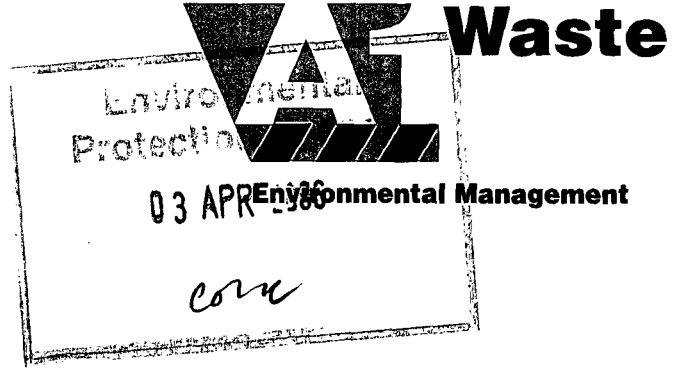


Sub on obj

Ms Anne Bosley,
Programme Officer,
Office of Licensing and Guidance,
Environmental Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
County Wexford



29 March 2006

Reg. No. 47-2

Dear Ms Bosley,

Please find below submissions on the valid objections received in relation to the above. I deal with each objection separately.

1. Naas Golf Club:

I will deal with the issues raised in the order in which they are presented in the objection.

a. Contours:

The PD deals with the regularisation of the final approved contours for the engineered landfill between the existing planning permission for a landfill and the existing licence. Conditions in both the existing planning permission for a landfill and the existing waste licence relate to the final contours of an engineered landfill. We have explained to the Golf Club that, due to issues outside our control, the development of the facility is ongoing. We have progressed this development as fast as is possible under the different constraints. The licensee intends to, and is committed to, excavating this waste, further processing it to recover as much as possible and disposing of the residue in the engineered landfill. An engineered landfill will then be constructed in this area whose final heights shall conform to the specified heights. We have agreed with the Golf Club to landscape the area which can be viewed from the 10th tee and have carried out much of this work. We are in ongoing communication with them to further resolve any further issues. The individual points raised by Naas Golf Club under this heading do not appear to be relevant to the condition dealing with the final contours.

b. Inclusion of Composting in authorised processes/Addition of household derived recyclables.

Service/Skip Hire: 01 466 4444
Head Office: 01 466 4400
Accounts: 01 466 4460
Customer Care: 01 466 4424
Fax: 01 466 4411
E-Mail: info@a1waste.ie
Website: www.a1waste.ie

3 Broomhill Business Complex, Broomhill Road, Dublin 24.

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I do not disagree with the Naas Golf Club that organic material and composting processes have the potential to generate odours. Hence, the provision of a dedicated building for waste acceptance and mixture and the use of the best available in-vessel composting technology, which includes a biofilter for odour control, at the facility. Such technology is used in many parts of the world, including the UK, Canada and the United States without causing any odour nuisance. National and EU waste policy and legislation and local authority waste management plans require the use of composting technology to achieve specified waste targets.

2. Mr Michael Foley:

- a. Mr Foley's objection seems to comprise a general complaint. I would disagree with many of the issues he raises, such as mud on the road, dust in summertime, ignoring complaints, etc. I am not sure what he is referring to when he speaks of distances of building etc from his house. I am not aware of any specified distances in any regulations, or when he refers to baling and packaging on his doorstep, nor is there a proposal for 24 hour working. Issues relating to odours and vermin from the composting operation have been dealt with in the conditions of the Proposed Decision. Some waste, which is mainly collected locally, is delivered to the facility in skips but most waste is bulked up first and delivered in trucks. Considerable planting has been carried out and further such work is planned for this year to provide screening of the facility as has been proposed and agreed under the relevant authorisations. We appreciate Mr Foley's stated support of our recycling efforts but disagree with his allegations in relation to the company's history. The Prime Time programme he refers to has long since been discredited as being, at best, inaccurate. Our legal advice is that we are in compliance with our planning permissions. There are some issues in relation to interpretation of conditions of the licence with the OEE and we are in ongoing discussions with them on these issues. Our legal advice in relation to many of the issues is that our interpretation is correct, and this has been proven on a number of occasions. We hope that any outstanding issues will be resolved sooner rather than later.

3. Mr Liam Foley and Mrs Deirdre Foley:

I address some of the conditions objected to below.

- a. Condition 1.6. The specified hours in the PD are the same as that in the current waste licence. No application was made to change these hours. We have put in place measures to produce our own concrete which will eliminate, or greatly reduce, the delivery of concrete to the facility. We are using the recovered aggregate in the on-site production of concrete and hope and intend that this will reduce impacts such as described in the objection relating to the delivery of concrete.

- b. Condition 1.10. I refer again to the enforcement issues in relation to the existing licence. We acknowledge that there are some issues in relation to interpretation of conditions of the licence with the OEE and we are in ongoing discussions with them on these issues. Our legal advice in relation to many of the issues is that our interpretation is correct, and this has been proven on a number of occasions. We hope that any outstanding issues will be resolved in the near future.
- c. Condition 3.27. This appears not to be an objection to the condition referred to but a complaint about existing infrastructure.
- d. Condition 3.28. The objectors mis-interpret Planning Permission 01/1364, appear to be unaware of developments under the existing waste licence and are incorrect in their conclusions. We note and are satisfied to comply with the requirements for curing areas for the compost.
- e. Condition 5.3 and 5.6. We are satisfied that the licensee has been, and will be, in compliance with these conditions.
- f. Condition 6.11.2. We are pleased to note that the objectors are happy with this proposed condition.
- g. Condition 6.18.9. The objectors are incorrect in their allegation. No development of landfill gas infrastructure has commenced yet.
- h. Condition 6.18.10. Considerable landscaping has been carried out and more is planned for this year.
- i. Condition 6.20. Birds are not attracted to the site and do not congregate there.
- j. Conditions 6.21.3 and 6.28. We note that the objectors acknowledge our assistance when they reported an impact from the vibrating roller during construction of Phase 1.
- k. Condition 10.2. Planning permission exists for a final level of the engineered landfill of 108Mod. This was granted following assessment of a full application including an EIS. The licensee pointed out at the time of granting the initial waste licence that the level of 108Mod was addressed in the EIS submitted with the waste licence application and, furthermore, that the imposition of a level of 100Mod was actually below the existing land levels and also would mean that a contoured final surface, as recommended in all landfill guidance, including those published by the EPA itself, could not be attained.

1. Conclusions: The objectors are incorrect in their interpretation and discussion of the planning permission for the facility.

4. Ms Hannah Foley and Mr Michael Butler:

Most of the points referred to in this objection have already been addressed above in relation to the objection from the Foley's. However, I would like to address the first point raised in the objection.

a. First Point. We totally disagree with the allegation of Ms Foley and Mr Butler in relation to our authorisations. As stated elsewhere, our legal advice is that we are fully compliant with our planning permissions. I have also referred elsewhere to issues which involve the OEE and the enforcement of the existing licence. These objections demonstrate the huge responsibility the OEE have to ensure that any non-compliances issued are correct.

Thank you for your assistance in this matter.

Yours sincerely,



Dr Ted Nealon, B.Sc., M.Sc., Ph.D. MCIWM
Director

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