



Chair

epa

Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhshaoil

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17 October 2008

RE: Oral hearing of objections to proposed decision on waste licence application (Reg. No. W0231-01) from Fingal County Council for a facility at Fingal Landfill, Nevitt, Lusk, County Dublin.

Dear Mr. Byrne

I am writing to you in your capacity as chairperson to the oral hearing of objections in relation to the above referenced waste licence application. The Board of the Agency has asked me to inform you that they are of the view that more information should be obtained from the applicant in respect of the environmental risk assessment that was submitted in support of the application. This information should deal in particular with the following: -

Provide a probabilistic quantitative risk assessment that evaluates the potential for leachate leakage/migration to groundwater below the proposed facility. This assessment shall, in particular, evaluate the predicted concentrations of List I or II substances (as defined in the EU Groundwater Directive 80/68/EC) likely to be present in any potential leachate leakage. Predicted concentrations should be compared to relevant quality standards or background standards, for the relevant receptor, and a conclusion made as to the potential for, and significance of, any impact of the predicted leachate on groundwater chemical status. The assessment used should justify:-

- *model software and any model inputs such as source term, declining source term, and retardation.*
- *predicted leakage losses and attenuations factors (e.g. dilution, dispersion, diffusion, sorption).*
- *receptors selected for assessment (such as aquifers, abstraction wells).*

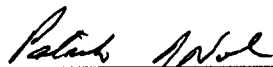
This information is specifically required to address and satisfy the requirements of Council Directive 99/31/EC on the landfill of waste and Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances.



The Agency is writing to the Applicant requesting this further information in writing and will communicate with you on its receipt and furnish a copy to you. All third party objectors will be circulated with a copy of the further information and advised that they can make a written submission on it prior to the reopening of the oral hearing. The Agency will forward a copy of all submissions received to each of the third party objectors and advise them that they can make a submission on them at the reopened oral hearing. I attach a copy of letters that have been issued to the applicant and third party objectors for your information. The Board of the Agency requests that you, following receipt of the information and submissions, which will be forwarded to you in due course, reopen the oral hearing for the sole purpose of considering the further information and submissions referred to above.

All third party objectors will be notified of the reopening of the oral hearing in due course when details of the date, time and venue have been finalised with you and your assistants.

Yours sincerely



Mr. Patrick J. Nolan
Programme Manager
Office of Climate, Licensing & Resource Use

Encl.



Environmental Protection Agency
An Ghníomhaireacht um Chaomhúchán Comhshaoil

Mr P J Howell
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17 October 2008

W0231-01

re: Notice pursuant to Articles 24 & 25 of the Waste Management (Licensing) Regulations, 2004, in respect of an application to the Agency for a waste licence by Fingal County Council for a facility at Fingal Landfill, Nevitt, Lusk, County Dublin.

Dear Mr Howell

I am to refer to your application for a waste licence referenced above. Having regard to the requirements of Council Directive 99/31/EC on the landfill of waste and Council Directive 80/68/EEC of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances, the Board considers that further information is required to ensure the proper determination of this matter. You are requested to prepare and submit further information in relation to the environmental risk assessment for the facility that was submitted in relation to the application. This information shall deal in particular with the following matters: -

Provide a probabilistic quantitative risk assessment that evaluates the potential for leachate leakage/migration to groundwater below the proposed facility. This assessment shall, in particular, evaluate the predicted concentrations of List I or II substances (as defined in the EU Groundwater Directive 80/68/EC) likely to be present in any potential leachate leakage. Predicted concentrations should be compared to relevant quality standards or background standards, for the relevant receptor, and a conclusion made as to the potential for, and significance of, any impact of the predicted leachate on groundwater chemical status. The assessment used should justify:-

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- predicted leakage losses and attenuations factors (e.g. dilution, dispersion, diffusion, sorption).
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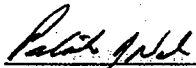
With a view to ensuring that there is no undue delay in the processing of this application you are requested to advise the Agency as soon as possible of the timeframe necessary to obtain the necessary information and likely date for submission to Agency. In any event you should inform the Agency of the likely date for submission of the information no later than one month from date of this letter.

The information should be submitted as follows, the original, one hard copy and two electronic copies.

I am also to advise that the information will be circulated to all parties and all, including yourself, will be given an opportunity to make a written submission regarding the information. All parties to the objection, including yourself, will be circulated with a copy of all submissions received. The Board of the Agency considers that the best way to deal with this matter and to give consideration to the further information and submissions is to reopen the oral hearing for the sole purpose of considering same.

Please note that the application's register number is W0231-01. It is important that all correspondence in relation to this matter is directed to Administration, Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford quoting the register number and this letter.

Yours sincerely



Mr. Patrick Nolan
Programme Manager
Office of Climate, Licensing & Resource Use

Encl.