

<b>MEMO</b>			
<b>TO:</b>	Board of Directors	<b>FROM:</b>	Michael Henry
<b>CC:</b>		<b>DATE:</b>	3 <sup>rd</sup> October 2001
<b>SUBJECT :</b> Technical Committee Report on Objections to Proposed Decision – Reg. No. 90-1.			

<b>Application Details</b>	
Applicant:	Donegal County Council.
Location of Activity:	Balbane Landfill, Balbane, Killybegs, Co. Donegal.
Proposed Decision issued:	22/06/01
Objection received:	18/07/01
Article 34 Notice issued (regarding changes required by the Landfill Directive)	30/8/01
Inspector:	Mr. Cormac MacGearailt

### **Consideration of the objection received:**

One objection was received from Donegal Co. Co. The Technical Committee (Michael Henry, Chairperson, Eamonn Merriman and Caoimhin Nolan, committee members) has considered all of the issues raised and this report details the Committee's recommendations following the examination of the objection.

### **Objection from Donegal County Council**

#### **Ground 1 –Leachate Management (Condition 3.8.1)**

*A period of 12 months should be allowed for implementation of leachate management. Also the need for a toe drain should be removed in favour of leachate extraction boreholes. This will ensure no significant impact on receiving waters. The capping and restoration of the facility will reduce leachate generation and will ensure that leachate and surface water will be effectively separated.*

#### **Technical Committees Evaluation:**

Condition 3.8.1 of the proposed decision specifies a timeframe of 6 months for the implementation of a specified leachate management programme unless the licensee can demonstrate that leachate discharges are not having a significant impact on receiving waters. The technical committee consider that, in order to allow the applicant sufficient time for the completion of the leachate management plan, a timeframe of 9 months should be specified. The provision of a leachate toe drain will allow for the adequate collection and management of leachate arising at the facility and the technical committee consider that it is not necessary to install leachate extraction boreholes. The installation of such boreholes would be technically difficult, likely to be more expensive and take longer to complete. It is acknowledged that the capping and restoration of the facility (as specified in the proposed decision) will reduce leachate quantities and allow for the separate collection of uncontaminated surface water.

#### **Recommendation:**

##### **Amend Condition 3.8 as follows:**

Within **nine** months of date of grant of this licence, unless the licensee can demonstrate to the satisfaction of the Agency that leachate discharges from the facility have no significant impact upon the receiving waters, the licensee shall implement a leachate management

programme. This shall consist of the following:.....

**Ground 2 – Restoration and Aftercare (Condition 4.4)**

*The capping requirements of the proposed decision are too onerous. The proposal for final capping as set out in Drawing No. 3026.26/A11 is considered appropriate having regard to the end use of the facility (Condition 4.4).*

**Technical Committees Evaluation:**

The capping layer proposed by the applicant only allows for the provision of a 150mm top soil layer underlain by a 1m clay layer on top of the waste body. The technical committee consider that, in view of the elevated rainfall levels in this region and the need to ensure proper landfill gas control, it is necessary to provide surface water drainage layer, an impermeable layer and a gas collection layer as specified in Condition 4.4.1.

**Recommendation:**

**No Change**

**Ground 3 – Restoration and Aftercare (Condition 4.3)**

*The final soil surface levels should not be stated at this stage and should be finalised as part of the restoration and aftercare plan (Condition 4.1).*

**Technical Committees Evaluation:**

It is assumed that the applicant is referring to Condition 4.3 and not Condition 4.5 as outlined in the objection. The applicant requests that the final height is not specified as part of the licence but instead agreed as part of the restoration and aftercare plan. The final height of the facility (185mOD Malin) as specified in Condition 4.3 allows for the provision of the final capping layer required by Condition 4.4. Therefore, the technical committee consider that Condition 4.3 remains unchanged.

**Recommendation:**

**No Change**

**Ground 4 – Topographical Survey (Condition 8.8)**

*The topographical survey should only be repeated on a yearly basis until such time as the site ceases to accept waste.*

**Technical Committees Evaluation:**

It is assumed that the applicant is referring to Condition 8.8 and not Condition 8.6 as outlined in the objection. The topographical survey will be required on an annual basis (even after the cessation of municipal waste disposal until restoration is completed) to demonstrate compliance with the final height specified in Condition 4 in relation to the restoration of the facility. The technical committee note that Condition 8.2 allows for the monitoring frequency to be amended at a future date.

**Recommendation:**

**No Change**

**Ground 5– Financial Provision (Condition 12.2.1)**

*As the licensee is a local authority and a semi state body, the requirement to maintain a fund should be removed. Funds will be provided to carry out appropriate works.*

**Technical Committees Evaluation:**

The technical committee note that Condition 12.2.1 allows for the provision of a fund or a written guarantee to cover the financial provision for closure, restoration and aftercare of the facility.

**Recommendation:**

**No Change**

**Article 34 Notice (issued 30/8/01)**

The technical committee note that no response was received from the applicant (Donegal Co. Co.) within the specified period in relation to the Agency's request to alter the proposed decision to take into account the Landfill Directive.

***Recommendation***

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

Landfill for Non-Hazardous Waste

**Amend Condition 1.5 as follows:**

1.5 Waste Acceptance

**1.5.1** Whole used tyres shall not be accepted for disposal at the facility from 16 July 2002, excluding tyres to be used as engineering material and shredded used tyres both of which shall not be accepted from 16 July 2006 (excluding in both instances bicycle tyres with an outside diameter above 1.4m).

**1.5.2** No hazardous wastes, liquid wastes or fish/meat wastes shall be disposed of at this facility.

**Add a new Condition 11.6 as follows:**

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

**Renumber sub-conditions in Condition 11 to remove typographical errors.**

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Michael Henry  
Chairperson