



OFFICE OF LICENSING & GUIDANCE

INSPECTORS REPORT ON A LICENCE APPLICATION

To:	DIRECTOR OF LICENSING & GUIDANCE	
From:	Dr Tom McLoughlin	- LICENSING UNIT
Date:	15 th December 2005	
RE:	Application for a Waste license, from Dublin City Council For a Civic Amenity Facility at Labre Park- Licence Register Number 221-1	

Application Details

Type of facility:	Civic Amenity Facility
Class(es) of Activity (P = principal activity):	4 th Schedule: 13 (P) & 3 and 4 3 rd Schedule:13
Quantity of waste managed per annum:	34,000 t
Classes of Waste:	The proposed development is a Civic Amenity Facility. The facility will provide a yard area to allow members of the public to dispose of domestic recyclable materials, green waste and civic amenity bulky wastes.
Location of facility:	Labre Park, Ballyfermot, Dublin 12
Licence application received:	22/7/2005
Third Party submissions:	Thirteen
EIS Required:	Yes.
Article 14 Notices sent:	3 rd October 2005

Article 14 compliance date:	22nd November 2005
Site Inspection:	6 th October 2005 Site notice compliant

1. Facility

The proposed site is owned by Dublin City Council (DCC). The site is located approx. 30 metres to the south of Labre Park, Ballyfermot, in the south central area of Dublin City, 2km south of Ballyfermot Village. The proposed facility will be located in an area of suburban land which has not been used for a number of years and as a result has become waste ground used historically for unauthorised dumping of waste materials and the grazing of a small number of horses. The nearest receptor sites are a number of social houses approx 40 m away. DCC propose to build more social houses the nearest will be situated approx. 12-15 m away.

The site will cover an entire area of *ca.* 11,053m² (1.1ha) and will include a number of distinct areas as follows:

- General civic amenity and green waste deposit area – *ca.* 4,412m²
- Waste electrical and electronic equipment storage area - *ca.* 435m²
- Construction/demolition deposit area – *ca.* 985m²
- DCC Street Cleansing deposit area – *ca.* 1,010m²

The applicant informed the Agency that during the summer of 2005, 2,810 tones of waste material which had been illegally dumped was collected from this site by DCC for disposal at a cost of €574,231.00. Photographs of the clean up were provided.

According to the applicant, there is evidence that a range of materials have also been deposited on the site and a mixture of waste materials was encountered beneath the top layer of soil, i.e. a minimum of 30 cm below ground level. The deposited material included clean C&D waste, predominantly clay material, with a few stones, plastic fragments, and tarmacadam, commercial waste, bags of un-identified granular material, partially decomposed organic material, municipal solid waste, including plastic bottles, textiles, cardboard and paper. DCC have estimated that the volume of fill is within a range of 95,000 M³ to 114,000 M³.

A site investigation programme was conducted by the applicant to determine whether the material poses a risk to users of the site and employees at the site and to ascertain if any groundwater contamination had occurred. Following the results of the investigation the applicant proposes that the materials within the site should remain in-situ and

should be largely undisturbed and provide an operational platform for the CA site.

It is my opinion that the development of the site should not result in any significant long term cumulative effect on the soil or groundwater environment as the material that has been deposited at this site would be classified as non hazardous material.

The detailed analysis of the soil and groundwater samples indicates that the materials deposited within the site are not impacting on soil or groundwater to any significant extent.

It should be pointed out that monitoring of the groundwater will be a requirement in the RD.

It is also my opinion that the production of landfill gas at this site would be low based on the type of fill historically deposited at this site. However, as a precautionary measure, venting for any trapped gases, as they may arise, is catered for under Condition 3.3 of the RD.

I wish to point out that the above development has been applied for under Class 4 of the Fourth Schedule, the fill material providing a formation layer for the main development and thereby being a beneficial use.

According to the applicant, correct segregation at the proposed CA facility will be ensured by collecting materials in separate receptacles/waste deposit areas. All waste deposited will be removed from the site for further processing.

Green waste will be left or temporarily stored at a reception area in the dedicated green waste area mainly by members of the public, and will then be compacted in dedicated containers before being shipped off site for further processing approximately every 48 hours. No shredding or composting will take place at this facility.

Areas of the facility will be dedicated to:-

- the storage and compaction of the contents of the street cleansing vehicles.
- the bulk storage of waste electrical and electronic equipment before they are moved elsewhere for reprocessing.
- the used for the storage of C&D rubble and household bulky waste.

The council propose to authorize non staff personnel to use this area. Any such authorization must accord with the licence and does not negate the responsibility of council under the licence and any other code.

DCC requested the following operational hours during:

Summer

07:00 - 20:00 Monday-Friday

08:30 - 17:00 Saturday

Winter

07:00 - 17:00 Monday-Friday

08:30 - 16:00 Saturday

They requested the following hours for waste acceptance/handling at the Civic Amenity Site:

Summer

08:00- 19:30 Monday-Friday

09:30- 16:30 Saturday

Winter

08:00 - 16:30 Monday-Friday

09:30 - 15:30 Saturday

This recommended decision (RD) allows waste acceptance, handling and operational during the hours that was requested as they are in my opinion reasonable taking on board any potential nuisance that might be caused to the nearest receptor sites

See condition 1 of RD.

Operational Description

The vast bulk of household waste arising in Ireland is landfilled.

However, EU and National Policy is that landfill should be the last resort after all other options for treatment and processing have been exhausted.

It is broadly recognised that additional recycling facilities are required in the Dublin Region, in line with efforts to increase recycling and recovery rates and to establish a more sustainable alternative to landfill.

The benefits of providing a new Civic Amenity Facility at Labre Park are: It deals with waste in accordance with the recognised waste management hierarchy

- It will exert a positive environmental impact
- It is a specific recommendation of the Dublin Waste Management Plan to provide a number of civic amenity sites
- It is in line with EU and National waste management policy and legislation
- It provides an improvement in the recycling and deposition infrastructure in the South Central Dublin City area.

3. Use of Resources

Electricity will be required for the weighbridge, the control building, site lighting and the waste compactors. Water will be required for the site office and site cleaning. Fuel will be required for the front end loaders and other waste handling vehicles. The estimated annual rates of usage are as follows: diesel 5,000 litres, electricity 40, 000 units, water 1,200m³.

4. Emissions

4.1 Air

Odour

There are no defined emission points on this site, as on-site activities do not produce major emissions to the atmosphere. There will be negligible potential for odour generation, as green waste material and road sweeping wastes will be stored in sealed compactors and will be regularly removed from the site.

The RD will requires odour control measures to be put in place at this facility as per condition 6. Air monitoring will be required for odour as per Schedule C.

Bioaerosols

The proposed Civic Amenity Facility will not cause any significant bioaerosol, impact. Green waste and deposit waste will be removed off-site at approximately 48 hour intervals. The applicant has stated that no shredding or composting of green waste will take place on the site. All green waste will simply be collected for transport for off site composting. The operation of compacting the green waste into containers minimises the potential for an increase in bioaerosols such as *Aspergillus fumigatus* or Mesophilic bacteria at the proposed facility.

Literature reviews carried out on the health implications from bioaerosols show that no environmental human health effects have been reported for a facility such as this from anywhere in the world. *Aspergillus* is ubiquitous in the environment and several domestic daily activities are associated with higher levels. The applicant concludes by stating: *Indeed it is certainly possible that innocuous activities such as cutting the grass would result in a greater peak in Aspergillus levels than the proposed facility.*

A baseline bioaerosol assessment of the proposed civic amenity was carried out by the applicant and the results indicated that no bioaerosol

impact exist at this site. As there will be no composting of green waste (bioaerosols are associated with the composting process) carried out at this site it is my view that the risk to human health from bioaerosols is negligible from this proposed CA facility. For this reason I see no reason why monitoring of bioaerosols is required.

Dust

The potential for generation of dust from the Civic Amenity Facility is considered to be minimal. During construction, mitigation measures will control dust on the neighborhood, while during the operational phase, good general housekeeping will ensure that dust generated due to spillages is minimised.

Dust monitoring will be required as per Schedule C of the recommended RD.

4.2 Emissions to Sewer

Foul water drainage from the proposed site office will be discharged to the existing foul sewer system in the area. This will be domestic waste water from 5 to 8 staff. Surface water runoff from the street cleaning area will also be directed to the foul water sewer. The runoff from this area will be equivalent to a very light leachate, at most.

4.3 Emissions to Surface Waters

There are two surface water systems that are in close proximity to the proposed site: the Grand Canal and a tributary of the Camac River, the Galback Stream. The quality of the Grand Canal is generally considered to be good, however it can be concluded that the River Camac is seriously polluted in the vicinity of the proposed site, but this condition is not a consequence of the site.

According to the applicant the recyclable wastes will be stored in open top skips and residual waste will be compacted into enclosed skip containers with no surface water discharge.

Surface run off from the hard stand area will be collected in collection gullies and passed through a grit trap and an interceptor before being discharged to foul sewer by a rising main. If uncontrolled, the proposed facility may have the potential to contaminate surface water in the Grand Canal and the Camac River by runoff from the hard stand area.

The potential impacts would include silting and increased run off during rain storms, which would increase the flows in the Grand Canal and in the Camac River and contribute to the possibility of flooding.

The proposed mitigation measures include directing all surface run off to an oil interceptor and grit trap, before being discharged to the Galback Stream.

The mitigation measures have been incorporated in to the design of the facility and include:

- Concrete hardstand area;
- Collection gullies for runoff which are directed to foul sewer;
- Bunded area for hazardous recyclables;
- A hydrocarbon interceptor;
- A grit (sediment) trap;
- Surface water attenuation tank, and
- Hydro-break flow control device.

All surface water run-off from the hardstand area will be directed to collection gullies and the surface water attenuation system. This will consist of a storm storage cell attenuation tank and a hydro-break flow control device. This system will regulate the flow of surface water into the Galback Stream to 5 liters/second/hectare. Before being discharged into the stream the run-off will also pass through a silt trap and a hydrocarbon interceptor.

The surface water runoff from the Street Cleaning Area will be collect separately and will be directed to the foul sewer network.

The proposed mitigation measures which will be put in place as outlined in the application will ensure there will be no likely significant effect on the flow regime of the Camac River

The RD requires monitoring of certain parameters in accordance with Schedule C.

4.4 Emissions to ground/groundwater:

There will be no emissions to groundwater at the proposed facility.

The site will be covered in impermeable hard standing (Condition 3.3).

No direct emission to groundwater is allowed (Condition 5).

The applicant will be required to carry out groundwater monitoring as per condition 3 to monitor at two locations for potential contamination due to leachate.

4.5 Wastes Generated:

All waste deposited will be removed from the site for further processing. The site layout has been designed to accommodate vehicles which will come on site to remove the waste. Typically these vehicles will visit the site during normal operational hours and to minimise disruption to the operation of the site, and the potential safety risk they cause to users, all waste being collected will be contained in receptacles which are suitable for lifting or emptying directly on to the collection vehicle. These containers will include:

- Modular banks, each for a separate material e.g. green glass Eurobins (1200 litre wheeled bins)
- Enclosed and open skips
- Ro-Ro Containers (fully enclosed and open)
- Static/ mobile compactor containers/units

The following waste will be stored pending removal from the proposed facility:

Waste Type	Quantity
CA Recyclables/ Household Bulky Waste	6,000 tonnes
Green Waste	10,000 tonnes
Street cleansing Waste	10,000 tonnes
C&D and Bulky Waste	6,000 tonnes
Waste electrical and electronic equipment	2,000 tonnes
Total tonnage	34,000 tonnes

4.6 Noise:

The proposed site is located in a mixed residential and industrial/commercial area. The noise sensitive locations where greatest impact will be felt presently are the houses in Labre Park, which are between 40 and 50m north of the site boundary.

A new housing development is planned at the site between Labre Park and the northern boundary of the proposed civic amenity area. These

houses will be the nearest noise sensitive locations to the site, and will be within 15 m of the site boundary.

To ensure that noise impact is minimised during the operational phase a 3m high wall (noise barrier) will be constructed along the northern boundary of the site, this will be facilitated by the construction of a wall to the rear of the proposed new housing development at Labre Park. The calculated noise levels at the adjacent houses, and at the adjoining residential development lands are in the range 46 to 53 dB(A) LAeq. While this indicates that there may be a small increase in noise level the impact will be not be significant.

Schedule C set the requirements for noise monitoring. The noise emission limit values to be measured at any noise sensitive location are set in Schedule B.

4.7 Nuisance

Potential nuisances at the facility are controlled by Condition 6.5 of the RD. This condition states:

The licensee shall, on a daily basis, inspect the facility and its immediate surrounds for nuisances caused by vermin, birds, flies, mud, dust and odours. The licensee shall maintain a record of all nuisance inspections.

5. Cultural Heritage, Habitats & Protected Species

The site does not contain any protected structures and is not located within a protected area, however it does, to the south, border on part of a Proposed Natural Heritage Area (PNHA), the Grand Canal. The proposed development does not impinge on the Grand Canal according to information furnished by the applicant.

6. Waste Management, Air Quality and Water Quality Management Plans

The Dublin Waste Management Plan (1998) adopted by Dublin City Council, Fingal County Council, South Dublin County Council and Dun Laoghaire Rathdown County Council, aims to greatly increase recycling, introduce waste recovery and minimize landfill. To date, Dublin City Council has made significant progress in the provision of source separation and collection of recyclables (kerbside) to the Dublin Region. The establishment of Civic Amenity facilities will complement the kerbside collection scheme and two other CA sites already in operation and will go a long way towards improving waste collection to enable increased levels of recycling. They also state that a number of Irish and European laws are applicable, directly or indirectly, to waste

minimisation or recycling which in turn supports the development of Civic Amenity sites.

7. Compliance with Directives/Regulations

In relation to the Groundwater Directive, the facility will not have any direct emission to groundwater.

8. EIS

I have read and assessed the EIS that accompanied the application and am satisfied that it complies with the requirements of the Licensing and EIA Regulations.

9. Submissions

Thirteen (13) valid submissions were received in relation to this application.

Submission No 1 from the Eastern Regional Fisheries Board who made a number of points including:

- A comprehensive and integrated approach for achieving surface water protection during plant construction and operation should be implemented as described in the EIS.
- Water quality monitoring of both surface and ground water should be undertaken on a regular basis as a standard practice.
- That the EIS identifies the absence of rare or protected species at the site. However, salmonid species are present in the Carmac river. Any discharge from the site has the potential to impact the Carmac and Liffey rivers downstream.

Comment

The RD requires that surface water and groundwater quality will be monitored on an annual basis. Conditions in the RD ensures that the risk to human health and the environment from this facility will be very low.

Submissions No 2, 7 & 8 raise similiar concerns, prepared by Ballyfermot Travellers Action Project (BTAP) on behalf of the residents of Labre park; Francis Muldowney, 41 Kylemore Ave., Ballyfermot and W. Mangan, Lower Ballyfermot Tenants and Residents Association.

The location of the proposed facility in such close proximity to Labre Park is the main issue of contention in their submissions. They stated that the EIS does not mention in any way the usage of BAT in the process of

choosing a suitable site for the proposed development and they felt that the EIS was insufficient in this regard.

The reasons for concern regarding the proximity of the site to Labre Park are detailed below:

1. Health and safety implications-impact of reduced air quality on health considering the sensitivity of children at Labre park, possible risks due to the increased occurrence of “nuisance” at Labre Park, such as flies, rodents etc.; safety concerns to children from traffic and machinery and flooding and the resultant health risk.

Comment

I would regard the concerns raised as very low risk health and safety implications on the nearest receptor sites. The RD sets out specific conditions regarding the carrying on of this activity on this site including Management of the facility, Infrastructure and Operational controls, Materials handling and Monitoring to mention but a few. I am satisfied that emissions and potential nuisance from the facility will not cause environmental pollution due to the stringent conditions that will have to be put in place at this facility as outlined in the RD. Consequently, the risk to human health and the environment from this facility will be very low. I am satisfied that the plans to control any potential flooding at this site are also adequately address in the application. The issue of increased traffic is a matter for the planning authorities.

2. Implications for the travelling community of “segregation” resulting from the complete encircling of Labre Park with “non-residential” development.
 - The proposed development will have a negative impact on the functioning of Labre Park as a residential area. The designation of the Labre Park as a Zone 1 area will be negated by the development of the civic amenity centre in close proximity to it. The consequences of this development is that Labre Park will be surrounded on three sides by industrial development, which is not compatible with “ *the aim to protect, provide and improve residential amenities*, as cited in the Dublin City Development Plan.”
 - The isolation of a small traveller settlement in the middle of an industrial area could be viewed as “segregation”.
 - The travelling community has also used the site of the proposed civic amenity centre for a considerable length of time for the purposes of grazing horses. The development of

this facility will remove this important amenity from the travelling community and no alternatives have been included in the proposed development to ameliorate this important “cultural issue”.

Comment

These concerns are a matter for the planning authorities.

3. Traffic

There is considerable concern among residents in regard to possible negative traffic impacts resulting from this development and it is felt that the E.I.S has not dealt with the issue of traffic sufficiently.

Comment

This concerns are a matter for the planning authorities.

4. Noise

- A number of the residents in the Labre Park live in “trailers” and the proposed future housing development at Labre park, also includes some caravan bays, whereby residents will live in “trailers”. These types of residential units do not have the same capacity as brick built housing to reduce noise impacts from the proposed development. However this issue was not addressed in any way in the E.I.S.
- Overall it is considered that the noise levels at this site are already elevated and that the proposed development will cause further deterioration in the noise environment. The negative impact will be exacerbated because of the proximity of the proposed development to the Labre Park residents, to the proposed community centre/pre-school area and due to the poor “sound proofing” capacity of the caravans in which a number of the residents live.

Comment

Conditions in the RD ensures that noise emissions from the facility will be controlled day and night and will not cause environmental pollution. The risk to human health and the environment from this facility will be very low.

5. Air

- The main concerns relate to the operational period of the proposed development, whereby it is envisaged that emissions from vehicles, dust generation, odours and bioaerosols will have a negative impact.
- Bioaerosols are also of concern with elevated levels of *Aspegillus Fumigatus* and *Mesophillic* bacteria occurring at one of the sites monitored as part of the EIS. The issue of bioaerosols is an important issue considering the fact that composting activities are an important source of bioaerosols.

Comment

Regarding potential environmental concerns mentioned above (dust and odours) and their potential effect on human health, I am satisfied that these concerns will be negligible as appropriate measures are required as outlined in specific conditions in the RD to mitigate against these potential concerns. I wish to point out that green waste will be taken off site within 48 hours of receipt and that there will be no formal composting taking place at this facility and thus concerns regarding bioaerosols which are associated with the composting process are negligible.

6. Flooding

Flooding has been an ongoing problem at Labre Park and residents are concerned that the proposed development would exacerbate the problem.

Comment

A flooding plan has been put in place as outlined in the application and I am satisfied that it is adequate to protect human health and the environment.

7. Loss of Amenity to residents of Labre Park.

It is assumed throughout the EIS that there is currently no amenity value attached to the proposed site for development. Although there are several references to horses grazing on the land, no context is placed on this activity, therefore leading to the erroneous assumption that it is of no significance in planning and environmental terms. In fact the keeping of horses is an activity closely associated with Labre Park, and is, in effect, an extension of the Traveller Community's occupation of housing and temporary dwellings in the vicinity, to the point that it is impossible to separate one from the other.

Comment

This aspect is outside the remit of the Agency and is a matter for the planners.

Submission No 3 from Frances Griffin, 4 Orchard Avenue, Weaver Road, Clonsilla, Dublin 15, a social worker, who raised a number of points in the context of the EIS Statement regarding the proposed Bring Centre and how it might affect the environment and community living beside and near the Centre, in particular he cited the following:

- that this site is the only amenity site in the area for children to play on that traveller family numbers may have been unrepresented in the EIS and that larger family numbers are typical in the population surrounding Labre park that there is an ongoing problem of illegal dumping and copper burning at Labre Park, which is causing nuisance to local residents and commercial premises. This problem needs to be addressed, primarily by the community at Labre Park, in partnership with DCC, who own and manage the Group Housing Scheme.
- The ‘Corona’ Effect’-suggest that pollutant particles receive an electrical charge from overhead power lines that makes them “sticky” – giving people living close to power lines two to three times the average daily dose of potentially damaging chemicals in their lungs.
- air borne organisms, smells

Comment

The first issue is a matter for the planners. The Agency would agree that illegal dumping and the burning of electrical cabling as a means of recovering copper together with the ‘backyard’ burning of other material at this site is unacceptable. I suggest that the granting of this license would address some of these issues. Regarding the potential impacts of electromagnetic fields on human health or what is termed the ‘corona’ effect’ from this site, I note that the HSA were consulted by the applicant in this regard and the HSA are in agreement with the ESB that the risk to human health is low. In my opinion this concern has been addressed

adequately in Section 4.4. 24 of the EIS. The last concern raised has been addressed under Submission No 2 above.

Submission No 4, 5, 6, 9, 10, 11 & 12 from Gerry Royal (2 submissions), on behalf of members of the Ballyfermot Theatre Workshops, Bernadette Warren (2 submissions), 54 Gurteen Avenue, Ballyfermot, Christine Dwyer (2 submissions), 163 Raheen Park, Ballyfermot, T. McGouran, Markiewicz Community Centre, Ballyfermot who raised the following issues:

- total disregard for the rights of the Travelling Community, add to traffic congestion problems of the area.
- Anti-community development
- Members of this group are worried about the pollution that will be produced by this facility and they cite the record of behaviour displayed by a Thornton's which is located in the vicinity of this site
- already have a waste collection facility on the Killeen Road which is close to Labre park and as a result we are persecuted with rates and other vermin.

Comment

The first two concerns are not a matter for the Agency. Regarding the other issues raised, I am satisfied that conditions in the RD will ensure that the risk to human health and the environment from this facility will be very low. The submission has been forwarded to the enforcement office of the Agency for appropriate action having regard to the complaints made with regard to the Thornton facility.

Submission No 13, URS Ireland Ltd., on behalf of C&C Group plc, who stated that their client had a legitimate concern both with regard to the current state of the Labre Park site and the current proposals to redevelop the site as a Civic Amenity centre. This concern arises as a result of the importance of groundwater abstraction to their client who operates a major soft drinks manufacturing and bottling facility approximately 200 m north of the subject site. Approximately 50% of the water used in manufacturing soft drinks is abstracted from an on-site well which taps the bed-rock aquifer which underlies both the C&C Group plc site and the site intended for redevelopment by DCC. They reviewed the EIS and Waste Application Licence and they concluded that :

- A Risk Assessment using the Dutch RISC HUMAN 3.1 Model or the UK CLEA model has not been carried out as recommended in the EIS

- The number of groundwater wells installed is inadequate to understand ground water flow direction.
- No assessment has been completed for landfill gas as recommended in the EIS
- The nature and extent of the contamination in the infilled material has not been defined as recommended in the EIS.
- Depending on the size of the drawdown cone and the hydraulic head, potential contaminated material located up gradient from this production well can be a potential risk to the underlying aquifer and hence the pumping well located on site at C&C Group plc.

In conclusion, by stating should the Agency decide to permit the proposed facility, they requested to include strict conditions within the waste license which would address their clients concerns, in particular in relation to the following:

- Prevention of Groundwater/Surface water Contamination
- Prevention of Dust/Odour
- Pest/Nuisance Control

Comment

It should be pointed out that a site investigation programme was conducted by the applicant to determine whether the material deposited at the site poses a risk to users of the site and employees at the site and to ascertain if any groundwater contamination had occurred. The detailed analysis of the soil and groundwater samples indicates that the materials deposited within the site have not resulted in contamination of the soil or groundwater environment to any significant extent.

The site will have a hardstand in all areas where waste will be stored with appropriate collection infrastructure where necessary. Specific conditions are included to ensure that there will be no discharges to groundwater and monitoring of groundwater is also required. Also, the RD included conditions to control dust/odour and nuisance. I am satisfied that emissions and potential nuisance from the facility will not cause environmental pollution due to the stringent conditions that will have to be put in place at this facility as outlined in the RD.

Charges

The RD requires that the applicant shall pay an annual contribution of €3,628.00 (Condition 12).

11. Recommendation

I recommend that a licence be granted subject to the conditions set out in the attached RD and for the reasons as drafted.

In making the recommendation for a waste licence I have taken into account all information submitted as part of the application.

I am satisfied, on the basis of the information available, that the waste activity, or activities, licensed hereunder will comply with the requirements of Section 40(4) of the Waste Management Acts, 1996-2005.

Signed

Dr Tom McLoughlin

Senior Inspector

Procedural Note

In the event that no objections are received to the Proposed Decision on the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2005.