



**OFFICE OF
LICENSING &
GUIDANCE**

**REPORT OF THE TECHNICAL COMMITTEE ON
OBJECTIONS TO LICENCE CONDITIONS**

TO:	Directors	
FROM:	Technical Committee	- LICENSING UNIT
DATE:	29 May 2006	
RE:	Objection to Proposed Decision for North Tipperary County Council, Ballaghveny Landfill, Ballymackey, Co. Tipperary, Waste Reg: 78-2	

Application Details	
Type of facility	Integrated Waste Management Facility (non-hazardous Waste Landfill, Civic Amenity Facility, Composting Facility and C&D Waste Recovery Facility)
Class(s) of activity:	3 rd Schedule: Classes 1, 2, 4, 5(P), 11, 12 and 13
Location of activity:	Ballaghaghveny Landfill, Ballymackey, Co. Tipperary
Licence application received:	16 March 2004
PD issued:	15 th March 2006
First party objection received:	10 th April 2006

Company

The application relates to a review of the existing licence (78-1) to allow for increases in quantity and type of wastes to be accepted and changes to post settlement height of Cells 3-5.

Three Third Party submissions were received in relation to the application and these was considered by the Board at PD stage.

Consideration of the Objection

The Technical Committee, comprising of Marie O'Connor (Chair) and Kevin Motherway, has considered all of the issues raised in the Objections and this report details the Committee's comments and recommendations following the examination of the objections together with discussions with the inspector, Pernille Hermansen, who also provided comments on the points raised. The Technical Committee consulted Agency Inspector Dr Jonathan Derham, in relation to *waste management* issues.

This report considers the first party objection.

First Party Objection

The applicant makes 7 points of objection, relating to individual conditions or schedules and these are dealt with below:

A.1. Condition 3.13.2

The applicant objects to the condition as it requires the water from wheel cleaning 'to be recirculated or directed to the leachate management system'. The applicant wishes to retain the current Agency approved system of allowing the effluent to be disposed to a soakpit.

Technical Committee's Evaluation:

The TC considered that the Licensee was referring to Condition 3.11.2 rather than Condition 3.13.2. The Licensee is required to recirculate the washings under Condition 4.9.2 of the existing licence (Reg. No. 78-1). Dirty water from wheel washes may contain contaminants and given this is a waste facility and that the vehicles servicing the facility may come into contact with a variety of wastes it is considered best practice that such potentially contaminated wash water should be recirculated or discharged to leachate management system.

Recommendation: No Change

A.2. Condition 3.13.2(i) & (ii)

The condition requires that an impermeable concrete slab and associated drainage be provided as part of the infrastructure in the C&D Waste Recovery Area. The applicant requests that due to the nature of the waste (inert) and the relatively small quantities (11,500 t/a) that the use of a compacted core surface underlain by a filter geotextile would be sufficient.

Technical Committee's Evaluation:

The quantity of C&D waste to be accepted on-site has increased significantly from the previous licence (1,500 t/a) and despite the non-hazardous nature of the waste, the potential that harmful substances could be entrained in the waste, dictates that on the grounds of caution that the area should be impermeable to prevent any soil or groundwater contamination due to any liquids emanating from or leaching from contaminated waste.

Recommendation: No Change

A.3. Condition 6.1.1

The Applicant proposes that as part of the capping of Cells 1-8 at the facility by the end of 2006 that they would install the telemetry system and have requested that the condition is amended to state ' within 12 months of date of grant of licence'. It was required in the PD from 'date of grant..'

Technical Committee's Evaluation:

The existing licence (Reg 78-1), in Condition 9.10, required the installation and maintenance of a telemetry system for the same operations as is specified in this PD.

Since the telemetry system is already four years overdue it should not be linked to any other works as any delays in these associated works may result in knock-on delays. It is not obvious nor is any valid explanation given as to why the installation of the telemetry system is dependant on the capping of the cells. A manual system should be in place from date of grant of licence and due to the nature of the works required the Licensee should have the required telemetry system in place by the end of 2006.

Recommendation:

Amend Condition 6.1.1 to read as follows:

A telemetry system shall be installed and maintained at the facility from 01 January 2007. All facility operations linked to the telemetry system shall also have a manual control which will be reverted to in the event of a break in power supply or during maintenance. Within one month of the date of grant of licence the Licensee shall have a manual control and monitoring system in place to provide for the recording of the information specified in Condition 6.1.2. This manual and telemetry systems shall be agreed with the Agency and shall include the requirements regarding monitoring of the inlet to the surface water lagoon.

A.4. Condition 6.1.2(iii)

The Applicant objects to the requirement to monitor the quality of the surface water at the inlet to the lagoons and contends that it is sufficient to monitor at the outlet.

Technical Committee's Evaluation:

Monitoring the water quality at both the inlet and outlet of the lagoon will allow the effectiveness of the lagoon to be quantified and provide an early warning system should unusual levels be detected. Condition 6.1.1 as amended above would allow for the use of a manual system for the monitoring of the inlet to the lagoon if this was deemed satisfactory following a evaluation of the results. Condition 6.15 allows for the frequency sampling of monitoring to be amended if the Agency is satisfied with the evaluation of test results.

Recommendation: Condition 6.1.1 amended in A.3 above

A.5. Condition 6.8

The Applicant proposes that bird control monitoring would be conducted during working hours.

Technical Committee's Evaluation:

The effectiveness of the bird control measures proposed are dependent on the behaviour of the bird population in relation to daylight hours and not the working hours of the facility.

Recommendation: No Change

A.6. Condition 8.1.1

The Applicant proposes an amendment to the condition to allow for the acceptance of wastes for disposal which are not pre-treated until July 2009 as is set out in the Waste Management Licensing Regulations 2004.

Technical Committee's Evaluation:

In accordance with the WMA Regulations and the Landfill Directive the Licensee submitted a Landfill Conditioning Plan for the facility and identified 16 July 2009 as the date for compliance with the Directive. This is allowed for existing landfills and should be incorporated into the licence.

Recommendation: Amend Condition 8.1.1 to read as follows:

Only pre-treated wastes are acceptable for disposal from 16 July 2009 as set out in Article 6(a) of the Landfill Directive and as outlined in the Landfill Conditioning Plan submitted to the Agency.

A.7. Schedule A

The Applicant requests that since Condition 8.3.1 of the PD allows for the acceptance of 2,000 t/a of Green waste and that as per Additional Information submitted that Schedule A should be amended to allow for the composting of this waste. In addition they wish to clarify if the compost may be exported off-site for general purpose use.

Technical Committee's Evaluation:

Green waste is generally considered to be included in the Municipal & Commercial waste type. Condition 8.3.1 of the PD allows for the composting of 2,000 tonnes of green waste. Compost which meets the standards set out in Schedule F are no longer considered a waste and can be sent/sold off-site as a product. Any material which has been composted but does not meet the specification remains a waste.

Schedule A Note 3 allows that compost generated on-site not be included in the limitations on waste quantities and this allows the Licensee further leeway. Since the Licensee requested the additional green waste as part of the licence application the TC recommend that the Schedule is amended to reflect this and that Note 3 is amended to provide further clarity.

Recommendation: Amend Table A.2 Waste Categories and Quantities to read as follows:

A.2 Waste Acceptance

Table A.2 Waste Categories and Quantities

WASTE TYPE ^{Note 1}	MAXIMUM (TONNES PER ANNUM) ^{Notes 2 & 3}
Municipal and Commercial waste	32,000
Green waste for composting	2,000
Non-hazardous C & D waste	11,500
Pre-treated Sludge ^{Note 4}	3,500
TOTAL	49,000

Note 1: Any proposals to accept other compatible waste streams must be agreed in advance by the Agency and the total amount of waste must be within the amount specified.

Note 2: The individual limitation on waste streams may be varied with the agreement of the Agency subject to the overall total limit staying the same.

Note 3: Non-hazardous C & D or Inert waste/secondary materials or compost imported to, or generated on, the site **for use in on-site landfill restoration or on-site infrastructure projects** are not included in these limitations. A detailed statement (with mass balance) of waste used on-site should be included as part of the AER.

Note 4: Pre-treated sludge to be used only as daily cover and in the development/restoration projects at the landfill facility.

Overall Recommendation

It is recommended that the Board of the Agency grant a licence to the applicant

- (i) for the reasons outlined in the proposed determination and
 - (ii) subject to the conditions and reasons for same in the Proposed Determination,
- and
- (iii) subject to the amendments proposed in this report.

Signed

Marie O'Connor

for and on behalf of the Technical Committee