

<b>MEMO</b>			
<b>TO:</b>	Board of Directors	<b>FROM:</b>	Cormac Mac Gearailt
<b>CC:</b>		<b>DATE:</b>	21 Nov 2001
<b>SUBJECT:</b> Technical Committee Report on Objections to Proposed Decision Reg. No. 20-1.			

Application Details	
Applicant:	Monaghan County Council
Location of Activity:	Scotch Corner Landfill, Letterbane, Annyalla, Castleblaney Co. Monaghan
Reg. No.:	20-1
Classes of Activities under Waste Management Act 1996:	Third Schedule: Classes 1, 2, 4, 5, 11, 12, 13 Fourth Schedule: Classes 1, 2, 3, 4, 8, 11, 13
Proposed Decision issued on:	12/07/01
Objection received:	08/08/01
Article 34 notice issued re: Landfill Directive requirements	30/08/01
Inspector:	Mr. Caoimhin Nolan

### **Objection received**

One objection to the proposed decision was received from:

- a) Monaghan County Council

### **Consideration of the objections and submissions on objections**

The technical committee (Cormac Mac Gearailt, Chairperson, Kealan Reynolds and Kevin McDonnell, committee members) has considered all of the issues raised and this report details the Committee's comments and recommendations following the examination of the objections.

### **Objection No. 1: Monaghan County Council**

#### ***1. General Objections***

##### ***General grounds 1***

MCC object to the Proposed Decision being limited to "landfilling in the existing lined area" as some limited filling will have to be completed over the footprint of the adjacent unlined cell to the north.

##### ***Technical Committee's evaluation***

The technical committee consider that in order for MCC to achieve the required final profile of the existing waste body that a limited amount of filling will be required in unlined areas of the facility.

##### ***Recommendation***

#### **Amend Part I Activities Licensed as follows:**

**Class 1. Deposit on, in or under land (including landfill):**

This activity is limited to the landfilling in the existing lined area **and in areas in its immediate vicinity for the purposes of achieving final profiles.**

### **General grounds 2**

MCC suggest that all conditions requiring reports “within x months of the date of grant of licence”, should be reworded to “within x months of the approval by the Agency”. This is to allow for the preparation, submission and approval process to be carried out in sufficient time.

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

Where pre-approval of works is required by the Agency, the time taken for the preparation, submission and approval process is considered when setting the timeframes for these reports. Some specific timeframes are objected to below and these are dealt with on a case by case basis.

#### **Recommendation**

**No change**

### **Specific Objections to the licence conditions**

#### **Ground 1 (Condition 1.5)**

*Since household waste contains 1% hazardous waste it will be impossible to comply with this condition. [The technical committee notes the presence of a typographical error referring to Condition 1.2 in the objection by Monaghan County Council]*

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

The technical committee notes that the definition of household waste allows for the presence of a small residual portion of hazardous waste, and the concerns of MCC in this regard are addressed by this definition. Therefore the presence of a small residual of hazardous waste is envisaged in household waste.

#### **Recommendation**

**No change**

#### **Ground 2 (Condition 1.4 and Schedule A)**

*Due to increased disposal pressures, from waste arising in other counties in the North East Waste Management Group, and due to the implications of decisions made by the Agency on other landfills (e.g. limiting Drogheda landfill to inert waste only Reg. 33-1) it is requested to allow the landfill to accept 76,200 tonnes of waste per annum as opposed to the 39,500 tonnes per annum applied for.*

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

The application made to the Agency with regard to this site was for the recovery/disposal of 39,500 Tonnes of waste per annum. In this regard the application considered the environmental impacts of the waste activities as proposed in the waste licence application. The above request amounts to a greater than 90% increase in the intensity of waste activities at this facility. The impacts of this proposed increase have not been considered by the applicant. Such an increase would require the preparation of an EIS and a revised application and as such cannot be granted.

#### **Recommendation**

**No change**

**Ground 3 (Condition 1.6.1.3)**

*The County Council request that the prohibition on disposal on Sundays and Bank Holidays be removed since disposal activities would normally be carried out on these days, particularly in the run up till Christmas.*

**Technical Committee's evaluation**

The technical Committee consider that the facility should not accept waste on a routine basis during Sundays and Bank Holidays, however subject to the prior agreement of the Agency, and under certain circumstances waste may be accepted at the facility outside of the normal opening hours.

**Recommendation**

**Amend Condition 1.6.1.3 as follows:**

1.6.1.3 Waste shall not be accepted at the landfill on Bank Holidays or on Sundays, **unless otherwise agreed with the Agency.**

**Ground 4 (Condition 2.1.1)**

*It is requested that this condition be amended to allow for a suitably trained deputy for times when the Landfill manager is not available.*

**Technical Committee's evaluation**

The provision of a suitably trained deputy is acceptable and the technical committee note that the condition as it stands provides for this situation.

**Recommendation**

**No change**

**Ground 5 (Condition 2.1.2)**

*The Council consider the requirement for an "appropriately qualified" person to operate the MRF would interfere with their contractual arrangement with the private operator chosen to operate the MRF.*

**Technical Committee's evaluation**

The issue of contracts between MCC and other persons who operate the MRF on behalf of MCC is a matter for the parties involved. Irrespective of such arrangements, the onus is on MCC under the terms of the waste licence to ensure that adequate supervision is provided at the MRF.

**Recommendation**

**No change**

**Ground 6 (Condition 3.2.1)**

*MCC request that the requirement for submission of specified Engineering Works is reduced from two months to one month.*

**Technical Committee's evaluation**

The technical committee consider that the two month timeframe is required to assess SEW proposals.

**Recommendation**

**No change**

**Ground 7 (Condition 3.2.3)**

*MCC request that since Construction Validation Reports are only appropriately carried out in the case of landfill lining works, and that the requirement for this to be extended to all Specified Engineering Works (SEW's) is inappropriate.*

**Technical Committee's evaluation**

The technical committee notes that construction quality assurance validation reports as defined under this condition are required for all SEW's under Condition 3.2.3. However, the technical committee considers all the items specified under Condition 3.2.3 a)-h) are not required for all SEW's listed in the Proposed Decision.

**Recommendation**

**Amend Condition 3.2.3 as follows**

Following the completion of all specified engineering works, the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall, **where appropriate**, include the following information;

- a) a description of the works;
- b) as-built drawings of the works;
- c) records and results of all tests carried out (including failures);
- d) drawings and sections showing the location of all samples and tests carried out;
- e) daily record sheets/diary;
- f) name(s) of contractor(s)/individual(s) responsible for undertaking the specified engineering works;
- g) name(s) of individual(s) responsible for supervision of works and for quality assurance validation of works;
- h) records of any problems and the remedial works carried out to resolve those problems; and
- i) any other information requested in writing by the Agency.

**Ground 8 (Condition 3.4.1)**

*The Council request that the requirement for palisade fencing as previously proposed be changed to allow for equally secure but more aesthetically pleasing concrete/steel post and wooden fencing. The Council also request that the timeframe for the relevant installation of the fencing be changed to within six months of the approval by the Agency.*

**Technical Committee's evaluation**

The technical committee considers that the use of this type of fencing is acceptable. The technical committee however consider that the timeframe as outlined in the Proposed Decision is adequate for the carrying out of such works.

**Recommendation**

**Amend Condition 3.4.1 as follows:**

Within six months of the date of grant of this licence, security and stockproof fencing and gates shall be installed and maintained around the perimeter of the facility according to the specifications in Drawing No. 152-503-018 Rev B1. The fencing along the southern boundary of the facility shall consist of **concrete/steel post and wooden fence**, while that of the west, north and eastern boundaries shall consist of a concrete post and chainlink fence (other than where palisade fencing already exists along the eastern boundary). The base of the fencing shall be set in the ground.

**Ground 9 (Condition 3.12)**

*MCC request that they be permitted to use a geo-synthetic clay liner, combined with 0.5m of low permeability clay in place of 1m of compacted soil. They state that this lining configuration will offer an equivalent level of protection to the 1m of soil with a hydraulic conductivity of  $1 \times 10^{-9}$  m/s.*

*The applicant also proposes the use of a geo-composite leachate drainage layer, on the side walls of the cells, in place of the stone leachate drainage layer as required under the terms of the Proposed Decision.*

**Technical Committee's evaluation**

The condition as it stands allows for the use of an equivalent lining system where agreed with the Agency. In the instance where an alternative system is to be used the applicant will be required to demonstrate that the system proposed provides this equivalent protection. The condition can accommodate this proposal without being changed.

With regard to the use of a geo-composite leachate drainage layer on the side-walls, the Agency Site Design Manual specifies that the use of synthetic drainage material such as a geo-composite in liner side walls is acceptable. The condition as it stands allows the side wall lining to be designed and constructed to achieve an equivalent protection. The condition can accommodate this proposal without being changed. However for the purposes of clarity the technical committee feels that a reference to the use of geo-composite in liner side walls should be included in the condition.

**Recommendation**

**Amend Condition 3.12.1 as follows:**

All future lining of cells at the facility shall comprise:

- i) a composite liner consisting of a geosynthetic clay liner, and a low permeability clay layer of 0.5m a 1m layer of compacted soil with a hydraulic conductivity of less than or equal to  $1 \times 10^{-9}$  m/s, (or equivalent to be agreed with the Agency) overlain by a 2mm thick high density polyethylene (HDPE) layer;
- ii) a geotextile protection layer placed over the HDPE layer;
- iii) a 500mm thick drainage layer placed over the geotextile layer with a minimum hydraulic conductivity of  $1 \times 10^{-3}$  m/s, of pre-washed, uncrushed, granular, rounded stone (16 - 32mm grain size) incorporating leachate collection drains;
- iv) the side walls shall be designed and constructed to achieve an equivalent protection, **and may incorporate the use of a geo-composite drainage layer.**

**Ground 10 (Condition 3.13.1)**

*The County Council object to the provision of a 30m buffer zone along the southern boundary of the facility. Works which have already been completed at the facility have encroached onto the area of land within 30m of the facility boundary. It is requested that the 30m buffer zone be amended to 25m. In addition the current location of the existing lined area is within 10m of the southern boundary.*

**Technical Committee's evaluation**

It is considered that the provision of a buffer zone of 25m along the southern boundary of the facility is acceptable as it will result in no significant environmental impacts to receptors located along this boundary. The technical committee also consider that the provision of these buffer zones should apply to the new lined areas of the landfill only (Phases 2-4) and the condition should be reworded to reflect this.

**Recommendation**

**Amend Condition 3.13.1 as follows:**

- 3.13.1 A Buffer Zone **encompassing Phases 2, 3 and 4**, in which no waste shall be landfilled, shall be provided and maintained within the facility. **For Phases 2, 3 and 4 of the facility** no wastes shall be deposited within 10 metres of the western and eastern boundaries, within 20 metres of the northern boundary, or within 25 metres of the southern boundary,.

**Ground 11 (Condition 3.13.2)**

*The County Council consider that the condition be amended as it is intended that material excavated on-site during the development of new cells will be temporarily stored in the “buffer zone” to the north. The excavated materials will be stored temporarily before being removed for landscaping engineering purposes.*

**Technical Committee’s evaluation**

It is considered that the proposed use of the area to the north of the facility does not include the “disposal of wastes” and as such the licence provides for the temporary storage of excavated materials in the buffer zone to the north.

**Recommendation**

**No Change**

**Ground 12 (Condition 3.14.2)**

*The County Council proposes to complete an assessment of the impacts of the old landfill area within six months of the date of grant of the licence. MCC suggest that it is not clear as to the origin of the contamination entering the facility from the old landfill area and that the diversion of all the incoming water would not be practical*

**Technical Committee’s evaluation**

Monaghan County Council previously operated a landfill on the opposite side of the road which borders the current facility (which is the subject of PD Reg. No. 20-1). This old landfill has been restored to agricultural land. Contamination has been observed entering the current facility via a drain. It is accepted that the source of this contamination is not entirely clear and whilst it is likely to be the old landfill area it does warrant further investigation prior to the implementation of any corrective/remedial works.

**Recommendation**

**Amend Condition 3.14.2 as follows:**  
3.14.2 Within six months of the date of grant of this licence, the licensee shall install a leachate interceptor drain around the perimeter of the existing landfill area. **In addition within nine months of the date of grant of this licence the licensee shall complete a study to determine the environmental impact of the old landfill on the facility. The licensee shall complete any remedial works to minimise the impact of the old landfill within eighteen months of the completion of this study.**

**Ground 13 (Condition 3.18.4)**

*The County Council requests that drainage from the containment kerb for the compactor be diverted as opposed to directly piped to the leachate lagoon. The Council also request that the timeframe for the installation of the kerb be changed to within six months of the approval by the Agency.*

**Technical Committee’s evaluation**

The technical committee considers that the proposal to divert leachate/contaminated water is acceptable. The technical committee considers that the timeframe as outlined in the Proposed Decision is adequate for the carrying out of such works and as such need not be changed.

**Recommendation**

**Amend Condition 3.18.4 as follows:**

Within six months of the date of grant of this licence, a containment kerb shall be constructed around the compactor for unsegregated domestic waste. **Drainage from this area shall be collected and disposed of as per Condition 6.6.**

**Ground 14 (Condition 3.19)**

The County Council request that this condition be clarified to allow for progressive construction of a screening berm, during the construction of the lined cells which this berm is designed to screen.

**Technical Committee’s evaluation**

This is acceptable to the technical committee.

**Recommendation**

**Amend Condition 3.19 as follows:**

Prior to waste being deposited in the lined cells for phases 2 to 4 (as shown on Drawing No. 152-505-01 rev B), a perimeter berm of at least 3m in height shall be constructed **progressively, as Phases 2 and 4 are constructed**, near the southern boundary of the facility as shown on Drawing No. 152-503-006 Rev B1.

**Ground 15 (Condition 4.3.1)**

The County Council request that the requirements for the final capping be adjusted as follows:

<b>Required by Proposed Decision</b>	<b>Proposed</b>
– Combined topsoil and subsoil of at least 1m	– Top soil 200mm (450mm for planted areas)
– Drainage layer of 0.5m thickness with hydraulic conductivity of $1 \times 10^{-4}$ m/s	– Geo-membrane drainage layer having a minimum hydraulic conductivity of $1 \times 10^{-4}$ m/s

**Technical Committee’s evaluation**

The applicant provides no basis for reducing the thickness of soil/subsoil capping in their final capping proposal. The level of protection provided by the cap proposed by the applicant is insufficient to minimise future water infiltration and subsequent generation of leachate. In addition, the requirements of the landfill directive specify the provision of at least one metre of top soil. The technical committee considers that the level of protection stipulated in the Proposed Decision is required for adequate capping of the facility.

With regard to the use of Geo-membrane drainage layer, the technical committee notes that the Agency Site Design Manual states that the use of a geo-synthetic drainage material such as suggested by the applicant is acceptable.

**Recommendation**

**Amend Condition 4.3.1 as follows:**

The final capping shall consist of the following:

- a) top soil (150 -300mm);
- b) subsoils, such that total thickness of top soil and subsoils is at least 1m;
- c) drainage layer of 0.5m thickness having a minimum hydraulic conductivity of  $1 \times 10^{-4}$  m/s, **or a geo-composite drainage layer providing equivalent drainage capacity;**
- d) compacted mineral layer of a minimum 0.6m thickness with a permeability of less than  $1 \times 10^{-9}$  m/s or a geosynthetic material (e.g. GCL) or similar that provides equivalent protection; and
- e) gas collection layer of natural material (minimum 0.3m) or a geosynthetic layer.

**Ground 16 (Condition 5.4.3)**

The County Council requests that the use of hessian fabric as daily cover be allowed under this condition.

**Technical Committee's evaluation**

Hessian fabric is used at a number of facilities and has proved satisfactory when handled appropriately. In this regard it would be considered a suitable material and as such its use is allowed under the condition as it stands, without change.

**Recommendation**

No change

**Ground 17 (Condition 5.6.1)**

MCC consider that it is not practical to complete the landscaping at the facility within nine months of the date of grant of the licence as the landscaping at the facility is to be progressive.

**Technical Committee's evaluation**

It is agreed that it may be not be possible to have all the landscaping at the facility completed within nine months of the date of grant of the licence. The Technical Committee does however consider that the implementation and progression of the landscaping plan at the facility is vital.

**Recommendation**

**Amend Condition 5.6.1 as follows:**  
5.6.1 Landscaping of the facility as described in Section 5.4 of Vol. 2 of the EIS shall **commence within six months of the date of grant of this licence.**

**Ground 18 (Condition 5.8.1.3)**

The Council request that since the sludge management plan is not yet completed for County Monaghan that an allowance be made to accept sludges at this facility after 31<sup>st</sup> December 2006.

**Technical Committee's evaluation**

The Proposed Decision states that no sludges may be accepted at the facility from 1/1/2006. The requirements of the landfill directive and national policy ('Changing our ways') state that the quantities of biodegradable waste sent to landfill must be decreased by 65% on a step wise basis. The technical committee considers that the five-year period provided in the Proposed Decision is sufficient time to allow alternative emergency disposal measures to be put in place.

**Recommendation**

No change

**Ground 19 (Condition 5.8.2)**

The applicant has provided no details under this heading and it may have been a typographical error.

**Technical Committee's evaluation**

Not Applicable

**Recommendation**

No change

**Ground 20 (Condition 5.10.4)**

Monaghan Co Co request that the time interval for clearing of the MRF of domestic waste be increased from daily to weekly.

**Technical Committee's evaluation**



Condition 5.10.1 prevents the MRF from being used as a transfer station for commercial or local authority vehicles. In addition Condition 5.10.2 specifies the types of waste that will be accepted at the MRF. Unsorted domestic waste accepted from vehicles, which is the waste that has the most potential to cause nuisance, will only be a small proportion of wastes accepted in the MRF. The vast majority of unsorted domestic waste will be deposited directly at the landfill. The technical committee feels that domestic waste may be held in the MRF building for up to 72 hours.

**Recommendation**

**Amend Condition 5.10.4**

All unsorted domestic waste accepted at the Materials Recovery Facility for disposal shall be compacted within 12 hours. **Such waste shall be removed for disposal within 72 hours.**

**Ground 21 (Condition 5.10.7)**

*The council request that they be allowed to accept tyres at the Materials Recovery Facility.*

**Technical Committee's evaluation**

The technical committee feels that this is acceptable.

{The technical committee notes recent correspondence from the Agency to the applicant regarding implications of the landfill directive for disposal of tyres. While the change below will allow the acceptance of tyres at the MRF, disposal of tyres at the facility will be restricted by the proposed changes}

**Recommendation**

**Amend Condition 5.10.7**

Unless otherwise agreed by the Agency, only the following wastes shall be accepted at the Materials Recovery Facility; domestic waste, paper, newspaper, cardboard, glass, timber, rubble, aluminium and steel cans, plastic, textiles/clothes, footwear, white goods, scrap metal, electrical goods (other than printers), waste oil, used cooking oil, fluorescent tubes, batteries, household paint, household chemicals, **tyres** and green waste.

**Ground 22 & 23 & 24 (Condition 5.11.1 & 5.11.2 & 5.11.3)**

*These objections will be dealt with as one as they relate to the same requirement for duty and stand-by equipment.*

*The applicant feels that it is unreasonable to limit the daily quantity of waste to be accepted at the MRF on the basis of the duty capacity of the equipment. The council feels that a weekly limit on the amount of waste accepted would be reasonable and therefore they would detail the handling capacities of equipment on a weekly basis.*

**Technical Committee's evaluation**

Given the nature of the wastes to be accepted at the MRF (primarily dry materials with little potential for odour nuisance) it is considered reasonable that the quantity of waste accepted at the MRF not to exceed the duty capacity of the equipment at the MRF on a **weekly** basis.

The MRF facility is different in nature from a waste transfer station accepting municipal waste and therefore the technical committee consider that the requirement for duty and standby need not be as stringent as in the case of a waste transfer station. Allowing the licensee to calculate the duty and standby capacity of the equipment at the MRF on a weekly basis will mean that, if wastes are accepted and cannot be processed immediately (due to equipment restraints), then those wastes can be temporarily stored until capacity is available for processing them within the

week. In effect the operator is allowed to use quieter times within the week to process backlogged waste.

Notwithstanding this, it should be noted that Condition 5.10.4 requires that all unsorted domestic waste must be removed from the MRF after 72 hours.

**Recommendation**

**Amend Condition 5.11.3 as follows:**

The quantity of waste to be accepted at the MRF on a **weekly** basis shall not exceed the duty capacity of the equipment at the MRF. Any exceedance of this intake shall be treated as an incident and reported to the Agency under Condition 11.2.

**Ground 25 (Condition 6.6.1)**

*The applicant requests that water water treatment plants (WWTP's) other than Ballybay WWTP may be used for the disposal of leachate.*

**Technical Committee's evaluation**

This condition allows the use of other WWTP's, provided they are agreed in advance with the Agency.

**Recommendation**

**No change**

**Ground 26 (Schedule A)**

*This objection is dealt with under Ground 2 (Specific objections to Condition 1.4 above)*

**Technical Committee's evaluation**

Not applicable

**Recommendation**

**See Ground 2 (Specific objections to Condition 1.4 above)**

**Ground 27 (Schedule D: Monitoring)**

*The applicant requests that since some monitoring locations have been destroyed by construction activities that they be allowed to install new monitoring locations.*

**Technical Committee's evaluation**

Condition 8.2 allows the applicant to adjust the monitoring locations required by this licence, with the agreement of the Agency. Therefore no change is required.

**Recommendation**

**No change**

**Requirements of the Landfill Directive as notified under Article 34 Notice of 30/8/01.**

The technical committee note that Monaghan County Council has no objection to the changes proposed in the Agency's Article 34 Notice of the 30<sup>th</sup> August 2001. The technical committee consider that the following changes are necessary as outlined in the Article 34 Notice.

**Recommendation**

**Add the following text to the cover page under “Waste Licence”:**

Landfill for Non-Hazardous Waste

**Replace existing Condition 1.5 with the following:**

1.5 Waste acceptance

1.5.1 No hazardous wastes or liquid wastes shall be disposed of at the facility.

1.5.2 “Whole used tyres (other than bicycle tyres and tyres with an outside diameter greater than 1400mm) shall not be disposed of at the facility from 16 July 2003. Shredded tyres shall not be disposed of at the facility from 16 July 2006.”

**Add a new Condition 11.8 as follows:**

11.8 The licensee shall by 16<sup>th</sup> July 2002 submit to the Agency for its agreement, a Conditioning Plan for the facility as required by Council Directive 1999/31/EC on the landfill of waste. The Conditioning Plan shall include the particulars listed in Article 8 and any corrective measures which the operator considers will be needed to comply with the requirements of this Directive with the exception of the requirements in Annex I, point 1.