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**This Report has been cleared
for submission to the Board by
the Programme Manager P. Nolan
Signed: N. Kearey Date: 29/10/08**

USE

IR ADDENDUM FOR LICENCE REVIEW NUMBER W0201-02

To: DIRECTORS

From: BREEN HIGGINS **ENVIRONMENTAL LICENSING
PROGRAMME**

Date: 28 OCTOBER 2008

RE: Submissions on the application for review of Waste Licence from Bord Na Móna Plc for a facility named Drehid Waste Management Facility at Killinagh Upper, Carbury, Co. Kildare Register No. W0201-02.

Submissions:

This report considers four valid submissions made by interested parties in relation to the review of waste licence Reg. No. W0201-02. These submissions were made subsequent to the Board of the Agency considering the Recommended Decision and Inspector's Report documentation. Details of the submissions are as follows;

Table 1.0: Submission Details

No.	Name & Address
1	Mr & Mrs L. Commane, 335 Ballybrack, Carbury, Co. Kildare.
2	Breda Logan, Killina Upper, Carbury, Co. Kildare.
3	Mr & Mrs M. Melia, Canal Bank, Killina, Carbury, Co. Kildare.
4	Mr. William Cassidy.

The main issues raised in the submissions are summarised in Table 2.0 below. However, the original submission should be referred to at all times for greater detail and expansion of particular points.

Table 2.0: Matrix of Issues

Issue Raised	Submission 1	Submission 2	Submission 3	Submission 4
Fly Nuisance	√	√	√	√
Lack of Communication		√		√
Impact on property value				√
Impact on road network				√

1.0 Fly Nuisance.

Submissions 1-4 refer to nuisance resulting from increased fly numbers in the immediate vicinity of the landfill. Submission 2 contains an attached document with 221 signatures stating that there has been a dramatic increase in fly numbers since the commencement of operations on-site. The issue is presented as being of such significance that it is having a detrimental impact on the quality of life of those individuals living in the vicinity of the landfill. There is also a concern that the presence of flies could present a health risk.

Comment:

The Recommended Decision (RD) as drafted provides for a very high level of protection to the surrounding environment. At all times in the drafting of the RD due regard has been afforded to the Best Available Techniques (BAT) for this type of activity. The impact of flies on neighbouring sensitive receptors, i.e., businesses and residents has been addressed by ensuring that all operations are carried out under tightly controlled regimes. The means by which flies are controlled under the licence are stipulated in Conditions 5.4 and 6.26 of the RD. Condition 5.4, inter alia, states that the operator shall ensure that flies, dust, litter, etc. do not result in an impairment of, or interference with, amenities or the environment. Furthermore, and in addition to those measures taken under licence W0201-01, Condition 6.26.5 requires that *'...daily cover shall be replaced by Intermediate Cover in any area of an active cell where a new covering lift of waste is not proposed within 7 days.'* Other requirements include the limiting of operations to a single working face and in turn requiring the working face to be maintained at an area of <625m². It is considered that these proposed measures are adequate to address any proliferation of flies at the site. Adherence to the Conditions of the RD shall ensure that those people living in proximity of the landfill are not subjected to increased fly numbers in their homes.

2.0 Lack of Communication.

Submissions No. 2 and 4 refer to the lack of engagement between the site operators and the local community despite assurances being made in the EIS that communication would be made with the Community Liaison Committee on *'...regular predetermined intervals....'*

Comment:

The applicant has complied with statutory requirements under the Waste Management (Licensing) Regulations, 2004 with regard to the publication of newspaper notices (Sections 5 & 6) and the erection of site notices (Section 7). Furthermore, the RD under Condition 2.2.2.6 requires the licensee to establish a Public Awareness and Communications Programme whereby information on environmental performance is made freely available to members of the public. The inclusion of a public awareness campaign in this Condition places an onus on the operators to engage in a proactive approach to communication with the local community.

3.0 Impact on Property Value.

Submission No. 4 suggests that there will be a negative impact on the value of properties in the area surrounding the landfill.

Comment:

The issue of property values is one that will be determined by the market and is outside of the control of the Agency; as such this is not the appropriate forum for consideration of this issue.

4.0 Impact on Road Network.

Submission No. 4 suggests that due to the increased number of vehicles on travelling to the site there will be a negative impact on the road network in the area surrounding the landfill.

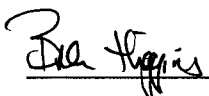
Comment:

The issue of road infrastructure and any likely impact will be considered by An Bord Pleanála during their deliberations on the planning application for this proposed extension. The Agency has no statutory role in this part of the decision making process.

Recommendation:

In considering these further submissions I have concluded that the issues raised do not alter or change my recommendation dated 02/09/2008 to grant the licence subject to the conditions set out in the RD.

Signed



Breen Higgins

Inspector

