



OFFICE OF LICENSING & GUIDANCE

LICENSING UNIT MEMORANDUM

TO:	Directors
FROM:	Aoife Loughnane
DATE:	20 th March 2007
RE:	Submission on review of Waste Licence W0075-02, Waterford County Council, Tramore Waste Management Site.

Since the completion of the inspector's report dated 14th March 2007, a submission was received in relation to Waterford County Council's application for a review of Waste Licence Reg. No. W0075-02, for the Tramore Waste Management Site. This is the only submission on this application received to date. The details of the submission are as follows:

- (i) *Orla Freyne, Mott MacDonald Pettit, 5 Eastgate Avenue, Eastgate, Little Island, Co. Cork, on behalf of Tramore Leisure Park Limited, received 15th March 2007.*

Mott MacDonald Pettit carried out an environmental investigation of the Tramore Leisure Park site in November/December 2005. The site is a c.12 ha plot consisting of low-lying land bounded to the north by Tramore Landfill, to the south by an embankment separating it from the beach, and to the east by a tidal salt marsh area and sand dune system.

The report included in support of the submission identifies an extensive area at the northern portion of the Tramore Leisure Park site which was used for the deposition of waste material. The investigations identified substantial quantities of domestic refuse, extending in some places to depths of 3.5 metres or greater. It is not clear at this stage what age this waste material is (the municipal landfill has been operational since the 1930's). Landfill gas measurements in this area of the site have shown levels well in excess of those which would be considered acceptable (i.e. methane up to 69% by volume). Such high levels suggest either recent waste or lateral migration from recently filled areas. The remaining part of the site is also identified as containing varying levels of contamination in the groundwater and soil, and also exhibits levels of landfill gas which are unacceptable for development purposes. The report claims the existence of these contaminants not only restricts the use of this land for development purposes but also requires action for environmental protection reasons. The report identifies that the remedial measures necessary will be extensive and extremely expensive to implement.

The submission states that while the exact boundary between the lands owned by Tramore Leisure Park and those under the control of the Council has yet to be defined, it is nonetheless evident that the waste management activities carried out by Waterford County Council may have historically strayed outside the current boundary of the licensed facility. The submission also states that while legal issues such as trespass to land and nuisance are the subject of separate legal proceedings, there are numerous injurious impacts including planning restrictions and impediments which are likely to arise in the context of the use and development of land which has been contaminated by the unauthorised deposition of waste material.

Tramore Leisure Park request that due regard to the circumstances described above should inform the consideration by the Agency of the waste licence review application.

Comment:

The points raised in this submission have been taken into consideration. As noted, the unlined landfill at Tramore has been operational since approximately 1939 therefore there is a history of waste disposal across the mud flats located on the eastern edge of Tramore town. Waste licence Reg. No. W0075-01 was issued by the Agency in September 2001. The lands referred to in the submission are outside the boundary of the current licensed waste facility and are not in the ownership of Waterford County Council. The alleged unauthorised disposal of municipal waste on these lands is likely to have occurred pre-commencement of the licensing regime under the Waste Management Acts 1996 to 2005. In any case, the alleged unauthorised deposition of waste material on the subject lands, and the agreement of the exact site boundary are matters for private resolution between the landowner and Waterford County Council. For the purposes of the revised licence, the facility authorised by the licence is the area of land outlined in red on Drawing No. DG0302 (Rev. F01) *Site Layout Plan* of the application.

The submission refers to high levels of landfill gas measured on the subject lands. It is likely that gas migrating from the licensed landfill site may have contributed to those high gas readings. The Recommended Determination (RD) requires the immediate completion of landfill gas infrastructure for the active collection and flaring of landfill gas at the licensed landfill. The wells have been installed on site and gas collection should commence without undue delay. The installation of landfill gas infrastructure should result in a reduction in gas migration. If further investigations show that landfill gas measured at the subject lands is a consequence of continued lateral migration off-site from the licensed facility, necessary gas containment/control works can be accommodated as 'Specified Engineering Works' under the RD. Condition 6.17 specifies landfill gas trigger levels (methane greater than 1% by volume or carbon dioxide greater than 1.5% by volume) measured in any monitoring borehole, service duct or other point as may be specified, located external to the body of waste. Any exceedence of the specified trigger levels will require remedial actions to be undertaken by the licensee as necessary, with the agreement of the Agency.