

MEMO			
TO:	Board of Directors	FROM:	Michael Henry
CC:		DATE:	22 nd November 2001
SUBJECT : Technical Committee Report on Objections to Proposed Decision – Reg. No. 125-1.			

Application Details	
Applicant:	Donegal County Council.
Location of Activity:	Glenalla Landfill, Glenalla, Milford, Co. Donegal.
Proposed Decision issued:	22/06/01
Objection received:	18/07/01
Article 34 Notice issued:	02/11/01
Article 34 reply received:	15/11/01
Inspector:	Mr. Cormac MacGearailt

Consideration of the objection received:

One objection was received from Donegal Co. Co on 18/07/01. 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.

A request for an oral hearing was also received from Donegal Co. Co. The Board of the Agency has already decided not to hold an oral hearing.

Objection from Donegal County Council

Ground 1 – Scope of the Licence (Condition 1.4)

The proposed decision should be amended to allow the acceptance of non-hazardous waste. The Council's Waste Management Plan (adopted in October 2000) indicates that the lifespan of existing landfill sites should be extended to allow adequate time to implement replacement landfill sites together with an integrated network of waste facilities. The closure of Glenalla landfill will (i) severely restrict the Council's capacity to improve waste practices in the short term (ii) increase illegal dumping and (iii) cause substantial cost increases for commercial waste collection operators and also householders. It will be extremely difficult to meet the needs of the Waste Management Plan and the targets set out in 'Changing Our Ways'. The Glenalla landfill is ideally positioned to service the northern region of the county and this was reinforced since the closure of Churchtown and Muckish landfills.

The information provided in the application indicated that limited contamination was arising from the facility, no pollution incidents have taken place and List I/II substances were not evident in the groundwater. Future cells could be developed at the facility and the ongoing acceptance of municipal waste would not pose a significant additional environmental impact. The road network could also be improved. A period of 5 years should be considered prior to the cessation of municipal waste acceptance at the facility.

Technical Committees Evaluation:

The proposed decision allows for the acceptance of inert waste only for the purposes of restoration of the facility. The disposal of municipal waste was prohibited on the basis that the facility had reached its capacity as applied for by the applicant. This was stated in the Council's Waste Management Plan (October 2000) and in the Waste Licence Application (October 1999) as being 3,000 tonnes and 3,200 tonnes (800 tonnes per annum), respectively. However, as was evident from the Council's Article 14 response (12/12/00), 4,464 tonnes of waste were disposed of during the period September to December 2000

(equivalent to approximately 13,400 tonnes per annum). Therefore, the facility has already reached the capacity applied for and on this basis, the prohibition on the disposal of municipal waste should remain. In reaching this decision, the Agency has had regard to the Donegal Waste Management Plan and to 'Changing Our Ways'. The technical committee note the objector's concerns in relation to the implications of the closure of the landfill facility for the disposal of wastes. In view of the quantities of waste accepted, the area of the site and in an overall context, this facility has little, if any, capacity for waste arisings within the county. The Waste Management Act 1996 places the emphasis on local authorities for the proper management of municipal wastes and the provision of waste infrastructure within its functional area. The technical committee note that the landfill is currently impacting on the surface water and groundwater quality at/in the vicinity of the facility. For example, surface water ammonia levels increased from 0.01mg/l (upstream) to 0.88mg/l (downstream) and elevated levels of ammonia (2.07mg/l) were also recorded in the groundwater. The technical committee also note that the applicant did not apply for the development of engineered cells at the facility.

Recommendation:

No Change

Ground 2 – Facility Management (Condition 2.1.1)

The conditions for facility management would be acceptable if municipal waste was accepted at the facility. If inert waste only is permitted, it is proposed that personnel are only present while inert waste is being deposited.

Technical Committees Evaluation:

Condition 2.1.1 of the proposed decision requires the facility manager or its deputy manager to be present at all times when the facility is in operation. This not only includes times when inert waste will be accepted for restoration of the facility but also during other facility operations (e.g. development of leachate management infrastructure). Condition 2.2 provides for the agreement of the management structure with the Agency. However, on cessation of ongoing activities, the management obligations decrease and changes can be agreed.

Recommendation:

No change.

Ground 3 – Environmental Management System (Condition 2.3.1)

It is requested that a period of 12 months should be allowed for submission of the EMS proposal to allow for the appointment of consultants, budget approval and preparation of the information.

Technical Committees Evaluation:

The technical committee consider that, in order to allow the applicant sufficient time for the completion of the EMS for this facility, a period of 12 months should be specified. It is noted that the much reduced requirements in relation to the EMS have had regard to the projected lifespan of the facility and the limits on the waste types to be accepted.

Recommendation:

Amend Condition 2.3.1 as follows:

The licensee shall establish and maintain an EMS. Within **twelve** months from the date of grant of this licence, the licensee shall submit to the Agency for its agreement a proposal for a documented Environmental Management System (EMS) for the facility. Following the agreement of the Agency, the licensee shall establish and maintain such a system. The EMS shall be updated on an annual basis with amendments being submitted to the Agency for its agreement.

Ground 4 – Facility Security (Condition 3.4.2)

The facility security outlined in the proposed decision is acceptable if the site is to receive municipal waste. If it accepts inert waste only, then any repairs to gate/fencing should be carried out within 1 week. Also facility security should only be maintained until closure and restoration of the facility has been completed.

Technical Committees Evaluation:

Condition 3.4.2 requires the licensee to (i) provide temporary repairs to any defects in gates/fencing at the end of the working day and (ii) carry out a full repair within three working days. In view of the limited waste activities which will be taking place at the facility, the technical committee recommend that the conditions relating to repair of the facility security are amended as recommended below. The licensee should also ensure that the facility is secure even after the restoration has been completed.

Recommendation

Amend Condition 3.4.2 as follows:

The licensee shall remedy any defect in the gates and/or fencing as follows:

- (a) a temporary repair shall be made **as soon as practicable**; and,
- (b) a repair to the standard of the original gates and/or fencing shall be undertaken within **one week**

Ground 5 – Leachate Management Infrastructure (Condition 3.7.1)

A period of 12 months should be allowed for implementation of leachate management measures. Also the need for a toe drain should be removed as the council propose to install a clay bund and leachate extraction towers and this will ensure no significant impact on receiving waters from leachate discharged. The capping and restoration of the facility will reduce leachate generation and ensure leachate and surface water are effectively separated.

Technical Committees Evaluation:

Condition 3.7.1 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 12 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 towers together with a clay bund. It is likely that such works 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 3.7.1 as follows:

Within **twelve** months of date of grant of this licence, unless the licensee can demonstrate 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 6 – Restoration and Aftercare (Condition 4)

The timeframe for submission of the Restoration and Aftercare plan should be extended from 6 to 12 months (Condition 4.1). Also the completion of restoration of the facility should be amended to at least 3 years after the final placement of waste to allow for adequate settlement (Condition 4.2). The proposal for final capping as set out in Drawing No. 3026.28/A11 is considered appropriate having regard to the end use of the facility (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 4.4).*

Technical Committees Evaluation:

The technical committee consider that, in order to allow adequate time for the preparation of the restoration and aftercare plan for the facility, a timeframe of 12 months should be specified. This is in line with the amended timeframe for submission of the EMS as recommended under Ground 3 above. Also the timeframe for completion of the restoration of the facility should be extended to within 24 months of date of grant of the licence and this is similar to the timeframes specified in waste licences issued for other Donegal Co. Co. facilities (e.g. Muckish landfill, Drumabodan landfill).

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 a surface water drainage layer, an impermeable layer and a gas collection layer as specified in Condition 4.3. The proposed decision does not specify a final height for the facility and this will be agreed as part of the Restoration and Aftercare plan for the facility.

Recommendation:

Amend Condition 4.1 as follows:

The licensee shall submit a revised Restoration and Aftercare Plan for the facility within **twelve** months of date of grant of licence.

Amend Condition 4.2 as follows:

The restoration of the facility shall be completed **within 24 months of the date of grant of this licence, unless otherwise agreed with the Agency.**

Ground 7 – Topographical Survey (Condition 8.6)

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

Technical Committees Evaluation:

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 agreed as part of the restoration and aftercare plan (Condition 4.1). The technical committee note that Condition 8.2 allows for the frequency of the survey to be amended at a future date.

Recommendation:

No Change

Ground 8 – Records (Condition 10.1)

The requirements of Condition 10.1 are only acceptable if municipal waste is accepted at the facility. If the facility is limited to the acceptance of inert waste only, then an estimate of the tonnages of waste accepted should be allowed.

Technical Committees Evaluation:

The technical committee note that there is no requirement for the installation of a weighbridge at the facility and that Condition 5.2.1 requires the development of a procedure for the estimation of waste quantities being received at the facility. Condition 10.1(g) should be amended to require the maintenance of the estimated tonnages of each load of waste arriving at the facility.

Recommendation:

Amend Condition 10.1(g) as follows:

(g) the **estimated** quantity of the waste, recorded in tonnes

Ground 9 – Agency Charges (Condition 12.1.1)

The charges are only acceptable if municipal waste is accepted at the facility. If the licence restricts disposal to inert waste, a review of the charge is requested.

Technical Committees Evaluation:

The annual charge covers such areas as site visits by inspectors, sampling costs and overall assessment of reports and monitoring data as submitted under the terms of the licence. The technical committee considers that there is no basis for any amendment to the level of contribution as set out in the proposed decision. It should be noted that the charges set for years subsequent to the year of grant of licence are reviewed after the first year and lowered where appropriate.

Recommendation:

No Change

Ground 10 – 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

Donegal Co. Co.'s reply to the Article 34 Notice issued in relation to the Landfill Directive relate to the following:

Condition 1.4: The issues here are similar to those raised in Ground 1 above.

Condition 6.5: Donegal Co. Co consider that trigger levels for groundwater should only be included if the licence permits the disposal of municipal waste. This section should be reviewed if the licence restricts disposal to inert waste only.

Condition 12.2: The issues here are similar to those raised in Ground 10 above.

Technical Committees Evaluation:

The technical committee note that Donegal Co. Co.'s comments in relation to Condition 1.4 and 12.2 have already been dealt with under Ground's 1 and 10 above. With regard to Condition 6.5, the setting of groundwater trigger levels is a requirement of the Landfill Directive which doesn't distinguish between 'inert' and municipal waste landfills on this matter. Such trigger levels will need to be agreed with the Agency based on analytical results obtained.

Recommendation:

Amend the proposed decision as outlined in the Article 34 Notice (dated 2/11/01).

Michael Henry
Chairperson