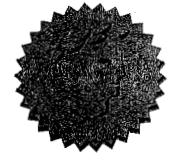




Cavan County Council

Comhairle Chontae an Chabháin

Teach Na Cúirte
An Cabháin



Courthouse
Cavan

Environmental Protection Agency,
Headquarters,
PO Box 3000,
Johnstown Castle Estate,
Co. Wexford.

20th January 2011

Our Ref: MGE0068LT0095GAL
File Ref: MGE0068 – 330



Re: Appeal to Proposed Decision issued by EPA on 15th December 2010 on Application for a Waste Licence by Oxigen Environmental Ltd. in relation to Corranure Landfill, Licence Register No. W0248-01

Dear Sir/Madam,

This objection is being made by **Cavan County Council, Courthouse, Cavan**. A cheque in the sum of €100 is enclosed for the required fee for the objection.

The Proposed Decision is objected to on the following basis:

The proposed Oxigen development at Corranure will assist in meeting the objectives for waste management in Ireland which include maximum recycling, energy recovery and minimising landfill disposal as set out in the following policy documents and legislation:

- Waste Management Changing Our Ways, 1998,
- EU Landfill Directive (1999/31/EC),
- Preventing and Recycling Waste – Delivering Change, 2002,
- Waste Management – Taking Stock and Moving Forward, 2004,
- National Strategy on Biodegradable Waste, 2006,
- Forfás Annual Competitiveness Report Volume 1: Benchmarking

Ireland's Performance, 2008

- DoEHLG Circular on the Implementation of Segregated "Brown Bin" Collection for Biowaste and Home Composting, 2008,
- International Review of Waste Management Policy: Summary Report, DEHLG 2009,
- Waste Management in Ireland: Benchmarking Analysis and Policy Priorities, Forfás, 2009 Update, and
- Waste Management (Food Waste) Regulations, 2009.

The EU Landfill Directive (1993/31/EC) defined progressive targets for the diversion of BMW (Biodegradable Municipal Waste) from landfill. Oxigen's proposed development will assist in meeting the Directive by:

- Diverting 97% of recyclable waste to be accepted at Corranure from landfill disposal,
- Diverting 80% of commercial and industrial waste and construction and demolition waste from landfill, and
- Processing and diverting 65,000 tonnes of BMW from landfill annually.

The proposed development will make a significant contribution to meeting regional and national diversion, recycling and recovery targets.

The National Strategy on Biodegradable Waste (2006) sets out measures to progressively divert biodegradable municipal waste from landfill in accordance with the agreed targets in the EU Landfill Directive on the landfilling of waste. This strategy is designed to secure the diversion of biodegradable municipal waste from landfill. The proposed Oxigen development supports national and local policy in meeting target for waste diversion from landfill and pre-treatment prior to disposal.

Environmental quality enhancement and the provision of effective waste management facilities are specified by national policy as necessary and essential for the sustainable development of the nation. The National Development Plan (NDP) 2007-2013 prioritises environmental services,

including waste management services and environmental infrastructure generally. The NDP makes particular reference to the need to reduce the reliance on landfill, partially through the increase of the recycling rate and an increased number of recycling centres. The economic benefits of high quality waste management infrastructure are acknowledged in the NDP.

The National Spatial Strategy 2002-2020 identifies waste management as a particular priority going forward. It states that efficient, effective and cost competitive waste management facilities are essential if industrial and enterprise activity is to thrive and develop in a balanced way.

The development of an integrated waste management facility at Corranure is supported by Section 9.8.11 of the Cavan Town and Environs Development Plan 2008-2014 which states that the long-term vision is to: *'create and enhance the integrated waste facility with a full range of complimentary uses within a well designed and attractive setting that would supply employment opportunities for the county using the best available technical and environmental practices.'* The subject lands are also zoned under the current Development Plan for the specific purposes of Industry/Integrated Waste Management Facility.

The proposed development also meets the objectives of the Waste Management Plan for the North East Region 2005-2010, which states:

'It will be a priority of the Plan to ensure that biological treatment of separately collected organic waste is developed in the Region. This treatment is required to meet our requirements under the Landfill Directive as well as to meet the recycling targets set in the Plan.'

'It is estimated that a minimum of 30,000 tonnes of biowaste treatment capacity is required for the region. There are proposals to develop recycling facilities at Corranure in Cavan which may include biowaste treatment....'

The Inspector's Report on the Oxigen Environmental Ltd.'s licence application W0248-01 (29th September 2010) states that *'The Waste Management Plan*

for the North East Region 2005-2010 has identified that the North East Region will strive to implement a regional approach to waste management that is sustainable and based on National and EU legislation and policy. The integrated waste management approach based on the EU Waste Hierarchy will be applied to waste generated, implementing maximum recycling, recovery of energy from residual waste, and minimising landfill disposal. The Region will continue to improve the infrastructure for recycling and recovery of waste and will maximise positive input of the private sector to help meet Plan objectives.'

Oxygen Environmental Ltd.'s proposal for an integrated waste management facility at Corranure would play a vital role in providing the necessary biological treatment capacity and assist in achieving recycling targets in the region in line with EU, national and regional waste policy, while also diverting significant quantities of waste away from landfill. In addition there will be a reduction in the emissions of landfill gases such as methane which can cause nuisance and which contribute to greenhouse gases and therefore to climate change. The EPA decision to refuse approval for the development of an integrated waste management facility is contrary to EU, national and regional waste policy which the Minister for the Environment, Heritage and Local Government is continually advocating and the promotion of higher level treatment options.

The processing plant will be designed and operated to BAT (Best Available Technology) standards. The proposed development will be sited away from public roads and landscaping mitigation measures including planting and appropriate building finishes will provide effective screening and merge the integrated facility into the surrounding landscape.

Cavan has suffered more than most counties during the current serious recession. Imminent announcements on the enterprise front further threaten to jeopardise the future of the region.

The proposed development however constitutes a significant piece of infrastructural development for the county and the region. It would provide up

to 200 jobs in the area and would be a significant boost for the local economy with an initial investment of 20 to 40 million euro. It also has the further potential of facilitating the creation of off site green enterprises . It could act a cornerstone in the development of other green economic projects which have the potential of positioning the county as a leader in the country. A refusal of the licence application would constitute a major blow to these plans and to the local economy.

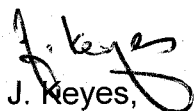
I have also been asked by the elected representatives for the Cavan Electoral area to impress upon the Agency the importance of the project for the region and their support for the creation of a state of the art integrated waste management facility in Corranure. They see the creation of such a facility as a move away form traditional landfill which has posed difficulties in the past. This facility will substantially address the concerns of all the people in the area.

I am aware of the E.P.A's concerns in recent years in to operational matters at Corranure. These reservations are fully appreciated and Cavan County Council fully understands the full range of powers available to the E.P.A in relation to ensuring that ongoing management is carried out to a satisfactory level of compliance

In conclusion, Cavan County Council support the waste licence application by Oxigen Environmental Ltd. for the development of an integrated waste management facility at Corranure on the basis that the proposed development is consistent with EU, national and regional policies, is in line with national waste management policy, will address a deficit in biological waste processing capacity within the region, is in line with the EU waste hierarchy and higher level waste activities which are preferred, will result in a reduction in the quantity of residual waste for disposal at Corranure and elsewhere in the region, and will provide sustainable waste management infrastructure required to meet EU, national and regional waste policy.

I wish to thank the Board for their consideration of this appeal and to acknowledge the proactive approach the EPA has played over the past number of years. The solution to the issues which have been of concern to all is now available and I urge you to positively consider this submission.

Yours sincerely,



J. Keyes,

County Manager.

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