyclable material.
- (3) Without prejudice to the power of any local authority to provide for additional policy objectives under a relevant waste management plan, the facility must also provide a separate receptacle for the acceptance of segregated food waste in accordance with the time schedule prescribed for population agglomerations as set out in the European Union (Household Food Waste and Bio-Waste) Regulations, 2015:
 - (a) from 1 July, 2015 where the facility is situated in a population agglomeration of more than 1,500 persons; and
 - (b) from 1 July, 2016 where the facility is situated in a population agglomeration of more than 500 persons
- (4) The facility shall be equipped to weigh each and every individual deposit of the various segregated fractions of household waste accepted at the facility waste separately on and after 1 July, 2015 and report, in writing, this weight to the person or persons who presented the household waste for acceptance.

- (5) The Facility shall, in accordance with the requirements of rule (4), use a weighing system to weigh the segregated fractions of household waste which has an EC Type Approval under the Measuring Instruments Directive 2004/22/EC or a National Type Approval granted prior to the coming into force of the Measuring Instruments Directive (2004/22/EC), in accordance with the Legal Metrology (General) Regulations 2008, to weigh each and every deposit of household waste.

- (6) The Facility shall use a weighing system to weigh household waste in accordance with rule (4) of accuracy Class Y (*b*) or better, where such a weighing system shall have a resolution of 1 kilogramme (kg) or better, in accordance with the Legal Metrology (General) Regulations 2008.

- (7) The Facility operator shall prepare a customer charter for household waste in the form set out in the Sixth Schedule to these Regulations, or a form substantially to the like effect, to the satisfaction of the local authority, to facilitate publication on the website of the local authority on 1 July, 2015, and any amendments or updates to the customer charter to be submitted to the local authority without delay to facilitate publication of the revised charter on the website.

- (8) The Facility shall provide for the acceptance of at least the recyclable waste materials listed in the Seventh Schedule to these Regulations on or after 1 July, 2015 in the waste recycling receptacles at the facility.”

APPENDIX 5 FIFTH SCHEDULE (FEES) OF THE WASTE MANAGEMENT (FACILITY PERMIT AND REGISTRATION) REGULATIONS 2007 AS AMENDED

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

APPENDIX 6 ADDITIONAL GUIDANCE

Table 1. Volume to weight conversion factors

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

Note: If a consignment of waste falls into more than one of the categories specified in the above table,

USEFUL LINKS & REFERENCES.

Please note that the following list is not exhaustive and applicants should ensure that they review the most up-to-date legislation and/or references before committing to the application process

Important Regulations

- Waste Management (Facility Permit and Registration) Regulations S.I No. 821 of 2007, as amended - <https://www.irishstatutebook.ie/eli/ResultsTitle.html?q=Facility+Permit+and+Registration&years=2000-2021>
- Waste Management Act 1996, as amended - <https://revisedacts.lawreform.ie/eli/1996/act/10/front/revised/en/html>
- Freedom of Information Act 2014 - <https://www.irishstatutebook.ie/eli/ResultsTitle.html?q=freedom+of+information+act>
- European Communities (Access to Information on the Environment) Regulations 2007-2018 - <https://www.irishstatutebook.ie/eli/ResultsTitle.html?q=access+to+information+on+the+environment>
- Water Pollution Act 1997, as amended - <https://www.irishstatutebook.ie/eli/ResultsTitle.html?q=water+pollution+act>
- Air Pollution Act 1987, as amended - <https://www.irishstatutebook.ie/eli/ResultsTitle.html?q=air+pollution+act>

Documentation

- EPA Guidance on determination of Waste Authorisation type - <https://www.epa.ie/our-services/licensing/waste/declaration-on-waste-authorisations-art-11/>
- Waste Action Plan for a Circular Economy - <https://www.gov.ie/en/publication/4221c-waste-action-plan-for-a-circular-economy/>
- EPA Guidance on End-of-Waste (EoW) - <https://www.epa.ie/our-services/licensing/waste/end-of-waste-art-28/>
- Appropriate Assessment Guidance - https://www.npws.ie/sites/default/files/publications/pdf/NPWS_2009_AA_Guidance.pdf
- Regional Waste Management Plans:
 - Connaught-Ulster Region - <http://www.curwmo.ie/publications/>
 - Eastern-Midlands Region - <http://emwr.ie/emwr-plan/>
 - Southern Region - http://southernwasteregion.ie/article_listing
- National Hazardous Waste Management Plan 2021-2027 -

https://www.epa.ie/publications/circular-economy/resources/EPA_NationalHazardousWasteManagementPlan_2021_2027.pdf

- Etc

Websites

- Clare County Council Website – www.clarecoco.ie
- Environmental Protection Agency - <https://www.epa.ie/>
- National Parks and Wildlife Service - <https://www.npws.ie/>
- Etc

