

 <p>epa Environmental Protection Agency <i>An Ghriamhairsacht um Chaomhú Comhshaoil</i></p>	<p>OFFICE OF LICENSING & GUIDANCE</p>
<p>M E M O R A N D U M</p>	
TO:	Padraic Larkin, Director, Office of Licensing & Guidance
FROM:	Kieran O'Brien
DATE:	6 th January 2005
RE:	Application for a review of a Waste licence from South Dublin County Council for Arthurstown Landfill Kill County Kildare, Reg. No. 4-3

Application Details	
Class of activity:	Classes 1,4,5,6 & 7 of the Third Schedule Principal activity Class 1: "Deposit on, in or under land (including landfill)"
Licence application received:	6 April 2004
EIS received:	6 April 2004
Section 52 Notice issued:	26 October 2004
Section 52 Notice Response received	25 November 2004
Supplementary material submitted by applicant	27 September 2004
Submissions received:	2 Submissions received: 10 May 2004, 12 August 2004
Site visits:	7 September 2004

Company

South Dublin County Council operate a landfill for the deposit of baled municipal waste at Kill County Kildare under the provisions of a waste Management Act licence Reg. No. 4-2 issued in July 2003.

The facility is located in a worked out sand and gravel quarry in a rural location about two kilometres to the south-east of Kill village. The licensed landfill area is 58 hectares with the licensed facility being in the region of 67 hectares. The existing licensed facility is bounded to the north-east by an old landfill referred to as "*Gavin's Dump*". The old landfill was surrounded by a bentonite slurry cut-off wall prior to

the construction of the new landfill facility. The review application does not propose any change in the footprint of the area to be landfilled.

The original planning permission issued to South Dublin County Council (SDCC) in July 1994 allowed for the placement of waste for a period of 10 years. A judicial review of this grant of planning permission was undertaken that resulted in a delay of three years and the first waste was not placed on the site until October 1997. SDCC applied to Kildare County Council in May 2003 for permission to continued use of the landfill to allow for a 10 year deposition of waste. And to increase the waste intake to 600,000 tonnes per annum. Following appeal An Bord Pleanala granted planning permission in March 2004 allowing the extension of time and the increase in waste intake.

The principal amendments proposed in this review application are to align the conditions of the waste licence with the planning conditions as follows;

1. Increase the annual tonnage of waste accepted at the facility from 440,000 tonnes per annum to 600,000 tonnes per annum (t/a).
2. Reduce the hours of waste acceptance at the facility from 8.00 a.m. – 7.30 p.m. (Monday – Saturday) to 8.00 a.m. – 6.00 p.m. (Monday – Saturday).
3. Reduce the hours of facility operation from 8.00 a.m. – 8.00 p.m. (Monday – Saturday) to 8.00 a.m. – 7.00 p.m. (Monday – Saturday).

The provision of a direct discharge to Kildare County Council Sewer has also been incorporated into the RD.

EIS:

An EIS was submitted with the application. The EIS has been examined and assessed and I am satisfied that it complies with the EIA and licensing regulations.

Emissions to Sewer:

The existing licence provides for the disposal of treated leachate by tankering effluent to a discharge manhole at Saggart Treatment Plant. This RD as drafted provides for the discharge of this effluent directly to the sewer. The response to the Section 52 notice issued to Kildare County council have been incorporated into the RD. In particular Condition 6.1, 8.1, 8.3, 8.17, 10.8, 8.4, 6.6.2 and 11.2(C) reflect the requirements of the Sanitary Authority. Additional notification and reporting requirements have been added to reflect the requirements of the Section 52 response.

Compliance History:

A number of odour complaints have been made during 2004. Odour control measures in particular improved gas collection from new cells has been undertaken. No odour nuisance was detected during the site visit in September '04. In general compliance has been good however some issues in relation to surface water and dust are being addressed. The existing licence provided adequately for the control and monitoring of these issues and no additional conditions or modifications are recommended.

Submissions:

Two submissions were received.

Submission 1 – Eastern Regional Fisheries Board

This submission consists of a one page letter and the Boards comments are set out under five bullet points as follows:

- It is noted that the site is within the catchment system of two important salmonid tributaries of the River Liffey.
- Only clean, uncontaminated surface waters must be allowed discharge to the surface water system and ultimately the Hartwell River.
- All measures must be taken to maintain and improve where necessary, the biological quality of the Hartwell River (decrease in Q rating at SW3 between 2001 and 2002 – Table 5.1)
- The surface water system must be regularly maintained (i.e removal of accumulated solids) to ensure their effectiveness.
- The mitigation measures outlined in section 5.1.7(Hydrogeology) and Section 5.14 (Hydrogeology) must be fully adhered to.

Response:

The monitoring data indicated that the quality of surface water emissions from the site have improved over the last two years however further improvement is required. Additional inlet baffels and settlement chambers have been installed in the surface water collection system and filter barriers on the drains to the retention pond. The quality of the receiving water has been determined to be Q4 with a decrease from Q4-5 at one location from the previous year.

The surface water management conditions as set out in the existing are considered to be adequate to provide for the control and monitoring of the surface water/storm water and the protection of the receiving waters and the Hartwell River.

Submission 2 - Kildare County Council 12 August 204

This submission consists of a one page explaining that a telephone complaint was received on 10 August '04 of a horrible smell from the landfill. The complainant Ms McCann also stated that the smell was particularly bad at weekends and that local residents were complaining of heartburn.

Response:

Condition 7 of the existing licence Reg. No. 4-2 provides for the control of odour and the requirement to ensure that nuisance is not caused by odour. The provisions of the existing licence is considered to be adequate and no change is recommended in relation to this issue.

Charges:

The RD requires that the applicant shall pay an annual contribution of €2,021.00 (Condition 12.1). This represents a reduction of approximately 9% and is mainly due to the reduction in the number of once off reports to be submitted.

Recommendation:

I recommend that the Proposed Determination be issued subject to the conditions and for the reasons as drafted for all the waste classes of waste activity applied for in the application (Classes 7,8,11,12 & 13 of the Third Schedule and Classes 1,2,3,4,6,9 & 13 of the Forth Schedule)

Signed

Kieran O'Brien

Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 43(1) of the Waste Management Acts 1996-2003.

<p>I approve of the recommendation as submitted.</p> <p>I approve the recommendation subject to the attached changes.</p> <p>I do not approve the recommendation.</p> <p>Signed Dr. P Larkin, Director _____</p> <p>Date _____</p>
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