

MEMO			
TO:	Board of Directors	FROM:	Tadhg O' Mahony
CC:	Gerry Carty; Ted Nealon Brian Donlon	DATE:	06 April 2001
SUBJECT : Technical Committee Report on Objections to Proposed Decision - Reg. No. 34-1.			

Application Details	
Applicant:	Dundalk Urban District Council
Location of Activity:	Dundalk Landfill Amenity
Reg. No.:	34-1
Licensed Activities under Waste Management Act 1996:	Third Schedule: Classes 1, 4, 13 Fourth Schedule: Classes 2, 3, 4, 10, 11, 13
Proposed Decision issued on:	24/11/00
Objections received:	20/12/00 & 21/12/00
Submissions on objections received:	None
Inspector:	Brendan Wall assisted by Malcolm Doak

Consideration of the objections and submissions on objections

The Technical Committee (Tadhg O' Mahony, Chairperson, Sara Kennelly and Regina Campbell, 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 28/03/01 and 03/04/01.

Objections and submissions on objections received

Two objections to the Proposed Decision (PD) were received from W.J. Lawlor on behalf of the Castletown River and Dundalk Bay Amenity Development Association and from Dundalk UDC, the applicant. No submissions on objections were received.

Background

Waste Volumes applied for.

The waste volumes applied for by the applicant are those advised to the Agency in Table E.1.1 of further information dated 19 June 2000. The quantities in Table E.1.1 are those specified in Condition 5.2 and Table G.1 of Schedule G of the PD and allowed for disposal at the facility, except for construction and demolition (2,560 tonnes) waste. Construction and demolition waste is not allowed to be disposed of at the facility but can be used for recovery, daily cover, site construction works and landfill restoration. Condition 5.1.4 provides for additional quantities of construction and demolition waste to be accepted at the facility waste for use in recovery, restoration and rehabilitation of the facility subject to the agreement of the Agency. Thus there is no ceiling on the quantity of suitable construction and demolition waste to be accepted at the facility for use in restoration of the site.

The further information date 19 June 2000 includes reference to sewage sludge quantity increasing to 4,300 tonnes per annum from 2000. The acceptance of sludges at the facility is

restricted to 680 tonnes (industrial land sewage) of treated sludge only. The proposed increased tonnage of sewage sludge (upto 4,300 tonnes per annum) is not allowed in the PD. The impact of the acceptance of this quantity of sewage sludge was not assessed as part of the application.

Timescales and commissioning of contracts.

The applicant makes a number of objections on the ground that the timescales are not sufficient to enable the appropriate approvals and appointment of contractor. The TC note that there is no requirement for the applicant to wait until grant of the licence prior to taking the necessary steps and obtaining the necessary approval to ensure the works required by the PD are undertaken within the specified timescales. In addition, it is the view of the TC that suitably qualified facility management staff could undertake a number of the requirements to which objections are made on this ground.

Hours of operation.

The hours of operation recommended by the TC in this report reflect the hours applied for in the application.

Objection 1: W.J. Lawlor, The Castletown River and Dundalk Bay Amenity Development Association

The issues raised in the objection are addressed below.

Ground 1 - Condition 2.2.1

The objector requests that the Schedule of Objectives and Targets be required to be submitted immediately and that time must be allowed for this Schedule to be evaluated.

Technical Committee's evaluation

The timescale specified in the PD is considered appropriate.

Recommendation

No change.

Ground 2 - Condition 2.3.1

The objector requests that the EMP be required to be submitted immediately and that time must be allowed for the EMP to be evaluated by the Castletown River and Dundalk Bay Amenity Development Association.

Technical Committee's evaluation

The timescale as specified in the PD is considered appropriate. Following submission of the EMP to the Agency, it is maintained on public file and the inspector will consider any comments from the public.

Recommendation

No change.

Ground 3 - Condition 2.4.1

The objector wants this condition to be amended so that the Corrective Action Procedures are required to be submitted immediately.

Technical Committee's evaluation

The timescale specified in the PD is considered appropriate. Condition 2.4.1 states that “... *the licensee shall establish and maintain written Corrective Action Procedures.*” These will be developed during the first six months of the licence coming into force and would also form part of the EMP for the facility.

Recommendation

No change

Ground 4 - Condition 2.6

The objector wants details of the management structure to be submitted immediately.

Technical Committee’s evaluation

The timescale specified in the PD is considered appropriate. Notwithstanding the timescale specified for submission of information on the management structure, Condition 2.9 requires. *The facility manager or a suitably qualified deputy to be present at the facility at all times during the operation of the facility.*”

Recommendation

No change.

Ground 5 – Condition 2.7.1

The objector requests that details of the Communications Programme be submitted immediately.

Technical Committee’s evaluation

The timescale specified in the PD is considered appropriate.

Recommendation

No change.

Ground 6 – Condition 2.9

The objector highlights a typographical error in the text of Condition 2.9 stating that “manger” in line 4 should read “manager”.

Technical Committee’s evaluation

The TC notes this error.

Recommendation

Amend Condition 2.9 such that “manger” in line 4 reads “manager”.

Ground 7 – Condition 3.10 (d)

The objector requests that details of the addresses of the producer(s)/collector(s) of the waste be maintained also.

Technical Committee’s evaluation

The TC considers that this is a detail which should be included in the Condition.

Recommendation

Amend Condition 3.10(d) to read as follows:
“the name and trading address of the producer(s)/collector(s) of the waste as appropriate”.

Ground 8 – Condition 3.10 (g)

The objector wants records of the ratio and types of constituents of the waste to be maintained also and states that how this would be recorded should be agreed by the Agency.

Technical Committee’s evaluation

The TC notes the objector’s comments. This information is required to be submitted as part of the Annual Environmental Report to the Agency. Conditions 3.10(f) and 3.11 also require details of waste types accepted to be recorded.

Once submitted the AER is maintained on public file and any comments from the public are noted and taken into account.

Recommendation

No change.

Ground 9 – Condition 4.2.1

The objector wants any proposed Specified Engineering Works to be subject to public scrutiny in terms of advertisement and exhibition as in the case of a full planning permission application would be.

Technical Committee’s evaluation

This is a standard condition for all waste licences. Proposals on specified engineering works specified in Schedule D of the PD are required to be submitted to the Agency in advance for agreement prior to these works being undertaken. Once submitted such proposals are maintained on public file and any comments from the public are noted and taken into account.

Recommendation

No Change

Ground 10 – Conditions 4.8.3, 4.10.2, 4.12, 4.14.5, 4.18.6, 7.6.3, 7.6.5, 7.6.6, 7.6.7, 7.6.8

The objector state that it is unacceptable to direct leachate, wheelwash water, sewage and surface water from the hardstanding area of the Civic Waste Facility into Dundalk’s foul sewer system.

Technical Committee’s evaluation

In relation to leachate management at the facility, Condition 4.14.1 also requires the leachate management system to “... include measures for the abstraction of leachate from the waste and its pre-treatment at the facility, if necessary, prior to treatment at Dundalk Waste Water Treatment Plant”....

Condition 4.18.6 requires surface water from the hardstanding areas of the Civic Waste facility to pass through an interceptor prior to discharge to the foul sewer.

A Section 52 agreement in relation to discharges from the facility, including the civic waste facility and the landfill facility to foul sewer has been submitted by the Sanitary Authority in accordance with the Waste Management Act. Condition 7.6 *Emissions to Sewer* reflects this

agreement and allows the discharge of leachate to foul sewer subject to the requirements of Condition 4.14. *Schedule F.5 Emission Limits for Leachate Being Discharged to Sewer* specifies the emission limits for discharges from the Civic Amenity Facility and the landfill.

The TC has confirmed that the Dundalk Waste Water Treatment Plant is now commissioned with primary and secondary treatment now being undertaken at the plant. The final treated effluent is discharged to the Castletown Estuary/Dundalk Harbour. The applicant has advised the Agency in its objection (Objection 2 –Ground 7) that a foul sewer was constructed during 2000 as part of the Dundalk Sewerage Scheme. The sewer runs along the western side of the landfill site and will facilitate the discharge of leachate and other foul drainage from the facility to the now commissioned WWTP. Condition 7.6 and Schedule F.5 of the DP control discharges from the landfill facility and the Civic Waste Facility to foul sewer.

No Change

Ground 11 – Conditions 4.14.1

The objector requests that they want to see the design of the leachate management system before the granting of the licence. The objector also wants the licensee to be required to establish a monitoring system to monitor the extent of saline intrusion beneath the landfill rather than to 'consider' a monitoring system. The objector also requests that the storage lagoon be required to be put in place immediately.

Technical Committee's evaluation

The TC notes the objector's comments and considers that twelve months will be required for the infrastructure to be put in place and into operation. See also TC Evaluation under Ground 9 of this objection in relation to specified engineering works.

The TC note that similar ammonia concentrations ranging between (0.01mg/l and 0.4 mg/l) have been detected in the Castletown Estuary upstream and downstream of the landfill between 1993 and 1997. In addition, while elevated ammonia concentrations were recorded above and below the landfill a significant increase was found to be attributable to the landfill as reported in the Inspector Report. Notwithstanding this, leachate with ammonia levels of 654 mg/l is discharging via the existing culvert through the site to the Castletown estuary. In addition, it is stated in the Inspectors Report that the applicant has indicated historical studies undertaken in the estuary have indicated that the impact of leachate is localised and could not be detected beyond the immediate area of the landfill. Monitoring of the surface water drainage within the facility indicated localised leachate contamination (89 mg/l to 109 mg/l ammonia). In addition, existing industrial and domestic discharges to the estuary are now being collected and treated at the recently commissioned Dundalk Waste Water treatment Plant. Thus, the control of leachate at the facility as required by the PD, is considered to be essential to ensure leachate currently discharging to the Castletown estuary does not impact on surface water quality in the estuary.

The TC recommends that the wording of this condition be changed to require that the leachate management system and leachate lagoon is installed and commissioned within twelve months of the date of grant of the licence.

In addition to the above, the TC recommend that monitoring of the extent of saline intrusion at the facility is made a requirement of this condition rather than requiring the licensee to consider measures for monitoring. In addition, the TC recommend the requirement for monitoring of saline intrusion at the facility should be inserted in Schedule C: Table C.1 Recurring Reports.

Recommendation

Amend Condition 4.14.1 to read as follows:

Within twelve months of the date of grant of this licence, the licensee shall **install, commission and maintain** a leachate management system at the facility for the protection of surface waters and groundwater. The leachate management system shall include measures for the abstraction of leachate from the waste and its pre-treatment at the facility, if necessary, prior to treatment at Dundalk Waste Water Treatment Plant, and shall incorporate details of the placement of a vertical barrier in order to prevent contaminated leachate/groundwater from entering the Castletown River Estuary to the immediate south of landfill. The applicant shall **also implement a monitoring programme to determine** the extent of saline intrusion beneath the landfill.

Within twelve months of the date of grant of this licence the licensee shall **install, commission and maintain** a leachate storage lagoon at the facility to facilitate the storage of leachate abstracted/collected from the waste. Unless otherwise agreed with the Agency, the lagoon lining shall be a composite liner consisting of:

- an upper component of a flexible membrane liner. At minimum a 2mm HDPE or equivalent flexible membrane liner should be used; and
- a lower component of a 1m layer of compacted soil with a hydraulic conductivity of less than or equal to $1 \times 10^{-9} \text{m/s}$ constructed in a series of compacted lifts no thicker than 250mm when compacted or a 0.5m artificial layer of enhanced soil giving equivalent protection to the foregoing also constructed in a series of compacted lifts no thicker than 250mm when compacted.

Note : See also amendment to 4.14.1 under Ground 13 of Objection 2.

Insert the following monitoring requirement in Schedule C: Table C1. Recurring Reports after Monitoring of Leachate:

Monitoring of Saline Intrusion at the Facility.

In addition, the frequency should be **Quarterly** and the Report Submission Date should be **Ten days after the quarter being reported on.**

Ground 12 – Condition 4.16.1 and 8.3

The objector asks why inert excavation spoil which was excavated from the Castletown Road and County Hall environs was not stockpiled at the landfill for subsequent use as capping. They also state that it would cost £70,000 to cover 45 acres to a depth of 300mm.

Technical Committee's evaluation

The TC notes these comments. The issue raised relating to the excavation of inert waste from the Castletown Road and County Hall is a matter for the local authority. The requirement for a 300mm intermediate cap on all previously deposited waste is specified to minimise environmental nuisances associated with previously deposited waste. The final cap at the facility is specified in Condition 4.16.3 and is required to be introduced within twelve months of filling to the required level. There is a requirement to maintain capping material stockpiles at the facility under Condition 4.16.5.

Recommendation

No change.

Ground 13 – Condition 4.16.3

The objector states that the final capping specified is 'drastically expensive overkill'.

Technical Committee's evaluation

The TC notes the comments. The requirements in this condition are standard and take into account the requirements of the Landfill Directive and the EPA Manuals: Landfill Restoration and

Aftercare Manual and Landfill Site Design Manual. The capping specification takes into account the requirement to minimise leachate generation and facilitates the management of landfill gas as well as the final restoration of the landfill.

Recommendation

No change.

Ground 14 – Condition 4.17.3 and Condition 7.5.1

The objector states that the culverting of the stream which was undertaken was carried out at great expense and the proper course of action would have been to divert the surface drainage around the dump. In the past instead of spending money on proper management of the landfill, burning rubbish was allowed and litter was allowed to enter Dundalk Bay and subsequently deposited around the high water mark of the bay

Technical Committee's evaluation

The TC notes these comments. The requirements in relation to surface water management at the facility are specified in Condition 4.17 of the PD. Burning of waste at the facility is prohibited under Condition 10.5. In the event of a fire immediate action is required to be taken to extinguish it and the appropriate authorities are required to be notified. Litter control measures are specified in Conditions 6.4.1 to 6.4.5 inclusive.

Recommendation

No Change

Ground 15 – Condition 4.18.3

The objector refers to their objection to Condition 4.2.1 (Ground 9).

Technical Committee's evaluation

See response to Ground 9.

Recommendation

No change.

Ground 16 – Condition 4.18.7

The objector refers to their previous objection to Condition 4.2.1. (Ground 9).

Technical Committee's evaluation

See response to Ground 9.

Recommendation

No change.

Ground 17 – Condition 5.1.2

The objector states that a farmer can bury a BSE casualty in a bog or aquifer.

Technical Committee's evaluation

The TC notes this comment. The European Communities (Disposal, Processing and Placing on the Market of Animal By-Products) Regulations, 1994, implemented by the Department of Agriculture, Food and Rural Development, includes controls for the disposal of animal by-

products. This is not controlled by the Waste Management Act or licences issued under the Waste Licensing Regulations. The Department of Agriculture, Food and Rural Development specifies strict controls in relation to the handling and disposal of Specified Risk Material (SRM) which includes BSE contaminated animal wastes and carcasses.

Recommendation

No Change

Ground 18 – Condition 5.1.3

The objector refers to the previous objection to Condition 3.10 (g).

Technical Committee's evaluation

See TC Evaluation under Ground 8 in relation to the maintenance of records of the ratio and types of constituents of the waste.

Recommendation

No Change

Ground 19 – Condition 5.1.4

The objector describes the limit of 2,560 tonnes per annum of C & D waste allowed to be accepted at the landfill as nonsensical and wants to know why this limit was imposed.

Technical Committee's evaluation

Under Condition 5.1.4 of the PD construction and demolition waste is not permitted to be disposed of at the facility but inert construction and demolition waste is allowed to be used as daily cover, in site construction works and in landfill restoration. The quantity of waste allowed at the facility reflects the further information submitted by the applicant to the Agency in relation to the application on 19 June 2000. Condition 5.1.4 does, however, make provision for greater quantities of construction and demolition waste to be accepted at the facility for use in recovery, restoration and rehabilitation of the facility as agreed with the Agency in accordance with Condition 8.

Recommendation

No change

Ground 20 – Condition 5.2

The objector queries the limit of 25,740 tonnes per annum wastes allowed to be disposed at the landfill and wonders if this is equivalent to approximately 100 loads per week and if this is a small estimate.

Technical Committee's evaluation

The restriction on the total annual quantity of waste permitted to be accepted at the facility for disposal is based on further information submitted by the applicant to the Agency in relation to the application on 19 June 2000.

Recommendation

No Change

Ground 21 – Condition 5.5

The objector refers to the objection to Condition 3.10 (g).

Technical Committee’s evaluation

See response to Ground 8 in relation to the maintenance of records of the ratio and types of constituents of the waste.

Recommendation

No change.

Ground 22 – Condition 5.6

The objector states that scavenging should be encouraged, as it is another form of recycling.

Technical Committee’s evaluation

The TC notes these comments. Scavenging is prohibited at all licensed waste facilities. This is in the interest of public safety and to prevent unauthorised access to the facility. Recovery activities permitted under the terms of the PD are specified in Part I Activities Licensed of the PD.

Recommendation

No change

Ground 23 – Condition 5.20(b)

The objector refers to the objection to Condition 5.2 and would seem to be suggesting that the figure of 10,000 tonnes per annum, which is the amount of waste, allowed to be accepted at the Civic Waste Facility is a small estimate.

Technical Committee’s evaluation

The figure of 10,000 tonnes per annum allows the quantity of waste to be recycled and recovered at the facility to be increased to this limit in the future. This quantity includes domestic waste and commercial waste to be accepted at the civic waste facility as well as other wastes destined for recovery and recycling as authorised by the PD.

Recommendation

No change.

Ground 24 – Condition 6.10.1

The objectors state that the programme for the control and eradication of vermin at the facility should be required to be submitted immediately.

Technical Committee’s evaluation

Notwithstanding the time frame specified in Condition 6.10.1, Condition 6.1 requires the facility to be inspected for nuisance due to vermin, birds, flies, dust and odours at a minimum of twice a week. In addition, Condition 6.10 requires the licensee to ensure that vermin, birds, flies, mud, dust and odours do not give rise to nuisance at the facility or the immediate area of the facility. The requirements of Condition 6.1 and 6.9 come into force immediately on grant of the licence.

Recommendation

No change.

Ground 25 – Condition 7.7

The objector states that there should be no emissions to sewer except for toilets.

Technical Committee's evaluation

See TC evaluation under Ground 10.

Recommendation

No change.

Ground 26 – Condition 8.1

The objector states that the final profile stated in this condition is 30 ft. above high tide.

Technical Committee's evaluation

At the time of the application, waste had already been deposited to a height of 11m (36 feet). The height specified in Condition 8.1 is the final landform after settlement and incorporates a requirement for a permanent engineered cap as required by Condition 4.16.3 of the PD.

Recommendation

No change.

Ground 27 – Condition 9.13

The objector asks what the term 'void space' means.

Technical Committee's evaluation

Void space is defined in the EPA Landfill Site Design Manual as the space available within a landfill facility for the deposition of waste.

Recommendation

No change

Ground 28 – Condition 9.14

The objector requests that the methodology used in the annual ecological monitoring of the Castletown Estuary should also be required to be submitted.

Technical Committee's evaluation

The monitoring programme is required to be introduced in consultation with Duchas. In developing the monitoring programme the methodology to be used would be an important consideration. A standard methodology should be used where possible and practical. The TC considers that reference should be made in this condition to the inclusion of a description of the methodology used in the survey.

Recommendation

Amend Condition 9.14 to read as follows:

The licensee shall carry out annual ecological monitoring of the Castletown Estuary adjacent to the facility. This shall include aquatic ecological monitoring and estuary bird surveys in addition to monitoring of sediment and water quality as set out in Schedule E Monitoring. Particular consideration shall be given to the monitoring of the areas to the south of the facility and to the transition area between the inner and outer estuary. The monitoring programme **and methodology used** shall be produced in consultation with Duchas, The Heritage Service. **A description of the methodology used in the survey should be included in the Ecological Report submitted to the Agency.**

Ground 29 – Condition 9.15

The objector queries why all environmental monitoring cannot commence now instead of two months after the date of grant of the licence.

Technical Committee’s evaluation

There is no prohibition on the licensee to undertake environmental monitoring prior to issue of the licence. Guidance has been issued by the Agency in relation to landfill monitoring – *Landfill Manual –Landfill Monitoring (EPA, 1995)*. The PD sets out the specific requirements for environmental monitoring at the facility.

Condition 9.15 states “*Unless otherwise specified by this licence or agreed by the Agency, all environmental monitoring shall commence no later than two months after the date of grant of this licence* “. From the date of grant of the licence, the monitoring and inspection requirements are required to be undertaken as specified in the licence. Daily and twice weekly inspections of the facility are required to be undertaken for nuisances and litter respectively. In addition Schedule E: Monitoring requires daily and weekly monitoring of a range of parameters to be undertaken (e.g., landfill gas combustion plant and flarestack (weekly, continuous, visual inspection of surface water (weekly), leachate levels (daily)).

Recommendation

No change.

Ground 30

The objector states that they presume that commercial waste includes builders and demolition rubble and excavation spoil. The objector states that this material which will end up as cover should not be termed waste.

Technical Committee’s evaluation

Commercial waste is defined in Section 5 of the Waste management Act as follows: “*waste from premises used wholly or mainly for the purpose of a trade or business or for the purposes of sport, recreation, education or entertainment but does not include household, agricultural or industrial waste*”. Discarded material arising from construction and demolition activities is waste irrespective of the end use for which this material is used.

Recommendation

No Change

Objection 2: Dundalk Urban District Council, the applicant

The issues raised in the objection are addressed below.

Ground 1 - Condition 2.4.1 Corrective Action procedures

The applicant requests that 9 months be given to submit this information. The reason given for this request is to facilitate the Council in establishing a consultancy brief, gaining council approval for budgeted expenditure, selecting a suitable service provider, achieving council approval for the recommendation, awarding contract and subsequent preparation of the information. The applicant considers that in the event of external contracts being required that up to 6 months will be needed to appoint a contractor.

Technical Committee's evaluation

This is a standard condition for all waste facilities. Condition 2.4.1 specifies that written Corrective Action Procedures are required to be established and maintained within six months of the date of grant of the licence. These procedures are required to be submitted as part of the Environmental Management Plan for the facility required by Condition 2.3.1. It is the view of the TC that suitably qualified management staff at the facility could develop Corrective Action Procedures for the facility. The TC considers the six-month time frame specified in this condition to be adequate for the task required.

Recommendation

No Change

Ground 2 - Condition 2.5.1 Awareness and Training

The applicant requests that the timescale specified in this condition be changed from 6 months to 9 months. The objector states the reasons for this change is as given under Ground 1.

Technical Committee's evaluation

See TC evaluation under Ground 1. The TC considers the six-month time frame specified in this condition to be adequate for the task required.

Recommendation

No Change

Ground 3 - Condition 2.6 Management Structure

The applicant considers that the requirements outlined under this section of the Proposed Decision provides an element of restriction on the nature in which Dundalk Urban District Council employs its staff. The applicant does not consider that it will be appropriate to agree the names of persons and their responsibilities prior to their employment and therefore changes in the management structure will be advised after the applicant has finalised the recruitment procedure.

Technical Committee's evaluation

This is a standard condition for existing facilities. Notwithstanding the timeframe specified in Condition 2.6, Condition 2.9.5 requires the licensee to employ a suitably qualified and experienced manager at the facility. The facility manager or a suitable qualified and experienced deputy is required to be present at all times during the operation of the facility. Any proposed changes to the management structure are required to be agreed with the Agency which also provides for changes to the management structure at the facility.

Recommendation

No Change

Ground 4 - Condition 2.7.1 Communications

The applicant requests the specified timescale to be changed from 6 months to 9 months. The reasons given are as detailed in relation to Condition 2.4.1.

Technical Committee's evaluation

See TC evaluation under Ground 1. It is the view of the TC that suitably qualified management staff at the facility could develop the Communications Programme for the facility. The TC considers the six-month time frame specified in this condition to be adequate for the task required.

Recommendation

No Change

Ground 5 - Condition 2.9

The applicant contends that it is solely the responsibility and function of the County Manager to appoint and employ staff which are suitable to fulfil the necessary positions identified by the operations. Furthermore the applicant considers it to be unreasonable that a site manager is required to be on the site at all times, as there may be occasions when the site manager is temporarily absent for a variety of reasons. It is requested that information on the qualifications, etc., of the suitable staff be provided following their appointment and that the facility manager be present on site to adequately supervise the operations.

Technical Committee's evaluation

This is a standard condition in relation to the requirements for site management at licensed facilities. The presence of a facility manager or a suitably qualified deputy is a requirement from the date of grant of the licence. It is the responsibility of the licensee to ensure that suitably qualified and experienced staff are employed to ensure compliance with the conditions of the licence at all times.

Recommendation

No Change

Ground 6 - Condition 3.10

The applicant requests that cars and cars with trailers, small vans, etc., carrying domestic waste are excluded from the full written records as detailed. It is proposed that the registration of cars, cars with small trailers, small vans, etc., will be maintained for each working day. The reason given by the applicant is to facilitate the efficient operation of the site by ensuring minimal delay for vehicles using the landfill facility.

Technical Committee's evaluation

The TC consider the maintenance of a written record for each load of waste arriving at the civic waste facility is not necessary and recommends that Condition 3.10 be amended to reflect this. The TC notes that Condition 3.11 requires the licensee to maintain a written record of the type and quantity, recorded in tonnes, of all wastes recovered or disposed of at the facility. This information is required to be included in the AER and will enable the Agency to monitor compliance with the nature and quantities of waste permitted to be accepted at the facility. In addition, the TC refer to the requirement of Condition 5.4 which requires written procedures for

the acceptance and handling of all wastes at the facility including wastes accepted at the Civic Waste Facility.

Recommendation

Amend line 1 of Condition 3.10 to read as follows:

The licensee shall maintain a written record for each load of waste arriving at the facility **excluding those arriving at the Civic Waste Facility.**

Ground 7 Condition 4 Site Infrastructure

The applicant states that it should be noted that a foul sewer was constructed during 2000 as part of the Dundalk Sewerage Scheme. The pipeline runs through the western side of the site which contains historically landfilled waste. Its specific location is identified on the attached drawing.

Technical Committee's evaluation

The TC notes this information. . It is to the foul sewer discharging to this WWTP that all foul water and leachate arising from the civic waste facility and the landfill facility will be discharged. Discharges from the landfill facility and the Civic Waste Facility to foul sewer are controlled by Condition 7.6 and Schedule F.5: *Emission Limits for Leachate Being Discharged to Sewer.*

In addition, the TC have confirmed with Louth County Council that the Dundalk Waste Water Treatment Plant has recently been commissioned, with primary and secondary treatment now being undertaken at the plant. The final treated effluent is discharged to the Castletown Estuary/Dundalk Harbour

Recommendation

No Change

Ground 8 - Condition 4.4.2 Specified Engineering Works

The applicant requests that the requirement for a person to be present on site at all times be removed. It is considered impractical that supervisory staff be present on site at all times as there may be occasions when staff are required at other offices or for other emergency situations.

Technical Committee's evaluation

This is a standard condition and is a requirement for all specified engineering works included in Schedule D: Specified Engineering Work undertaken at the facility. Adequate supervision is essential to ensure that specified engineering works are undertaken in accordance with the specifications submitted to and agreed with the Agency. The requirement of Condition 2.9 in relation to the employment of a suitably qualified and experienced facility manager and/or deputy manager could facilitate the supervision of some specified engineering works.

Recommendation

No Change

Ground 9 - Condition 4.4.2(a)

The applicant requests that temporary repairs shall be made at the end of each working day or as may be considered practicable depending on the time the defect is noticed.

Technical Committee's evaluation

This is a standard condition in relation to defects in facility gates and/or fencing. The requirement to make a temporary repair to any defect to the gates and/or fencing is not considered by the TC to be unreasonable. This requirement is designed to ensure the facility is secure from unauthorised access outside of operational hours.

Recommendation

No Change

Ground 10 - Condition 4.8.1 Inspection and Quarantine Area

The applicant states it should be noted that the waste inspection area has been constructed and therefore this requirement is not applicable.

Technical Committee's evaluation

The Technical Committee note that the Waste Inspection Area has been constructed. Condition 4.8, however, requires a Waste inspection Area and a Waste Quarantine Area to be provided and maintained. Following the grant of this licence, as built drawings should be provided to the Agency to confirm the location of the Waste Inspection Area and Waste Quarantine Area to confirm compliance with the requirements of Condition 4.8.1 to 4.8.3 inclusive.

Recommendation

No Change

Ground 11 - Condition 4.13.1 Storage Areas

The applicant states that a bunded storage area for fuel already exists on the site and this tank will be used for the provision of fuel for site vehicles. Therefore an additional fuel tank in the civic amenity area is not required.

Technical Committee's evaluation

Condition 4.13.1 requires a fuel storage area to be provided within the civic waste facility unless otherwise agreed with the Agency. It is the view of the TC that this matter can be clarified during the enforcement of the licence once granted. Notwithstanding this, the TC emphasises that all fuel storage areas provided at the facility should be bunded. The TC recommends the provision of a bunded waste oil storage area at the Civic Waste Facility in accordance with Condition 4.18.3 should also be referred to specifically within Condition 4.13.1.

Recommendation

Amend Condition 4.13.1 as follows:

The licensee shall provide and maintain a bunded fuel storage area **and waste oil storage area** at the facility. Unless otherwise agreed with the Agency the location of the fuel storage area shall be within the main recycling building. Fuels shall only be stored at the agreed location.

Ground 12 - Condition 4.13.6

The applicant states that as leachate will not be tankered off site but instead pumped to the sewer this requirement is not applicable. In addition the applicant states that any identification required by road haulage legislation will be adhered to if tankering is ever required.

Technical Committee's evaluation

This is a standard condition. In relation to the Dundalk Landfill Facility, Condition 4.13.6 provides for any future scenario which might involve the tankering leachate off-site for treatment.

Recommendation

No Change

Ground 13 - Condition 4.14.1 Leachate Management

The applicant requests that the requirement to install a vertical barrier be removed. The applicant states that a full assessment based on risk methodologies be carried out as to the best practical environmental option taking into account BATNEEC for leachate management within the site. The applicant contends this system that this may not necessarily require the installation of a vertical wall, but will include a form of management system to minimise leachate movement to the estuary. The applicant states that full details will be provided to the Agency as to the proposed method for leachate management before any works are undertaken.

The applicant contends that ongoing monitoring in the estuary has indicated that the waste disposal operations have not impacted significantly on the water quality in the estuary.

The applicant requests that the need for the provision and maintenance of a leachate storage lagoon be removed from the licence conditions. The applicant states the Council as yet has not decided on the Best Available Technology Not Entailing Excessive Costs (BATNEEC) for a leachate collection and disposal system based on the nature, size and extent of treatment required for the site. The applicant states that it may be proved that following further investigation that the leachate may be directly pumped to the sewerage system and further that if holding capacity is deemed necessary by the Council an above ground tank may be more appropriate and propose that further details will be provided to the Agency before any works are undertaken.

Technical Committee's evaluation

The Dundalk landfill site is an unlined facility and does not at present have leachate management

system in operation at the facility. Leachate generated at the facility, estimated to be in the order of 34,000m³ per annum. This leachate is discharged to the Castletown Estuary and to groundwater. See also TC evaluation under Ground 11 objection 1 in relation to the impact of leachate from the landfill on the Castletown Estuary.

The incorporation of a vertical barrier along the facility boundary with the Castletown Estuary will facilitate the collection of leachate generated within the facility prior to storage and /or treatment at the facility and ultimate discharge to sewer for treatment at the Dundalk WWTP. The TC recommend that the requirement for a leachate collection drain or leachate abstraction infrastructure to be included in Condition 4.14.1. This drain should extend at a minimum between the landfill and the proposed vertical barrier along the boundary with the Castletown River Estuary. This will facilitate the collection of leachate generated within the facility.

It is the view of the TC that the installation of a vertical barrier will also prevent saline intrusion beneath the landfill. The TC recommend that Condition 4.14.1 be amended to require the vertical barrier to be *installed, commissioned and maintained* rather than *incorporate details of*. See also TC Evaluation and recommendation under Ground 11 of Objection 1 in relation to the requirement to monitor saline intrusion beneath the landfill.

The requirement for the provision of a lined leachate storage lagoon is considered by the TC to be a critical element in leachate management at the facility. The leachate storage lagoon will enable leachate abstracted and collected at the facility to be stored prior to pre-treatment at the facility, if necessary, and prior to its discharge to foul sewer and the now commissioned Dundalk WWTP. Discharge of leachate from the landfill is required to be in accordance with Condition

7.6 and the limit values specified in Schedule F.5 Emission Limit for Leachate Being Discharged to Sewer of the PD.

The TC note that works associated with leachate management at the facility are specified engineering works (Schedule D- Specified Engineering Works) and are required to be agreed in advance with the Agency. The licensee is required to comply with the Condition 4.2 of the PD for any specified engineering works proposed at the facility

Recommendation

Amend Condition 4.14.1 as follows:

Within twelve months of the date of grant of this licence, the licensee shall provide a leachate management system at the facility for the protection of surface waters and groundwater. The leachate management system shall include the following:

- measures for the abstraction of leachate from the waste and its pre-treatment at the facility, if necessary, prior to treatment at Dundalk Waste Water Treatment Plant.
- **the installation of a vertical barrier** in order to prevent contaminated leachate/groundwater from entering the Castletown River Estuary to the immediate south of landfill; and
- **the installation of a leachate collection drain/ leachate abstraction infrastructure along the full length of and on the landfill side of the vertical barrier and at other locations as required.**

The applicant shall also consider measures to monitor the extent of saline intrusion beneath the landfill.

Within twelve months of the date of grant of this licence the licensee shall provide and maintain a leachate storage lagoon at the facility to facilitate the storage of leachate abstracted/collected from the waste. Unless otherwise agreed with the Agency, the lagoon lining shall be a composite liner consisting of:

- an upper component of a flexible membrane liner. At minimum a 2mm HDPE or equivalent flexible membrane liner should be used; and
- a lower component of a 1m layer of compacted soil with a hydraulic conductivity of less than or equal to 1×10^{-9} m/s constructed in a series of compacted lifts no thicker than 250mm when compacted or a 0.5m artificial layer of enhanced soil giving equivalent protection to the foregoing also constructed in a series of compacted lifts no thicker than 250mm when compacted.

Note : See also amendment to 4.14.1 under Ground 11 of Objection 1.

Ground 14 - Condition 4.14.4

The applicant requests, that if leachate holding capacity is required then the need to enclose all tanks used for the storage and/or treatment of untreated leachate is removed. The applicant states that it is not proposed at this stage that treatment or holding capacity specified in Condition 4.14.1 is required at the facility. However, should these systems be required the applicant states that it is proposed that due to the numerous systems available for the treatment of leachate that an assessment will be carried out to find the best technology in accordance with the BATNEEC principal. The applicant states that it is envisaged that this may consist of a covered facility although certain issues such as ammonia treatment and precipitation impacts will be addressed. The applicant states that numerous treatment systems are currently being successfully operated in uncovered tanks and at this stage it has not been clearly demonstrated that covered systems are required.

Technical Committee's evaluation

The requirement for tanks for the storage and /or treatment of leachate to be fully enclosed relates specifically to tanks as opposed to leachate storage lagoons. The provision of fully enclosed tanks will reduce the potential for nuisance due to odours arising from the treatment of leachate and will also control the potential for aerosols arising from the storage and /or treatment of leachate.

Recommendation

No Change

Ground 15 - Condition 4.15.1 Landfill Gas Management

The applicant requests that an 18-month period, from the granting of the waste licence, be allowed for the installation of a gas flare. The reason for this request is to facilitate the Council in establishing a consultancy brief, gaining Council approval for budgeted expenditure, selecting a suitable service provider, achieving Council approval for the recommendation, awarding contracts and subsequent installation of the facility.

The applicant states that it should be noted that previous landfill gas monitoring has indicated that no landfill gas has migrated toward the houses located adjacent to the site.

Technical Committee's evaluation

The TC Note that 1st May 2001 is specified in the PD for the installation of a system for the active collection and flaring of landfill gas at the facility. This timescale is some five months from the date of issue of the PD. If these works have not been advanced since the date of issue of the PD, which is likely to be the case judging, by the nature of the objection, then it is highly unlikely that the works will be installed by the specified date. In this regard it is the view of the TC that the measures for landfill gas management at the facility should be introduced without any further delay. In particular, the specific landfill gas management requirements specified in Condition 4.15.1 should be introduced at a minimum within five months of the date of grant of this licence. Condition 4.15.1 be modified to take this into account. In addition, the TC recommend that the condition be reworded to ensure that the landfill gas management infrastructure required by the condition is installed, commissioned and maintained within the five month timescale.

Recommendation

Amend Condition 4.15.1 to read as follows:

Within five months of the date of grant of this licence, a system for the active collection and flaring of landfill gas shall be installed, **commissioned and maintained** at the facility. The flare shall be of an enclosed type design.

Ground 16 - Condition 4.15.5

The applicant requests that a 9 month period, from the granting of the waste licence, be allowed for the installation of a landfill gas cut-off trench. The reason given by the applicant is to allow time for additional monitoring and those issues detailed in Ground 15 to ensure that the most suitable alignment of the trench is adopted. It is however, acknowledged that this is a critical area and it is proposed that this will be given priority.

Technical Committee's evaluation

The issue in relation to landfill gas at the Dundalk landfill facility has arisen during the Agency's consideration of the application. Two consultants reports submitted as part of the application process and investigations carried out by the applicant in response to notices issued by the Agency have indicated that a landfill gas management system needs to be implemented to control landfill gas emissions within and adjacent to the facility. The two consultants reports have recommended mitigation measures in relation to the control of landfill gas at the facility including the installation of a landfill gas trench. These proposals included the installation of a landfill gas venting/cut off trench at the facility. It is reported in the IR that there was no trench evident during a site visit dated 21/08/00. It is the opinion of the TC that the three month timescale specified in Condition 4.15.5 is appropriate in relation to the installation of the landfill

gas cut-off trench and reflects the urgency of installing this element of landfill gas management / control at the facility.

Recommendation

No Change

Ground 17 - Condition 4.15.6

The applicant requests that the timescale for provision of information under this condition is extended from 3 months to 12 months to allow consideration of suitable alternatives and investigations to be completed.

Technical Committee's evaluation

Historical landfilling has occurred within and adjacent to the facility boundary and it is essential that the landfill gas collection system incorporates all historical landfill areas within and adjacent to the facility. The TC recommend that this condition be amended to include historical landfill areas within the facility boundary. The TC consider that the timescale specified in this condition is appropriate and reflects the importance of landfill gas management at the facility. See also Section 3 –Emissions to Air of the Inspectors Report. See also TC Evaluation under Ground 16 in relation to landfill gas management at the facility.

Recommendation

Amend Condition 4.15.6 as follows:

Subject to agreement of the land owners the active landfill gas collection system shall extend to cover areas of historical landfilling **within and** adjacent to the facility **boundary** which show significant concentrations of landfill gas and concentrations above the trigger levels specified in this licence. A drawing showing the extent of historical landfilling, and the concentrations of landfill gas in these areas, shall be submitted to the Agency within three months of the date of grant of this licence.

Ground 18 - Condition 4.16.1 Capping

The objector requests that the timescale to ensure that all previously deposited waste is covered be changed from 1 month to 6 months. The objector states that this is, to ensure that appropriate materials can be sourced and deployed in line with ongoing fill operations.

Technical Committee's evaluation

It is the opinion of the TC that the requirement to cover all previously deposited waste within one month of the date of grant of the licence may be difficult to achieve. The TC, however, acknowledges that this timescale is a reflection of the importance that uncovered waste is covered as soon as possible following the grant of the licence to reduce nuisance associated with such waste. To this effect the TC recommend that the timescale specified in Condition 4.16.1 be amended to within three months of the date of grant of the licence.

Recommendation

Amend Condition 4.16.1 to read as follows:

Within **three months** of the date of grant of the licence the licensee shall ensure that all previously deposited waste is covered by an intermediate capping of at least 300mm.

Ground 19 - Condition 4.16.3

The objector requests that within the final capping layer the total thickness for the topsoil, subsoil and drainage layers be reduced to provide an overall thickness above the low permeability layer of 1m. The objector states that while it is accepted that the EPA Landfill Manuals indicate the same details for capping layers as outlined in the proposed conditions, the objector proposed that 1m above the drainage layer is more than required, given that the end use of the site is likely to be rough grazing. It is proposed that the drainage layer thickness and depth above this layer is agreed before installation and would be dependent on the end use of the site.

Technical Committee's evaluation

The specifications for the final capping system as specified in Condition 4.16.3 reflects the requirements of the Landfill Directive and the EPA landfill manuals; Landfill Restoration and Aftercare and Landfill Site Design Manual

Recommendation

No Change

Ground 20 - Condition 4.16.4

The applicant requests that a period of 24 months is provided following completion of infilling before the final capping is installed. This request is to allow for adequate waste settlement to be completed thus ensuring that the stability and integrity of the capping system is maintained.

Technical Committee's evaluation

The twelve month time scale specified for the permanent capping of completed/filled landfill areas is considered by the TC to be appropriate for the installation of the final cap. The TC acknowledges that the greatest settlement of waste occurs within the first five years. The placement of the final cap within the specified timescale will reduce the quantity of leachate generated at the facility by reducing infiltration and will also facilitate landfill gas management at the facility. The TC do however, recommend that Condition 4.16.4 be amended to reflect that the requirement for capping relates to "all landfill areas"

Recommendation

Amend Condition 4.1.6.4 to read as follows:
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All landfill areas shall be permanently capped within twelve months of these areas having been filled to the required level.

Ground 21 - Condition 4.16.5

The applicant requests that the necessity to store capping material onsite be removed. The applicant states that it is assumed that capping material will be brought onto the site as appropriate to meet the capping needs during various stages of the site operation. The applicant states it is envisaged that this may be undertaken by contractors at which stage it would be a requirement of the contract to source and supply the capping material. The applicant states that it is thus proposed that the need for prior storage of capping material should not be a requirement. However, the Council may from time to time stockpile material for this and other purposes should suitable materials become available.

Technical Committee's evaluation

There is no prohibition on cover material being brought directly to the relevant areas within the facility. The requirement to maintain a stockpile of cover and capping material on site is best

practice. It is the opinion of the TC that such a stockpile is necessary to ensure compliance with the requirement for daily cover, intermediate cover and final capping within the landfill areas at the facility.

Recommendation

No Change

Ground 22 - Condition 4.17.3 Surface Water Management

The applicant requests that a period of 12 months is provided for implementation of the management of the surface water entering the site. In addition it is requested that the licence allows alternatives to dealing with the water to be investigated prior to selecting the most appropriate measures for addressing this matter.

Technical Committee's evaluation

The culverted stream which currently runs through the facility links directly with the estuary and provides a pathway for leachate generated within the facility to be discharged directly to the inner section of Castletown estuary. It is the view of the TC that the three month timescale specified in this condition is achievable and this timescale also reflects the importance of removing this potential leachate discharge route from the facility.

Recommendation

No Change

Ground 23 - Condition 4.18.5 Civic Waste Facility

The applicant requests that the need to provide covered storage areas for holding of fridges be removed. The applicant considers that there is no benefit in undertaking this operation and in addition numerous civic amenity sites operate on a system whereby fridges and not required to be stored undercover.

Technical Committee's evaluation

The requirement to have the storage area for fridges within the civic waste facility to be fully enclosed would improve the visual appearance of the overall facility and would be in keeping within the modern civic waste facility which operates at the facility. The TC are, however, of the opinion that while this is the case, the clear segregation and screening of this area by appropriate fencing would be sufficient and the Condition should be amended to reflect this. In addition line 3 of Condition 4.18.5 should be amended to read correctly. The TC also recommend that the reference to fridges in line 1, Condition 4.18.5 as amended and the reference to washing machines/ fridges in Condition 5.20. I) be replaced with white goods.

Recommendation

Amend Condition 4.18.5 as follows

The licensee shall provide a **clearly segregated, screened and fenced area** for the holding of **white goods** within the civic waste facility. Fridges shall be de-gassed of CFC's, **either at the civic waste facility or at an appropriate off-site facility**, prior to recovery off-site. Records shall be kept of the degassing of all fridges accepted at the facility including the quantity of CFC's recovered.

Replace washing machines/ fridges in Condition 5.20 I) with the term **white goods**.

Ground 24 - Condition 5.1.1 Waste Acceptance

The applicant requests that a period of 10 years be permitted to cease operations on the site. The applicant states that extensive engineering activities are being required under the proposed licence such as gas and leachate management, will enable the site to be operated under much enhanced environmental control, the sites impact on the surrounding environment will be significantly reduced. The applicant states that should these works be undertaken, and in particular the installation of an effective leachate management system it is envisaged that leachate emissions to the estuary would be significantly reduced and the result of continuing to landfill for a further ten years is unlikely to create significant additional impact to the surrounding environment.

The applicant states that, likewise for the control of landfill gas, since the proposed decision requires the installation of active landfill gas collection and flaring, it is considered reasonable that following the installation of this system that the continuing landfilling at the site will not be deemed to significantly increase the emission of these greenhouse gases. It is considered that given the considerable financial investment required to meet the conditions of this proposed licence that the Council are given the opportunity to utilise the additional capacity which is available at the site, albeit under much enhanced environmental management.

Technical Committee's evaluation

See TC evaluation under Ground 4 –Condition 4.14.1 in relation to leachate management requirements at the facility. The continued operation of the facility is required to be undertaken in accordance with the conditions of the PD. The requirements of the PD in relation to leachate and landfill gas management at the facility are necessary for the control of leachate and landfill gas at the facility for the remaining operational life of the landfill and will facilitate the proper restoration and aftercare of the facility. Any further increase in the height of the facility as specified in Condition 8.1 and by inference the remaining life of the facility would result in increased visual intrusion, increased difficulties in controlling environmental nuisances, potential problems with stability of the landfill mass and the perimeter embankment. In addition, this would prevent the restoration of the facility and within the timescale specified (four years) in Condition 8.4 of the PD.

See also memo from Brendan Wall, dated 2 November 2000 in relation to the Proposed Decision (Inspectors Recommendation) with particular the reference to items (1) *Profile of The Landfill* and (2) *Reasons for recommending closure within eighteen months of the date of grant of the licence*. See also memo from Ted Nealon dated 8 November 2000 in relation to the Dundalk Landfill PD. The Technical Committee note and concur with the information provided and the conclusions made in these memos (See Appendix 1) in relation to the restrictions imposed on the height of the landfill and the requirement for the landfill to be closed within eighteen months of the date of grant of the licence.

Recommendation

No Change

Ground 25 - Condition 5.1.4

The applicant requests that the amount of construction and demolition waste to be accepted per annum will be increased to 30,000 tonnes. The applicant states the reason for this is due to the fact that these are low activity wastes and will cause significant impact on the environment.

Technical Committee's evaluation

Construction and demolition waste is not permitted to be disposed of at the facility. Inert construction and demolition waste is restricted under the conditions of the PD to recovery, use as daily cover, site construction and landfill restoration. The restriction on the quantity of construction and demolition waste to be accepted at the facility relates to information submitted to the Agency on 19 June 2000 in relation to the proposed waste volumes for acceptance at the facility. Condition 5.1.4 does allow additional quantities of suitable inert construction and demolition waste to be accepted at the facility for use in recovery, restoration and rehabilitation of the landfill in accordance with the restoration of the site agreed under Condition 8.

Recommendation

No Change

Ground 26 - Condition 5.2

The applicant requests that the quantity of wastes to be provided (the TC assumes that this should read permitted to be accepted) at the site are in line with the applications annual input for each of the next 10 years. The applicant states that therefore the total capacity required over the next 10 years is approximately 325,400 (excluding C&D waste) tonnes assuming an annual total input of 32,540 (excluding C&D). The applicant states it should be noted that this is a significant reduction on the original application to use the site for up to 22 years. The reasons for this are outlined above and in objection to Condition 5.1.1.

The applicant also requests clarification for the reasons for reducing the maximum quantity of wastes to 25,740 tonnes. It is the Council's view that no justification is apparent for this value.

Technical Committee's evaluation

The quantity of waste permitted to be accepted at the facility, 25,740 tonnes per annum, is based on additional information submitted by the applicant to the Agency dated 19 June 2000. The quantity of Construction and Demolition Waste referred to in this information is 2,560 tonnes per annum. This was deducted from the total annual quantity of 28,300 advised to the Agency, dated 19 June 2000, to give a total annual quantity for disposal at the facility of 25,740 tonnes. The PD prohibits the disposal of Construction and Demolition Waste at the facility. However, inert construction and demolition waste are permitted under Condition 5.1.4. to be used at the facility as daily cover, for site construction works and in landfill restoration. In addition see TC evaluation under Ground 24 above.

Recommendation

No Change

Ground 27 - Condition 5.8

The applicant states that the Working Day stated in this section is not adequate for the operational needs of this facility. It is requested that the following Working Day is stipulated in the licence:

*Monday to Friday: 8.00am to 6.00pm
Saturday: 8.00am to 4.00pm*

The reason for this objection and the requested change is to facilitate normal operations for receipt of landfill material at the facility.

Technical Committee's evaluation

The applicant specified the site opening and operation hours at the facility in the application as 8:00 a.m. to 5:45 p.m. Monday to Friday inclusive for Council Contractors and Private Contractors (and by prior arrangement on Saturday for private contractors). In addition separate opening hours were specified for members of the general public as follows Monday to Friday 8:00 a.m. to 5.45 p.m., excluding lunch hour and Saturday 9:00 a.m. to 1.00 p.m. The restrictions on the opening hours for the landfill facility specified in Condition 5.8 relate to the operational hours at the facility at the time of the application.

The TC consider that the operational hours for the facility should reflect those advised in the application without any separate restrictions on the users of the facility as specified in the application. In addition, the TC recommend that an extra half hour be allowed in the morning and one hour in the evening outside of waste acceptance hours to allow for nuisance control, improvement and repair works, and covering of waste. The TC recommend that Condition 5.8 be amended to reflect these recommendations. Further the TC do not consider the restriction of waste acceptance on bank holidays to be appropriate and this restriction should be removed from the condition. The TC also recommends that provision be made for the acceptance of waste at the facility outside of the specified hours only subject to the prior agreement of the Agency. It is the intention of the TC that this provision should only be utilised under unforeseen and emergency circumstances and should not be utilised to extend waste acceptance hours over and above those specified in the amended condition on a long term basis. In addition, the reference to waste acceptance hours at the Civic Waste Facility in Condition 5.8 should be deleted as this is repeated in Condition 5.20 k).

Recommendation

Amend Condition 5.8 as follows:

Waste shall only be accepted at the landfill facility between the hours of **08:00 and 17:45** Monday to Friday inclusive and **09:00 and 13:00** on Saturday unless otherwise agreed in advance with the Agency. **The landfill can operate for half an hour prior to commencement of waste acceptance and one hour following the closure of the site for waste acceptance as specified in this condition** for the purposes of carrying out nuisance control and improvement and **repair** works and covering of waste.

Ground 28 - Condition 5.9(b)

It is requested that the limitation of 25m width and 1 in 3 slopes be removed. Reason, to allow the Council adequate scope to operate the facility to deal with the variable waste reception demands and to allow a steeper tipper face to be maintained.

Technical Committee's evaluation

This is a standard condition for licences all landfill facilities. The restriction on the dimensions of the working face facilitates nuisance control and also facilitates the application of daily cover and the stability of the waste mass.

Recommendation

No Change

Ground 29 - Condition 5.13.1 Sludges

It is requested that the quantity of sewage sludge to be accepted at the facility be increased to 3,100 tonnes per annum. Reason, to facilitate the operational requirements of Dundalk sewage treatment works.

In addition, the applicant requests that provision be included for the disposal of sludges from the water treatment works to the amount of 1,200 tonnes per annum. It should be noted that these

sludges have been disposed at the site since 1990, although they are not identified in the original licence application.

Technical Committee's evaluation

The quantity of sludges permitted to be accepted at the facility is based on additional information submitted by the applicant to the Agency on 19 June 2000 in relation to Waste Categories and Quantities to be accepted at the site. There are technologies available for the on site treatment of

sludges generated at water and wastewater treatment plants which reduce the reliance on the disposal of sludges to landfill. Further, the acceptance of 4,300 tonnes of sludges per annum at the facility has not been included in the application and the likely impact of the acceptance of this waste on the environment has not been assessed.

Recommendation

No Change

Ground 30 - Condition 5.20(c) Civic Waste Facility

It is requested that commercial waste be accepted at the civic amenity site. This is particularly important to waste producers who are members of "Repak". Packaging waste is delivered to the site for recompaction prior to onward delivery to recovery/recycling outlets. This will facilitate the compliance with the packaging waste regulations.

Technical Committee's evaluation

Commercial waste for recycling is permitted to be accepted at the facility under Condition 5.20 b).

The TC is of the opinion that the first line of Condition 5.20 c) could be misinterpreted as precluding waste from commercial outlets from being accepted at the civic waste facility for recycling and /or disposal as permitted by Condition 5.20. The TC thus recommend that this line be removed. As the objective of Condition 5.20 c) is to prohibit the use of the Civic Waste Facility as a waste transfer station this objective will not be altered by the proposed amendment to this condition.

Recommendation

Amend Condition 5.20 c) to read as follows:
--

The facility shall not be used as a transfer station for disposal of waste by commercial waste disposal contractors or local authority waste collection vehicles.

Ground 31 - Condition 5.20(f)

It is requested that the requirement for compaction of all civic amenity waste is removed. Reason, only household waste is generally compacted on a daily basis. Other materials, e.g., clothes, cans, bottles deposited at the facility are not compacted prior to been taken off site.

Technical Committee's evaluation

The requirement in relation to the compaction of waste at the civic waste facility only relates to wastes accepted at the civic waste facility for disposal. Wastes destined for recovery and/or recycling are not subject to this requirement.

Recommendation

No Change

Ground 32 - Condition 5.20(k)

The applicant requests that the following Working Day is stipulated in the licence:

Monday to Friday: 8.00am to 6.00pm

Saturday: 8.00am to 4.00pm

The reason given for this objection and the requested change is to facilitate normal operations for receipt of landfill material at the facility.

Technical Committee's evaluation

The opening hours for the civic waste facility specified in the PD do not reflect the further information submitted to the Agency on 04 May 1999 in relation to the proposed opening hours for the civic waste facility. The TC thus recommend that Condition 5.20 k) be amended to reflect the opening hours for the civic waste facility set out in this further information. In the case of the civic waste facility the TC recommend that the opening hour reflects the commencement of waste acceptance while the time of closing is extended to one hour beyond the waste acceptance hours. This will facilitate the carrying out of any necessary improvement and or repair works prior to closure. The TC also recommend that "unless otherwise agreed be removed" from this condition.

Recommendation

Amend Condition 5.20 k) to read as follows:

Waste shall only be accepted at the Civic Waste Facility between the hours of **08:30 and 18:00** Monday to **Saturday** inclusive and **10:00 and 18:00** on Sunday, unless otherwise agreed in advance with the Agency.

Ground 33 - Condition 6.11

It is proposed that a variety of birds scaring techniques will be utilised for the control of birds at the site. Should it be deemed that these measures are not appropriate, the Council will give consideration to the use of falcons to undertake this requirement.

Technical Committee's evaluation

Condition 6.11 of the PD specifies that falcons and other bird scaring techniques shall be used at the facility to prevent birds from gathering on and feeding at the facility. The TC note that information submitted in the application in relation to Environmental nuisances –Bird Control states that

" Approximately 3,600 gulls were present in the vicinity of the landfill during a site visit of 11/2/98. Substantial numbers of herring gulls (1,000 +) were feeding around the tipped waste as well as black headed gulls....

There is no bird control programme in operation at present. Roosting gulls may pose some health hazard because of the numbers present. It is not known whether birds scavenging at the landfill also pose a risk to the grain stores immediately adjacent to the site but this should be investigated."

It is clear from the above that birds can be a significant nuisance within and in the vicinity of the Dundalk landfill facility. It is the view of the TC that the bird control measures specified in Condition 6.11 are necessary to adequately control nuisances due to birds at this facility. It should be noted that effective bird control programmes at landfill facilities need to incorporate a variety of bird scaring techniques and this is provided for in Condition 6.11.

The TC note that falcons are not the only birds of prey that are use in bird control programmes and this condition should be amended to read use of birds of prey. In addition line 2 of this condition is recommended to be changed to read more correctly.

Recommendation

Amend Condition 6.11 to read as follows:

Birds shall be prevented from gathering on and feeding at the facility by the use of **birds of prey (falcons, hawks etc.)** (following consultation and approval by Duchas) and other bird scaring techniques. **The presence** of birds of prey and other techniques **shall be maintained by the licensee** every day, from before dawn to after dark, until waste disposal ceases at the landfill and all the waste is capped to the written satisfaction of the Agency. The use of gas operated bird scaring devices is prohibited at the facility. A written record of the daily bird control activities and the numbers of birds observed on the facility shall be kept.

Ground 34 - Condition 7.4.3/F4

The applicant requests that the emission limit values stated for the landfill gas flare are removed. The reason is that it appears that the limit values and the need for the sampling regime restricts the type of landfill gas flare that can be used, it would be extremely difficult to collect emissions from an open flare stack and therefore the specifications restrict the nature of the stack that can be used. In addition if an enclosed (ground) flare is utilised there appears to be little guidance on the protocols for gas collections and testing machine.

The Council would request that the references for emission limits be removed from the licence conditions and subsequently be subject to agreement or that the EPA indicate the basis of these limit values and the protocols under which the samples may be collected. It is requested that EPA provide guidance on the applicability of various flare units, protocols for gas collection and testing.

Technical Committee's evaluation

Condition 7.4.3 refers to the interpretation of the emission limit values for emissions to atmosphere. The Emission Limit Values for Landfill Gas Flares and Utilisation Plant specified in the PD are based on TA Luft Standards and best environmental practice. These provide specific guidance on the emission limits for the landfill gas flaring and utilisation systems required to be introduced at the facility. Further guidance can be provided to the applicant as appropriate during the enforcement of the licence. The monitoring requirements specified in Schedule E.2 for the landfill gas combustion plant and flare stack are necessary to monitor compliance with the emission limit values specified in Schedule F.4 and to monitor the performance of the flare against the design specification of the flare. The requirement for an enclosed/ground flare to be provided at the facility is specified in Condition 4.15.1 and is best environmental practice in relation to the flaring of landfill gas. The requirement for the provision of an enclosed/ ground flare is now a standard condition for landfill gas management systems at landfill sites.

Recommendation

No Change

Ground 35 - Condition 8.1

It is requested that the maximum level of waste is removed or increased to allow for at least 5 years infilling at the site. However this value shall not exceed 20m OD.

Technical Committee's evaluation

See Technical Committee evaluation under Ground 24. It is the view of the TC that the restriction imposed on the height of the final profile of the landfill should remain as specified in Condition 8.1 of the licence.

Recommendation

No Change

Ground 36 - Condition 9.2

The applicant proposes that landfill gas monitoring points will only be required along the boundaries on the western and northern sides of the site. Other points would serve no benefit as the estuary is beyond the landfill areas on the other southern and eastern faces.

It is requested that a period of 9 months be allowed for the provision of the monitoring boreholes. Reason, to allow procurement processes to be undertaken.

Technical Committee's evaluation

The requirement for landfill gas monitoring points around the boundary of the facility is to determine whether offsite migration of landfill gas is occurring. The monitoring boreholes will also enable the effectiveness of the landfill gas cut-off trench required by Condition 4.15.5 to be determined. The TC are in agreement with the three-month timescale specified in Condition 9.2.

Recommendation

No Change

Ground 37 - Condition 9.3

Request that 9 months be permitted for the provision of the permanent gas monitoring system. Reason, to allow procurement process to be undertaken.

Technical Committee's evaluation

The provision of a permanent landfill gas monitoring system in the recycling building and any other enclosed structures at the facility is easily achievable within the three month specified timescale. This requirement is to ensure that any accumulation of landfill gas in any building within the facility boundary is detected and appropriate actions undertaken and measures introduced, if necessary, to ensure the safety of the occupants of these buildings.

Recommendation

No Change

Ground 38 - Condition 9.4

The applicant states it is not proposed to install additional monitoring boreholes as 5 already exist. However should additional boreholes be required the applicant requests that 9 months be permitted for their provision, to allow procurement process to be undertaken.

Technical Committee's evaluation

Condition 9.4 requires leachate levels to be monitored from 5 representative points within the landfill. This condition requires a drawing to be submitted to the Agency within three months of the date of grant of the licence showing all leachate monitoring locations and unique reference numbers for each monitoring point. If the leachate monitoring boreholes are already in place, the licensee will simply be required to submit the relevant information in relation to the monitoring locations. The TC refers to the requirement of Condition 9.16 in relation to the replacement of monitoring infrastructure which proves to be unsuitable for its purpose.

Recommendation

No Change

Ground 39 - Condition 9.15

The applicant states that environmental monitoring will be undertaken on all existing boreholes and monitoring points within two months of the grant of the licence. The applicant states that should any additional boreholes or monitoring be required, these will not be utilised until their installation has been completed.

Technical Committee's evaluation

Condition 9.1 requires that the licensee shall carry out such monitoring and at such locations and frequencies as set out in Schedule E: Monitoring and as specified in the conditions of the licence. The requirement for environmental monitoring to commence within two months of the date of grant of the licence relates to monitoring infrastructure, which is already in place or which will be installed within the relevant timescale specified in the PD. When any additional monitoring infrastructure required by the PD is installed these would be included in the environmental monitoring programme for the facility subject to the agreement of the Agency as required.

Recommendation

No Change

Ground 40 - Condition 9.16

The applicant requests that a period of 6 months be allowed for the installation of replacement boreholes to allow the procurement process to be undertaken.

Technical Committee's evaluation

It is the view of the TC that the three month timescale specified in Condition 9.16 in relation to the replacement of damaged or unsuitable monitoring infrastructure is appropriate and achievable.

Recommendation

No Change

Ground 41 - Condition 9.20

The applicant requests that a period of 12 months from the grant of the licence is provided for the development of a Data Management System. The applicant considers that 6 months is not a reasonable or feasible timescale for the magnitude of this work. In addition, the applicant states the time period does not allow sufficient time for procuring the necessary services.

Technical Committee's evaluation

The development of a Data Management System within the specified timescale will facilitate the recording, storage and presentation of monitoring returns required by the PD. In addition, it will facilitate the analysis of trends of monitoring results over time as required to be submitted in the AER for the facility. The development of this system will be ongoing. It is the view of the TC that the twelve-month timescale requested in this objection in relation to the development of a Data Management System should be allowed and that the condition be amended to reflect this.

Recommendation

Amend Condition 9.20 to read as follows:

The licensee shall, within **twelve** months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the environmental monitoring data generated as a result of this licence.

Ground 42 - Condition 11.1 Agency Charges

The charge of £13,660 appears to be excessive given that the site is proposed to accept only 25,740 tonnes of waste and is proposed to be closed within 18 months.

Technical Committee's evaluation

The Agency Charges relate to the assessment of the reports and monitoring returns required to be submitted following the grant of a licence. The charges also include site inspections, site audits and Agency compliance monitoring. The TC have re-examined the charges specified and recommend that the charges be amended to reflect an annual charge of £12,760.

Recommendation

Amend the Agency Charges in Condition 11.1.1 to read **£12,760** and the equivalent Euro charge.

Ground 43 - Condition 11.2 Financial Provision for Closure, Restoration and Aftercare

The applicant states that given that the licensee is a Local Authority, it is their view that the requirement to maintain a fund should be removed from this condition. The applicant states that because the Local Authority is a semi-state body and as such will always have necessary funds to carry out appropriate works.

Technical Committee's evaluation

The requirement of Condition 11.2 is for the licensee to establish and maintain a fund, or written guarantee to assure the Agency that the licensee is at all times capable of implementing the facility Restoration and Aftercare Plan required by Condition 8.1. The requirement for Financial Provision for Restoration and Aftercare of facilities is specified in Section 53 of the Waste Management Act and article 8 a) iv) of the Landfill Directive.

Recommendation

No Change

SCHEDULE G: WASTE ACCEPTANCE

The applicant requests that in line with comments provided under Conditions 5.1.4; 5.2 and 5.13.1, it is requested that Table G.1 be amended to include the following:

Annual input of Waste (excluding C&D) for each of the next 10 years	32,540 tonnes
Annual input of Construction and Demolition Waste	30,000 tonnes
Annual input of sewage sludge	3,100 tonnes
Annual input of Water Treatment Works sludges	1,200 tonnes

Technical Committee's evaluation

Table G.1 is based on additional information supplied by the applicant to the Agency on 19 June 2000. See also TC evaluation under Ground 25, Ground 26 and Ground 29. The quantities referred to in this ground of objection are well above the quantity applied for in the application.

Further, there is no limit on the quantity of suitable inert waste to be used in the restoration and rehabilitation of the facility.

Recommendation

No change.

Signed: _____ Date: 06 April 2001
Tadhg O' Mahony
Technical Committee Chairperson

Appendix 1

Clarification Memos to Board dated 2 November 2000 and 8 November 2000.