

<b>MEMO</b>			
<b>TO:</b>	Board of Directors	<b>FROM:</b>	Breege Rooney
<b>CC:</b>		<b>DATE:</b>	8 February 2001
<b>SUBJECT:</b> Midland Waste Disposal Limited - Technical Committee Report on Objections to Proposed Decision – Reg. No. 131-1			

<b>Application Details</b>	
Applicant:	Midland Waste Disposal Ltd.
Location of Activity:	Clonmagaddan, Proudstown, Navan, Co. Meath.
Reg. No.:	131-1
Proposed Decision issued on:	17/10/00
Inspector:	David Shannon

<b>Objections Received</b>	<b>Date Received</b>
<b>Objection by Applicant:</b> Midland Waste Disposal Limited, Clonmagaddan, Proudstown, Navan, Co. Meath.	10/11/00

### **Consideration of the Objections.**

The Technical Committee (Breege Rooney, Chairperson, Damien Masterson and Kevin McDonnell, 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 this waste transfer station.

### **Objection No.1: Midland Waste Disposal Limited (10/11/00)**

#### **General**

*Detailed below are objections to a Notice in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application, in respect of a facility at Midland Waste Disposal Company Limited, Clonmagaddan, Proudstown, Navan, Co. Meath.*

*Midland Waste Disposal Company Limited have reviewed the proposed decision and notes its contents and implications for the continued successful operation of its business at Clonmagaddan. With this fact in mind the company strongly opposes any obligation within the licence that it feels threatens the future competitiveness of its business. In particular, the imposition of an annual 32,000 tonne restriction to waste volume intake is vehemently objected to for the reasons outlined in Objection 5 below. Midland Waste Disposal Company Limited strongly request that the Agency take note of the problems this limitation will pose to the future development of its business. Notwithstanding this Midland Waste Disposal Company Limited have and will continue to co-operate fully with the Agency and the waste licensing mechanisms in place. However, it is considered that many of the requirements of the draft licence are excessive and onerous for the company and it is strongly requested that a fair and reasonable determination on the objections detailed below be made by the Agency.*

The main ground of objection raised in the above paragraph is discussed under Ground 5 and all other specific grounds of objection are discussed as follows.

#### **Ground 1 – Condition 4.7 and Schedule D**

##### **Condition 4.7 Waste Inspection / Waste Quarantine Area and Schedule D – Specified Engineering Works.**

##### **Condition 4.7 Waste Inspection / Waste Quarantine Area**

- 4.7.1 Within twelve months of the date of grant of this licence a Waste Inspection Area and a Waste Quarantine Area shall be provided and maintained.**
- 4.7.2 The licensee shall ensure that these areas shall be constructed and maintained in a manner suitable and be of a size appropriate for the inspection of waste and subsequent quarantine if required. The waste inspection area and the waste quarantine area shall be suitably and clearly segregated from each other.**

*It is argued that the requirement to provide and maintain a Waste Inspection Area (Condition 4.7 and Schedule D) is not necessary given that an existing waste inspection area is located within the main recycling area. General procedures will conform to details submitted as part of the licence application process and shall conform to the requirements as stipulated within Condition 5.4 of the proposed licence. This inspection area, in which waste arriving to the site is tipped and subsequently sorted is constructed and maintained and of a size appropriate to the requirements of waste inspection. It is not the intention of Midland Waste Disposal Company Limited to change this procedure. A waste quarantine area separate from this waste inspection area will be provided.*

##### ***Technical Committee's Evaluation***

The Technical Committee consider that it is essential that this facility has a waste inspection area in order to examine all incoming waste. It is noted that the Inspectors report on the facility does not specifically state that any current waste inspection area is unacceptable. If a Licence is granted in respect of this facility and if the current waste inspection area meets the requirements of that Licence, which would be checked on a site inspection of the facility, then there will be no need to alter the waste inspection area.

***Recommendation***

**No Change**

***Ground 2***

**Condition 4.12.3**

**Within six months of the date of grant of this licence all tank and drum storage areas (including those for diesel, hydraulic oil, engine oil, waste oil, gear oil, steering oil and cleaning materials) shall be rendered impervious to the materials stored therein. In addition, all tank and drum storage areas, other than water storage areas, shall as a minimum be bunded, either locally or remotely, to a volume not less than the greater of the following:**

- a) 110% of the capacity of the largest tank or drum within the bunded area; or**
- b) 25% of the total volume of substance which could be stored within the bunded area.**

*The timeframe of 6 months stipulated within Condition 4.12.3 for the provision of bunding for all tank and drum storage area, other than water storage area is too stringent. Midland Waste Disposal Company Limited request the Agency to extend this timeframe to 12 months to allow a systematic approach to the bunding issues at the site.*

***Technical Committee's Evaluation***

The Technical Committee consider that all tank and drum storage areas should be bunded as soon as possible and in any event within six months of the date of grant of a Licence, to ensure the protection of groundwater and surface water. Mobile bunds may be suitable for bunding some of the tanks or drums at this facility. The PD was issued on 17 October 2000. Hence, this Objection has allowed the Applicant more than three extra months to plan to have these bunds in place.

***Recommendation***

**No Change**

***Ground 3 - Condition 4.12 & Schedule C***

**Condition 4.12.6**

**The integrity and water tightness of all the bunds, tanks, containers and storage chambers and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee and shall be reported to the Agency within nine months of the date of grant of this licence. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. The licensee shall also submit to the Agency for its agreement in each case a written report on the storage of fuels on site. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.**

*It is requested that the timeframe of 9 months stipulated in Condition 4.12.6 and Schedule C is extended to 15 months in view of Objection 2 above.*

### ***Technical Committee's Evaluation***

The Technical Committee do not recommend extending the time-frame for bunding. However, it recommends extending the time allowed for carrying out bund integrity testing to twelve months in order to stagger the workload required by the Licence.

### ***Recommendation***

Amend Schedule C Recording and Reporting to the Agency in the column Report Submission Date to

'**Twelve** months from the date of grant of licence and one month after end of the three year period being reported on.'

And Condition 4. 12.6 as per the following:

The integrity and water tightness of all the bunds, tanks, containers and storage chambers and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the licensee and shall be reported to the Agency within **twelve** months of the date of grant of this licence. This testing shall be carried out by the licensee at least once every three years thereafter and reported to the Agency on each occasion. The licensee shall also submit to the Agency for its agreement in each case a written report on the storage of fuels on site. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.

### ***Ground 4 – Condition 4.17 & Schedule C***

#### **Condition 4.17**

**The integrity and water tightness of all underground pipes and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee and shall be reported to the Agency within twelve months from the date of grant of this licence. This testing shall be carried out by the licensee at least once every five years thereafter and reported to the Agency on each occasion. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.**

*It is requested that the timeframe stipulated in Condition 4.17 and Schedule C be extended from 12 months to 18 months. Given the large quantity of site improvement works stipulated by this proposed licence within the first 12 months it is argued that this Condition be extended to relieve the financial and resource burden over the first year of the licence.*

### ***Technical Committee's Evaluation***

In order to balance the resource and financial burden on the company in the first twelve months the Technical Committee recommend extending the timeframe for testing underground pipes to eighteen months. However, in the meantime the integrity and water tightness of all underground pipes and their resistance to penetration by water must be maintained.

### ***Recommendation***

Amend Condition 4.17 as per the following:

The integrity and water tightness of all underground pipes and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the

licensee and shall be reported to the Agency within **eighteen** months from the date of grant of this licence. This testing shall be carried out by the licensee at least once every five years thereafter and reported to the Agency on each occasion. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.

## **Ground 5**

### **Condition 5.8**

**The quantity of wastes to be accepted at the facility shall not exceed 32,000 tonnes per annum unless otherwise agreed in advance by the Agency.**

*Midland Waste Disposal Company Limited fundamentally object to Condition 5.8 of the Waste Licence Proposed Decision limiting the intake of waste at the facility to 32,000 tonnes per annum.*

*Attachment E.1-R1, submitted to the Agency in accordance with an Article 12 Notice, outlined projected waste intake volumes from 2000 to 2003. The projected volume for 2003 of 32,078 tonnes was based on best estimates (based on current market trends and projected population increases) of waste intake and did not represent an overall waste handling capacity for the site.*

*As detailed within the application the categories of waste deemed suitable for segregation and subsequent recycling is very much dependent on available markets for such materials. Midland Waste Disposal Company Limited have operated a successful waste management business at the Clonmagaddan site since 1991. In order to maintain continued competitiveness, the business must be in a position to meet the demands of future trends. As detailed within the Article 12 Notice response the company is, in line with current waste management trends and local authority preferences, proposing to install a composting facility at the site (in accordance with Part 1 of the Waste Licence Proposed Decision). It is envisaged that should such a scheme successfully proceed the additional quantities of waste will increase and will probably exceed overall waste intake of 32,000 tonnes.*

*The processing procedures in place at the site are such that resources (i.e. plant and personnel) have the capacity and can successfully operate efficient waste recycling significantly beyond 32,000 annual intake. This will be fully demonstrated as part of Condition 4.10.1.*

*As part of the Waste Licence application process Midland Waste Disposal Company Limited prepared and submitted a comprehensive Environmental Impact Statement (EIS) in accordance with S.I. No. 93 of 1999 First Schedule Part II i.e. for 'Installations for the disposal of waste with an annual intake greater than 25,000 tonnes not included in Part of this Schedule'. The EIS clearly demonstrated that current procedures and proposed protection programmes would ensure that no significant adverse effects on the environment should occur as a result of continued operations. Given the conclusion of the EIS report and the detailed process description within, it is unjustified to limit the waste intake volume to 32,000 tonnes per annum on both environmental and operational capacity grounds.*

*Overall, the imposition of this maximum volume will certainly curtail the competitiveness of Midland Waste Disposal Company Limited. On the basis of both environmental significance and operational capacity this limit has no foundation. Given that all future*

*planning and business strategies will be adversely impacted by this licence condition its exclusion from the final licence is deemed essential for the continued development potential of the business. It is strongly argued that if a maximum waste intake volume is to be imposed on the site it should be 50,000 tonnes per annum subject to the findings and subsequent determination of Condition 4.10.1, in addition to the maintaining the general wording of the current Condition 5.8 i.e. 'The quantity of wastes to be accepted at the facility shall not exceed 50,000 tonnes per annum unless otherwise agreed in advance y the Agency'.*

### **Technical Committee's Evaluation**

During the application process the Applicant estimated that the tonnage for 1999 would be 21,000 tonnes of domestic, industrial, commercial and C&D wastes but anticipated an increase of 5% to 15% per annum in the throughput of waste over the next 4 years and proposed to accept some 32,000 tonnes of waste per annum by 2003.

The company did not provide any information on proposed increases in waste handling as a result of starting composting in the application. The Proposed Decision was prepared on the basis of the information supplied.

The company has not assessed the environmental implications of handling tonnages in excess of 32,000 tonnes per annum in either the EIS or the application. In addition 50,000 tonnes represents an increase of 50% in the annual tonnage applied for. Such an increase would require an additional EIA to be carried out. As such the Agency would be ultra vires in allowing 50,000 tonnes per annum.

Hence, the Technical Committee do not recommend an increase in the quantity of wastes to be accepted at the facility.

In addition it is recommended that the words '*unless otherwise agreed in advance by the Agency*' should be deleted from this Condition for the same argument put forward above.

### **Recommendation**

Amend Condition 5.8 as per the following to delete the phrase '*unless otherwise agreed in advance by the Agency*':

**The quantity of wastes to be accepted at the facility shall not exceed 32,000 tonnes per annum.**

## **Ground 6**

### **Condition 5.9**

**Recycling rates of 50% by 31/12/2003, increasing to 85% by 31/12/2013 for construction and demolition waste accepted at the facility shall be achieved, unless otherwise agreed by the Agency.**

*The Construction and Demolition recycling targets set by Condition 5.9 are excessive and should be reduced. It is noted that such recycling targets do not appear in any form on Waste Licence Reg. No.'s 39-1 or 44-1 both similar type waste management activities to that operated by Midland Waste. The company will continue to strive towards maximum recycling targets at the site however, achieving such targets is outside the control of Midland Waste Disposal Company Limited and is largely determined by fluctuating market*

conditions. Therefore, in the interests of both parity and competitive advantage this licence condition should be reviewed.

### **Technical Committee's Evaluation**

Thornton's Recycling Centre Licence Reg. No. 44-1, granted on 3/12/99 contains the following condition in relation to waste recycling :

*The licensee shall, within nine months of the date of grant of this licence, submit proposals to the Agency, for its agreement, regarding the separation and recovery of appropriate components of the waste being accepted at the facility.*

IPODEC Ireland Ltd. 39-1 Reg. No. Licence was reviewed and the reviewed Licence, granted on 4/09/00, for this facility is 39-2. This Licence states:

*The licensee shall submit proposals for increasing within six months of the date of grant of this licence the separation and recovery of appropriate components of the waste being accepted at the facility to the Agency for its agreement. The targets set for Construction and Demolition wastes in "Waste Management, Changing Our Ways" (Department of the Environment and Local Government, 1998) shall be complied with.*

Another similar facility Reg. No. 42-1 Dean Waste Company Ltd., Sheriff Street Upper, Dublin 1, granted on 16/11/00 has the following Condition:

*5.1.1. Unless otherwise agreed with the Agency, the following shall be achieved by 31/12/2003:*

*(a) recycling of at least 50% of construction and demolition waste accepted at the facility; and*

*(b) recycling of at least 35% of the paper and timber waste accepted at the facility.*

The recycling rates required by Condition 5.9 are those detailed in the National Policy on waste 'Waste Management, Changing Our Ways' (Department of the Environment and Local Government, 1998). It is considered that the Agency must endeavour to encourage recovery and recycling. However, it is noted that Condition 5.9 includes the phrase 'unless otherwise agreed by the Agency' and the Technical Committee considers that this allows the recycling rates to be altered if deemed necessary.

### **Recommendation**

<b>No Change</b>
------------------

## **Ground 7**

### **Condition 5.11**

**Waste other than baled cardboard shall only be stored overnight at the facility in skips/containers within the Recycle Plant Building and the compactor bays. All waste stored on the facility outside of buildings shall be stored in fully enclosed containers.**

*Condition 5.11 sets the categories of waste (that excludes baled cardboard) that are restricted to storage overnight at the facility in skips/containers within the Recycling Plant Building and the compactor bays. Furthermore, all waste stored on the facility outside of buildings shall be stored in fully enclosed containers. Midland Waste Disposal Company Limited request that outside storage of metal and timber should not be restricted to storage within fully enclosed containers. On a practical basis enclosed storage of such materials is not possible given bulk and handling difficulties. It is noted that such uncovered storage of metal and timber will not be continuous and moreover will not cause undue impacts on the underlying ground conditions (i.e. benign surface water runoff).*

#### **Technical Committee's Evaluation**

The reason for storing waste overnight inside buildings or in enclosed containers overnight outside is to reduce potential nuisance e.g. loose litter and odour, and to provide for the protection of surface water and groundwater. The Technical Committee is of the opinion that metal and timber will not give rise to nuisances, as described above, and have a low potential to contaminate surface water or groundwater. Hence, the Technical Committee recommend allowing the storage of metal and timber outside the buildings in designated contained areas.

In addition the Technical Committee recommend removing the word 'fully' as the company can not store any material that would give rise to a nuisance outside the buildings overnight and secondly the word 'fully' may not be practicably possible and amending enclosed containers to suitable covered containers for the same reasons.

#### **Recommendation**

Amend Condition 5.11 as per the following and delete the word 'fully':  
Waste other than baled cardboard, **metal and timber**, shall only be stored overnight at the facility in skips/containers within the Recycle Plant Building and the compactor bays. **Metal and timber may be stored outside of buildings but only in designated, contained areas.** All **other** waste stored on the facility outside of buildings shall be stored in **suitable covered** containers.

#### **Ground 8.**

#### **Condition 5.13**

**Unless subject to the prior agreement of the Agency, a maximum of six enclosed waste containers (including sealed containers of compacted waste or fully enclosed collection vehicles containing waste), shall be stored on the facility overnight. These containers shall be stored at areas clearly designated for this purpose.**

*Conditions 5.13 stipulates that maximum of six enclosed containers (including sealed containers of compacted waste or fully enclosed collection vehicles containing waste), shall be stored overnight at the facility. Midland Waste Disposal Company Limited request this be increased to 10 such units. In order to clarify the existing situation and potential developments at the site the following points are relevant:*

- *At present 3 compactors and 4 covered 'open top' containers are in use at the site as shown in the Drawing 'Operational Storage Areas' submitted to the Agency on the 10<sup>th</sup> of August 2000. These containers attached to the unit operation 9 (e.g. newsprint*



compactor) will either be empty or partially full and will remain at the designated areas overnight.

- From these units, the end of a working day may potentially yield 7 full-enclosed containers that will require overnight storage at the site (ie separate from the unit operations). These enclosed units will be stored within the hatched out area indicated on the Drawing 'Operational Storage Areas' submitted to the Agency on the 10<sup>th</sup> August 2000.
- Furthermore, given the potential increases in waste input to the site this enclosed container storage capacity (separate from unit operations) should at a minimum be increased to 10.
- It is further requested that this Condition be subject to ongoing review by the Agency such that proposals by the company requesting further increases be subject Agency approval or otherwise, as presented in the existing condition.

### ***Technical Committee's Evaluation***

As part of the application the Applicant submitted a drawing :Operational Storage Areas indicating three compactors with associated containers, three containers for hardcore, metal and timber material and a proposed fourth container for hazardous waste i.e. waste batteries. The Technical Committee appreciates that under current operations the three compactors and four covered 'open top' containers in use at the site could give rise to seven full enclosed containers. It is also understood that the applicant anticipates an increase of 5% to 15% per annum in the throughput of waste over the next 4 years and that the PD allows an increase in the waste handling for this facility from 21,000 tonnes to 32,000 tonnes of waste per annum. Hence, the Technical Committee recommend increasing the number of enclosed waste containers from six to ten.

### ***Recommendation***

Amend Condition 5.13 as per the following:

Unless subject to the prior agreement of the Agency, a maximum of **ten** enclosed waste containers (including sealed containers of compacted waste or fully enclosed collection vehicles containing waste), shall be stored on the facility overnight. These containers shall be stored at areas clearly designated for this purpose.

### **Ground 9.**

#### **Condition 5.20**

**Within six months of the date of grant of this licence the licensee shall submit to the Agency for its agreement a proposal for the reuse and recovery of appropriate components of the wastes accepted at the facility. The licensee shall set out proposals to achieve the targets set out in the Policy Statement "Waste Management, Changing Our Ways" (Department of the Environment and Local Government, 1998).**

*It is requested that the timeframe imposed by Condition 5.20 of 6 months be extended to 12 months. This extension is deemed essential to allow the company appropriate time to assess varying market trends, the adoption or otherwise of the Waste Management Strategy for the North Eastern Region and the policy directions of the relevant Local Authorities.*

### ***Technical Committee's Evaluation***

In view of the fact that the North Eastern Region Waste Management Plan has not yet been adopted the Technical Committee recommend extending the time frame from six months to twelve months for submitting reuse and recovery proposals.

### ***Recommendation***

Amend Condition 5.20 as per the following:

Within **twelve** months of the date of grant of this licence the licensee shall submit to the Agency for its agreement a proposal for the reuse and recovery of appropriate components of the wastes accepted at the facility. The licensee shall set out proposals to achieve the targets set out in the Policy Statement “Waste Management, Changing Our Ways” (Department of the Environment and Local Government, 1998).

## **Ground 10.**

### **Condition 7.5.1**

**Within three months of the date of grant of this licence, roof water run-off and surface water run-off from all areas other than those areas specified in Condition 4.14.2 shall be discharged via a suitable oil interceptor/sedimentation tank prior to discharge to a soakpit.**

*Condition 7.5.1 indicates that roof water-run-off be discharged via a suitable oil interceptor/sedimentation tank prior to discharge to a soakpit. It is strongly argued that imposing such a condition has no environmental justification given the benign and uncontaminated nature of this runoff. While some Roof Water runoff may be directed towards the existing hardstanding drainage infrastructure, linking all such run-off to this system is not practical and may cause problems if capture of all such runoff waters is required. Treatment of such uncontaminated runoff water, which will have no contact with either operational or non-operational hardstanding areas, is not justified environmentally or practically. Roof water run-off should, therefore, be excluded from this Condition and where not linked to the surface water drainage system be allowed to percolate directly to ground.*

### ***Technical Committee’s Evaluation***

The Technical Committee consider that the roof water run-off should be uncontaminated and as such would not need treatment before discharge. As there is no direct discharge to surface Water from this site it is recommended that roof water run-off should be allowed discharge to groundwater. However, it is recommended that the Licensee should monitor this discharge on an annual basis and supply a twelve digit national grid reference in relation to same.

### ***Recommendation***

Amend Condition 7.5.1 as per the following by deleting ‘**roof water run-off**’ from the Condition and including an additional sentence:

Within three months of the date of grant of this licence surface water run-off from all areas other than those areas specified in Condition 4.14.2 shall be discharged via a suitable oil

interceptor/sedimentation tank prior to discharge to a soakpit. **The Licensee shall submit a twelve digit National Grid Reference for monitoring, on an annual basis, the discharge of the clean roof water run-off from the facility within three months of the date of grant of this licence.**

**Insert a new Table**

**E3 Monitoring Emissions to Groundwater**

Monitoring location as required by Condition 7.5.1

**Table E.3.1 Monitoring Emissions to Groundwater – Monitoring Parameters and Frequencies**

<b>Parameter</b>	<b>Monitoring Frequency</b>	<b>Analysis Method / Technique</b>
<b>Visual Inspection</b>	<b>Annual</b>	<b>Not applicable</b>
<b>COD</b>	<b>Annual</b>	<b>Digestion + Colorimetry / Titrimetry</b>
<b>pH</b>	<b>Annual</b>	<b>Electrometry</b>
<b>Total Suspended Solids</b>	<b>Annual</b>	<b>Gravimetry</b>

**And include another report in Schedule C: Recording and Reporting to the Agency**

**Monitoring emission’s to Groundwater      Annually    One month after the year being reported on.**

**Ground 11**

**Condition 9.2.1**

**Within six months of the date of grant of the licence, the licensee shall install two groundwater monitoring boreholes at locations to be agreed in advance by the Agency. One of the boreholes shall be located upgradient of site activities and the other borehole shall be located downgradient of the sewage treatment works, the foul water holding chambers. Groundwater monitoring shall commence within one month of completion of the monitoring boreholes.**

**Condition 4.15.3**

**Within three months of the date of grant of this licence, all effluent from the sewage treatment works shall be discharged to and stored in the foul water holding chambers pending disposal off-site.**

*It is strongly argued that Condition 9.2.1, detailing the requirement for installation of two groundwater monitoring boreholes, is both excessive and unnecessary. This Condition (in addition to its reference within Schedule D and Schedule E.4) should be removed from the final licence given the reasons detailed as follows:-*

- *The existing groundwater monitoring point is provided by a more than suitable well location i.e. ‘Kilsaren Well’. As detailed within the application this monitoring location is directly downgradient of all Midland Waste activities and, as such, allows the impact, if any, from the site operations on the underlying groundwater quality to be continually*

assessed.

- *There are no direct inputs to groundwater at the site. Midland Waste Disposal Company Limited agree to Condition 4.15.3 i.e. diversion of treated effluent to the foul water holding chambers. Therefore, the company argues that given such a procedure to protect the integrity of the underlying ground conditions the imposition of a groundwater monitoring other than that at Kilsaran Well is unjustified. The foul water holding chambers are constructed with fully impermeable reinforced concrete, such that leakage through this structure is not possible. Consequently, as there are no direct emissions to ground in this area, the installation of a borehole is both unnecessary and unjustified.*
- *Midland Waste Disposal Company Limited refer to granted waste licences 39-1 and 44-1 and Proposed Decision waste licences 42-1 and 45-1 all of which manage similar operations to that at the Clonmagaddan site. It is noted that there is no imposition for a groundwater well installation programme at these sites. Therefore, in the interests of parity this licence Condition should be removed.*

#### **Technical Committee's Evaluation**

The Inspector's recommendation for the Proposed Decision conditioned that the vehicle wash water and the surface water run-off from areas other than roofs and the waste processing area passed through an oil interceptor prior to discharge to ground via two soak pits. Hence, in order to monitor the discharge to the groundwater the PD required the installation of two groundwater monitoring boreholes and associated Schedules. However, the Agency decided when issuing the PD that for these effluents that a discharge via soak pits was not best available technology and required that all discharges of effluent from the site be directed to the two foul water holding chambers prior to transport off-site for disposal at Navan Waste Water Treatment Plant. Whilst the Conditions directly affected were changed other relevant Conditions were not amended.

Condition 4.14.2 requires that all liquid run-off from the floor of the Recycle Plant Building, the compactors and any other areas where waste is handled or processed, and all washwater from the washing of wheelie bins and skips that contained non-inert waste and Condition 4.14.3 requires that all vehicle washwater and Condition 4.15.3 requires that all effluent from the sewage treatment works be discharged to foul water holding chambers pending disposal off-site. Hence, no direct discharges to groundwater were allowed under the PD.

Therefore, the Technical Committee recommends the removal of the requirements and associated conditions and schedules for the installation of and monitoring of two groundwater boreholes.

#### **Recommendation**

Delete in full:

Conditions 9.2, 9.2.1, 9.3 and Schedules E3 Indirect emissions to groundwater and Schedule F.3 Indirect Emissions to Groundwater.

Delete references (in bold print) to the installation of and monitoring of two groundwater boreholes in the following Schedules:

SCHEDULE B: Content of the Annual Environmental Report '**Estimated annual and cumulative quantity of indirect emissions to groundwater.**'

SCHEDULE C: Recording and Reporting to the Agency ‘ **Monitoring of indirect emissions to groundwater Quarterly Ten days after end of the quarter being reported on.**’  
Schedule D: Specified Engineering Works ‘ **Installation of groundwater monitoring boreholes.**’  
Schedule E.4: Groundwater: Table E.4.1 Groundwater Monitoring Locations: ‘ **Upgradient borehole as required by Condition 9.2.1**’ and ‘ **Downgradient borehole as required by Condition 9.2.1**’

## Ground 12

### Condition 10.5

**The licensee shall carry out a risk assessment to determine the requirements at the facility for fire fighting and fire water retention facilities and shall, within six months from the date of grant of this licence submit a report, including recommendations on the risk assessment, to the Agency for its agreement. The Fire Authority of Meath County Council shall be consulted by the licensee during this assessment.**

*It is considered that the timeframe outlined in Condition 10.5 for the completion of a fire water retention (FWR) risk assessment should be extended. An evaluation of the requirements at the facility for fire fighting shall be conducted in line with Emergency Response Procedure (ERP) within 6 months. The completion of FWR risk assessment will be complete within 9 months following the implementation of any fire protection procedures/systems required. It is contended that only when these procedures/systems are reviewed and implemented (i.e. ERP) will it be possible to conduct the necessary of FWR risk assessment. Therefore, the timeframe for completion of the FWR risk assessment should be extended to 15 months of grant of licence.*

#### **Technical Committee’s Evaluation**

The company has stated that an evaluation of the requirements at the facility for fire fighting shall be conducted, in line with the Emergency Response Procedure (ERP), within six months of the date of grant of the Licence. The Technical Committee consider that one of the major environmental risks at a waste transfer station is a fire. The risk assessment shall determine the potential risk for fire to occur and the means by which a potential fire would be put out. The ERP will determine how fire fighting will be carried out and the procedure to do so ensuring minimal risk to the environment. Hence, the ERP along with the fire water retention risk assessment will help to determine if a fire water retention facility is necessary. The Technical Committee do not recommend an extension of time to submit the fire water retention risk assessment as this assessment should be carried out along with the ERP and as soon as possible in order to provide for the protection of surface water and groundwater.

#### **Recommendation**

No change

## Ground 13

### Condition 11.1.1

The licensee shall pay to the Agency an annual contribution of £ 8,582 or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2001 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2000 the licensee shall pay a pro rata amount from the date of this licence to 31<sup>st</sup> December 2000. This amount shall be paid to the Agency within one month of the date of grant of this licence.

*The annual contribution to the Agency of £8,582 as stipulated by Condition 11.1.1 is considered excessive. A review of this charge is considered justified with the anticipation of a significant reduction being strongly requested.*

#### ***Technical Committee's Evaluation***

It should be pointed out that the monitoring charge is based on the cost of carrying out Agency monitoring of the facility including site inspections, audits and assessing reports and laboratory analysis of samples taken at the facility.

The Technical Committee thoroughly examined the charges in relation to this facility and recommend reducing the charges for travel to the facility and the number of groundwater monitoring points to be sampled,( in view of Technical Committee recommendation to Ground 11) and including a charge for monitoring the discharge to groundwater and amending overall charges as the 2001 charges have increased over 2000 charges. This would have the overall effect of reducing the charge to £8,375.

It should be noted that the charge will be updated on an annual basis. This charge will be reduced accordingly, taking into consideration the Public Sector Average Earnings Index, as the number of reports and monitoring returns due to be assessed are reduced. Compliance with the Licence and a good environmental performance by the Licensee will help to reduce the annual charge.

The Technical Committee recommend reducing the annual contribution to the Agency from £8,582 to £8,375.

#### ***Recommendation***

Amend the charge in Condition 11.1.1 as per the following:

The licensee shall pay to the Agency an annual contribution of **£8,375** or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2001 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2000 the licensee shall pay a pro rata amount from the date of this licence to 31<sup>st</sup> December 2000. This amount shall be paid to the Agency within one month of the date of grant of this licence.

## Ground 14

### Condition 11.2.1

**The licensee shall arrange for the completion of a comprehensive and fully costed Environmental Liabilities Risk Assessment for the facility which will address liabilities arising from the carrying on of the activities to which this licence relates. A report on this assessment shall be submitted to the Agency for its agreement within six months of date of grant of this licence.**

*The timeframe as stipulated by Condition 11.2.1 for the completion of a fully costed Environmental Liabilities Risk Assessment should be extended to 15 months. This is fully justified given that such an assessment could only be conducted upon implementation of many of the protection programmes and conditions stipulated by this licence (i.e. ERP, FWR risk assessment, bunding programmes etc.).*

#### ***Technical Committee's Evaluation***

The Environmental Liabilities Risk Assessment should be carried out as soon as possible but after the Environmental Response Procedure and the Firewater Retention Risk Assessment have been carried out. As the Environmental Liabilities Risk Assessment is a major issue for the Licence and in order to allow adequate time for the assessment the Technical Committee recommend allowing twelve months to carry out the assessment.

The Technical Committee recommend extending the time frame for carrying out the Environmental Liabilities Risk Assessment from six months to twelve months.

#### ***Recommendation***

Amend Condition 11.2.1 as per the following:

The licensee shall arrange for the completion of a comprehensive and fully costed Environmental Liabilities Risk Assessment for the facility which will address liabilities arising from the carrying on of the activities to which this licence relates. A report on this assessment shall be submitted to the Agency for its agreement within **twelve** months of date of grant of this licence.

## Ground 15

### Condition 11.2.2

**Within nine months of the date of grant of this licence, the licensee shall make a Proposal for Financial Provision to the Agency for its agreement to cover any liabilities incurred by the licensee in carrying on the activities to which this licence relates. Such provision shall be maintained by the licensee unless otherwise agreed by the Agency.**

*In line with Objection 12 above it is considered that the timeframe by which a Proposal for Financial Provision as detailed in Condition 11.2.2 be extended to 18 months.*

**Technical Committee's Evaluation**

The Technical Committee also recommend extending the time frame for submitting a proposal for Financial Provision from nine months to within fifteen months of the date of grant of the licence. This is to allow any alterations and subsequent amendments to the Environmental Liabilities Risk Assessment before proposing a Financial Provision to cover any environmental liabilities that could occur.

**Recommendation**

Amend Condition 11.2.2 as per the following:

Within **fifteen** months of the date of grant of this licence, the licensee shall make a Proposal for Financial Provision to the Agency for its agreement to cover any liabilities incurred by the licensee in carrying on the activities to which this licence relates. Such provision shall be maintained by the licensee unless otherwise agreed by the Agency.

**Ground 16**

**Schedule E.1 & Schedule C**

*The monitoring frequency as detailed within Schedule E.1 and Schedule C for the Dust Direction parameter is considered excessive and should be reduced to a three times a year monitoring frequency in line with the requirement for the monitoring of dust deposition.*

**Technical Committee's Evaluation**

The Proposed Decision requires that the Dust Direction be monitored on a monthly basis. The Inspector's report on this facility detailed that dust deposition rates ranging from 550mg/m<sup>2</sup>/day to 823 mg/m<sup>2</sup>/day were reported along the northern perimeter of the facility. The company considered that much of the dust may have originated from an adjacent operational quarry. In order to establish the source of the dust it would be necessary to monitor the direction of the dust on a frequent basis. Once the source of the dust has been satisfactorily established then the frequency of monitoring same can be reduced via Condition 9.10 and Note 4 of Table E.1.2.

Hence the Technical Committee do not recommend amending the frequency of monitoring dust direction.

**Recommendation**

**No Change**

**Ground 17**

**Schedule E.4 Groundwater**

*It is vehemently argued that the monitoring frequency detailed within Schedule E.4 is grossly excessive and should be reduced to at minimum Biannual requirement. The imposition of a quarterly monitoring requirement will be costly and will not yield beneficial*



*data given the control mechanisms in place across the site to protect the integrity of underlying groundwater conditions. Furthermore, bi-annual assessments will allow for sufficient assessment of seasonal variations and, therefore the more frequent monitoring requirement should be reduced.*

**Technical Committee’s Evaluation**

There are no direct discharges to groundwater from this site. Please refer to Ground 11 Technical Committee response. Hence, the Technical Committee recommend that annual monitoring, of all parameters in Schedule E.4 Groundwater Monitoring Parameters and Frequencies, of the Kilsaran well is sufficient. In addition, it is recommended that Notes 2 and 4 be deleted as they were applicable to the additional groundwater monitoring boreholes which the Technical Committee response to Ground 11 recommended be deleted.

**Recommendation**

Amend monitoring frequencies for all parameters in Table E.4.2 Groundwater Monitoring Parameters and Frequencies to **annually**.  
 Delete Note 2 and Note 4 references in the Table E.4.2 and Notes 2 and 4 below the table and renumber the remaining Notes.  
 Amend frequency of Groundwater Monitoring in Schedule : Recording and Reporting to the Agency from quarterly to **annually**.

**Ground 18**

**Schedule F.3**

**Indirect Emissions to Groundwater:** (Measured at the monitoring location specified in Schedule E.3)

Parameter	Limit (mg/l)
BOD	5
Suspended solids	30

**Condition 5.6**

**Waste processing at the facility shall be conducted within the Recycle Plant Building and shall only employ the plant as specified in the application, unless otherwise agreed by the Agency.**

*Schedule F.3 establishes a Limit value of 5 mg/l BOD on the indirect emissions to groundwater. In the first case this limit value is too low and if this parameter is to be retained it should be raised to 10 mg/l. However, it is considered that the actual nature of this parameter should be reviewed and changed. It is strongly argued that the place of a 50 mg/l COD limit value (used extensively for similar applications within many IPC licensed facilities) is a more realistic analytical parameter and target level. This parameter will allow assessment of both biodegradable and total carbonaceous oxygen demand for the run-off water sample and shall provide a more representative trigger level and/or bench mark by which these emissions should be assessed. Therefore, in summary it is deemed fully justified that the 5 mg/l BOD limit value be changed to a 50 mg/l COD limit value.*

**Note 1**

*On review of Condition 5.6 it is noted that the Hogger (Fletcher & Stewart) used for shredding and detailed within Attachment E.5 of the original waste licence application has been augmented with a larger capacity shredder for improved efficiency and increased through-put. It is further noted that Midland Waste Disposal Company Limited will in the near future procure a Trommel for the site operations. It is noted that on-site waste processing as a result will not fundamentally change. The Agency will be notified in advance of this Trommel being installed on-site.*

**Technical Committee's Evaluation**

Please refer to the Technical Committee response to Ground 11. It was recommended that this Schedule F3 Indirect Emissions to Groundwater be deleted as the Technical Committee recommended, in response to Ground 11, deleting the requirement for the installation and monitoring of two water boreholes.

**Note 1 Condition 5.6**

If a Licence is granted in respect of this facility and if the company intend using any other plant for waste processing other than that specified in their application then in accordance with Condition 5.6 they must submit details on the plant and seek the agreement of the Agency.

**Recommendation**

Refer to recommendation to Ground 11: No further changes recommended.
---

Signed:

\_\_\_\_\_  
Breege Rooney  
Technical Committee Chairperson