



## **APPLICATION**

**By**

**Donegal County Council**

**to**

**Environmental Protection Agency**

**for**

**Waste Licence Review**

**W0024-02**

**Ballynacarrick Landfill Site,  
Ballintra County Donegal**

**ATTACHMENTS TO SECTION L**

**Statutory Requirements**

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## ATTACHMENTS TO SECTION L

### Attachment L.1 Statutory Requirements

To comply with the requirements of the Waste Management Act 1996 as amended, the activity concerned (waste disposal by landfill) must comply with Sections 40(4)(a) to 40(4)(t).

**Section 40(4)(a)** of the Waste Management Acts, 1996 to 2003 requires that prescribed emission standards and limit values are complied with by the facility.

- **Liquid Emissions:** With respect to emissions to groundwater the appropriate standard is the EU Groundwater Directive (80/68/EEC), as implemented through legislation. The Directive requires that the direct discharge of List I substances to groundwater be prevented, and that the discharge of List II substances should be minimised. The site will be developed on a containment basis in accordance with the requirements of the Landfill Directive. Capping of the existing site will significantly reduce the volumes of leachate being created.

The proposals should prevent the discharge of List I substances to groundwater and minimise the discharge of List II substances.

Monitoring of surface and groundwater at the site will allow current and future impacts to be addressed in the context of the site development. Operation of the facility will therefore be in accordance with the Groundwater Directive.

- **Emissions to air:** A 30 day average dust deposition rate of 350 mg/m<sup>2</sup>/day (as recommended in T A Luft) at the boundary of the site is currently a condition of the existing Waste Licence. Results from regular dust monitoring will be compared against these standards.
- **Noise:** The standards applicable to noise emissions at the site are as follows: BS5228 (1984 and 1987) 'Noise Control on Construction and Open Sites' Part 1.

A noise standard of 55 dB(A)<sub>L<sub>Aeq</sub></sub> (daytime) and 45 dB(A)<sub>L<sub>Aeq</sub></sub> (night time) at locations on the boundary will be used. Monitoring results will be compared against these standards.

**Section 40(4)(b)** of the Waste Management Acts 1996 to 2003 requires that the activity shall not cause environmental pollution, which as defined as:

*"The holding, transport, recovery and disposal of waste in the manner which would to a significant extent endanger human health or harm the environment, and in particular:*

- a) *Create a risk to waters, the atmosphere, land, soil, plants or animals*
- b) *Create a nuisance through noise, odours or litter*
- c) *Adversely affect the Countryside or places of special interest”.*

Monitoring of groundwater, surface water, noise, visual impact and dust emissions in addition to ecological, archaeological and human receptor surveys have been considered within the scope of the waste licence review application undertaken in 2003. No significant environmental impacts were identified, therefore the requirements of Section 40(4)(b) of the Waste Management Act 1996 are deemed to be satisfied.

**Section 40(4)(bb)** of the Waste Management Acts 1996 to 2003 requires the activity to comply with Council Directive 1999/31/EC on the landfill of waste.

The site will be developed and operated in accordance with the requirements of the Landfill Directive.

**Section 40(4)(c)** of the Waste Management Act, 1996 requires that BAT(Best Available Technique) principles are implemented to minimise as far as practicable potential emissions from the site.

- **Liquid Emissions:** Leachate in the extension to the site will be collected in engineered cells, designed in accordance with the Landfill Directive. Further, with the phased profiling and capping of the existing site, leachate generation will decrease significantly. Assessment has shown no significant impact on major watercourses away from the site and the environmental impact will be reduced progressively as the existing site is restored. The BAT principle for modern landfill sites is generally accepted as being designed, operated and closed in accordance with the Landfill Directive.
- **Emissions to Air:** Landfill gases generated within the landfilled cells will be controlled by venting through passive vents. With the phased capping of the site, it is proposed to introduce a landfill gas flare.

Operational procedures such as the spreading, compaction and covering of wastes are also to be implemented to minimise odour and dust emissions from the site in addition to controlling wind blown litter and pests such as flies and vermin.

**Section 40(4)(cc)** of the Waste Management Acts 1996 to 2003 requires the activity to be consistent with the objective of relevant waste management plan, and will not prejudice measures taken or be taken by the relevant local authority or authorities for the purpose of the implementation of any such plan.

The proposed site is consistent with the Donegal Waste Management Plan 2006-2010 which was adopted by the Council in 2006. This plan identified the need for a single facility in County Donegal, to secure long-term disposal for the County.

**Section 40(4)(e)** of the Waste Management Act, 1996 requires that financial provision are provided for the facility.

Donegal County Council will provide the funding to operate the Landfill Facility in accordance with legislation.

The necessary Personnel will be employed and trained in the appropriate techniques to manage the Landfill in compliance with legislation.

**Section 40(4)(f)** of the Waste Management Acts 1996 to 2003 requires that energy will be used efficiently in the carrying on of the activity concerned.

An energy audit has been undertaken at the facility.

**Section 40(4)(g)** of the Waste Management Acts 1996 to 2003 requires that any noise from the activity will comply with, or will not result in the contravention of any regulation under section 106 of the Act of 1992.

The standards applicable to noise emissions at the site are as follows: BS5228 (1984 and 1987) 'Noise Control on Construction and Open Sites' Part 1.

A noise standard of 55 dB(A)<sub>L<sub>Aeq</sub></sub> (daytime) and 45 dB(A)<sub>L<sub>Aeq</sub></sub> (night time) at locations on the boundary will be used. Monitoring results will be compared against these standards.

**Section 40(4)(h)** of the Waste Management Acts 1996 to 2003 requires that necessary measures will be taken to prevent accidents in the carrying on the activity concerned and, where an accident occurs, to limit its consequences for the environment.

An Environmental Management System has been set up at the facility to include environmental management and operational procedures and emergency response procedures. Fire drills will be undertaken. Site personnel are trained in first aid and appropriate equipment provided on site. Oil spill kits are provided on site.

**Section 40(4)(i)** of the Waste Management Acts 1996 to 2003 requires that necessary measures will be taken upon the permanent cessation of the activity concerned of the activity concerned (including

such a resulting from the abandonment of the activity) to avoid any risk of the environmental pollution and return the site of the activity to a satisfactory state.

The site will be restored in accordance with the requirements of the Landfill Directive. The capping system will include a landfill gas collection layer with a geosynthetic clay liner, a surface water drainage layer and various sub-soil and topsoil finishing layers. The restored site will be subject to an aftercare period involving environmental monitoring, which will continue whilst the waste management licence is maintained.

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