

**REPORT TO THE
ENVIRONMENTAL PROTECTION AGENCY**

ON

**THE ORAL HEARING OF THE OBJECTIONS TO THE
PROPOSED DECISION**

IN RESPECT OF

**THE WASTE LICENCE APPLICATION FOR A LANDFILL
AT TULLYBARDAN,
MOHILL, CO. LEITRIM**

REG. NO. 65-1

Handwritten signature of Brian Donlon in cursive.

Chairman: Dr Brian Donlon

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Assisted by: Cormac Mac Gearailt

Held on 25 October 2001

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Acknowledgements

The Chair would like to acknowledge the support services provided by Ms. Annette Canny and Ms Dolores Flood over the duration of the Oral Hearing in the Bush Hotel, Carrick-on-Shannon, Co. Leitrim.

1.0 SUMMARY

On September 30th 1998, Leitrim County Council made an application to the Environmental Protection Agency, (the Agency), for a waste licence for the following waste activities at Tullybardan, Mohill, Co. Leitrim:

Third Schedule of the Waste Management Act 1996

- Class 1: Deposit on, in or under land (including landfill).
- Class 4: Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons.
- 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.

Fourth Schedule of the Waste Management Act 1996

- 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.

The Principal Activity applied for was Class 1 of the Third Schedule.

A Proposed Decision, which proposed the granting of a waste licence subject to conditions, was issued on 05/07/01. The Proposed Decision is contained in Appendix A of this report.

Objections were received from Leitrim County Council, Masonite Ireland, Mr. Joe Mc Loughlin and Messrs. Michael Keane and Maurice Barry. The full text of the objections is contained in Appendix B of this report. One submission on the objections was received from Leitrim County Council. The full text of the submissions is contained in Appendix D, Submission on Objections, of this report.

Two requests, from Masonite Ireland and Messrs. Michael Keane & Maurice Barry for an oral hearing were received by the Agency (Appendix B). At a meeting of the Agency on the 28th August 2001, the Directors of the Agency agreed to hold such a hearing and appointed me to conduct the Oral Hearing. The Directors of the Agency also appointed Mr. Cormac Mac Gearailt to assist me. The letters of appointment are contained in Appendix D, Letters of Appointment, of this report. Other pre-hearing correspondence is included in Appendix E.

The Oral Hearing was held in Carrick-on-Shannon, Co. Leitrim on October 25th 2001.

This is a report on the oral hearing of the objections to the proposed decision. All written material, drawings and photographs submitted to the Oral Hearing are contained within Appendix F of this report.

My recommendation is that a waste licence be granted to Leitrim County Council for the following waste activities at Tullybardan, Mohill, Co. Leitrim:

Licensed Waste Disposal Activities, in accordance with the Third Schedule of the WMA 1996

Class 1.	Deposit on, in or under land (including landfill): This activity is limited to the disposal of inert wastes only for capping/restoration purposes.
Class 4.	Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons: This activity is limited to the storage of collected leachate in a suitable container or lagoon pending dispatch to a suitable Waste Water Treatment Works.
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 temporary storage of inert capping wastes or unacceptable wastes received at the facility pending their dispatch to appropriate facilities.

Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the WMA 1996

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 possible future use of the Road Works Depot as a Civic Waste Facility.
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I recommend that the waste licence should be subject to the conditions, provided for in the Proposed Decision of 05/07/01, as amended and added to by the proposed conditions detailed in Section 5.0, Recommendation, of this report.

In summary, I recommend that a licence be issued for the orderly closure and restoration of the landfill at Tullybardan, Mohill, County Leitrim with immediate effect and that the only activities on site should be the acceptance of inert waste for the purposes of restoration and aftercare of the facility. Other recommendations of this report include

- the optional use of a geosynthetic drainage layer in the final cap in order to minimise the overall elevation of the facility,
- the setting of waste acceptance criteria for materials to be used in the restoration works,
- a request for revised measures to prevent surface water entering the landfilled waste.
- the provision of vehicle cleaning facilities,
- the frequency of environmental monitoring has been increased for dust monitoring and reduced for groundwater monitoring.

The facility is to be capped and restored within 30 months of the date of grant of the licence.

2.0 DETAILS OF THE APPLICATION

The application for a waste licence was for a landfill, and associated waste activities, for the recovery and disposal of Municipal Waste and Industrial Non-Hazardous Waste. The proposed maximum annual input of waste is 7,500 tonnes. A landfill has existed on this site since the 1960's. The application did not require an Environmental Impact Statement. Following consideration of the application, additional information requested, 19 submissions, and other relevant matters, the Agency issued a Proposed Decision on 05/07/01 to grant a waste licence subject to conditions.

3.0 PRE-HEARING CORRESPONDENCE

Objections to the Proposed Decision were received from Leitrim County Council, Masonite Ireland, Mr. Joe McLoughlin and Messrs. Michael Keane and Maurice Barry. These included two requests, from Masonite Ireland and Messrs. Michael Keane & Maurice Barry for an Oral Hearing. One submission on the objections was received from Leitrim County Council. These are reproduced in Appendices B and C.

On 1/10/01 the Agency wrote to the Applicant and all objectors to the Proposed Decision in regard to additional matters to be taken into account by the Agency in this application. Specifically this was with regard to the implementation of the Landfill Directive. This letter indicated that the Agency would make changes to the Proposed Decision including classifying the landfill as a landfill for inert waste, changes to the waste acceptance conditions, a requirement for a conditioning plan and a requirement for the treatment of inert waste which is to be accepted at the facility.

A copy of this correspondence is contained within 'Appendix E, Pre-hearing Correspondence', of this report.

4.0 ORAL HEARING

4.1 OPENING REMARKS BY CHAIRMAN

I opened the Oral Hearing by explaining the process to those present, introduced myself and Cormac Mac Gearailt and presented our letters of appointment. I stressed that the hearing would be conducted without undue formality. I pointed out that Cormac Mac Gearailt and I carried out a visit to the facility in question on 24th October 2001.

Mr. Gerard Gannon (Solicitor) represented the applicant, Leitrim County Council.

Ms. Deirdre Flynn (Solicitor) represented Messrs. Michael Keane and Maurice Barry.

Ms. Collette McPartlin represented Mr. Joe McLoughlin.

Messrs. Jim Hoey and Tom Quinn represented Masonite Ireland.

Other personnel spoke on behalf of the four objectors. Details are contained in the following text.

The order of presentation had been discussed prior to the hearing and was agreed as follows:

- i) Leitrim County Council;
- ii) Masonite Ireland;
- iii) Mr. Joe McLoughlin;
- iv) Messrs. Michael Keane & Maurice Barry.

Copies of all written material presented at the Oral Hearing are provided in Appendix F (Papers 1 to 6 inclusive) of this report.

4.2 PRESENTATIONS OF EVIDENCE

4.2.1 Presentation of Mr. Brian Kenny (Applicant)

Mr. Kenny (Leitrim County Council) stated that he wished to elaborate on the written objection submitted to the Agency on July 26th 2001. He submitted and read out a submission to the Oral hearing (Appendix F. Paper 1). A copy of this submission was submitted to the Oral Hearing (11am – 25/10/01) however it contained a number of typographical errors. These errors were subsequently corrected and a new version of this document was submitted at 3pm (Appendix F. Paper 3).

Mr. Kenny acknowledged the need to stop using non-engineered landfills such as Mohill, and that this landfill must close. He outlined the overall reasons for Leitrim County Council (LCC) objecting to this Proposed Decision. Mr. Kenny described how he recognised the increasing demands placed on LCC by the Landfill Directive. Mr. Kenny described the steps that have been taken by LCC to introduce better waste management

practices. These included the reduction in the number of landfills in the county, introduction of bring centres and plans for Civic Amenity Facilities, provision of pilot composting schemes and planned introduction of kerbside collection in Carrick-on-Shannon. Mr. Kenny stated that the failure of the interim arrangements for landfill disposal in the Connaught Waste Management Plan (CWMP) has left LCC in an extremely difficult position regarding the disposal of its 11,000 tonnes per annum of Municipal Solid Waste. Mr. Kenny stated that no alternative disposal route for this waste has been secured despite extensive efforts on the part of LCC. He considered that the facilities required for the implementation of the CWMP would be provided over a 6-year time period.

Mr. Kenny also described how the Proposed Decision would affect the two main industrial users of the landfill, with regard to increased costs and inconvenience. Mr. Kenny stated that LCC fully intends to abide by the conditions of the proposed licence and that the estimated cost of compliance would be £600,000.

He stated that LCC considered that many of the conditions are appropriate only for an operating landfill and that they have objected only to those aspects of the licences that are either not feasible or are considered environmentally undesirable. He made reference to the Council's objection (Appendix B) and stated that most did not require further elaboration but highlighted certain elements, which he considered relevant.

Mr. Kenny stated that it was his feeling that at least another 8 months of waste disposal in Mohill landfill would be required to allow for negotiations so that LCC could secure an alternative disposal route. Even allowing for this time extension, Mr. Kenny stated that there was no guarantee that an alternative disposal route could be sourced. Mr. Kenny stated that while LCC is committed to environmental protection they have no control over other local Authorities involved in the CWMP. Mr. Kenny explained that being involved in such a plan excluded the possibility of putting unilateral measures in place in Leitrim in order to respond to the situation the county now finds itself in.

Mr. Kenny referred to survey work carried out at the facility on 18/10/01 (Appendix F, Paper 2). He stated that LCC could not live within the 60mOD vertical limit set out in the PD. He elucidated the impact that various options for continued disposal at the site would have on the final height of the facility, and outlined the amount of waste that would have to be excavated/moved at the facility. These options included

- keeping the site open until 2nd June 2002 with a finished height of 64.18mOD,
- extending the boundaries of the site by 5m for the purpose of constructing fences and drains (finished height 63.38mOD), and
- the use of an area for landfilling that was previously earmarked for a Civic Waste facility (62.57mOD).

Mr. Kenny outlined the difficulties that some of the timeframes as outlined in the Proposed Decision would cause LCC. These included issues such as requiring work to be carried out in winter and resulting in poor quality workmanship, and increased leachate and run-off arising. Mr. Kenny stated that the requirements of the Proposed Decision

meant that much of the works required will fall into year 1 of a works programme and therefore will place an undue financial burden on LCC.

Mr. Kenny also requested that the Agency consider allowing LCC extend the facility boundary outside that which was applied for in the application. Mr. Kenny stated that the relevant landowners had not yet been contacted regarding this matter.

Mr. Kenny referred to the requirement to divert a watercourse, which is currently piped under the landfill (Condition 3.10.1). He stated that this would be extremely onerous and requested whether other options could be examined, such as sealing this pipe internally.

Response to questions from Leitrim County Council

Mr. Kenny agreed with Mr. Gannon (solicitor for LCC) that the appropriate economies of scale could only be achieved as part of a regional grouping *i.e.* as part of the Connaught Waste Management Plan. Mr. Kenny also agreed that Leitrim is uniquely disadvantaged due to geographical and socio-economic conditions prevailing, and that the current waste management situation would be a disincentive to businesses locating in the county. Mr. Kenny stated that due to this disadvantage Leitrim has been an enthusiastic member of the Connaught Waste Management Plan group region. Mr. Kenny felt that the closure of this landfill was premature and he stated that it would lead to increased illegal disposal of waste and burning of waste, and could generally cause an environmental hazard. Mr. Kenny agreed that it was expected that the CWMP would have been more advanced at this stage and that failure to comply with the statutory duty to arrange for the collection of domestic waste could have serious legal implications for LCC.

In response to Dr Brian Donlon, Mr. Kenny stated that composting had not been considered in relation to the handling of Sewage Sludge, however some vermicomposting trials had been carried out.

In response to Dr Brian Donlon, Mr. Kenny stated that there were no plans to line any part of the facility. This included the area of the future Civic Waste Facility which he was proposing to use for the continued disposal of municipal waste at the facility.

In response to Dr Brian Donlon and Cormac Mac Gearailt, Mr. Kenny stated that he would defer questions on the requirement for monitoring of landfill gas to their consultants, Bord na Móna.

4.2.2 Presentation of Dr Hubert Henry (Applicant)

Dr. Henry (Bord na Móna) noted that references in the Inspectors Report to elevated CO₂ levels might be due to the peat sub-base. He stated that in any case that the river was a natural barrier.

In response to Dr Brian Donlon, Dr. Henry stated that in his opinion two further landfill gas monitoring wells (see Condition 3.12.1) were not justified. He stated that the capping works were not going to result in lateral movement of gas. Dr. Henry agreed that the cost of installing 2 monitoring boreholes is not significant as a percentage of the overall estimated closure costs (£600k). He agreed that Condition 8.2 of the Proposed Decision does allow for the amendment of monitoring frequency although he stated that this can

take time and that LCC have enough information to date. Further, he indicated that restoration works might result in damage to some of the monitoring infrastructure.

He referred to an earlier question by Cormac Mac Gearailt and stated that he felt that monitoring of the existing wells was sufficient and the further wells were not justified, either economically or environmentally.

4.2.3 Presentation by Mr. Jim Hoey (Objector)

Mr. Hoey (Masonite Ireland) presented his written submission to the Oral Hearing (Appendix F, Paper No. 4). Mr. Hoey described the economic context of Masonite Ireland and its contribution to the economy of the North-West region. He outlined the high cost of environmental compliance in an environment of increasingly stringent regulation. Mr. Hoey stated that while Masonite accepts the need for closure and orderly restoration of the Mohill Landfill. He stated that the Proposed Decision in its current form is completely unworkable for Masonite Ireland, as it is the only facility to which Masonite Ireland can dispose of its waste in the Connaught region. He stated that the Proposed Decision will place an unsustainable economic burden on his company and he requested that the timeframe for closure of the site be extended to allow Masonite Ireland continue to dispose of inert material at the facility. He described their commitment to waste minimisation measures, which have reduced their waste disposal to landfill by over 50%.

Mr. Hoey requested guidance from the Agency on alternatives to the Mohill site if it is to close. He referred to Masonite Ireland's increased disposal costs (by over 100%) over the past 4 years and also referred to Section 12.5 of the CWMP which related to short term landfill capacity in Mohill and Carrick-on-Shannon landfills.

Mr. Hoey referred to the current crisis situation in waste management in the state and urged the appropriate authorities to take the requisite action to ameliorate this situation, and to recognise and execute their responsibilities in this area.

Further questions from Leitrim County Council

Mr. Hoey agreed that Masonite Ireland had a commitment to waste management. Mr. Hoey went on to describe the various waste minimisation and recovery initiatives undertaken at the Masonite Ireland plant, and referred to attachments describing the impact of these efforts on waste generation at the Masonite Ireland facility. These efforts included treatment of paint wastes and burning of sludges. Mr. Hoey also suggested that the ash waste stream at the Masonite Ireland Plant might be suitable for use as landfill capping material at the Mohill landfill.

Mr. Hoey agreed that competitors from Eastern Europe and China had much lower costs in regard to environmental compliance, and that these competitors were a threat to the viability of Masonite Ireland.

In response to Dr Brian Donlon, Mr. Hoey stated that the use of waste ash (currently being landfilled at the Mohill facility) as a soil enhancer has been investigated but that no conclusions have yet been reached

In response to Mr. Cormac Mac Gearailt Mr. Hoey stated that other facilities in other jurisdictions had used similar ash for the purpose of restoring landfills. While the

facilities were similar and the ash produced was broadly similar to Masonite Ireland's ash, there may be slight differences to the Masonite Ireland situation.

4.2.4 Presentation by Mr. Padraig O'Grady (Objector).

Mr. O'Grady (IBEC North West Region) on behalf of Masonite Ireland presented his written submission to the Oral Hearing (Appendix F. Paper No. 5). He outlined the current waste crisis situation in the state, and the implications of this crisis in a business context, for the North-West region in particular.

He called for the creation of an independent National Waste Management Authority to provide for adequate waste management infrastructure in this country. He outlined how the Proposed Decision failed to underpin the strategy outlined in the Connaught Waste Management Plan, given that it states that "the landfill in Mohill is to provide capacity for County Leitrim in the short-term".

Mr. O'Grady noted that IBEC are seriously concerned that a crisis in waste management in Co. Leitrim is inevitable unless there is recognition by the local authorities of their responsibility to cater for industrial and commercial waste in their approach to waste management. In relation to costs he stated that the CWMP did not offer any alternatives to industry other than to meet increased gate charges at landfills. He stressed the importance of providing adequate waste management infrastructure for the business community and the general public. On the other hand, he stated his support for the principles outlined in the Connaught Waste Management Plan of prevention, minimisation, recycling and recovery of waste. Mr. O'Grady stated that the Proposed Decision as it stands does not take into account the short-term impact that the closure of this facility will have on businesses in the area, particularly given that no alternatives have been put in place. He stated that the closure of Mohill landfill would have serious implications for the future economic and industrial development of County Leitrim. Lack of progress on the implementation of the CWMP would negatively impact on potential inward investment and ultimately increase industry's operational costs and thus reduce their competitiveness.

In conclusion Mr. O'Grady urged the Agency to reverse its decision in this instance and allow the continued operation of the Mohill landfill.

Response to questions from Leitrim County Council

Mr. O'Grady agreed that the current crisis was in part due to the timing of the closure of the Mohill Facility given the slowness in adopting the Connaught Waste Management Plan. He also agreed that Leitrim was in a particularly difficult position given its geographically and socio-economically disadvantaged nature. Mr. O'Grady agreed that since the Connaught Waste Management Plan was regional in nature this eliminated the possibility for Leitrim to put in place unilateral measures to alleviate the current waste management situation in the county.

In response to Mr. Cormac Mac Gearailt Mr. O'Grady stated that he felt that the Local Authority should provide for the disposal of commercial and industrial waste where no other alternatives were available.

In response to Dr Brian Donlon, Mr. O'Grady stated that IBEC had made a submission on the Connaught Waste Management Plan and that they proposed alternatives to waste disposal such as waste reduction and recovery/recycling.

4.2.5 Presentation of Ms Collette McPartlin (Objector)

Ms. McPartlin on behalf of Mr Joe McLoughlin outlined how the future of the Mohill facility was central to the business of Mr. McLoughlin. She stated that this Proposed Decision will have a negative effect on the county and that Mr. McLoughlin will no longer be able to provide refuse collection services for the county. She stated that efforts had been made to source alternative local authority and private landfills and that they had met with no success. She stated that until the Connaught Waste Management Plan has been implemented that they will have no alternative site for the disposal of waste other than the Mohill landfill. She outlined the efforts, which they have made with regard to diversion of commercial waste from landfill and education of the public as to why waste charges have increased by 80% in the recent past. Ms. McPartlin concluded by requesting that the Agency reverse its decision until alternatives to the current facility are put in place.

Response to Questions from Maurice Barry

In response to Mr. Barry, Ms. McPartlin stated that increased charges were not only related to the potential closure of Mohill landfill but also due to increased Local Authority charges

In response to Mr. Cormac Mac Gearailt Ms. McPartlin outlined the various recovery efforts undertaken in order to divert waste from landfills. These included recovery of construction waste, metals and wood.

In response to Dr Brian Donlon, Ms. McPartlin outlined the reasons for increased waste disposal costs, and why these costs would increase further if the Mohill facility was closed. These included increased disposal charges and transport costs.

4.2.6 Presentation of Ms. Deirdre Flynn(Objector)

Ms. Deirdre Flynn acting for McGovern & Associates on behalf of Messrs. Michael Keane & Maurice Barry stated that her clients had been told of the closure of the Mohill facility for many years and requested that they be provided with a firm date for its closure. With this she introduced Mr. Michael Keane.

4.2.7 Presentation of Mr. Michael Keane (Objector)

Mr. Keane stated that he wanted the Mohill facility to be closed immediately as Leitrim County Council has failed to manage the landfill properly. He stated that it was environmentally and morally wrong to leave the facility as it is. Mr. Keane stated that he lived in the area for 34 years and near the landfill since 1973. He stated that initially the facility was a domestic dump and the access road was known locally as "lovers lane". The facility subsequently received industrial waste. He described some of the wastes deposited there in the past years, including offal, dead animals and garage waste. He stated that the site had been unsupervised until 3 years ago. He stated that two chemicals had been deposited there for a period, which were sourced from a local facility (Modular Coldstores). These chemicals he named as "Isocyanates" and "Polyionates" – used for

foam fillers. He stated that there was a mixed public reaction to arrival of Masonite Ireland to the area but that LCC had agreed to provide waste disposal outlets for them. He referred to recent visits by LCC personnel to waste facilities in Europe and stated that they should have visited these waste facilities 15 years ago. Mr. Keane went on to describe the impacts of the landfill on local residents including health impacts on a local farmer and his animals, previous court action, odour impacts, gas emissions and litter. He indicated that he has made many complaints to the EPA and LCC but that he had been continuously fobbed off. He presented recent photographs (24/5/01) taken at the facility (Appendix F. Paper 6). He stated that he must paint his house twice a year due to activities at the landfill and passing trucks. Mr. Keane feels that the presence of Mohill landfill has caused problems for the development of the town including the development of local amenities such as the proposed River Rinn walk. He mentioned that Mohill landfill was the "Achilles heel" of the county. Mr. Keane concluded by requesting that the facility be closed immediately.

Response to Questions from Ms Deirdre Flynn (his Solicitor)

Mr. Keane described how his house has been on the market for 5 years and that he feels that the landfill is causing a difficulty in the sale. Mr. Keane stated that he had not many problems with vermin. However, he stated that there was often a very strong smell from the facility and he was very concerned about the build up of landfill gas from the facility.

Response to Questions from Masonite Ireland

Mr. Hoey sympathised with Mr. Keane in respect of living adjacent to the landfill. Mr. Keane confirmed that the chemicals referred to in his presentation related to waste materials from Modular Coldstores.

Response to Questions from Leitrim County Council

Mr. Gannon also sympathised with Mr. Keane as a result of living adjacent to the landfill. Mr. Keane agreed that while offal had not been deposited recently he disagreed that vermin were not causing a problem for other people in the area. Mr. Keane stated that he was representing some local residents, however he confirmed that he had no written authorisation stating as much. When asked what he would do with his refuse when the facility was closed Mr. Keane stated that this was a matter for Leitrim County Council. While Mr. Keane confirmed that he made efforts to recycle he agreed that the closure of the site would probably result in an increase in general litter and illegal dumping. Mr. Keane confirmed that he did not have any medical certificate or documentation stating that the health impacts on the local farmer mentioned were caused by the landfill, however he felt that this was indeed the cause of the farmer's poor health.

Response to Questions from Ms Deirdre Flynn

Mr. Keane stated that he first heard that the landfill was to close around 1989.

In response to Dr Brian Donlon:

Mr. Keane stated that the landfill would affect the River Rinn walkway in that leachate would escape from the landfill and then would reach Lough Rinn. He stated that he was preparing to have samples of the leachate taken and analysed.

4.2.8 Presentation of Mr. Maurice Barry (Objector)

Mr. Barry stated how he bought his home near the landfill in 1987 and was told that the landfill was to close in 8 months. He described how the landfill accepted more and more

waste over the years and how the visual and odour impacts in particular became much greater. He stated that vermin from the site were a problem at his house. He stated that he had requested that trees be planted in order to screen the landfill. He felt that he was losing business in his Bed and Breakfast when prospective passing trade saw the landfill and decided not to stay with him. He also stated that he had nothing in principle against local business including Mr. McLoughlin and Masonite Ireland. In conclusion, he stated that his main problems with the facility were the smell, visual intrusion, crows and vermin infestation, and that he wanted the facility closed as soon as possible.

Response to Questions from Leitrim County Council

Mr. Barry confirmed that he purchased his home and started his Bed and Breakfast business while the landfill was in existence. With regard to planting, he stated that he had requested planting to be carried out, and as far as he was concerned whatever planting had been carried out was ineffective for his purposes. Mr. Barry confirmed that his B&B business was quite successful and that he was booked up until Christmas.

4.2.9 Presentation of Mr. Seamus Prior (Applicant)

Mr. Gannon acting for Leitrim Council rejected the hearsay evidence provided by Mr. Keane and invited Mr. Prior who was site supervisor to make an oral presentation.

Response to Questions from Leitrim County Council

Mr. Prior described how he was the Site Supervisor, present on site every day. He agreed that there had been significant improvements carried out on the site in the past and that he found Mr. Keane to be helpful in his dealings with him. However, he stated that he disagreed with Mr. Keane on the issue of vermin and that he had only received one complaint since 1998 on this issue. Mr. Prior stated that he was conscious of the difficulties for local residents living near the landfill. He described improvements such as tree planting and placing of bollards around Mr. Keane's residence.

Response to Questions from Deirdre Flynn

Mr. Prior described waste types being accepted at the facility, and that he would have advisors available to him to aid in the determination of whether a waste could be accepted at the facility or not.

Response to Questions from Mr. Keane

Mr. Prior accepted that there are sometimes rats and birds on the facility, but that they are not continuously present.

In response to Cormac Mac Gearailt Mr. Prior stated that some tree planting had been done on the north side of the facility but that this would not have been much benefit to Mr. Barry. He stated that he would meet with Mr. Barry in order to plan some effective tree planting.

Comment from Mr. Keane

After all this Mr. Keane made some comments about the height of the facility and the screen/berm on the site. Leitrim County Council clarified that the berm was to be used for

screening and stated that these comments should have been raised earlier. Cormac Mac Gearailt stated that this berm was observed during the site visit.

I confirmed with all objectors that they were finished producing witnesses, presentations and questioning of witnesses. Mr. Gannon then suggested that he wished to make a closing legal submission, which was subsequently replied to by Mr. Keane.

4.3 Legal Submissions

4.3.1 Legal Submission on behalf of Leitrim County Council (Applicant)

Mr. Gannon made a legal submission as follows:

Mr. Gannon indicated that under the Agency's waste management licensing procedures that there is possibility of extending the four month period within which the Agency must make a decision. While Leitrim County Council do not oppose in principle the decision as outlined in the Proposed Decision they request more time to put alternative arrangements in place for the people of Leitrim. Mr. Gannon submitted that given that humans are stated as a factor to be considered as an aspects of the environment that therefore the implications of the decision on the people of Leitrim must be considered. He submitted that the Agency be aware of the obligation placed on them under Section 52 (2) (e) of the EPA Act 1992, to achieve a proper balance between environmental protection and economic development when carrying out the functions of the Agency. Mr. Gannon reminded the Agency that it has a responsibility to monitor positive effects on environmental matters and also to help Local Authorities. He requested assistance from the Agency and the Government as required under their policy for rural development and socio-economic matters for their deprived area in the North-West of Ireland.

4.3.2 Legal Submission by Mr. Michael Keane (Objector)

Mr. Keane stated that the Council had caused this situation and that the legal submissions were meaningless to him. He asked why should he be caused any more suffering by the presence of this landfill.

Closing Comments.

I stated to all present that my function as chairman was to report to the Board of the Agency on the Oral Hearing. I thanked all present for their attendance and interest, and the administrative staff for their help and stated that the Agency would act within its statutory obligation in coming to a decision on the licence. I closed the Oral Hearing at 3:50pm.

5.0 RECOMMENDATION

5.1 General - Procedure followed

I have considered all the information provided relating to the application and make a recommendation as to the granting, or otherwise, of a waste licence in Section 5.2 of this report.

In Section 5.3 I discuss the presentations and information on the objections provided at the Oral Hearing and make recommendations both to the amendment of conditions contained in the Proposed Decision, (PD), and to additional conditions which should be attached to the waste licence. Any reference to a condition number in this section refers to the condition in the PD except where a new condition is proposed. Where a condition of the PD is not mentioned in this report, the recommendation is that the condition should be included, unchanged, in the waste licence. Where a new condition is to be included in the waste licence, it may be necessary to renumber subsequent conditions.

In Section 5.4 I discuss the aspects of the written objections that were not raised or discussed at the Oral Hearing.

In Section 5.5 I recommend changes to the Proposed Decision arising from the Agency's requirement to give effect to the Landfill Directive.

5.2 Recommendation as to the Granting of a Waste Licence

I have considered all the information provided and presented at the Oral Hearing and relating to the application. I am satisfied that, subject to compliance with the conditions of the Proposed Decision of 5th July 2001, as amended by the recommendations in this report, that any emissions from the activity will not contravene any of the requirements of Section 40(4) of the Waste Management Act 1996. Therefore, I recommend that a waste licence, subject to the conditions mentioned above, be granted to Leitrim County Council for the following waste activities to be carried out at the Tullybarden, Mohill, Co. Leitrim.

Third Schedule of the Waste Management Act 1996

Class 1: Deposit on, in or under land (including landfill).

Class 4: Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons.

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 the waste concerned is produced.

Fourth Schedule of the Waste Management Act 1996

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.

5.3 Recommendations Arising from Presentations at Oral Hearing.

Firstly, I welcome the fact that Leitrim County Council fully intend to abide by the conditions of the licence. I share the view of Mr. Kenny with respect to the need to stop using non-engineered landfills. However, I note that Mr. Kenny did request an extension period of 8 months for the continued disposal of municipal waste until an alternative location was obtained but that LCC did not propose to introduce a liner at this facility prior to waste deposition. I consider that there is a significant risk of environmental pollution to surface and groundwaters by allowing the disposal of municipal waste without the landfill being lined. Further, in the absence of any specific lining proposals I consider that it would be in contravention of Section 40(4) of the Waste Management Act 1996 to allow such a proposal. Consequently, it is only appropriate to permit the acceptance of inert wastes for capping/restoration purposes at the facility.

I note the concerns of Mr. Kenny, Mr. O'Grady, Mr. Hoey, Ms. McPartlin and others in relation to the lack of waste disposal and recovery infrastructure in the Connaught Region. I also share their concerns with respect to the lack of significant progress on the implementation of the CWMP. I accept that the closure of the landfill facility may result in inconvenience and increased waste disposal charges. In this respect the speedy and effective implementation of the CWMP is of utmost importance to industries and the general public in that region. I agree that waste management infrastructure must form an essential part of the economic infrastructure of the Connaught Region. I acknowledge that Leitrim County Council has little control over the other local authorities within the CWMP.

I acknowledge the efforts of Mr. Kenny, Mr. Hoey and Ms. McPartlin with regard to their waste minimisation measures. I note the call by Mr. O'Grady for the creation of a National Waste Management Authority.

This report is on the Oral Hearing on the objections to the Proposed Decision of Leitrim County Council, Mohill Landfill (Reg. No. 65-1). I acknowledge that the Agency has a role to play, particularly in the expeditious assessment and determination of all waste licence applications submitted. However, I consider that the onus is on local authorities and other interested parties to make applications for waste facilities.

Recommendation No. 1

I note that Mr. Hoey and Ms. McPartlin also called for an extension of the facility until alternative waste management infrastructure was in place. It should be pointed out that in the application received from LCC and available for public inspection there was no request for additional lands to be used for landfilling nor was there any indication that municipal waste was to be accepted up to June 2002. I consider that the Mohill landfill

facility is not suitable for the continued landfilling of municipal, commercial or industrial waste. As an interim measure I consider that both local authorities and private landfill operators with existing landfill capacity should make this capacity available to Leitrim County Council. I note that Mr. O'Grady and others indicated that the Proposed Decision failed to underpin the strategy outlined in the CWMP with regard to the provision of landfill capacity in Mohill in the short-term. My reading of the relevant section of the plan is that the landfill be kept open as long as allowable under EPA waste licensing – which for the reasons outlined above it is not appropriate to allow continued landfilling at the facility. I therefore recommend no change to Condition 1.4.

Recommendation No. 2.

I note that Mr. Kenny requested an extension of the “application facility boundary” in order to facilitate the grading of the side slopes to be undertaken in the site restoration works. However, I note that Mr. Kenny stated that the relevant landowners had not been contacted in this regard. I consider that the applicant is confined to the lands submitted by them as part of the waste licence application, which is covered in Condition 1.2 of the Proposed Decision.

I consider that the existing side-slopes are very steep and that there could be merits in obtaining additional lands in order to carry out the restoration works. However, I consider that this matter could only be resolved by way of a revised application at some stage in the future.

I therefore recommend no change to Condition 1.2.

Recommendation No. 3.

Mr. Kenny in his presentation indicated that the existing ground level (surveyed on 18/10/01) was 59mOD at certain locations throughout the site. He indicated that by extending the lifetime of the facility until June 2002 that the finished height (incorporating a capping layer) in the absence of extending the boundary would be 64.18mOD. It should be noted that the final profiles stipulated in the Proposed Decision (Condition 4.2) were stipulated by LCC in their correspondence received on the 9/4/01.

At the time of my site visit (24/10/01), I considered that the landfill was already visibly intrusive without any further municipal waste or capping material being added. I consider that the facility is very limited in terms of space and that the final height should be kept to a minimum in order to minimise the effect on the countryside (Appendix F : Paper 6). It is apparent that with the application of capping material alone that the final profile stipulated in the licence would probably not be achieved even allowing for some degree of settlement. Consequently, I recommend deletion of the maximum height profile (60mOD Malin Head). However, in order to minimise the negative impact of the facility

I consider that (i) no additional waste be accepted other than inert waste for restoration works and (ii) that the depth of the capping layer be reduced by the optional use of geosynthetic materials, providing equivalent drainage qualities.

Alternative thin geosynthetic materials (c. 2mm) are available and it is optional under the existing Proposed Decision to replace the 0.6m thick impermeable layer and the 0.3m gas collection layer (Conditions 4.4.1(d/e)). If these materials were used the final restored height of the landfill would be reduced. Furthermore, I consider also that an alternative geosynthetic material to the stipulated 0.5m drainage layer should be permissible (Condition 4.4.1. (c)). Replacement of all these layers by use of geosynthetic materials would substantially reduce the depth of the capping layer by up to 1.4m. There would be merits in terms of visual improvement (and a decrease in potential for dust nuisance etc.) if LCC were to use such materials. Consideration should be given to the use of these materials particularly if the non-geosynthetic materials cannot be sourced locally.

I acknowledge that there will be settlement of the previously landfilled waste, but that the degree and rate of waste settlement is difficult to estimate. However, the topographical surveys to be undertaken in accordance with Condition 8.8 of the Proposed Decision will provide information in this regard.

I consider that

- (i) the immediate cessation of landfilling operations as recommended in this report,
 - (ii) undertaking survey works and side slope stability assessments,
 - (iii) achieving the required domed profile of the landfill and the stipulated side slope gradients, and
 - (iv) landscaping of the facility:
- will provide for an orderly restoration of the facility.

In addition, by allowing the optional use of geosynthetic materials in the capping layer I consider that the overall elevation would be kept to a minimum. I therefore recommend the following changes to Conditions 4.2, 4.4.1(c) and 5.1.

Amend Condition 4.2

The final profile of the landfill shall be domed. The side slopes should have a maximum gradient of 1:3 (vertical:horizontal) and with the remaining slopes being at least 1:25 (a plateau finish is not acceptable).

Amend Condition 4.4.1.(c)

Drainage layer of 0.5m thickness having a minimum hydraulic conductivity of 1×10^{-4} m/s or an equivalent geosynthetic layer.

Amend Condition 5.1

Inert waste shall be deposited in the landfill such that the gradients stipulated in Condition 4 are attained. No waste shall be landfilled within the south-western corner

of the facility which may be used as a Road Works Depot or as otherwise agreed with the Agency.

Recommendation No. 4.

I consider that the use of suitable inert waste will be required to properly close and restore the facility.

I note that LCC consider that in excess of 70,000 tonnes of inert waste materials may be required for the restoration works and that no unit was specified in the PD (Objection No. 8 dated 26/7/01). LCC did not propose to install a weighbridge at the facility and thus it may be difficult to accurately measure the quantity of waste used in the restoration of the facility. However, they are required to include details on the quantities used in the capping/restoration on an annual basis in the Annual Environmental Report. In order to provide clarity on this matter I consider that the maximum quantity to be accepted should be stated (i.e. tonnes).

I note that Mr. Hoey has suggested that ash material from Masonite Ireland may be considered suitable for such works. However, I have concerns that the ash from this facility may restrict plant growth due to the elevated levels of aluminium, barium, titanium and iron. The cadmium and mercury content of this material also may give grounds for concern. Consequently, I recommend that this material be tested and assessed both in terms of its chemical constituents and its toxicity prior to its acceptance for use as capping material.

Therefore, I recommend that amendments be made to Schedule A be made and that a new condition (4.7) and a new schedule (G) be added.

Amend Schedule A: Waste Acceptance

WASTE TYPE	MAXIMUM (Tonnes)
Inert Waste	70,000 ^{Note 1}

Note 1: This figure may be increased with the agreement of the Agency.

Add New Condition 4.7

4.7.1 The licensee shall compare any ash waste material, proposed to be used in the final cap with the limits set in Schedule G of this licence.

4.7.2 Notwithstanding Condition 4.7.1 above, the licensee shall prior to the use of "ash waste" as capping material, shall undertake bioassay trial plots and thereafter submit a report to the Agency for its agreement on the suitability of this material in the restoration of the facility.

G.3 Limit values for pollutant content for inert waste landfills.

The following limit values relate to the average amount of constituent substances in the waste. The mean value of all individual measuring values from one bulk sample must not exceed the limit value concerned.

PH	-	6-11
Electrical conductivity	-	150
Dry residue	-	8,000
Arsenic (as As)	200.0	0.5
Aluminium (as Al)	-	5.0
Barium (as Ba)	-	10.0
Lead (as Pb)	500.0	1.0
Cadmium (as Cd)	4.0	0.05
Chromium, total (as Cr)	500.0	1.0
Chromium, hexavalent (as Cr)	-	0.5
Cobalt (as Co)	500.0	1.0
Iron (as Fe)	-	10.0
Copper (as Cu)	500.0	2.0
Nickel (as Ni)	500.0	1.0
Mercury (as Hg)	2.0	0.01
Silver (as Ag)	-	0.2
Zinc (as Zn)	1000.0	10.0
Tin (as Sn)	-	2.0
Ammonium (as N)	-	8.0
Chloride (as Cl)	-	2,000.0
Cyanide, easily liberatable (as Cn)	-	0.2
Fluoride (as F)	-	20.0
Nitrate (as N)	-	100.0
Nitrite (as N)	-	2.0
Phosphate (as P)	-	5.0
TOC (as C)	20,000.0	200
Total hydrocarbons	20.0	50.0
EOX (as Cl)	-	0.3
Total of polycyclical aromatic compounds	0.5	-

Recommendation No. 5.

I recognise that a substantial quantity of inert waste material will be required to be accepted and to be utilised as part of the restoration of the facility. Further, I note the concerns of Mr. Keane in relation to vehicular movements in the vicinity of his property. I acknowledge that Condition 7.4.1 caters for control of dust due to vehicular movements on site access roads. However, due to the nature and extent of the restoration works and the proximity of the nearby residents, I consider that there is the possibility of additional dust nuisance at the facility. I recommend that vehicular cleaning facilities at the facility should be required and that the frequency of dust monitoring be increased from one sample to four samples per annum. I therefore recommend adding a new condition (7.4.2) and amending Table D.3.1 and Schedule F.

Add Condition 7.4.2

Within three months of the date of grant of this licence, the licensee shall provide vehicle cleaning facilities at the facility.

Amend Table D.3.1

Table D.3.1 Dust Monitoring Frequency and Technique

Parameter (mg/m ³ /day)	Monitoring Frequency	Method of Measurement
Dust	Quarterly	Standard Method ^{Note 1}

Note 1: Standard method VDI2119 (Measurement of Dustfall, Determination of Dustfall using Bergerhoff Instrument (Standard Method) German Engineering Institute). A modification (not included in the standard) which 2 methoxy ethanol may be employed to eliminate interference due to algae growth in the gauge.

Amend Schedule F:

Report	Reporting Frequency	Report Submission Date
Dust Monitoring	Quarterly	Ten Days after the end of the quarter being reported on.

Recommendation No. 6.

I agree with Messrs. Keane and Barry in relation to the negative visual impact of the facility on the locality (Appendix F : Paper 6). I note that there is a six-month time period in which to prepare and submit the Restoration and Aftercare Plan for the facility (Condition 4.3). I welcome the fact that Mr. Prior, Leitrim County Council, stated that he would meet with Mr. Barry in order to plan some more effective tree planting and consider that there is no change necessary to Condition 4.3.

Recommendation No. 7.

I note that Mr. Kenny regards many of the conditions relate to an operating landfill. I consider that there will be on-going restoration works over the next three years and that there is still need to undertake monitoring on a regular basis to ensure that the restoration works are not having an impact on the environment.

However, I consider that there may be merits in reducing the frequency of groundwater monitoring for certain parameters from quarterly to annually (e.g. Cl, Bo, Fe, K, Mn, Na, TON, phenols, total and faecal coliforms). I consider that there would be merits also in reducing the frequency of monitoring for List I/II organic substances in groundwater locations to 3 agreed locations (one upgradient and two downgradient).

I recommend that Table D.5.1 be amended accordingly.

On the other hand, I consider that the frequency can be amended under Condition 8.2 in the event that the monitoring results obtained are unsatisfactory.

Amend Schedule D: Table D.5.1

Reduce groundwater-monitoring frequency from quarterly to annually for the following:

Cl, Bo, Fe, K, Mn, Na, TON, phenols, total and faecal coliforms

Add Note 7 to Table D.5.1.

Monitoring for List I/II organic substances at three groundwater locations (one upgradient and two downgradient) to be agreed with the Agency.

Recommendation No. 8.

I agree with Mr. Kenny, Leitrim County Council, that Condition 3.10.1, which requires the diversion of a watercourse, may be onerous. However, I consider that appropriate measures should be taken to prevent surface water ingress into the landfill and I recommend that this condition should be amended to reflect this.

Amend Condition 3.10.1

Within six months of the date of grant of this licence, the licensee shall submit a proposal to the Agency for its agreement regarding the diversion of surface water from the eastern side of the facility entering into the landfilled waste.

Recommendation No. 9. I note Mr. Kenny's concerns regarding the difficulties in performing works during the winter period and his concerns regarding undue financial burden in the first year of the works.

Mr. Kenny made specific reference to the installation of cover material in inclement weather conditions. I consider that in general that such works should be easily carried out within the timeframe stipulated in the Proposed Decision. However, in this particular case, due to the steepness of the existing slopes and the inherent difficulties in working/excavating existing waste material in poor weather conditions, I consider that there may be merits in extending the time-period for the installation of the intermediate cap by an additional two months. I recommend that Condition 5.3.2 be amended.

In relation to the restoration works and the regarding of slopes, LCC have expressed concern with regard to the excavation of previously deposited waste. However, I consider that such works can be undertaken with the prior agreement of the Agency (Condition 5.4.1). However, I consider that the phasing of works could be agreed with the Agency under existing Condition 4.3.(f).

Amend Condition 5.3.2

Within **five months** of the date of grant of this licence, appropriate cover material shall be placed across the whole landfill so that no waste other than waste suitable for specified engineering works is exposed.

Recommendation No. 10.

I acknowledge the point made by Dr. f regarding the possibility that the watercourse on the western boundary of the facility may serve as a barrier to landfill gas migration. However, I consider that the capping of the facility in addition to the proximity of the new houses does pose an increased risk of lateral landfill gas migration. Further, I consider that the opinion formed by Dr. Henry is based on limited monitoring results both in terms of monitoring events and locations. Consequently, I consider that the provision of two monitoring locations would serve a useful purpose in terms of landfill gas migration monitoring and that it does not place undue financial burden on the licensee. There is the possibility that such monitoring may be amended with the agreement of the Agency (Condition 8.2). I recommend that there is no change necessary to Condition 3.12.

Recommendation No. 11.

I recognise that LCC are under financial constraints with regard to the provision of waste infrastructure. I consider that the fee charged is commensurate with the type and nature

of the licenced activities and recommend that the annual contribution for 2002 should not be altered.

5.4 Recommendations in Relation to Matters Raised in the Written Objections

For the most part, all participants to the Oral Hearing based their oral presentations on the written material previously submitted during the objection period. However, I now wish to focus on certain aspects of the objections that were not raised or discussed at the Oral Hearing.

5.4.1 Objection from Leitrim County Council (LCC)

Recommendation No. 12.

Leitrim County Council (LCC) had stated in their objection (No. 1) that they requested an extension in the hours of operation. LCC did not provide oral evidence on this matter at the Oral Hearing. Messrs Keane and Browne made no comment on this matter at the Oral Hearing. LCC have been operating the facility for limited hours on a 2-3 day week for the past number of years. I consider that there may be merits in extending the time period for such works during weekdays but that the time period for carrying out the restoration works be limited to 10:00 am to 4:30 p.m. on Saturday. This would reduce the overall time period for the restoration works and minimise the effect on nearby residents, particularly on Saturdays. I therefore recommend amending Conditions 1.5.1 and 1.5.2.

Amend Condition 1.5.1 Landfill

1.5.1.1 Waste shall only be accepted at the facility for the purposes of cover, capping and restoration of the landfill between the hours of **8:30 a.m. to 5:00 p.m.** Monday to Friday inclusive and **10:30a.m. to 4:00 p.m.** on Saturdays.

1.5.1.2 The facility shall only be operated during the hours of **8:00 a.m. to 5.30p.m.** Monday to Friday inclusive and **10:00a.m. to 4:30 p.m.** on Saturdays.

Amend Condition 1.5.2 Civic Waste Facility

1.5.2.1 Waste shall only be accepted at the Civic Waste Facility between the hours of **8:30 a.m. to 5:00 p.m.** Monday to Friday inclusive and **10:30a.m. to 4:00 p.m.** on Saturdays.

Recommendation No. 13.

Leitrim County Council also objected to the requirement for a working telephone on the site (Objection No 2) and the provision of a fixed benchmark at the facility (Objection No. 6). I consider that it is important that a dedicated working telephone is in place at the facility so that the facility/deputy manager is contactable at all times during operational hours by the Agency and members of the public.

As there is much concern in relation to the visual aspects of the landfill and the final restored heights I consider that the provision of a fixed benchmark on site is essential to monitor and record the current topography and the ultimate levels of the facility. Therefore, I recommend no changes to Conditions 3.3.2(a) and 3.13.

Recommendation No. 14.

Leitrim County Council state in their objection (No. 12) that restoration works will not occur during hours of darkness, and consequently objected to Condition 5.4.5. However, I consider that in the event that restoration works do take place during dusk periods in winter that provision should be made for adequate lighting. Therefore, I recommend no change to Condition 5.4.5.

Recommendation No. 15.

Leitrim County Council state in their objection (No. 13) that alternative off-site locations to Mohill Sewage Treatment Plant be allowed for the treatment of leachate. I consider that Condition 6.5 already caters for such eventualities and that no change is necessary to this condition.

Recommendation No. 16.

Leitrim County Council requested to be allowed (Objection No. 14) to continue with the disposal of sludge from the Water Treatment plants to this landfill and refer to the CWMP, which they stated, specified that this material would continue to be disposed of at landfill. I consider this facility is unsuitable for disposal of sludges. However, in the event that these sludges had been composted off-site, they may be suitable for incorporation in the capping layer. Further, I could find no reference to the continued landfilling of sludge at Mohill landfill in the CWMP. I do not recommend the acceptance of sludges for disposal at this facility.

5.4.2 Objection from McGovern & Associates

In addition to their oral presentation to the Oral Hearing McGovern & Associates, acting for Messrs Keane and Barry submitted a written objection to the Proposed Decision (dated 27/7/01). A submission on this specific objection was received from Leitrim County Council (see Appendix C). Messrs. Keane and Barry made reference to a number of site infrastructure (e.g. site notice board, site security) and other operational practices (e.g. full-time supervision, waste acceptance procedures) that were not in place when they made their objection. They also outlined the existence of environmental nuisances at and in the vicinity of the facility. I consider that the objectors made their objection on the grounds that Leitrim County Council needed to comply with the requirements of the Proposed Decision. However, it should be pointed out that once a waste licence comes into effect that the licensee will be required to comply fully with its requirements.

5.4.3 Other Objections

I consider that the points raised by Masonite Ireland and Mr. McLoughlin in their written objections were discussed and added to in their Oral Hearing presentations and I consider that I have dealt with them earlier.

5.5 Other Recommendations (Implementation of Landfill Directive)

Recommendation No. 17.

The Agency wrote to all parties to the Oral Hearing, on the 1st October 2001, to give notice that since 16th July 2001 we are required to give effect to the Landfill Directive in the case of any relevant waste licence that we may grant. There was no correspondence either written or oral on the specific elements listed in our correspondence. Consequently, I consider that the Agency should amend the Proposed Decision in accordance with that set out in the letter of 1/10/01.

On the Cover Page include the following:

WASTE LICENCE
LANDFILL FOR INERT WASTE

Include in Interpretation Section

Treatment The physical, thermal, chemical or biological processes including sorting, that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery.

Amend Condition 1.4

1.4 Waste Types

- 1.4.1 Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A: Waste Acceptance of this licence
- 1.4.2 The licensee shall ensure that inert waste accepted at the facility, is subject to pretreatment where technically feasible.
- 1.4.3 No liquids or hazardous wastes shall be disposed of at the facility.

Add Condition 11.5

The licensee shall by 16th July 2002 submit to the Agency for its agreement, a Conditioning Plan for the facility as required by Council Directive 1999/31/EC on the landfill of waste. The Conditioning Plan shall include the particulars listed in Article 8 and any corrective measures which the operator considers will be needed to comply with the requirements of this Directive with the exception of the requirements in Annex1, point 1.

Appendix A. Proposed Decision.

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

**WASTE LICENCE
PROPOSED DECISION
AS RECOMMENDED TO THE BOARD**

Waste Licence	65-1
Register Number:	
Applicant:	Leitrim County Council
Location of Facility:	Mohill Landfill, Tullybradan, Mohill, Co. Leitrim

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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 orderly closure and restoration of a non-hazardous landfill at Tullybardan, Mohill, Co. Leitrim.

Leitrim Co. Co. are only permitted to accept inert waste for capping/restoration purposes. Activities on site will consist of the recovery of inert waste for the purposes of restoration and aftercare. The hardstanding area at the south-western corner of the facility which currently serves as a Road Works Depot for Leitrim County Council shall be fenced off from the remainder of the facility. The licence provides, subject to a proposal being agreed by the Agency, for the use of this area as a Civic Waste Facility for the recovery and disposal of waste but not as a Waste Transfer Station. The restoration of the landfill part of the facility shall include upgrading of fencing, regrading of the deposited waste to achieve a more natural and stable landform, the provision of a final capping layer, a leachate extraction/collection system, a landfill gas venting system and landscaping.

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

The conditions of this licence set out in detail the legal constraints under which Leitrim Co. Co. will operate and manage this facility.

DECISION & REASONS FOR THE DECISION

The Agency is satisfied, on the basis of the information available, that the waste activity, or activities, licensed hereunder will comply with the requirements of Section 40(4) of the Waste Management Act, 1996.

In reaching this decision the Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

Part I Activities Licensed

In pursuance of the powers conferred on it by the Waste Management Act, 1996, the Environmental Protection Agency (the Agency) proposes, under Section 40(1) of the said Act to grant this Waste Licence to Leitrim County Council to carry on the waste activities listed below at Mohill Landfill, Tullybardan, Mohill, Co. Leitrim subject to conditions, with the reasons therefor and the associated schedules attached thereto set out in the licence.

Licensed Waste Disposal Activities, in accordance with the Third Schedule of the Waste Management Act 1996

Class 1.	Deposit on, in or under land (including landfill): This activity is limited to the disposal of inert wastes only for capping/restoration purposes.
Class 4.	Surface impoundment, including placement of liquid or sludge discards into pits, ponds or lagoons: This activity is limited to the storage of collected leachate in a suitable container or lagoon pending dispatch to a suitable Waste Water Treatment Works.
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 temporary storage of inert capping wastes or unacceptable wastes received at the facility pending their dispatch to appropriate facilities.

Licensed Waste Recovery Activities, in accordance with the Fourth Schedule of the Waste Management Act 1996

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 possible future use of the Road Works Depot as a Civic Waste Facility.
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INTERPRETATION

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

Aerosol	A suspension of solid or liquid particles in a gaseous medium.
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.
Appropriate facility	A waste management facility, duly authorised under relevant law and technically suitable.
Biodegradable waste	Any waste that is capable of undergoing anaerobic or aerobic decomposition, such as food, garden waste, sewage sludge, paper and paperboard.
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 with the Agency.
Daytime	8.00 a.m. to 10.00 p.m.
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.
Emission Limits	Those limits, including concentration limits and deposition levels established in Schedule D.
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 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 Act.
Licensee	Leitrim County Council.
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 12 times per year, at approximately monthly intervals.
Night-time	10.00 p.m. to 8.00 a.m.
Noise Sensitive Location	Any dwelling house, hotel or hostel, health building, educational establishment, places of worship, or any other facility or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
Road Works Depot/Civic Waste Facility	The northern boundary of this area shall be at least 33 metres north of the electricity pylon which is located in the south-western corner of the facility. The eastern boundary shall be at least 44 metres east of the same pylon. The southern and western boundaries shall be the existing facility boundary.
Recyclable Materials	Those waste types, such as cardboard, batteries, gas cylinders, etc, which may be recycled
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.
Specified Emissions	Those emissions listed in Schedule C: Emission Limits of this licence.
Specified Engineering Works	Those engineering works listed in Schedule B: Specified Engineering Works of this licence.
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: 9.00 a.m. to 5.30 p.m. Monday to Friday inclusive.

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. B2.1 Site Plan** 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 Act 1996 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. **Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A.**
- 1.5. Waste Acceptance Hours and Hours of Operation
 - 1.5.1. Landfill
 - 1.5.1.1. Waste shall only be accepted at the facility for disposal at the landfill between the hours of 8.30am to 4.30pm Monday to Friday inclusive and 8.30am to 12.30pm on Saturdays.
 - 1.5.1.2. The landfill at the facility shall only be operated during the hours of 8am to 5pm Monday to Friday inclusive and 8am to 1pm on Saturdays.
 - 1.5.1.3. Waste shall not be accepted at the landfill on Bank Holidays.
 - 1.5.2. Civic Waste Facility
 - 1.5.2.1. Waste shall only be accepted at the Civic Waste Facility between the hours of 8.30am to 4.30pm Monday to Friday inclusive and 8.30 am to 12.30 pm 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; and
 - 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; and
 - 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

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 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 Within three months from the date of grant of this licence, the licensee shall submit written details of the management structure of the facility to the Agency. Any proposed changes in the management structure shall be notified in advance in writing to the Agency. 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; and
- c) details of the relevant education, training and experience held by each of the persons nominated under a) above.

2.3 Corrective Action Procedures

- 2.3.1 Within six months of the date of grant of this licence, the licensee shall establish Corrective Action Procedures which shall detail the corrective actions to be taken should **the requirements of this licence not be fulfilled.**

2.4 Awareness and Training Programme

- 2.4.1 Within six months of the date of grant of this licence, the licensee shall establish and maintain Awareness and Training Procedures for identifying training needs and for providing appropriate training, for personnel who work in or have responsibility for the licensed facility.

2.5 Communications Programme

- 2.5.1 The licensee shall establish and maintain a Communications Programme to ensure that members of the public can obtain information, at all reasonable times, concerning the environmental performance of the facility. This shall be established within six months of granting of the licence.

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.

CONDITION 3 FACILITY INFRASTRUCTURE

- 3.1 The licensee shall establish all infrastructure referred to in this licence 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, 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; and
- 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; and
- 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 as described on Drawing No. 11.0 titled *General Site Layout with the addition of timber post/wire mesh fencing between points I and A as shown on this drawing within twelve months of the date of grant of this licence*. The base of the security fencing shall be set in the ground.

3.4.2 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; and,
- 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 Effective site roads shall be provided and maintained to ensure the safe movement of vehicles within the facility.

3.6 Waste Water

3.6.1 **Any sewage which is produced within the curtilage of the facility shall be removed from the facility for treatment at a suitable waste water treatment plant.**

3.7 Tank and Drum Storage Areas

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

- 3.7.2 All tank and drum storage areas shall, as a minimum, be banded, 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 banded area; or
 - (b) 25% of the total volume of substance which could be stored within the banded area.
- 3.7.3 All drainage from banded areas shall be diverted for collection and safe disposal.
- 3.7.4 All inlets, outlets, vent pipes, valves and gauges must be within the banded area.
- 3.7.5 The integrity and water tightness of all the bands 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

3.8 Leachate Management Infrastructure

- 3.8.1 Within twenty four months of the date of grant of this licence, the licensee shall install leachate management infrastructure at the facility. The infrastructure shall provide for the active abstraction of leachate from the waste, its temporary storage at the facility and its removal for treatment at a suitable treatment works. The existing leachate lagoon (as described in the further information submitted to the Agency on 12th March 2001) shall be replaced by an impermeable leachate storage structure within twenty four months.**

3.9 Landfill Gas Management

- 3.9.1 Within twenty four months of the date of grant of this licence and in conjunction with the capping programme, the licensee shall provide and maintain a landfill gas collection system which shall provide for the passive venting of landfill gas to the atmosphere. The licensee shall install a minimum of three passive landfill gas vents.**
- 3.9.2 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.

3.10 Surface Water Management

- 3.10.1 Within six months of the date of grant of this licence, the licensee shall submit a proposal to the Agency concerning the diversion of the surface watercourse that currently is piped beneath the waste footprint as shown in drawing number C9.0.**
- 3.10.2 The licensee shall prevent animal access from adjoining pasture fields to perimeter drains on the north-eastern and northern boundaries of the facility following consultation with the relevant property owner(s).**
- 3.10.3 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; and
 - b) the collection/diversion of run off arising from capped and restored areas.

3.11 Civic Waste Facility

- 3.11.1 A Civic Waste Facility may be provided at the existing Road Works Depot at the facility subject to the prior agreement of the Agency.
- 3.12 Monitoring Infrastructure
- 3.12.1 Landfill Gas
- (i) Within three months from the date of grant of this licence, the licensee shall install two additional monitoring points at the western boundary of the facility towards the southern end.
- 3.12.2 Replacement of Infrastructure
- (i) 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.
- 3.13 Within three months of the date of grant of licence, the licensee shall provide and maintain a fixed bench mark referenced in situ to Ordnance Datum Malin Head at the facility.

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

CONDITION 4 RESTORATION AND AFTERCARE

- 4.1. The restoration of the landfill facility shall be completed within thirty months of the date of grant of this licence.
- 4.2. The final profile of the landfill shall be domed and shall not exceed 60 mAOD Malin Head. The side slopes should have a maximum gradient of 1:3 (vertical:horizontal) and with the remaining slopes being at least 1:25 (a plateau finish is not acceptable).
- 4.3. The licensee shall within six months of the date of grant of this licence submit to the Agency for its agreement a Restoration and Aftercare Plan which, inter alia, provides for the following:
- a) A hardstanding area located in the south-western corner of the facility to facilitate the Road Works Depot or a Civic Waste Facility (in accordance with Condition 3) unless otherwise agreed by the Agency;
 - b) A security fence around the Road Works Depot;
 - c) Access roads;
 - d) A landscaping proposal designed to blend the facility with the natural landscape of the area and which provides adequate aftercare for plantings;
 - e) A revised restoration plan of the facility based on the requirements of this licence;
 - f) A timescaled phasing plan for the adjustment of the landfill side slopes and overall waste profiling, the placement of the final capping/restoration layer, the installation of the leachate extraction boreholes and associated leachate storage structure, the abandonment of the existing leachate lagoon, surface water management, the installation of the landfill gas control system and landscaping.
- 4.4. Final Capping
- 4.4.1. The final capping shall consist of the following:
- a) top soil (150 -300mm);

- b) subsoils, such that total thickness of top soil and subsoils is at least 1m;
 - c) drainage layer of 0.5m thickness 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; and,
 - f) where tree planting is to be carried out above waste-filled areas, a synthetic barrier shall be used to augment the clay cap.
- 4.5. 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
- 4.6. Soil Storage
- 4.6.1. All soils shall be stored to preserve the soil structure for future use.

REASON: To provide for the restoration of the facility.

CONDITION 5 FACILITY OPERATIONS

- 5.1 Waste shall be deposited in the landfill such that the restoration elevation specified in Condition 4 is not exceeded. No waste shall be landfilled within the south-western corner of the facility which may be used as a Road Works Depot or as otherwise agreed with the Agency.
- 5.2 Waste Acceptance and Characterisation Procedures
- 5.2.1 The licensee shall provide detailed written procedures for the acceptance and handling of all wastes accepted as part of the restoration and aftercare plan.
- 5.2.2 All wastes shall be checked and any wastes not suitable for acceptance shall be removed for recovery or disposal at an appropriate alternative facility.
- 5.3 Intermediate Cover
- 5.3.1 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.
- 5.3.2 Within three months of the date of grant of this licence, appropriate cover material shall be placed across the whole landfill so that no waste other than waste suitable for specified engineering works is exposed.
- 5.4 Operational Controls
- 5.4.1 Wastes once deposited and covered shall not be excavated, disturbed or otherwise picked over **unless** with the prior agreement from the Agency.
- 5.4.2 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.
- 5.4.3 Scavenging shall not be permitted at the facility.

- 5.4.4 Gates shall be locked shut when the facility is unsupervised.
- 5.4.5 The licensee shall provide and use adequate lighting during the operation of the facility in hours of darkness.
- 5.4.6 All tanks and drums shall be labelled to clearly indicate their contents.
- 5.4.7 No smoking shall be allowed on the facility other than at an area to be agreed with the Agency.

5.5 Off- Site Disposal and Recovery

- 5.5.1 Waste sent **from the facility** for recovery or disposal shall only be conveyed by a waste contractor agreed by the Agency.
- 5.5.2 All waste transferred from the facility shall only be transferred to an appropriate facility agreed by the Agency.
- 5.5.3 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.

5.6 Civic Waste Facility

- 5.6.1 A Civic Waste Facility, **if installed in accordance with Condition 3**, 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.
- 5.6.2 All waste deposited in the Civic Waste Facility shall be either:
 - a) into a skip;
 - b) into the hopper of a compactor for disposal;
 - c) into a receptacle for recovery; or
 - d) in the case where inspection is required, into a designated inspection area.
- 5.6.3 The licensee shall assign and clearly label each container at the Civic Waste Facility to indicate their contents.
- 5.6.4 At the end of the working day the floor of the Civic Waste Facility, the hopper and the compactor shall be cleared of waste.

5.7 Leachate Management

- 5.7.1 **Once the leachate extraction system required by Condition 3 has been installed, leachate levels in the waste shall not exceed a level of 1.5m over the base of the waste.**
- 5.7.2 The level of leachate in the pump sumps shall be monitored **weekly unless otherwise agreed by the Agency.**
- 5.7.3 **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.**

5.7.4 Leachate stored in the leachate storage lagoon shall be disposed of by tankering off-site in fully enclosed road tankers.

5.7.5 **There shall be no recirculation of leachate.**

5.8 Maintenance

5.8.1 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.

5.8.2 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.

5.8.3 The licensee shall maintain and clearly label and name all sampling and monitoring locations.

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; and
- b) Carbon dioxide, greater than or equal to 1.5% v/v.

6.4. Emissions to Surface Water

6.4.1. **No substance shall be discharged in a manner or at a concentration which, following initial dilution, causes tainting of fish or shellfish.**

6.5. Disposal of Leachate

6.5.1. All leachate or contaminated water tankered from the facility shall be transported to Mohill Waste Water Treatment Plant (or an alternative Treatment Plant agreed by the Agency) and disposed of there.

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

Condition 7 NUISANCES

- 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 All loose litter or other waste, placed on or in the vicinity of the facility, other than in accordance with the requirements of this licence, 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.
- 7.3.2 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 Bird Control
- 7.5.1 Birds shall be prevented from gathering on and feeding at the facility.

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 and as specified in this licence. Unless otherwise specified by this licence, all environmental monitoring shall commence no later than two months after the date of grant of 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. Landfill Gas
- 8.5.1. All landfill gas monitoring equipment, other than permanent monitoring systems within buildings, shall be certified as being intrinsically safe.

8.6. Groundwater Monitoring

8.6.1. Subject to the agreement of the well owners, all private wells within 350m of the facility shall be included in the monitoring programme set out in Schedule D: Monitoring.

8.7. Surface Water Monitoring

8.7.1. **Within three months of the date of grant of this licence, the licensee shall submit to the Agency a report which assesses the suitability of SW-4 as the upstream, background surface water quality monitoring station.**

8.8. Topographical Survey

8.8.1. A topographical survey shall be carried out within **one month** of the date of grant of this licence. It shall be repeated **one month after the completion of the final capping layer**. The survey shall be in accordance with any written instructions issued by the Agency.

8.9. Stability Assessment

8.9.1. Within six months of the date of grant of this licence, and annually thereafter, the licensee shall carry out a stability assessment of the side slopes of the facility.

8.10. Nuisance Monitoring

8.10.1. 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.

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:
 - i) identify and put in place measures to avoid reoccurrence of the incident; and
 - ii) identify and put in place any other appropriate remedial action.

- 9.2. The licensee shall, within six months of the date of grant of this licence, submit a written Emergency Response Procedure (ERP) to the Agency for its agreement. 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;
- 9.4.4. In the event that monitoring of the slide slopes of the facility indicate that there may be a risk of slope failure this will be treated as an emergency.

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

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 previous year's AER for the facility;
 - c) all written procedures produced by the licensee which relate to the licensed activities.
- 10.2 Written Records
- The following written records shall be maintained by the licensee:
- a) the types and quantities (recorded in tonnes) 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; and

- 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.
- 10.3 The licensee shall maintain a written record of all complaints relating to the operation of the activity. 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; and,
 - e) the response made to each complainant.
- 10.4 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 spillages of leachate during its removal or transportation.
- 10.5 A written record shall be kept for each load of waste departing from the Civic Waste Facility (if installed in accordance with Condition 3). 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; and,
 - g) the time and date of departure.

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;
- (g) be accompanied by a written interpretation setting out their significance in the case of all monitoring data;
- (h) **be certified as accurate and representative by the licensee;** and,
- (i) 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 10.00 am 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; and
- c) in the event of any incident which relates to discharges to surface water, notify the Shannon Regional Fisheries Board as soon as practicable and in any case not later than 10:00am 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.

11.4 Monitoring Locations

11.4.1. Within six months of the date of grant of this licence, the licensee shall submit to the Agency an appropriately scaled drawing(s) showing all the monitoring locations that are stipulated in this licence. The drawing(s) shall include the reference code of each monitoring point.

11.5 Annual Environmental Report

11.5.1. The licensee shall submit to the Agency for its agreement, within thirteen months from the date of grant of this licence, and within one month of the end of each year thereafter, an Annual Environmental Report (AER).

11.5.2. The AER shall include as a minimum the information specified in Schedule F. Content of Annual Environmental Report and shall be prepared in accordance with any relevant written guidance issued by the Agency.

REASON: To provide for proper report to and notification of 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 £ 5,458 (€6,930) or such sum as the Agency from time to time determines, towards the cost of monitoring the activity or otherwise in performing any functions in relation to the activity, as the Agency considers necessary for the performance of its functions under the Waste Management Act, 1996. The licensee shall in 2002 and subsequent years, not later than January 31 of each year, pay to the Agency this amount updated in accordance with changes in the Public Sector Average Earnings Index from the date of the licence to the renewal date. The updated amount shall be notified to the licensee by the Agency. For 2001, the licensee shall pay a pro rata amount from the date of this licence to 31st

December. This amount shall be paid to the Agency within one month of the date of grant of this licence.

- 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 or decreased the licensee shall contribute such sums as determined by the Agency to defraying its costs.

12.2 Financial Provision for Closure, Restoration and Aftercare

12.2.1 The licensee shall from a date to be set by the Agency 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.

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 Waste Categories and Quantities

WASTE TYPE	MAXIMUM
Inert waste	70,000

SCHEDULE B: Specified Engineering Works

Specified Engineering Works
Final capping.
Civic Waste Facility
Installation of Landfill Gas Management Infrastructure
Installation of Leachate Management Infrastructure
Installation of Groundwater Control 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 noise sensitive receptor monitoring points indicated in Table D.1.1).

Day dB(A) L_{Aeq} (30 minutes)	Night dB(A) L_{Aeq} (30 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.

SCHEDULE D: Monitoring

Monitoring to be carried out as specified below.

D.1 Monitoring Locations

Monitoring locations shall be those as set out in Table D.1.1 and Drawing A1.2 *Environmental Monitoring (revision 1)* of the application.

Table D.1.1 Monitoring Locations

LANDFILL GAS	DUST	NOISE	SURFACE WATER	GROUND WATER	LEACHATE
STATIONS	STATIONS	STATIONS	STATIONS	STATIONS	STATIONS
GP1	Western Boundary	N5	SW4 ^{Note 2}	MW-05 (S)	L4 ^{Note 6}
GP5	Northern Boundary	N6 ^{Note 1}	SW6	MW-05 (D)	L5 ^{Note 6}
GP9	Southern Boundary	N7 ^{Note 1}		MW-06 (S)	L6 ^{Note 6}
GP10	Eastern Boundary			MW-06 (D)	Leachate Storage Structure ^{Note 6}
GP11				MW-08 (S)	
GP13				MW-08 (D)	
GP14				MW-03	
GP15				Private well(s) ^{Note 5}	
^{Note 3}					

Note 1: The nearest two residences located west and south of the facility shall be monitored as Noise Sensitive Receptors in addition to N5.

Note 2: The suitability of this location shall be reviewed as required by Condition 8.

Note 3: Two additional points as required by Condition 3.

Note 4: Pipe as shown on drawing number C9.0 of the application unless otherwise agreed by the Agency.

Note 5: Any private potable wells required by Condition 8.

Note 6: These leachate monitoring boreholes in the landfill shall be monitored as per Table D.1.1 until the leachate storage structure required by Condition 3 has been installed and can provide a representative leachate sample for analysis.

Thereafter L4, L5 and L6 shall only be monitored for leachate level unless instructed otherwise by the Agency.

D.2 Landfill Gas

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

Parameter	Monitoring Frequency		Analysis Method ^{Note1} /Technique ^{Note2}
	Gas Boreholes/ Vents/Wells	Site Office	
Methane (CH ₄) % v/v	Monthly	Weekly	Infrared analyser/flame ionisation detector
Carbon dioxide (CO ₂)%v/v	Monthly	Weekly	Infrared analyser/ flame ionisation detector
Oxygen(O ₂) %v/v	Monthly	Weekly	Electrochemical cell
Atmospheric Pressure	Monthly	Weekly	Standard
Temperature	Monthly	Weekly	Standard

Note1: All monitoring equipment used should be intrinsically safe.

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

D.3 Dust

Table D.3.1 Dust Monitoring Frequency and Technique

Parameter (mg/m ³ /day)	Monitoring Frequency	Analysis Method/Technique
Dust	Once per 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). A modification (not included in the standard) which 2-methoxy ethanol may be employed to eliminate interference due to algae growth in the gauge.

Note 2: To be completed 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 3}	SURFACE WATER Monitoring Frequency	GROUNDWATER Monitoring Frequency	LEACHATE Monitoring Frequency
Visual Inspection/Odour ^{Note 2}	Weekly	Quarterly	Quarterly
Groundwater Level	Not Applicable	Quarterly	Not Applicable
Leachate Level	Not Applicable	Not Applicable	Monthly
Ammoniacal Nitrogen	Quarterly ^{Note 5}	Quarterly	Quarterly
BOD (ATU)	Quarterly ^{Note 5}	Not Applicable	Quarterly
COD	Quarterly	Not Applicable	Quarterly
Chloride	Quarterly	Quarterly	Quarterly
Dissolved Oxygen	Quarterly	Not Applicable	Not Applicable
Electrical Conductivity	Quarterly ^{Note 5}	Quarterly	Quarterly
pH	Quarterly ^{Note 5}	Quarterly	Quarterly
Total Suspended Solids	Quarterly ^{Note 5}	Not Applicable	Not Applicable
Temperature	Quarterly ^{Note 5}	Monthly	Quarterly
Boron	Annually	Quarterly	Annually
Cadmium	Annually	Annually	Annually
Calcium	Annually	Annually	Annually
Chromium (Total)	Annually	Annually	Annually
Copper	Annually	Annually	Annually
Cyanide (Total)	Not Applicable	Annually	Annually
Fluoride	Not Applicable	Annually	Annually
Iron	Annually	Quarterly	Annually
Lead	Annually	Annually	Annually
List I/II organic substances ^{Note 3}	Note 6	Annually	Note 6
Magnesium	Annually	Annually	Annually
Manganese	Annually	Quarterly	Annually
Mercury	Annually	Annually	Annually
Potassium	Annually	Quarterly	Annually
Sulphate	Annually	Annually	Annually
Sodium	Annually	Quarterly	Annually
Total Alkalinity	Annually	Annually	Not Applicable
Total Phosphorus / orthophosphate	Annually ^{Note 5}	Annually	Annually
Total Oxidised Nitrogen	Annually	Quarterly	Quarterly
Total Organic Carbon	Not Applicable	Quarterly	Not Applicable
Residue on evaporation	Not Applicable	Annually	Not Applicable
Zinc	Annually	Annually	Annually
Phenols	Not Applicable	Quarterly	Not Applicable
Faecal Coliforms	Not Applicable	Quarterly ^{Note 4}	Annually
Total Coliforms	Not Applicable	Quarterly ^{Note 4}	Annually

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: 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 (US Environmental Protection Agency method 525 or equivalent, and pesticides (US Environmental Protection Agency method 608 or equivalent). Where there is reason to suspect organophosphorous contamination it is recommended to also scan for these compounds.
- Note 4: In the case where groundwater is extracted for drinking water.
- Note 5: **These parameters shall apply to surface water discharges which have received the prior agreement of the Agency.**
- Note 6: Once off for List I/II organic substances **unless otherwise instructed by the Agency.**

SCHEDULE E: Recording and Reporting to the Agency

Report	Reporting Frequency ^{Note 1}	Report Submission Date
Annual Environment Report (AER)	Annually	Thirteen months from the date of grant of licence and one month after the end of each year thereafter.
Record of incidents	As they occur	Within five days of the incident.
Bund, tank and container integrity assessment	Every three years	Six months from the date of grant of licence and one month after end of the three year period being reported on.
Specified Engineering Works reports	As they arise	Prior to the works commencing.
Monitoring of landfill gas	Quarterly	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	Quarterly	Ten days after end of the quarter being reported on.
Dust Monitoring	Annually	Ten days after the period being reported on
Noise Monitoring	Annually	One month after end of the year being reported on.
Topographical Survey	Annually	As per Condition 8.
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 ^{NOTE 1}

Reporting Period.

Waste activities carried out at the facility.

Quantity and Composition of waste received for capping/restoration during the reporting period and each previous year.

Summary report on emissions.

Summary of results and interpretation of environmental monitoring.

Resource and energy consumption summary.

Volume of leachate produced and volume of leachate transported off-site.

Report on restoration of the facility.

Estimated annual and cumulative quantities of landfill gas emitted from the facility.

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.

Report on training of staff.

Any other items specified by the Agency.

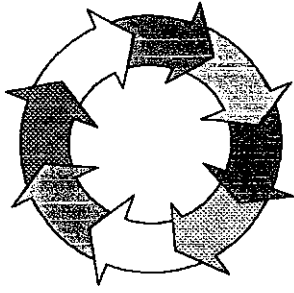
NOTE 1 Content to be revised subject to the agreement of the Agency after cessation of waste acceptance at the facility.

Signed on behalf of the said Agency
on the day of ****

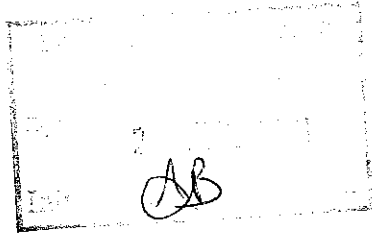
Authorised Person

Appendix B. Objections to Proposed Decision.

doj



JOE MC LOUGHLIN WASTE DISPOSAL
ARDCOLUM, DRUMSHANBO,
CO. LEITRIM
TEL: 078-41103/41184/41351
FAX: 078-41184
e-mail: ardcolummotorfactors@eircom.net



The E.P.A.
P.O. Box 3000
Johnston Castle Estate
Co. Wexford

25th July, 2001

Re: Landfill Site at Tullybardan, Mohill, Co. Leitrim – No. 65-1

Dear Sir/Madam,

I wish to lodge an objection to the decision made in relation to the closure of the landfill site at the above address and enclose herewith our cheque in the sum of £150.00 in respect of same. The grounds for this objection are outlined hereunder.

1. As Refuse Collection Contractor for the whole of County Leitrim access to the landfill facility at Mohill forms a core facility for my operation. I have invested a substantial amount of money in my waste collection business in which is now at risk.
2. I currently hold a permit from Leitrim County Council to use this landfill facility and based on this I have a contract with my customers to provide them with a refuse collection service which they have already paid for up to the 31st of December, 2001.
3. Closing old landfills is premature until the regional management plans are in place. The finding of an alternative suitable location to dispose of the counties refuse is going to take some time and while I investigate this matter meanwhile it is vital that I have access to Mohill landfill.

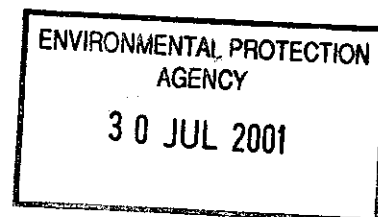
I am aware that Leitrim County Council have made inquiries with regard to the possibility of disposing of the counties waste in local authority landfills in adjoining counties and have been refused permission. Therefore, I would be grateful if you could advise me of the location of alternative sites, which would be available to me to dispose of the counties waste in the event of the closure of the landfill site in Mohill.

Trusting you will revise the position.

Yours faithfully,

JOE MC LOUGHLIN
FOR JOE MC LOUGHLIN
WASTE DISPOSAL

Mr. Eve O' Sullivan
Programme Officer
Licensing and Control
EPA Headquarters
PO Box 3000
Johnstown Castle Estate
County Wexford



July 24th 2001

Waste Licence Register Number 65-1

Reference: Objections to Notice in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application.

Dear Sir/Madam,

In accordance with Section 42 of the Waste Management Act, 1996, please find enclosed Masonite Ireland's objections to the proposed decision on a waste licence application, in respect of the Mohill Landfill facility, Tullybardan, County Leitrim.

Objection 1: Waste Infrastructure:

Masonite Ireland have considered the Agency's notification of its proposed decision for the orderly closure and restoration of the non-hazardous landfill at Mohill, County Leitrim. Masonite find this decision to be completely unacceptable as the Mohill Landfill facility is the only outlet that Masonite are permitted to dispose of non-hazardous waste materials. This proposed decision will create an acute problem for Masonite's operation in County Leitrim.

In view of the fact that the landfilling of industrial waste will effectively cease at the Mohill site, it is considered that 4 months is a totally insufficient period of time to source an alternative and interim option to facilitate disposal of Masonite's waste. In accordance with the obligations of our IPC licence, Masonite Ireland have taken radical initiatives to divert waste from landfill towards beneficial reuse and recycling. Over recent years, our efforts on waste minimisation have lead to the reduction in waste disposal to landfill by almost 50%. It is our intention to continue with this focused and aggressive waste minimisation programme, however even with the most radical programme, a suitable outlet will be required to deal with the remaining waste materials. It is, therefore, strongly requested that the Agency considers the arguments for permitting continued disposal operations at Mohill landfill until a viable working solution is in place.

Masonite Ireland firmly believes that there is an urgent need, in line with Government policy and the new framework of the Waste Management Act, 1996, to modernise waste management practice and secure the provision of environmentally efficient infrastructure. To-date there has been virtually no progress on the implementation of the Connaught Waste Management Plan or the development of a waste management infrastructure in the region. The present situation is completely unacceptable, and must be given priority attention by the authorities.

Objection 2: Business Implications:

Masonite Ireland's manufacturing plant is central to Enterprise Ireland's strategic plan for the Connaught Region, and the proposed closure of the Mohill Landfill facility would seriously impact both the short-term operation of the plant, and have long term economic consequences for the viability of the business.

Waste management, and the disposal of waste has reached a crisis situation in the Connaught region. Masonite's waste disposal costs have increased by over 100% over the last four years. This level of increase is unsustainable for commercial operations located in the region. Access to cost effective and environmentally sound disposal, recycling and recovery facilities are a key issue for Masonite. Waste management infrastructure must form an essential part of the economic infrastructure on the Connaught region, without which businesses cannot function. Therefore, Masonite vehemently oppose the premature planned closure of the Mohill Landfill facility, until such time as alternative working arrangements have been implemented.

Objection 3: Waste Management Plans:

I draw your attention to Section 12.5 of the Connaught Waste Management Plan, published in September 1999. It is stated in the plan that "landfills in Carrick-on-Shannon and Mohill are to provide capacity for County Leitrim in the short term". In the medium to long-term, it is recommended that two regional landfill facilities be developed to service the residual needs of Connaught. We believe that the Government and Local Authorities must recognise their responsibility to cater for industrial waste in their approach to waste management planning in the region. The delivery of an effective Waste Management Infrastructure must take account of the problems and priorities of the business and industrial sectors as part of the overall community interest to be served.

Conclusion:

The implications of these circumstances necessitates Masonite to request an Oral Hearing with the Environmental Protection Agency in accordance with Section 42 of the Waste Management Act, 1996. The criteria for this request relates to serious business concerns in relation to the disposal of waste in the interim period until such time as the Connaught Waste Strategy is fully adopted.



CARRICK-ON-SHANNON
CO. LEITRIM
REPUBLIC OF IRELAND
PHONE: +353 78 59500
FAX: +353 78 59508
DIRECT LINE: 59521

If you have queries on any aspect of the enclosed, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in cursive script, appearing to read 'T. Quinn', written over a horizontal line.

Tom Quinn,
Environmental Manager.

A handwritten signature in cursive script, appearing to read 'Jim Hoey', written over a horizontal line.

Jim Hoey,
Managing Director.

AN OBJECTION TO THE DECISION OF THE ENVIRONMENTAL PROTECTION AGENCY TO GRANT A WASTE LICENCE TO LEITRIM COUNTY COUNCIL FOR A FACILITY AT MOHILL LANDFILL, TULLYBARDEN, MOHILL CO. LEITRIM

MADE BY:- Michael Keane
Ashgrove
Mohill
Co. Leitrim

AND:- Maurice Barry
Ballymoe House
Mohill
Co. Leitrim

We object to the granting of a Waste Management Licence to the above landfill site for the following reasons:-

1. Waste activities at the facility are not being restricted to those authorised by the licence i.e. inert waste. 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. However this landfill site is also a dumping ground for industrial waste which falls outside the terms of the licence and is likely to give rise to environmental pollution.
2. The facility accepts waste outside of its designated opening hours.
3. The waste facility is not supervised at all times. There is no appropriate training and education for staff, one of the requirements of this licence.
4. There is no facility notice board outside the main entrance to the facility. This board should 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 in relation to the facility can be obtained.
5. There is no proper security around the facility. Gates are left unlocked and illegal dumping can occur at any time. Parts of the fence are bulging out in places from the amount of waste not properly disposed of therein.

6. There is no adequate collection facility of leachate. The leachate sump is not emptied frequently enough resulting in spillage into a drain which in turn leads to the local river causing pollution. The existing leachate lagoon is not impermeable.
7. The waste is collected to such a height that it is towering over adjacent properties.
8. Access roads to the facility are not adequate for the large number of vehicles which travel to it.
9. The facility does not blend with the natural landscape of the area and is an eye sore.
10. Capping and covering of the waste is not adequate. There is no appropriate checking of waste delivered to the facility. It seems any waste can be dumped there.
11. Smoking is allowed at any area in the facility in contravention with the licence.
12. Emissions. – There is a high emission of methane gas from the facility. Emissions to surface water are causing pollution.
13. Vermin, birds, flies, mud, dust, litter and odours are causing a major nuisance at the facility and in the immediate area of the facility. These are not adequately dealt with. There is no net canopy over the waste and so birds pick up rubbish and drop it in neighbouring fields.
14. There is a vile smell coming from the facility. The odour is nauseous at all times of the year particularly in hot and humid weather.
15. The road network in the vicinity of the facility is littered with debris.
16. Loose litter blows into the adjacent properties as there are no screens to prevent this.
17. The air borne dust nuisance is not minimised, which is a high contributor to bronchial infections.

18. Birds are not prevented from gathering on and feeding at the facility.
19. The facility is not adequately monitored. The Council are not complying with Environmental Regulations. Waste is not disposed of appropriately and is not covered adequately. Neighbouring areas are being polluted through the atmosphere, through water and through blow away litter. The facility is not inspected for nuisances such as litter, vermin, birds, flies, mud, dust and odours.
20. There is no weigh bridge on entering the facility and so the volume of waste delivered cannot be known.
21. There are no facilities for washing or cleaning vehicles entering or leaving the site.
22. The facility is too close to residential areas.

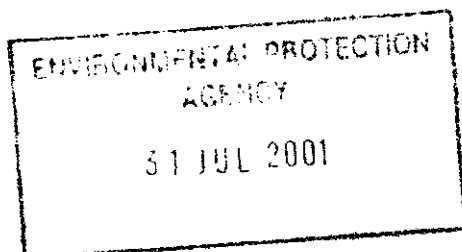
COMHAIRLE CHONTAE LIATROMA



Leitrim County Council,
Áras an Chontae,
Carrick-on-Shannon,
Co. Leitrim.
Tel. (078) 20005, 20041, 20173.
Fax: (078) 22205 / 21023
email: secretar@leitrimcoco.ie
Website: www.leitrimcoco.ie

Our Ref.:

Your Ref.:



26th July 2001

Environmental Protection Agency.
P.O. Box 3000
Johnstown Castle Estate,
Co. Wexford.

Re: Proposed decision on waste licence application in respect of facility at Mohill Landfill, Tullybardan, Mohill, Co. Leitrim.

Dear Sir / Madam.

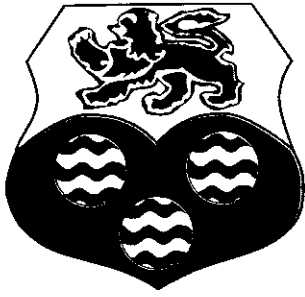
Please find enclosed this Council's appeal against the conditions of the EPA decision notified by letter dated 5th July 2001.

Mise le meas.


COUNTY SECRETARY

KK.
/AM

Encls.



COMHAIRLE CHONTAE LIATROMA

Leitrim County Council,
Áras an Chontae,
Carrick-on-Shannon,
Co. Leitrim.
Tel. (078) 20005, 20041, 20173.
Fax: (078) 22205 / 21023
email: secretar@leitrimcoco.ie
Website: www.leitrimcoco.ie

Our Ref.:

Your Ref.:

Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
County Wexford

July 26th 2001

Register No. 65-1

Re: Objections to Notice in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application.

Dear Sir/Madam,

Please find enclosed objections to Notice in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application, in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co. Leitrim.

The local authority notes the content of the draft licence with respect to the refusal of permission to accept waste material for disposal at the facility. However, the acute problems, which this decision creates in the short term, should be highlighted particularly in view of the delays in implementing the provisions of the Connaught waste strategy.

In view of the fact that the landfilling of municipal waste will effectively cease at the site, it is considered that 4 months is a totally insufficient period of time in which Leitrim County Council can source an alternative and interim option to facilitate disposal of the county's waste. Leitrim County Council would like to assure the Agency that they have been, and are endeavouring to make alternative arrangements for the management of the waste generated within the County and have as yet, not been successful in this matter.

Leitrim County Council has written to all Local Authorities operating landfills and has been denied access to these facilities in all cases. UK Legislation also prohibits this Council from exporting its waste into Northern Ireland. It is, therefore, strongly requested that the Agency consider the arguments for permitting continued disposal operations at Mohill landfill until a viable working solution is in place.

It is also considered that certain requirements of the draft licence are excessive and onerous. It is argued that some of the requests in the document are unacceptable for a non-operating facility and we outline the objections as follows:

- Objection 1: The hours of operation as detailed within Condition 1.5.1.1 are impractical to allow for realistic implementation of restoration works at the site. Materials delivered to the site will be scheduled in accordance with restoration works as they proceed. The original hours of operation (i.e. 8.30am to 4.30pm Monday to Friday and 08.00am to 1.00pm on Saturdays) were designed to facilitate the public and the waste sub-contractor disposal on-site, given that these activities will cease the application of new hours of operation is required. Even though reduced numbers of hours are required at the site for the purposes of inert disposal for capping, flexibility to secure delivery of required materials and to facilitate restoration contractors, is essential. Hours of operation should, therefore, be extended to 8.00am to 5.30pm Monday to Friday and 08.00am to 5.00pm on Saturdays.
- Objection 2: Condition 3.3.2 (a) suggests that there is a working telephone employed on the site. Given that the site is too close to the public, it is felt that there is no requirement for this and that the reference to a site telephone should be deleted from this condition. It is noted that site personnel will carry a mobile telephone and facility visits will be arranged through management staff at the main Leitrim County Council offices.
- Objection 3: Condition 3.10.1 of the proposed decision requests that the licensee shall submit a proposal to the agency concerning the diversion of the surface watercourse that currently is piped beneath the waste. This watercourse cannot be usefully diverted within the site of the landfill. This work will involve the acquisition of private property.

No agreement with the landowners was possible when this was attempted in the past. In the circumstances a feasible proposal to re route this surface watercourse would prejudice a Compulsory Purchase Order. It is noted from the INSPECTORS REPORT that it is suggested that the diversion of this small watercourse will greatly reduce the impact of the landfill on the river water quality. It is contended that the request for diversion of this watercourse may not be necessary and that the basis for the decision is based on one monitoring event. It is requested that this condition be reassessed and further monitoring of this watercourse be carried out so quantify more accurately the impact that this watercourse is having on the surrounding surface waters.

Objection 4: Landfill Gas monitoring to date suggests that there little or no migration off site. As part of the Article 16 submission monitoring, data from 2 no. new landfill gas probes (GP-09 and GP-10) which are located on the western side of the landfill was submitted. This monitoring data did not indicate the presence of landfill gas. Condition 3.12.1 requests the installation of 2 no. additional monitoring points, it is contended that this is unnecessary, as no evidence of landfill gas was detected on the west side of the landfill and it is also suggested that the presence of the river adjacent to the facility help prevent any migration of gas from the site.

Objection 5: Condition 4.2 The thickness of the capping layer is 2.4m (Condition 4.4.1 Final Capping) resulting in the maximum height of waste being 57.6m OD. Existing levels of waste with a plateau profile are already over 1m above this level (varying between 58m to 59m OD). This combined with the condition 4.3(b) and 5.4.1. necessitates the excavation and removal of large quantities of waste off site. This is considered undesirable and unnecessary. As already indicated, extensive efforts over the past 12 months have failed to secure alternative outlets for Leitrim's wastes. This Condition is therefore considered unreasonable.

Objection 6: Condition 3.13 of the proposed decision requests that the licensee shall provide and maintain a fixed benchmark referenced in situ to Ordnance Datum Malin Head at the facility.

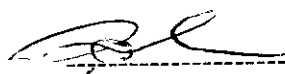
It is considered that this request is excessive as a benchmark exists in Mohill town centre (see Article 16 submission) and a full and accurate electronic site survey has already been carried out at the site which is deemed to be satisfactory.

- Objection 7: Condition 11.1.1 sets the annual contribution of £5,458 to the Agency. This is excessive given the effective closure of the site and the very limited activities that will continue at the site until final restoration. The contribution should be recalculated to reflect this.
- Objection 8: Schedule A: Waste Acceptance, Table A.1 specifies the quantity of inert waste to be permitted into the site and is stated as 70,000 presumably tonnes (as unit is not specified). It is suggested that this quantity may be insufficient so as to fully restore the landfill and would suggest that closer to 90,000 tonnes will be required.
- Objection 9: To date perimeter landfill gas investigations have demonstrated the apparent lack of landfill gas migration off the site with most methane levels recorded below 0.5% (v/v). It is therefore argued that given the effective closure of the site the requirement for monthly monitoring of landfill gas (Schedule D.2 Table D.2.1) is excessive and should be reduced to a bi-annual monitoring requirement.
- Objection 10: Schedule D.5, Table D.5.1 details the water and leachate parameters and frequency of monitoring. Given the effective closure of the site the costs involved in the quarterly monitoring of surface water, groundwater and leachate for selected parameters is greatly excessive. It is strongly argued that bi-annual monitoring replace the quarterly monitoring requirement. Bi-annual monitoring will provide more than adequate hydrochemical data as to the quality of surface waters, groundwater and leachate given that disposal of waste (other than inert waste) will have ceased.
- Objection 11: Condition 5.4.1 It will be necessary to excavate and relocate wastes around the edges of the raised landfill to achieve the specified side slopes of 1:3 (vertical:horizontal)

- Objection 12: Condition 5.4.5 "...adequate lighting during the operation of the facility during the hours of darkness" this requirement is unnecessary since all materials delivered to the site will be scheduled. Restoration works will not occur during the hours of darkness. This Condition should be removed.
- Objection 13: Alternative Sewerage Treatment Plants which provide at least as high a treatment standard as Mohill should be named as suitable disposal points for leachate. Namely Carrick-on-Shannon and Drumshanbo Sewerage Treatment Plants. This is necessary to provide flexibility in the event of malfunctioning of any plants.
- Objection 14: Leitrim County Council request that it shall be allowed to continue with the disposal of sludge from the Water Treatment Plants to this landfill. This activity should be mentioned specifically in the licence as allowable after licensing. The Connaught Waste Management Plan specifies this material will continue to be disposed of to landfill.
- Objection 15: The onerous conditions, which the Environmental Protection Agency is seeking to impose, will have severe financial implications for this Council which has a very low rate base. Given that there will be no income from gate fees the costs associated with closure will result in increases in rates which are paid by totally impracticable commercial rateable householders only.

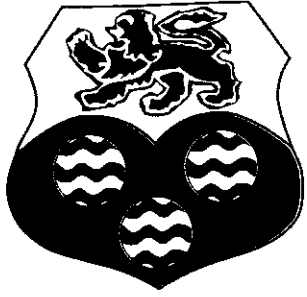
We trust that you find this in order, however should you require any further information relating to the above, please contact us.

Yours Sincerely,


A. GENTRY SECRETARY
Leitrim County Council

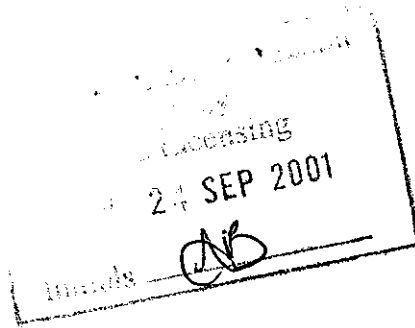
Appendix C. Submission on Objection.

Sub on obj
COMHAIRLE CHONTAE LIATROMA



Our Ref.:

Your Ref.:



Leitrim County Council,
Áras an Chontae,
Carrick-on-Shannon,
Co. Leitrim.
Tel. (078) 20005, 20041, 20173.
Fax: (078) 22205 / 21023
email: secretar@leitrimcoco.ie
Website: www.leitrimcoco.ie

Environmental Protection Agency
P.O. Box 3000
Johnstown Castle Estate
Co. Wexford

September 21st 2001

Register No. 65-1

Re: 65-1 Mohill Landfill – Comments on third party objections

Dear Sir/Madam

Please find enclosed response to the third party objections lodged by Michael Keane and Maurice Berry to Leitrim County Council's waste licence application for Mohill Landfill.

I refer directly to the notation as used in the objection from Michael Keane and Maurice Berry.

2. The facility accepts waste outside of its designated opening hours.

Response Leitrim County Council has specified opening days and times for Mohill landfill. A private waste contractor collects household waste in County Leitrim and this Council has arranged the opening hours and days specifically for the dumping of this material, the landfill is closed to the general public during these times.

3. The waste facility is not supervised at all times. There is no appropriate training and education for staff, on of the requirements of this licence.

Response Leitrim County Council provides a member of staff at this landfill to supervise dumping operations.

4. There is no facility notice board outside the main entrance to the facility. This board should 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 in relation to the facility can be obtained.

Response **Leitrim County Council** has an existing sign in place which states the opening hours and the price list for dumping materials.

5. There is no adequate collection of leachate. The leachate sump is not emptied frequently enough resulting in spillage into a drain which in turn leads to the local river causing pollution. The existing leachate lagoon is not impermeable.

Response **Leitrim County Council** removes leachate regularly from the landfill and frequently will remove leachate several times during the one day, weather dependent. There is no leachate escaping from the temporary sump to a drain nor is it reaching and polluting the local river.

8. Access roads to the facility are not adequate for the large number of vehicles which travel to it.

Response Although poorly aligned, there is no evidence to suggest that the roads cannot adequately cope with the normal traffic using the facility

10. Capping and covering of the waste is not adequate. There is no appropriate checking of waste delivered to the facility. It seems any waste can be dumped there.

Response **Leitrim County Council** is providing sufficient cover to prevent any windblown litter leaving the site. There is a member of staff provided on site to supervise all dumping operations.

11. Smoking is allowed at any area in the facility in contravention with the licence

Response **Leitrim County Council** will include a "No Smoking" notice on the appropriate signage for the facility.

12. Emissions – There is a high emission of methane gas from the facility. Emissions to surface water are causing pollution.

Response **Leitrim County Council** in reply to Article 16 requests for further information from the Environmental Protection Agency has monitored both the gaseous and surface water emissions from this site. The results of this sampling and analysis did not show any migration of methane from this site.

13. There is a vile smell coming from the facility. The odour is nauseous at all times of the year particularly in hot and humid weather.

Response Odour has not been perceived to be a chronic problem at this site. Some isolated complaints have been received and investigated in the past 12 months. Leitrim County Council is using sufficient cover material and compacting waste to prevent windblown of litter, this also helps to minimise any odours.

14. The road network in the vicinity of the facility is littered with debris.

Response **Leitrim County Council** regularly collects any debris, which may litter the roadways to the landfill. The roadways are kept litter free by and large.

17. The air borne dust nuisance is not minimised, which is a high contribution to bronchial infections.

Response At the end of every working day the waste disposed of that day is covered to minimise any winblown litter or dust. Leitrim County Council is not aware of any evidence which links airborne dust from its landfill with any incidence of bronchial infection.

19. The facility is not adequately monitored. The Council are not complying with Environmental Regulations. Waste is not disposed of appropriately and is not covered adequately. Neighbouring areas are being polluted through the atmosphere, through water and through blow away litter. The facility is not inspected for nuisance such as litter, vermin, birds, flies, mud, dust and odours.

Response **Leitrim County Council** provides a member of staff to supervise all dumping operations. This landfill is operated in such a way that the waste is compacted and covered at the end of each working day, thus minimising the nuisances associated with waste disposal.

We trust that you find this in order, however should you require any further information relating to the above, please contact us.

Yours Sincerely,

B Kenny. SE.

Leitrim County Council

Appendix D. Letters of Appointment.

65-1

An Ghníomhaireacht um Chaomhnú Comhshaoil .



Mr Brian Donlon
Senior Inspector
Environmental Management & Planning Division

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

23 October 2001

re: Oral Hearing
Leitrim Co Council, Mohill Landfill

Dear Dr Donlon

Further to my letter of 4 September 2001, I wish to advise that Article 30(1) of the Waste Licensing Regulations SI No.185 of 2000 provides that a person appointed by the Agency to conduct an oral hearing shall, by virtue of such appointment, be an authorised person for the purposes of the Act.

Yours sincerely

Frances Curran

Frances Curran
Board Secretary

Seal of the Agency:

46



65-1
Pub. App.



An Ghníomhaireacht um Chaomhnú Comhshaoil

Dr Brian Donlon
Senior Inspector
Environmental Management & Planning Division

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

4 September 2001

re: Oral Hearing
Leitrim Co Council, Mohill Landfill

Dear Dr Donlon

The Agency has decided to hold an Oral Hearing on objections to the proposed decision of the Leitrim Co Council, Mohill Landfill, Waste Licence application (Reg.No.65-1).

At a meeting of the Agency held on 28 August 2001 the Directors of the Agency decided to appoint you to conduct the Oral Hearing in accordance with the provisions under Section 44(1) of the Waste Management Act, 1996. Mr Cormac MacGearailt was appointed to assist you.

You are required to conduct the hearing in accordance with Section 44(1)(b), and to comply fully with the requirements set out in Section 44 and in supporting Regulations referred to in Section 44(4)(a).

I am also to advise that Article 30(1) of the Waste Licensing Regulations SI No.133 of 1997 provides that a person appointed by the Agency to conduct an oral hearing shall, by virtue of such appointment, be an authorised person for the purposes of the Act.

Yours sincerely

Frances Curran

Frances Curran
Board Secretary

Seal of the Agency:





Mr Cormac MacGearailt
Inspector II
Environmental Management and Planning Division

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

4 September 2001

re: Oral Hearing
Leitrim Co Council, Mohill Landfill

Dear Mr MacGearailt

The Agency has decided to hold an Oral Hearing on objections to the proposed decision of the Leitrim Co Council, Mohill Landfill, Waste Licence application (Reg.No.65-1).

At a meeting of the Agency held on 28 August 2001 the Directors of the Agency decided to appoint Dr Brian Donlon to conduct the Oral Hearing in accordance with the provisions under Section 44(1) of the Waste Management Act, 1996.

The Directors also decided to appoint you to assist Dr Donlon.

Yours sincerely

Frances Curran

Frances Curran
Board Secretary

Seal of the Agency:



Appendix E. Pre-hearing Correspondence



County Secretary
Aras an Chontae
Carrick-on-Shannon
Co. Leitrim

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

27th November, 2001

Reg. No: 65-1

Re: Notice of extension of period for consideration of objections to the proposed decision on waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim.

Dear Secretary

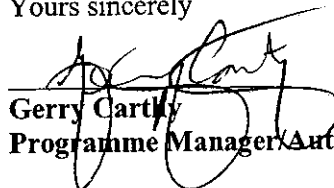
I refer to the objections to the Agency's proposed decision on the above referenced waste licence application.

I am to notify you in accordance with the provisions of Article 35(1) of the Regulations, that it will not be possible because of the complexity and nature of the information to be considered to carry out the procedures for the consideration of the objections within the period specified in the Regulations.

I am also to advise that the Agency intends to complete the consideration of the objections before 1st February, 2002.

The Agency intends to issue its decision on the application before the specified date, and will take all reasonable steps to ensure that there are no avoidable delays in making its decision.

Yours sincerely


Gerry Carthy
Programme Manager/Authorised Person





Mr. Joe McLoughlin
Joe McLoughlin Waste Disposal
Ardcolum
Drumshambo
Co. Leitrim

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

27th November, 2001

Reg. No: 65-1

Re: Notice of extension of period for consideration of objections to the proposed decision on waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim.

Dear Mr. McLoughlin

I refer to the objections to the Agency's proposed decision on the above referenced waste licence application.

I am to notify you in accordance with the provisions of Article 35(1) of the Regulations, that it will not be possible because of the complexity and nature of the information to be considered to carry out the procedures for the consideration of the objections within the period specified in the Regulations.

I am also to advise that the Agency intends to complete the consideration of the objections before 1st February, 2002.

The Agency intends to issue its decision on the application before the specified date, and will take all reasonable steps to ensure that there are no avoidable delays in making its decision.

Yours sincerely

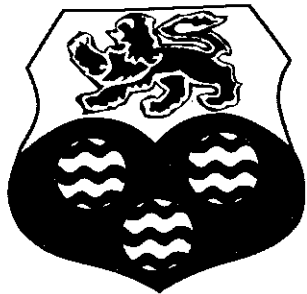
A handwritten signature in black ink, appearing to read 'Gerry Carthy', written over a horizontal line.

Gerry Carthy
Programme Manager/Authorised Person



65-1

COMHAIRLE CHONTAE LIATROMA



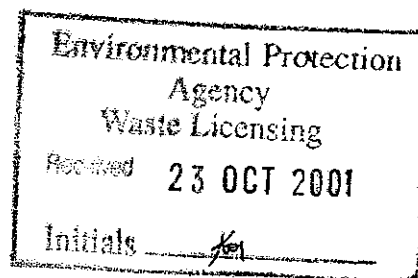
Leitrim County Council,
Áras an Chontae,
Carrick-on-Shannon,
Co. Leitrim.
Tel. (078) 20005, 20041, 20173.
Fax: (078) 22205
email: secretar@leitrimcoco.ie
Website: www.leitrimcoco.ie

Our Ref.: S 807/14

Your Ref.:

22 October, 2001

Dr. Brian Donlon,
Senior Inspector,
Environmental Management & Planning Division,
EPA,
PO Box 3000,
Johnstown Castle Estate,
County Wexford.



**Re: Oral Hearing
Leitrim County Council, Mohill Landfill.**

A Chara,

I refer to the above matter and I wish to advise that Leitrim County Council propose to present a written submission to the Oral Hearing on the 25th October, 2001.

I trust this is in order.

Mise, le meas,

Joseph Gilhooly.
Senior Executive Officer.
Sanitary & Environment Department.
JG/AM.

C.C. Mr. Cormac MacGearailt.



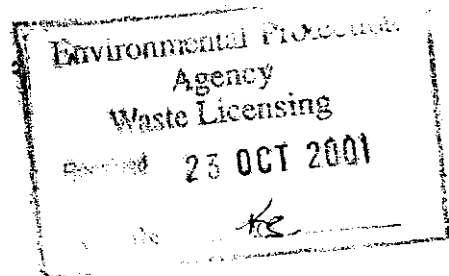
Páipéar Athchúrsáilte
Printed on recycled paper

Beidh fáilte roimh freagra tré Ghaeilge

S 807/14

22 October, 2001

Dr. Brian Donlon,
Senior Inspector,
Environmental Management & Planning Division,
EPA,
PO Box 3000,
Johnstown Castle Estate,
County Wexford.



**Re: Oral Hearing
Leitrim County Council, Mohill Landfill.**

A Chara,

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I trust this is in order.

Mise, le meas,

A handwritten signature in black ink, appearing to be "JG", written over a horizontal dashed line.

Joseph Gilhooly.
Senior Executive Officer.
Sanitary & Environment Department.
JG/AM.

C.C. Mr. Cormac MacGearailt.



Mr. Joe McLoughlin
Joe McLoughlin Waste Disposal
Ardcolum
Drumshambo
Co. Leitrim

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

12 October 2001

Reg No: 65-1

Re: Objection to the proposed decision of the Agency on a waste Licence in respect
Mohill Landfill at Tullybardan, Mohill, Co. Leitrim

Dear Mr. McLoughlin

I am to refer to your objection dated 26th July, 2001 to the above referenced proposed decision by the Agency and to the Agency's letter of 24th August, 2001.

I am to advise that the Agency received a submission in writing on the objection from a party to the objection, within the time provided by the Regulations. A copy of the submission made is enclosed herewith. As a party to the objection you may comment on the submission to the Chairperson at the Oral Hearing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yvonne Clooney', written over a horizontal line.

Yvonne Clooney
Programme Officer
Waste Management Licensing





Messers Quinn and Hoey
Environmental Manager & Managing Director
Masonite Ireland
Carrick-on-Shannon
Co. Leitrim

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

12 October 2001

65-1

Re: Objection to the proposed decision of the Agency on a waste Licence in respect
Mohill Landfill at Tullybardan, Mohill, Co. Leitrim

Dear Messers Quin and Hoey

I am to refer to your objection dated 30th July, 2001 to the above referenced proposed decision by the Agency and to the Agency's letter of 24th August, 2001.

I am to advise that the Agency received a submission in writing on the objection from a party to the objection, within the time provided by the Regulations. A copy of the submission made is enclosed herewith. As a party to the objection you may comment on the submission to the Chairperson at the Oral Hearing.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Yvonne Clooney', written over a horizontal line.

Yvonne Clooney
Programme Officer
Waste Management Licensing



An Ghníomhaireacht um Chaomhnú Comhshaoil



McGovern & Associates Solicitors
Equity House
Dublin Road
Carrick-on-Shannon
Co. Leitrim

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

Date

Our ref.

Your ref.

12 October 2001

Reg No:65-1

Re: Objection to the proposed decision of the Agency on a waste Licence in respect
Mohill Landfill at Tullybardan, Mohill, Co. Leitrim

Dear Sir/Madam

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I am to advise that the Agency received a submission in writing on the objection from a party to the objection, within the time provided by the Regulations. A copy of the submission made is enclosed herewith. As a party to the objection you may comment on the submission to the Chairperson at the Oral Hearing.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Yvonne Clooney', written over a horizontal line.

Yvonne Clooney
Programme Officer
Waste Management Licensing



Mr. Brian Donlon
EPA Headquarters
PO BOX 3000
Johnstown Castle Estate
Wexford

October 11th 2001

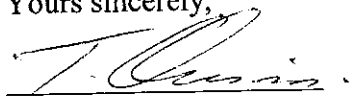
Reference: Oral Hearing - Submission in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application.

Dear Mr. Donlon,

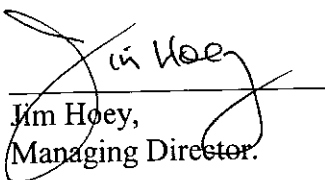
I enclose for your consideration a draft copy of the submission that we plan to present at the upcoming oral hearing convened by EPA, and set to commence on October 25th, 2001.

If you have queries on any aspect of the enclosed, please do not hesitate to contact the undersigned.

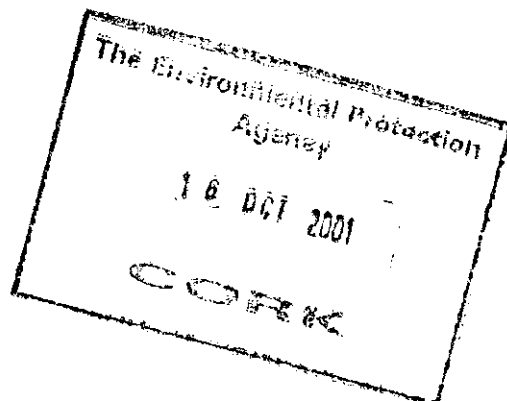
Yours sincerely,



Tom Quinn,
Environmental Manager.



Jim Hoey,
Managing Director.



Oral Hearing - Submission in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application.

Masonite Ireland was established in Carrick on Shannon with the assistance of Enterprise Ireland as a flagship development in 1996. The state of the art Plant was set up at a cost of over \$150 Million and is Europe's only door facing manufacturing facility. Since commencing operations the Plant has given a much-needed economic boost to the region as it is one the largest single Foreign Direct Investment Project in the North West. The current staffing compliment stands at 344 and the yearly payroll contribution to our catchment area is over \$12 Million. Moreover Masonite is the only foreign-owned multinational which sources all of its raw material inputs in Ireland, consuming 200,000 tonnes of waste wood for conversion to engineered wood products. This conversion process results in a number of waste streams of which "inert" ash waste represents the largest element. At this time we have yet to find a recycling use for this ash and therefore must be directed to landfill. Masonite Ireland has a capacity to produce 260 Million square feet of door facing each year. Ninety five percent of our product is exported to 86 customers in 30 countries in central Europe and the Middle East.

On 1 September 2001 Masonite Corporation - of which Masonite Ireland is the European manufacturing base - was sold by International Paper to Premdor, one of the world's largest door component Companies, head quartered in Toronto, Canada. This new entity to be known as Masonite International Corporation will have door facing manufacturing facilities in North America and South America, Europe, South Korea and South Africa. Since 1996, the door facing manufacturing capacity world-wide has increased dramatically with new Plants being commissioned in China and Romania. All of these new entrants have a much lower cost base than Masonite Ireland. Environmental compliance and waste disposal are significant cost components for Masonite Ireland.

We have considered the Agency's notification of it's proposed decision for the orderly closure and restoration of the non-hazardous landfill at Mohill, County Leitrim. While Masonite recognises that the current landfill must be closed and remediated, we also find this decision in its current form to to be completely unworkable, both for the community and Masonite, as the Mohill Landfill facility is the only outlet that Masonite is permitted to dispose of non-hazardous waste materials within the Connaught region.

The decision to close the Mohill landfill site will create an acute problem for Masonite Ireland and other businesses operating in the area, as it will place an increasingly unsustainable economic burden on the Plant arising from the costs of sourcing an alternative waste facility outside our Region, and the associated transport costs.

In view of the decision that the landfilling of industrial waste will effectively cease at the Mohill site, the mandated four month's time frame is totally insufficient to source an alternative and interim option, and we respectfully request a reasonable extension of the landfill be afforded to us to dispose of inert material whereby it's definition will not cause environmental damage. This request is made in accordance with the Agency's letter of October 1st, 2001 which defines the Mohill landfill as a suitable repository for inert waste materials.

In accordance with our obligations set out in our IPC licence, Masonite Ireland over the past four years has taken extensive initiatives to divert waste from landfill towards beneficial reuse and recycling. Our efforts on waste minimisation have led to the reduction in waste disposal to landfill by over 50%. It is our intention to continue with this focused and aggressive waste minimisation programme, however even with the most radical programmes, a suitable outlet will still be required to deal with the remaining waste materials.

It is, therefore, strongly requested that the Agency issues direction and guidance on how the remaining non hazardous and inert waste material generated by Masonite's operation can be disposed of within the Region in accordance with the Connaught Waste Management Plan.

Masonite Ireland firmly believes that there is an urgent need, in line with Government policy and the new framework of the Waste Management Act, 1996, to modernise waste management practice and secure the provision of environmentally efficient infrastructure. To-date there has been virtually no progress on the implementation of the Connaught Waste Management Plan or the development of a waste management infrastructure in the region. The present situation is completely unacceptable, and must be given priority attention by the authorities. Lack of progress in this field can only have a negative impact on Inward Investment both nationally and particularly in the North West Region.

In line with the Government's National Policy, Masonite Ireland's manufacturing plant is central to the National strategic plan for the Connaught Region, and the proposed closure of the Mohill Landfill facility will seriously impact both the short-term operation of the Plant, and will have long term economic consequences for the viability of our business.

Waste management, and the disposal of waste has reached a crisis situation in the Connaught region. Masonite's waste disposal costs have increased by over 100% in the last four years. This level of increase is unsustainable for commercial operations located in the region. In the absence of any recycling or disposal facilities for waste, which we would use if available, access to cost effective and environmentally sound disposal, recycling and recovery facilities is a key issue for Masonite.

Waste management infrastructure must form an essential part of the economic infrastructure within the Connaught region, without which businesses cannot function. Therefore, Masonite urges that the Agency direct the relevant authorities to provide the necessary facilities to deal with the plant's waste within the catchment area of our operations.

We respectfully draw attention to Section 12.5 of the Connaught Waste Management Plan, published in September 1999, where it is stated in the plan that : "*Landfills in Carrick-on-Shannon and Mohill are to provide capacity for County Leitrim in the short term*". In the medium to long-term, it is recommended that two regional landfill facilities be developed to service the residual needs of Connaught. We believe that the Government and Local Authorities must recognise their responsibility to cater for industrial waste in their approach to waste management planning in the region.

The implications of this proposed closure without any amelioration of our predicament, forces Masonite to request that the Agency when making its final decision on the Mohill Facility clearly recognises the crisis situation presented, and in turn issues its

recommendation specifying the options available to the Community and Masonite should the Mohill landfill be closed as directed.



Mr. Joe McLoughlin
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Ireland

Tel.: +353 53 60600
Fax: +353 53 60699
Website: www.epa.ie

By Registered Post

Date
1 October 2001

Our ref.
65-1

Your ref.

re: Notice pursuant to Article 34 of the Waste Management (Licensing) Regulations, (S.I. 133 of 1997) in respect of a waste licence application by Leitrim County Council for a facility at Mohill Landfill, Tullybardan, Mohill, Co. Leitrim

Dear Mr. McLoughlin

I am to advise that the Agency, in deciding on the above referenced waste licence application, proposes to take the following matter into account which was not raised in the objections to the Agency's proposed decision on the application.

Additional matter which the Agency proposes to take into account:

Since 16 July 2001, the Agency is required to give effect to the Landfill Directive in the case of any relevant waste licence that it may grant. If a waste licence were to be granted in this case it would be one to which the Directive applies. That being the case, the Agency proposes to take into account the following changes that would be required to the Proposed Decision in this case if a waste licence is to be granted.

1. The licence would classify the landfill as a landfill for "Inert Waste".
2. The licence would include a waste acceptance condition as follows:
 - 1.5 Waste Types.
 - 1.4.1 Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A: *Waste Acceptance* of this licence.
 - 2.4.2 The licensee shall ensure that inert waste accepted at the facility, is subject to pretreatment where technically feasible.
 - 2.4.3 No liquid wastes or hazardous wastes shall be disposed of at the facility.
3. The licence would include a condition requiring a Conditioning Plan, as follows:
 - 11.5 The licensee shall by 16th July 2002 submit to the Agency for its agreement, a Conditioning Plan for the facility as required by Council Directive 1999/31/EC on the landfill of waste. The Conditioning Plan shall include the particulars listed in Article 8 and any corrective measures which the operator considers will be needed to comply with



the requirements of this Directive with the exception of the requirements in Annex 1, point 1.

4. The licence would define "treatment" in accordance with the Landfill Directive, as follows:

"Treatment means the physical, thermal, chemical or biological processes, including sorting, that change the characteristics of the waste in order to reduce its volume or hazardous nature, facilitate its handling or enhance recovery."

You may make a submission in writing to Mr. Brian Donlon, Chairperson of the Oral Hearing, at the above address, in relation to this matter. Any such submission should include all the information and documentation you consider necessary, and should be received by the Agency no later than 15 October 2001.

re: Oral hearing of the objections to the proposed decision of the Agency on a waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim, Reg. No. 65-1.

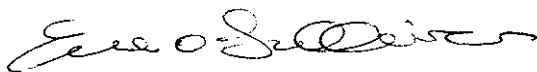
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I am to advise that the hearing will be carried out in accordance with the provisions of the Waste Management Act, 1996 and the associated Regulations. I am enclosing, for your information, an Agency publication entitled "*Waste Management Licensing - Aspects of Licensing Procedures: Objections, Oral Hearings*", which summarises the procedures relating to the consideration of objections and the holding of an oral hearing.

I am to notify you, in accordance with Article 29 of the Regulations, of the arrangements for the oral hearing, as follows:

Venue	The Bush Hotel Carrick-on-Shannon Co. Leitrim
Commencing on:	25 October 2001 at 10.30am

Yours sincerely,



Eve O'Sullivan
Programme Officer
Waste Management Licensing



Messrs. Tom Quinn &
Jim Hoey
Masonite Ireland
Carrick-on-Shannon
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1. The licence would classify the landfill as a landfill for "Inert Waste".
2. The licence would include a waste acceptance condition as follows:
 - 1.6 Waste Types.
 - 1.4.1 Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A: *Waste Acceptance* of this licence.
 - 3.4.2 The licensee shall ensure that inert waste accepted at the facility, is subject to pretreatment where technically feasible.
 - 3.4.3 No liquid wastes or hazardous wastes shall be disposed of at the facility.
3. The licence would include a condition requiring a Conditioning Plan, as follows:
 - 11.5 The licensee shall by 16th July 2002 submit to the Agency for its agreement, a Conditioning Plan for the facility as required by Council Directive 1999/31/EC on the landfill of waste. The Conditioning Plan shall include the particulars listed in Article 8 and any corrective measures which the operator considers will be needed to comply with



the requirements of this Directive with the exception of the requirements in Annex I, point 1.

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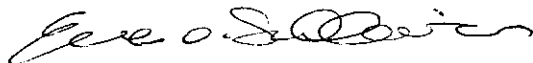
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Venue	The Bush Hotel Carrick-on-Shannon Co. Leitrim
Commencing on:	25 October 2001 at 10.30am

Yours sincerely,



Eve O'Sullivan
Programme Officer
Waste Management Licensing



McGovern & Associates
Solicitors
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Date
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Our ref.
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Dear Sirs

I am to advise that the Agency, in deciding on the above referenced waste licence application, proposes to take the following matter into account which was not raised in the objections to the Agency's proposed decision on the application.

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1. The licence would classify the landfill as a landfill for "Inert Waste".
2. The licence would include a waste acceptance condition as follows:
 - 1.7 Waste Types.
 - 1.4.1 Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A: *Waste Acceptance* of this licence.
 - 4.4.2 The licensee shall ensure that inert waste accepted at the facility, is subject to pretreatment where technically feasible.
 - 4.4.3 No liquid wastes or hazardous wastes shall be disposed of at the facility.
3. The licence would include a condition requiring a Conditioning Plan, as follows:
 - 11.5 The licensee shall by 16th July 2002 submit to the Agency for its agreement, a Conditioning Plan for the facility as required by Council Directive 1999/31/EC on the landfill of waste. The Conditioning Plan shall include the particulars listed in Article 8 and any corrective measures which the operator considers will be needed to comply with



the requirements of this Directive with the exception of the requirements in Annex I, point 1.

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I am to advise that the hearing will be carried out in accordance with the provisions of the Waste Management Act, 1996 and the associated Regulations. I am enclosing, for your information, an Agency publication entitled "*Waste Management Licensing - Aspects of Licensing Procedures: Objections, Oral Hearings*", which summarises the procedures relating to the consideration of objections and the holding of an oral hearing.

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Commencing on:	25 October 2001 at 10.30am

Yours sincerely,



Eve O'Sullivan
Programme Officer
Waste Management Licensing



County Secretary
Leitrim County Council
Governor House
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PO Box 3000
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County Wexford
Ireland

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Website: www.epa.ie

By Registered Post

Date
1 October 2001

Our ref.
65-1

Your ref.

re: Notice pursuant to Article 34 of the Waste Management (Licensing) Regulations, (S.I. 133 of 1997) in respect of a waste licence application by Leitrim County Council for a facility at Mohill Landfill, Tullybardan, Mohill, Co. Leitrim

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 - 1.4 Waste Types.
 - 1.4.1 Only inert waste for the purposes of cover, capping and restoration of the landfill may be accepted at the facility subject to the maximum quantities and other constraints listed in Schedule A: *Waste Acceptance* of this licence.
 - 1.4.2 The licensee shall ensure that inert waste accepted at the facility, is subject to pretreatment where technically feasible.
 - 1.4.3 No liquid wastes or hazardous wastes shall be disposed of at the facility.
3. The licence would include a condition requiring a Conditioning Plan, as follows:
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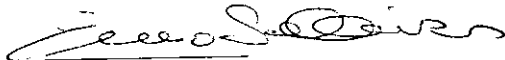
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Commencing on:	25 October 2001 at 10.30am

Yours sincerely,



Eve O'Sullivan
Programme Officer
Waste Management Licensing

Copy of other 3 objections circulated to each objector
of.

An Ghníomhaireacht um Chaomhnú Comhshaoil



Mr. Joe McLoughlin
Joe McLoughlin Waste Disposal
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Johnstown Castle Estate
County Wexford
Ireland

Tel.: +353 53 60600
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Website: www.epa.ie

24 August 2001

Reg No. 65-1

Date

Our ref.

Your ref.

re: Objection to the proposed decision of the Agency on a waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim.

Dear Mr. McLoughlin

I am to acknowledge receipt of your objection to the Agency's proposed decision in respect of the above referenced waste licence application. Please find accompanying a copy of three other objections and two requests for an oral hearing received by the Agency in relation to the proposed decision. I am to advise that the Agency has decided that an oral hearing of the objections will be held, on a date to be decided. The Agency will notify you of the details of the hearing, i.e. date, venue and time, as soon as possible.

Notwithstanding that an oral hearing will be held, it should be noted that, as a party to the objections, you are entitled, but not required, to make a submission in writing to the Agency on the other objections, to be received by the Agency no later than 23rd September, 2001. As this date falls on a Sunday, submissions received on Monday 24th September, 2001 will be regarded as having been received during the period for submissions.

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I am to advise that, once the hearing is concluded, the Chairperson will make a written report to the Agency and include in the report a recommendation relating to the grant or refusal of a waste licence. The Agency will notify you of its decision having regard to the report of the Chairperson and the objection and submissions made by all parties, in due course.

Please note that the register number assigned to this waste licence application is 65-1. Please address all correspondence in relation to this matter to *Waste Licensing Administration, Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, Co. Wexford* quoting the register number.

Yours sincerely,

Dolores Flood

Dolores Flood
Programme Officer
Waste Management Licensing





County Secretary
Leitrim County Council
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PO Box 3000
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Dolores Flood

Programme Officer

Waste Management Licensing



An Ghníomhaireacht um Chaomhnú Comhshaoil



Messrs. Tom Quinn and Jim Hoey
Maçonite Ireland
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re: Objection to the proposed decision of the Agency on a waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim.

Dear Messrs. Quinn and Hoey

I am to acknowledge receipt of your objection to the Agency's proposed decision and request for an oral hearing in respect of the above referenced waste licence application. Please find accompanying a copy of three other objections and a request for an oral hearing received by the Agency in relation to the proposed decision. I am to advise that the Agency has decided that an oral hearing of the objections will be held, on a date to be decided. The Agency will notify you of the details of the hearing, i.e. date, venue and time, as soon as possible.

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Yours sincerely,

Handwritten signature of Dolores Flood in cursive script.

Dolores Flood
Programme Officer
Waste Management Licensing



An Ghníomhaireacht um Chaomhnú Comhshaoil



McGovern & Co Solicitors
Equity House
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Date

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re: Objection to the proposed decision of the Agency on a waste licence application by Leitrim County Council in respect of a facility at Mohill Landfill, Tullybardan, Mohill, Co Leitrim.

Dear Sir/Madam

I am to acknowledge receipt of your objection to the Agency's proposed decision and request for an oral hearing (on behalf of Mr. Michael Keane and Mr. Maurice Barry) in respect of the above referenced waste licence application. Please find accompanying a copy of three other objections and a request for an oral hearing received by the Agency in relation to the proposed decision. I am to advise that the Agency has decided that an oral hearing of the objections will be held, on a date to be decided. The Agency will notify you of the details of the hearing, i.e. date, venue and time, as soon as possible.

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Yours sincerely,

Handwritten signature of Dolores Flood in cursive script.

Dolores Flood

Programme Officer

Waste Management Licensing



Appendix F. Table 1: Register of Papers Presented at the Oral Hearing.

NUMBER	NAME	PRESENTER	REPRESENTING
Paper No. 1	Oral Hearing on objections to the Proposed Licence Conditions issued by the Environmental Protection Agency	Mr. Brian Kenny	Leitrim County Council
Paper No. 2	Mohill Landfill existing and proposed levels. (Drawing)	Mr. Brian Kenny	Leitrim County Council
Paper No. 3	Oral Hearing on objections to the Proposed Licence Conditions issued by the Environmental Protection Agency – [with typographical corrections]	Mr. Brian Kenny	Leitrim County Council
Paper No. 4	Oral Hearing – submission in accordance with Section 42(2) of the Waste Management Act 1996, of a Proposed Decision on a Waste Licence application.	Mr. Jim Hoey	Masonite Ireland
Paper No. 5	IBEC North West – Submission to the EPA	Mr. Pdraig O'Grady (IBEC)	Masonite Ireland
Paper No. 6	Photographs of Mohill Landfill.	Mr. Michael Keane	Messrs. Keane/Barry

Paper No. 1. Leitrim County Council.

**Oral Hearing on objections to the Proposed Licence Conditions issued by
the Environmental Protection Agency**

Leitrim County Council

**Oral Hearing
on objections to the
Proposed License Conditions
issued by the
Environmental Protection Agency.**

Leitrim Co. Council accepts the need to eliminate potential threats to the environment and the need to discontinue the dumping of wastes in non-engineered landfills such as Mohill. However, it finds itself in the position where it has to object to certain aspects of the decision. These fall into two categories

- (a) Timing -caused by circumstances beyond the control of Leitrim Co. Council.
- (b) Environmental impact --related to timing, weather conditions and the physical shape of the landfill.

The context of the proposed decision:

Leitrim County Council has been a member of the Connaught Waste Management Strategy Group since its inception in 1998. At that time, it was considered that the standards imposed by the EU proposed Landfill Directive could not be achieved economically if processing Leitrim's wastes only.

Use of innovative technologies to facilitate waste segregation, recovery and specialised treatment processes would be required to meet the ambitious targets set out in the Waste Management Policy Statement (Changing Our Ways) 1998. A regional approach was seen as the only financially feasible way to achieve the new targets.

Leitrim County Councils Waste Management Plan was made (simultaneously with the five other Connaught Local Authorities on 12th Sept 01. This Plan sets targets for reduction, recycling and diversion from Landfill of wastes and the recovery of energy from remaining wastes. Residual waste and ash would be landfilled.

It is considered that the facilities required for the implementation of the plan will be provided over a six year period. Interim arrangements were made in the plan for the disposal of waste while the necessary infrastructure was put in place.

Leitrim County Council has been taking steps to introduce better waste management practices in the context of the changing legislative environment and heightened environmental expectations.

1. The number of landfills operational in the county was reduced from seven to two and has facilitated the extension of the collection routes to provide county-wide coverage.

The Council has objected only to those aspects of the license that are either not feasible or are considered environmentally undesirable. A copy of the Council's objections are attached hereto and most require no further elaboration. However, the following points are perhaps relevant.

Time-scale to Closure:

Given the time scale required to negotiate and implement an agreement between two or more local authorities, involving private contractors, public representatives and the possible revision of EPA licences, it is considered that the landfills would need to operate for a further 8 months. Immediate closure is not feasible. Although negotiations are ongoing, as of now there is no other disposal outlet for this waste.

The height limit for the rehabilitated landfill:

The site was resurveyed on 18th October and cross-sections prepared every 10m. On the basis of this survey it is calculated that the creation of the required profile with 2.1m of capping material within the boundary as originally defined will result in a finished height of –

64.18m O.D..... if the landfill remains open until 2nd June 2002.
63.38m O.D. if the Northern and Eastern boundary were extended
by 5m for the sole purpose of constructing fences and drains.
63.37/62.57m O.D. if the site for the Civic Amenity area was used to
deposit refuse.

Achievement of the required profile, together with fencing and drainage will necessitate the re-distribution of material already deposited. If the drainage and fencing (along the Northern and eastern boundaries) are undertaken within the current site it is estimated that an additional m³ of material will be moved which will add approximately m to the heights calculated above.

Conditions 5.32 5.41 and 8.1

These set down timescales by which work should be carried out if the decision is issued before April/May. A significant amount of excavation of refuse, placing of soil, and membrane banners will be necessary during adverse weather conditions. This itself will create unnecessary environmental risk, through increased leachate and runoff reduce the quality of the workmanship on site and adversely effect conditions along the haul routes.

Condition -1.2

This defines the area of the facility. The acquisition of a strip of ground on the northern and western boundaries to be used to install leachate cut off drains, surface run-off drains and erect fences would have environmental benefits in reducing the amount of refuse which needs to be moved to achieve specified side slope, depth of cover. The EPA are asked to consider allowing these works to take place outside the area designated on the original license application. It should also be pointed out that the landowners concerned have not yet been approached in relation to this matter.

Condition - 3.10.1

This requires the diversion of a watercourse. This will result in the acquisition of land and very deep excavations. The EPA is asked to alter this condition to allow consideration of alternatives (to diversion) which would achieve the same environmental result.

In relation to issues raised by parties to this hearing concerning the operation of the Landfill these have been responded to by the Council by way of written reply to the EPA. The proposed license is essentially designed to control rehabilitation of the landfill. It is contended therefore that the objections, which relate to past operation of the facility, are not relevant to this hearing. However, it should be pointed out that the Council has responded to complaints made in the past and has improved operational standards insofar as the physical and financial constraints have allowed.

Date: October 2001

Paper No. 2. Leitrim County Council.

Mohill Landfill existing and proposed levels (Drawing)

Leitrim County Council

Paper No. 3. Leitrim County Council.

**Oral Hearing on objections to the Proposed Licence Conditions issued by
the Environmental Protection Agency – [with typographical corrections]**

Leitrim County Council

**Oral Hearing
on objections to the
Proposed License Conditions
issued by the
Environmental Protection Agency.**

Leitrim Co. Council accepts the need to eliminate potential threats to the environment and the need to discontinue the dumping of wastes in non-engineered landfills such as Mohill. However, it finds itself in the position where it has to object to certain aspects of the decision. These fall into two categories

- (a) Timing -caused by circumstances beyond the control of Leitrim Co. Council.
- (b) Environmental impact --related to timing, weather conditions and the physical shape of the landfill.

The context of the proposed decision:

Leitrim County Council has been a member of the Connaught Waste Management Strategy Group since its inception in 1998. At that time, it was considered that the standards imposed by the EU proposed Landfill Directive could not be achieved economically if processing Leitrim's wastes only.

Use of innovative technologies to facilitate waste segregation, recovery and specialised treatment processes would be required to meet the ambitious targets set out in the Waste Management Policy Statement (Changing Our Ways) 1998. A regional approach was seen as the only financially feasible way to achieve the new targets.

Leitrim County Councils Waste Management Plan was made (simultaneously with the five other Connaught Local Authorities on 12th Sept 01. This Plan sets targets for reduction, recycling and diversion from Landfill of wastes and the recovery of energy from remaining wastes. Residual waste and ash would be landfilled.

It is considered that the facilities required for the implementation of the plan will be provided over a six year period. Interim arrangements were made in the plan for the disposal of waste while the necessary infrastructure was put in place.

Leitrim County Council has been taking steps to introduce better waste management practices in the context of the changing legislative environment and heightened environmental expectations.

1. The number of landfills operational in the county was reduced from seven to two and has facilitated the extension of the collection routes to provide county-wide coverage.

2. A site, considered suitable for a modern landfill, was identified following an extensive shortlisting procedure. However site acquisition did not proceed due to estimated construction and operational costs and the formation of the Connaught Regional Group.
3. The Council has moved forward towards the implementation of the Connaught Waste Management Plan with the establishment of 25 Bring Centres -one per thousand population, including the provision of banks for plastics (at all sites) and mineral oil (at 50% of sites).
4. Three Civic Amenity Sites are provided for in the Plan. Sites have been acquired for two of these; part X Planning is virtually complete for one and it is hoped to have two under construction in 2002.
5. Two pilot Home Composting schemes involving 350 houses have proved successful. These will be extended in the coming two years to eliminate garden/kitchen waste from the waste stream. A Vermi Composting trial is planned for next Spring involving three communities.
6. The introduction of a kerbside collection in Carrick-on-Shannon is being deferred pending the construction of a mechanical materials segregation plant in the region.

The failure of the interim arrangements for landfill disposal in the Connaught Waste Management Plan (and the recently adopted Leitrim Waste Management Plan) - partially due to the earlier than planned closure of landfills in Connaught -has left Leitrim in a serious situation vis-à-vis the licensed disposal of wastes.

- (a) Leitrim County Council has written to each Local Authority with operating landfills in the country seeking arrangements to dispose of our 11, tonnes of annual waste production. Access has been denied as each attempts to maximise capacity for their own waste.
- (b) Negotiations are continuing with various landfill operators to secure a safe disposal outlet for the county's 11,000 tonnes of municipal waste.

There are two significant industrial waste producers using Mohill Landfill. These have been advised of the position through phone conversations and informal meetings. Both have diverted significant proportions of their waste away from landfill – through reduction, reuse and recycling. Nevertheless the closure of Mohill Landfill will result in a significant cost burden and inconvenience to local industry as they seek alternative outlets.

Leitrim County Council, as primary custodian of the environment of County Leitrim fully intends to abide by the conditions of the proposed license. The estimated cost of complying with the license is £600,000.

The Council has objected only to those aspects of the license that are either not feasible or are considered environmentally undesirable. A copy of the Council's objections are attached hereto and most require no further elaboration. However, the following points are perhaps relevant.

Time-scale to Closure:

Given the time scale required to negotiate and implement an agreement between two or more local authorities, involving private contractors, public representatives and the possible revision of EPA licences, it is considered that the landfills would need to operate for a further 8 months. Immediate closure is not feasible. Although negotiations are ongoing, as of now there is no other disposal outlet for this waste.

The height limit for the rehabilitated landfill:

The site was resurveyed on 18th October and cross-sections prepared every 10m. On the basis of this survey it is calculated that the creation of the required profile with 2.1m of capping material within the boundary as originally defined will result in a finished height of –

- 64.18m O.D..... if the landfill remains open until 2nd June 2002.
- 63.38m O.D. if the Northern and Eastern boundary were extended by 5m for the sole purpose of constructing fences and drains.
- 63.37/62.57m O.D. if the site for the Civic Amenity area was used to to deposit refuse.

Achievement of the required profile, together with fencing and drainage will necessitate the re-distribution of material already deposited. If the drainage and fencing (along the Northern and eastern boundaries) are undertaken within the current site it is estimated that an additional 10,800 m³ of material will be moved which will add approximately 0.80 m to the heights calculated above.

Conditions 5.32 5.41 and 8.1

These set down timescales by which work should be carried out. If the decision is issued before April/May, a significant amount of excavation of refuse, placing of soil and membrane barriers will be necessary during adverse weather conditions. This itself will create unnecessary environmental risk, through increased leachate and runoff reduce the quality of the workmanship on site and adversely effect conditions along the haul routes.

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Date: October 2001

Mohill Landfill Site

Chainage	Actual Level		Proposed Level (60m Capping at 2.1m)	
	Area	Volume	Area	Volume
10	416.972	4169.724	153.794	1537.937
20	566.607	5666.072	315.077	3150.774
30	513.779	5137.792	366.781	3667.813
40	588.329	5883.29	411.379	4113.786
50	652.826	6528.264	440.022	4400.221
60	704.917	7049.17	484.261	4842.610
70	693.517	6935.17	434.341	4343.411
80	705.386	7053.856	434.500	4345.000
90	671.283	6712.83	421.261	4212.605
100	669.623	6696.231	441.621	4416.212
110	630.196	6301.955	504.074	5040.737
120	432.434	4324.338	535.288	5352.879
130	384.443	3844.432	576.181	5761.814
143	421.166	4211.655	619.158	6191.575
150	420.178	4201.784	630.247	6302.465
160	391.233	3912.325	566.766	5667.664
	Total Vol.	38528.89	Total Vol.	37750.89

88 628.89 cu **22 878.92** ton Total Volume in Existing Landfill

76 647.5 cu **38 676.75** ton Total Volume For Proposed Restoration
(60m - Capping Layer 2.1m)

15 28 89 cu **7 640.69** ton Excess Volume in Existing Landfill

7 000 cu **3 500** ton Extra 8 months Volume for use of Landfill

22 28 89 cu **11 210.59** ton Total Restoration Volume

2 016 cu **1 008.51** ton Fences/drains West side

24 292 cu **12 142.61** ton Total Restoration Vol. plus Fences/drains West side

10 800 cu **5 400** ton Fences/drains North, East (if boundaries are fixed)

65 092 cu **3 37 10** ton Total Restoration Volume plus Fences
drains North, East & West Side

167 Height Increase
0.48m Allow for 2.5% slope
2.10 Capping

5.10m Total Height Added to the Existing Landfill

2.38m Total Height Added to the Existing Landfill
minus 10 800cu

5.91m Existing Height of the Landfill

18 28 89 Finished Height of the Landfill

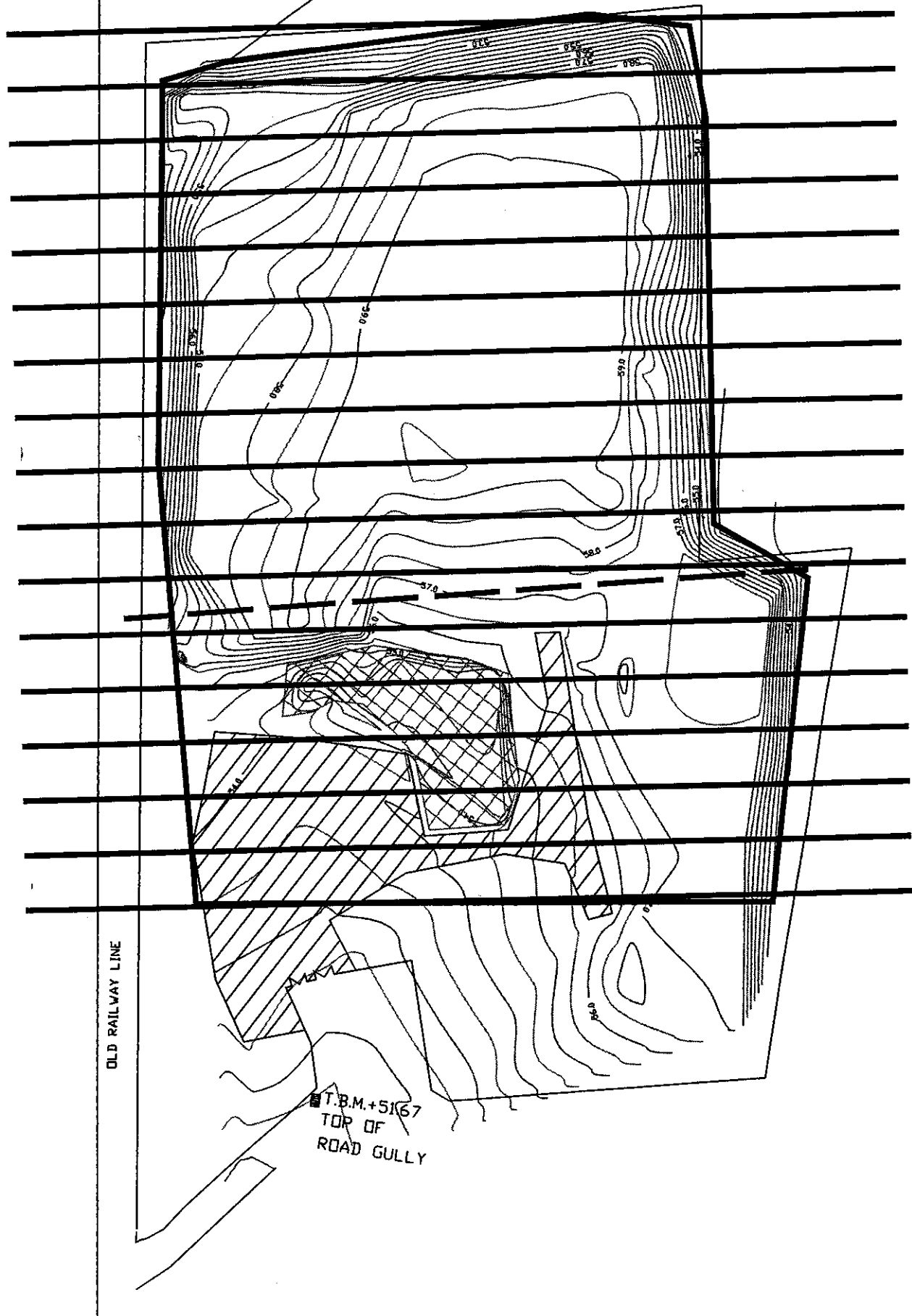
18 28 89 Finished height of the Landfill

10 800 cu Approximate Volume of the Civic Amenity Area

10 800 Fill Area

0.38m Height Increase of Waste on the Civic Amenity Area

AREA 16273m²



- Ch 0
- Ch 10
- Ch 20
- Ch 30
- Ch 40
- Ch 50
- Ch 60
- Ch 70
- Ch 80
- Ch 90
- Ch 100
- Ch 110
- Ch 120
- Ch 130
- Ch 140
- Ch 150
- Ch 160

OLD RAILWAY LINE

T.B.M.+5167
TOP OF
ROAD GULLY

Paper No. 4. Masonite Ireland.

Oral Hearing – submission in accordance with Section 42(2) of the Waste Management Act 1996, of a Proposed Decision on a Waste Licence application.

Masonite Ireland

Oral Hearing - Submission in accordance with Section 42(2) of the Waste Management Act, 1996, of a proposed decision on a waste licence application.

Masonite Ireland was established in Carrick on Shannon with the assistance of Enterprise Ireland as a flagship development in 1996. The state of the art Plant was set up at a cost of over \$150 Million and is Europe's only door facing manufacturing facility. Since commencing operations the Plant has given a much-needed economic boost to the region as it is one of the largest single Foreign Direct Investment Projects in the North West. The current staffing compliment stands at 344 and the yearly payroll contribution to our catchment area is over \$12 Million. Moreover Masonite is the only foreign-owned multinational which sources all of its raw materials inputs in Ireland, consuming 200,000 tonnes of waste wood for conversion to engineered wood products. This conversion process results in a number of waste streams of which "inert" ash waste represents the largest element. At this time we have yet to find a recycling use for this ash and therefore must be directed to landfill. Masonite Ireland has a capacity to produce 260 Million square feet of door facing each year. Ninety five percent of our product is exported to 86 customers in 30 countries in central Europe and the Middle East.

On 1 September 2001 Masonite Corporation - of which Masonite Ireland is the European manufacturing base - was sold by International Paper to Premdor, one of the world's largest door component Companies, head quartered in Toronto, Canada. This new entity to be known as Masonite International Corporation will have door facing manufacturing facilities in North America and South America, Europe, Korea and South Africa. Since 1996, the door facing manufacturing capacity world-wide has increased dramatically with new Plants being commissioned in China and Romania. All of these new entrants have a much lower cost base than Masonite Ireland. Environmental compliance and waste disposal are significant cost components for Masonite Ireland.

We have considered the Agency's notification of it's proposed decision for the orderly closure and restoration of the non-hazardous landfill at Mohill, County Leitrim. While Masonite recognises that the current landfill must be closed and remediated, we also find this decision in its current form to be completely unworkable, both for the community and Masonite, as the Mohill Landfill facility is the only outlet that Masonite is permitted to dispose of non-hazardous waste materials within the Connaught region.

The decision to close the Mohill landfill site will create an acute problem for Masonite Ireland and other businesses operating in the area, as it will place an increasingly unsustainable economic burden on the Plant arising from the costs of sourcing an alternative waste facility outside our Region and the associated transport costs.

In view of the decision that the landfilling of industrial waste will effectively cease at the Mohill site, the mandated four month's time frame is totally insufficient to source an alternative and interim option, and we respectfully request a reasonable extension of the landfill be afforded to us to dispose of inert material whereby it's definition will not cause environmental damage. This request is made in accordance with the Agency's letter of October 1st, 2001 which defines the Mohill landfill as a suitable repository for inert waste materials.

In accordance with our obligations set out in our IPC licence, Masonite Ireland over the past four years has taken extensive initiatives to divert waste from landfill towards beneficial reuse and recycling. Our efforts on waste minimisation have lead to the reduction in waste disposal to landfill by over 50%. It is our intention to continue with this focused and aggressive waste

minimisation programme, however even with the most radical programmes, a suitable outlet will still be required to deal with the remaining waste materials.

It is, therefore, strongly requested that the Agency issues direction and guidance on how the remaining non hazardous and inert waste material generated by Masonite's operation can be disposed of within the Region in accordance with the Connaught Waste Management Plan.

Masonite Ireland firmly believes that there is an urgent need, in line with Government policy and the new framework of the Waste Management Act, 1996, to modernise waste management practice and secure the provision of environmentally efficient infrastructure. To-date there has been virtually no progress on the implementation of the Connaught Waste Management Plan or the development of a waste management infrastructure in the region. The present situation is completely unacceptable, and must be given priority attention by the authorities. Lack of progress in this field can only have a negative impact on Inward Investment both nationally and particularly in the North West Region.

In line with the Government's National Policy, Masonite Ireland's manufacturing plant is central to the National Strategic Plan for the Connaught Region, and the proposed closure of the Mohill Landfill facility will seriously impact both the short-term operation of the Plant, and will have long term economic consequences for the viability of our business.

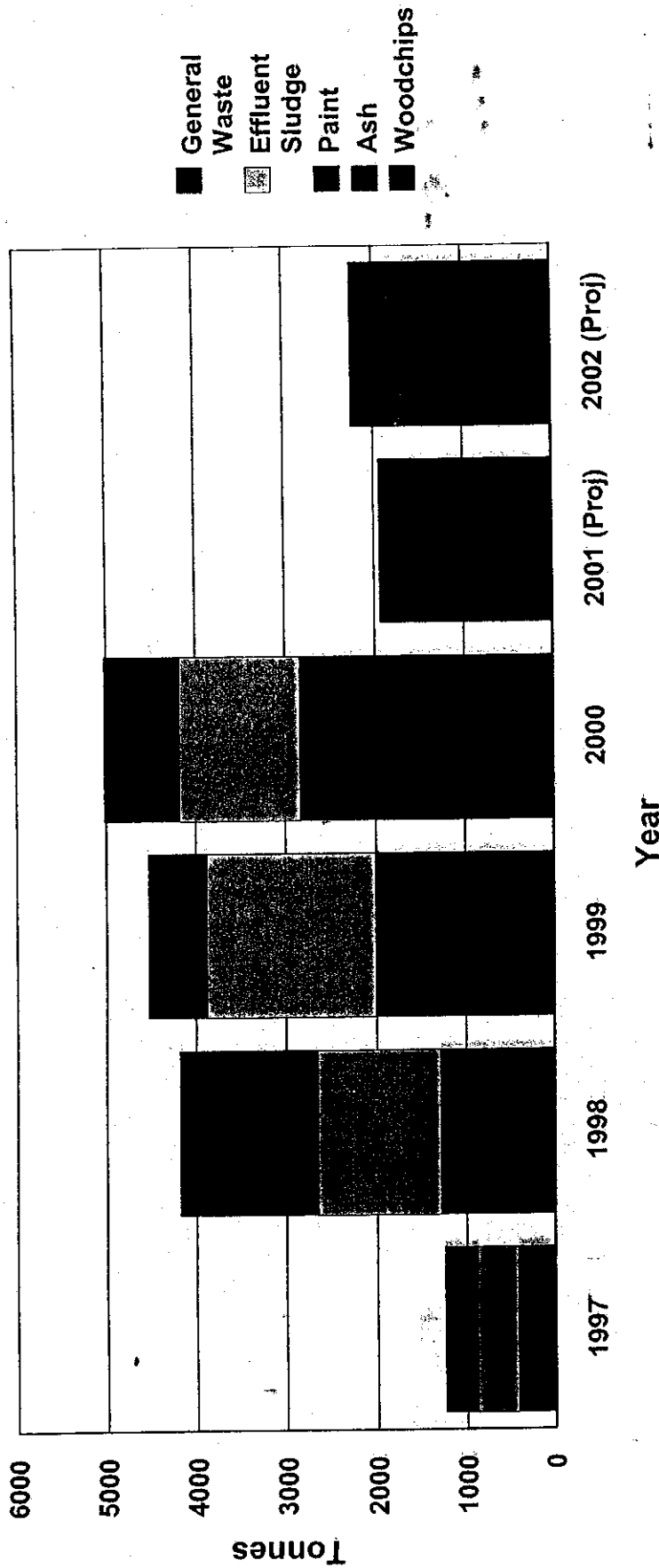
Waste management, and the disposal of waste has reached a crisis situation in the Connaught region. Masonite's waste disposal costs have increased by over 100% in the last four years. This level of increase is unsustainable for commercial operations located in the region. In the absence of any recycling or disposal facilities for waste, which we would use if available, access to cost effective and environmentally sound disposal, recycling and recovery facilities is a key issue for Masonite.

Waste management infrastructure must form an essential part of the economic infrastructure within the Connaught region, without which businesses cannot function. Therefore, Masonite urge that the Agency direct the relevant authorities to provide the necessary facilities to deal with the plant's waste within the catchment area of our operations.

We respectfully draw attention to Section 12.5 of the Connaught Waste Management Plan, published in September 1999, where it is stated in the plan that: "*Landfills in Carrick-on-Shannon and Mohill are to provide capacity for County Leitrim in the short term*". In the medium to long-term, it is recommended that two regional landfill facilities be developed to service the residual needs of Connaught. We believe that the Government and Local Authorities must recognise their responsibility to cater for industrial waste in their approach to waste management planning in the region.

The implications of this proposed closure without any amelioration of our predicament, forces Masonite to request that the Agency when making it's final decision on the Mohill Facility clearly recognises the crisis situation presented, and in turn issues its recommendation specifying the options available to the Community and Masonite should the Mohill landfill be closed as directed.

Waste Generated going to Landfill - 1997 to 2002



Note: 2002 figure based on 17.7% increase in production over 2001

Year	General Waste	Effluent Sludge	Woodchips	Ash	Paint	Total
1997	365	464		269	148	1246
1998	1532	1365		924	364	4185
1999	653	1870		1174	835	4532
2000	840	1346	481	1476	877	5020
2001 (Proj)	335	0	0	978	629	1942
2002 (Proj)	418	0	0	1086	740	2244

Hazardous and Non-Hazardous Waste Costs and Volumes - 1997 to 2002

Non-Hazardous Gate and Haulage Charges

	Gate Charge (LCC)	Transport (CWD)	Total
2000	£175,267.60	£54,455	£229,722.42
2001 (Current)	£69,245.40	£33,434	£102,679.40
2001 (Projected)	£118,167.60	£55,652	£173,819.60
2002 (Projected)	£225,000	£125,000	£350,000

Non-Hazardous Volumes and Costs

	Volume (Tonnes)	Cost (£'s)	Cost (£'s) per Tonne
1997	1291.49	£52,697	£40.82
1998	4193.9	£156,877	£37.41
1999	4533.3	£131,257	£28.61
2000	5138	£229,722.42	£44.75
2001 (Projected)	2400	£191,976	£79.99
2002 (Projected)	2500	£350,000	£140.00

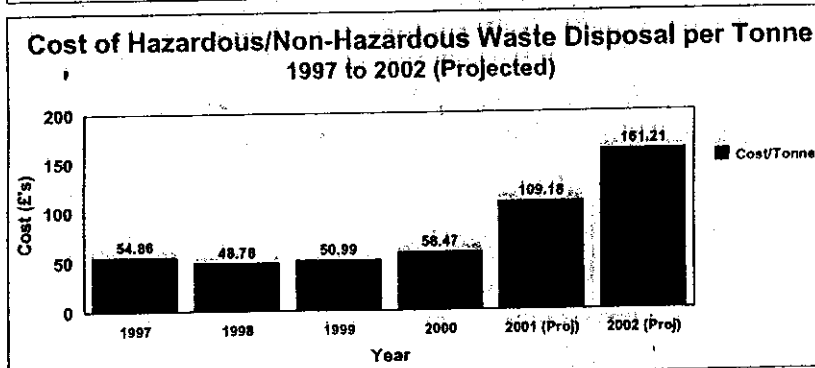
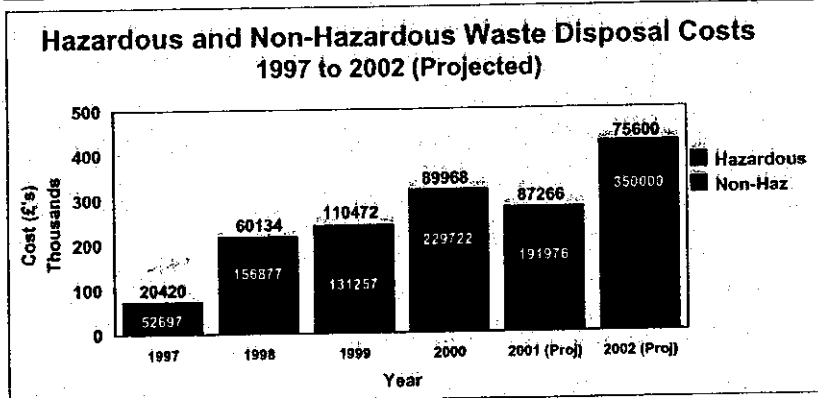
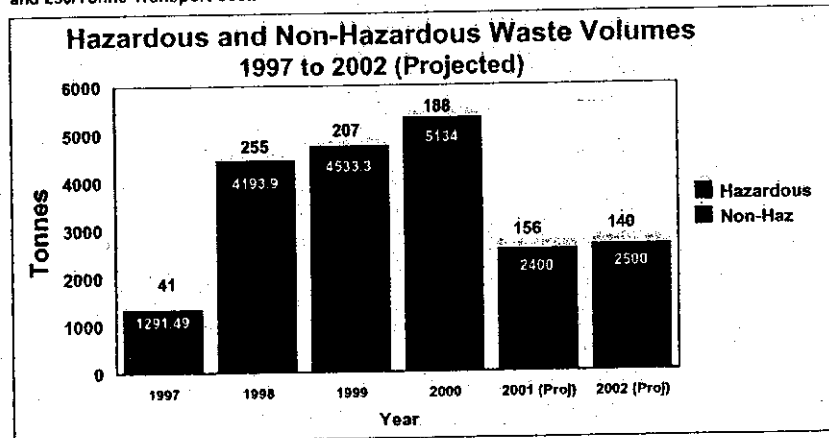
Hazardous Volumes and Costs

	Volume (Tonnes)	Cost (£'s)	Cost (£'s) per Tonne
1997	41.36	£20,420	£493.71
1998	254.65	£60,134	£236.14
1999	207.09	£110,472	£533.43
2000	188.39	£89,968	£477.52
2001 (Projected)	157.6	£87,266	£553.72
2002 (Projected)	140	£75,600	£540.00

Hazardous and Non-Hazardous Volume/Cost Averages

	Volume (Tonnes)	Cost (£'s)	Cost (£'s) per Tonne
1997	1332.85	£73,117	£54.86
1998	4448.55	£217,011	£48.78
1999	4740.39	£241,729	£50.99
2000	5140.89	£300,610	£58.47
2001 (Projected)	2557.6	£279,242	£109.18
2002 (Projected)	2640	£425,600	£161.21

2002 Projection - £140 per tonne figure made up from £90/Tonne Gate charge and £50/Tonne Transport cost.



Paper No. 5. IBEC North West.

IBEC North West – Submission to the EPA Mr. Padraig O'Grady (IBEC)

Representing Masonite Ireland



IBEC NORTH WEST
Submission to the EPA

**Proposed Closure of Mohill Landfill Facility,
County Leitrim**

October 2001

INTRODUCTION

In this Submission, the Irish Business and Employers Confederation (IBEC) requests the Environment Protection Agency (EPA) to review the proposed decision to close the non-hazardous landfill at Mohill, County Leitrim. I will outline IBEC's overall views and priorities and highlight the main issues of concern of industry in terms of the waste management infrastructure in Connaught.

IBEC believes as a country we must radically change our approach to waste management if a major crisis is to be avoided. The management and disposal of waste continue to be problematic both for the domestic and the business and industrial sectors. Much of the problem arises as a result of past practices. For too many years waste disposal and management were given a very low priority. However, new policies and legislation both at EU and national levels require fundamental changes in the way wastes are produced, managed and disposed.

Waste and its management has emerged as the number one environmental issue for companies in the last 18 months. The inability of certain local authorities to adopt and implement waste management plans has resulted in a deficit of an acceptable level of waste management infrastructure. The issue of Mohill Landfill Facility is further evidence of poor planning and implementation of Waste Management Policy.

Waste Management infrastructure must form an essential part of the economic infrastructure, if companies are to function in an acceptable manner. Operating as they do in an increasingly competitive environment, most businesses do not have the financial resources to fund alternative sources for waste disposal. If suitable cost efficient alternatives are not put in place by the relevant authorities, then an alternative decision making structure should be put in place. IBEC have proposed and continue to support the establishment of a Central National Waste Management Authority in order to bring coherence to a national waste strategy.

NATIONAL WASTE MANAGEMENT AUTHORITY

IBEC believes that an independent body in the form of a National Waste Management Authority should be established. This Authority should be tasked with ensuring that Ireland develops an effective, environmentally friendly and cost efficient waste management infrastructure within the period of the National Development Plan (2000-2006). The lengthy delay in the adoption of a number of regional plans, re-enforces IBEC's view of the need for central control. Such a response would provide a mechanism to deal with the waste management crisis we are now faced with in County Leitrim.

CONNAUGHT WASTE MANAGEMENT PLAN

With reference to Section 12.5 of the Connaught Waste Management Plan, published in September 1999, it categorically states that "*Landfills in Carrick-on-Shannon and Mohill are to provide capacity for County Leitrim in the short-term*".

In the medium to long- term, the Plan recommends that two regional residual landfill facilities be developed to commence operation prior to January 2006.

- "*One of these landfill facilities will be located in the Ballaghaderreen/ Charlestown area on the Mayo border, to handle residual waste for North Connaught.*
- "*A landfill facility for the Galway region has been identified in the Galway Waste Management Strategy Report*".

The decision to close Mohill landfill facility at this stage fails to underpin the strategy outlined in the Connaught Waste Management Plan. It is imperative for the business community, that the appropriate local authority caters for industrial waste in it's approach to waste management planning in the Region as outlined in the Connaught Waste Management Plan.

IBEC PRIORITIES

IBEC North West propose the following recommendations which are necessary to achieve an efficient waste management system for the region in terms of landfill:

- IBEC North West is supportive of the integrated waste management approaches recommended in the Connaught Waste Management Plans which concentrate in the first instance on prevention, minimisation, re-use and re-cycling, with disposal as the last option. However, it is clear that disposal facilities will be necessary for the foreseeable future. Where waste-to-energy or other thermal treatment options are proposed, they should, like landfill, be used for residual waste.

A key priority is the establishment of a modern and efficient waste management infrastructure in the region, which will cater for both businesses and households. IBEC is seriously concerned that a crisis in waste management in County Leitrim is inevitable unless a number of actions are taken as a matter of priority:

These include:

- *Recognition by the local authorities of their responsibility to cater for industrial and commercial waste in their approach to waste management.*
- *Assessment of the potential for prevention, minimisation, recycling and recovery of waste, and putting in place programs to achieve these objectives.*
- *Adoption of a clean technology culture, and where possible to use less hazardous materials and the production of less hazardous wastes.*
- *IBEC will work with central and local government to ensure that a modern, efficient and effective waste infrastructure is put in place as a matter of urgency. This response must serve both domestic and business users.*

ISSUES OF CONCERN

- *Access*

Access to cost and environmentally effective disposal, recycling and recovery facilities are key issues for business.

Waste management infrastructure is an essential part of the economic infrastructure, without which businesses cannot function. Both hazardous and non-hazardous wastes need to be catered for. Access to waste management facilities remain central to the promotion of County Leitrim as a suitable place for new investment and the consolidation and growth of existing business.

- *Local Authority Obligations*

There is no legal obligation on local authorities to provide for the disposal of commercial and industrial waste. Action needs to be taken in the short-term until companies are provided with suitable alternatives to dispose of waste.

- *Costs*

The move towards reducing the number of landfills nationally and increasing gate charges at such facilities will substantially increase transportation costs. Limited access to disposal facilities and recycling infrastructure is driving the increase in operational costs. In this context, the Connaught Waste Management Plan does not offer any alternatives to industry other than to meet these cost increases. In the present economic downturn competitiveness will be a key factor in determining companies viability and survival. Major cost increasing measures such as those associated with waste disposal will have employment and commercial implications.

- *Transition*

Transition to more modern waste management practices is essential for Connaught and Ireland in general. How that transition is handled in the short to medium term is critical.

The EPA proposal does not take into account the short-term impact this closure will have on business as no alternatives have been put in place.

IMPLICATIONS FOR INDUSTRY

IBEC believes that the closure of Mohill landfill facility will have serious implications for the future economic and industrial development of County Leitrim.

Lack of progress on the implementation of the Connaught Waste Management Plan will negatively impact on potential inward investment.

The proposed closure will also seriously impact on the operations of industry using the Mohill facility. It will ultimately increase their operational costs and thus reduce competitiveness.

CONCLUSION

The present situation in Leitrim is unacceptable to the business community and must be dealt with by the relevant authorities as a matter of priority.

As the premier representative organisation of Business and Employers, IBEC urge the EPA to reverse it's proposed decision and take account of the waste disposal capacity constraints in the county. IBEC requests the EPA to recognise the issue of waste management as crucial and one which will impact strategically on Leitrim.

Paper No. 6. Mr. Michael Keane.

Photographs of Mohill Landfill.

Mr. Michael Keane

