

An Bord Pleanála
64 Marlborough St
Dublin 1

8 February 2011

Your ref. 06F.PA0018

Re: Integrated waste management facility for the acceptance of incinerator ash, hazardous and non-hazardous soils and inert soils at Hollywood, Naul, Co. Dublin

For attention of Sinéad McInerney, Executive Officer

Dear Ms McInerney,

I refer to your letter dated 16 December 2010 seeking observations on the abovementioned application for planning permission. I am to advise that the Environmental Protection Agency has received a waste licence application in respect of the proposed development. The application has been given the register number W0129-03 and all documentation relating to that application is available on the website of the EPA at www.epa.ie. The existing activity at the facility – operation of an inert waste landfill – is authorised by the EPA under licence register number W0129-02.

In accordance with the procedures set out in the Waste Management Acts 1996 to 2010 and the Waste Management (Licensing) Regulations 2004, the EPA will assess the application received for compliance with the Regulations. Further information will be sought as and when necessary in order to (a) ensure the application complies with all requirements of the Regulations and (b) provide the EPA with all information that it considers necessary in making a decision on the application. The Board of the EPA will in due course consider the recommendation of its inspector and will issue a Proposed Decision on the application. A Proposed Decision will be a proposal to refuse to grant a licence or a proposal to grant a licence with conditions. The applicant and any third party can object to a Proposed Decision and can at that stage request an oral hearing on the proposal. The Board of the EPA will consider any request for an oral hearing. Should an oral hearing be held, an oral hearing report will be prepared by the Chairperson of the oral hearing for the Board's consideration and a Final Decision will issue in due course thereafter. If an oral hearing is requested but not held, the objections will be considered by a nominated technical committee that will make a recommendation to the Board and a Final Decision will issue in due course thereafter.

The EPA cannot grant a waste licence unless it is satisfied that the provisions of section 40(4) of the Waste Management Acts 1996 to 2010 are met. Amongst other considerations, the EPA is to be satisfied that the proposal will not, if carried on in accordance with such conditions as may be attached to a licence, cause environmental pollution. Environmental



pollution is defined in the Waste Management Acts 1996 to 2010 as, in relation to waste, the holding, transport, recovery or disposal of waste in a manner which would endanger human health or harm the environment, and in particular -

- (a) create a risk to waters, the atmosphere, land, soil, plants or animals,
- (b) create a nuisance through noise, odours or litter, or
- (c) adversely affect the countryside or places of special interest.

In addressing environmental pollution, it would appear at this stage in the EPA's assessment of the application that the greatest potential long-term threat to the environment is posed by leachate. Groundwater and surface water environments can be contaminated should leachate escape from the landfill and the EPA will consider aspects of the development concerning the generation, containment, management, use (in the hazardous waste treatment process), treatment and discharge of leachate. The EPA's assessment is likely to consider the performance of the landfill liners proposed for the facility, their ability to contain leachate emanating from the waste, their compliance and compatibility with the Landfill Directive (1999/31/EC) and their ability to protect groundwater and surface water from contamination. Three different lining systems are proposed – one type each for the inert, non-hazardous and hazardous waste landfills. The dense asphaltic concrete liner proposed for the hazardous waste landfill is novel to Ireland.

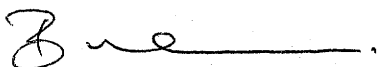
Criteria governing the acceptance of waste at all classes of landfill (inert, non-hazardous and hazardous) are set out in the Landfill Directive and in the Council Decision 2003/33/EC on the acceptance of waste at landfills. Proposals in the application on the acceptance of waste and procedures governing the acceptance of waste will be assessed against these European documents. Waste acceptance procedures generally require the characterisation of waste prior to arrival at a landfill and compliance testing and/or verification upon arrival. The proposed frequency and scope of characterisation, compliance testing and verification (including sampling and analysis of waste) is to be assessed.

Surface water run-off from the facility has the potential to become contaminated and cause contamination of the neighbouring environment if not managed appropriately. There will be no waste water generated by the hazardous waste treatment process and no process water discharges from the facility.

Should a licence be granted, operational mitigation measures will in all likelihood be necessary to minimise dust, odour, litter and noise emissions. There are no major emission points to air. No biodegradable waste will be landfilled, therefore no landfill gas infrastructure is proposed.

Restoration and long term aftercare proposals will be assessed to ensure there is no potential for environmental impacts once the development is complete.

Yours sincerely,



Brian Meaney
Senior Inspector
Environmental Licensing Programme