

13<sup>th</sup> November 2009.

Environmental Protection Agency,  
Headquarters,  
POBox 3000,  
Johnstown Castle Estate,  
County Wexford.

Ref W 0024-04.

**Re Proposed Decision on Waste Licence Review : Ballynacarrick Landfill.**

Dear Sir / Madam,

We wish to lodge an objection to Condition 8 and Condition 11 of the proposed decision signed and notified to us by letter dated 19<sup>th</sup> October 2009.

We ask that condition 8.1.2 be revisited to reflect the ability for more densely populated waste management regions to achieve higher BMW diversion targets than a rural county such as Donegal, and to allow time for the development of biological treatment capacity nationally.

We ask that condition 8.1.3 be removed as it is impossible for us to comply within current conditions i.e. in the absence of full information about current BMW / MSW performance and in the absence of a structured framework. We ask that a new mechanism be devised whereby the EPA would facilitate the bringing together of landfill facilities when their respective performances in BMW diversion are known, and within a framework of risk and cost sharing, which has yet to be devised.

We advise that we will not be in a position to report to the Agency as required under condition 11.17 ("on the quantity of MSW and BMW accepted"), as we are not in possession of this information. Therefore we ask that that section of Condition 11 be re-visited.

**Background**

MSW collected in the county has been pre-treated by means of

- source separation (home composting of garden and other biowaste),
- two-bin household collection (mixed dry recyclable bin and residual bin)
- mechanical separation of various forms
- six civic amenity sites and 65 bring banks developed, and

- restaurants and hotels encouraged to source separate biowaste.

Donegal is essentially a rural county. The Census 2006 enumerated seven towns of population exceeding 1,500. The aggregate population of these seven towns was 36,585, just under 25% of the population of the county as a whole. The roll out of a third bin in these larger towns will therefore only impact on less than 25% of the households in the county.

Waste collection in the county is 100% provided by the private sector. There is competition throughout the county with two or more operators offering service in every area. We have engaged with the collectors and they generally do not favour the third bin as a cost-effective diversion method. We agree that the cost of providing collection infrastructure for a brown bin service throughout the county would be onerous.

A number of collectors have developed mechanical pre-treatment facilities. Others are having their facility permits amended to follow suit. They are exploring market opportunities for biological treatment of the residual fraction. Treatment options in the north-west are limited at present. We are confident that this will change over time, as the market develops to meet this demand.

The EPA has developed a range of factors for use in calculating BMW diversion from MSW. A factor for use in areas using home composting hasn't been developed yet. This is the pre-treatment most appropriate to a rural county such as Donegal.

#### Pre-treatment and BMW Diversion Performance (conditions 8.1.1, 8.1.2)

The current status of MSW treatment / pre-treatment / BMW diversion is that all waste coming to landfill is pre-treated, but we are not in a position to quantify the degree of BMW diversion being achieved.

The cost and complexity of waste classification and characterisation studies is acknowledged and the EPA is therefore rolling these out in a controlled manner.

The three-bin collection system doesn't suit our county's demographics / settlement pattern.

Collection is entirely operated by private sector collectors, who are developing mechanical separation capacity and exploring biological treatment options. An extended time period for full compliance will be required to allow for the development of biological treatment infrastructure / capacity.

We consider that the national targets reflected in condition 8.1.2 can most effectively be achieved by demanding higher diversion targets from more densely populated waste management regions, where cost-effective biological treatment will develop sooner, and prescribing less demanding targets for the Donegal region.

#### Collective Agreements (condition 8.1.3)

The EPA has recognised that it isn't necessary for every landfill in the country to separately meet in full the Landfill Directive target proportions of BMW diversion.

However, the methodology prescribed in condition 8.1.3 is unworkable for the following reasons.

Firstly, in the absence of waste characterisation /classification studies, we are not yet in a position to quantify the BMW content of MSW accepted at our facility. Therefore we don't have a target figure for an increased % allowable.

Secondly, whereas we are encouraged to negotiate collective arrangements with suitable partner operators, we are not in a position to identify candidates for such negotiations. The information on BMW diversion at each facility isn't yet known.

Thirdly, when those studies are done and we know our % BMW, the prescribed methodology will force us to 'negotiate' collective agreements with others in an environment where we have no leverage with which to negotiate. Issues of financial cost and risk management will arise in such negotiations. There is no model to follow, nor is there any regulatory framework to facilitate such negotiations.

We consider therefore that it is premature to impose condition 8.1.3 as the necessary conditions to allow us comply don't yet exist.

#### Quarterly Reporting (Condition 11.7)

Quarterly reporting is required from 1 January 2010 on the quantity of MSW and BMW accepted at the landfill. The Council isn't currently in possession of this breakdown data and doesn't expect to be in possession of same in early 2010. We suggest that the commencement date be revisited.

Yours sincerely,

---

Peadar MacRory,  
Senior Engineer,  
Divisional Manager,  
Water & Environment Services

For inspection purposes only.  
Consent of copyright owner is required for any other use.

For inspection purposes only.  
Consent of copyright owner required for any other use.

**Ann Kehoe**

---

**From:** Liam McCarron [lmccarron@donegalcoco.ie]  
**Sent:** 13 November 2009 14:03  
**To:** Licensing Staff  
**Subject:** New Applicant objection entered for Reg no: W0024-04. (Reference Number: W0024-04-091113020232)  
**Importance:** High  
**Attachments:** Objection to Landfill licence PD Nov 2009.doc

**Title:** Mr  
**First Name:** Liam  
**SurName:** McCarron  
**Organisation Name:** Donegal Co Co  
**Address Line 1:** Water and Environment  
**Address Line 2:** County House  
**Address Line 3:** Lifford  
**County:** Donegal  
**Post Code:** 0000  
**Phone Number:**  
**Email:** lmccarron@donegalcoco.ie  
**Objector Type:** Applicant  
**Oral Hearing:** No

*For inspection purposes only.  
Consent of copyright owner required for any other use.*

For inspection purposes only.  
Consent of copyright owner required for any other use.