

Obj; ①
W0001-04

**Office of Environmental Enforcement,
South/Southwest Region,
Environmental Protection Agency,
Inniscarra,
Co. Cork.**

Waste Licence Register No: W0001-04

Objector: Kerry County Council, Áras an Chontae, Rathass, Tralee, Co. Kerry.

Facility: North Kerry Landfill, Muingnaminnane, Tralee, Co. Kerry.

Dear Sir/Madam,

Kerry County Council in accordance with Section 42 of the Waste Management Acts, 1996 to 2008, wishes to make the following objections to the Proposed Waste Licence W0001-04 for North Kerry Landfill site:

Objection 1:

Condition 1.5.1.1

Waste may be accepted at the facility for disposal at the landfill only between the hours of 0830 to 1700 Monday to Friday inclusive and 0830 to 1300 on Saturdays and 0830 to 1600 on the Saturday of bank holiday weekends.

Objection:

- (a) Kerry County Council requests the extension of waste acceptance hours on Saturdays from 0830 to 1700.

Reason:

To facilitate the disposal of waste over weekend period. Saturday is the busiest day of the week at North Kerry Landfill.

- (b) Kerry County Council requests the addition of the following to Condition 1.5.1.1:

"... and 0830 to 1830 on 23rd of December (except when it falls on a Sunday)."

Reason:

To facilitate the proper disposal of waste prior to the Christmas period.

Objection 2:

Condition 1.5.1.2

The landfill at the facility may be operated only during the hours of 0800 to 1800 Monday to Friday inclusive and 0800 to 1400 on Saturdays and 0800 to 1700 on the Saturday of bank holiday weekends.

Objection:

- (a) Kerry County Council requests the extension of operational hours on Saturdays from 0830 to 1700.

Reason:

To facilitate the disposal of waste over weekend period. Saturday is in effect the busiest day of the week at North Kerry Landfill.

- (b) Kerry County Council requests the addition of the following to Condition 1.5.11:

"... and 0830 to 1900 on 23rd of December (except when it falls on a Sunday)."

Reason:

To facilitate the proper covering of waste prior to the Christmas period.

Objection 3:

Condition 5.2.5

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 the 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 landfill pursuant to Article 16 and Annex II to Directive 1999/31/EC on landfill of waste.

Objection:

Kerry County Council seeks an extension of the time in Condition 5.2.5 for submission of written waste acceptance and handling procedures to the Agency from one month to three months

Reason:

To facilitate the formulation of correct and accurate procedures by landfill management which are to reflect the significant changes in waste acceptance being implemented by W0001-04.

Objection 4:

Condition 5.2.6

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

Reason:

The requirement, from the date of issue of the revised licence, that all waste accepted for disposal is subject to treatment would, in our opinion, be extremely difficult to attain.

Suggestion:

We would request that the requirement for treatment of all such wastes be delayed until February 2011 to allow implementation of the appropriate measures.

Objection 5:

Condition 5.2.7

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

(i) From 1st 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 the 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 5.2.8

Objection:

Kerry County Council requests that the above targets be relaxed and timeframes extended as these are unlikely to be realisable in the short timeframe in which they are to be achieved.

Reason:

Kerry County Council has carried out an estimation of the quantity of BMW which entered North Kerry Landfill in 2008, and this has indicated that BMW accounted for 67% of the waste entering the site over that period.

Suggestion:

Kerry County Council proposes the following:

Waste characterisation surveys to be carried out on selected waste customers entering the landfill site to establish the BMW content of their waste.

Once this is established a more accurate figure of BMW entering the landfill can be established. Once established, Kerry County Council will revert back to the Agency with a BMW figure and a plan of action to direct this BMW from the landfill site.

Realistically it will take approximately four months for all waste characterisation surveys to be carried out and verified.

Once this information is gathered, landfill management will meet with the relevant stakeholders and decide on an appropriate course of action to divert the BMW away from landfill.

In conclusion, it is not realistic to assume that the target of 40% BMW for July 2010 will be met.

Objection 6:

Condition 5.2.11

In determining BMW content, the licensee shall use the 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 contractor.

Objection:

Kerry County Council requests for the following to be removed from Condition 5.2.11:

"..including, where appropriate, the use of EPA-approved contractor"

Reason:

The Environmental Services Section of Kerry County Council has been carrying out waste characterisation surveys since 1995, in accordance with the EPA guidance document. Therefore, we feel that it would be appropriate for Kerry County Council staff to carry out any future waste characterisation surveys and the unnecessary expense of hiring an external contractor is not required.

Objection 7:

Condition 5.2.18

The waste acceptance procedures established under Condition 5.2.5 shall provide:-

- (i) *For the checking of waste documentation on receipt of waste in the waste reception area;*
- (ii) *For non-pre-cleared customers, the visual inspection and testing of waste in the waste inspection are pending acceptance/rejection;*
- (iii) *For visual inspection of waste when deposited at the working face;*
- (iv) *For the keeping for two months of any samples associated with on-site verification sampling.*

Objection:

- (a) Kerry County Council requests for the following to be added to Condition 5.2.18 (ii):

"...excluding members of the public accessing the landfill site."

Reason:

It would be unrealistic to expect that waste brought to landfill by members of the public (approximately 60 customers per day) should be subject to individual visual inspection and testing.

- (b) Kerry County Council requests for a relaxation of the retention time in Condition 5.2.18 (iv) from two month to one month.

Reason:

Storage issue on site.

Objection 8:

Condition 13.3.2

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 part to present activities... "

Objection:

Kerry County Council requests the removal of the following wording from Condition 13.3.2:

"..., by an independent and appropriate qualified consultant"

Reason:

On 29th April 2009, Kerry County Council submitted to the Agency a comprehensive ELRA completed by the landfill site engineer. The ELRA was completed following the EPA guidance document – *Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision*. This submitted ELRA should be sufficient and the expense of hiring a consultant engineer to complete the same report seems unnecessary.

Objection 9:

Table D8.1 Waste Monitoring

Objection:

Frequency of testing every 200 tonnes

Reason:

This particular requirement would be extremely costly to undertake, and it is our understanding that there is currently no laboratory in Ireland capable of carrying out these tests.

Suggestion:

Kerry County Council seeks a relaxation of the frequency of testing to every 10,000 tonnes.

In addition to the above objections Kerry County Council seeks clarification from the Agency on the following:

1. There are two definitions of biodegradable waste in the interpretation of the W0001-04 : which one is appropriate?
2. Inclusion of a definition for the term “pre-cleared customers” would be most useful.

I hope that you look favourably upon our objections and requests for clarification; should you wish to discuss to any of the above please contact the under signed at 066 7162000.

Yours sincerely,

Mick Boyce
A/Senior Engineer
Environment Department,
Kerry County Council

Ann Kehoe

From: Noeleen Keavey
Sent: 13 November 2009 16:10
To: Josephine Kennedy; Ann Kehoe
Subject: FW: Objection to W0001-04
Attachments: W0001-04 Objection.doc

Hard copy given to Josephine - payment card gone through - Liz to send on receipt

From: Tara McCarthy [mailto:tara.mccarthy@kerrycoco.ie]
Sent: 13 November 2009 15:32
To: Licensing Staff; Pól O'Seasain
Cc: John Ahern; Michael Boyce
Subject: Objection to W0001-04

Noleen,

Please find attached our objection to W0001-04. We are unable to upload it electronically as your server seems to have crashed. As per our phone call Mick Boyce, Senior Engineer, will contact you with our credit card details for payment of the appropriate fee.

Yours thankfully

Tara McCarthy
North Kerry Landfill
066 7187699
0879129535

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