

This report is based on the findings of the Technical Committee which comprised of:

Duncan Laurence, Inspector (Chairperson)

Tadhg O'Mahony, Inspector

Sara Kennelly, Inspector

Oral Hearing

An oral hearing was not requested by either objector. The Technical Committee do not consider that an oral hearing is warranted in this case.

Objections

The objections were considered as detailed below:

Objection 1. Mayo County Council (the applicant)

Mayo County Council stated twenty-six grounds of objection.

Ground 1 - Condition 1.3

The objector states that Condition 1.3 should include a clause setting down a response time from the Agency so that the applicant can proceed with works under contract in accordance with timescales fixed by the Agency.

Technical Committee's Evaluation

This condition requires the licensee to include timescales in reports forwarded to the Agency for the implementation of proposals such as site works. It also allows the Agency a discretionary power to modify proposals in the event that they fail to adequately fulfil the requirements for effective environmental protection.

The Technical Committee considered the objector's assertion that timescales should be built into the condition in respect of the Agency's turn-around time for documents submitted. It was concluded that the objector has failed to appreciate that the conditions of the licence are directed upon the licensee. They are not directed upon the Agency itself.

The Technical Committee also noted that the County Council's subsequent letter of 11/10/99 in respect of the objection by the North Western Fisheries Board (see Objection 2 below) contains the observation that Condition 1.3 "as drafted does not appear unreasonable".

Recommendation

<i>No change</i>

Ground 2 - Condition 2.6.1 Management Structure of the Facility

The objector states that Condition 2.6.1 can be read as providing a restriction on the employment of personnel at the facility. The objector states that it should have the right to employ qualified personnel for the facility without the prior agreement of the Agency on the individuals involved. It is considered that the need to consult with the Agency over proposed changes in the management structure is prohibitive. The objector states that there would be no objection to a clarification of this condition to indicate that the details of the management structure, and qualification expertise necessary at each level, would be subject to agreement.

Technical Committee’s Evaluation

A condition in respect of the facility’s management structure is required in order to ensure that the landfill is operated in a controlled manner at all times. The Technical Committee noted that the requirement for the approval of named individuals related only to those involved in providing “management and supervision” and therefore did not extend to other site operatives. The right to employ particular individuals remains with the licensee. However, it is considered desirable that the level of technical competence and experience appropriate to the effective management and supervision of the waste activity be agreed by the Agency.

Recommendation

<i>No change</i>

Ground 3 - Condition 2.9 Facility Manager

The objector states that Condition 2.9 is overly restrictive as it fails to recognise that the facility manager and deputy may both be required to be off-site together at the same time.

Technical Committee’s Evaluation

The Technical Committee considered that it is necessary for the facility manager or the appointed deputy to be on site at all times when the site is in operation in order to exercise effective control over the facility and to ensure compliance with the licence.

Recommendation

<i>No change</i>

Ground 4 - Condition 3.12

The objector:

- a) *considers that the requirements of Condition 3.12 are impractical. It is asserted that this is particularly the case regarding the civic waste facility due to the presence of numerous light vans, trailers etc; and*
- b) *refers to part g) of Condition 3.12 and states that the County Council cannot take responsibility for any load rejected or removed from the site as the subsequent disposal/recovery of such loads is a matter for the holder of the waste.*

Technical Committee’s Evaluation

Information required by Condition 3.12 is important for the effective control and tracking of waste inputs to the facility. It is also necessary for the compilation of national statistics on waste management in Ireland. The Technical Committee did not consider that the requirements of the condition in respect of users of the civic waste facility are either impractical or unnecessarily onerous.

In respect of item (b) of the objection, sub-paragraph g) of this Condition provides a means of tracking of waste. It not alone refers to rejected waste but also to waste removed from the civic waste facility for recovery purposes. In respect of the comment about the supervision of the removal of unsuitable wastes, it is noted that the responsibility for the oversight of the environmentally appropriate and lawful disposal of such materials is already a statutory duty of Mayo County Council under s59 of the Waste Management Act 1996.

Recommendation

No change

Ground 5 - Condition 4.1

The objector states that Condition 4.1 precludes the continuation of existing activities. It is alleged that this condition is most appropriate for a greenfield site and, as worded, would obstruct the continued operation of an existing landfill.

Technical Committee’s Evaluation

It is considered that a minor re-wording should be made to the condition to ensure that it does not have the effect alleged by the objector.

Recommendation

That Condition 4.1 be amended to read as follows:

The licensee shall establish all infrastructure referred to in this licence in accordance to the conditions therein or as instructed by the Agency.

Ground 6 - Condition 4.5.2

The objector states that Condition 4.5.2 should be revised or should allow for revision based on modified proposals for the treatment and/or storage of leachate as required under Condition 4.23.5.

Technical Committee’s Evaluation

Condition 4.5.2. states that ‘...hardstanding areasshall drain to the sump and/or direct to the leachate treatment system’. The words ‘and/or direct to the leachate treatment system’ appears to include the storage of leachate and on-site or off-site leachate treatment. However in the interest of clarification, the Technical Committee considered that this condition should be amended as set out below.

Recommendation

That Condition 4.5.2 be re-worded as follows:

Unless otherwise agreed by the Agency, the hardstanding areas shown in Drawing No. 002034/11/626 Revision A “Layout Plan Showing Control House, Weighbridge & Civic Amenity Area” shall drain to the sump detailed in Drawing No. 002034/11/632 “Layout Plan Showing Fouled Surface Area Drainage System” and shall subsequently pass to the leachate treatment system for storage/treatment and/or for off-site disposal.

Ground 7 - Condition 4.11

The objector states that it is unreasonable to tanker effluent from the septic tank off-site along with collected leachate. The provision of a percolation area in accordance with the requirements of SR6 should be permitted.

Technical Committee’s Evaluation.

It is considered that this condition as written is potentially ambiguous. It should be re-worded to make clear that not only the location but also the drainage arrangements of the septic tank can be subject to the Agency’s agreement. This would allow the consideration by the Agency of a proposal for a percolation area in the manner identified in the objection.

Recommendation

That Condition 4.11 is re-worded as follows:

Unless otherwise agreed by the Agency, the licensee shall:

- a) maintain a septic tank at the location shown in Drawing No. 002034/11/661 “General Arrangement of Site Area Showing Work Done at May 1999”;**
- and**
- b) cause effluent from this septic tank to drain to the foul pump sump as shown in Drawing No. 002034/11/626 Revision A “Layout Plan Showing**

Control House, Weighbridge & Civic Amenity Area” for removal from the site as described in D.1.3 “Infrastructure” of further information dated 2nd September 1998.

Ground 8 - Condition 4.18.1

The objector states that:

- a) *due to the continuing development of the site, some works have already commenced such as the installation of fencing and ground work for hardstanding areas;*
- b) *that a weighbridge must be in place to satisfy the requirements of Condition 3.12 (as the latter requires the quantity of waste to be recorded in tonnes);*
- c) *details of all engineering works proposed for the site have already been set out in the application and it is considered unnecessary to re-submit them again;*
- d) *an additional clause should be included in the licence to require the Agency to provide agreement or reasons for non-agreement within a set time frame of about one month from the date of submission of the reports required by this condition.*

Technical Committee’s Evaluation

While the objector claims that this condition relates to all site works, the Technical Committee noted that what is referred to is “*proposed* specified engineering works”. It was considered that this clearly differentiates between existing works and those to be constructed in the future. It is considered that this interpretation addresses items (a) and (c) of this objection.

The Technical Committee also considered that, in respect of item (b) of the objection and contrary to the objector’s assertion, Condition 3.12 does not in fact prevent the licensee estimating waste quantities prior to the installation of a weighbridge.

The matter of whether the Agency should be formally constrained by a licence condition (item d of the objection) to provide its agreement within the set time period has been addressed in respect of Ground 1 of the objection above.

Recommendation

No change.

Ground 9 - Condition 4.18.2

The objector considers Condition 4.18.2 to be unreasonable as the competent person must have scope for off-site duties which may occasionally be necessary in order to fulfil his/her functions.

Technical Committee’s Evaluation

It is considered that the principal duty of the competent person(s) should be the effective supervision of the construction of specified engineering works. It is also noted that Condition 4.18.2 refers to “that person, or persons”. The Technical Committee considered that the inclusion of this phrase in the condition permits someone to deputise when the individual undertaking much of the supervision of the construction of the works is required to be off-site.

Recommendation

<i>No change.</i>

Ground 10 - Condition 4.18.3

The objector considers Condition 4.18.3 to be excessively onerous and feels that a condition merely obliging the licensee to make such information available on request should be sufficient to guard the Agency’s interest.

Technical Committee’s Evaluation

The Technical Committee had regard to the objection and also the fact that recently the Agency’s template of licence conditions had been changed to cause a reduction in the amount of CQA documentation submitted to the Agency under this condition. The latter was effected by requiring that the CQA documentation on specified engineering works was made available to the Agency on request. This replaced the earlier requirement that all such documentation be automatically submitted to the Agency. These factors lead the Technical Committee to propose that the condition is amended accordingly.

Recommendation

<i>That Condition 4.18.3 is amended to read as follows:</i>

4.18.3 Following the completion of all specified engineering works, the licensee shall complete a construction quality assurance validation report. The validation report shall be made available to the Agency on request and shall 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) where relevant a drawing and sections showing the location of all samples and tests carried out;
- e) daily records sheets/diary;
- f) name(s) of contractor(s)/individual(s) responsible for undertaking the 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; and
- i) any other information requested in writing by the licensee.

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Ground 11 - Condition 4.19.5

The objector considers that the requirements of Condition 4.19.5 are excessive. It is claimed that there is already an extensive network of groundwater monitoring boreholes around the site. These include groundwater monitoring borehole MW3 at the southern boundary of the site and groundwater monitoring borehole MW4 downstream of the landfill which allows for monitoring of groundwater flowing from the landfill to the Glaishty River. Reference is made to Drawing No. 002034/11/605 and Figure C.6.2 of the application for location of these points.

Technical Committee’s Evaluation

In the interests of groundwater protection, it is considered necessary that there is at least one permanent groundwater monitoring borehole between the landfill and the Glaishty River and at least one permanent groundwater monitoring borehole at the southern boundary of the facility.

Recommendation

<i>No change</i>

Ground 12 - Condition 4.21.1

The objector considers that the requirements of Condition 4.21.1 are unnecessary, Details of the lining system have already been submitted in Attachment D.3 of the application.

Technical Committee’s Evaluation

It was considered that the information on the proposed lining works contained in the application did not give adequate consideration to such matters as settlement and stability characteristics of the existing waste body. The Technical Committee considered that the latter may be a critical aspect of the design of the proposed lining works. The collection of leachate from cells developed on top of the existing waste

body is dependant on the lining system functioning satisfactorily. Hence the Technical Committee concluded that this additional information is required by the Agency.

Recommendation

No change

Ground 13 - Condition 4.22

The objector considers that the requirements of Condition 4.22 are unnecessary as details of the landfill gas control system have already been submitted in Attachment D5.

Technical Committee's Evaluation

While certain details of the proposed gas management system were contained in the application, it is considered desirable that further clarification of the exact nature of the gas control equipment proposed, pipe runs, extraction wells etc should be made after the licence is issued. Accordingly, it is considered that this condition should be retained in the proposed decision.

Recommendation

No change

Ground 14 - Condition 4.23.1

The objector states that the requirements of Condition 4.23 should be agreed prior to the granting of the licence or else it will not be possible to tanker leachate off-site from the date of grant of the licence in accordance with Condition 7.7. The objector also states that the Agency should undertake to respond within a reasonable timescale to allow the implementation of the proposals.

Technical Committee's Evaluation

The Technical Committee considered that Condition 4.23.1 does not preclude the removal of leachate in the interim period up to when the leachate management scheme required by the licence is agreed. For this reason, it is not considered that there is an inconsistency between this condition and Condition 7.7. The matter of objector's proposal that a response time for the Agency's reply should be contained in the condition has been dealt with under the consideration of Ground 1 above.

Recommendation

No change

Ground 15 - Condition 4.23.4

The objector considers the first part of Condition 4.23.4 to be unnecessary. Proposals for the reduction of leachate levels within the existing waste body have already been submitted in Attachment D3 of the application.

Technical Committee’s Evaluation

The Technical Committee considered the content of Attachment D3 of the application in relation to the assertion by the objector that this provided sufficient information to the Agency. It was considered that this document - although sufficient for the purposes of considering the application - provided an insufficiently detailed description of what was being proposed. It was also noted that this document was written as a component of the application and could not have had regard to any requirements of the licence issued by the Agency. Accordingly, it was considered to be desirable that a further report be made to the Agency in the manner outlined by the condition.

Recommendation

<i>No change</i>

Ground 16 - Condition 4.23.5

The objector states that a reasonable response time from the Agency should be stipulated in this Condition. This is stated as being required in order to allow for construction works and to ensure that off-site leachate disposal is possible from the date of grant of the licence.

Technical Committee’s Evaluation

This matter has been considered in the Technical Committee’s evaluation of Ground 1 of the objection above.

Recommendation

<i>No change</i>

Ground 17 - Condition 5.1

The objector states that the requirements of the proposed decision for the prevention of the acceptance of sludges from the date of grant of licence is unnecessarily onerous. A 12 month period is requested to put the necessary sludge facilities in place.

Technical Committee’s Evaluation

It is noted that the Derrinnumera Landfill is currently an unlined facility with no leachate collection. The proposed decision requires a regime to be instigated for the collection and removal of leachate. The Technical Committee noted that the risk of leachate escape is highest prior to such measures being put in place. Monitoring results have

indicated high levels of phosphorous in the leachate and also downstream of the landfill in the Glaishty River. The probable cause is considered to be sewage sludge deposited at the facility. The prohibition set down by Condition 5.1 is considered to cause the minimisation of leachate generation and the reduction in the probability of uncontrolled discharge. In the light of these factors, it is therefore considered that sewage sludge should not be allowed into the facility. It is also considered that the period between when the objection was lodged in August 1999 to the time the licence is issued puts the applicant on notice that sewage sludge may be prohibited.

Recommendation

No change

Ground 18 - Condition 5.7

The objector states that this condition is unreasonable and impractical as the landfill cannot be operated in an efficient manner if agreement is needed prior to deposition of wastes.

Technical Committee's Evaluation

The Technical Committee understands that the purpose of this condition is to require that notice be given to enable the Agency to inspect any new cell or phase prior to the deposition of waste in it. The Committee would observe that, read on its own, Condition 5.7 would have the effect set out by the objector. However, it is understood that a clause granting a new licensee permission to continue the operation of an existing facility is contained in the covering letter sent out by the Agency with the licence. The inclusion of this clause in such a letter would overcome the substance of the objection raised.

Recommendation

No change

Ground 19 - Condition 5.9

The objector states that the facility should be open for an extended period of time on Saturday to 17:00 pm.

Technical Committee's Evaluation

It is noted that the objector is criticising a licence condition which contains the times of opening which were submitted to the Agency by the objector in the waste licence application (see Non-Technical Summary of EIS submitted 1/6/99). Nevertheless, it is considered appropriate to make a minor modification to the condition so that extended hours for the operation of the civic waste facility can be accommodated in the manner set down in the objection.

Recommendation

That Condition 5.9 is amended to read:

Unless otherwise agreed by the Agency, waste shall only be accepted:

- a) **at the landfill between the hours of 08:00 and 18.00 Monday to Friday inclusive and from 08:00 to 13:00 on Saturdays; and**
- b) **at the civic waste facility referred to in Condition 5.3 above between the hours of 08:00 and 18.00 Monday to Friday inclusive and from 08:00 to 17:00 on Saturdays.**

Ground 20 - Condition 6.2

The objector states that this condition is too vague as to the extent of its application and that the affected road network should be delineated.

Technical Committee's Evaluation

The Technical Committee considered that this condition refers to the road network in the vicinity of the facility and reads clearly. Further clarification is therefore not required.

Recommendation

No change

Ground 21 - Condition 6.8

The objector criticises Condition 6.8 on the grounds that a licensee is limited to only giving guidance and instructions to site users who fail to adequately sheet incoming deliveries of waste. It is asserted that the County Council is unable to ensure that all private vehicles in transit to or arriving at the facility will be in compliance with this condition.

Technical Committee's Evaluation

It was considered that a licensee not only has the option of giving guidance and instructions. It can, for example, refuse entry to the facility to any vehicle which, after appropriate warnings, is not adequately covered. It seems imperative to the protection of the environment of the road network around the facility - as well as for traffic safety reasons - that the licensee should be subject to the requirements of Condition 6.8.

Recommendation

No change

Ground 22 - Condition 9.3

The objector considers the requirements of Condition 9.3 is excessive in respect of fish population survey. It is requested that the Condition be modified to require annual biological assessment of the River.

Technical Committee’s Evaluation

Various engineering works to improve the environmental performance of the facility are required under the conditions of the proposed decision. It is considered that bi-annual biological surveys (including fish population) are necessary to supplement the other monitoring requirements contained in the proposed decision in order to ensure that there is no adverse affect on the Glaishty River.

Recommendation

No change

Ground 23 - Condition 9.8

The objector considers that an investigation into the nature and extent of groundwater contamination has already been carried out and submitted in the application to the Agency. The other monitoring requirements of the licence are asserted as being sufficient to assess the effects of such measures as the groundwater cut-off wall. The objector states that the interpretation of such data will allow for further assessment of the nature and extent of groundwater contamination and the improvements due to the proposed remedial works at the site. The implication is that the requirements of the condition are unnecessary.

Technical Committee’s Evaluation

The Technical Committee acknowledges that the additional environmental monitoring required by the proposed decision would generate data in relation to the effectiveness of the requisite site engineering works. However, it is considered that there remains a need to develop an assessment programme in a formalised manner, particularly in light of the range of engineering works required of the licensee under the other conditions of the licence.

Given that this programme is aimed at assessing the impact of site development works, it was considered that it should be developed hand-in-hand with the new groundwater control regime under condition 4.19. Accordingly, it was considered desirable by the Technical Committee that the date for submission of the proposed investigation should be changed from six to 12 months to match that contained in Condition 4.19.

Recommendation

That condition 9.8 is amended to read as follows, and that an amendment is made to Table D.2 to reflect this change:

The licensee shall within **twelve** months of the grant of this licence submit a proposal for an investigation into the nature and extent of the groundwater contamination in the vicinity of the site, in so far as its relates to the site, to the Agency for its agreement. The proposal shall specify a monitoring programme to assess surface water and groundwater within the area confined by the cut-off wall and trench. The report shall include details of any remediation of surface water and groundwater deemed necessary and a time-scale for such works.

Ground 24 - Condition 9.11

The objector requests clarification as to what is meant by the provision of safe and permanent access to monitoring points. It is stated that a licensee would not be in a position to erect permanent structures on land not currently within its ownership.

Technical Committee’s Evaluation

This condition was considered by the Technical Committee as not requiring the erection of permanent structures in the manner alleged by the objector. It simply requires the licensee to ensure that access arrangements to monitoring points conform to good site safety practices. It is also subject to any requirement of the Agency, with the latter being able to address site-specific factors relating to the location of individual monitoring points.

Recommendation

No change

Ground 25 - Condition 9.16

The objector criticises this condition on the grounds that it would require the County Council to inquire into details of laboratory staff.

Technical Committee’s Evaluation

Condition 9.16 requires, unless otherwise agreed by the Agency, written records to be kept of specified details on personnel carrying out sampling and monitoring. It is vitally important that the personnel carrying out the monitoring are competent and suitably experienced and that this can be demonstrated to the Agency.

Recommendation

No change

Ground 26 - Schedule F - F.2 Dust Monitoring

The objector considers that the carrying out of dust monitoring three times a year at the facility is excessive, due to the remoteness of the site, elevated precipitation levels and alleged insignificant impact of dust outside the boundary of the site.

Technical Committee’s Evaluation

Having regard to the location of the facility, it is considered that the frequency of dust monitoring could be reduced to once a year. It is also noted that Condition 9.15 allows the frequency to be increased if results deem such an action necessary.

Recommendation

Table F.2.1 Dust Monitoring Frequency and Technique be amended to read “Annually” under Monitoring Frequency and the word “twice” to be deleted from note 2.

Objection 2 : North Western Regional Fisheries Board

Ground 1 - Condition 1.3

The Objector states that this condition is unsatisfactory as objectors will have no opportunity to examine any plan subsequently submitted by the applicant or any alterations made thereto by the Agency. It is considered that this dilutes the scope of the objection facility set out by the Waste Management Act 1996.

Technical Committee’s Evaluation

The Technical Committee understands that this condition has been subject to detailed consideration by the Agency’s legal adviser. It is also considered that a considerable amount of information has been made available in the form of the application itself and correspondence relating to it. It is noted that copies of all the reports, correspondence etc required by the licence are open to inspection by third parties and potentially available for comment.

Recommendation

No change

Ground 2 - Condition 2.7.1 - Communications

The Objector states that once agreed with the Agency the Communication Programme should be forwarded to named parties in relation to both the Waste Management Act (presumably the statutory consultees) and those involved in the licence application process. It is asserted that the Programme should be published in local newspapers and that such arrangements should be specified in the licence.

Technical Committee’s Evaluation

The Technical Committee notes that the purposes of the Communications Programme is to ensure that members of the public can obtain information concerning the environmental performance of the facility. The objector’s suggestions could be considered when agreeing the Communications Programme with the licensee. It is also noted that all reports forwarded to the Agency under the conditions of the licence are on public record and available to third parties. It is not considered desirable that a licensee should be required by a licence condition to formally publish additional materials in local newspapers. However, it is also noted that licensees are not precluded from undertaking such actions if they so desire.

Recommendation

<i>No change</i>

Ground 3 - Condition 4 - Site Infrastructure

Ground 3.1- Condition 4.12.3 - Bunded Areas

The objector states that drainage from bunded areas should be disposed of to surface water settling ponds prior to discharge to the Glaishty River or to the leachate cut-off trench/foul sump pump prior to disposal off-site depending on whether it is uncontaminated or contaminated.

Technical Committee’s Evaluation

The Technical Committee notes that the phrase “diverted for collection and safe disposal” is contained in Condition 4.12.3. It is considered that this wording would preclude contaminated rainwater being discharged from any bund in an uncontrolled manner into any watercourse. Having regard to that wording, it is considered that the wording is adequate for the purposes of the licence.

Recommendation

<i>No change</i>

Ground 3.2 - Condition 4.23 - Leachate Management

a) The objector states that measures and procedures for removal of leachate from the facility for treatment should have been agreed by and debated with all parties prior to the drafting of this proposed decision. The objector states the transportation of leachate is a difficult task and that there is a high risk of accidents or spillages. The traffic generated by the movement of leachate is alleged to negatively affect tourism. The objector states the number of trucks required to transport the leachate must be considered by all parties.

- b) *The objector refers to Condition 4.23.5 and states that pre-treatment methods which reduce the volume of leachate for transportation should be looked at by the licensee and the Agency. The objector asserts that pre-treatment may concentrate the organic and non-organic content of the leachate and that this should be investigated. The objector states that such investigations should be carried out before a licence is issued so that the objectors to this proposed decision may comment further.*

Technical Committee's Evaluation

- a) On the basis of the information submitted in the application, leachate removal from the facility is considered to be the only environmentally acceptable option. The quantity of leachate to be removed from site, and therefore the number of trucks to be used, is affected by the content of proposal on leachate management under Condition 4.23.5. Condition 7.7.2 requires that, unless agreed otherwise with the Agency, leachate be removed from the facility for treatment at the Castlebar Sewerage Treatment Works. The treatment of leachate at waste water treatment plants was noted by the Technical Committee to be a well established practice both in Ireland and elsewhere. Regarding the risk of accidents or spillages, the transportation of leachate is not considered to be any different to the transportation of any other bulk liquids, including domestic heating oil or chemicals. Provided that both the vehicles used are suitable and the drivers adequately trained, the risk involved in the movement of leachate by road tanker should be no greater than that for any other liquid transporter. However, the Technical Committee did consider that any leachate tanker should be subject to periodic integrity testing and that this should be a requirement of the licence.
- b) It is considered that the arrangements set out in the proposed decision for the off-site disposal of leachate represent the best environmental option at the present time. The volume of leachate should become more controllable when the requirements of the proposed decision on the covering of waste, capping and restoration are implemented. In addition, the licence could potentially allow for the reduction of the volume or strength of the leachate generated by way of treatment or recirculation (see Conditions 4.23.5 and 4.23.6) in the event that adequate proposals are made to the Agency.

Recommendation

That Condition 4.12 is amended as follows:

4.12. Fuel Storage, Storage Areas for Household Hazardous Waste and Leachate Transport

- 4.12.1 Unless agreed otherwise in advance with the Agency or unless contained in mobile plant at the facility, the licensee shall store all fuels at the location shown in Drawing No. 002034/11/610 "General Arrangement of Cell No.1" and shall be to the detail provided in Drawing No. 002034/11/645 but shall

incorporate any amendments to meet the requirements of the following sub conditions.

- 4.12.2 All tank and drum storage areas shall be rendered impervious to the materials stored therein. In addition, tank and drum storage areas shall, as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following:
 - (a) 110% of the capacity of the largest tank or drum within the bunded area; or
 - (b) 25% of the total volume of substance which could be stored within the bunded area.
- 4.12.3 All drainage from bunded areas shall be diverted for collection and safe disposal.
- 4.12.4 All inlets, outlets, vent pipes, valves and gauges shall be within the bunded area.
- 4.12.5 The integrity and water tightness of **any road vehicle used to transport leachate** and all the bunds, tanks and containers and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee and shall be reported to the Agency within three months of construction and prior to use. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. The licensee shall also submit to the Agency for its agreement in each case a written report on the storage of fuels on site. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 4.12.6 All tanks and containers shall be labelled to clearly indicate their contents.



Ground 4 - Condition 5.1 - Waste Acceptance and Handling

The objector requests clarification on the definition of ‘non-hazardous sludge’ and whether the mention of sludge in this condition corresponds to the definition contained in the interpretation section of the proposed decision.

Technical Committee’s Evaluation

Condition 5.1 was noted by the Technical Committee as restricting the nature of acceptable sludge wastes to those which are non-hazardous and which are produced at the facility. It is understood that the purpose of allowing only the disposal of sludges generated by the facility is to permit the deposit of substances generated from on-site leachate treatment. The term “sludge” used within this condition was held by the Technical Committee to be that which is defined in the interpretation section of the proposed decision. However, the Technical Committee considered that an element of ambiguity was contained in the condition as written. This related to whether the non-hazardous sludges referred to in the bracketed words at the end of the condition related to any such sludges or was restricted - in a similar manner to silt - to that which

is produced by on-site activities. Certainly, it seemed that the latter position was what was intended and hence a minor re-wording is proposed.

Recommendation

That Condition 5.1 be amended as follows:

No hazardous waste shall be disposed of in the landfill. Unless otherwise agreed by the Agency and with the exception of the wastes specified below, no liquid or sludge waste shall be accepted for disposal at the landfill from the date of grant of this licence. The wastes generated by on-site activities specified for the purposes of this condition are sludge and silt.

Ground 5 - Emissions and Environmental Impacts Condition 7.7.2

The Objector states that assurance should be obtained that the discharge of leachate from the Derrinumera Landfill would not create a shortfall in the capacity of the Castlebar Sewage Treatment Plant to cater for the proposed Castlebar and environs sewerage scheme. The objector specifies certain information relating to Castlebar Sewage Treatment Works which it considers should be required within the proposed decision.

Technical Committee’s Evaluation

The operation of Castlebar Sewage Treatment Plant is primarily a matter for the Sanitary Authority of Mayo County Council. In this respect, the letter dated 11/10/99 from the applicant indicates that there is adequate capacity in the treatment plant. Furthermore, the site works contained in the proposed decision (capping being an example) will cause the reduction of leachate, while leachate treatment or recirculation could be countenanced under the Agency’s agreement by way of conditions 4.23.5 and 4.23.6. Finally, if it is considered that Castlebar Sewage Treatment Plant is not suitable for the acceptance of leachate, Condition 7.7.2 allows the licensee to propose an alternative treatment works for the Agency’s agreement.

Recommendation

No change

Ground 6 - Condition 9.3

The Objector requests clarification on who shall carry out the bi-annual biological assessment and whether it should be listed in Schedule F.4.1.

Technical Committee’s Evaluation

Having had regard to the wording of Condition 9.1, the Technical Committee considered that the proposed decision requires this assessment to be arranged by the licensee. It was held that the requirements are specified within the Condition and as such there is no need to list them in Schedule F.4.1

Recommendation

No change

Ground 7 - BATNEEC

The objector makes a range of general comments about the facility and its possible impact on local water quality in the final paragraph of its objection. It is alleged that the Environmental Protection Agency may not have the information required to come to the conclusion that removal of leachate to Castlebar Sewage Treatment Plant for treatment and ultimate disposal is the best practicable environmental option.

Technical Committee's Evaluation

It is considered that the substance of this objection has been dealt with under Grounds 3.2 and 5 above.

Recommendation

No change

Signed: _____
Duncan Laurence
Technical Committee Chairperson