



Headquarters,
P.O. Box 3000,
Johnstown Castle Estate
County Wexford, Ireland

APPLICATION FOR A WASTE LICENCE
PROPOSED DECISION

Waste Licence

Register Number:

101-1

Applicant:

Waste Management Operations Ireland
Limited, 64, Green Road, Ballyclare Co.
Antrim, BT39 9PJ

Location of Facility:

Silvermines Landfill Facility, Waste
Management Operations Ireland Limited,
Garryard West Gortshaneoroe and
Gorteenadiha Townlands, Silvermines, Co.
Tipperary

Proposed Decision

On the basis of the information available to it, the Agency, pursuant to its powers under Section 40(1) of the Waste Management Act, 1996, hereby refuses to grant a waste licence to Waste Management Operations Ireland Limited, 64, Green Road, Ballyclare, Co. Antrim, BT39 9PJ to carry on the waste activities that are the subject of waste licence application register number 101-1 at Silvermines Landfill Facility, Waste Management Operations Ireland Limited, Garryard West, Gortshaneoroe and Gorteenadiha Townlands, Silvermines, Co. Tipperary.

In reaching this decision the Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

Activities Refused

Refused waste disposal activities, in accordance with the Third Schedule of the Waste Management Act, 1996

Class 1.	Deposit on, in or under land (including landfill):
Class 4.	Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons:
Class 5.	Specially engineered landfill, including placement into lined discrete cells which are capped and isolated from one another and the environment.
Class 6.	Biological treatment not referred to elsewhere in this Schedule which results in final compounds or mixtures which are disposed of by means of any activity referred to in paragraphs 1. To 10. Of this Schedule:
Class 7.	Physico-chemical treatment not referred to elsewhere in this Schedule (including evaporation, drying and calcination) which results in final compounds or mixtures which are disposed of by means of any activity referred to in paragraphs 1. to 10. of this Schedule.
Class 11.	Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 12.	Repackaging prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 13.	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced.

Reasons for the proposed decision:

1. The Agency is satisfied that the Waulsortian Reef Limestones (WRL) aquifer in Tipperary North Riding should be classified as a Regionally Important Aquifer, and that the applicant has not proven that a zone of low permeability rock exists at the facility. The Agency considers that the vulnerability of the aquifer at the facility must be classified as extreme, due to the lack of any soil cover and the excavation of the open-cast mine into the bedrock. Having regard to the risk of instability and subsidence and the risk of failure of the liner system, the Agency is not satisfied, on the basis of the application, that pollution of groundwater will be prevented.

2. There is a considerable risk of subsidence in the area of the site, as well as a risk of instability of the side slopes, due to the presence of dolomitized limestone, karstic features in the limestone, fault zones, fractures and old mine workings. The Agency considers that subsidence could result in failure of the liner system, that instability of the side slopes could result in failure of the liner system, and that subsidence could contribute to the instability of the side slopes.
3. The proposed dewatering of the mine may contribute to or cause instability or subsidence of the side slopes, as the fractures and zones that are currently saturated become dry. Failure to dewater the mine would prevent the proposed activities from being carried on as set out in the application.
4. The Agency is not satisfied that the facility can be constructed in accordance with the details provided in the application, as uncertainties as to the viability of installing the proposed sub horizontal shafts remain. The applicant has not carried out specific investigations to determine the feasibility of drilling the proposed shafts, hence there is insufficient evidence in the application to indicate that the sub horizontal shafts can be successfully installed.
5. In addition to the risks to the liner system posed by possible subsidence and instability, it has not been demonstrated to the satisfaction of the Agency that the use of the proposed c.8mm Geosynthetic Clay Liner (GCL) on the side slopes would be stable.
6. The Agency is not satisfied that the integrity of the approximately 8mm GCL side slope liner has been adequately demonstrated in view of the potentially negative impacts of the wastes deposited, and surface water and groundwater draining under the side slope liner.
7. The potential pollution of stream sediments by discharges to surface waters has not been satisfactorily addressed.
8. The application does not include proposals for recovery of waste upstream of the facility or recovery activities at the facility. It does not address the potentially negative impact of the facility on the achievement of national prevention, minimisation and recycling targets set out in the Government policy statement on waste management "Changing Our Ways".

Signed on behalf of the said Agency
on the 16th day of August, 2000

Breda Sheehan

Authorised Person