



**OFFICE OF
LICENSING &
GUIDANCE**

**REPORT OF THE TECHNICAL COMMITTEE ON
OBJECTIONS TO LICENCE CONDITIONS**

TO:	Directors	
FROM:	Technical Committee	- LICENSING UNIT
DATE:	18 March 2004	
RE:	Objection to Proposed Decision for Meath County Council, Basketstown Landfill, Basketstown, Summerhill, County Meath, Waste Reg. No. 10-2	

Application Details	
Class(s) of activity:	Waste Recovery & Disposal
Location of activity:	Basketstown, Summerhill, County Meath
Licence application received:	07/11/02
PD issued:	14/01/04
First party objection received:	10/02/04
Third Party Objection received	None

Company

Meath County Council applied for a review of the existing waste licence for Basketstown Landfill (Waste Licence Register Number 10-1 issued on 01/04/99) with regard to the closure and aftercare of the facility. The licensee notified the Agency that waste activities at the landfill ceased on 22/12/01.

The licensee proposes to restore the closed landfill to grasslands. The restoration and aftercare of the facility is to include completion of capping works, planting vegetation, implementing a leachate management system and maintaining the landfill gas management system at the facility.

Consideration of the Objection

The Technical Committee (TC), comprising of Mr Donal Howley (Chair) and Mr Patrick Byrne has considered all of the issues raised in the First Party's Objection and this report details the Committee's comments and recommendations following the examination of the objections.

First Party Objection

Enviros Consulting Ltd., acting on behalf of the applicant, made twelve points of objection, a number of which are clarifications.

A.1. Condition 2.1.1

The applicant requests clarification with regard to the phrase "until restoration works are completed" (sic) and request that it be amended to reflect situations where no works may be undertaken over a period of time, such as a number of months. It includes a suggested amendment to the second line of the condition as follows;

*"The facility manager or a nominated, suitably qualified and experienced, deputy shall be present on the facility **during all periods when** restoration works as required under Condition 4 are **being carried out**"*

Technical Committee's Evaluation: The TC note that there may be periods of time prior to the completion of the restoration works when none of the works specified under Condition 4 are being carried out. The TC however also notes that the facility may be accepting/removing waste material in accordance with Condition 1.4. The condition may be amended to reflect the above such that the facility manager, or suitable deputy, is present at all times during waste acceptance/removal and restoration works.

Recommendation: For the purposes of clarity the condition should be amended to read as follows:

The licensee shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced, deputy shall be present on the facility **at all times when (i) waste is being accepted/removed from the facility in accordance with Condition 1.4, and (ii) restoration works as required under Condition 4 are being carried out.**

A.2. Condition 3.2.2

The applicant requests clarification with regard to the requirement to remove both points (a) and (b) from the facility notice board once the facility has been restored and suggests that only (b) should be removed.

Technical Committee's Evaluation: The TC considers that it would be relevant to retain the name of the facility and an appropriate contact number for the facility.

Recommendation: For the purposes of clarity the last line of Condition 3.2.2 should be amended to read as follows:

The board shall clearly show:-

- a) The name and telephone number of the facility;
- b) The normal hours of opening;
- c) The name of the licence holder;
- d) An emergency out of hours contact telephone number;
- e) The licence reference number; and
- f) Where environmental information relating to the facility can be obtained.

(once the facility is restored a) should be amended to provide an appropriate daytime contact number for the licensee, and b) should be removed).

A.3. Condition 3.3.1

The applicant requests clarification with regard to the word "animals" and request that the condition be amended to refer to "farm" animals as it contends that it would be impossible to prevent access to the site for wildlife but security fencing will prevent access to farm animals.

Technical Committee's Evaluation: The TC considers that the security measures should be capable of preventing access to humans and farm animals.

Recommendation: For the purposes of clarity the condition should be amended to read as follows:

"The licensee shall ensure that the facility is secure and that there is no unauthorised access from humans or **farm** animals."

A.4. Condition 3.6

The applicant requests clarification with regard to the requirement to provide and maintain a weighbridge and wheelwash at the facility and suggests rewording the condition to allow for the removal of these items from the facility following completion of certain works at the facility.

Technical Committee's Evaluation: The TC notes that Condition 4.6 of the PD provides for the removal of items of facility infrastructure on completion of the landfill restoration and subject to the prior agreement by the Agency. The removal of the weighbridge and wheelwash can thus be agreed with the Agency where appropriate.

Recommendation: No change.

A.5. Condition 3.10.2

The applicant requests the removal of the requirement to provide and maintain landfill gas utilisation plant at the facility. Reference is made to a feasibility study carried out and submitted to the Agency in December 2003 under the existing licence. It is contended that the gas yield is declining rapidly and that the site could not sustain utilisation at 500kW for more than two years and that it would therefore not be economically viable. The applicant proposes to continue to flare the landfill gas.

Technical Committee's Evaluation: The TC notes the comments of the applicant and considers that landfill gas utilisation plant may be required at the facility if considered feasible.

Recommendation 1: Condition 3.10.2 should be deleted

Recommendation 2: Condition 3.10.1 should be amended to read as follows:

Landfill gas management infrastructure shall be provided and maintained at the facility as described in Attachment D.5 Landfill Gas **and include landfill gas utilisation plant if feasible.**

A.6. Condition 3.12

The applicant objects to the timescale of Condition 3.12.1 and the extent of the requirements of Condition 3.12.2. The applicant states that preliminary investigations into the provision of a telemetry system indicate that significant civil works may be required which may not be possible to complete within six months. It also contends that the cost involved to fulfil Condition 3.12.2 may be deemed to be excessive, and not in line with the principal of BAT, for the applicant.

The applicant suggests that Condition 3.12.1 be revised to read as

"Within 6 months of the grant of this licence MCC shall submit to the EPA a report addressing the viability of installing a telemetry system to record the parameters specified in Condition 3.12.2"

The applicant contends that the "Schematic Drawing of Telemetry Monitoring System" provided in Schedule F.2 of the application was submitted as an example of a telemetry system that would be investigated once site remediation was completed. It contends that the requirement to monitor the quality of leachate and surface water as required under Schedule C3.1 by telemetry is not realistic and requests that Condition 3.12.2(c) be deleted.

The applicant also contends that the installation of a telemetry system for all the perimeter gas monitoring points may not be a feasible option and refers to costs being possibly excessive and requirements for landowners agreements to lay cables and other engineering details. The applicant requests that Condition 3.12.2(e) be revised to read as

"the feasibility of connecting all perimeter monitoring locations to a telemetry system shall be investigated".

Technical Committee's Evaluation: The TC notes that the telemetry system requirements set out under Condition 3.12.2 reflect the example of telemetry system provided in the application. The TC considers that certain aspects of the system proposed may not be feasible for monitoring of the licensed facility. However, some aspects of the telemetry system may be installed within the timeframe specified in Condition 3.12.1.

Recommendation: That Condition 3.12 be amended to read as follows;

3.12 Telemetry

3.12.1 Within three months of the date of grant of this licence the licensee shall submit a report assessing the feasibility of connecting all perimeter landfill gas monitoring locations to the telemetry system. The licensee shall, subject to the landowners approval where appropriate, provide for the connection of such perimeter landfill gas monitoring locations to the telemetry system as instructed by the Agency and within such timeframe as specified by the Agency.

3.12.2 Within six months of the date of grant of this licence, the licensee shall install and maintain a telemetry system to include for the following items shown in Appendix F.2 "Schematic Drawing of Telemetry Monitoring System":-

(a) Recording of leachate levels in the landfill;

- (b) Leachate Treatment Plant control system;
- (c) **Landfill gas flare (and/or Landfill gas utilisation plant, where required); and**
- (d) **Permanent gas monitoring system to be installed in the site office, unless an alternative site office monitoring system is agreed by the Agency.**

3.12.3 All facility operations linked to the telemetry system shall also have a manual control which will be reverted to in the event of break in power supply or during maintenance.

A.7. Condition 9.4.3

The applicant requests clarification with regard to the requirement to supply alternative drinking water to residents. It states that since 2001 all private wells within 500m radius of the facility have been monitored as part of the existing licence and that the groundwater in most wells is not fit for human consumption due to contamination with faecal coliforms or occasionally with diesel range petroleum hydrocarbons or other contaminants. The applicant states that it has not been evident that this contamination is due to emissions from the landfill and that nevertheless it has been providing alternative water to residents living within 500m of the site.

The applicant accepts the conditions as it relates to any such effect caused by the landfill. In doing so the applicant categorically denies that the current water supply arrangements are due in any way to the landfill and states that the current water supply arrangements are provided in compliance with the applicant's (County Council's) duties in respect to the supply of potable water.

Technical Committee's Evaluation: The TC notes the applicant's comments and that the condition relates to the provision of alternative water supplies in the event that monitoring of local wells indicates that the facility is having a significant adverse effect on the quantity and or quality of the water supply. The condition does not diminish in any way the council's duties with regard to the provision of potable water supplies.

Recommendation: No change.

A.8. Condition 10.1

The applicant requests clarification on whether it would be acceptable in the future to only maintain documentation at the applicant’s offices in Navan and suggests that the condition be revise to read as

"The licensee shall keep the following documents at the facility office as long as daily site presence by the facility engineer is provided, and thereafter at the Meath County Council Office..."

Technical Committee’s Evaluation: The TC considers that the condition provides for the maintenance of the required documentation at an alternative designated location although for clarity it could be amended to specify this location be agreed with the Agency.

Recommendation: For the purposes of clarity the first line of the condition should be amended to read as follows:

“The licensee shall keep the following documents at the facility office or other designated location **to be agreed by the Agency:-**“

A.9. Condition 11.3.1 & Schedule D

The applicant requests clarification with regard to the dates of submission of the Annual Environmental Reports (AER) and whether the calendar year is being referred to in Condition 11.3.1 i.e. "within one month of the end of the year thereafter".

Technical Committee’s Evaluation: The TC considers that the submission of the AER should be based on the calendar year and that as this facility is already licensed the first AER should be submitted by 31st March of each calendar year.¹ The TC also notes Schedule D sets out the reporting frequencies of the AER.

Recommendation 1: Condition 11.3.1 should be amended to read as follows:

“The licensee shall submit to the Agency for its agreement, **by 31st March of each year**, an Annual Environmental Report (AER) **for the previous year.**”

Recommendation 2: In the Interpretation section of the PD provide the following term:

Year The period from 1st January to the 31st December of a calendar year

Recommendation 3: The row of Schedule D relating to the AER should also be amended to read as follows:

Annual Environment Report (AER)	Annually	By 31st March of each year
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¹ 31st March is the date to be specified for the submission of AER in future licences.

A.10. Schedule C.1

The applicant requests clarification with regard to the monitoring locations listed in Schedule C.1. It states that these locations are not identical to those listed in Attachment F "Proposed Environmental Monitoring" of the application and also that due to site capping and restoration works in 2003 some of the locations proposed and included in Schedule C.1 are either removed, due to be replaced or silted up. The applicant proposes an alternative list of monitoring locations to replace that in Schedule C.1.

Technical Committee's Evaluation: The TC considers that Condition 8.1 and Note 1 of Schedule C.1 provides for consideration of amendments to the monitoring locations set out in Schedule C.1. Such changes can therefore be agreed with Agency.

Recommendation: No change.

A.11. Schedule C.3

The applicant notes that the frequency of monitoring has not been reduced significantly to take account of the fact that the site is now closed and is entering its aftercare phase and requests that groundwater and surface water quality monitoring frequencies be reduced to bi-annual monitoring.

Technical Committee's Evaluation: The TC notes that restoration works have not been completed at the facility and that Condition 8.2 provides for consideration of amendments to the monitoring frequencies set out in Schedule C.3. Such changes can therefore be agreed with Agency.

Recommendation: No change.

A.12. Schedule C.5

The applicant requests confirmation that the metrological monitoring referred to is daily data from the Mullingar weather station.

Technical Committee's Evaluation: The TC notes that Schedule C.5 specifies the location referenced in Attachment F.6 of the application, which is the Mullingar weather station.

Recommendation: For the purposes of clarity the first line of Schedule C.5 should be amended to read as follows:

Data to be obtained from Mullingar weather station

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the proposed decision and
- (ii) subject to the conditions and reasons for same in the Proposed Decision,
and
- (iii) subject to the amendments proposed in this report.

Signed

Donal Howley
for and on behalf of the Technical Committee