

ENVIRONMENTAL PROTECTION
AGENCY WASTE LICENSING
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INITIALS.....

ATTACHMENT L1
STATUTORY COMPLIANCE
SECTION 40(4) OF WASTE MANAGEMENT ACTS 1996-2003

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ATTACHMENT L1 – STATUTORY REQUIREMENTS SECTION 40(4) OF WASTE MANAGEMENT ACTS 1996-2003

In developing the proposed remediation scheme, Roadstone Dublin has had regard to the requirements of Section 40(4) of the Waste Management Acts 1996-2003. These are addressed as follows: -

- a) *Any emissions from the recovery or disposal activity in question ("the activity concerned") will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment.*

An assessment of the risks associated with potential seepage from base of the engineered landfill (using LandSim) indicates that it does not present a risk to potential receptors (wells) a relatively short distance down-hydraulic gradient of it (refer to Appendix 6M of the Environmental Impact Statement).

An assessment of landfill gas generation at the engineered landfill (using GasSim) indicates that the associated risks to nearby residents are low (refer to Appendix 7A of the Environmental Impact Statement).

Environmental Management Systems will be put in place to minimise and control emissions to the environment during the remediation works, refer to Environmental Impact Statement.

- b) *The activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution; if the activity concerned involves the landfill of waste, the activity carried on in accordance with such conditions as may be attached on the licence, will comply with Council Directive 1999/31/EC on the landfill of waste.*

Roadstone Dublin will undertake the proposed remediation works in accordance with such conditions as may be attached to the Waste Licence to prevent environmental pollution. The proposed engineering design of the engineering landfill exceeds the requirements of Council Directive 1999/31/EC. An analysis of the risks associated with potential seepage from base of the landfill (undertaken using LandSim) indicates that it does not present a risk to potential receptors (wells) s relatively short distance down-hydraulic gradient of it (refer to Appendix 6M of the Environmental Impact Statement).

- c) *The best available technology not entailing exercise costs will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned; the activity concerned is consistent with the objectives of the relevant waste management plan or the hazardous waste management plan, as the case may be, and will not prejudice measures taken by the relevant local authority or authorities for the purpose of the implementation of such plan.*

The proposed remediation scheme should be viewed in the context of the existing situation whereby DCI waste, some of it in excess of 10 years old, has been buried in an uncontrolled manner and presents a potential risk to the environment and to the health and safety of nearby residents. Given the relatively limited volume of waste to be generated and handled by the proposed remediation scheme, it is not environmentally sustainable (or indeed practicable) to use alternative waste disposal technologies at this site.

As the proposed remediation scheme seeks to deal with legacy of unauthorised waste disposal in the past, rather than waste being generated at present or in future, it is not addressed by existing waste management plans. The proposed remediation scheme is consistent with Wicklow County Council's general policy on remediation of unauthorised landfill sites.

- d) *If the applicant is not a local authority, the cooperation of a borough that is not a country borough, or the council or an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste license.*

Refer to Attachment L2.

- e) *The applicant has complied with any requirements under Section 53.*

Roadstone Dublin will furnish such particulars, and make such financial provisions as are deemed necessary by the Agency in respect of the implementation of the proposed remediation scheme.

- f) *Energy will be used efficiently in the carrying on of the activity concerned.*

Small scale energy requirements for site offices, lighting, heating, security cameras will be provided by a temporary generator or a connection from overhead electrical power lines. Plant and equipment required to undertake the proposed remediation scheme will be powered by diesel fuel.

- g) *Any noise from the activity concerned will comply with, or will not result in the contravention of, any regulations under Section 106 of the Act of 1992.*

Short term noise emissions will be controlled and monitored to comply with such limits and conditions as may be imposed by a Waste Licence issued in respect of the proposed remediation works.

- h) *Necessary measures will be taken to prevent accidents in the carrying on of the activity concerned and, where an accident occurs, to limit its consequences for the environment.*

An assessment of the accident risks associated with the proposed remediation scheme and the measures to be implemented to mitigate them are provided in the outline Health and Safety Plan provided in Appendix 2F of the Environmental Impact Statement.

An assessment of the principal environmental hazards and risks associated with the proposed remediation scheme and the contingency measures to be implemented in the event of an incident are provided in the Outline Contingency Plan reproduced in Appendix 2J of the Environmental Impact Statement.

- i) *Necessary measures will be taken upon the permanent cessation of the activity concerned (including such a cessation resulting from the abandonment of the activity) to avoid any risk of environmental pollution and return the site of the activity to satisfactory state.*

Details of the proposed remediation and restoration of each of the unauthorised landfill sites within Roadstone Dublin's landholding are provided in Section 2.4 and Section 2.8 of the Environmental Impact Statement.

Details of the long term impacts on the existing groundwater regime after the end of the proposed 30 year management period, are presented in the LanSim analyses presented in Appendix 6M of the Environmental Impact Statement.

Details of the capping and restoration of the proposed engineered landfill are provided in Section 2.3.14 and Section 2.8 of the Environmental Impact Statement.

In developing the proposed remediation scheme, Roadstone Dublin has also had regard to the requirement to use Best Available Techniques where possible and practicable. The considerations referred to in ANNEX IV of Council Directive 96/61/EC on Integrated Pollution Prevention and Control are addressed as follows :

1. *The use of low waste technology*

Not applicable in this instance. Proposed remediation scheme seeks to deal with legacy of unauthorised waste disposal in the past, rather than waste being generated at present or in future.

2. *The use of less hazardous substances.*

The use of hazardous substances for the proposed remediation scheme is limited to use of rodenticides and insecticides (where required) during the excavation and placement of waste

3. *The furthering of recovery and recycling of substances generated and used in the process and of waste, where appropriate.*

Given that much of the buried domestic commercial and industrial (DCI) waste in the existing unauthorised landfills is unsorted and currently undergoing biodegradation, opportunities to re-use or recover this waste are very limited. Every attempt will however be made to process, segregate and re-use the overlying construction and domestic waste.

4. *Comparable processes, facilities or methods of operation which have been tried with success on an industrial scale.*

No directly comparable situation known.

5. *Technology advances and changes in scientific knowledge and understanding*

While alternative waste treatment technologies for DCI waste do exist (eg. thermal treatment), large-scale municipal facilities do not exist in Ireland. Notwithstanding this, there remains a requirement to separately dispose of soil intermixed with the buried waste and in contact with it.

6. *The nature, effects and volume of the emissions concerned*

Given that much of the buried domestic commercial and industrial (DCI) waste in the existing unauthorised landfills is unsorted and currently undergoing biodegradation, opportunities to re-use or recover this waste are very limited, if non-existent. At the present time, landfills are the only waste management infrastructure available for disposal of the DCI waste.

The proposed remediation scheme should be viewed in the context of the existing situation whereby DCI waste, some of it in excess of 10 years old, has been buried in an uncontrolled manner and presents a potential risk to the environment and to the health and safety of nearby residents. The proposed remediation scheme provides for controlled biodegradation of the buried DCI waste and minimises risks of future long-term damage to the environment.

7. *The commissioning dates for new or existing installations*

There are tight capacity constraints on existing and planned future waste management infrastructure in the eastern region, and in the State as a whole. These are discussed in Section 1.7 of the Environmental Impact Statement.

8. *The length of time needed to introduce the best available technique*

At the present time, landfills are the only waste management infrastructure available within the eastern region for processing non-hazardous DCI waste. To date, no planning permission has been sought for any alternative waste treatment facility within the region (eg. thermal treatment). Given the opposition to such facilities, these are unlikely to come on-stream in the foreseeable future. Given the relatively limited volume of waste to be generated and handled by the proposed remediation scheme, it is not environmentally sustainable (or indeed practicable) to use alternative waste disposal technologies at this site.

9. *The consumption and nature of raw materials (including water) used in the process and their energy efficiency*

The only chemicals or fuels to be consumed by the proposed on-site remediation activities are diesel fuel and engine oils used to power plant and equipment.

Small scale energy requirements for site offices, lighting, heating, security cameras will be provided by a temporary generator or a connection from overhead electrical power lines.

10. *The need to prevent or reduce to a minimum the overall impact of the emissions on the environment and the risks to it.*

The proposed remediation scheme should be viewed in the context of the existing situation whereby DCI waste, some of it in excess of 10 years old, has been buried in an uncontrolled manner and presents a potential risk to the environment and to the health and safety of nearby residents. The proposed remediation scheme provides for controlled biodegradation of the buried DCI waste and minimises risks of future long-term damage to the environment.

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