

# MEMO

<b>TO:</b> Board of Directors	<b>FROM:</b> Dara Lynott
<b>CC:</b>	<b>DATE:</b> 02 May 2002
<b>SUBJECT :</b> Silliot Hill Landfill, Co. Kildare Technical Committee Report	

## Application details

Applicant:	Kildare County Council
Location of Activity:	Kilcullen Co. Kildare
Reg. No.:	14-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 4, 6, 7, 11, 12, 13 Fourth Schedule: Classes 2, 3, 4, 9, 10, 11, 13
Proposed Decision issued on:	21/12/01
Objections received:	16/01/02(one),17/01/02(one)
Submissions on objections received:	22/03/02(one)25/03/02(one)
Inspector that drafted PD:	Peter Carey

### Consideration of the objections and submissions on objections

The Technical Committee (TC) (Dara Lynott, Chairperson, Malcolm Doak and Helen Maher, committee members) met on 30/04/02 and considered all of the issues raised in the Objections. This report details the Committee's comments and recommendations following the examination of the objections and the submissions on objections received.

### Objections and submissions on objections received:

One objection to the proposed decision was received (16/01/02) from Consultants representing Kildare County Council and one objection was received (17/01/02) from consultants representing Mr. Oliver O'Hanlon. One submission on objection were received (22/03/02) from Kildare County Council and one was received (25/03/02) from Mr. Oliver O'Hanlon

The objections and submissions on objections totalled over 60 pages and these submissions and objections have been summarised and paraphrased. The issues raised in the objections are addressed below.

## Objections

## Objection Number 1 From Kildare County Council

**Objection 1, Item 1** – The applicant requests that the specified dry matter content of the sludge be defined to be between 2% and 25%. The PD specifies dry matter content at between 2% and 14%.

### Technical Committee's Evaluation

The TC notes that the PD limits the volume of sludge to 2,000 tonnes per annum dry solids or 11,000 tonnes of liquid sludge this is equivalent to an average dry solids content of 18.2%  $((2000/11000)*100)$ . The TC finds the request to be reasonable.

### Recommendation

Revise the definition of sludge contained at the beginning of the licence to **“between 2% and 25% dry matter”**

**Objection 1, Item 2** – The applicant requests a revision to Condition 1.7.1 that additional time be allowed after the hours of waste acceptance to provide for the removal of skips from the site for disposal/recovery.

### Technical Committee's Evaluation

The TC notes that the hours of waste acceptance and operation are the same as the hours of waste removal. The TC considers that it is reasonable to allow any full skips to be removed from the site after the end of waste acceptance hours, to reduce nuisance and allow for the effective operation of the facility.

### Recommendation

Revise Condition 1.7.1 as follows:  
**“Waste shall only be accepted at (other than the Civic Waste Facility) the facility between the hours of 07.00 and 21:30 Monday to Friday inclusive and 07.00 to 16.30 on Saturdays. An additional 30 minutes is allowed for removal of waste off-site after the end of waste acceptance hours.”**

Revise Condition 1.7.3 as follows:  
**“Waste shall only be accepted at the Civic Waste Facility between the hours of 08.00 and 17.30 Monday to Friday inclusive and 08.00 to 16.30 on Saturdays. An additional 30 minutes is allowed for removal of waste off-site after the end of waste acceptance hours.”**

**Objection 1, Item 3** – The applicant seeks to revise Condition 3.13.2 to insert *“unless otherwise agreed with the Agency”* prior to the specified timeframe (12 months) for completing surface water management works. In order to allow for flexibility in the method and detail of the construction.

### Technical Committee's Evaluation

The TC believes that the timeframe specified in the PD is satisfactory for the type of works to be completed. Minor modifications are, in practice, agreed during the course of the construction. If site conditions are found to be different from anticipated, this is usually reflected in the as-built drawings.

**Recommendation**

No Change

**Objection 1, Item 4** – The applicant seeks to insert “*within three months of the date of granting the licence*” instead of “*prior to the commencement of the waste activities*” in Condition 3.13.2(f) relating to integrity testing of pipe work.

**Technical Committee’s evaluation**

The TC considered this to be a reasonable time frame

**Recommendation**

Insert “*within three months of the date of granting the licence*” instead of “*prior to the commencement of the waste activities*” in Condition 3.13.2(f).

**Objection 1, Item 5** – The applicant requests that the capping specification detailed in Condition 4.5.2 should not apply to the older unlined part of the facility where some restoration work was completed in 1997/98.

**Technical Committee’s evaluation**

The TC considered the fact that leachate is still emanating from the unlined portion of the landfill. There have also been significant problems associated with gas migration from this site. The applicant refers to the placement of 1 metre of “good quality” clay and “large amounts” of topsoil; however, the quality of the materials or construction methods have not been defined. The proposed Decision requires that a full cap be placed over the entire landfill. In view of the above the TC considers that this condition remain.

**Recommendation**

No Change

**Objection 1, Item 6** The Applicant requests the revision of Condition 5.1 regarding the prohibition of wastes being deposited at the facility as they will be in non-compliance immediately due to continued acceptance of waste at the facility.

**Technical Committee’s Evaluation**

The TC considers that this condition be reworded to reflect the cessation of landfill activities at this facility.

**Recommendation**

Revise Condition 5.1 as follows: **“Wastes shall not be disposed of at this facility (Class 1 and Class 5 activities defined in the 3<sup>rd</sup> Schedule to the Waste Management Act 1996) without the prior agreement of the Agency.”**

**Objection 1, Item 7** The applicant states that it is not practical to inspect the contents of the waste vehicles “at the point of entry” as required by Condition 5.2.2.

**Technical Committee’s Evaluation**

The TC considers that the Condition should be reworded to allow for inspection without the specifics of the location of inspection being included.

**Recommendation**

Revise Condition 5.2.2 as follows: **“Waste arriving at the facility shall be subject to inspection, weighed, documented and directed to the appropriate facility…….**

**Objection 1, Item 8** The applicant maintains that Condition 5.3 is unreasonable as it requires the erection of a transfer station within 3 months while other conditions require approval from the Agency two months prior to construction. This leaves inadequate time for design and tendering.

**Technical Committee’s Evaluation**

The TC determined that 9 months would be a more reasonable time frame.

**Recommendation**

Revise Condition 5.3 as follows: Delete the words **“three months”** and replace with **“nine months”**

**Objection 1, Item 9** The applicant objects to Condition 5.4.11 that all waste shall be handled on impermeable hardstanding areas and suggests that this may not be feasible for some inert or composting wastes.

**Technical Committee’s Evaluation**

The TC considered that providing hardstand areas for all waste arriving or processed at this site would not be feasible.

**Recommendation**

Delete Condition 5.4.11 renumber Condition 5.4.12

**Objection 1, Item 10** - The licensee objects to the hours of the sludge facility operation (Specified in Condition 5.5.1. of the PD as 8:30 -14:00, Mon-Fri).

### **Technical Committee's Evaluation**

In order to minimise odour nuisance the TC is of the view that the proposed 5.5 hours of operation are adequate and that suitable arrangements can be made to account for traffic encountered on the roads.

### **Recommendation**

No Change

**Objection 1, Item 11** The licensee objects to the exclusion of commercial vehicles from the facility in Condition 5.8.1. and specifically requests that *Light Commercial Vehicles* allowed.

### **Technical Committee's Evaluation**

The TC was of the view that as Schedule A of the PD allows for the acceptance of Commercial waste that in addition to private vehicles, light Commercial vehicles should also be allowed use the facility.

### **Recommendation**

Revise Condition 5.8.1 as follows: amend the first sentence to read "***The civic Waste Facility shall only be used by Private vehicles and light commercial vehicles.***"

**Objection 1, Item 12** The licensee states that there is a contradiction between Conditions 5.8.3 and 5.8.4 in that Condition 5.8.3 specifies that waste shall be deposited in certain types of containers/areas while Condition 5.8.4 requires a storage area for baled waste which is not referred to in Condition 5.8.3.

### **Technical Committee's Evaluation**

The TC determined that there was no contradiction as the baled waste area is for further recovery i.e. bales of plastics, cans etc prior to onward recovery. The other areas referred to in Condition 5.8.3. are for acceptance of waste.

### **Recommendation**

No change.

**Objection 1, Item 13** The licensee requests that the litter fencing be replaced with litter nets in Condition 7.4

### **Technical Committee's Evaluation**

The TC agrees that nets would afford more protection around the transfer station due to their height and portability than fences, which are typically used at boundaries.

### **Recommendation**

Revise Condition 7.4.1 as follows: delete “**Litter Fencing**” and insert “**Litter Netting**”

**Objection 1, Item 14** In Schedule A of the Decision the licensee requests that the words Transfer Station be replaced by the words transfer station (including civic waste facility) to clarify where waste can be accepted. The second point is that the licensee requests discretion in how the individual wastes make up the total tonnage per annum for the site.

### **Technical Committee’s Evaluation**

The TC agrees with the first point; However, not with the second point. As up to 11,000 tonnes of liquid sludge can be accepted by this facility, the TC is of the view that to allow this tonnage to be increased may result in odour nuisance. In addition the acceptance of 5,200 tpa of compost waste is considered adequate for a pilot. Therefore the TC does not recommend further changes to Schedule A.

### **Recommendation**

Revise Schedule A as follows: delete “**Transfer station**” and insert “**Transfer station (including civic waste facility)**” in the 2<sup>nd</sup> column of table A1.

**Objection 1, Items 15-18** In Schedules D,C F of the Proposed Decision the licensee wishes to reduce the type and frequency of monitoring. The applicant states that a number of tests are not considered practicable.

### **Technical Committee’s Evaluation**

The TC considered the nature and extent of monitoring to be reasonable and notes that the Proposed Decision allows for amendment of the frequency and scope of monitoring in Condition 8.2. However the practicability of some tests has been reviewed and a number of parameters have been removed or clarified.

### **Recommendation**

Delete condition in Schedule F relating to “**Elimination of the following test organisms (used to evaluate composting system efficiency in removing plant pathogens and weed seeds during the composting process): *Plasmodiophora brassicae*, tobacco-mosaic-virus (TMV) and tomato seeds.**” And Insert “**Or other maturity tests as may be agreed with the Agency**”

Revise Note 1 to Part 3 of Schedule F to insert “ ..... waste from **non-food industrial source.**”

## **Objection Number 2 From Mr. Oliver O’Hanlon**

The Objection contained a number of introductory pages on the background to the site, comments on the Inspector’s reports and comments on the Agency’s decision not to hold an Oral Hearing. Following from this comments were made on the Proposed Decision Conditions. These comments are outlined below.

### ***Objection 2, Item 1***

Objection to Condition 1.7 regarding the hours of operation of the facility

#### **Technical Committee’s evaluation**

See response to Objection 1 Item 2

#### ***Recommendation***

No further change.
--------------------

### ***Objection 2, Item 2***

Objection to Condition 3.15, which limits the operation of the transfer station to 3 years or as agreed with the Agency, as this would effectively allow the facility to be in permanent operation.

#### **Technical Committee’s evaluation**

The three years will allow for the Local Authority to source a permanent facility for waste handling and disposal. Landfilling will be prohibited at this site from the date of grant of licence, if granted. Compliance with the Conditions of the Proposed Decision will ensure that operations over the 3 years life span are adequately controlled as to prevent environmental pollution.

#### ***Recommendation***

No further change.
--------------------

### ***Objection 2, Item 3***

Condition 4 is objected to as it will not adequately prevent the generation of leachate

#### **Technical Committee’s Evaluation**

The TC is satisfied that the specification for the cap detailed in 4.5.2 and the proposed new Condition 4.5.3 will minimise the generation of leachate. The leachate management plan will also control pollution emanating from this site. See also the TC response to Objection 1 Item 5.

#### ***Recommendation***

No further change.

**Objection 2, Item.4**

Condition 5 is objected to on a number of grounds. The type of sludge accepted at the facility should be restricted, the transfer station should be enclosed from Day 1, a typographical error is highlighted in Condition 5.9.1.(iii), groundwater and landfill gas controls are inadequate.

**Technical Committee’s Evaluation**

The TC considered that Compliance with the Conditions of the Proposed Decision will ensure that operations are adequately controlled as to prevent Environmental pollution.

**Recommendation**

Revise Condition 5.9.1(iii) as follows: delete the word “**effective**” and replace it with the word “**effectiveness**”

**Objection 2, Item.5**

Conditions 6 and 7 are objected to stating that there should be a specific requirement to estimate leachate generation and stating concern regarding litter control at the facility.

**Technical Committee’s Evaluation**

The TC considered that these concerns are already addressed by the conditions of the Proposed Decision

**Recommendation**

No further Change

**Objection 2, Item.6**

Schedule A is objected to stating that there should be a specific emission limits set for leachate migrating from the site. The conclusion to the objection requests the Agency to close the facility

**Technical Committee’s Evaluation**

The TC considered that leachate management and monitoring are adequately addressed by the conditions of the Proposed Decision. leachate emission and their effect on groundwater quality will be assessed by comparison with the applicable water quality standards. Compliance with the Conditions of the Proposed Decision will ensure that operations adequately controlled as to prevent environmental pollution.

**Recommendation**

No further Change



**Objection 2, Item 7**

The attachment to the objection includes a hand-written objection by Mr. O’Hanlon. Mr O’Hanlon raised concerns in the introduction about the Proposed Decision, the timing of the objection period over the Christmas holidays and requests an Oral Hearing. Mr O’Hanlon objects specifically to

- a. The 3 year operational time frame for the facility
- b. The waste acceptance and quarantine arrangements
- c. Opening hours
- d. The proximity of this facility to his residence
- e. The acceptance of kitchen and garden waste
- f. The storage of recovery material outdoors
- g. Odour from the sludge
- h. Cleanliness of trucks using the facility
- i. The spraying of insecticide
- j. The location of wells to be monitored
- k. The parameters specified for gas monitoring
- l. Litter fencing at the site
- m. Time of washing activities
- n. Concentration of landfill gas at the facility
- o. The independent monitoring of the facility
- p. Lack of enforcement through imposition of fines

**Technical Committee’s Evaluation**

The TC considered these objections and considers that the substantial issues have been dealt with in the reponses to other objections and submissions.. Where there were more specific references, the TC was of the view that the conditions of the Proposed Decision adequately addressed the concerns.

**Recommendation**

No further Change
-------------------

**Submission on Objections**

**Submission Number 1 – From Mr. Oliver O’Hanlon**

**Submission 1, Item 1**

Requests the definition of sludge to specify dry matter content of greater than 15%

**Technical Committee’s Evaluation**

Definition has been amended to allow up to 25% dry solids

**Recommendation**

No change.

**Submission 1, Item 2**

Requests amendment to reduce the hours of opening

**Technical Committee's Evaluation**

The bulk of the waste will enter the facility within the hours requested. Since only an average of 10 tonnes/week of composting material can enter the facility, it is anticipated that only a small fraction of this will enter outside the hours requested.

**Recommendation**

No further changes.

**Submission 1, Item 3**

Requests no change to the following Conditions in the PD in order to prevent the Local Authority from "Cherry Picking" and avoiding the more stringent conditions of the licence,.

**Technical Committee's Evaluation**

The TC response (in Italics) follows the Condition reference. Most of the Conditions referred to have no proposed changes by the TC. The changes that have been made provide additional clarification to the Conditions.

Condition 3.13.2 – *No Change*

Condition 3.13.2(f) – *see response to Objection 1 Item 4*

Condition 5.1– *see response to Objection 1 Item 6*

Condition 5.2.2– *see response to Objection 1 Item 7*

Condition 5.4.11– *see response to Objection 1 Item 9*

Condition 5.5.1 – *No Change*

Condition 5.8.1 – *No Change*

Schedule A– *No Change*

Schedule B– *No Change*

**Recommendation**

No further change.

**Submission 1, Item 4**

Request that conditions 4.5 and 5.4.2 relating to capping of the landfill be amended to allow for removal and storage of topsoil on the unlined portion of the landfill.

**Technical Committee's Evaluation**

The TC considered these amendments to be reasonable, please refer to the response to Objection 1 Item 5.

***Recommendation***

No Further change.

***Submission 1, Item 5***

In reference to Condition 5.3 there is a request that the transfer station be enclosed from the outset.

**Technical Committee's Evaluation**

Refer to the TC evaluation of Objection 1, Item 8.

***Recommendation***

No further change.

***Submission 1, Item 6***

In reference to baled waste in Condition 5.8.4 there is a request that this condition be removed, as they believe this to be an error.

**Technical Committee's Evaluation**

Refer to the TC evaluation of Objection 1, Item 12.

***Recommendation***

No further change.

***Submission 1, Item 7***

In reference to the provision of Litter fencing in Condition 7.4.1 (Erroneously referred to in the submission as Condition 5.4.1) there is a statement that the condition would not be necessary if the Transfer Station facility was built prior to acceptance of waste.

**Technical Committee's Evaluation**

The PD allowed for the construction of a facility as no structure currently exists. This is also an existing operational waste facility. Also refer to the TC evaluation of Objection 1, Item 13.

***Recommendation***

No further change.

***Submission 1, Item 8***

In the conclusion to the submission there is a request that the Agency reconsider its decision not to hold an Oral Hearing and that an investigation be undertaken

by the Agency into the health problems which appear to be associated with the Site. A letter from Mr. Oliver O'Hanlon was attached to the submission in which reference is made to a newspaper article and that "It looks very likely that emissions from this dump have played a significant part in the death of my child." He attaches a receipt for purchase of a coffin purchased seven years previously for his son. It would appear that Mr. O Hanlon's son died during birth.

### **Technical Committee's Evaluation**

The comments were noted. The TC recommended that this submission be forwarded to the Eastern Region Health authority for whatever action they deem necessary.

### **Recommendation**

No further change. Forward letter to the Easter Region Health Authority
---

### **Submission on Objections**

#### **Submission Number 2 – From Kildare County Council**

#### **Submission 2, Item 1**

Following a number of pages of an introduction, submissions on a number of objections raised by Mr. O'Hanlon were detailed. These submissions related to

- a. Hours of operation of the facility
- b. The temporary nature of the facility
- c. The capping of the landfill
- d. Groundwater emissions
- e. The sludge and pilot composting facility
- f. Uncontrolled odour

### **Technical Committee's Evaluation**

The TC considered these submissions and the substantive comments raised. Where there was more specific references, the TC was of the view that the conditions of the Proposed Decision adequately addressed the concerns.

### **Recommendation**

No change.
------------

Signed: \_\_\_\_\_

Dara Lynott  
Technical Committee Chairperson