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Environmental Department
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Regional Inspectorate
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REF: Balleally Landfill

7th September 2009

W0009-04

re: Notice in accordance with Article 14(2)(b)(ii) of the Waste Management (Licensing) Regulations

Dear Director of Services,

I am to refer to the above referenced application for a review of the waste licence relating to Balleally Landfill, Balleally, Lusk, CO. Dublin. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Article 12 of the Waste Management (Licensing) Regulations. You are therefore requested, in accordance with Article 14(2)(b)(ii) of the regulations, to supply the information detailed below:

1. Rogerstown Estuary is of high conservation value as recognised by its designation as an SAC and SPA, and as a RAMSAR site for internationally important wetlands. The water quality of the estuary is already sufficiently low so as to put the estuary at risk of failing the meet requirements under the Water Framework Directive. As the leachate outfall is within a Natura 2000 site, the Department of the Environment, Heritage & Local Government have recommended that an Appropriate Assessment be carried out in order to assess the potential for the leachate discharge to have a significant adverse effect on the qualifying interests and integrity of the designated site (see enclosed DoEHLG correspondence).

You are requested to undertake an Appropriate Assessment, as set out in Article 6(3) of the Habitats Directive. This should include an assessment of the impact the discharge may have on the fauna of the mudflats and sandflats adjacent to the discharge point, which form the food resource for many of the wintering waterfowl.

2. Provide details of leachate quantities generated at the landfill and the leachate chemical composition, pre- and post treatment at the on-site leachate treatment plant.

3. Justify the proposal to discharge treated leachate to the Rogerstown Estuary in terms of BAT against alternative options for leachate management, including treatment in a municipal waste water treatment plant. The Agency notes that the waste water discharges from the Lusk agglomeration are due to be connected to the proposed Portrane Donabate Rush & Lusk Waste Water Treatment Scheme by 2011.
4. With reference to the report submitted as part of the licence review application, *Fingal County Council Balleally Leachate Outfall, Treated Leachate Discharge Modelling, October 2008*, it is noted that the waste water discharge from the Lusk agglomeration (which discharges through the same outfall into the Rogerstown Estuary) was not included in the model. Please justify its exclusion or alternatively, include it in the model. Please be advised that details of this discharge can be found in Waste Water Discharge Licence Application D0122-01, Lusk Agglomeration, which is available on the Agency's website.
5. Provide an analysis of the modelled results for oxygenation and nutrient conditions in the Rogerstown Estuary, having regard to the European Communities Environmental Objectives (Surface Waters) Regulations 2009, S.I. No. 272 of 2009.
6. Please submit modelled contour plots of the leachate discharge parameters in the estuary showing finer detail within 1km of the discharge location, in order to clearly demonstrate the effects of the proposed leachate discharge on water quality in the estuary.
7. Please provide modelled contour plots for the dispersion of BOD and phosphate in the estuary arising from the proposed leachate discharge.
8. In order to identify the contribution of ammonia in the proposed leachate discharge to ammonia levels in the estuary, please provide modelling results (including contour plots) for the following two scenarios:
 - (i) Including the ammonia load in the watercourses entering the estuary;
 - (ii) Excluding the ammonia load in the watercourses entering the estuary.


Your reply to this notice should include a revised non-technical summary which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

Please supply the information in the form of a one (1) original plus one (1) copy in hardcopy format within **6 weeks** of the date of this notice. In addition please submit two (2) copies of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.



Please note that the application's register number is **W0009-04**. Please direct all correspondence in relation to this matter 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.

Yours sincerely,



Aoife Loughane
Inspector
Office of Climate, Licensing & Resource Use





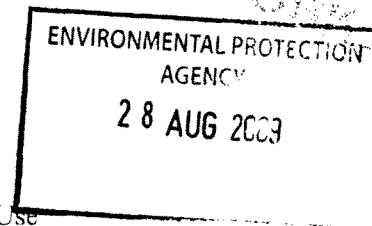
Comhshaol, Oidhreachta agus Rialtas Áitiúil
Environment, Heritage and Local Government

SUB. No. 1

26 August 2009

Our Ref: E2009/60
Your Ref: W0009-03

Ms Maire Buckley
Office of Climate, Licensing and Resource Use
EPA
Johnstown Castle Estate
Co. Wexford



Re: IPPC Licence Application for landfill at Balleally, Lusk, Co. Dublin – Fingal County Council

A Chara,

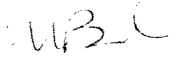
We refer to the application for an IPPC licence in relation to the above-proposed development. Outlined below are the nature conservation recommendations of the Department of the Environment, Heritage and Local Government.

Rogerstown Estuary is of high conservation value as recognised by its designation as an SAC and SPA. The water quality of the estuary is already sufficiently low so as to put the estuary at risk of failing to meet requirements under the Water Framework Directive. As the leachate outfall is within a Natura 2000 site it is recommended that an Appropriate Assessment be carried out in order to assess the potential for the leachate discharge to have a significant adverse effect on the qualifying interests and integrity of the designated site. This should include an assessment of the impact the discharge is having on the infauna of the mudflats and sandflats adjacent to the discharge point, which form the food resource for many of the wintering waterfowl.

In light of the previous intention to tanker leachate off-site to local wastewater treatment works, it is recommended this option be assessed as an alternative to discharging it to the Rogerstown Estuary as part of any Appropriate Assessment. In line with the precautionary

principle, it is recommended that ideally no increase above the current licenced Emission Limit Values be granted and that on completion of the wastewater treatment works referred to above, that leachate be moved off-site rather than discharged to the estuary.

Mise le meas,



Mary Boothman
Development Applications Unit