



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

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22 March 2005

204-1

re: Second Notice in accordance with Article 16(1) of the Waste Management (Licensing) Regulations

Dear Mr Wall

I am to refer to the above referenced application for a waste licence relating to a facility at Brownfield Restoration Ireland Ltd, Whitestown Lower, Co Wicklow. Your two page letter of 25 February 2005 refers, which sets out a request to redefine the boundary of the facility by its reduction (in part) on the south-east down-gradient side of the site; and a proposal to install a groundwater barrier wall (and associated diversion of groundwater) between the same south-east face and the Carrigower River (SAC).

Further it has come to the Agency's attention that the Carrigower River is now a designated SAC as per EU Commission Decision of 7 December 2004 adopting, pursuant to Council Directive 92/43/EEC, the list of sites of Community importance for the Atlantic biogeographical region (See entry: IE0000781 Slaney River Valley * 2 012 W 6 32 N 52 29. EU OJ of 29.12.04).

The Agency is giving detailed consideration to the application, in particular the new information as above, and to complete this task and to formalise your proposals as additional application material the following information, particulars and evidence are required in accordance with Article 16(1) of the Regulations.

Please provide complete answers to each question and note the reporting requirements in the last paragraphs of this letter:

ARTICLE 16(1) - FURTHER INFORMATION, PARTICULARS AND EVIDENCE

- (i) Provide drawings and a rationale for redefining the boundary of the facility by its reduction (in part) on the south-east down-gradient side of the site. Describe the details surrounding a similar facility boundary issue at Balleally Landfill (9-1) which you referred to in the letter, and state why this matter is of consequence at the applicant facility;
- (ii) Provide a statement from the applicant regarding the commitment to maintain and retain the floodplain under the applicant's ownership. Provide information as to the proposed systems and operating procedures to implement this undertaking. State whether it is envisaged willow trees shall be planted on the floodplain.



(iii) Provide information for the purpose of enabling the Agency to make a determination in relation to the matters specified in paragraphs (b) and (c) of section 40(4) of the Acts regarding the groundwater proposal expressed in your letter (paragraph 7) to install 'an upgradient groundwater diversion system, and a downgradient groundwater barrier/leak containment system, such as a bentonite slurry wall'. Report in the following manner:

- (a) Revise, by fully integrating the groundwater management proposal, the risk assessment report to replace the existing report of Appendix 9 of the application EIS. Further, provide for the loss of institutional control at the landfill and the consequence of any surface breakout from the landfill and over the proposed bentonite wall at the main receptor (the Carrigower River). Do this by modelling at 60 years post-closure (pumps are turned off); after 250 years, and at around 1000 years;
- (b) Revise and re-issue Sections 2.15.5; 3.7.2.2; 3.7.3 and 3.7.4 of the EIS to include details of any leachate emissions from the cut-off wall. This section of the EIS hypothesised that leachate from the base of liner is a limited potential risk to the river. What is the new hypothesis, if any. Further provide information on the handling and disposal of leachate which will arise at the foot of the bentonite wall.
- (c) Provide a statement as to when the cut-off wall will be constructed *i.e.* pre or post landfill cell construction/waste recovery. Outline the cut-off wall construction method (and its QA/QC), depth profile and which formation the base of wall is to be keyed into, and whether its construction will have a bearing on the adjacent SAC. Determine the risk to the cut-off wall in times of flood from the River and whether the wall would be undermined.
- (d) State if there is any waste downgradient of the proposed cut-off wall.
- (e) Provide details of new groundwater monitoring infrastructure to monitor the wall internally and downgradient during the course of landfilling;
- (f) Provide formation levels for the base of all cells and the cut-off wall. Integrate these levels with water-table heights. Confirm if formation levels will be above the current water-table. Provide a cross-section of same.
- (g) Provide water quality results, duplicate samples, and lab receipt notifications for the following points in Drawing No. BRI/102 Rev.B for March 2005 or April 2005. Parameters to be sampled and analysed for are Electrical Conductivity¹; pH¹; Ammonia; Chloride; Sulphate; and, DRO:

MW 6	MW 04-02	SW2
MW7	MW 04-04	SW3
MW 8	MW 04-05	SW5
MW 9		
MW 10		

¹ Both EC and pH shall be determined on site/in field.

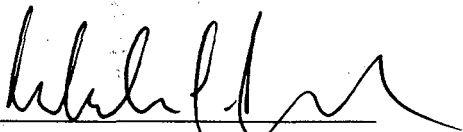


From the above, you are required to submit significant further information regarding the new proposals invoked by your letter of 25 February 2005. Therefore, the Agency wishes to inform you that a newspaper notice may have to be published under the terms of Article 16(2)(a) in the future. You will be advised accordingly on receipt of a satisfactory response to this notice.

In the case where any drawings already submitted are subject to revision consequent on this request for further information, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions. Your reply to this notice should include a revised non-technical summary (EIS and Application Form), which reflects the further information you supply in compliance with the notice, insofar as that information impinges on the relevant non-technical summary.

Please supply the information in the form of a one original plus two copies, and eleven CD-ROM copies, within **SIX** weeks of the date of this notice. The e-file should be saved as a 'pdf' file. Please note that the application's register number is **204-1**. Please direct all correspondence in relation to this matter to the *Licensing Unit*, Office of *Licensing & Guidance*, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford quoting the register number.

Yours sincerely,



Mr Malcolm Doak
Inspector - Senior
Office of Licensing & Guidance



