



SEWAGE SLUDGE FACILITY CERTIFICATE OF REGISTRATION APPLICATION FORM



Comhairle Contae Thiobraid Árann
Tipperary County Council

ENVIRONMENT SECTION

SEWAGE SLUDGE FACILITY (SSF)

CERTIFICATE OF REGISTRATION

APPLICATION FORM

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

Note: Any person who gives false or misleading information for the purpose of obtaining a Sewage Sludge Facility Certificate of Registration is guilty of an offence [Article 6 (4)].

For Office Use Only:

Application Reference Number:

Return Number (If Applicable):



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1. GENERAL

1.1 Introduction

This form is for the following purposes under the Waste Management (Registration of Sewage Sludge Facility) Regulations S.I. No. 32 of 2010 (hereafter referred to as the Regulations):

- (a) The making of an application for a Sewage Sludge Facility Certificate of Registration; or
- (b) The making of an application for a Review of an existing Sewage Sludge Facility Certificate of Registration; or
- (c) The making of an application for Renewal of an existing Sewage Sludge Facility Certificate of Registration; or
- (d) The making of an application for a Transfer of an existing Sewage Sludge Facility Certificate of Registration.

The Sewage Sludge Facility Certification of Registration Application Form is available from **Tipperary County Council's Customer Service Desk** and to download from our web site www.tipperarycoco.ie.

In order to make the application process as efficient as possible it may be necessary for Tipperary County Council to contact the applicant or a representative for the applicant while processing the application. The application contact person must have a good knowledge of the application form and the detail within. For this reason it is recommended that the application contact person should be the person who has completed the application form and any relevant supporting information.

1.2 Pre-application consultation

It is recommended that pre-application consultations or discussions with Tipperary County Council are undertaken before a formal submission of any of the above types of applications.

It is recommended that the applicant familiarise themselves with the application form and regulations before beginning to complete the application. In addition applicants need to be aware of the requirements of:

- the Joint Waste Management Plan for the South East Region 2006 www.wastenot.ie, and,
- the Waste Management Plan for the Midlands Region 2005 – 2010, www.offaly.ie/eng/Services/Environment/Waste/Waste_Management_Plan_for_the_Midlands_Region_2005-2010.html and,
- the EPA's National Hazardous Waste Management Plan 2008-2012, www.epa.ie/pubs/reports/waste/haz/nationalhazardouswastemanagementplan2008-2012.html and,
- any revisions thereto.

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



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

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

If you need to contact **Tipperary County Council** concerning your application, please contact the Administrative Officer of the Environment Section as per the details provided in the table below:

Administrative Officer, Environment Section Tel.: 0818 06 5000

1.3 Guidance on the Application Form

An application for a Sewage Sludge Facility Certificate of Registration is made under Article 6 of the Regulations. The contents of an application and the information to accompany an application are specified in this Article.

Additional attachments may be included to supply any further information supporting the application. Attachments should be clearly numbered, titled and paginated and must contain the required information as set out in the application form.

All sections in this application form may not be relevant to every application, activity or type of applicant. However, the applicant should look carefully through the complete form and provide all relevant information. If any question is considered 'not applicable' this should be stated in full. The use of the abbreviations (e.g., N.A. or dash) should be avoided.

The application form is designed in such a way as to set out these questions in a structured manner and not necessarily in the order presented in the Regulations.

An application for Renewal of an existing Sewage Sludge Facility Certificate of Registration by a registration holder is made under Article 9.

An application for a Review of an existing Sewage Sludge Facility Certificate of Registration by a registration holder is made under Article 10.

An application for a Transfer of an existing Sewage Sludge Facility Certificate of Registration by a registration holder is made under Article 10.

Applicants for a review of an existing Sewage Sludge Facility Certificate of Registration should provide all relevant information specific to the review. If any question is considered 'not applicable' this should be stated in full.

1.4 Additional Documents to be Included:

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



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Three copies of the completed application form and all additional / supporting documentation and drawings shall be submitted.

1.5 About these Guidance Notes

These guidance notes have been developed to assist applicants in the preparation of an application for a Sewage Sludge Facility Certificate of Registration authorisation.

This document does not purport to be and should not be considered a legal interpretation of the provisions and requirements of the Waste Management (Registration of Sewage Sludge Facility) Regulations S.I. No. 32 of 2010.

While every effort has been made to ensure the accuracy of the material contained in this document, Tipperary County Council assumes no responsibility and gives no guarantees; undertakings and warranties concerning the accuracy, completeness or up-to-date nature of the information provided herein and does not accept any liability whatsoever arising from any errors or omissions.

1.6 Definition of Sewage Sludge Facility (SSF) as provided in S.I. No. 32 of 2010

‘sewage sludge facility’: (SSF)

means a centre dedicated to receiving sludge generated at sewage treatment plants and septic tanks at which the sludges will be stored prior to onward treatment, disposal or recovery at other locations.



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2 Sewage Sludge Facility Certificate of Registration application form

Section A: Type of Application

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

Application for a SSF Certificate of Registration [Art. 5]	<input type="checkbox"/>
Application for a Renewal of a SSF Certificate of Registration [Art. 9 (2)]	<input type="checkbox"/>
Application for a Review of a SSF Certificate of Registration [Art. 10 (4)]	<input type="checkbox"/>
Application for a Transfer of a SSF Certificate of Registration [Art. 10 (6) (a)]	<input type="checkbox"/>

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

Yes

No

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

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

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

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



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Section B: About the Applicant

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

B.1 Full name of applicant(s) [Article 6 (1) (a)]

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

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

B.2 All business names used or proposed to be used by the applicant(s) in the course of any business, trade or occupation carried out by the said applicant [Article 6 (1) (b)]

Business Name:	
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If the applicant(s) is a sole trader, Sections B.4 and B.5 do not need to be completed.

B.3 Full address of applicant's principal place of business [Article 6 (1) (c)]

The address and contact details of the applicant's principal place of business.

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

B.4 Is the applicant(s) a partnership? [Article 6 (1) (d)]

Yes

No

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

Name:	
Address:	
Name:	
Address:	



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Name:	
Address:	

Please continue on additional sheets, where necessary, and submit with application

B.5 Is the applicant(s) a body corporate? [Article 6 (1) (e)]

Yes

No

- (i) **If yes** please provide the company name, the company number, the address of its registered principal office and contact details, along with a certified copy of the appropriate certificate issued by the Companies Registration Office:

Company Name:	
Company Number*:	
Registered Address:	
Tel:	
Fax:	
e-mail:	

AND

- (ii) **If yes** please provide the name and address of any person who is a director, manager, company secretary or other similar officer of the body corporate:

Director name and address:	
Company Secretary name and address:	
Director name and address:	
Director name and address:	
Manager name, address and position:	
Other Similar Officer name, address and position:	

Please continue on additional sheets, where necessary, and submit with application



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B.6 Is the applicant(s) carrying on business under a name other than that of the applicant? [Article 6 (3) (c)]

The business name, the business number, the address of its registered principal office and contact details, along with a certified copy of the appropriate certificate issued by the Companies Registration Office:

Business Name:	
Business Number:	
Registered Address:	
Tel:	
Fax:	
e-mail:	

B.7 Technical Competence (Fit and Proper Person) [Article 7 (2) (b)]

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

Where the facility is to be managed on behalf of the applicant by an employee or agent, please provide details of their technical knowledge and qualification and/or experience relevant to the management of the sewage sludge facility.

Please use a separate sheet if required.

Document(s) Reference:

B.8 Financial Commitment Discharge [Local Authority prescribed under Article 6(3)]

Please provide particulars in respect of such matters affecting the ability of the applicant(s) to meet the financial commitments or liabilities which will be entered into or incurred by the person(s) in carrying on the activity or in ceasing to carry on the activity at the sewage sludge facility. **See Appendix 2 for Financial and Public Liability Declaration Forms to be completed with this application.**

Financial Commitment Discharge Declaration

Document(s) Reference:	
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Public Liability Insurance Declaration (for unknown liabilities - €6,500,000)

Document(s) Reference:	
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Financial security / bond to ensure rehabilitation of the site when activities cease

Document(s) Reference:	
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B.9 For the Transfer of SSF Certificate of Registration [Local Authority prescribed]

Particulars in respect of items B.1 to B.8 above shall be provided for both the holder of the SSF certificate of registration and the transferee.

Document(s) Reference:	
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Section C: About the Facility

C.1 The location or postal address of the facility to which the application relates [Article 6 (1) (h)]

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

C.2 Site Location Map and Layout Plans [Article 6 (1) (i)]

The following details shall be included:

- **Three copies** of all the appropriate plans and maps relating to the facility including:
 - site location map, to a scale of not less than 1:2,500
 - proposed layout plan of facility, to a scale of not less than 1:500
 - a clear delineation of the site boundaries (in red), and
 - particulars of:
 - Ordnance Survey Sheet Reference Number(s) (1:50,000 – discovery series)
 - Elevation Levels (metres) and Ordnance Datum used
 - Dimensions (metres)
 - Orientation of North Point
 - Plan, elevation and section (1:100) of all storage tanks and storage bays
- In addition three copies of a site layout plan (1:500) must also be supplied showing how the site will be laid out and including details of (where applicable)
 - Facility entrance and exit
 - Dedicated area for sludge reception, including location of all storage tanks and storage bays
 - Drainage provisions of the facility (including both clean and dirty water)
 - Vehicle washing point with drainage, including silt interceptor (if installed)
 - Site office
 - Weighbridge (if present)
 - Traffic flow



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- Nature of surfacing within the facility
- Location of any environmental monitoring points
- Emission points

C.3 Legal Interest in the land [Local Authority prescribed under Article 6(3)]

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 sewage sludge facility is located (e.g. leaseholder, owner, tenant, prospective purchaser): **(See Appendix 5 re required lease agreement information)**

Legal Interest:	
Document(s) Reference:	
Copy of proof shall include 3 copies of a Map, to a scale of not less than 1:500, outlining in red the land to which legal interest / permission pertains	

C.4 Planning Permission and Planning Authority [Local Authority prescribed under Article 6(3)]

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

Planning Permission Number :	
Planning Application Number:	
Local Authority:	
Document(s) Reference:	

C.5 Operating Hours [Local Authority prescribed under Article 6 (3)]

What are the proposed operating hours at the facility?

Weekdays:	
Weekends:	
Public Holidays:	

C.6 Description of the sewage sludge activity [Local Authority prescribed under Article 6(3)]

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



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Document(s) Reference:

C.7 Sludge Types and Quantities [Local Authority prescribed under Article 6(3)]

Using the current European Waste Catalogue Code(s), state the sludge types and quantities to be stored / handled at the sewage sludge facility:

EWC Code (6 digits)	EWC Code Description	Sludge Quantity and units

Include the anticipated annual throughput of each of the sludge types to be stored / handled at the sewage sludge facility

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

C.8 Emissions from the Facility [Local Authority prescribed under Article 6(3)]

Will the facility create any emissions to air (including dust and odour), water, land, sewer or noise?

Yes

No

If yes, please detail the source, location, nature, composition, quantity, level and rate of these emissions. State whether the emissions will be continuous or periodic and if periodic please give details.

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



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Document(s) Reference:

C.9 Description of the odour control measures [Local Authority prescribed under Article 6(3)]

Describe the measures to be undertaken to control odour at and arising from the sewage sludge activity which is proposed to be carried on within the sewage sludge facility. (Continue on a separate sheet if necessary)

Document(s) Reference:

C.10 Description of the vehicle washing measures [Local Authority prescribed under Article 6(3)]

Describe the measures to be undertaken to control vehicle washings arising from the sewage sludge activity which is proposed to be carried on within the sewage sludge facility. (Continue on a separate sheet if necessary)

Document(s) Reference:

C.11 Details of the integrity testing, maintenance and checking of all storage tanks or storage bays [Local Authority prescribed under Article 6(3)]

Supply details the integrity testing, maintenance and checking of all storage tanks or storage bays to be used at the sewage sludge facility. (Continue on a separate sheet if necessary)

Document(s) Reference:



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C.12 Recording waste types and quantities [Local Authority prescribed under Article 6(3)]

Detail how accurate records shall be maintained including sludge imports and exports, origin and destination locations, waste collection contractors.

Record of Sludge Imports:	
Record of Sludge Exports:	
Record of Sludge Origin(s):	
Record of Sludge Destination(s):	
Record of Waste Collection Contractor(s):	
Permit Holder and Waste Collection Permit number(s):	
Document(s) Reference:	

C.13 Records of source of waste sewage sludge, treatment processes and test results [Local Authority prescribed under Article 6 (3)]

Source of Sludge Import:	
Description of Sludge Treatment Process:	
Record of Sludge test Results:	
Document(s) Reference:	

C.14 Arrangements for the off-site recovery or disposal of wastes [Local Authority prescribed under Article 6(3)]

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



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

Document(s) Reference:	
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C.15 Animal By-Products [Article 10 (11)]

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

Yes

No

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

Document(s) Reference:	
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C.16 Other Procedures [Local Authority prescribed under Article 6(3)]

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

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

Document(s) Reference:



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Section D: Offences / Court Orders

D.1 Relevant Convictions/Court Order [Article 6 (1) (f)]

Has the applicant(s), including in the case of a body corporate any officer of that body corporate and including where the applicant is a natural person or partnership any natural person or partner, been convicted contrary to those enactments listed in Section H of this application form within the previous 10 years prior to the date of this application?

Yes

No

IF YES

- (i) in the case of **the applicant(s)** please include a supplementary sheet detailing the court hearing the case, details of the offence and all penalties and sanctions incurred. Where there is more than one offence to be considered, please use a separate sheet for each offence, and

Document(s) Reference:	
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- (ii) in the case where the applicant is a **body corporate** please include a supplementary sheet detailing the court hearing the case, details of the offence and all penalties and sanctions incurred [Article 6 (2) (a)], **including conviction details in relation to each director, manager, company secretary or other similar officer of the applicant** [Article 6 (2) (a) (i)]. Where there is more than one offence to be considered, please use a separate sheet for each offence. and

Document(s) Reference:	
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furthermore in the case where the applicant is a **body corporate** please include a supplementary sheet detailing the court hearing the case, details of the offence and all penalties and sanctions incurred by **each body corporate in which any director, manager, company secretary or other similar officer of the applicant is or has been a director, manager, company secretary or other similar officer** [Article 6 (2) (a) (ii)]. Where there is more than one offence to be considered, please use a separate sheet for each offence, and

Document(s) Reference:	
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- (iii) in the case where the applicant is a **natural person or partnership** please include a supplementary sheet detailing the court hearing the case, details of the offence and all penalties and sanctions incurred, including conviction details in relation to both the applicant and any body corporate, if applicable, **in which the applicant or any partner of the applicant, is, or has been, a director, manager, company secretary or other similar officer.** [Article 6 (2) (b)]. Where there is more than one offence to be considered, please use a separate sheet for each offence.

Document(s) Reference:	
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D.2 Court Orders under Section 57 or 58 of the Waste Management Act, 1996, as amended. [Article 6 (1) (g)]

Has the applicant, including in the case of a body corporate any officer of that body corporate and including where the applicant is a natural person or partnership any natural person or partner, had any requirement imposed by order of a court pursuant to Sections 57 or 58 of the Waste Management Act 1996 (No. 10 of 1996), as amended?

Yes

No

IF YES

(i) in the case of **the applicant(s)** please include a supplementary sheet detailing the court hearing the case and details of the requirements imposed by order of a court. Where there is more than one offence to be considered, please use a separate sheet for each offence, and

Document(s) Reference:	
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(ii) in the case where the applicant is a **body corporate** please include a supplementary sheet detailing the court hearing the case and details of the requirements imposed by order of a court [Article 6 (2) (a)], **including details in relation to each director, manager, company secretary or other similar officer of the applicant** [Article 6 (2) (a) (i)].Where there is more than one offence to be considered, please use a separate sheet for each offence, and

Document(s) Reference:	
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furthermore in the case where the applicant is a **body corporate** please include a supplementary sheet detailing the court hearing the case and details of the requirements imposed by order of a court on **each body corporate in which any director, manager, company secretary or other similar officer of the applicant is or has been a director, manager, company secretary or other similar officer** [Article 6 (2) (a) (ii)].Where there is more than one offence to be considered, please use a separate sheet for each offence, and

Document(s) Reference:	
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(iii) in the case where the applicant is a **natural person or partnership** please include a supplementary sheet detailing the court hearing the case and details of the requirements imposed by order of a court, including conviction details in relation to both the applicant and any body corporate, if applicable, **in which the applicant or any partner of the applicant, is, or has been, a director, manager, company secretary or other similar officer.** [Article 6 (2) (b)].Where there is more than one offence to be considered, please use a separate sheet for each offence.

Document(s) Reference:	
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D.3 For the Transfer of SSF Certificate of Registration [Local Authority prescribed]

Particulars in respect of items D.1 and D.2 above shall be provided for both the holder of the SSF certificate of registration and the transferee.

Document(s) Reference:	
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Section E: Facility Setting

E.1 Proximity to European or designated sites [Local Authority prescribed under Article 6 (3)]

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

Designation	Yes	No
Special Area of Conservation (SACs)		
Special Protection Area (SPAs)		
Ramsar		
Natural Heritage Areas (NHAs)		
Nature Reserves		
Refuge for Flora or Fauna		
Wildfowl Sanctuaries		
Management Agreements ¹		

If yes, please give details of the sites and identify on a map their location relative to site of the activity:

Affected Sites:	
Document(s) Reference:	

E.2 Water Catchment [Local Authority prescribed under Article 6 (3)]

Is the site located in the immediate catchment of a water course²?

Yes

No

If yes, please supply details of the flood studies undertaken to ensure that the potential for increased run-off or contamination of the watercourse is adequately mitigated. (See **Appendix 3** for guidance on information required.)

Affected Sites:	
Document(s)	

¹ The Wildlife Act 1976, enables the Minister to enter into a voluntary management agreement with private landowners. Under these agreements landowners will manage their lands to ensure that desirable wildlife habitats are protected. The number and type of such agreements depends on the resources available to the Department at any time

² Local Government (Water Pollution) Act, 1977 defines "waters" to include the following:

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

(b) any tidal waters, and

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



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Reference:	
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E.3 Land Use [Local Authority prescribed under Article 6(3)]

Please provide details of the following:

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

E.4 Correspondence with Minister/National Parks and Wildlife Service [Article 6 (3)]

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

Document(s) Reference:	
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E.5 Biodiversity [Article 6 (3)]

Please provide details of the biodiversity of the site. (See Appendix 4 for guidance on information required.)

Document(s) Reference:	
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Section F: Additional Information

F.1 Additional Information

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

Supporting documents may be provided.

Document(s) Reference:

F.2 Fee payable [Local Authority prescribed under Article 6(3)]

Please tick the appropriate box below:

Category of Application (1)	Type of Application (2)	Fee Payable (3)	Tick Box
1.	Application for a Certificate of Registration in accordance with Regulation 5.	€600	<input type="checkbox"/>
2.	Application for the review of a Certificate of Registration in accordance with Regulation 10 (4).	50% of the fees applicable to an application for a certificate of registration, or €100 for minor changes not requiring a full review.	<input type="checkbox"/>
3.	Application for the renewal or transfer of a Certificate of Registration in accordance with Regulation 9(2) or 10 (6) (a), as appropriate.	25% of the fees applicable to an application for a certificate of registration	<input type="checkbox"/>

Is the payment/receipt attached with application?

Yes
No



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Section G: Statutory Declaration [Article 6 (3) (a)]

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

for the purpose of obtaining a (SEWAGE SLUDGE FACILITY) **CERTIFICATE OF REGISTRATION** is correct, and that no information, which is required to be included in the said application, has been omitted.

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

I authorise **Tipperary County Council** to make any enquiries from official sources as it may consider necessary for the purpose of determining this application and, pursuant to Section 8 of the Data Protection Act 1988, I consent to the disclosure of details of convictions for relevant offences specified under Schedule 2 of the Waste Management (Registration of Sewage Sludge Facilities) Regulations 2010.

Signature(s): _____

Name(s) (block capitals) _____

Declared before me at _____ this _____ day of _____,
_____, 20____. #

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

Signature of Witness: _____

Name (block capitals): _____

Occupation: _____

Date: _____

Company / Organisation
Stamp or Seal:

Note: Where the applicant is a partnership, each partner, or where the applicant is a body corporate, a director, manager, company secretary or other similar officer of the applicant shall sign this statutory declaration.

WARNING: Any person who gives false or misleading information for the purpose of obtaining a (SEWAGE SLUDGE FACILITY) **CERTIFICATE OF REGISTRATION** renders themselves liable to severe penalties.



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Section H: Offences listed in Schedule 2 of the Waste Management (Registration of Sewage Sludge Facility) Regulations 2010, S.I. No. 32 of 2010

The following offences shall be disclosed in the application by an owner or operator of a sewage sludge facility for a certificate of registration:

- (1) a contravention of the Waste Management (Movement of Hazardous Waste) Regulations, 1998 (S.I. No. 147 of 1998), subject to any amendment that may be made to those Regulations from time to time, but if those Regulations should be revoked, shall be subject to such Regulations corresponding to those Regulations as may be for the time being in force,
- (2) an offence under sections 14(6), 18(2), 18(8), 32(6), 34(1), 36(3), 39(9), 53C(4), 53F, 53H(4), 53I(6), 53J(6), 53K(5), 53L(5) or 53M(5) of the Act, or as appropriate, any appropriate section or Part, concerning producer responsibility obligations, that may be inserted into the Act from time to time,
- (3) an offence under articles 18 and 26 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, but if those Regulations should be revoked, shall be subject to such Regulations corresponding to those Regulations as may be for the time being in force, or as appropriate,
- (4) an offence under article 9 of the European Communities (Batteries and Accumulators) Regulations, 1994 (S.I. No. 262 of 1994) those Regulations, from time to time, but if those Regulations should be revoked, shall be subject to such Regulations corresponding to those Regulations as may be for the time being in force,
- (5) an offence under Regulation 9 of the Waste Management (Shipments of Waste) Regulations 2007 (S.I. No. 419 of 2007),
- (6) an offence under the Waste Management Act 1996, as amended, the Environmental Protection Agency Acts 1992 and 2003, the Local Government (Water Pollution) Acts 1977 and 1990, the Air Pollution Act, 1987.



Comhairle Contae Thiobraid Árann
Tipperary County Council

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SEWAGE SLUDGE FACILITY CERTIFICATE OF REGISTRATION APPLICATION FORM

APPENDICES



SEWAGE SLUDGE FACILITY CERTIFICATE OF REGISTRATION APPLICATION FORM

APPENDIX 1 - Checklist of information to be supplied with application

Information required	Regulation	Included
A statutory declaration, in the form as set out in Schedule G, signed by the applicant or, where the applicant is a partnership, each partner, or where the applicant is a body corporate, a director, manager, company secretary or other similar officer of the applicant.	6 (3) (a)	<input type="checkbox"/>
Where the applicant is a body corporate, a copy of the applicant's certificate of incorporation, certified by the Registrar of Companies under section 370(1)(b) of the Companies Act, 1963 (No. 33 of 1963) or where the applicant is incorporated outside the State, the equivalent certificate from the appropriate authority of that State.	6 (3) (b)	<input type="checkbox"/>
Where the applicant carries on business under a name other than that of the applicant, a copy of a certificate of registration under the Registration of Business Names Act, 1963 (No. 30 of 1963) certified in accordance with section 16(1)(b) of that Act.	6 (3) (c)	<input type="checkbox"/>
The appropriate fee as prescribed by the local authority.	6 (3) (d)	<input type="checkbox"/>
A copy of the current tax clearance / C2 certificate issued to the applicant(s) by the Revenue Commissioners, or appropriate certificate from the relevant tax authority for non-domiciled applicants.	[Local Authority prescribed under Article 6(3)]	<input type="checkbox"/>



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APPENDIX 2 FINANCIAL & PUBLIC LIABILITY DECLARATION FORMS

Section B.8: Financial Commitment Discharge Declaration- Certificate of Registration

This document must be completed to satisfy the local authority that the applicant meets the full definition of a 'fit and proper person' as interpreted in Article 7 of the Waste Management (Registration of Sewage Sludge Facility) Regulations, 2010.

Please note that under Article 7 (2) (b) a local authority shall not grant a certificate of registration unless it is satisfied that the applicant is a fit and proper person.

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

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

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

Signed Financial Declaration.

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

Signature: _____

Name (Block Capitals): _____

Financial Institution (if applicable): _____

Position or Title: _____

Date: _____

Official Stamp

Warning: Any person who gives false or misleading information for the purpose of obtaining a sewage sludge facility certificate of registration renders themselves liable to severe penalties.



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Section B.8: Public Liability Insurance Declaration.

This document must be completed to satisfy the local authority that the applicant meets the full definition of a 'fit and proper person' as interpreted in Article 7 of the Waste Management (Registration of Sewage Sludge Facility) Regulations, 2010.

Please note that under Article 7 (2) (b) a local authority shall not grant a Sewage Sludge Facility Certificate of Registration unless it is satisfied that the applicant is a fit and proper person.

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

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

Signed Declaration.

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

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

Signature: _____

Name (Block capitals) : _____

Position or Title: _____

Insurance Broker or Company : _____

Date: _____

Official Stamp

Warning: Any person who gives false or misleading information for the purpose of obtaining a sewage sludge facility certificate of registration renders themselves liable to severe penalties.



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APPENDIX 3 GUIDANCE ON FLOOD STUDIES

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

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

Sample Request for Flood Plain Assessment

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

The applicant should supply the following information:

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

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



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APPENDIX 4 GUIDANCE ON BIODIVERSITY

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

Where the proposed activity will be located in an area that is already developed⁹ and will not, due to its nature and scale, significantly impact on biodiversity off-site, a statement to that effect shall be sufficient. Examples could include the following:

- Proposed location of a materials recycling facility in an industrial estate.
- Proposed redevelopment of an existing garage for depollution of waste vehicles.
- Proposed location of a storage and transfer facility for road maintenance and street cleaning wastes in an existing local authority depot.
- Proposed location of a composting facility in the yard of a hotel.
- Proposed location of a small-scale civic amenity facility in a car park.

Where details of biodiversity is required, an ecological study of the site and surrounding environment¹⁰ shall be conducted by a person with an ecological qualification as follows:

Habitat shall be identified to level 3 in accordance with A Guide to Habitats in Ireland¹¹ and mapped.

The habitat nomenclature scheme in A Guide to Habitats in Ireland shall be used, except in the case of any EU Habitats Directive¹² Annex 1 habitats, which shall be identified in accordance with the nomenclature used in the EU Habitats Directive.

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

- Irish Red Data Books 1 (plants) and 2 (animals)¹³
- Annex I of the EU Habitats Directive.
- Annex I of the EU Birds Directive¹⁴.
- Red or amber listed bird species in the current list of Birds of Conservation Concerns in Ireland¹⁵.

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

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

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

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

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

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

¹⁵ <http://www.birdwatchireland.ie/>



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Sites of conservation interest shall be identified including:

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

The study shall include an assessment of the impact of the proposed activity on the above and detail any measures proposed to mitigate same. Also cognizance must be taken of the policies set out currently in the County Development Plan and Local Area Plans of Tipperary County Council when carrying out any assessment.

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

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

¹⁸ See Code of Practice – Environmental Risk Assessment for Unregulated Waste Disposal Sites (EPA, 2006) regarding protection of wetlands in the context of waste activities. “Wetlands” are defined as “ areas of marsh, fen, peatland, or water, whether natural or artificial, permanent or temporary, with water that is static or flowing, fresh, brackish, or salt, including marine waters, the depth of which at low tide does exceed six metres”



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APPENDIX 5 GUIDANCE ON LEASE AGREEMENT

The applicant is required to submit evidence of legal interest in land, i.e. folio number and map, and where the applicant is not the registered owner of the land a letter of consent by way of a legal agreement between the owner and the applicant consenting to the use of the facility/infrastructure.

Sample information required on lease agreement:

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

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

- a. That he/she is the owner, and
 - b. The following has been granted to the applicant by the owner:
 1. Permission to deposit the sewage sludge,
 2. Permission to test / upgrade infrastructure to contain the sewage sludge,
 3. Access/ rights to comply with all conditions,
 4. Access/ rights to complete all works inc. drainage to collect any leachate from the sewage sludge, and
 - c. Declaration witnessed by peace commissioner or Garda etc.
2. Identify the owner's land-take on the Facility Plan Drawings. (Scale 1:500)