

MEMO			
TO:	Board of Directors	FROM:	Michael Henry
CC:		DATE:	16 August 2000
SUBJECT : Technical Committee Report on Objections to Proposed Decision - Reg. No. 27-1.			

Application Details	
Applicant:	Ballinasloe Urban District Council
Location of Activity:	Pollboy, Ballinasloe, Co. Galway
Reg. No.:	27-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 1, 2, 4, 5, 6, 7, 11,13 Fourth Schedule: Classes 2, 3, 4, 9, 10, 11, 12, 13
Application received:	27/02/98
Article 14 (2)(b)(ii) issued:	20/04/98; 16/06/98
Article 14 (2)(b)(ii) received:	03/06/98; 16/07/98; 30/11/98; 01/12/98
Article 14 (2)(a) issued:	03/12/98
Proposed Decision issued on:	29/03/00
Objections received:	26/04/00
Submissions on objections received:	14/06/00; 15/06/00
Inspector:	Dr. Ted Nealon

Consideration of the objections and submissions on objections

The Technical Committee (Michael Henry, Chairperson, Cormac MacGearailt and Kealan Reynolds 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 on July 6th, 7th and August 8th 2000.

Objections and submissions on objections received

Two objections to the proposed decision were received from: (i) Ballinasloe Urban District Council and (ii) Ballinasloe Against the Superdump. Both parties also made a submission on the objections.

Objection No.1: Ballinasloe Urban District Council

The grounds of this objection are set out under two headings Appendix A and Appendix B

Appendix A

General grounds

The objection raises 4 general issues in relation to the proposed decision:

- 1. The total quantity of waste to be accepted at the facility as specified in the proposed decision (375,000 tonnes) is too restrictive and as the annual intake to the site has been limited at 120,000 tonnes, the overall capacity should be 840,000 tonnes in total.*
- 2. The Agency's PD is contrary to Government policy and by setting a limit of 375,000 tonnes on the site, the Agency is jeopardising the Connaught Regional Waste Management Plan which proposes that the life of the Pollboy landfill be extended to 2005.*
- 3. The proposals submitted as part of the EIS (November 1998) were schematic and more detailed proposals have been prepared. Any reference to the infrastructure proposals as set out in the EIS should make further reference to the modifications and amendments as provided in the objection.*
- 4. The site boundary is incorrect and should be amended in accordance with the drawing submitted as part of the objection.*

Technical Committee's evaluation

- 1. The technical committee note that Section 38 of the Waste Management Act 1996 implies (as per Section 5(2) definition of Local Authority) a prohibition, under the Act, on an Urban District Council applying for a waste licence for a disposal facility other than for that which they were operating at the time of the application. The limiting of the facility to accepting 375,000 tonnes is therefore in accordance with national legislation, as this allows for the continuation of the existing facility. The proposed waste tonnages of 840,000 tonnes would constitute intensification of the activities carried on at the time of the application, which is prohibited as outlined above.*
- 2. The Agency is obliged under Section 40(2)(b)(i) of the Waste Management Act 1996 to have regard to any Waste Management Plan developed under Section 22 of this Act. However, and notwithstanding this, the Agency has the power to impose any condition which it sees fit in order that compliance with Section 40(2)(4) is achieved. The technical committee would also point out that the Waste Management Plan for the Connaught region is still in draft form and has not been adopted to date by the relevant authorities.*
- 3. The technical committee accepts that the drawings submitted as part of the EIS and referred to in specific conditions of the proposed decision are schematic in nature and, in certain cases, reference to such drawings should be removed from conditions of the proposed decision as recommended below. It is noted that infrastructural works at the facility have been included as part of specified engineering works and as such will require the agreement of the Agency. The drawings submitted are noted by the technical committee but in some instances these are not to the satisfaction of the Agency. For example, Drawing No. 186-006-E07, specifies a 1.5mm HDPE liner whereas Condition 4.15.1 of the proposed decision specifies a 2mm HDPE liner. Also, Drawing No. 186-006-E08 illustrates a 150mm gas drainage layer whereas Condition 4.18.3 requires a minimum gas drainage layer of 300mm. The technical committee is of the opinion that these specific proposals do not represent best practice. In addition, the specifications for these works or a written report should accompany such drawings so as to fully describe the proposed developments. Condition 4.14.2 specifies that all specified engineering works are undertaken by a competent person and such persons should be agreed with the Agency. It is noted that the drawings were completed at various times during 1999 (some as far back as April 1999) and were not submitted as part of the application. In order to resolve these issues, the technical committee recommend the changes as outlined below.*

4. The technical committee considers that the boundary of the facility as referred to in Condition 1.2 of the proposed decision should refer to Drg. 186-006-E01B and not Figure 3.2 of volume 2 of the E.I.S.

Recommendation

Amend Condition 4.4.2 to read:

Hardstanding areas shall be provided and maintained by the licensee. These areas shall drain to the leachate treatment system unless otherwise agreed with the Agency.

Amend Condition 4.5 to read:

The licensee shall provide and maintain an office on the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.

Amend Condition 4.7.1 to read:

A Waste Inspection Area shall be provided and maintained at the facility and in accordance with the details provided in section 4.3 of the EPA Landfill Manual: Landfill Site Design.

Amend Condition 4.7.4 to read:

Drainage from these areas shall be directed to the leachate collection system or the leachate collection chamber unless otherwise agreed with the Agency.

Amend Condition 4.8 to read:

The licensee shall provide and maintain a weighbridge at the facility.

Amend Condition 4.9.1 to read:

The licensee shall establish and maintain a wheelwash/dry wheel shake out of the facility within six months of the date of grant of this licence.

Amend Condition 4.12 to read:

The licensee shall provide and maintain a bunded fuel storage area at the facility. Fuels shall only be stored at the agreed location.

Include the following in Schedule E: Specified Engineering Works

Hardstanding works
Waste Inspection Area

Amend Condition 1.2 to read:

Waste activities shall be restricted to the area of land outlined in red on Drawing No. 186-006-E01B as received by the Agency on 26th April 2000. Any reference in this licence to "facility" shall mean the area thus outlined in red.

Specific grounds

Ground 1 (Condition 4.3.1)

Security fencing and gates should be installed as part of the contract currently being procured and the timeframe for this installation should be extended from six to twelve months.

Technical Committee's evaluation

It is imperative that landfill sites are secure from unauthorised access. The technical committee considers that the timeframe of 6 months is adequate time for the construction and installation of security fencing and gates. Condition 4.3.1 should remain unchanged.

Recommendation

No Change

Ground 2 (Condition's 4.4.1 and 4.4.2)

It is not proposed to drain the surface water run-off from the proposed site roads and hardstanding areas to the leachate treatment system as this run-off will be clean and will result in

a significantly greater hydraulic loading on the proposed treatment plant. Likewise, the applicant objects to Condition 4.4.2 for the same reason.

Technical Committee's evaluation

Surface water run-off from site roads and hardstanding areas could potentially be contaminated as a result of waste related activities at the site. On this basis, the surface water run-off from such areas should drain to the leachate treatment system unless the applicant can satisfy the Agency that it is uncontaminated. Condition's 4.4.1 and 4.4.2 of the proposed decision allow for alterations to the proposed drainage system, but only with the prior agreement of the Agency.

Recommendation

No change

Ground 3 (Condition 4.14.1)

The applicant seeks clarification on the two month timeframe for submitting specified engineering works proposals and what is the procedure for notification of specified engineering works during the appeal/oral hearing.

Technical Committee's evaluation

In order for specified engineering works to progress rapidly at the facility, the technical committee considers that the period of two months for submission of such proposals should be removed and the proposals should be submitted at least two weeks prior to the commencement of such works. There is no requirement on the applicant for the notification of specified engineering works prior to the issuing of a final decision on a waste licence application.

Recommendation

Amend Condition 4.14.1 to read:

The licensee shall submit written proposals for all Specified Engineering Works, as defined in Schedule E: Specified Engineering Works to the Agency for its agreement at least two weeks prior to the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.

Ground 4 (Condition 4.15.1)

The system proposed for the site more than fulfils the requirements of the Landfill Directive and the requirement for a one metre thick clay liner is unnecessary and unjustified.

Technical Committee's evaluation

The Council directive on the landfilling of waste (99/31/EC) specifies that the base and sides of a non-hazardous landfill shall consist of a mineral layer of at least 1m in thickness with a permeability of less than or equal to 1×10^{-9} m/s unless the naturally occurring barriers at the site provide equivalent protection. The information supplied by the applicant in the E.I.S. does not demonstrate compliance with the requirements of the landfill directive in relation to naturally occurring geological barriers (clays). The mineral layer should be overlain by a 2mm thick HDPE liner (as opposed to a 1.5mm HDPE liner specified by applicant in objection).

Recommendation

No Change

Ground 5 (Condition's 4.16.1, 4.16.2 and 5.14.1)

A report on the assessment of leachate treatment options concluded that it is not necessary to have pre-treatment of leachate carried out on-site prior to its discharge to Ballinasloe Wastewater Treatment Plant. Condition 5.14.1 should be deleted as pre-treatment of leachate will not be required at the site. In addition, the applicant seeks clarification on the requirement for ten boreholes to facilitate the 'removal of leachate' as the interceptor drain will be the principal mechanism for removal of leachate from the existing waste (Condition 4.16.2).

Technical Committee's evaluation

The technical committee considers that on-site pre-treatment of leachate should only be required if the appropriate improvement works (as described in the objection) for the Ballinasloe Wastewater Treatment Plant are not undertaken. If the works at the Ballinasloe Wastewater Treatment Plant are not carried out, then the applicant should be required to complete such on-site works no later than eighteen months from the date of grant of the licence. Condition 5.14.1 should be amended to reflect this. The technical committee consider that if on-site pre-treatment of leachate is required, then the emission limit values specified in Schedule G.6 for COD and Ammonia should be amended as recommended below. The provision of boreholes within the unlined landfill area will ensure that leachate levels are being adequately controlled and monitored (Condition 4.16.2).

Recommendation

Amend Condition 5.14.1 to read:

In the event of a suitable off-site Wastewater Treatment Plant facility not being provided for the treatment of leachate from the landfill within eighteen months of the date of grant of this licence, then a leachate pre-treatment system shall be installed on-site designed to achieve the emission limit values specified in Schedule G.6. Such works shall be completed within twenty one months of the date of grant of this licence.

Amend Schedule G.6 to read:

G.6 Emission Limits for Leachate Being Discharged^{Note 1}

Emission Point Reference No : To be agreed

Grid Reference: to be agreed

Volume to be emitted: to be agreed Maximum in any one day: to be agreed with the UDC

Maximum rate per hour: to be agreed with the UDC

Parameter	Emission Limit Value		
	Grab Sample (mg/l)	Daily Mean Concentration (mg/l)	Daily Mean Loading (kg/day)
BOD	10,000	8,000	800
COD	30,000	24,000	2400
Ammoniacal Nitrogen (NH ₄ -N)	500	-	50
Suspended solids	2,000	1,600	160
Sulphate	500	400	40
Detergents (as MBAs)	100	-	10
Fats, Oils, Grease	100	-	10
PH	5-10	-	-
Temperature	42°C max	-	-

Note 1 – Subject to Condition 5.14.1

Ground 6 (Condition's 4.17.2 and 4.17.3)

The period specified in the proposed decision for the installation of a gas collection/flaring system should be extended to 18 months. The applicant also commented on the requirement for a proposal for utilising the gas as an energy resource and suggests that these proposals may show that commercial production and use of the gas is not technically or economically feasible.

Technical Committee's evaluation

The technical committee considers that the twelve month timeframe for the installation of a gas collection system and associated gas flare is adequate for the completion of this work. This work is necessary to further minimise the impact of emissions on the environment. Pending the installation of the gas collection system, the applicant will be required to investigate the feasibility of utilising the landfill gas as an energy source as part of the proposal required under Condition 4.17.3.

Recommendation

No Change

Ground 7 (Condition's 4.18.1, 4.18.2, 4.18.3, 4.18.4 and 4.18.5)

The applicant seeks clarification as to what is required by 'temporary restoration' and it wishes to retain the option of using an alternative daily cover such as geotextile or plastic film. It is contended that the capping requirement of Condition 4.18.3 will impede the decomposition process and is not in the interests of environmental sustainability. Also the option to use a geocomposite layer instead of the 0.5m thick drainage layer should be allowed. Permanent capping of filled cells and completed areas should commence within twelve months of filling and the six monthly report required as part of Condition 4.18.5 should be reduced to a yearly report.

Technical Committee's evaluation

The term 'interim restoration' as set out in Section 5.4.2 of the Agency's Manual on Landfill Restoration and Aftercare should have been used instead of 'temporary restoration'. It is noted that Condition 4.18.2 allows for the use of alternative daily cover materials subject to agreement with the Agency. Condition 4.18.3 of the proposed decision requires that, as a minimum, final

capping shall be carried out in accordance with the guidance specified in the EPA Draft Manual for Landfill Site Design. The main objectives of this capping system are to minimise infiltration of water into the waste, promote surface water drainage and maximise run off, control gas migration and provide a physical separation between waste and plant/animal life. Condition 4.18.3 provides for variation of the capping layer subject to agreement with the agency. The technical committee considers that twelve months is adequate time for the permanent capping of filled cells and completed areas as required by Condition 4.18.4. In addition, the technical committee considers that the six monthly report required by condition 4.18.5 should be altered to an annual report. The onus still remains with the applicant to have adequate materials on site for undertaking the appropriate capping of the landfill.

Recommendation

Amend Condition 4.18.1 to read:

The sequence for the interim restoration of the facility shall be in accordance with section 3.3.5 of Vol.2 of the EIS unless otherwise agreed with the Agency.

Amend Condition 4.18.5 to read:

The licensee shall provide an annual report to the Agency on the quantity of capping materials stockpiled at the facility. In the event that the stockpile fails to contain the requisite volume of capping materials for the next twelve months, the report required by this condition shall contain a proposal for the Agency's agreement for alternative sources of capping materials or for the utilisation of geosynthetic materials.

Ground 8 (Condition 4.19.2)

The surface water lagoon will only be required in the long term and in the short to medium term, it is considered that the discharge can occur directly to the streams to the north and south of the site.

Technical Committee's evaluation

A surface water lagoon is required to ensure the adequate control of all surface water discharges from the facility. However, the condition should be amended to allow the installation of additional surface water lagoons where required.

Recommendation

Condition 4.19.2 be Amended to read:

Unless otherwise agreed with the Agency all surface water collected shall be stored temporarily in a Surface Water Lagoon or Lagoons prior to discharge.

Ground 9 (Condition's 4.20.1 and 4.20.2)

Clarification is sought as to what is meant by Civic Waste Facility in the proposed decision. Design details on the proposed Civic Amenity Area have been submitted as part of the objection and these supersede those set out in the EIS. No receptacles are shown in Figure 3.2 of the EIS and proposals/drawings for the layout of the Civic Amenity Facility are given in the objection.

Technical Committee's evaluation

Such facilities are commonly referred to as Civic Amenity Areas but the proper term is Civic Waste Facility as specified in Sections 37 and 38(2)(a) of the Waste Management Act 1996. The technical committee note that the applicant proposes to relocate the Civic Waste Facility to a location which had not previously been submitted to the Agency. The new location and the number of receptacles proposed should be agreed with the Agency under Specified Engineering

Works. A timeframe of six months should be specified in order to allow sufficient time for the construction of this facility.

Recommendation

Amend Condition 4.20.1 to read:

Within six months of the date of grant of the licence, the licensee shall establish a Civic Waste Facility at the site.

Amend Condition 4.20.2 to read:

The licensee shall provide and maintain the receptacles at the Civic Waste Facility at the locations agreed with the Agency. All receptacles shall be clearly labelled to indicate their contents.

Ground 10 (Condition 4.21.1)

It is not proposed initially to compost treated sludge at the compost facility. However, this will be reviewed in light of the Galway Sludge Management Plan which is being prepared.

Technical Committee's evaluation

The technical committee recognise that the Galway Sludge Management Plan (when adopted) may recommend the siting of a compost facility at Poolboy or at another location. Condition 4.21.1 should be amended to allow this.

Recommendation

Amend Condition 4.21.1 to read:

Within eighteen months of the date of grant of this licence and unless otherwise agreed with the Agency, composting of segregated green garden waste and treated sludge shall be initiated at the facility. A minimum of ten tonnes of waste shall be composted per annum at the facility unless otherwise agreed with the Agency.

Ground 11 (Condition 4.22.1)

The existing hedgerow network shall be retained as far as practicable. However, some hedgerow may need to be removed around the proposed Civic Amenity Area.

Technical Committee's evaluation

The existing hedgerow network should be retained by the licensee where possible but it is possible that the relocation of the Civic Waste Facility within the boundary of the facility may result in the removal of boundary hedging. Condition 4.22.1 should be amended to reflect this.

Recommendation

Amend Condition 4.22.1 to read:

The existing hedgerow network which forms part of the boundary of the facility shall be retained by the licensee where possible. Removal of the hedgerow network should be agreed with the Agency as part of the Civic Waste Facility Specified Engineering Works. The replacement of any hedgerow removed should be addressed under Condition 4.22.2

Ground 12 (Condition 4.24.1)

The applicant considers that a period of 18 months is more realistic for the successful completion of the road improvement works.

Technical Committee's evaluation

In order to allow the applicant sufficient time to undertake the necessary road improvements, the technical committee considers that the timeframe for completion of road improvements should be amended from nine to twelve months. The technical committee considers that this improvement is urgent and necessary and shouldn't be extended beyond twelve months.

Recommendation

Amend Condition 4.24.1 to read:

The road improvements as described in Appendix H (section 8; Mitigation Measures) of Vol. 3 of the EIS shall be carried out within twelve months of the date of grant of this licence. These shall include;

- Minor Junction improvements at the N6/Pollboy Road junction
- Major junction improvements at the Pollboy Road/Beechlawn Road junction
- Substantial improvement of the Pollboy Road

Ground 13 (Condition's 5.1, 5.2, 5.4, 5.5 and 5.9b)

Household waste accepted at the site will always contain a small residual fraction of hazardous waste and Condition 5.1 should reflect this reality. Clarification is required as to what constitutes 'treated sludge'. In addition, the applicant requests the following amendments: (i) Condition 5.4 should allow the quantities of sludge accepted at the facility to be increased from 4,000 to 6,124 tonnes per annum as provided in the licence application; (ii) Condition 5.5 should be changed to remove the necessity for private vehicles using the Civic Waste Facility to pass through the weighbridge and (iii) the width of the working face should be increased from 25 to 40 metres.

Technical Committee's evaluation

Condition 5.1 of the proposed decision prohibits the acceptance of hazardous waste at the facility while the waste types to be accepted are limited to municipal solid waste, industrial non-hazardous waste and sludge. The definition of municipal waste as provided for in the Waste Management Act 1996 includes household waste while household waste is defined in this Act as waste produced within a building used for the purposes of living accommodation. Household waste is acknowledged to contain waste, which, if segregated and collected separately may constitute hazardous waste. While these wastes are collected as components of household waste, they are not legally defined as hazardous waste. The technical committee consider that reference should be made in the *Interpretation* to the definition of hazardous, household and municipal waste.

Treated sludges are defined in the *Interpretation* section of the proposed decision.

In relation to the quantities of sludge to be accepted at the facility, the technical committee consider that the applicant should be reducing the quantities of sludge sent for landfilling. This is in line with national policy for the reduction of biodegradable waste disposed of in landfills. The disposal of >5000 tonnes per annum of sludge in a landfill requires that an EIS addresses this issue and this was not provided for in the EIS submitted. On these bases, Condition 5.4 should remain unchanged.

The technical committee considers that private vehicles bringing waste to the Civic Waste Facility should not be weighed at the weighbridge and Condition 5.5 should be amended to reflect this.

It is crucial that the working face is maintained to the minimum practical dimensions and this will ensure the provision of the smallest surface area of exposed waste, assist in controlling windblown litter, reduce the requirements for cover material and minimise leachate generation. The technical committee considers that the working face width of 25 meters is adequate for the operation of an active cell and Condition 5.9 should remain unchanged.

Recommendation

Amend Condition 5.5 to read:

All waste vehicles bringing waste to the facility (other than private vehicles using the Civic Waste Facility) will be weighed at the weighbridge, unless subject to prior agreement of the Agency.

Include the following in the *Interpretation* section:

Hazardous Waste	As defined in Section 4 (2) of the Act.
Household Waste	As defined in Section 5 (1) of the Act.
Municipal Waste	Municipal waste as defined in Section 5 (1) of the Act.

Ground 14 (Condition 5.13.1)

The applicant seeks clarification on the definition of 'disposal permit' and are these permits to be issued by the licensee or the Agency. In addition, it seeks clarification on whether the licensee require a permit to dispose of sludge from the Ballinasloe WWTP to its own landfill.

Technical Committee's evaluation

The term 'disposal permit' refers to documentation to be issued by the licensee. The technical committee considers that submission of details of sludge carriers and producers to the Agency will ensure adequate control over such activities. Condition 5.13.2 should be amended to reflect this. It is noted that the applicant erroneously referred to Condition 5.13.1 instead of Condition 5.13.2.

Recommendation

Amend Condition 5.13.2 to read as follows:

Sludges shall only be allowed to be disposed of at the facility from sludge carries and producers who have been agreed with the Agency.

Ground 15 (Condition's 5.15.1/5.18)

Clarification is required on Condition 5.15.1 and 5.18 in relation to disposal of asbestos and 'smelly pumpable liquid waste'.

Technical Committee's evaluation

The technical committee note that Condition 5.15.2 provides for the disposal of asbestos wastes in the landfill. This should take place in areas of the landfill which are suitable for such disposal. Difficult wastes should not normally be deposited directly with other wastes in the working area and disposal of such wastes in an area of filled material may need to be considered. Condition 5.18 of the proposed decision prohibits the excavation of deposited waste unless the prior agreement of the Agency has been obtained and this will ensure that the deposition of such difficult wastes is properly supervised and managed.

Recommendation

No Change

Ground 16 (Condition's 5.20, 5.21, 5.22(a), 5.22(c) & 5.22(d))

The timeframe for submitting proposals for the recovery of wastes and the transfer of wastes off-site should be increased from 6 to 12 months. Condition 5.22 (Civic Amenity Facility) should be amended to (i) take into account the collection of household hazardous waste at the Civic Amenity Facility (ii) allow the use of a skip or compactor for the disposal of waste and (iii) allow the removal of waste deposited at the compactor as soon as the container is full rather than within 24 hours.

Technical Committee's evaluation

As outlined above, the Waste Management Plan for Connaught is in 'draft' form and has not at this stage been adopted by the relevant local authorities. Irrespective of the outcome of this plan, the applicant should put in place facilities for the recovery of waste in line with national policy. The technical committee note that Condition 5.20 requires proposals for the recovery, recycling and composting of waste at the facility and such plans will have to be agreed with the Agency prior to implementation. The timeframe of six months for submission of such proposals (Condition 5.20) and the proposals for the procedures for dealing with the transfer of waste off-site (Condition 5.21) should remain.

In relation to the collection of household hazardous waste at the civic waste facility, the applicant should encourage the recovery/recycling of the hazardous fractions of household waste and Condition 5.22 (b) allows for the agreement of the wastes to be deposited at the Civic waste facility.

The technical committee note that Condition 5.22(c) currently allows for the use of a skip or a compactor while Condition 5.22(d) only refers to waste for 'disposal'. It is essential that such wastes for 'disposal' are removed from the civic waste facility within 24 hours in order to minimise nuisances generated.

Recommendation

No change

Ground 17 (Condition's 8.1, 8.2 and 8.7)

The restoration of the landfill in accordance with section 6.4 of the EIS (Vol.2) is not possible as this plan is based on a total waste intake of 840,000 tonnes and cannot be achieved if the waste intake is limited to 375,000 tonnes. Also, it is felt Conditions 8.2 and 8.7 conflict with Condition 8.1.

Technical Committee's evaluation

In view of the fact that the capacity of the site is restricted to 375,000 tonnes as specified in the proposed decision and the E.I.S was drawn up for 840,000 tonnes, it is the view of the technical committee that the restoration and final profiling of the facility will change significantly as a result. Consequently, Condition 8.1 should be amended to allow new plans (including final profiles) to be drawn up and submitted to the Agency for agreement and such plans should be developed in line with the guidance provided in the Agency manual on 'Landfill Restoration and Aftercare'. The technical committee consider that the overall height of the landfill should be restricted to 58mOD so as not to provide excessive visual intrusion and the condition should be amended to reflect this.

The technical committee consider that the landscaping proposed in Section 6.4 of the E.I.S (Vol. II) will not change significantly as a result of the overall tonnage restriction of 375,000 tonnes and Condition 8.7 should remain unchanged.

Recommendation

Amend Condition 8.1 to read:

Unless otherwise agreed in advance or instructed by the Agency, a restoration and aftercare plan (including final profiles for the restored facility) shall be submitted to the Agency for agreement within twelve months of the date of grant of this licence. This plan shall be developed in accordance with the Agency manual on Landfill Restoration and Aftercare. Notwithstanding this, the finished level of the landfill shall not exceed 58m OD.
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Delete Condition 8.2

Ground 18 (Condition's 9.1, 9.3, 9.8 and 9.21)

The applicant objects to Condition's 9.1 and 9.21 in that the schedule of boreholes given in Table F.4.2 is incorrect. A revised schedule is included as part of the objection. It is unlikely that the proposed administration and other buildings will be constructed within nine months and this timeframe should be deleted from Condition 9.3.

Technical Committee's evaluation

The information supplied by the applicant in the objection regarding the revised schedule of boreholes is insufficient. The technical committee note that some of the existing boreholes may no longer be present at the facility but there is a lack of supporting information (e.g. borehole logs and locations) regarding the new boreholes which have replaced the existing ones. Condition 9.1 should be amended to allow for the agreement with the Agency of any new monitoring infrastructure at the facility. The requirement for the submission of a drawing showing the location of all monitoring points (Condition 9.21) should remain unchanged.

Condition 9.3 relates to the health and safety of personnel and requires the installation of a permanent gas monitoring system for the protection against the hazards of landfill gas. The technical committee recommends that a permanent gas monitoring system is installed upon the construction of the administration buildings and any other buildings at the facility.

Recommendation

Amend Condition 9.1 as follows:

The licensee shall carry out such monitoring and at such locations and frequencies as set out in Schedule F: Monitoring and as specified in the Conditions of this licence or unless otherwise agreed with the Agency.

Amend Condition 9.3 to read as:

The licensee shall install a permanent gas monitoring system in the administration building and any other buildings on the facility.

Ground 19 (Schedule A: Waste Activities)

Clarification is sought as to whether the term 'inert' includes glass and plastic as it is proposed to collect these waste streams at the Civic Amenity Facility.

Technical Committee's evaluation

Inert waste is defined in the *Interpretation* section of the proposed decision and reference is also made to inert waste in Class 4 of the Fourth Schedule of the proposed decision. The technical committee considers that inert waste includes glass. Class 2 of the Fourth Schedule of the proposed decision should be amended to include the recovery of plastic.

Recommendation

Amend Class 2 of Schedule A as follows:

Class 2. Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes):

This activity is limited to the composting of green waste, treated sludges, and the recovery of plastic.

Ground 20 (Schedule E: Specified Engineering Works)

The Specified Engineering Works specified in Schedule E should make reference to the modifications/amendments/details set out in the Drawings submitted as part of the objection.

Technical Committee's evaluation

This issue is dealt with under 'General' Ground No. 3 above.

Recommendation

No Change

Ground 21 (Schedule F: Monitoring)

The provision of a dedicated weather station at the landfill is not warranted given the waste intake limit of 375,000 tonnes. The meteorological data can be obtained from the weather station at Birr, Co. Offaly.

Technical Committee's evaluation

Given the limited life of the facility for waste disposal activities, the technical committee consider that the meteorological information required by Schedule F could be supplied from a nearby meteorological station.

Recommendation

Amend heading on Table F.5.1 Meteorological Monitoring as follows:

Data to be obtained from a local meteorological station.

Ground 22 (Schedule G: Emission Limits)

Clarification is required as to whether the emission limits given in G.6 apply to leachate being discharged from the site or to the discharge from the Ballinasloe Wastewater Treatment Plant. If it is the former, then the applicant objects to the condition as it is proposed to tanker initially and eventually pump the raw leachate directly from the site to the wastewater treatment plant prior to discharge to the River Suck.

Technical Committee's evaluation

The emission limit values specified in Schedule G.6 relates to leachate discharged to sewer from the site. The issue of leachate treatment has been dealt with under Ground No. 5 above.

Recommendation

No Change

Appendix B

The proposed decision is by its terms and cost of implementation unnecessarily stringent and disproportionate to the requirement for the safe disposal of waste at this facility and is contrary to and not in accordance with Section 52(2) of the EPA Act. The Poolboy site is a vital link in the Draft Connaught Waste Management Plan and the conditions imposed frustrate the objectives of this plan.

This section also refers to Section's 5 and 83(3)(f) of the EPA Act in relation to BATNEEC and the BATNEEC principle does not seem to have been applied or fully considered in relation to this facility. It is contended that the Agency has the discretion under Section 5(2) of the Waste Management Act on how BATNEEC can be applied in the case of an established activity. Once again, it is noted that the Poolboy facility is an integral part of the Draft Connaught Waste Management Plan drawn up under Section 22 of the Waste Management Act. The applicant considers that the volume restriction of the proposed decision may be based on the requirements of the WMA 1996 rather than on environmental or technical grounds and it considers that the

Agency has sufficient discretion to overlook the provisions of the WMA 1996. The principle of proportionality ought to be applied and the discretion which the Agency has should allow the UDC and the authorities to implement the Draft Waste Management Plan.

Technical Committee's evaluation

The issue of the proposed decision and the implications of it for the Draft Connaught Waste Management Plan have been dealt with under 'General' Ground No. 1 above. The technical committee note that Section 83(f) of the EPA Act 1992 relates to Integrated Pollution Control licensed facilities and not waste activities governed by the Waste Management Act 1996. The Agency is precluded from issuing a waste licence unless it is satisfied that the requirements of 40(4)(a to e) of the Waste Management Act 1996 are complied with. This includes the requirement to ensure that emissions from the activities concerned will not contravene any environmental standard and that the principle of BATNEEC is applied. The Agency was satisfied, when issuing the proposed decision, that the requirement of Section 40(4) of the Waste Management Act will be complied with.

Submission on Objection by Ballinasloe Urban District Council from Ballinasloe Against The Superdump

General

- *This submission relates to the 4 'General' objections received from Ballinasloe U.D.C in their objection. The basis of these submissions relates to the tonnages to be accepted at the facility and the impact the facility will have on proposed waste strategies/policies for the area.*

Technical Committee's evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, 'General' Ground's No.1 to No.4 above.

Specific

- *Submissions were received in relation to Condition 4 of the proposed decision, Site Infrastructure. The submission agrees with many of the Agency's conditions as set out in the Proposed Decision, despite objections from Ballinasloe U.D.C.*

Technical Committee's evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, 'Specific' Grounds above. The technical committee note that while the High Court agreement does specify works to be undertaken at the facility, it also states that *any works will be done in accordance with any or all time limits specified in the EPA licence.*

- *Submissions were received in relation to Condition 5 of the proposed decision, Waste Management. The submissions request that the disposal and volume of sludge must be as specified in the application, and all sludge producers should hold a disposal permit. The submission also refers to the Civic Waste Facility and recovery of wastes at the facility.*

Technical Committee's evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, 'Specific' Grounds above.

- *Submissions were received in relation to Condition 8 of the proposed decision, Restoration and Aftercare. It is considered that all restoration and aftercare at the facility shall be in accordance with the “Landfill Aftercare and Restoration Manual”.*

Technical Committee’s evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, ‘Specific’ Ground No. 17 above.

- *A submission was received in relation to Condition 9 of the proposed decision, Environmental Monitoring. The submission relates to Condition 9.3, relating to gas monitoring in buildings at the facility.*

Technical Committee’s evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, ‘Specific’ Ground No. 18 above.

- *Submissions on objections were received in relation to Appendix B of the objection.*

Technical Committee’s evaluation

The issues raised here are dealt with under Objection No. 1 (Ballinasloe UDC), Appendix B above.

Objection No.2: Ballinasloe Against The Superdump

General grounds

The restriction on the total waste quantities (375,000 tonnes) to be accepted at the facility should not be exceeded under any circumstances.

Technical Committee’s evaluation

This issue is dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, ‘General’ Ground No.1 above.

Specific grounds

Ground 1 (Condition 1.2)

Condition 1.2 restricts the site boundary as shown in Fig 3.2 (Vol. II of the E.I.S) and this boundary extends into lands which are not under the ownership of Ballinasloe U.D.C. and encroach onto a public highway. The reference to ‘facility’ should not mean the area outlined in red on Figure 3.2.

Technical Committee’s evaluation

This issue is dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, ‘General’ Ground No.4 above.

Recommendation

No change.

Ground 2 (Condition 4.16.10, 4.24.2)

Ballinasloe U.D.C. are bound under a High Court Agreement which states “recirculation of leachate back into waste will not be carried out”. All vehicles carrying waste, covering material or loose construction materials should be covered in a proper manner.

Technical Committee's evaluation

The conditions of the proposed decision prohibit the applicant from recirculating leachate in unlined areas of the facility and this is in accordance with the high court agreement. Leachate recirculation may be carried out in lined areas of the facility but only with the agreement of the Agency (Cond. 4.16.10). With regard to the covering of waste vehicles, Condition 6.5 of the proposed decision requires the covering of all vehicles delivering waste to and removing waste/materials from the facility.

Recommendation

No Change

Ground 3 (Condition 8)

A height restriction of 50m OD should be applied to the facility and such a restriction would reduce the adverse visual impact of the facility.

Technical Committee's evaluation

The technical committee consider that it is not necessary to restrict the final facility height to 50m OD but the final height should not exceed 58m OD. This issue is also dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, 'Specific' Ground No.17 above.

Recommendation

No Change

Ground 4

Any area where hazardous or toxic waste is buried in the landfill should be clearly marked

Technical Committee's evaluation

The proposed decision does not permit the disposal of hazardous waste at the facility (Condition 5.1).

Recommendation

No Change

Ground 5

The relocation of much of the infrastructure of the facility does not make economic sense in view of the remaining capacity for waste disposal at this facility.

Technical Committee's evaluation

The infrastructural requirements specified in the proposed decision are necessary for the proper management of all wastes accepted at the facility and compliance with the conditions of the licence.

Recommendation

No Change

Submission on Objection by Ballinasloe Against The Superdump from Ballinasloe Urban District Council

- *In relation to the objection to Condition 1.2, a revised drawing has been submitted as part of the objection by Ballinasloe UDC which outlines the site boundary. It is clear that there is no intention of developing the landfill across a public roadway or to site a leachate collection chamber on forestry lands.*

Technical Committee's evaluation

This issue is dealt with under Objection No. 1 (Ballinasloe UDC), Appendix A, 'General' Ground No.4 above.

- *Recirculation of leachate may be carried out in new lined cells of the proposed extension to the facility.*

Technical Committee's evaluation

This issue is dealt with under Objection No. 2 (Ballinasloe Against the Superdump), Ground No.2 above.

- *All vehicles carrying waste, cover material or loose construction material should be covered in a proper and safe manner. This will be a condition in the granting of a waste permit to waste contractors and the awarding of the construction contract to the successful tenderer.*

Technical Committee's evaluation

This issue is dealt with under Objection No. 2 (Ballinasloe Against the Superdump), Ground No.2 above.

- *The decision to limit the allowable capacity of the site to 375,000 tonnes is currently under appeal by Balinasloe U.D.C to the Agency. The landscape plan as submitted with the application was based on a capacity of 840,000 tonnes and there are a number of proposals to mitigate against the visual impact of the landfill. No hazardous wastes will be disposed of at the facility. The infrastructural development of the site is necessary to accommodate the future waste volumes.*

Technical Committee's evaluation

The issues raised here are dealt with above under the following:

- Objection No. 1 (Ballinasloe UDC), Appendix A, 'General' Ground No.1
- Objection No.1 (Ballinasloe UDC), Appendix A, 'Specific' Ground No.17 and Objection No. 2 (Ballinasloe Against the Superdump), Ground No. 3
- Objection No. 2 (Ballinasloe Against the Superdump), Grounds No. 4 & 5.

Signed:

Michael Henry
Technical Committee Chairperson