

opinion of the Committee, require an amendment to the Proposed Decision have been addressed by the Committee. While the Committee has assessed all points raised by the objectors, each specific point raised has not been included in this report for the sake of clarity and brevity.

OBJECTIONS

Objection Number 1 From Balleally Farmers and Residents Association

This objection includes over 6 pages of general comments on Balleally landfill and the PD followed by approximately 7 pages of specific objections to Conditions in the PD. The objection concludes with approximately 6 pages of general comments on data and documentation that made up the application for this facility.

Objection 1, Item 1 – No closure date for the landfill has been included

Technical Committee’s Evaluation

Reference was made to agreements between the Council and Residents. The Agency is not party to any of these . Such agreements are a matter for the parties involved. The waste accepted at the facility is limited by the tonnage per year and the Final Profile. The Committee is satisfied that the infrastructure provided for in the PD can satisfactorily handle the volume of waste to be accepted.

Recommendation

No change

Objection 1, Item 2 – The proposed extension is into Rodgertown Estuary

Technical Committee’s Evaluation

Having examined the maps submitted for the existing facility, the proposed extension and the designated areas for the PNHA the Committee is satisfied that this is not an extension into the Estuary.

Recommendation

No change

Objection 1, Item 3 - Hedge & Stonewall have been removed on Balleally Lane

Technical Committee’s Evaluation

The Committee noted that the hedge and stonewall have been removed to facilitate a widening and realignment of the lane in addition to the provision of footpaths. However it is also noted that the visual impact of the facility is greater as a result.

Recommendation

Delete the existing Condition 5.6.2 and replace with the following:

The licensee shall within 3 months of date of grant of the licence submit to the Agency for approval a hedge replacement and landscaping plan for the Balleally lane at the northern boundary of the landfill extension.

Objection 1, Item 4 – *The integrity of the lining system will not be maintained due to slope instability.*

Technical Committee’s evaluation

The Committee is satisfied following a review of details provided in the application that a stable slope will be provided by the emplacement of cohesive fill. In addition the provision of a Low Density Polyethylene (LDPE) lining system will take account for any residual settlement.

Recommendation

No change

Objection 1, Item 5 – *The communication through the liaison group is inadequate*

Technical Committee’s evaluation

This has been raised by a number of groups and it would appear that there is a general dissatisfaction as to the extent of communication that is been provided through the liaison Committee.

Recommendation

Amend Condition 2.4 to add the following sentence:

The licensee shall complete a review of the communications programme with all members of the liaison Committee. Recommendations arising from the review shall be submitted within 3 months of date of grant of the licence to the Agency.

Objection 1, Item 6 – *Concern raised over the location and status of the Nickel Hydroxide cells*

Technical Committee’s Evaluation

The Committee notes that the Nickel Hydroxide cells are specifically catered for in the restoration and aftercare programme outlined in Condition 4.1. Under Condition 4.6 the restoration of these cells has to be completed within 12 months of the date of grant of the licence. Restoration and capping will reduce the volume of leachate produced. Under Condition 5.12.2, leachate levels are limited to 0.5m above base of Hydroxide cells. It is also noted that the PD requires additional groundwater monitoring points and analysis including Nickel. Leachate management at the existing facility has required the

installation of a vertical barrier that is keyed into the natural soils to prevent leachate incursion to the estuary. Leachate collected inside the barrier is conveyed for treatment.

Recommendation

No change

Objection 1, Item 7 - Concerns expressed over health impact associated with flooding that occurred at the facility entrance adjacent to the on-site wastewater treatment system.

Technical Committee’s Evaluation

A biocycle unit has been installed to replace the septic tank used previously (to be decommissioned). The biocycle location at the facility entrance has been the subject of flooding due to high rainfall in the latter months of 2002. The Committee is concerned that the efficiency of the unit may be impacted by its location.

Recommendation

Amend Condition 3.10.1 to add the following sentence.
“The licensee shall submit a report within 3 months of date of grant of licence on the compatibility of this system with the Agency guidance referenced”.

Objection 1, Item 8 - What provision has been made for the disposal of sludges of less than 25% solids content.

Technical Committee’s Evaluation

This objection and others raised concerns regarding the volume of sludges and the solids content of sludge to be disposed of at this facility. The Committee notes that the disposal of <25% solids content sludges is a temporary measure until such time as the LA puts in place additional sludge treatment. The Committee concluded that the disposal of a large volume of sludge, of low solids content, in the unlined portion of the landfill is inappropriate given concerns over leachate production and possible instability of landfill cells. In addition standard sludge de-watering technology, readily available, can obtain 17% solids.

Recommendation

Amend Condition 5.8.1.1 to delete the second sentence and replace with the following sentence:
“Sludge with a solids content greater than 17% only shall be disposed of, prior to completion of the landfill extension, within the Construction & Demolition Waste Recovery Area void space”.

Objection 1, Item 9 – Hours of Operation are excessive

Technical Committee’s Evaluation

The Committee in its review of this objection and similar objections raised by others determined that flexibility in the hours of operation is required for a facility of this nature for the following reasons

- To allow other licensed facilities to operate within their licensed hours and to meet the stated waste management needs of the local authority.
- To allow public access to the civic amenity area at the time they require and to encourage its use.

Condition 1.7 does not restrict the County Council from making local agreements regarding operation on bank holidays etc. or more restrictive operations.

The Committee notes that new entrance infrastructure is required by Condition 3.5.3 and that commitments have been given by the Local Authority to realign and widen the road in addition to providing footpaths. It is also noted that the volume of waste received has decreased significantly over the last number of years.

In general the hours of operation are greater than the hours of waste acceptance to allow staff to prepare for and clean up after waste received. It is not generally envisaged that a high level of equipment movement will occur. Control of emissions is also specified in Condition 6.1 and 6.2.

Recommendation

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|-----------|
| No change |
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Objection 1, Item 10 - Concern over recent flooding at the facility

Technical Committee’s Evaluation

In view of the recent flooding to the entrance the Committee agrees a modification to the existing Condition.

Recommendation

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| Amend Condition 3.16.1 to add the following sentence: <i>(c) the prevention of flooding at the entrance to the facility.</i> |
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Objection 1, Item 11 - Monitoring for PM₁₀ not specified in the PD.

Technical Committee’s Evaluation

A trigger level for PM₁₀ is specified in the licence but no location or monitoring frequency is specified.

Recommendation

Amend Table D.1.1, column entitled “Dust Station” to add “note 6”

Under Table notes add
”Note 6 – Location of the PM₁₀ monitoring to be agreed with the Agency”

Add new Table as follows:

D.8 Particulate Monitoring

Table D.8.1 PM₁₀ Monitoring:

| Parameter | Monitoring Frequency | Analysis Method/Technique |
|---------------------------------------|----------------------|---------------------------|
| PM ₁₀ (µg/m ³) | Annually | See Note 1 |

Note 1: As described in prEN12341 “Air Quality - field test procedure to demonstrate reference equivalence of sampling methods for PM10 fraction of particulate matter” or an alternative agreed in writing with the Agency.

Objection 1, Item 12 - Bird Control techniques may interfere with the habitats of birds using the Estuary.

Technical Committee’s Evaluation

The Committee determined that consultation with Duchas on this matter would be appropriate.

Recommendation

Amend Condition 7.6.1 to add the following sentence:
“and be developed in consultation with Duchas”

Objection 1, Item 13 - Clarification required on when this Condition, relating to the Emergency Response Procedure, is effective

Technical Committee’s Evaluation

Clarity is provided by the proposed wording below

Recommendation

Replace the first sentence of Condition 9.2 with the following sentence:
“The licensee shall, prior to commencement of any waste activities in a new cell or within six months of the date of grant of this licence, whichever is sooner, submit a written Emergency Response Procedure (ERP) to the Agency for its agreement.”

Objection Number 2 From Fingal County Council

Objection 2, Item 1 - Requests amendment to Conditions 1.7.11 & 2.1 on hours of operation to allow for exclusion of bank holidays and change "with the agreement of the Agency"

Technical Committee's evaluation

Condition 1.7 does not restrict the County Council from making local arrangements involving more restrictive operational hours. Extension of the operating hours would require a review of the licence.

Recommendation

No change.

Objection 2, Item 2 – Difficulties in providing training for staff as required by Condition 2.1.3

Technical Committee's evaluation

This facility has been licensed since 2000 with similar training requirements. Adequate training courses are run usually in the Spring and Autumn, and provide ample opportunity for the required training to be arranged by Fingal Co. Co.

Recommendation

No change.

Objection 2, Item 3 - Request flexibility in location of drainage outflow to leachate collection system as specified in Condition 3.7.3

Technical Committee's Evaluation

Agreed

Recommendation

Delete Condition 3.7.3 and replace with the following:
"Drainage from these areas shall be directed to the leachate collection system"

Objection 2, Item.4 – Proposed amendment to Condition 3.10.1 on the standard of wastewater treatment to be attained.

Technical Committee's Evaluation

The on-site wastewater treatment needs to be to the standard specified in the Condition 3.10.1

Recommendation

No change.

Objection 2, Item.5 - *Proposed amendment to Condition 3.11.5 regarding timing of bunding works*

Technical Committee's Evaluation

Bunding is an ongoing requirement at this facility and in the case of the proposed landfill extension bunds are required to be constructed and tested prior to their use.

Recommendation

Amend Condition 3.11.5 to add the sentence

“or in the case of newly constructed bunds, prior to their use” after the word licence.

Objection 2, Item.6 - *Request modification to Condition 3.12.1 to allow the use of a geocomposite on the side slopes of cells.*

Technical Committee's Evaluation

Part (iv) of this Condition allows for the use of a geocomposite, if it achieves an equivalent protection.

Recommendation

No change

Objection 2, Item 7 -*Proposed amendment to Condition 3.13.1 to allow for a 10m buffer along the Northern Boundary of the proposed extension as opposed to the 25m buffer specified..*

Technical Committee's Evaluation

The Committee reviewed the application drawings which indicate a minimum of 10m along the Northern Boundary. Earlier in this report there is a recommendation (response to Objection 1 Item 3) for landscaping of this buffer. The distance between the nearest occupied residential property and the landfill footprint is approximately 65 metres. In this area (between the nearest residential property and the leachate treatment plant) there is a requirement to construct a berm and provide screening. These requirements will minimise the impacts due to visual intrusion and meet the requirements set out in the technical guidance prepared by the Construction Research Section of the Department of the Environment and Local Government in regard to landfill gas migration. Therefore the 10m buffer along the northern boundary as indicated on Dwg DG002 is considered adequate. In order to define the landfill footprint the following recommendation is proposed.

Recommendation

Delete Condition 3.13.1 and replace with the following Condition:-

“The maximum extent of the landfill footprint to the North and West of the proposed extension shall be as defined by the anchor trench indicated on DG04, Rev. A01 of Article 16(1) reply dated 13th May 2002. The screening bund adjacent to the leachate treatment works will be as indicated on DG012 and DG013 Rev. A01 of the Article 16(1) reply referred to above”.

Objection 2, Item 8 - Proposed revision of Condition 3.18.2 timeframe from 1 to 3 months for submittal of proposals on relocation of the C&D facility.

Technical Committee’s Evaluation

The Committee agrees that the timeframe is too short.

Recommendation

Amend Condition 3.18.2 as follows:

Delete “one month” and insert “three months”

Objection 2, Item 9 - Proposed revision of Condition 3.22 to provide installation of gas monitoring equipment in on-site buildings within one month of the commissioning of the extension.

Technical Committee’s Evaluation

The Committee agrees that the one-month timeframe is too short.

Recommendation

Amend Condition 3.22 as follows:

Delete “one Month” and insert “three months”

Objection 2, Item 10 - Proposed amendment to Condition 4.1 for clarity

Technical Committee’s Evaluation

The Committee sees no improvement in the proposed wording.

Recommendation

No change

Objection 2, Item 11 - Proposed amendment to Condition 4.3.1 to allow for changes in capping design and the use of a geocomposite in the drainage layer.

Technical Committee's Evaluation

The Committee determined that there was adequate flexibility, for change in capping design, in the current wording of the Condition subject to the specific inclusion of a geocomposite alternate for the drainage layer.

Recommendation

Amend Condition 4.3.1(c) to add the following:
“or an equivalent geosynthetic drainage medium”

Objection 2, Item 12 - Proposed amendment to Condition 4.3.2 to allow for a broader use of reprocessed C&D Waste.

Technical Committee's Evaluation

The Committee agrees with this proposal.

Recommendation

Amend Condition 4.3.2 as follows:
Delete “capping system as a sub-soil free-draining material in the gas collection layer” in the first sentence and replace with “capping and restoration works”
Delete “capping system” in the last sentence and replace with “capping and restoration works”

Objection 2, Item 13 - Proposed revision of Condition 4.6 to change the requirement for restoration of the landfill from completion within 12 months to commencement within 12 months

Technical Committee's Evaluation

The Committee agree that the twelve month timeframe is too short but note that for the existing unlined facility the restoration of the landfill is of prime importance in order to minimise leachate production and control of landfill gas and odour.

Recommendation

Amend Condition 4.6 as follows:
Delete the word “twelve months” in the first sentence and replace with “twenty four months”

Objection 2, Item 14 - Proposed a new Condition 5.1.1 to set a 6-year time limit to the acceptance of waste at the landfill extension.

Technical Committee's Evaluation

See Committee response to Objection 1, Item 1

Recommendation

No change

Objection 2, Item 15 - Clarification is sought on Condition 5.2.2 on the requirement for electronic records.

Technical Committee’s Evaluation

The Committee have reviewed the wording and proposed the amended wording below.

Recommendation

Amend Condition 5.2.2 as follows:
Delete remainder of sentence after the words “Administration Building” and insert “within 6 months or prior to commencement of landfilling in the extension, whichever is sooner, data on incoming waste must be recorded electronically and be available for inspection on-site.”

Amend Condition 10.2 as follows:
Delete the word “electronic”

Objection 2, Item 16 - Propose amending Condition 5.6.1 to defer landscaping works until the commencement of the capping contract.

Technical Committee’s Evaluation

The Committee recommendation as stated in the response to Objection 2 Item 13 requires capping to be complete in 24 months. In addition not all landscaping works are tied to the capping works but are a requirement for the satisfactory screening of the landfill operations to minimise visual intrusion. The proposed 3m berm to the North and West of the landfill extension should commence within 3 months, as work begins on the extension in February 2003.

Recommendation

No change

Objection 2, Item 17 - Propose removal of Condition 5.6.2

Technical Committee’s Evaluation

See response to Objection 1 Item 3.

Recommendation

No further change

Objection 2, Item 18 - Proposed amendment to Condition 5.7.1 requiring that the C&D Recovery area be filled first is unfeasible.

Technical Committee's Evaluation

The Committee determined that the sequence of filling at the existing landfill is best left to on-site staff . The placement of waste is ultimately controlled by the final profile.

Recommendation

Delete Condition 5.7.1 and renumber subsequent Conditions accordingly.

Objection 2, Item 19 - Proposed amendment to Condition 5.7.5 relating to the prohibition of depressions on the landfill to allow for ponds to attract bird life as proposed in the landscape plan.

Technical Committee's Evaluation

The Committee agrees with this proposal.

Recommendation

Amend Condition 5.7.5 as follows:
Insert " (Excluding landscaped water features)" after the word "Landfill"

Objection 2, Item 20 - Proposed decreasing the required sludge content specified in Condition 5.8.11

Technical Committee's Evaluation

See Committee's response to Objection 1 Item 8

Recommendation

No further change.

Objection 2, Item 21 - Clarification sought on Conditions 8.10, 9.2 and 10.2

Technical Committee's Evaluation

The comment on Condition 8.10 is not considered an objection. Proposals for Conditions 9.2 and 10.2 have been dealt with previously, see Committee response to Objection 1, Item 13 and objection 2, Item 15

Recommendation

No further change.

Objection 2, Item 22 - Proposes exemption from Annual waste limit set in Schedule A for recovered waste used in the restoration works

Technical Committee's Evaluation

The Committee notes that Schedule A allows for individual quantities to be changed provided the overall waste total remains unchanged. No estimates for the amount of recovered waste that would be used were provided.

Recommendation

No change.

Objection 2, Item 23 - Proposed increase in Ammonia limits specified in Section C.

Technical Committee's Evaluation

The Committee agrees to the proposed limit for ammonia.

Recommendation

Amend Schedule C.6

Delete the "3mg/l" limit for Ammonia and replace with "<5mg/l"

Objection 2, Item 24 - Clarification of the criteria required for acceptance of inert waste for recovery- Schedule H.

Technical Committee's Evaluation

The Committee determined that the matter could be clarified as recommended below. It was noted that these Conditions are for waste accepted onto the facility and not for clean, virgin excavated soils for use in capping.

Recommendation

Following completion of amendments recommended for Objection 2, Item 12 amend Condition 4.3.2 further as follows:

Delete existing Condition 5.8.2.1

Amend Condition 4.3.2 by Inserting the sentence "This Waste shall satisfy the criteria in Schedule H.2 Acceptance Criteria", after the word "intended".

Also delete the word "material" in the second sentence.

Renumber Condition 4.3.2 as Condition 5.8.2.1

Amend Schedule H.2 Acceptance Criteria as follows:

Insert the sentence “unless otherwise agreed with the agency” after the word “Condition 10.2” in the first paragraph

Replace the second sentence in the section entitled “Level 3: On-Site verification” with

“As a minimum the Level 3 characterisation shall consist of a visual and olfactory assessment before unloading and the taking of a vapour reading by FID (Flame Ionisation Detector) on one soil sample per lorry load after unloading at the landfill site.”

Add the following sentence under the section “Recovery” in Schedule H1

“The waste in Table H1.2 below must satisfy the criteria in Schedule H.2 Acceptance Criteria and Table H.3 Limit Values for Pollutant Content of this Licence”.

Delete last sentence of H.2 Acceptance Criteria

“all wastes identified in Table H.1.1 and Table H.1.2 accepted for disposal and/or recovery at the landfill shall undergo the Level 3: On-site verification at a minimum.”

Objection Number 3 From Lusk Community Council

Objection 3, Item 1 - People who made submissions on the current licence 9-1 should have been notified by the EPA of the Proposed Decision 9-2.

Technical Committee’s evaluation

The Committee did not consider this to be an objection to the Conditions of the Proposed Decision. The Licensing Regulations require that only those making submissions on the application be notified.

Recommendation

No change.

Objection 3, Items 2, 3 & 4 – Objection to the absence of a closure date given that the application was for a short-term extension and objection to operational hours

Technical Committee’s evaluation

See previous response to Objection 1, Items 1 & 9 and Objection 2, Item 1.

Recommendation

No change

Objection 3, Item 5 – PD fails to specify overall tonnage and void space and fails to take into account the 25m buffer specified in the PD.

Technical Committee’s evaluation

See previous response to Objection 1, Items 1 and Objection 2, Item 7. The Committee notes that the tonnage of waste that can be disposed of in any void space is dependent on the nature of the waste and the degree of compaction achieved.

Recommendation

No change

Objection 3, Item 6 – Objection to the emission limit values for landfill gas plant particularly flow and CO in Schedule C5 -

Technical Committee’s evaluation

The Committee understands that the emission limit values apply to the plant as a whole. The emission limit values must take account of best technology available. In this regard there is still debate as to whether some of these limits are technologically possible to meet, therefore the Committee considers it prudent to allow some flexibility as detailed in Note 3 of Schedule C5 to take account of the type of plant available. Any decision made in relation to this issue will be available, as is all correspondence, on the public files.

Recommendation

Remove the words “CO ELV at utilisation plant” in Note 3 of Schedule C5 and replace with the following:

“ELV’s for landfill gas plant”

Objection 3, Item 7 –Objection to the exclusion of the table of reports required by the PD. Such a table was found to be useful in the existing licence.

Technical Committee’s evaluation

The Committee agreed that such a table is useful and can be placed into the public file post grant of licence.

Recommendation

No change

Objection 3, Item 8 – Loss of screening due to removal of Hedging along Balleally lane.

Technical Committee’s evaluation

Refer to Committee response to Objection 1, Item 3.

Recommendation

No further change

Objection 3, Item 9 – Clarification on time frame for installation of Telemetry System as per Condition 5.21.2.

Technical Committee’s evaluation

The Committee determined the timeframe for installation to be upon commissioning of the new extension.

No change

Objection Number 4 From Rush Action Group for the Environment

Objection 4, Item 1 - Objection to the exclusion of a closure date in the PD.

Technical Committee’s evaluation

See previous response to Objection 1, Items 1 & 9 and Objection 2, Item 1.

Recommendation

No further change

Objection 4, Item 2 - Objection to the submittal of proposals by Fingal Co. Co. after the grant of a licence.

Technical Committee’s evaluation

See previous response to Objection 1, Item 5. The Committee is of the view that in a project of this nature and complexity, it is common to approve specific details nearer the time of execution. The Committee notes the requirements of Condition 1.10.

Recommendation

No further change

Objection 4, Item 3 - Concern over degree of settlement and stability of site and the interface between the old and new landfill areas

Technical Committee's evaluation

See previous response to Objection 1, Items 4

Recommendation

No further change

Objection 4, Item 4 - No leachate monitoring of Nickel Hydroxide cells

Technical Committee's evaluation

See previous response to Objection 1, Items 6, particularly the reference to Condition 5.12.2, which limits leachate levels to 0.5m above the base of Hydroxide cells.

Recommendation

No further change.

Objection 4, Item 5 - Objection to the 25m Buffer stated in the PD.

Technical Committee's evaluation

See previous response to Objection 2, Items 7.

Recommendation

No further change

Objection 4, Item 6 - Objection to the lack of availability of documents for review during the application process.

Technical Committee's evaluation

All files were available at the offices of the Agency.

Recommendation

No change.

Objection 4, Item 7 - Objection to the removal of the Balleally Lane Hedgerow.

Technical Committee's evaluation

See previous response to Objection 1, Items 3.

Recommendation

No change

Objection 4, Items 8 and 9 – Objection to the proposals for leachate management and concern over the generation of odour from the leachate treatment facility.

Technical Committee’s evaluation

Conditions 3.14 and 5.12.1 require the provision of leachate management infrastructure and refer to the detail provided in the application. The infrastructure includes a leachate barrier around the existing landfill and conveyance of the leachate collected inside this barrier to a leachate treatment system to be installed at the Northern boundary of the landfill extension. The infrastructure includes the provision of a leachate collection system at the landfill extension and conveyance to the same treatment system. The PD imposes emission limit values on the treated leachate and requires the discharge of the treated leachate to the existing Lusk Sewer outfall. In emergency situations leachate will be conveyed to a WWTP to be identified as required by Condition 6.6.2. To ensure the control of odour the Committee recommends the following:

Recommendation

Amend Condition 5.12.1 to add the following:

“All leachate storage and treatment units will be covered to minimise the generation of odours.”

Objection 4, Item 10 - Dissatisfied with the operation of the Liaison Committee

Technical Committee’s evaluation

See Previous response to Objection 1, Item 5.

Recommendation

No further change.

Objection 4, Item 11 - Objection to the landfill operating hours.

Technical Committee’s evaluation

See Previous response to Objection 1, Item 9.

Recommendation

No further change

Objection 4, Item 12 - No requirement to record Leachate.

Technical Committee’s evaluation

In order to assess the performance of the leachate treatment system the Committee agreed that the leachate volume treated should be recorded.

Recommendation

Amend Schedule to D5

to include the parameter “volume (M³) “ in Column 1 and under Column 4 for Leachate insert a frequency of “Daily” (for the parameter volume)

Objection 4, Item 13 and 14 - Comment on past enforcement and agreements on closure dates

Technical Committee’s evaluation

These were not considered to be specific objections to the PD by the Committee.

Recommendation

No change

Objection 4, Item 15 - Objection to the absence of an overall tonnage in the PD.

Technical Committee’s evaluation

See Previous response to Objection 3, Item 5.

Recommendation

No further change

Submission on Objections

The Committee has reviewed all the submissions on objections received and concludes that the items raised in these submissions are adequately addressed in the above recommendations.

Administrative Correction

Amend Condition 11.5.2 to read 11.5.1.

Signed:

Dara Lynott
Technical Committee Chairperson