

INSPECTORS REPORT

WASTE LICENCE REGISTER NUMBER 178-1

Applicant: Greenstar Recycling Holdings Ltd. (Celtic Waste Ltd.)

Facility: East Galway Residual Landfill Site, Killagh More, Ballybaun (E.D. Killaan) & Ballintober (E.D. Killaan), Ballinasloe, Co. Galway.

Recommendation: The recommended Proposed Decision as submitted to the Board be approved.

(1) Introduction:

The application from Greenstar Recycling Holdings Ltd. is for the development of a new landfill and associated infrastructure in the townlands of Killagh More and Ballintober, Co. Galway. The location of the proposed facility is approximately 2.5km southwest of Kilconnel village and 4.5km northwest of Cappataggle village. Access to the facility will be from the N6 (Galway –Dublin Road) along the L 3416 and approx. 2km west along the R348 (see Appendix 1).

The proposed facility will be an engineered landfill for the disposal of treated non-hazardous household, commercial and industrial waste. Inert waste will also be accepted for restoration purposes. The facility may accept up to 100,000 tonnes of waste per annum for disposal and 27,320 tonnes per annum for recovery and will have an operating life of approximately 10 years. The envisaged waste catchment of the proposed facility is the South Connaught Region. A decision to grant planning permission for the proposed landfill and associated infrastructure was issued by Galway Co. Co. on 29/10/03.

The landfill will be located within a 60.8 hectare site and the area to be landfilled will occupy approximately 14.8 hectares (24% of total). The landfill will be developed on a phased basis. The proposed site is located in an area of peatland, agricultural grassland and forestry. There are five houses within approx. 500 metres of the landfill footprint and the nearest residential property is approximately 450 metres southeast of the landfill footprint. There are a further 13 residences within approx. 1000m of the landfill footprint. A minor road runs along the eastern boundary of the landfill and is approx. 40m from the landfill footprint. It is proposed that a minimum distance of 40 metres within which no waste will be deposited be maintained between the landfill footprint and this minor road (as proposed by the licensee). A gas pipeline passes through the site (approx. 35m south of the proposed landfill footprint). **A plan showing the location of the facility to which the application relates is provided in Appendix 1.**

Quantity of waste to be accepted (tpa)	100,000 for disposal & 27,320 for recovery
Environmental Impact Statement Required and Valid	Yes. I carried out an assessment of the EIS and I consider that it complies with the EIA Regulations.
Number of Valid Submissions Received	111

SITE VISITS:

DATE	PURPOSE	PERSONNEL	OBSERVATIONS
23/10/02	Site notice compliance	Cormac Mac Gearailt	Site notice in compliance with Regulations
22/5/03	Site inspection	M. Henry & Cormac Mac Gearailt	Inspect facility and surrounds

(2) Facility Development

The infrastructure proposed for the facility includes the following: lined cells, 2 weighbridges, a wheelwash, a waste quarantine and inspection area, site accommodation, a maintenance & administration building, a sewage waste water treatment system, fuel storage, leachate collection and storage, landfill gas collection and flaring, surface water drainage system and site security. The installation and provision of all infrastructure is controlled by Condition 3 of the recommended Proposed Decision. The applicant has proposed to extract sand/gravel from a borrow area at the south eastern corner of the proposed site for use in the construction of the facility. This will be used for such purposes as fill material for base formation, capping, and perimeter embankments. Soil/peat excavated from under the landfill footprint will also be used for these purposes. Soil/peat storage will be controlled under Condition 5.

Phasing & Landfill Gas Management

The applicant has proposed to develop the landfill north to south in 3 phases. The recommended Proposed Decision requires the applicant to install infrastructure for active landfill gas collection and flaring within 6 months of the date on which waste is first deposited in the landfill. The flare must be an enclosed type flare and the applicant will also be required to undertake a feasibility study on the utilisation of landfill gas as an energy resource.

Lining System

The recommended Proposed Decision requires that all cells within the waste disposal area and the surface water lagoon are lined. Condition 3 contains the specifications for the lined areas. The applicant has proposed to excavate the underlying peat deposits under the landfill footprint in order to ensure that the liner integrity is maintained (by eliminating sub-lining settlement).

Leachate Management

The leachate collection system within the cells will comprise a network of drainage pipes within the leachate drainage layer and the leachate will be transferred to the leachate holding tank via a series of pumps/sumps. The pumping of leachate will be controlled by a telemetry system. Leachate will be removed from the leachate holding tank and transported by tanker from the site for treatment at a wastewater treatment plant which will have to be agreed with the Agency (Condition 5). The application included correspondence from Galway & Roscommon County Council and Shannon Environmental Services indicating that they would be prepared to consider the possibility of treating leachate at their WWTPs.

Capping System

Condition 4 of the recommended Proposed Decision contains the final capping specifications for the landfill. Filled cells will be required to be permanently capped within twelve months of being filled to the required level.

Restoration and Aftercare

The applicant has proposed that the landfill footprint area be progressively re-instated to meadow/grazing grassland with a hedgerow network. There will be a significant area of new woodland planted in various areas around the landfill footprint. Condition 4 of the recommended Proposed Decision requires a detailed restoration and aftercare plan to be submitted to the Agency for its agreement. The maximum post settlement height of the facility will be 124mOD, which is roughly 10-12m over the surrounding land level. However, it is considered that the phased development of the facility together with the landscaping and other measures required by the recommended Proposed Decision will minimise the visual impact of the landfill.

Nuisance Control

Environmental nuisances are controlled by Condition 7 of the recommended Proposed Decision.

(3) Waste Types/Quantities/Hours of Waste acceptance

In accordance with the Landfill Directive, all wastes accepted at the facility will be required to undergo treatment prior to acceptance. The applicant applied to dispose a total of 100,000 tonnes of waste per annum at the facility. This comprises of 45,000 tonnes of household waste, 27,500 tonnes of commercial waste and 27,500 tonnes of industrial waste. In addition, *Schedule A* allows the annual acceptance of up to 27,320 tonnes of inert waste of a suitable nature for the purposes of recovery and restoration of the facility.

The applicant applied to accept waste at the facility between the hours of 8am and 5.45pm Monday to Friday and 8am-1.45pm on Saturday. The recommended Proposed Decision provides for these hours of waste acceptance while the operational hours are limited to 7.30am to 6.30pm (Monday to Friday) and 7.30am-2.30pm on Saturday.

(4) Emissions to Air, including noise

Air

The recommended Proposed Decision sets a limit of 350mg/m²/d for dust deposition. Dust monitoring is required to be carried out on a quarterly basis.

The recommended Proposed Decision requires the applicant to monitor (*Schedule D*) and comply with the emission limit values for the enclosed landfill gas flare (*Schedule C*). Perimeter landfill gas monitoring boreholes will be constructed around the landfill footprint (50m intervals-Condition 3) in order to monitor any potential migration of landfill gas. Enclosed on-site buildings will be fitted with a permanent gas monitoring system. Potential nuisances such as odour are controlled by Condition 7 of the recommended PD and the applicant will be required to undertake weekly odour inspections.

Noise

It is likely that the construction, operation and restoration of the facility will occur concurrently once sufficient waste volumes have been accepted. Noise will arise from the construction of the different infrastructural elements of the project with traffic and

site machinery likely to contribute to the existing noise environment. The recommended Proposed Decision requires the use of low noise plant, the fitting of acoustic panels/silencers on all heavy plant and machinery and the setting of speed restrictions on internal site roads. The applicant will be required to comply with daytime and night-time noise emission limit values at the nearest noise sensitive locations. *Schedule D* requires the licensee to undertake noise monitoring on a quarterly basis.

(5) Emissions to Groundwater

Mapping of the bedrock geology shows that the site is primarily underlain by the Basinal (Calp) Limestone. The GSI categorise the bedrock aquifer as L1 ('local' aquifer, moderately productive but only in local zones). The overburden comprises mainly of boulder clay which is overlain by peat. Based on the thickness of the overburden, the vulnerability of the bedrock aquifer ranges from high to extreme. According to the GSI response matrix for landfills and having regard to the aquifer category and vulnerability rating (R2¹ - R2²), the siting of a landfill at the proposed location is acceptable. The applicant has undertaken to remove the peat underlying the footprint and will be required to demonstrate this to the Agency prior to the installation of the landfill liner (Condition 3).

The direction of groundwater flow in the bedrock is considered to be in a north/north westerly direction. The applicant indicated that there were no private wells located within 500m of the facility boundary in use. In addition it is stated that all domestic dwellings in this area are connected to the Kilconnell public water supply well. The applicant will be required to detail groundwater trigger levels for (pH, Ammonia, TOC, Sodium, Chloride and Potassium), which will be subject to an annual review (Condition 6).

(6) Emissions to Surface Waters

Two watercourses run adjacent to the facility, the 'Killaghmore Stream' to the west and the 'Ballintober Stream' to the north-east. These streams ultimately drain into the River Raford which is a tributary of the Dunkellin River. The Western Regional Fisheries Board consider that the River Raford and Dunkellin River can support naturally occurring and self-sustaining salmon and trout populations. A short portion of the 'Killaghmore Stream' will have to be diverted to allow for the landfill footprint. This stream serves primarily as drainage for the peat lands and has been cleared in the past as part of drainage improvement works. The main emission of surface water from the site will be to the 'Ballintober Stream'. The recommended Proposed Decision contains various measures to be taken to ensure the protection of surface water quality. These include the construction of the surface water management infrastructure and surface water lagoon prior to the commencement of any other construction (apart from the site access roads), the provision of an oil interceptor and the installation of an isolating penstock on the outlet from the surface water lagoon (Condition 3.16). Monitoring of the surface water discharge is also required under the recommended Proposed Decision.

(7) Other Significant Environmental Impacts of the Development

Communication with local residents

The recommended Proposed Decision requires the licensee to submit details of a Communications Programme which should include provision for informing the local community of the environmental performance of the facility.

Ecology

The proposed site is not covered by any nature conservation designations. Six Natural Heritage Area sites are located within 10km of the facility. I do not consider that the facility is likely to have a significant adverse affect on the integrity of the NHA's.

Protection of bat population

Due consideration must be given to potential bat populations where buildings or mature trees at the facility are to be disturbed (Condition 5.7).

Archaeological

Prior to the development of any undisturbed area, the advice of The Development Applications Section of The Department of the Environment, Heritage and Local Government, (formerly Dúchas) must be sought.

(8) Waste Management, Air Quality and Water Quality Plans

The Waste Management Plan for the Connaught Region refers to the need for two new landfills to handle residual waste for north and south Connaught. A preliminary site selection exercise identified east Galway as a potential location for the south Connaught facility. The plan states that the south Connaught facility should be developed as a priority due to the expected closure of Pollboy landfill at the end of 2005.

There are no relevant air or water quality management plans.

(9) Submissions

A total of 111 valid submissions were received by the Agency in relation to this application. I have had regard to the submissions in making my recommendation to the Board. Below is a summary of the main concerns raised in the submissions. However, the original submissions should be referred to for greater detail and expansion of particular points.

1. Planning issues/Waste Management Plan/Co. Development Plan:

- *Difficulties accessing information from the planning authority*
- *Excessive cost in getting a copy of the planning application from Galway Co. Co.*
- *Access to planning information has been denied by Galway Co. Co.*
- *Galway Co. Co. are hindering the local peoples participation in the planning process.*
- *One submission stated that the Waste Management Act (Amendment) 2001 is in breach of Article 28A of the written constitution and Galway Co. Co. completely excluded the views of the locally elected county councillors.*
- *Many submissions referred to the planning permission lodged with Galway Co. Co. and their objection to it and Galway Co. Co.'s decision.*
- *Proposed facility not in compliance with the County Development Plan, Waste Management Plan and the 'Changing Our Ways' policy.*

- *Site is not suitable for a landfill and it was not one of the ones picked by Galway Co. Co. and MC O Sullivan as a suitable site for Galway.*
- *Three landfill sites may be situated within a 7 mile radius of Kilconnell*
- *Reference was made to An Bord Pleanalas recent refusals on two applications by Celtic Waste in Meath and Cork.*
- *One submission was addressed to the Galway City Manager and expressed concern at reports that waste from Galway City would be disposed of in East Galway by landfilling or incineration.*
- *A voluminous submission (Submission No. 91) was received from the Kilconnell-Cappataggle-New Inn Anti-Dump Group. Whilst this submission was labelled 'Appeal to EPA, Ref. No. 178-1', it contained significant information related to the planning process and included: submissions to Galway Co. Co. on the planning application, copies of letters from Galway Co. Co. to individuals, copies of Galway Co. Co.'s requests for information, observations and detailed comments on Greenstar's response to requests for information on the planning process, technical evaluations of information from personnel within Galway Co. Co. or on behalf of it and detailed submissions to An Bord Pleanala appealing Galway Co. Co.'s decision to grant planning permission.*

Inspectors Response:

Issues raised above in relation to planning are primarily matters for the relevant planning authorities (e.g. Galway County Council, An Bord Pleanala). I consider that planning matters do not form part of the Agency's assessment of the waste licence application. The relevance of this facility to the Regional Waste Management Plan is dealt with in Point 8 of the Inspectors Report, above. One of the policies of the Galway Co. Development Plan (2003-2009) is that landfill sites are to be located '*not less than one mile from the nearest occupied dwelling house in the interests of health and safety considerations*'. Compliance with the Co. Development Plan is again a matter for Galway Co. Co. In relation to public notification of the waste licence application/EIS, this was carried out as part of the normal application process for a waste licence (i.e. site notices and newspaper advertisements).

2. *Traffic*

- *The issue of poor inadequate roads, increased traffic and the risk from it was raised in a number of submissions.*
- *Significantly increased traffic levels on the public roads*
- *State of road network, road junctions and roads to be used by the applicant are inadequate, unsuitable and unsafe.*
- *Roads are narrow and dangerous and the increased traffic (including HGV's) poses a seriously increased risk to people.*
- *People and children who use the roads to cycle and walk will be seriously at risk as will farm animals.*
- *No plans to improve the roads network in the area.*

Inspectors Response:

Issues raised above in relation to traffic and roads are a matter for Galway Co. Co. and An Bord Pleanala.

3. *EIS issues:*

The EIS is stated to be inadequate in general and in particular;

- *Impact on flora/fauna, human health, animal health, agricultural products is unacceptable or not adequately described*
- *Risk to surface water and groundwater resources in the area is unacceptable.*
- *Air pollution/odour and visual impact to be caused by the facility is unacceptable and the level of vermin and pests which will be attracted to the facility is unacceptable.*
- *Issue of alternative sites has not been adequately addressed*
- *Inadequacy of the proposed Landfill Gas Flare to adequately treat gas arising*
- *Waste Water Treatment plant was not specified to accept leachate*
- *Extra traffic (sixty extra lorries per day) coming and going from the facility*
- *more detailed plan for groundwater sampling should have been included.*
- *Operational plan to control nuisances is absent.*
- *EIS omitted two important birds – Kestrel and Cuckoo*
- *Wildlife survey was non-existent*
- *Not clear how the aquifer beneath the site functions.*
- *Ecology, habitat and BAT survey were not comprehensive enough.*
- *As the proposed borrow area covers an area of 5.7 ha, an EIS should be specifically prepared for this as required by the EIA Regulations.*
- *No regulation of waste collectors/transporters seems to be in place*
- *One submission specifically refers to (i) the failure of Irish authorities to correctly transpose the EIA directive (97/11/EC) into Irish law (ii) the IPPC, Seveso II and EIA Directives have not been transposed into Irish law in an integrated manner (iii) the EIS failed to contain the minimum mandatory information required and (iv) there is an infringement of the EIA directive in that the information was not made available by Galway Co. Co. at a reasonable time or cost.*

Inspectors Response:

I am satisfied that the environmental impact assessment carried out was adequate for an assessment of any likely significant effects on the environment. I consider that sufficient information was provided in the waste licence application, EIS and subsequent responses to allow an assessment of the impacts on the environment. Also, I do not consider that a separate EIS is required for the borrow area as this is within the boundary of the proposed facility. I am satisfied that compliance with the conditions of the recommended PD will ensure that the requirements of Section 40(4) of the WMA 1996 are not contravened. It is noted that the Waste Management (Collection Permit) Regulations, 2001 provides for the permitting of waste collection activities under the Waste Management Act 1996. The issue of the

transposition of EU Directives by the relevant authorities is not a matter to be addressed in the assessment of this waste licence application/EIS.

4. Groundwater/Geology/Hydrogeology

The issues raised included the following:

- *Developer should ensure no contamination of the Kilconnell Public Water supply (approx. 2.5km away) takes place.*
- *Drinking water from wells, group water schemes and rivers will be polluted and facility will impact on groundwater.*
- *Concern was raised in relation to the lining system proposed for the facility.*
- *Reference was made to the high yield from an on-site well which is classified as a locally important aquifer.*
- *The proposed site in hydrological, hydrogeological and geological terms is unsuitability.*
- *The bedrock aquifer underlying the site should be classified as 'Locally Important, generally moderately productive, with Extreme vulnerability (Lm/E)'.*
- *Can the Agency guarantee that water supplies will not be polluted and, if so, will Celtic Waste provide an alternative supply.*

Inspectors Response:

The issues of groundwater, aquifer classification and geology/hydrogeology have been dealt with earlier in this report. The facility will be lined in accordance with the Landfill Directive and compliance with the terms of the recommended PD should ensure that significant environmental pollution of drinking water supplies (wells, group water schemes, public water supplies) and groundwater should not arise. Also, Condition 9.4.3 of the recommended PD requires, that in the event that the facility is having an adverse impact on water supplies, this should be treated as an emergency and alternative supplies provided.

5. Water

The issues raised included the following:

- *Direct discharge of storm water should not take place and that disposal to a reed bed and percolation area should be considered.*
- *Risk to/impact on salmon and trout rivers (Raford and Dunkellin Rivers) and oyster fisheries, fish farms and co-ops.*
- *The upper limit zone for various fish species, fauna and macro invertebrates has not been adequately described*
- *Impact on water quality from site development, engineering and operational phases.*
- *Presence of three spined stickleback species (*Gasterosteus aculeatus*) is present in the Killaghmore stream at the location of the proposed landfill*
- *Risk to cattle/humans who drink water from the streams*
- *The design capacity of the proposed surface water lagoon is not correct.*

- *Adequate buffer zones (with fencing) should be maintained between the site and main watercourses flowing through it.*

Inspectors Response:

The applicant will be required to put in place surface water control measures (prior to construction and during operation of the facility) as specified in Condition 3.16 of the recommended PD. This includes a number of measures including the installation of a surface water retention lagoon, surface water swale, monitoring arrangements and the provision of isolation valves to allow discharges to be stopped. In addition to chemical analysis of surface water quality, the licensee will be required to carry out annual biological and electro-fishing monitoring on adjacent watercourses. The applicant will also have to consult with the Western Regional Fisheries in advance of the re-diversion/culverting of the Killaghmore/Ballintober streams. I am satisfied that compliance with the terms of the recommended PD should ensure that surface water will not be significantly impacted on.

6. Health

- *The issue of health and safety was raised in a number of submissions.*
- *Facility will pose a risk and danger to the health and safety of people, children (born and unborn) and nearby schools*
- *Adverse impact of traffic on health*
- *A number of hospital consultants and doctors from Portinucula Hospital have expressed serious concern for people living near a landfill site (in this case 116 within 2.5 miles)*
- *Account should be taken of the Research carried out by Trinity College which purports to show that mothers living close to landfills are more likely to have children born with birth defects.*
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Inspectors Response:

I recognise that there are public concerns regarding the health impacts associated with waste management facilities. However, I also note that recent studies (e.g Health Research Board) were inconclusive in establishing a link between specific health problems and landfill exposures. The proposed facility will be a modern engineered landfill and will be designed, constructed and managed (as required by the recommended PD) in accordance with BAT for landfills. I am not aware that any of the submissions received in relation to the waste licence application represented the views/concerns of doctors/consultants at Portiuncula Hospital.

7. Impact on property, schools, houses, agriculture, horticulture

- *Siting a landfill in this area will result in serious impact on local property and investment in area.*
- *Development will be injurious to the community and its ongoing regeneration/renewal and it will not be compatible with other developments in the area.*

- *Area is zoned for agriculture and not for siting a landfill.*
- *Concern in relation to distance to/number of houses, school, agriculture and a populated area.*
- *Danger to schools, community centre, sports facilities, playing pitches etc.*
- *Impact on quality of life for people in the area and divisions it has/will continue to cause in local community*
- *Proposed facility would be contrary to REPS*
- *Farm produce will be impacted on.*
- *Cumulative effect of proposed N6 Dublin to Galway road, phone masts, gas pipeline and proposed landfill is too much for the community*

Inspectors Response:

Many of the issues raised above are a matter for the other authorities (e.g. planning). I note the concerns noted above in relation to the impact which the facility may have on the surrounding environment. However, I am satisfied that the activities would, subject to the conditions of the recommended PD, comply with the requirements of Section 40(4) of the Waste Management Act 1996.

8. *Air quality, noise*

- *Serious impact on air quality*
- *Increased nuisance in terms of landfill gas, odour and dust*
- *Increased and unacceptable levels of noise for the local community.*
- *Reference was made in one submission to the adverse impacts (smells, odours) one gets when visiting the landfill in Ballinasloe.*

Inspectors Response:

The recommended PD contains a number of conditions in relation to minimising the impact which emissions may have on the surrounding environment. The applicant will be required to monitor for dust, landfill gas and noise while emission limit values have also been set for such parameters and to take remedial action where monitoring results show this to be necessary. Potential nuisances such as odour are controlled by Condition 7 of the recommended PD. The issue of nuisances arising at Pollboy Landfill is not a matter to be dealt with in the Agency's assessment of the waste licence application for this proposed facility.

9. *Nuisances*

- *Increased nuisance in terms of vermin, flies, birds*
- *Birds will transfer waste to the school play areas.*
- *Vermin and birds could carry disease onto nearby lands and impact on water quality, agriculture human and animal populations.*
- *Litter will be blown onto nearby farms.*

Inspectors Response:

Potential nuisances from the proposed facility are controlled by Condition 7 of the recommended PD. Disease transfer will be mitigated by other control/mitigation measures (e.g. vermin control, bird control, litter management) together with proper operation and management of the facility.

10. Waste acceptance

- *Facility could be a site for toxic and hazardous incinerator ash in the future.*
- *Facility should be managed correctly in relation to the types of waste, size of exposed tipping face and the measures to ensure that only non-hazardous wastes are landfilled*
- *No assurances as to how long the site will last, what type of waste will be accepted and who will police this.*
- *Site could accept hazardous waste in the future*

Inspectors Response:

The recommended PD does not provide for the acceptance of incinerator ash at this facility. The management of the facility is set out in the recommended PD and it only allows the landfilling of non-hazardous waste. The applicant stated that the facility will have an operating life of 10 years. The EPA will be responsible for the enforcement of any waste licence issued.

11. Fires

- *A fire may cause damage to the lining system and leachate will pollute underlying groundwater.*

Inspectors Response:

Any fires at the facility are required to be treated as emergencies and the recommended PD also requires the preparation and submission of an Emergency Response Procedure to the Agency.

12. Ecology/archaeology/heritage

- *Impact on surrounding countryside including flora, fauna and habitats.*
- *Impact on wildlife/protected species*
- *Presence of long eared owls, barn owls, hen harrier and other species (e.g. foxes, badgers, bats).*
- *Ecology of the site is rich and a variety of birds, fish, animals, trees and plants are found on site.*
- *This general area is known to be rich in archaeological features.*
- *Killaghmore townland is very rich in heritage terms and site contains a famous old schoolhouse and ancestral house*

Inspectors Response:

The EIS contained information on the ecology/cultural heritage of the existing environment together with proposed mitigation measures. Owls or the hen harrier were not noted during the surveys conducted as part of the EIS. The applicant will

be required to consult with The Development Applications Section of The Department of the Environment, Heritage and Local Government, (formerly Dúchas) and forward the results of any archaeological monitoring to this section and the Agency.

13. Visual

- *Negative visual impact on surrounding properties and the local environment. Residents weren't consulted on this.*

Inspectors Response:

Information on the visual impact which the facility may have on the surrounding environment was included in the EIS. I consider that compliance with the conditions of the recommended PD should minimise the visual impacts of the proposed facility.

14. Miscellaneous

- *Applicant does not own some of the lands and traditional 'right of ways' will be blocked.*
- *Local community were excluded from participation (as per Aarhus convention) and reference was made to the applicants alleged policy of using financial inducements*
- *Consultants on behalf of Local Action Group were excluded from the site to carry out tests etc.*
- *No guarantee that Celtic Waste will be around in 20-50 years to manage the facility.*
- *Reference was made to the recent landslides in Derrybrien and the possibility this may also happen at this site.*
- *Policies that drive low cost landfill delays the implementation of proper recycling and waste minimisation. An alternative to a massive super dump is to recycle 75% of waste.*
- *Material taken from borrow pit will be unsuitable for use in construction of landfill.*
- *Proposed facility does not reflect BAT and it is not in compliance with national guidelines (e.g Changing our Ways) or EU directives (e.g. 91/156/EEC, 1999/31/EC) particularly in relation to waste.*

Inspectors Response:

Some of the issue raised above (e.g. land ownership/'right of ways', alleged financial inducements, etc) are not matters to be dealt with by the Agency in its assessment of the waste licence application. The recommended PD requires the preparation of an environmental liabilities risk assessment and this includes financial provisions necessary for the decommissioning and closure of the facility. Condition 5 of the recommended PD controls the storage of peat/soil at the facility. The material extracted from the borrow area will be used in the construction and also in the capping of the proposed facility. As stated earlier, the proposed facility will be constructed in accordance with BAT for landfills and the licensee will be required to

comply with the waste treatment requirements specified in Condition 1.5.3 of the recommended PD.

Signed _____

Dated:

Dr. Michael Henry
Inspector, Environmental Management & Planning

APPENDIX 1
LOCATION MAP & LAYOUT PLAN
Drawing 1501072/01/303 & Drawing 1501072/01/304 Vol III EIS