



Submission

Submitter:	Mr Andrew Sulley
Organisation Name:	HSE
Submission Title:	Envt Health Submission
Submission Reference No.:	S006099
Submission Received:	25 August 2020

Application

Applicant:	Louth County Council
Reg. No.:	W0033-02

See below for Submission details.

Attachments are displayed on the following page(s).

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Environmental Health Submission

Date 18th August 2020

EHS ID1268

- Licence Type: Waste
- Name and address of applicant: Louth County Council, County Hall, Millennium Centre, Dundalk, Louth
- Location of facility: Collon Road, Mell, Drogheda, Louth, A92 N126
- Reference No: W0033-02
- EIS/EIAR submitted: No

Find enclosed the Environmental Health Service (EHS) submission for a review of Licence W0033-02

The following HSE stakeholders were notified of the review on the 15th July 2020:

- Emergency Planning – Brendan Lawlor
- Estates – Helen Maher
- Assistant National Director for Health Protection – Kevin Kelleher / Laura Murphy
- CHO – Pat Bennett

Clarification on the contents of this report should in the first instance be directed to Ms Tara Woods, Principal Environmental Health Officer, at the above address.

Tara Woods

Principal Environmental Health Officer

Environmental Health Submission Report

Background to the License Review

The following is paraphrased from the license review application. The reproduced images are from a report submitted by Declan Conlon, Executive Planner as part of his report into consideration as to whether there is a requirement for planning permission as part of the licence review.

The conclusion of Mr Conlon is that the development is an exempt development under the Planning and Development Act 2000.

The full report is available at:

http://www.epa.ie/licences/lic_eDMS/090151b28076750a.pdf

The EHS acknowledges the basis for this section of our submission is the work carried out by Mr Conlon.

The site is the former Drogheda municipal landfill site located to the north of Drogheda, previously controlled by Drogheda Borough Council, but now controlled by Louth County Council. The Council has an existing EPA license which covers the extent of the area highlighted in red on the map below.



A portion of lands outside the subject red line, identified as within the blue line in the map below, was used to dispose of waste pre 1995. This was not under Council ownership. The lands are 3 hectares in size. These lands have since been acquired by Louth County Council.



The Environmental Protection Agency directed the Council to purchase the lands and to remediate, carry out works such as capping, gas network and surface water control.

The Environment Section of Louth County Council submitted engineering works to EPA as required. The EPA will not approve these works until the lands in question are brought within the boundary of the license. In order to change the boundary the EPA require Louth County Council to seek a review of the licence.

From the application the following is noted by the EHS:

a) Louth County Council wishes to undertake restoration works at the Drogheda discontinued landfill site to continue the remediation works at the closed facility. The area to the northeast of the site has been acquired by Louth County Council and Specified

Engineering Works has been proposed for the proposed site. The capping of this area will deal with all areas of waste deposited outside the boundary to the northern part of the landfill site. LCC proposed to undertake further restoration works on these lands and include the area within the waste licence boundary

b) Louth County Council are applying to change the boundary of the landfill to take in an additional 1.22 hectares of land where historically waste was land filled by Drogheda Borough Council.

c) There are no proposed changes to the Conditions or Schedule of the licence in relation to Waste Activities in this review.

d) The current maximum amount of waste that is being held or stored at the installation at any one time is 80 tonnes.

e) The site ceased to accept waste for disposal when the waste licence was granted in December 1999. The only materials accepted at the site were inert wastes, which was utilised for capping at the site. Capping works were completed in September 2007.

f) Approximately 15,000m² of capping (Phase 2) in the former CRH lands to the north of the site was completed in December 2016.

g) Phase 3 capping works will be undertaken on a further area which has been acquired by Louth County Council. The capping of this area will deal with all areas of waste deposited outside the boundary to the Northern part of the site. This consists of an area encompassing approximately 14,000m².

h) Drogheda Landfill Site has been in operation since 1983 and has ceased accepting waste for disposal since the waste licence was granted on 30th December 1999 as required by the Waste Management (Licensing) Regulations, 1997.

i) A Civic Waste Facility is operated at the site.

e) Specified engineering works has been submitted to the EPA for approval to cap and remediate the new area. There is a proposed monitoring programme that will include monitoring of any gaseous emissions and monitoring of groundwater quality.

f) There will be no changes to the sources of emissions from the facility. The intention is that Louth County Council will operate the facility to comply with emission standards and limits set out in the existing Waste licence.

g) Mr Callaghan (Scientist/Executive Engineer) informed the EHO that a pest control contractor is currently employed for the waste facility site. There is no reference to this in the non-technical summary accompanying the review application.

h) In April 2019 there were some complaints received by Louth County Council from residents in relation to dust and debris (top soil/sub soil) from trucks on roads during delivery of soil to the waste facility. Additional washing of roads was carried out at that time. The required amount of soil has been delivered to cap the new site area and this will not be an issue in the proposed works.

Review of Existing Compliance Reports for Environmental Protection

The works to the new area commit to compliance with the existing Emission Limit Values (ELV) under the current Waste License.

It is therefore reasonable to review compliance with the existing (ELV)

The EHS notes the Annual Environment Report 2019 submitted under License W0033-01

The EHS notes that there 6 Environmental Complaints received during the period reported on. They were:

1 complaint in February 2019 in relation to a blocked drain in the northwest of the landfill site and 2 horses accessed lands. The horses were removed and the drain was cleared.

4 complaints in April and May 2019 in relation to mud on Cement Road following lorry deliveries of soil for future capping works. The contractor was informed, road sweepers were used to clean the road and lorry tyres were checked before leaving the site.

1 complaint in November 2019 in relation to mud on the Cement Road. No soil was being delivered to site at this time. The Council investigated the area.

There were four breaches of environmental controls reported in 2019, both categorised as minor in nature and did not result in any pollution incidents.

The EHS considered ELV monitoring in 2019 and makes the following observations:

a) Storm Water runoff monitoring shows minor exceedance of some parameters:

Barium 87.5% compliant samples. Exceeded SWQS of 0.1mg/l.

Chromium 87.5% compliant samples. Exceeded SWQS of 0.05mg/l.

Iron 87.5% compliant samples. Exceeded SWQS of 0.2mg/l.

Manganese 75% complaint samples. Exceeded SWQS of 0.05mg/l.

b) The sewer discharge from the Civic Waste Facility discharges to the mains sewer. Condensate from the landfill gas extraction system is transported off-site to Drogheda WWTP which discharges to the Boyne Estuary.

c) Dust monitoring results are 100% compliant with the ELV

d) Odour is not assessed

e) Ground Water

The AER states on page 31 that ground water monitoring results are given in Table 12. Table 12 is not populated with any monitoring results in the report available. It just lists out pollutants identified. The monitoring results are detailed in a separate document available on the EPA website.

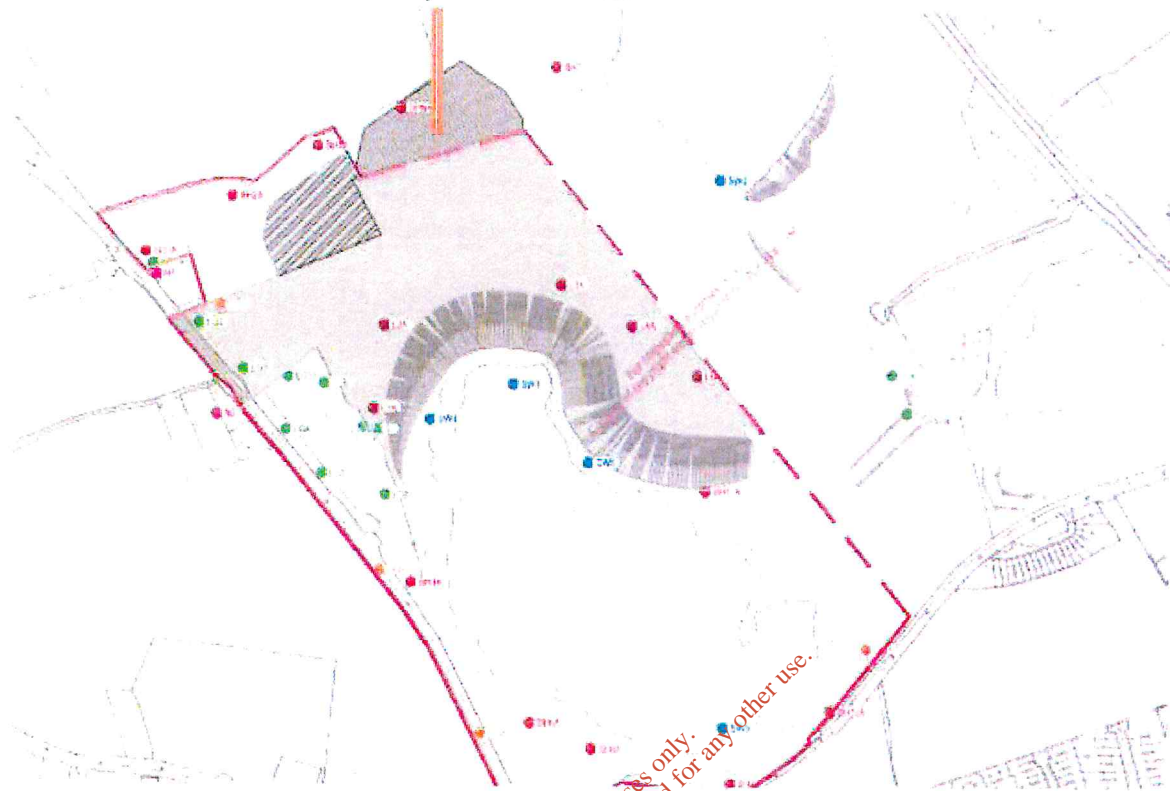
f) Noise

The AER states that the noise monitoring results indicate dominate noise is traffic and the landfill is not in use and therefore not a noise source since closure in 1999.

Consideration of the Protection of Groundwater in the License Review

The 2019 AER indicates there is an on-going issue with pollution of ground water under the existing license.

BH5A monitors the new area subject to the review



The report states

'BH5A is no longer considered an up gradient borehole as it appears to be influenced by leachate emission from the adjacent waste'.

It is not clear to the EHS if this means that whilst it is still up-gradient of the existing licensed site it will not be used as a baseline because it is subject to leachate contamination, or it is not now considered up gradient of the site at all. The area monitored by BH5A has a historic landfill use, as per the review application, and it would therefore be expected to have its own leachate and not necessarily specifically due to the adjacent area, but due to its own historic use.

It is noted that the report refers to a 'HRA' report recommending remedial action but this is not identified in the Glossary and the EHS cannot find where this is available. As this seems to be the basis for future compliance with ELV for ground water, it would be beneficial to make this readily available as part of the licence review.

The basis for the licence review is that there will be continued compliance with the existing license W0033-1, but the AER and self-monitoring reports indicate there is currently non-compliances with the existing license.

It is noted by the EHS that section 7 of the review application form (emissions) is not detailed in that each emission are generally stated as per existing license.

The EHS notes the refusal by the EPA to permit the change in the original license to be granted through a Technical Adjustment and in particular the report of the EPA Inspector dated 23rd August 2019 in which she stated:

'Therefore, as stated in the appropriate assessment screening above, I cannot be certain of the source-pathway-receptor relationship between the waste in the parcel of land under consideration for inclusion within the licensed boundary, the groundwater and the surface waters in the vicinity'

http://www.epa.ie/licences/lic_eDMS/D90151b28070ba84.pdf

It is not clear from the documents submitted with the review application and available to the EHS if this has been established and that there will be subsequent compliance with the ELV for the existing licence if the new geographical area is incorporated into a new license.

As the ELV are an Environmental and Health protection measure, it is the recommendation of the EHS that the EPA must be satisfied that the applicant can demonstrate how future emissions to ground water will be within the license conditions that are currently set, if a new license is granted.


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Senior Environmental Health Officer

Mariesa Rushe

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