

Environmental Protection
Agency
19 DEC 2008

Our Ref: D/7.033

Date: 12/12/2008

SUBMISSION ON BEHALF OF "CAVAN BETTER WASTE MANAGEMENT"

Environmental Protection Agency
Office of Climate,
Licensing & Resource Use,
P.O. Box 3000,
Johnstown Castle Estate,
Co. Wexford.

Re/ EPA Registration number: W0077/03

Application by Cavan County Council in regard to specially engineered landfill, including placement into lined discrete cells which are capped and isolated from one another and the environment at Lismagratty and Corranure Townlands, Cootehill Road, Cavan, Co. Cavan.

Dear Sirs,

I am instructed by "Cavan Better Waste Management" in the above matter and I wish to make submission regarding application currently before the Environmental Protection Agency. Having considered the application documents lodged with the Agency, I note on my clients behalf that the landfill area in this instance is closed and no longer accepting waste, but classes 1 and 5 are still applicable relating to the past activities under the waste licence review. While "Cavan Better Waste Management" are happy to see that this one area of the site is now closed and capped, there is obviously great concern as to the future maintenance and aftercare of this particular section of site, which it is indicated will remain in the charge of Cavan County Council.

In making this submission and in urging the Agency to grant the licence for maintenance and aftercare, I would emphasise the need for monitoring of this facility over the coming years and the need for the Agency to be diligent in their monitoring of the closed facility. The local community have no confidence in the Local Authority's ability to take care of this site and are therefore reliant on the Agency's monitoring and their own observations to protect the local interests. I note in particular, the conviction of Cavan County Council for non-compliance with the operation licence on this site and I further note the non-compliance observations summarised at "Appendix B" in the application documents. Coupled

with the many reports issued by the Agency on their monitoring, highlighting that breaches are occurring on a regular basis, that intolerable smells are emanating from the site, making the enjoyment of property in the area impossible. In supporting the closure of this section of the site, I call on the EPA to ensure that adequate steps are taken to eliminate the;

- odours
- pollution
- deterioration in Flora and Fauna

and to ensure proper handling of leachate occurs so as to minimise the effect on the locality, its residents and their health.

While appreciating that it is difficult to separate the area currently operated by Oxigen Environmental Limited and the area now closed and under the care of Cavan County Council, "*Cavan Better Waste Management*" are concerned that difficulties in one part of the site will be blamed on the other. I call on the Agency to ensure that this does not happen and that both areas are properly monitored. In the event of non-compliance within the area owned and maintained by Cavan County Council, immediate steps must then be taken to ensure that the Council comply with their obligations. It is equally important that the landfill facility currently under the management of Oxigen Environmental Limited be similarly held responsible for its activities.

I call for granting of the licence applied for under W0077-03 for the closure, aftercare and maintenance of this section of the site on the clear understanding that the aftercare and maintenance is properly undertaken. I await sight of the Agency's decision and the conditions and provisions that will attach to it, in the hopes they will satisfy my clients concerns regarding the proper aftercare and maintenance of this site.

In the event that my clients are dissatisfied with the monitoring arrangements and the aftercare maintenance I reserve the right to call for an appeal and oral hearing in due course.

Signed on behalf of Cavan Better Waste Management,

David J. O'Daly.
M.R.I.A.I. (Agent)

