

Waste Management Acts, 1996 to 2008

**NOTIFICATION OF A PROPOSED DECISION OF A REVIEW OF A WASTE LICENCE
IN ACCORDANCE WITH SECTION 42(2) OF THE WASTE MANAGEMENT ACTS, 1996 TO 2008**

In pursuance of the powers conferred on it by the above mentioned Acts, the Environmental Protection Agency (the Agency) proposes, under Section 46(8)(a) of the said Acts, to determine the following review of a waste licence.

Waste Licence Register No: W0059-03
Applicant: Roscommon County Council, Courthouse, Roscommon.
Facility: Ballaghaderreen Landfill, Aghalustia Townland, Ballaghaderreen, County Roscommon.

The Environmental Protection Agency initiated the review of this waste licence on 18th June 2009.

Proposed Decision: It is proposed, for the reasons hereinafter set out, to grant a revised waste licence to the above named applicant to carry on the following activities at the above named facility, subject to Twelve Conditions:

Licensed waste disposal activities in accordance with the Third Schedule of the Waste Management Acts, 1996 to 2008:

Class 1	Deposit on, in or under land (including landfill): This activity is limited to the disposal of waste into unlined areas of the facility prior to the provision of lined cells at the facility
Class 4	Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons: This activity is limited to the collection of leachate in a lagoon at the facility
Class 5	Specially engineered landfill, including placement into lined discrete cells which are capped and isolated from one another and the environment: This activity is limited to the disposal of waste in lined cells
Class 13	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced: This activity is limited to the storage of waste at the facility prior to disposal



Licensed waste recovery activities in accordance with the Fourth Schedule of the Waste Management Acts, 1996 to 2008:

Class 2	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes): This activity is limited to the collection of household organic/green wastes at the Civic Waste Facility.
Class 3	Recycling or reclamation of metals and metal compounds: This activity is limited to the collection of metals at Civic Waste Facility
Class 4	Recycling or reclamation of other inorganic materials: This activity is limited to the collection of wastes at the Civic Waste Facility and for the recovery of inert waste as cover material and in the restoration of the facility.
Class 11	Use of waste obtained from any activity referred to in a preceding paragraph of this Schedule: This activity is limited to the use of compost or stabilised biodegradable waste in the restoration of the facility.
Class 13	Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced: This activity is limited to the storage of materials prior to its removal off-site for recycling/recovery.

Proposed Licence: A copy of the proposed licence, including the reasons for the proposed decision, the proposed (Twelve) Conditions and the reasons therefor and associated schedules attached thereto accompanies this notification. A copy of the proposed licence may also be obtained from the Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

OBJECTIONS & ORAL HEARINGS

Any person may object to the proposed decision, in accordance with Section 42 of the Waste Management Acts, 1996 to 2008, at any time no later than 5.00 pm on **15th November 2009**. A person making an objection may also request an oral hearing of the objection, in accordance with Section 42 of the Acts, at any time no later than the date specified above. It is important to note that any objection to a proposed decision/request for an oral hearing must be received by the Agency before the appropriate period expires.

An objection/request for an oral hearing must be made on-line on the Agency's website at www.epa.ie or by sending the objection or request by prepaid post to the Agency, or by leaving the objection or request with an employee of the Agency at the principal offices of the Agency in Wexford during office hours, i.e. 9.00 a.m. to 5.00 p.m. Monday to Friday.



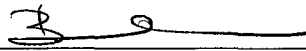
An objection against the proposed decision must state in full the grounds of the objection. An objection and a request for an oral hearing of an objection must each be accompanied by the appropriate fee and also comply with the other statutory requirements set out in the Waste Management Acts, 1996 to 2008 and the Waste Management (Licensing) Regulations, S.I. No. 395 of 2004. Extracts from the Acts and the Regulations accompany this notification. For the purposes of making an objection and/or a request for an oral hearing, the address of the principal office of the Agency is **P.O. Box 3000, Johnstown Castle Estate, County Wexford.**

In the event that;

- (a) no objection is taken against the proposed decision or
- (b) an objection or objections is or are taken against the proposed decision and the objection or objections is or are withdrawn,

the decision of the Agency will be in accordance with the proposed decision and will be issued as soon as may be after the appropriate period expires.

Signed on behalf of the Agency:
on the 19th of October 2009



Brian Meaney, **Authorised Person**

re: Proposed Decisions of the Environmental Protection Agency in respect of Waste Licence applications

Fees for the making of Objections and Oral Hearing requests

Fees for making an Objection:

- Article 42 (1) A fee shall be paid to the Agency in respect of the making of an objection.
- (2) Subject to sub-article (3), the fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the appropriate mention of objection in column (2) of the said Part of the Schedule.
- (3) Where an objection is made to the Agency by -
- (a) A local authority,
 - (b) A planning authority,
 - (c) A sanitary authority,
 - (d) The Central Fisheries Board,
 - (e) An Taisce - The National Trust for Ireland,
 - (f) Failte Ireland,
 - (g) In the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Limited, that Company,
- a reduced fee shall be payable in respect of the said objection, in accordance with sub-article (2).

Fees for making a request for an Oral Hearing (payable *in addition* to the fee payable for making the associated objection)

- Article 44 (1) A fee shall be paid to the Agency in respect of a request for an oral hearing of an objection. (See table of fees below).
- (1) The fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Second Schedule opposite the mention of a request for an oral hearing in column (2) of the said Part of the Schedule.

Table of Fees for Objections and Requests for Oral Hearings

(1)	(2)	(3) Amount of fee (€)
Article 42	Objection by the applicant or licensee	€500
	Objection by an authority or body mentioned in Article 42(3)	€100
	Objection by any other person	€200
Article 44	Request for an oral hearing	€100

Making an Objection and requesting an Oral Hearing of an objection on a Proposed Decision of the Environmental Protection Agency on a Waste Licence Application.

Extracts from the relevant sections of the Waste Management Acts, 1996 to 2007.

Section

- 42(2) Before making a decision under *Section 40* in respect of an application made to it for the grant of a waste licence, or under *Section 46(2)* in consequence of a review of a waste licence that has been conducted by it under that section, the Agency shall give notice in writing to—
- (a) the applicant or the holder of the licence, as the case may be,
 - (b) any person who has made a written submission to it in relation to the application or the review, in accordance with regulations under this Part,
 - (c) where relevant, the local authority in whose functional area the activity, the subject matter of the proposed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on, and
 - (d) such other persons as may be prescribed,
- of the decision it proposes to make in respect of the application or in consequence of the review and, where the decision so notified is a decision to grant a waste licence or a revised waste licence, shall specify where a copy of the proposed licence or revised licence may be obtained.
- 42(3) Any person may, subject to compliance with the requirements of any regulations under *Sections 45* and *50*, and at any time before the expiration of the appropriate period, make an objection to the Agency in relation to a decision referred to in *subsection (2)* that it proposes to make.
- 42(4) An objection shall—
- (a) be made in writing,
 - (b) state the name and address of the objector,
 - (c) state the subject matter of the objection,
 - (d) state in full the grounds of objection and the reasons, considerations and arguments on which they are based, and
 - (e) be accompanied by such fee (if any) as may be payable in respect of the making of such objection in accordance with regulations under *Section 50*.
- 42(5) (a) An objection which does not comply with the requirements of *subsection (4)* shall be invalid.
(b) The requirement of *subsection (4) (d)* shall apply whether or not the objector requests, or proposes to request, under *subsection (9)* an oral hearing of the objection.
- 42(6) An objection shall be accompanied by such documents, particulars, or other information relating to the objection as the objector considers necessary or appropriate.
- 42(7) Without prejudice to the provisions of any regulations under *Section 45*, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds of objection stated in the objection, and any such elaboration, submissions or further grounds of objection that is or are received by the Agency shall not be considered by it.
- 42(8) Any documents, particulars or other information submitted by an objector, other than such documents, particulars or other information which accompanied the objection or which were furnished to the Agency under and in accordance with a requirement of, or made pursuant to, regulations under *Section 45*, shall not be considered by the Agency.
- 42(9) (a) A person making an objection under *subsection (3)* may request an oral hearing of the objection.
(b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under *Section 50*.

- (ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.
 - (c) A request for an oral hearing of an objection shall be made within the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.
- 42(10) An objection, or a request for an oral hearing under subsection (9), shall be made—
- (a) by sending the objection or request by prepaid post to the Agency, or
 - (b) by leaving the objection or request with an employee of the Agency, at the principal office of the Agency, during office hours, or
 - (c) by such other means as may be prescribed.
- 42(11) (a) Where a request for an oral hearing of an objection is made in accordance with *subsection (9)*, or otherwise where an objection has been made, the Agency shall have an absolute discretion to hold an oral hearing in relation to the objection and, if it decides to hold such a hearing, it shall give notice in writing of that decision to—
- (i) the applicant or the holder of the licence, as the case may be,
 - (ii) where relevant, the local authority in whose functional area the activity, the subject matter of the pro-posed waste licence or the waste licence, as the case may be, is intended to be, or is, carried on,
 - (iii) any person who requested an oral hearing, and
 - (iv) such other person as may be prescribed.
- (b) Where the Agency decides not to hold an oral hearing under this subsection, it shall give notice in writing of its decision to the person who requested the oral hearing.
- 42(12) In this section “the appropriate period” means the period of 28 days beginning on the day on which notification is sent under subsection (2) in respect of the matter concerned.
- 42A ***Calculation of appropriate period and other time limits over holidays***
- When calculating the appropriate period (within the meaning of Section 42) or any other time limit under this Act or in any regulations made under this Act, the period between the 24th day of December and the 1st day of January, both days inclusive, shall be disregarded.
- 43(1) (a) Where
- (i) no objection is made in accordance with Section 42(3) to the Agency in relation to a decision that it proposes to make in respect of an application made to it for the grant of a waste licence or in consequence of a review conducted by it of a waste licence, or
 - (ii) any objection or objections that has or have been so made to it in relation thereto is or are withdrawn,
- the decision of the Agency in relation to that application or in consequence of the review shall be that as notified by it under Section 42(2).
- (b) Where the decision of the Agency is to grant a waste licence or a revised waste licence, such a licence shall be granted by it as soon as may be after the making of the decision.



Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

PROPOSED DECISION FOR A WASTE LICENCE
REVIEW
LANDFILL FOR NON-HAZARDOUS WASTE

Waste Licence	W0059-03
Register Number:	
Licensee:	Roscommon County Council
Location of Facility:	Ballaghaderreen Landfill, Aghalustia Townland, Ballaghaderreen, County Roscommon.

INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

This licence is for the continued operation and development by Roscommon County Council of a landfill facility at Aghalustia Townland, Ballaghaderreen, County Roscommon. This licence provides for the acceptance of up to 25,000 tonnes of waste per annum. The licence also provides for the installation of leachate, landfill gas and surface water management infrastructure at the facility.

This review of the licence is primarily concerned with ensuring that the landfill is operating in compliance with all relevant requirements of the Landfill Directive (1999/31/EC) including the need to divert biodegradable municipal waste from landfill. Waste must be treated before disposal in the landfill and treatment must now reflect pre-treatment technical guidelines published in 2009 by the Agency – *Municipal Solid Waste – Pre-treatment and Residuals Management: An EPA Technical Guidance Document*. Limits on the acceptance of biodegradable municipal waste are introduced. There is a consequential need, set out in the licence, to update and revise waste acceptance procedures, maintain records to demonstrate compliance with new requirements and provide periodic reports on waste disposal and recovery at the facility. New conditions for the prevention, control and monitoring of odour have been introduced.

The licensee must manage and operate the facility to ensure that the activities do not cause environmental pollution. The licensee is required to carry out regular environmental monitoring and submit all monitoring results and a range of reports on the operation and management of the facility to the Agency.

The licence sets out in detail the Conditions under which Roscommon County Council will operate and manage this facility.

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DECISION & REASONS FOR THE DECISION

Reasons for the Decision

The Environmental Protection Agency (the Agency) is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 40(4) of the Waste Management Acts 1996 to 2008.

In reaching this decision the Agency has considered documentation received from the licensee and the report of its inspector.

Part I Activities Licensed

In pursuance of the powers conferred on it by the Waste Management Acts, 1996 to 2008, the Agency proposes, under Section 46(8)(a) of the said Acts, to grant this Waste Licence to Roscommon County Council, Courthouse, Roscommon, County Roscommon to carry on the waste activities listed below at Aughalustia Townland, Ballaghaderreen, County Roscommon subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence. For the purposes of Article 48 of the Waste Management (Licensing) Regulations 2004 (S.I. No. 395) this facility is classed as a non-hazardous waste landfill.

Licensed Waste Disposal Activities, in accordance with the Third Schedule of the Waste Management Acts, 1996 to 2008

Class 1	Deposit on, in or under land (including landfill): This activity is limited to the disposal of waste into unlined areas of the facility prior to the provision of lined cells at the facility
Class 4	Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons: This activity is limited to the collection of leachate in a lagoon at the facility
Class 5	Specially engineered landfill, including placement into lined discrete cells which are capped and isolated from one another and the environment: This activity is limited to the disposal of waste in lined cells
Class 13	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned is produced: This activity is limited to the storage of waste at the facility prior to disposal

Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Acts, 1996 to 2008

Class 2	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes): This activity is limited to the collection of household organic/green wastes at the Civic Waste Facility.
Class 3	Recycling or reclamation of metals and metal compounds: This activity is limited to the collection of metals at Civic Waste Facility
Class 4	Recycling or reclamation of other inorganic materials: This activity is limited to the collection of wastes at the Civic Waste Facility and for the recovery of inert waste as cover material and in the restoration of the facility.
Class 11	Use of waste obtained from any activity referred to in a preceding paragraph of this Schedule: This activity is limited to the use of compost or stabilised biodegradable waste in the restoration of the facility.
Class 13	Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced: This activity is limited to the storage of materials prior to its removal off-site for recycling/recovery.

INTERPRETATION

All terms in this licence should be interpreted in accordance with the definitions in the Waste Management Acts 1996 to 2008, (the Acts), unless otherwise defined in this section.

Adequate lighting	20 lux measured at ground level.
Agreement	Agreement in writing.
Annually	At approximately twelve monthly intervals.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of the waste licence application.
Application	The application by the licensee for this waste licence.
BAT	Best Available Techniques as defined in Article 2(11) of Council Directive 96/61/EC concerning integrated pollution prevention and control.
Appropriate facility	A waste management facility, duly authorised under relevant law and technically suitable.
Biodegradable waste	Waste that is capable of undergoing anaerobic or aerobic decomposition, such as food and garden waste and paper and cardboard.
Biodegradable municipal waste (BMW)	The biodegradable component of municipal waste, not including bio-stabilised residual waste. Biodegradable municipal waste is typically composed of food and garden waste, wood, paper, cardboard and textiles.
Bio-stabilised residual waste	Residual biodegradable municipal waste that has been treated to achieve an EPA-approved biodegradability stability standard (as defined in this licence) prior to landfilling or alternative use agreed.
Characterisation of waste	The sampling and analysis of waste to determine, amongst other things, its nature and composition, including the proportions of biodegradable, recyclable and other materials in the waste.
Classification of waste	The classification of waste as inert, non-hazardous or hazardous for the purpose of article 4 of Council Directive (1999/31/EC) on the landfill of waste.
Coding of waste:	The allocation of a European Waste Catalogue/Hazardous Waste List code and a concise/standardised description of the waste, including information on the source of the waste, e.g. municipal, industrial, construction and demolition etc.
Condition	A condition of this licence.
Construction and Demolition Waste	All wastes which arise from construction, renovation and demolition activities.
Containment boom	A boom which can contain spillages and prevent them from entering drains or watercourses.
Cover material	Bricks, crushed concrete, tarmac, earth, soil, sub-soil, stone, rock or other similar natural materials; or other cover material the use of which has been

agreed by the Agency.

Daily Cover	Is the term used to describe material spread (about 150mm if soil cover is used) over deposited waste at the end of each day. Synthetic materials may also be used. Its objective is to minimise odour, the amount of litter generated and to control flies and access to the waste by birds and vermin. Where soils are used for daily cover, it is recommended that they be removed at the start of the day and subsequently reused as much as possible.
Daytime	0800 hrs to 2200 hrs.
Documentation	Any report, record, result, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
Drawing	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
Emergency	Those occurrences defined in Condition 9.4.
Emission Limits	Those limits, including concentration limits and deposition levels established in <i>Schedule C: Emission Limits</i> , of this licence.
European Waste Catalogue (EWC)	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 94/3/EC and any subsequent amendment published in the Official Journal of the European Community.
Green waste	Waste wood (excluding timber), plant matter such as grass cuttings, and other vegetation.
Hours of Operation	The hours during which the facility is authorised to be operational. The hours of operation of a facility are usually longer than the hours of waste acceptance to facilitate preparatory and completion works, such as the removal and laying of daily cover. Different activities within the facility, such as the landfill and the civic waste facility, may have different hours of waste acceptance.
Hours of Waste Acceptance	The hours during which the facility is authorised to accept waste. Different activities within the facility, such as the landfill and the civic waste facility, may have different hours of waste acceptance.
Inert waste	Waste that does not undergo any significant physical, chemical or biological transformations. Inert waste will not dissolve, burn or otherwise physically or chemically react, biodegrade or adversely affect other matter with which it comes into contact in a way likely to give rise to environmental pollution or harm human health. The total leachability and pollutant content of the waste and the ecotoxicity of the leachate must be insignificant, and in particular not endanger the quality of surface water and/or groundwater.
Intermediate Cover	Refers to placement of material (minimum 300mm if soil is used) for a period of time prior to restoration or prior to further disposal of waste.
Landfill	Refers to the area of the facility where the waste is disposed of by placement on the ground or on other waste.
Landfill Directive	Council Directive 1999/31/EC on the landfill of waste.
Landfill Gas	Gases generated from the landfilled waste.

LEL (Lower Explosive Limit)	The lowest percentage concentration by volume of a mixture of flammable gas with air which will propagate a flame at 25°C and atmospheric pressure.
Licence	A waste licence issued in accordance with the Acts.
Licensee	Roscommon County Council, Courthouse, Roscommon, County Roscommon.
List I/II Organics	Substances classified pursuant to EC Directives 76/464/EEC and 80/68/EEC.
Liquid Waste	Any waste in liquid form and containing less than 2% dry matter. Any waste tankered to the facility.
Maintain	Keep in a fit state, including such regular inspection, servicing and repair as may be necessary to adequately perform its function.
Mobile Plant	Self-propelled machinery used for the emplacement of wastes or for the construction of specified engineering works.
Monthly	A minimum of twelve times per year, at approximately monthly intervals.
Municipal solid waste (MSW)	Household waste as well as commercial and other waste which, because of its nature or composition, is similar to household waste. Excluding municipal sludges and effluents.
Night-time	2200 hrs to 0800 hrs.
OMP	Odour Management Plan.
Recyclable Materials	Those waste types, such as cardboard, batteries, gas cylinders, etc which may be recycled.
Residual waste	The fraction of collected waste remaining after a treatment or diversion step, which generally requires further treatment or disposal.
Quarterly	At approximately three monthly intervals.
Sample(s)	Unless the context of this licence indicates to the contrary, samples shall include measurements by electronic instruments.
Sludge	The accumulation of solids resulting from chemical coagulation, flocculation and/or sedimentation after water or wastewater treatment with between 2% and 14% dry matter.
Specified Emissions	Those emissions listed in <i>Schedule C: Emission Limits</i> , of this licence.
Specified Engineering Works	Those engineering works listed in <i>Schedule B: Specified Engineering Works</i> , of this licence.
Treatment/pre-treatment	In relation to waste, any manual, thermal, physical, chemical or biological processes that change the characteristics of waste in order to reduce its volume or hazardous nature or facilitate its handling, disposal or recovery.
Trigger Level	A parameter value specified in the licence, the achievement or exceedance of which requires certain actions to be taken by the licensee.
White Goods	Refrigerators, cookers, ovens and other similar appliances.
EPA Working Day	Refers to the following hours: 0900 hrs to 1730 hrs Monday to Friday inclusive

inclusive.

Working Face

The area of the site in which waste other than cover material or material for the purposes of the construction of specified engineering works is being deposited.

PART II CONDITIONS

CONDITION 1 SCOPE OF THE LICENCE

- 1.1 Waste activities at the facility shall be restricted to those listed and described in Part I: Activities Licensed and authorised by this licence.
- 1.2 For the purposes of this licence, the facility is the area of land outlined in red on Drawing No. D.1.1 of the application. Any reference in this licence to "facility" shall mean the area thus outlined in red.
- 1.3 This licence is for the purposes of waste licensing under the Waste Management Acts, 1996 to 2008 only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.
- 1.4 Municipal Waste, Commercial Waste, Industrial Waste and Construction and Demolition waste may be disposed of at the facility subject to the maximum quantities and other constraints listed in *Schedule A: Waste Acceptance*, of this licence.
- 1.5 Waste Acceptance.
 - 1.5.1 Whole used tyres (other than bicycle tyres and tyres with an outside diameter greater than 1400mm) shall not be disposed of at the facility. Shredded tyres shall not be disposed of at the facility.
 - 1.5.2 No hazardous wastes, liquid wastes or sludges shall be disposed of at the facility.
 - 1.5.3 The licensee shall ensure that inert waste accepted at the facility is subject to treatment where technically feasible.
 - 1.5.4 No waste which in the conditions of the landfill, is explosive, corrosive, oxidising, highly flammable or flammable as defined in EU Council Directive 91/689/EEC shall be accepted at the landfill.
 - 1.5.5 The dilution or mixture of waste solely in order to fulfil relevant waste acceptance criteria established under Condition 5.2.1 is prohibited.
- 1.6 Waste Acceptance Hours and Hours of Operation.
 - 1.6.1 Landfill:-
 - 1.6.1.1 Waste may only be accepted at the facility for disposal at the landfill between the hours of 8.00am – 4.30pm Monday to Friday inclusive and from 10.00am – 12.30pm on Saturdays.
 - 1.6.1.2 The landfill at the facility may only be operated during the hours of 7.30am – 6.00pm Monday to Friday inclusive and from 8.00am – 2.00pm on Saturdays.
 - 1.6.1.3 Waste shall not be accepted at the landfill on Bank Holidays or Sundays unless agreed in advance by the Agency.

1.6.2 Civic Waste Facility:-

1.6.2.1 Waste shall only be accepted at the Civic Waste Facility between the hours of 9.00am – 4.30pm Monday to Friday inclusive and 10.00am – 12.30pm on Saturdays.

1.7 The following shall constitute an incident for the purposes of this licence.

- a) An emergency.
- b) Any emission which does not comply with the requirements of this licence.
- c) Any trigger level specified in this licence which is attained or exceeded.
- d) Any indication that environmental pollution has, or may have, taken place.

1.8 Where the Agency considers that a non-compliance with any condition of this licence has occurred, it may serve a notice on the licensee specifying.

1.8.1 That only those wastes as specified, if any, in the notice are to be accepted at the facility after the date set down in the notice.

1.8.2 That the licensee shall undertake the works stipulated in the notice, and/or otherwise comply with the requirements of the notice as set down therein, within the time-scale contained in the notice.

1.8.3 That the licensee shall carry out any other requirement specified in the notice.

When the notice has been complied with, the licensee shall provide written confirmation that the requirements of the notice have been carried out. No waste, other than that which is stipulated in the notice, shall be accepted at the facility until written permission is received from the Agency.

1.9 Every plan, programme or proposal submitted to the Agency for its agreement pursuant to any condition of this licence shall include a proposed timescale for its implementation. The Agency may modify or alter any such plan, programme or proposal in so far as it considers such modification or alteration to be necessary and shall notify the licensee in writing of any such modification or alteration. Every such plan, programme or proposal shall be carried out within the timescale fixed by the Agency but shall not be undertaken without the agreement of the Agency. Every such plan, programme or proposal agreed by the Agency shall be covered by the conditions of this licence.

1.10 This licence has been granted in substitution for the waste licence granted to the licensee on 08th May 2003 and bearing Register Number W0059-02. The previous waste licence (Reg. No. W0059-02) is replaced by this revised licence.

REASON: *To clarify the scope of this licence.*

CONDITION 2 MANAGEMENT OF THE FACILITY

2.1 Facility Management.

2.1.1 The licensee shall employ a suitably qualified and experienced facility manager who shall be designated as the person in charge. The facility manager or a nominated, suitably qualified and experienced, deputy shall be present on the facility at all times during its operation.

- 2.1.2 The Civic Waste Facility shall be supervised by an appropriately qualified and competent person at all times while waste may be accepted.
- 2.1.3 Both the facility manager and deputy, and any replacement manager or deputy, shall successfully complete both the FAS Waste Management Training Programme (or equivalent agreed by the Agency) and associated on site assessment appraisal within twelve months of appointment.
- 2.1.4 The licensee shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience, as required and shall be aware of the requirements of this licence.

2.2 Management Structure.

- 2.2.1 The licensee shall submit written details to the Agency of any proposed amendments to the management structure. Written details of the management structure shall include the following information:-
- a) The names of all persons who are to provide the management and supervision of the waste activities authorised by the licence, in particular the name of the facility manager and any nominated deputies.
 - b) Details of the responsibilities for each individual named under a) above.
 - c) Details of the relevant education, training and experience held by each of the persons nominated under a) above.

2.3 Environmental Management System (EMS).

- 2.3.1 The licensee shall maintain an EMS and an agreed mechanism for the revision (where appropriate) of the existing Environmental Management System (EMS) for the facility. The EMS shall be updated on an annual basis with amendments being submitted to the Agency for its agreement.

- 2.3.2 The EMS shall include as a minimum the following elements:

2.3.2.1 Schedule of Environmental Objectives and Targets:-.

The licensee shall prepare and maintain a Schedule of Environmental Objectives and Targets. The schedule shall, as a minimum, provide for a review of all operations and processes, including an evaluation of practicable options, for energy and resource efficiency, the use of cleaner technology (including emissions prevention/reduction), and the beneficial recovery/recycling of waste in subsequent landfill engineering operations. The schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The schedule shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER).

The licensee shall ensure insofar as practicable that environmental objectives and targets are met according to the stated schedule.

2.3.2.2 Landfill Environmental Management Plan (EMP):-

Within 12 months from the date of grant of this licence, the licensee shall prepare and maintain a LEMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.3.2.1. The LEMP shall have regard to the guidance set out in the EPA Manual on *Landfill Operational Practices*. The LEMP shall replace any existing EMP and shall include:

- designation of responsibility for targets;

- the means by which they may be achieved; and
- the time within which they may be achieved.

The LEMP shall be reviewed annually and take into account operational experiences at the facility, the stage of development of the facility (active, closure, aftercare), evolving legislative and BAT requirements, as well as any Agency instructions that may issue. Amendments shall be notified to the Agency for agreement as part of the Annual Environmental Report (AER).

A report on the programme, including the success in meeting agreed targets, shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.3.2.3 Corrective Action Procedures:-

The Corrective Action Procedures shall detail the corrective actions to be taken should any of the procedures detailed in the EMS not be followed.

2.3.2.4 Awareness and Training Programme:-

The Awareness and Training Programme shall identify training needs, for personnel who work in or have responsibility for the licensed facility.

2.4 Communications Programme.

- 2.4.1 The licensee shall maintain a Communications Programme to ensure that members of the public can obtain information at the facility, at all reasonable times, concerning the environmental performance of the facility.

2.5 Resource Use and Energy Efficiency

- 2.5.1 The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall:-

- (i) identify all opportunities for energy use reduction and efficiency;
- (ii) be carried out in accordance with the guidance published by the Agency - "Guidance Note on Energy Efficiency Auditing"; and
- (iii) be repeated at intervals as required by the Agency.

The recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2.3.2.1 above.

- 2.5.2 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into the Schedule of Environmental Objectives and Targets.

- 2.5.3 The licensee shall undertake an assessment of the efficiency of use of raw materials in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for this type of activity. Where improvements are identified, these shall be incorporated into the Schedule of Environmental Objectives and Targets.

REASON: *To make provision for the proper management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment. To provide for the efficient use of resources and energy in all site operations.*

CONDITION 3 FACILITY INFRASTRUCTURE

- 3.1 The licensee shall establish all infrastructure as required by the conditions of this licence.
- 3.2 Specified Engineering Works
- 3.2.1 The licensee shall submit proposals for all Specified Engineering Works, as defined in *Schedule B: Specified Engineering Works*, of this licence, to the Agency for its agreement at least two months prior to the intended date of commencement of any such works. No such works shall be carried out without the prior agreement of the Agency.
- 3.2.2 All specified engineering works shall be supervised by a competent person(s) and that person, or persons, shall be present at all times during which relevant works are being undertaken.
- 3.2.3 Following the completion of all specified engineering works, the licensee shall complete a construction quality assurance validation. The validation report shall be made available to the Agency on request. The report shall include the following information:-
- a) A description of the works.
 - b) As-built drawings of the works.
 - c) Records and results of all tests carried out (including failures).
 - d) Drawings and sections showing the location of all samples and tests carried out.
 - e) Daily record sheets/diary.
 - f) Name(s) of contractor(s)/individual(s) responsible for undertaking the specified engineering works.
 - g) Name(s) of individual(s) responsible for supervision of works and for quality assurance validation of works.
 - h) Records of any problems and the remedial works carried out to resolve those problems.
 - i) Any other information requested in writing by the Agency.
- 3.3 Facility Notice Board
- 3.3.1 The licensee shall provide and maintain a Facility Notice Board on the facility so that it is legible to persons outside the main entrance to the facility. The minimum dimensions of the board shall be 1200 mm by 750 mm.
- 3.3.2 The board shall clearly show:-
- a) The name and telephone number of the facility.
 - b) The normal hours of opening.
 - c) The name of the licence holder.
 - d) An emergency out of hours contact telephone number.
 - e) The licence reference number.

- f) Where environmental information relating to the facility can be obtained.

3.4 Facility Security

- 3.4.1 Security and stockproof fencing and gates shall be installed and maintained around the boundary of the facility. Palisade fencing and gates shall be maintained along the southern boundary of the facility. Subject to the agreement of the Agency temporary security fencing may be used during construction of additional cells at the facility.
- 3.4.2 The base of the fencing shall be set in the ground. Subject to the implementation of the restoration and aftercare plan and to the agreement of the Agency, the requirement for such site security may be removed.
- 3.4.3 The licensee shall remedy any defect in the gates and/or fencing as follows:-
 - a) A temporary repair shall be made by the end of the working day.
 - b) A repair to the standard of the original gates and/or fencing shall be undertaken within three working days.

3.5 Facility Roads and Hardstanding.

- 3.5.1 Site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.
- 3.5.2 The surface of the facility entrance area, the access road to the Civic Waste Facility, the Civic Waste Facility itself, the approach road to the weighbridge and the site road from the vehicle wash to the facility entrance shall be maintained so as to minimise infiltration.

3.6 Facility Office.

- 3.6.1 The licensee shall provide and maintain an office at the facility. The office shall be constructed and maintained in a manner suitable for the processing and storing of documentation.
- 3.6.2 The licensee shall provide and maintain a working telephone and a method for electronic transfer of information at the facility.

3.7 Waste Inspection and Quarantine Areas.

- 3.7.1 A Waste Inspection Area and a Waste Quarantine Area shall be provided and maintained at the facility.
- 3.7.2 These areas shall be constructed and maintained in a manner suitable, and be of a size appropriate, for the inspection of waste and subsequent quarantine if required. The waste inspection area and the waste quarantine area shall be clearly identified and segregated from each other.
- 3.7.3 Drainage from these areas shall be directed to the leachate collection system.

3.8 Weighbridge.

- 3.8.1 The licensee shall provide and maintain a weighbridge at the facility.

3.9 Wheel Cleaning.

- 3.9.1 The licensee shall establish and maintain a wheelwash at the facility.

3.10 Tank and Drum Storage Areas.

3.10.1 All tank and drum storage areas shall be rendered impervious to the materials stored therein.

3.10.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:-

- a) 110% of the capacity of the largest tank or drum within the bunded area; or
- b) 25% of the total volume of substance which could be stored within the bunded area.

3.10.3 All drainage from bunded areas shall be diverted for collection and safe disposal.

3.10.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.

3.10.5 Bunds should be designed having regard to Agency guidelines '*Storage and Transfer of Materials for Scheduled Activities*' (2004). The integrity and water tightness of all the bunds and their resistance to penetration by water or other materials stored therein shall be confirmed by the licensee and shall be reported to the Agency following its installation and prior to its use as a storage area. This confirmation shall be repeated at least once every three years thereafter and reported to the Agency on each occasion.

3.11 Landfill Lining:

3.11.1 The landfill liner shall comprise:-

- a) A composite liner consisting of a 1m layer of compacted soil with a hydraulic conductivity of less than or equal to 1×10^{-9} m/s, (or equivalent to be agreed by the Agency) overlain by a 2mm thick high density polyethylene (HDPE) layer.
- b) A geotextile protection layer placed over the HDPE layer.
- c) A 500mm thick drainage layer placed over the geotextile layer with a minimum hydraulic conductivity of 1×10^{-3} m/s, of pre-washed, uncrushed, granular, rounded stone (16 - 32mm grain size) incorporating leachate collection drains.
- d) The side walls shall be designed and constructed to achieve an equivalent protection.

3.11.2 The liner detailed design and its construction shall be in accordance with the guidelines provided in the Agency's Landfill Manual, *Landfill Site Design*.

3.11.3 Unless otherwise agreed by the Agency the layout and formation levels of the cells of any new cells at the facility shall be as shown on Drawing No. 601 of the application.

3.12 Leachate Management Infrastructure

3.12.1 Leachate management infrastructure shall be provided and maintained in all new lined cells as facility as described in Section D.4.a of the application.

3.12.2 Leachate management for unlined areas of the facility shall consist *inter alia* of the following:

- 3.12.2.1 A leachate interception drain along the eastern and northern boundaries of the existing waste body.

- 3.12.2.2 Collection of leachate by gravity from unlined cells 4 and 5.
- 3.12.2.3 The licensee shall provide and maintain a leachate collection/interception drain along the western boundary of the facility.
- 3.12.3 All leachate collected at the facility shall be pumped/drained to the leachate storage lagoon prior to removal off-site.
- 3.12.4 The licensee shall provide and maintain a leachate storage structure at the facility to facilitate the storage of leachate abstracted/collected from the waste.
- 3.12.5 The licensee shall provide a means of removing dissolved methane from the leachate prior to discharge to the sewer, subject to the results of monitoring of methane levels in leachate emissions to sewer. Any such technology employed shall ensure that dissolved methane does not exceed the limit as per *Schedule C: Emission Limits*, of this licence. Any methane removed from the leachate shall be fed to the on-site Landfill Gas Management System.
- 3.13 Landfill Gas Management.
 - 3.13.1 Infrastructure for the active collection of landfill gas shall be installed and maintained at the facility. Unless otherwise agreed by the Agency the licensee shall install an enclosed landfill gas flare at the facility. The design details and location of the flare shall be agreed in advance by the Agency. Flare unit efficiency shall be tested once it is installed and once every three years thereafter.
 - 3.13.2 Any landfill gas utilisation plant required as per Condition 11.5 shall be installed at the facility.
 - 3.13.3 All buildings constructed on the facility shall have regard to the guidance given in the Department of Environment 1994 publication "Protection of New Buildings and Occupants from Landfill Gas" and any subsequent revisions.
- 3.14 Surface Water Management.
 - 3.14.1 Effective surface water management infrastructure shall be provided and maintained at the facility during construction, operation, restoration and aftercare of the facility. As a minimum, the infrastructure shall be capable of the following:-
 - a) The prevention of contaminated water and leachate discharges into surface water drains and courses.
 - b) The collection/diversion of run off arising from capped and restored areas.
- 3.15 Groundwater Management.
 - 3.15.1 Effective groundwater management infrastructure shall be provided and maintained at the facility to provide protection of the groundwater resources from pollution by the waste activities.
- 3.16 Civic Waste Facility
 - 3.16.1 The licensee shall provide and maintain the Civic Waste Facility at the facility.
- 3.17 Telemetry
 - 3.17.1 A telemetry system shall be installed and maintained at the facility. All facility operations linked to the telemetry system shall also have a manual control which will be reverted to in the event of break in power supply or during maintenance.

3.17.2 A telemetry system shall be installed and maintained at the facility. This system shall include for:-

- a) Recording of leachate levels in the lined cells (other than Cell No. 6) and lagoon.
- b) Recording groundwater levels in the groundwater sump(s) beneath the lined cell(s).
- c) Permanent gas monitoring system to be installed in the site office and any other enclosed structures at the facility.
- d) Provision of high level alarm and power failure signal for Cell No. 6.

3.18 Monitoring Infrastructure.

3.18.1 Landfill Gas:-

- a) Prior to the commencement of the capping works at the facility and subject to the agreement of landowners the licensee shall provide a representative number of monitoring locations for the measurement of the potential off-site migration of landfill gas.
- b) The licensee shall maintain an effective permanent gas monitoring system in the site office and any other enclosed structures at the facility.

3.18.2 Groundwater:-

- a) The licensee shall install provide and maintain one upgradient and two downgradient monitoring points to allow for the sampling and analyses of groundwater from the limestone aquifer.

3.18.3 Leachate:-

- a) The licensee shall provide and maintain two monitoring points within the existing waste body and one monitoring point per lined cell to allow for the sampling and analysis of leachate.

3.18.4 Replacement of Infrastructure:-

- a) Monitoring infrastructure which is damaged or proves to be unsuitable for its purpose shall be replaced within three months of it being damaged or recognised as being unsuitable.

REASON: To provide appropriate infrastructure for the protection of the environment.

CONDITION 4 RESTORATION AND AFTERCARE

4.1 The restoration of the facility shall be carried out on a phased basis as agreed by the Agency and the restored height of the facility shall not exceed 88.5mOD as per Drawing C7.5 of the application.

4.2 All unlined areas of the landfill where waste has been deposited other than the facility entrance, civic waste facility, office/weighbridge/wheelwash areas and the site roads shall be capped.

4.3 Final Capping.

4.3.1 Unless otherwise agreed by the Agency the final capping shall consist of the following:-

- a) Topsoil (150 -300mm).
 - b) Subsoils, such that total thickness of top soil and subsoils is at least 1m;
 - c) Drainage layer of 0.5m thickness or a geosynthetic material having a minimum hydraulic conductivity of 1×10^{-4} m/s.
 - d) Compacted mineral layer of a minimum 0.6m thickness with a permeability of less than 1×10^{-9} m/s or a geosynthetic material (e.g. GCL) or similar that provides equivalent protection.
 - e) Gas collection layer of natural material (minimum 0.3m) or a geosynthetic layer.
- 4.4 No material or object that is incompatible with the proposed restoration of the facility shall be present within one metre of the final soil surface levels.
- 4.5 Where tree planting is to be carried out above waste-filled areas, a synthetic barrier shall be used to augment the clay cap. Combined topsoil and subsoil depths shall be a minimum of 1m.
- 4.6 Soil Storage.
- 4.6.1 All soils shall be stored to preserve the soil structure for future use and in addition shall be stored in such a manner so as to minimise dust emissions.
- 4.7 A final validation report to include a certificate of completion for the Restoration Plan, for all or part of the site as necessary, shall be submitted to the Agency within three months of execution of the plan. The licensee shall carry out such tests, investigations or submit certification, as requested by the Agency, to confirm that there is no continuing risk to the environment.

REASON: *To provide for the restoration of the facility.*

CONDITION 5 FACILITY OPERATION AND WASTE MANAGEMENT

- 5.1 Wastes, other than inert waste for restoration purposes, shall not be deposited in any cell or part of the landfill without the prior agreement of the Agency. No wastes, other than inert waste for restoration purposes, shall be disposed of into any unlined areas at the facility.
- 5.2 Waste Acceptance and Characterisation Procedures
- 5.2.1 Within one month of the date of grant of this licence, the licensee shall submit to the Agency for its agreement updated written procedures for the acceptance and handling of all wastes. These procedures shall include details of the treatment of all waste to be carried out in advance of acceptance at the facility and shall also include methods for characterisation, classification and coding of waste. The procedures shall have regard to the Council Decision (2003/33/EC) establishing criteria and procedures for the acceptance of waste at landfills pursuant to Article 16 and Annex II to Directive 1999/31/EC on the landfill of waste.
- 5.2.2 The waste acceptance procedures established under Condition 5.2.1 shall provide:-
- 5.2.2.1 For the checking of waste documentation on receipt of waste in the waste reception area;
 - 5.2.2.2 For non pre-cleared customers, the visual inspection and testing of waste in the waste inspection area pending acceptance/rejection;

5.2.2.3 For the visual inspection of waste when deposited at the working face;

5.2.2.4 For the keeping for two months of any samples associated with on-site verification sampling of waste accepted at the facility.

5.2.3 The licensee shall provide a written acknowledgement (to carrier/waste contractor) of receipt of each delivery of waste to the facility (for disposal in the landfill).

5.2.4 Gypsum wastes shall not be placed in any landfill cell accepting biodegradable waste.

Waste Treatment

5.2.5 Only waste that has been subject to treatment shall be accepted for disposal at the landfill facility.

(i) Treatment shall reflect published EPA technical guidance as set out in *Municipal Solid Waste – Pre-treatment and Residuals Management*, EPA, 2009.

(ii) With the agreement of the Agency, this condition shall not apply to:

- inert wastes for which treatment is not technically feasible;
- other waste for which such treatment does not contribute to the objectives of the Landfill Directive as set out in Article 1 of the Directive by reducing the quantity of the waste or the hazards to human health or the environment.

Limit on acceptance of biodegradable municipal waste

5.2.6 Unless otherwise as may be specified by the Agency, the following limits shall apply:

(i) From 1 July 2010 to 30 June 2013 inclusive, a maximum of 40% by weight of municipal solid waste (MSW) accepted for disposal to the body of the landfill shall comprise biodegradable municipal waste (BMW), measured on a calendar year basis or, in 2010 and 2013, part thereof,

(ii) From 1 July 2013 to 30 June 2016 inclusive, a maximum of 24% by weight of MSW accepted for disposal to the body of the landfill shall comprise BMW, measured on a calendar year basis or, in 2013 and 2016, part thereof, and

(iii) From 1 July 2016, a maximum of 15% by weight of MSW accepted for disposal to the body of the landfill shall comprise BMW, measured on a calendar year basis or, in 2016, part thereof,

unless an alternative has been agreed in writing by the Agency in accordance with Condition 5.2.7.

5.2.7 Two or more licensed landfills may seek the agreement of the Agency that collectively they will arrange to comply with condition 5.2.6. Such agreement may be sought by review of the landfill licence for any facility seeking an increase in the limits set out in Condition 5.2.6, and by technical amendment of any licence for a facility seeking a decrease. Such agreement will be contingent on the net combined acceptance of biodegradable municipal waste at the participating facilities remaining unchanged.

Determination of biodegradable municipal waste content of municipal waste

5.2.8 The licensee shall determine the biodegradable municipal waste content of MSW accepted for disposal to the body of the landfill. Waste that has been bio-stabilised in accordance with Condition 5.2.11 shall not be considered BMW.

- 5.2.9 Bio-stabilised residual waste meeting the requirements of
- Condition 5.2.11, or
 - an alternative protocol as may be agreed by the Agency based on biological treatment process parameters (e.g. validated residence time and temperature parameters at the treatment facility),
- received at the landfill facility may be included in the determination of MSW quantities accepted at the facility for the purposes of Condition 5.2.6.
- 5.2.10 In determining BMW content, the licensee shall use approved calculation factors for BMW content of municipal waste streams published by the EPA. With the agreement of the EPA, alternative factors can be used if they have been determined following waste characterisation carried out in accordance with EPA-approved characterisation protocols including, where appropriate, the use of EPA-approved contractors.
- 5.2.11 In the case of bio-stabilised residual wastes, stabilisation means the reduction of the decomposition properties of the waste to such an extent that offensive odours are minimised and that the respiration activity after four days is <10mg O₂/g DM until 1 January 2016 and <7mg O₂/g DM thereafter.
- 5.2.12 Bio-stabilised residual wastes shall be monitored in accordance with *Schedule D.9 Waste Monitoring* of this licence..
- 5.2.13 Waste that was accepted to the body of the landfill as stabilised but subsequently is found not to meet the stabilisation standard set out in Condition 5.2.11 shall be notified to the Agency and included in the calculation of BMW accepted to the body of the landfill when assessing compliance with Condition 5.2.6.
- 5.2.14 The licensee is required to maintain on-site as part of their waste acceptance procedures and associated documentation, evidence to demonstrate compliance with Condition 5.2.6, which shall be available for inspection by Agency personnel.
- 5.3 All wastes shall be checked at the working face. Any waste deemed unsuitable for acceptance at the facility and/or in contravention of this licence shall be immediately separated and removed from the facility at the earliest possible time. Temporary storage of such wastes shall be in a designated Waste Quarantine Area. Waste shall be stored under appropriate conditions in the quarantine area to avoid putrefaction, odour generation, the attraction of vermin and any other nuisance or objectionable condition.
- 5.4 Working Face
- 5.4.1 Unless the prior agreement of the Agency is given, the following shall apply at the landfill:-
- a) Only one working face shall exist at the landfill at any one time for the deposit of waste other than cover or restoration materials.
 - b) The working face of the landfill shall be no more than 2.5 metres in height after compaction, no more than 25 metres wide and 40 metres in length and have a slope no greater than 1 in 3.
- 5.4.2 All waste deposited at the working face shall be compacted, using a steel wheeled compactor, and covered as soon as is practicable and at any rate prior to the end of the working day.
- 5.4.3 The working face, or faces, shall each day at the end of the day, be covered with suitable material.
- 5.5 Daily and Intermediate Cover
- 5.5.1 Any cover material at any location within the facility which is eroded, washed off or otherwise removed shall be replaced by the end of the working day.

- 5.5.2 Appropriate cover material shall be placed across the whole landfill so that no waste, other than the following is exposed:-
- a) Waste suitable for specified engineering works.
 - b) Waste on the working face during the operational hours of the facility.
- 5.5.3 Bio-stabilised residual waste shall only be used as landfill cover where it has been stabilised in accordance with Condition 5.2.11 (or meets the requirements of an alternative protocol as may be agreed under Condition 5.2.9), complies with any requirements of the Department of Agriculture, Fisheries and Food relating to the management of animal by-products and has been agreed in advance by the Agency.
- 5.6 Landscaping
- 5.6.1 The licensee shall complete a programme of planting along the boundaries of the facility so as to minimise the visual impact of the facility, in accordance with proposals agreed by the Agency.
- 5.7 Operational Controls
- 5.7.1 All large hollow objects and other large articles deposited at the facility shall be crushed, broken up, flattened or otherwise treated.
- 5.7.2 Wastes once deposited and covered shall not be excavated, disturbed or otherwise picked over with the exception of works associated with the construction and installation of the landfill gas collection system and the restoration of the facility.
- 5.7.3 Completed areas of the landfill shall be profiled so that no depressions exist in which water may accumulate. Any depressions arising after profiling shall be rectified by the emplacement of suitable capping or restoration materials.
- 5.7.4 Lined cells shall be permanently capped within twelve months of the cells having been filled to the required level.
- 5.7.5 Scavenging shall not be permitted at the facility.
- 5.7.6 Gates shall be locked shut when the facility is unsupervised.
- 5.7.7 The licensee shall provide and use adequate lighting during the operation of the facility in hours of darkness.
- 5.7.8 Fuels shall only be stored at appropriately bunded locations on the facility.
- 5.7.9 All tanks and drums shall be labelled to clearly indicate their contents.
- 5.7.10 No smoking shall be allowed on the facility (other than at an area to be agreed by the Agency).
- 5.8 Off-site Disposal and Recovery.
- 5.8.1 Waste sent off-site for recovery or disposal shall only be conveyed by a waste contractor agreed by the Agency.
- 5.8.2 All waste transferred from the facility shall only be transferred to an appropriate facility agreed by the Agency.
- 5.8.3 All wastes removed off-site for recovery or disposal shall be transported from the facility to the consignee in a manner which will not adversely affect the environment.
- 5.9 Civic Waste Facility.
- 5.9.1 The Civic Waste Facility shall only be used by private vehicles. The facility shall not be used as a transfer station for disposal of waste by commercial waste disposal contractors or local authority waste collection vehicles.

- 5.9.2 All waste deposited in the Civic Waste Facility shall be either:-
- a) Into a skip.
 - b) Into the hopper of the compactor for disposal.
 - c) Into a receptacle for recovery.
 - d) In the case where inspection is required, into a designated inspection area.
- 5.9.3 The licensee shall assign and clearly label each container at the Civic Waste Facility to indicate their contents.
- 5.10 Leachate Management.
- 5.10.1 Leachate levels in lined cells shall not exceed a level of 1.0m over the top of the liner at the base of the landfill.
- 5.10.2 The level of leachate in the pump sumps, the lined cells and the leachate lagoon shall be monitored continuously by a system that shall automatically activate leachate pumps to maintain leachate at the required level. A high level alarm shall also be installed in the pump sumps and the leachate lagoon.
- 5.10.3 The frequency of leachate removal/discharge from the leachate lagoon shall be such that a minimum freeboard of 0.75m shall be maintained in the leachate lagoon at all times.
- 5.10.4 Leachate stored in the leachate storage lagoon shall be pumped to Ballaghaderreen Wastewater Plant or another wastewater treatment plant to be agreed in advance by the Agency.
- 5.10.5 Recirculation of leachate or other contaminated water shall not be undertaken without the prior agreement of the Agency and, in any case, shall only be undertaken within cells which have been lined to the satisfaction of the Agency.
- 5.11 Wastewater management.
- 5.11.1 Unless otherwise agreed by the Agency, all wastewaters generated at the facility shall be discharged to sewer.
- 5.12 Maintenance.
- 5.12.1 All treatment/abatement and emission control equipment shall be calibrated and maintained, in accordance with the instructions issued by the manufacturer/supplier or installer. Written records of the calibrations and maintenance shall be made and kept by the licensee.
- 5.12.2 All lagoon structures on the facility shall be inspected and certified fit for purpose every three years by an independent and appropriately qualified chartered engineer.
- 5.12.3 The licensee shall maintain and clearly label and name all sampling and monitoring locations.
- 5.12.4 The wheel-wash shall be inspected on a daily basis and drained as required. Silt, stones and other accumulated material shall be removed as required from the wheel-wash and disposed of at the working face.

REASON: To provide for appropriate operation of the facility to ensure protection of the environment.

CONDITION 6 EMISSIONS

- 6.1 No specified emission from the facility shall exceed the emission limit values set out in *Schedule C: Emission Limits* of this licence. There shall be no other emissions of environmental significance.
- 6.2 The licensee shall ensure that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with the environment beyond the facility boundary.
- 6.3 Landfill Gas:
- 6.3.1 The following are the trigger levels for landfill gas emissions from the facility measured in any service duct or manhole on, at or immediately adjacent to the facility and/or at any other point located outside the body of the waste:-
- a) Methane, greater than or equal to 1.0% v/v; or
 - b) Carbon dioxide, greater than or equal to 1.5% v/v.
- 6.3.2 The concentration limits for emissions to atmosphere specified in this licence shall be achieved without the introduction of dilution air and shall be based on gas volumes under standard conditions of :-
- a) In the case of landfill gas flare:
Temperature 273 K, pressure 101.3 kPa, dry gas at 3% oxygen;
- 6.3.3 Emission limits for emissions from landfill gas flare to atmosphere in this licence shall be interpreted in the following way:-
- 6.3.3.1 Continuous Monitoring:-
- a) No 24 hour mean value shall exceed the emission limit value.
 - b) 97% of all 30 minute mean values taken continuously over an annual period shall not exceed 1.2 times the emission limit value.
 - c) No 30 minute mean value shall exceed twice the emission limit value.
- 6.3.3.2 Non-Continuous Monitoring:-
- a) For any parameter where, due to sampling/analytical limitations, a 30 minute sample is inappropriate, a suitable sampling period should be employed and the value obtained therein shall not exceed the emission limit value.
 - b) For all other parameters, no 30 minute mean value shall exceed the emission limit value.
 - c) For flow, no hourly or daily mean value shall exceed the emission limit value.
- 6.4 Groundwater.
- 6.4.1 The licensee shall maintain and submit to the Agency for its agreement any proposals for their revision, groundwater monitoring trigger levels in accordance with the requirements of Directive 1999/31/EC.

6.5 Emissions to Surface Water

- 6.5.1 No leachate (treated or otherwise) or contaminated surface water shall be discharged to the River Lung catchment.
- 6.5.2 No substance shall be discharged in a manner, or at a concentration which, following initial dilution causes tainting of fish or shellfish.

6.6 Emissions to Sewer

- 6.6.1 Unless otherwise agreed in advance by the Agency the following shall apply for the discharge of leachate to sewer. There shall be no other discharge or emission to sewer of environmental significance.
- 6.6.2 No substance shall be present in emissions to sewer in such concentrations as would constitute a danger to sewer maintenance personnel working in the sewerage system, or as would be damaging to the fabric of the sewer, or as would interfere with the biological functioning of a downstream wastewater treatment works.
- 6.6.3 The licensee shall permit authorised persons of the Agency to inspect, examine and test, at all reasonable times, any works and apparatus installed, in connection with the discharge or emission, and to take samples of the discharge or emission.
- 6.6.4 No discharge or emission to sewer shall take place which might give rise to any reaction within the sewer or to the liberation of by-products which may be of environmental significance.
- 6.6.5 The licensee shall ensure that the discharge shall not contain dissolved methane, petroleum spirits or organic solvents (including chlorinated organic solvents), at concentrations which would give rise to flammable or explosive vapours in the sewer.
- 6.6.6 The licensee shall provide and maintain an inspection chamber in a suitable position in connection with each pipe through which a discharge or emission is being made. Each such inspection chamber or manhole shall be constructed and maintained by the licensee so as to permit the taking of samples of the discharge.
- 6.6.7 Emission limit values for emissions to sewer in this licence shall be interpreted in the following way:-
 - a) Continuous monitoring.
No flow value shall exceed the specified limit
 - b) Non-Continuous monitoring.
Eight out of ten consecutive results, calculated as daily mean concentration or mass emission values on the basis of flow proportional composite sampling shall not exceed 1.2 times the emission limit value.
 - c) No grab sample shall exceed 1.2 times the emission limit value.

REASON: To control emissions from the facility and provide for the protection of the environment.

CONDITION 7 NUISANCE CONTROL

- 7.1 The licensee shall ensure that vermin, birds, flies, mud, dust, litter and odours do not give rise to nuisance at the facility or in the immediate area of the facility. Any method used by the licensee to control any such nuisance shall not cause environmental pollution.
- 7.2 The road network in the vicinity of the facility shall be kept free from any debris caused by vehicles entering or leaving the facility. Any such debris or deposited materials shall be removed without delay.
- 7.3 Litter Control.
- 7.3.1 Litter fencing shall be installed and maintained around the perimeter of the active tipping area prior to the disposal of any waste in any cell.
- 7.3.2 All litter control infrastructure shall be inspected on a daily basis. The licensee shall remedy any defect in the litter netting as follows:-
- a) A temporary repair shall be made by the end of the working day.
 - b) A repair to the standard of the original netting shall be undertaken within three working days.
- 7.3.3 All loose litter or other waste, placed on or in the vicinity of the facility, other than in accordance with the requirements of this licences, shall be removed, subject to the agreement of the landowners, immediately and in any event by 10.00am of the next working day after such waste is discovered.
- 7.3.4 The licensee shall ensure that all vehicles delivering waste to and removing waste and materials from the facility are appropriately covered.
- 7.4 Dust Control.
- 7.4.1 In dry weather, site roads and any other areas used by vehicles shall be sprayed with water as and when required to minimise airborne dust nuisance.
- 7.5 Prior to exiting the facility, all waste vehicles shall use the wheelwash.
- 7.6 Bird Control.
- 7.6.1 Birds shall be prevented from gathering on and feeding at the facility by the use of birds of prey and/or other bird scaring techniques.
- 7.6.2 Every six months the licensee shall assess and report on the effectiveness of bird control measures in place at the facility and where necessary the control measures shall be modified.
- 7.7 Odour Control & Monitoring
- 7.7.1 Within six months of the date of grant of this licence, the licensee shall submit to the Agency for agreement, an Odour Management Plan (OMP) for the facility.
- 7.7.2 The OMP referred to in 7.7.1 shall include measures to control potential sources of odour nuisance, including inter alia, provisions regarding:
- 7.7.2.1 Requirements of relevant conditions of this licence;

- 7.7.2.2 Adequate resources and training on-site to provide for the maintenance, monitoring and operation of the landfill gas extraction system;
 - 7.7.2.3 Acceptance and management of odorous waste deliveries;
 - 7.7.2.4 Arrangements for the biannual preparation of an independent assessment and report on surface VOC emissions at the facility following completion of waste acceptance in any cell/sub-cell;
 - 7.7.2.5 Use of sacrificial gas extraction systems; phased capping of the waste body; and an interim capping system at inter-cell boundaries;
 - 7.7.2.6 Working face/active cell sizing and covering;
 - 7.7.2.7 Landfill gas collection:- locations of infrastructure including access/haul roads, well design and density, monitoring, condensate management, field balancing, flare/combustion plant operation;
 - 7.7.2.8 Identification of fugitive sources of landfill gas emissions (e.g. from leachate management infrastructure and/ or from side slopes);
 - 7.7.2.9 Monitoring:- VOC surface emissions from capped areas, odour checks off- and on-site, receipt and evaluation/verification of odour complaints received.
- 7.7.3 To meet the requirements of the OMP, the licensee shall carry out a monthly review of control measures in place at the facility and maintain findings in a monthly report. This review shall include:
- 7.7.3.1 Consideration of odour complaints received during period (including details and nature of complaints, times and weather conditions, any unusual circumstances, problems, etc.);
 - 7.7.3.2 Review of any monitoring, including ambient odour monitoring in accordance with *Schedule D.10: Ambient Odour Monitoring*, of this licence carried out (including investigation of complaints and actions taken where relevant);
 - 7.7.3.3 An update on the existing landfill gas control infrastructure (including operational status, number of wells & vents connected and unconnected to the landfill gas collection system, quantity of gas collected and flared/utilised, estimated quantity of landfill gas being produced, details of any problems with equipment during period);
 - 7.7.3.4 Details of any remedial/corrective actions taken, where relevant, including actions taken on foot of recommendations from previous report; and
 - 7.7.3.5 Recommendations
- The licensee shall maintain these reports on site and forward them to the Agency on request.
- 7.7.4 The OMP shall be reviewed annually and any updates/amendments submitted to the Agency as part of the Annual Environmental Report.
- 7.7.5 In relation to surface emissions from the waste body and identified features, the following shall constitute a trigger level:
- 7.7.5.1 VOC greater than or equal to 50ppmv as methane average over capped area; or

- 7.7.5.2 VOC greater than or equal to 100ppmv as methane instantaneous reading on open surfaces within the landfill footprint; or
- 7.7.5.3 VOC greater than or equal to 500ppmv as methane around all identified features.
- 7.7.6 Leachate holding tanks/lagoons shall be covered, and head gases vented to treatment as may be required by the Agency.
- 7.7.7 All odorous or odour-forming wastes shall be covered as soon as practicable and in any case at the end of the working day.
- 7.7.8 Where it is proposed to take biological sludges at the facility, these must be subject to appropriate pre-treatment in advance of acceptance at the facility.
- 7.7.9 When siting and operating landfill gas infrastructure, regard shall be had to the potential for, and mitigation of, odour nuisance.

REASON: To provide for the control of nuisances.

CONDITION 8 MONITORING

- 8.1 The licensee shall carry out such monitoring and at such locations and frequencies as set out in *Schedule D: Monitoring* of this licence and as specified in this licence.
- 8.2 The licensee shall amend the frequency, locations, methods and scope of monitoring as required by this licence only upon the written instruction of the Agency and shall provide such information concerning such amendments as may be requested in writing by the Agency. Such alterations shall be carried out within any timescale nominated by the Agency.
- 8.3 Monitoring and analysis equipment shall be operated and maintained in accordance with the manufacturers' instructions (if any) so that all monitoring results accurately reflect any emission, discharge or environmental parameter.
- 8.4 The licensee shall provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.
- 8.5 The licensee shall install and maintain a permanent gas monitoring system in the site office and any other enclosed structures at the facility.
- 8.6 Any proposed changes to the following information shall be submitted to the Agency for its agreement: the names, qualifications and a summary of the relevant experience of all persons that will carry out all sampling and monitoring as required by this licence and who carry out the interpretation of the results of such sampling and monitoring.
- 8.7 All monitoring locations shall be as stipulated in this licence or as agreed by the Agency. Following any alteration or addition to monitoring locations stipulated herein, as may be agreed by the Agency, the licensee shall submit to the Agency for its agreement an updated appropriately scaled drawings showing all the monitoring locations. The drawing shall include the twelve figure National Grid Reference for the various monitoring points.
- 8.8 Groundwater Monitoring.
- 8.8.1 Subject to the agreement of the well owners, any private wells within 250m of the facility shall be included in the monitoring programme set out in *Schedule D: Monitoring* of this licence.

- 8.9 Meteorological Monitoring.
- 8.9.1 The licensee shall provide for the monitoring/collection of meteorological data as referred to in *Schedule D.6 Meteorological Monitoring* of this licence.
- 8.9.2 The licensee shall install and maintain in a prominent location on the site a wind sock, or other wind direction indicator.
- 8.10 Topographical Survey.
- 8.10.1 A topographical survey shall be carried out annually. The survey shall assess the height and profiles of the existing waste body. The survey shall be in accordance with any written instructions issued by the Agency.
- 8.11 Biological Assessment.
- 8.11.1 A biological assessment of the River Lung shall be undertaken on an annual basis. This assessment shall use appropriate biological methods such as the EPA Q-rating system for the assessment of rivers and streams. The location of monitoring points shall be agreed by the Agency.
- 8.12 Archaeological Assessment.
- 8.12.1 Prior to the development of any undisturbed area, the advice of Dúchas the Heritage Service shall be sought. On completion of such development a report of the results of any archaeological monitoring shall be submitted to Dúchas and to the Agency.
- 8.13 Nuisance Monitoring.
- 8.13.1 The licensee shall, at a minimum of one week intervals, inspect the facility and its immediate surrounds for nuisances caused by litter, vermin, birds, flies, mud, dust and odours.
- 8.14 The licensee shall ensure that any waste acceptance testing and analysis required by this licence shall be carried out by competent laboratories in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards or alternative methods shall apply with the agreement of the Agency.

REASON: *To ensure compliance with the conditions of this licence by provision of a satisfactory system of monitoring of emissions.*

CONDITION 9 CONTINGENCY ARRANGEMENTS

- 9.1 In the event of an incident the licensee shall immediately:-
- a) Identify the date, time and place of the incident.
 - b) Carry out an immediate investigation to identify the nature, source and cause of the incident and any emission arising therefrom.
 - c) Isolate the source of any such emission.
 - d) Evaluate the environmental pollution, if any, caused by the incident.
 - e) Identify and execute measures to minimise the emissions/malfunction and the effects thereof.

- f) Provide a proposal to the Agency for its agreement within one month of the incident occurring to:-
- a) Identify and put in place measures to avoid reoccurrence of the incident.
 - b) Identify and put in place any other appropriate remedial action.
- 9.2 The licensee shall maintain a written Emergency Response Procedure (ERP). The ERP shall be reviewed annually and updated as necessary. The ERP shall address any emergency situations which may originate on the facility and shall include provision for minimising the effects of any emergency on the environment. This shall include a risk assessment to determine the requirements at the facility for fire fighting and fire water retention facilities. The Fire Authority shall be consulted by the licensee during this assessment.
- 9.3 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the facility. Once used the absorbent material shall be disposed of at an appropriate facility.
- 9.4 Emergencies.
- 9.4.1 All significant spillages occurring at the facility shall be treated as an emergency and immediately cleaned up and dealt with so as to alleviate their effects.
- 9.4.2 No waste shall be burnt within the boundaries of the facility. A fire at the facility shall be treated as an emergency and immediate action shall be taken to extinguish it and notify the appropriate authorities.
- 9.4.3 In the event that monitoring of local wells indicates that the facility is having a significant adverse effect on the quantity and/or quality of the water supply this shall be treated as an emergency and the licensee shall provide an alternative supply of water to those affected.
- 9.5 The licensee shall maintain a documented Accident Prevention Policy, which will address the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.

REASON: *To ensure compliance with the conditions of this licence by provision of a satisfactory system of monitoring of emissions. To provide for the protection of the environment.*

CONDITION 10 RECORDS

- 10.1 The licensee shall keep the following documents at the facility office:-
- a) The current waste licence relating to the facility.
 - b) The current EMS for the facility.
 - c) The previous year's AER for the facility.
 - d) All written procedures produced by the licensee which relate to the licensed activities.
- 10.2 The licensee shall, in writing, notify the Agency without delay of any waste that arrived at the facility that does not meet the waste acceptance criteria.
- 10.3 The licensee shall maintain a written record for each load of waste arriving at the facility, excluding those arriving at the Civic Waste Facility. The licensee shall record the following:
- (i) the date and time;
 - (ii) the name of the carrier (including if appropriate, the waste carrier registration details);

- (iii) the vehicle registration number;
- (iv) the trailer, skip or other container unique identification number (where relevant);
- (v) the name of the producer(s)/collector(s) of the waste as appropriate;
- (vi) the name of the waste facility (if appropriate) from which the load originated including the waste licence or waste permit register number;
- (vii) a description of the waste including the associated EWC/HWL codes;
- (viii) the quantity of the waste, recorded in tonnes;
- (ix) details of the treatment(s) to which the waste has been subjected;
- (x) the classification and coding of the waste, including whether MSW or otherwise;
- (xi) whether the waste is for disposal or recovery and if recovery for what purpose;
- (xii) the name of the person checking the load; and
- (xiii) where loads or wastes are removed or rejected, details of the date of occurrence, the types of waste and the facility to which they were removed.

10.4 Written Records

The following written records shall be maintained by the licensee:-

- a) The types and quantities of waste recovered and disposed of at the facility each year. These records shall include the relevant EWC Codes.
- b) All training undertaken by facility staff.
- c) Results from all integrity tests of bunds and other structures and any maintenance or remedial work arising from them.
- d) Details of all nuisance inspections.
- e) The names and qualifications of all persons who carry out all sampling and monitoring as required by this licence and who carry out the interpretation of the results of such sampling and monitoring.

10.5 The licensee shall maintain a written record of all complaints relating to the operation of the facility. Each such record shall give details of the following:-

- a) Date and time of the complaint.
- b) The name of the complainant.
- c) Details of the nature of the complaint.
- d) Actions taken on foot of the complaint and the results of such actions.
- e) The response made to each complainant.

10.6 A written record shall be kept of each consignment of leachate removed from the facility. The record shall include the following:-

- a) The name of the carrier.
- b) The date and time of removal of leachate from the facility.
- c) The volume of leachate, in cubic metres, removed from the facility on each occasion.
- d) The name and address of the Waste Water Treatment Plant to which the leachate was transported.
- e) Any incidents or spillage's of leachate during its removal or transportation.

- 10.7 Where leachate is discharged from the facility via a sewer line the volume of leachate discharged each day shall be recorded (m³/day).
- 10.8 A written record shall be kept for each load of waste departing from the Civic Waste Facility. The following shall be recorded:-
- a) The name of the carrier.
 - b) The vehicle registration number.
 - c) The destination of the waste (facility name and waste licence/permit number as appropriate).
 - d) A description of the waste (if recovered or rejected waste, the specific nature of the waste).
 - e) The quantity of waste, recorded in tonnes.
 - f) The name of the person checking the load.
 - g) The time and date of departure.
- 10.9 A written record shall be kept at the facility of the programme for the control and eradication of vermin and fly infestations at the facility. These records shall include as a minimum the following:-
- a) The date and time during which spraying of insecticide is carried out.
 - b) Contractor details.
 - c) Contractor logs and site inspection reports.
 - d) Details of the rodenticide(s) and insecticide(s) used.
 - e) Operator training details.
 - f) Details of any infestations.
 - g) Mode, frequency, location and quantity of application.
 - h) Measures to contain sprays within the facility boundary.
- 10.10 Reporting to demonstrate compliance with diversion targets

The Licensee shall report to the Agency such data and records, and at such frequency, as may be specified by the Agency in order to demonstrate compliance with the requirements of Condition 5.2.6. From 1 January 2010, and unless otherwise advised by the Agency, the licensee shall submit quarterly summary reports to the Agency within one week of the end of each quarter on the quantity of MSW and BMW accepted at the landfill during the preceding quarter and on a cumulative basis for the calendar year to date. The report shall detail the tonnage of MSW and BMW accepted and the basis (including all calculation factors) on which the figures have been calculated.

REASON: To provide for the keeping of proper records of the operation of the facility.

CONDITION 11 REPORTS AND NOTIFICATIONS

11.1 Unless otherwise agreed by the Agency, all reports and notifications submitted to the Agency shall:-

- a) Be sent to the Agency's headquarters.
- b) Comprise one original and four copies unless additional copies are required.
- c) Be formatted in accordance with any written instruction or guidance issued by the Agency.
- d) Include whatever information as is specified in writing by the Agency.
- e) Be identified by a unique code, indicate any modification or amendment, and be correctly dated to reflect any such modification or amendment.
- f) Be submitted in accordance to the relevant reporting frequencies specified by this licence, such as in *Schedule E: Recording and Reporting to the Agency* of this licence.
- g) Be accompanied by a written interpretation setting out their significance in the case of all monitoring data.
- h) Be transferred electronically to the Agency's computer system if required by the Agency.

11.2 In the event of an incident occurring on the facility, the licensee shall:-

- a) Notify the Agency as soon as practicable and in any case not later than 1000 hrs the following working day after the occurrence of any incident.
- b) Submit a written record of the incident, including all aspects described in Condition 9.1(a-e), to the Agency as soon as practicable and in any case within five working days after the occurrence of any incident.
- c) In the event of any incident which relates to discharges to surface water, notify Shannon Regional Fisheries Board as soon as practicable and in any case not later than 1000 hrs on the following working day after such an incident.
- d) Should any further actions be taken as a result of an incident occurring, the licensee shall forward a written report of those actions to the Agency as soon as practicable and no later than ten days after the initiation of those actions.

11.3 Waste Recovery Reports

The licensee shall as part of the Annual Environmental Report for the site submit a report on the contribution by this facility to the achievement of the waste recovery objectives stated in Condition 2.3.2.1 and as otherwise may be stated in National and European Union waste policies and shall, as a minimum, include tonnages of the following:

- (i) the recovery of Construction and Demolition Waste;
- (ii) the recovery of other waste in landfill operations, including restoration;
- (iii) the recovery of energy through landfill gas combustion.

11.4 Reports relating to Facility Operations

11.4.1. Leachate Management:-

11.4.1.1 The licensee shall establish the following, as agreed by the Agency:

- a) contingency plans for the removal of leachate from the facility by tanker in the case that the sewer line from the facility may not be used.
- b) contingency plans for the use of an additional treatment works in the case that the Ballaghaderreen Treatment Works is unable to accept leachate from the facility, including details of the location and operating capacity of the alternative treatment works.
- c) leachate handling procedures for the handling of leachate at the facility in the event of removal from the lagoon and subsequent transport/discharge to a Waste Water Treatment Plant.

11.4.2. Achievement of Final Profile:-

- 11.4.2.1 Landfilling and restoration to achieve the final profile/height of the facility shall be carried out in accordance with proposals agreed by the Agency.

11.5 Landfill Gas Utilisation

- 11.5.1 If determined to be feasible a system for the utilisation of landfill gas as an energy resource shall be installed within a timeframe agreed by the Agency.

11.6 Vermin and Flies

- 11.6.1 The licensee shall maintain and implement procedures to ensure the control and eradication of vermin and fly infestations at the facility.

11.7 Monitoring Locations

- 11.7.1 Where additional monitoring locations are provided at the facility the licensee shall submit to the Agency an appropriately scaled drawing(s) showing all the monitoring locations. The drawing(s) shall include the reference code of each monitoring point.

11.8 Annual Environmental Report

- 11.8.1 The licensee shall submit to the Agency for its agreement, by 31st March of each year, an Annual Environmental Report (AER) for the previous year.
- 11.8.2 The AER shall include as a minimum the information specified in *Schedule F: Content of Annual Environmental Report* of this licence and shall be prepared in accordance with any relevant written guidance issued by the Agency.

REASON: *To provide for proper reports to and notifications to the Agency.*

CONDITION 12 CHARGES AND FINANCIAL PROVISIONS

12.1 Agency Charges.

- 12.1.1 The licensee shall pay to the Agency an annual contribution of €21,388, or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Waste Management Acts 1996 to 2008. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31st day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the

Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Management Acts 1996 to 2008, and all such payments shall be made within one month of the date upon which demanded by the Agency.

- 12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

12.2 Financial Provision for Closure, Restoration and Aftercare

- 12.2.1 From a date to be set by the Agency the licensee shall establish and maintain a fund, or provide a written guarantee, that is adequate to assure the Agency that the licensee is at all times financially capable of implementing the Restoration and Aftercare Plan required by Condition 4. The type of fund established and means of its release/recovery shall be agreed by the Agency prior to its establishment.

- 12.2.2 Any fund established shall be maintained in an amount always sufficient to underwrite the current Restoration and Aftercare Plan.

- 12.2.3 The licensee shall revise the cost of restoration and aftercare annually and any details of the necessary adjustments to the fund or guarantee must, within two weeks of the revision, be forwarded to the Agency for its agreement. Any adjustment agreed by the Agency shall be effected within four weeks of said written agreement.

- 12.2.4 Unless otherwise agreed any revision to the fund shall be computed using the following formula:-

$$\text{Cost} = (\text{ECOST} \times \text{WPI}) + \text{CiCC}$$

Where:-

Cost = Revised restoration and aftercare cost

ECOST = Existing restoration and aftercare cost

WPI = Appropriate Wholesale Price Index [Capital Goods, Building & Construction (i.e. Materials & Wages) Index], as published by the Central Statistics Office, for the year since last closure calculation/revision.

CiCC = Change in compliance costs as a result of change in site conditions, changes in law, regulations, regulatory authority charges, or other significant changes.

12.3 Cost of landfill of waste

In accordance with the provisions of Section 53A of the Waste Management Acts 1996 to 2008, the licensee shall ensure the costs involved in the setting up and operation of the facility, as well as the costs of closure and after-care (including cost of provision of financial security) for a period of at least 30 years (post closure) shall be covered by the price to be charged for the disposal of waste at the facility. The statement required under Section 53A(5) of said Acts is to be included as part of the AER.

12.4 Environmental Liabilities

- 12.4.1 The licensee shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.

- 12.4.2 The licensee shall arrange for the completion, by an independent and appropriate qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) to address the liabilities from past and present activities. A report on this assessment shall be submitted to the Agency for agreement within twelve months of date of grant of this licence. The ELRA shall be reviewed as necessary to reflect any significant change on site, and in any case every three years following initial agreement. The results of the review shall be notified as part of the AER.
- 12.4.3 As part of the measures identified in Condition 12.4.1, the licensee shall, to the satisfaction of the Agency, make financial provision to cover any liabilities associated with operation, including closure and aftercare, of the facility not already covered in condition 12.2. The amount of indemnity held shall be reviewed and revised as necessary, but at least annually. Proof of renewal or revision of such financial indemnity shall be included in the annual 'Statement of Measures' report identified in Condition 12.4.1

REASON: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.

SCHEDULE A : Waste Acceptance

A.1 Waste Acceptance

Table A.1.1 Waste categories and quantities to be accepted for disposal

Waste Type	Maximum (Tonnes Per Annum) ^{Note 1}
Municipal, Industrial & Commercial Waste	21,000
Non-inert Construction and Demolition Waste	4,000
TOTAL	25,000

Note 1: The tonnage of municipal waste, industrial waste, commercial waste and construction and demolition waste may be altered with the prior agreement of the Agency provided that the total amount of these wastes accepted at the facility for disposal does not exceed the combined tonnage of 25,000 per annum (as specified in the total above).

Table A.2.1 Waste categories and quantities to be accepted for Recovery and Restoration of the facility

Waste Type	Maximum (Tonnes Per Annum)
Inert Waste	20,000

Table A.2.2 Total Permitted Landfill Capacity

Total quantity of waste permitted to be placed at the landfill facility (over authorised life of facility)	81,000 m ³
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SCHEDULE B : Specified Engineering Works

Specified Engineering Works
Development of the facility including preparatory works and lining.
Final capping.
Installation of Landfill Gas Management Infrastructure.
Installation of Leachate Management Infrastructure.
Installation of Surface Water Management Infrastructure.
Any other works notified in writing by the Agency.

SCHEDULE C : Emission Limits

C.1 Noise Emissions: (Measured at the nearest noise sensitive locations as per Table D.1.1).

Day dB(A) L_{Aeq} (15 minutes)	Night dB(A) L_{Aeq} (15 minutes)
55	45

C.2 Landfill Gas Concentration Limits: (Measured in any building on or adjacent to the facility).

Methane	Carbon Dioxide
20 % LEL (1% v/v)	1.5 % v/v

C.3 Dust Deposition Limits: (Measured at the monitoring points indicated in Table D.1.1).

Level (mg/m ² /day) ^{Note 1}
350

Note 1: 30 day composite sample with the results expressed as mg/m²/day.

C.4 Emission Limits Values for Enclosed Landfill Gas Flare

Emission Point Reference numbers: to be agreed by the Agency

Volume to be emitted: to be agreed by the Agency

Minimum discharge height: to be agreed by the Agency

Parameter	Flare (enclosed) Emission Limit Value ^{Note 1}
Nitrogen oxides (NO _x)	150 mg/m ³
CO	50 mg/m ³
Total organic carbon (TOC)	10 mg/m ³
Hydrogen Chloride	50 mg/m ³ (at mass flows > 0.3 kg/h)
Hydrogen Fluoride	5 mg/m ³ (at mass flows > 0.05 kg/h)

Note 1: Dry gas referenced to 5% oxygen by volume for utilisation plants and 3% oxygen by volume for flares.

C.5 Emission Limits for Leachate Being Discharged to Sewer

Emission Point Reference No. LS - 1

Grid Reference: to be agreed by the Agency

Parameter	Emission Limit Value
	Grab Sample (mg/l)
Methane	0.14

SCHEDULE D : Monitoring

D.1 Monitoring Locations

Monitoring locations shall be those as set out in Table D.1.1 and Drawing B2.3 of the application.

Table D.1.1 Monitoring Locations

In the case where any of the locations included below are not available for use as monitoring locations the licensee shall provide replacement locations as per Condition 3.18.4.

Landfill Gas	Dust Deposition	Noise	Surface Water	Ground Water	Leachate
Stations	Stations	Stations	Stations	Stations	Stations
BHC, BHD, BHM.	D1, D2, D3, D4	Facility Entrance At nearest private residences to the east, west and north of the facility ^{Note 2}	SW1, SW2, SW3, SW4, SW5, 50m upstream (SW6) and downstream (SW7) of the facility on the River Lung	BH101, BH102, BH103, BH10, BH11	LS-1 ^{Note 1} , BH7A, BH6
Six additional locations to be provided to detect off-site migration of landfill gas prior to the capping of the existing waste body					

Note 1: Leachate monitoring point prior to discharge to sewer to be agreed by the Agency.

Note 2: To be agreed by the Agency prior to the commencement of monitoring.

D.2 Landfill Gas

Table D.2.1 Landfill Gas Monitoring Parameters, Frequency and Technique

Parameter	Monitoring Frequency		Analysis Method/Technique ^{Note1}
	Gas Boreholes/ Vents/Wells	Site Office	
Methane (CH ₄) % v/v	Monthly	Continuous	Infrared analyser/flame ionisation detector
Carbon dioxide (CO ₂)%v/v	Monthly	Continuous	Infrared analyser/ flame ionisation detector
Oxygen(O ₂) %v/v	Monthly	Continuous	Electrochemical cell
Atmospheric Pressure	Monthly	Continuous	Standard
Temperature	Monthly	Continuous	Standard

Note 1: Or other methods agreed in advance by the Agency.

D.3 Dust Monitoring**Table D.3.1 Dust Monitoring Frequency and Technique**

Parameter (mg/m ² /day)	Monitoring Frequency	Analysis Method/Technique
Dust	Three times a year ^{Note 2}	Standard Method ^{Note 1}

Note 1: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute). Any modifications to eliminate interference due to algae growth in the gauge should be reported to the Agency.

Note 2: Twice during the period May to September.

D.4 Noise**Table D.4.1 Noise Monitoring Frequency and Technique**

Parameter	Monitoring Frequency	Analysis Method/Technique
L(A) _{EQ} [30 minutes]	Annual	Standard ^{Note 1}
L(A) ₁₀ [30 minutes]	Annual	Standard ^{Note 1}
L(A) ₉₀ [30 minutes]	Annual	Standard ^{Note 1}
Frequency Analysis(1/3 Octave band analysis)	Annual	Standard ^{Note 1}

Note 1: "International Standards Organisation. ISO 1996. Acoustics - description and Measurement of Environmental noise. Parts 1, 2 and 3."

D.5 Surface Water, Groundwater and Leachate**Table D.5.1 Water and Leachate - Parameters / Frequency**

Parameter ^{Note 1}	SURFACE WATER	GROUNDWATER	LEACHATE ^{Note 3}
	Monitoring Frequency	Monitoring Frequency	Monitoring Frequency
Visual Inspection/Odour ^{Note 2}	Weekly	Quarterly	Quarterly
Groundwater Level	Not Applicable	Monthly	Not Applicable
Leachate Level	Not Applicable	Not Applicable	Continuous ^{Note 7}
Ammoniacal Nitrogen	Quarterly	Quarterly	Annually
BOD	Quarterly	Not Applicable	Annually
COD	Quarterly	Not Applicable	Annually
Chloride	Quarterly	Quarterly	Annually
Dissolved Oxygen	Quarterly	Quarterly	Not Applicable
Electrical Conductivity	Quarterly	Quarterly	Annually
pH	Quarterly	Quarterly	Annually
Total Suspended Solids	Quarterly	Not Applicable	Not Applicable
Temperature	Quarterly	Quarterly	Quarterly
Metals / non metals ^{Note 3}	Annually	Annually	Annually
Cyanide (Total)	Not Applicable	Annually	Annually
Fluoride	Not Applicable	Annually	Annually
List I/II organic substances ^{Note 4}	^{Note 5}	Annually ^{Note 5}	^{Note 5}
Mercury	Annually	Annually	Annually

Parameter ^{Note 1}	SURFACE WATER	GROUNDWATER	LEACHATE ^{Note 3}
	Monitoring Frequency	Monitoring Frequency	Monitoring Frequency
Sulphate	Annually	Annually	Annually
Total Alkalinity	Annually	Annually	Not applicable
Total P/Orthophosphate	Annually	Annually	Annually
Total Oxidised Nitrogen	Annually	Annually	Annually
Total Organic Carbon	Not Applicable	Quarterly	Not Applicable
Residue on evaporation	Not Applicable	Annually	Not Applicable
Biological Assessment	Annually ^{Note 6}	Not Applicable	Not Applicable

- Note 1:** All the analysis shall be carried out by a competent laboratory using standard and internationally accepted procedures.
- Note 2:** Where there is evident gross contamination by leachate, additional samples should be analysed.
- Note 3:** Metals and elements to be analysed by AA/ICP should include as a minimum: boron, cadmium, calcium, chromium (total), copper, iron, lead, magnesium, manganese, nickel, potassium, sodium and zinc.
- Note 4:** Samples screened for the presence of organic compounds using Gas Chromatography / Mass Spectrometry (GC/MS) or other appropriate techniques and using the list I/II Substances from EU Directive 76/464/EEC and 80/68/EEC as a guideline. Recommended analytical techniques include: volatiles (US Environmental Protection Agency method 524 or equivalent), semi-volatiles (USEPA method 525 or equivalent, and pesticides (USEPA method 608 or equivalent).
- Note 5:** 3 groundwater locations agreed by the Agency for these parameters and to be completed for surface water and leachate as may be requested by the Agency.
- Note 6:** Appropriate biological methods (such as EPA Q-Rating System) to be used for the assessment of rivers and streams.
- Note 7:** Continuous monitoring in the leachate lagoon and in lined cells and quarterly in unlined areas.

D.6 Meteorological Monitoring

Table D.6.1 Meteorological Monitoring

The licensee shall collect the information as required by Table D.6.1 at a location to be agreed by the Agency.

Parameter	Monitoring Frequency	Analysis Method/Technique
Precipitation Volume	Daily	Standard
Temperature (min/max.)	Daily	Standard
Wind Force and Direction	Daily	Standard
Atmospheric Pressure	Daily	Standard
Evaporation	Daily	Standard
Evapotranspiration	Daily	Standard
Humidity	Daily	Standard

D.7 Landfill Gas Enclosed Flare

Location: To be agreed by the Agency

Table D.7.1 Enclosed Flare Parameters and Monitoring Frequency

Parameter	Flare (enclosed)	Analysis Method ^{Note1} / Technique ^{Note2}
	Monitoring Frequency	
Inlet		
Methane (CH ₄) % v/v	Continuous	Infrared analyser/flame ionisation detector/thermal conductivity
Carbon dioxide (CO ₂)%v/v	Continuous	Infrared analyser/ thermal conductivity
Oxygen (O ₂) %v/v	Continuous	Electrochemical/thermal conductivity

Total Sulphur	Annually	Ion chromatography
Total Chlorine	Annually	Ion chromatography
Total Fluorine	Annually	Ion Selective Electrode
Process Parameters		
Combustion Temperature	Continuous	Temperature Probe/datalogger
Outlet		
Volumetric Flow	Annually	Pitot Tube
CO	Continuous	Flue gas analyser/datalogger
NO _x	Annually	Flue gas analyser
SO ₂	Annually	Flue gas analyser
TOC	Annually	Flame ionisation
Hydrochloric acid	Annually	Impinger / Ion Chromatography
Hydrogen fluoride	Annually	Impinger / Ion Chromatography

Note 1: All monitoring equipment used should be intrinsically safe.

Note 2: Or other methods agreed in advance by the Agency.

Note 3: Test methods should be capable of detecting acetonitrile, dichloromethane, tetrachlorethylene and vinyl chloride as a minimum.

D.8 Monitoring of Emissions to Sewer

Emission Point Reference No.: LS-1 as per Table D.1.1.

Location: to be agreed by the Agency

Table D.8.1 Sewer Monitoring - Parameters /Frequency

Parameter	Monitoring Frequency	Analysis Method/Technique ^{Note 1}
Flow	Daily	Flow meter / recorder
Methane	To be agreed ^{Note 1}	To be agreed ^{Note 1}

Note 1: The licensee shall agree with the Agency a suitable method and frequency for the monitoring of methane in leachate emissions to sewer.

D.9 Waste Monitoring

Waste class	Frequency	Frequency	Method
Bio-stabilised residual waste	Every 200 tonnes from each source ^{note 1}	Respiration activity after 4 days	To be agreed by the Agency

Note 1: Frequency can be reduced if an alternative protocol is agreed by the Agency under condition 5.2.9.

D.10 Ambient Odour Monitoring

Parameter	Frequency	Analysis Method/Technique
Odour	Monthly	As Agreed by the Agency

SCHEDULE E : Recording and Reporting to the Agency

Report	Reporting Frequency ^{Note1}	Report Submission Date
Environmental Management System Updates	Annually	One month after the end of the year reported on.
Annual Environment Report (AER)	Annually	By the 31 st March each year.
Notification of waste loads not meeting waste acceptance criteria	As they occur	As per Condition 10.9.
Compliance with waste diversion targets	As required by the Agency	As per Condition 10.10.
Record of Incidents	As they occur	Within five days of the incident.
Bund, tank and container integrity assessment	Every three years	Following installation and every three years thereafter
Specified Engineering Works Reports	As they arise	Prior to the works commencing.
Monitoring of Landfill Gas	Bi-annually	Ten days after end of the quarter being reported on.
Monitoring of Surface Water Quality	Quarterly	Ten days after end of the quarter being reported on.
Monitoring of Groundwater Quality	Quarterly	Ten days after end of the quarter being reported on.
Monitoring of Leachate	Bi-annually	Ten days after end of the quarter being reported on.
Meteorological Monitoring	Annually	One month after end of the year being reported on.
Dust Monitoring	Three times a year	Ten days after the period being reported on
Noise Monitoring	Annually	One month after end of the year being reported on.
Any other monitoring	As they occur	Within ten days of obtaining results.

Note 1: Unless altered at the request of the Agency.

SCHEDULE F : Content of the Annual Environmental Report

Annual Environmental Report Content

Reporting Period.
Waste activities carried out at the facility.
Quantity and Composition of waste received, disposed of and recovered during the reporting period and each previous year (including ECW codes).
Calculated remaining capacity of the facility and year in which final capacity is expected to be reached.
Methods of deposition of waste.
Summary report on emissions.
Summary of results and interpretation of environmental monitoring.
Resource and energy consumption summary.
Proposed development of the facility and timescale of such development.
Details of any lining works.
Volume of leachate produced and volume of leachate transported / discharged off-site.
Report on development works undertaken during the reporting period, and a timescale for those proposed during the coming year.
Report on restoration of completed cells/ phases.
Site survey showing existing levels of the facility at the end of the reporting period.
Estimated annual and cumulative quantities of landfill gas emitted from the facility.
Estimated annual and cumulative quantity of indirect emissions to groundwater.
Annual water balance calculation and interpretation.
Report on the progress towards achievement of the Environmental Objectives and Targets contained in previous year's report.
Schedule of Environmental Objectives and Targets for the forthcoming year.
Full title and a written summary of any procedures developed by the licensee in the year which relates to the facility operation.
Tank, pipeline and bund testing and inspection report.
Reported incidents and Complaints summaries.
Review of Nuisance Controls.
Updates/Amendments to Odour Management Plan (OMP).
Updates to Landfill environmental Management Plan (LEMP).
Review of Environmental Liabilities.
Report on waste recovery.
Reports on financial provision made under this licence, management and staffing structure of the facility, and a programme for public information.
Report on training of staff.
Statement of compliance of facility with any updates of the relevant Waste Management Plan.
Statement on the achievement of the waste acceptance and treatment obligations.
Any other items specified by the Agency.

Signed on behalf of the said Agency

On the 19th day of October, 2009


Brian Meaney, Authorised Person