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

FAO: Ms. Ann Kehoe

28 March 2011

**Re: W0081-04 Proposed Decision  
Objection in accordance with Section 42 of the Waste Management Acts, 1996 to 2010**

Dear Ms. Kehoe,

The licensee has reviewed and considered the proposed decision of the review of the waste licence W0081-03.

In accordance with Section 42 of the Act the Agency is hereby formally notified of the licensee's objection to the proposed decision as detailed hereunder.

A cheque in the sum of €500 accompanies this objection.

**1 Condition 5**

5.5.2 *All leachate or contaminated water tankered from the facility shall be transported to Athy Waste Water Treatment Plant and disposed of there, unless otherwise agreed by the Agency. The quantity disposed of shall be restricted to 55m<sup>3</sup> per day unless otherwise agreed by the Agency and with the prior agreement of the Sanitary Authority. Procedures for the disposal of leachate at the treatment plant shall be in accordance with any written requirements of the Sanitary Authority.*

**1.1 Requested condition:**

5.5.2 All leachate or contaminated water tankered from the facility shall be transported for disposal to waste water treatment plants approved by the Agency. Procedures for the disposal of leachate at the treatment plants shall be in accordance with any written requirements of the treatment plant operator.

**1.2 Rationale**

Landfill leachate is transported to a variety of approved wastewater treatment facilities as the Athy plant has been unavailable to leachate from KTK Landfill since 2008. Condition 5.6 of the PD requiring evidence of leachate acceptance supports requested re-wording.

It is unnecessarily restrictive to impose a limit of 55m<sup>3</sup>/day which should remain the prerogative of the relevant treatment facility having regard to its regulatory controls.

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Affiliate Organisation, CIWM  
Member of the IWMA  
Corporate Affiliate of the IEI

## 2 Condition 6

The proposed decision requires an increased scope of monitoring compared to that which exists under the current licence. Schedule C.1.3 Monitoring of Landfill Gas Emissions requires the measurement of additional parameters in the facility office and the sewer discharge. We believe that the additional requirement is unreasonable for a number of reasons:

- (a) The current monitoring regime is sufficient for the reasons outlined below;
- (b) The landfill facility is due to close and be fully capped within 9 months (by end 2011) at which time the decommissioning and removal of certain infrastructure will be considered; and
- (c) The cost of installing the additional monitoring equipment is not justified on the basis that the landfill will be closed and that other monitoring is in place.

### 2.1 Facility Office Monitoring

The facility office will cease to be occupied in early 2012 as it is envisaged that the landfill will enter the aftercare phase. A methane gas alarm system is in place and operational in the site office and has been routinely serviced and calibrated.

The requirement to provide monitoring for additional parameters (namely carbon dioxide and oxygen) in a building that will be largely unoccupied is considered excessive in the circumstances.

It is proposed that the current methane gas alarm system will continue to operate in accordance with condition 6.12.2(iv) which is similar in both the current licence and the proposed decision.

Therefore it is requested that the Agency removes the requirement to monitor CH<sub>4</sub> and O<sub>2</sub> per Schedule C.1.3 of the proposed decision.

### 2.2 Sewer Discharge Monitoring

The level of leachate treatment provided at the landfill exceeds what is generally required due to the particularly restrictive limit imposed by the Sanitary Authority for ammoniacal nitrogen of 5mg/l. In order to ensure ongoing compliance a reverse osmosis treatment system was installed with post treatment aeration of the effluent. This has resulted in the production of an effluent which would normally be considered suitable for discharge to a watercourse.

It is submitted that the requirement of Schedule C.1.3 of the PD to install continuous monitoring of methane and oxygen in the sewer discharge is excessive. Nor would it reflect how leachate and effluent is managed at the facility. It is possible to activate the monitoring of temperature at the discharge point on the treatment plant in accordance with the requirements of the PD.

Effluent from the treatment and aeration plant is discharged to the sewer via a 500m on site rising main to a gravity section of pipeline located in the public road. Dissolved methane in the effluent is reduced substantially during the treatment process to concentrations routinely less than 0.04mg/l (and where 0.04mg/l is the maximum that has been recorded). The rising main is normally fully charged with effluent as it is continuously discharged from the facility and therefore there is no head space in which to measure methane.

The gravity section, into which both KTK Landfill and Silliot Hill Landfill discharge, is located in the public road outside the boundary of the facility. Recent integrity testing of this section of sewer indicates that it passed and is therefore sealed.

As there are many perimeter landfill gas monitoring wells along the route of the sewer serving both KTK Landfill and Silliot Hill Landfill it is submitted that the monitoring of landfill gas in the area is sufficient.

Furthermore it is submitted that requiring KTK Landfill to monitor landfill gas in a sewer shared by both KTK and Silliot Hill landfills is inequitable as it is Silliot Hill that discharges untreated leachate (but methane stripped) to the sewer.

Therefore it is requested that the Agency removes the requirement to monitor CO<sub>2</sub> and O<sub>2</sub> per Schedule C.1.3 of the proposed decision.

### 3 Condition 8

While Greenstar acknowledges the Agency's role in limiting the content of biodegradable waste accepted at the landfill to assist Ireland meet certain targets under the Landfill Directive it is submitted that the current limit of 47% does not accurately reflect the national obligation to divert biodegradable waste from landfill and is therefore overly restrictive. As Greenstar only has direct experience of falling waste arisings and of reductions in waste for landfill in recent times the information available to the Agency through quarterly BMW Reports submitted by licensed landfills would facilitate a reckoning of the waste disposed to landfill and the corresponding BMW quantity. It is submitted that the result of such an exercise would facilitate an increase in the acceptable BMW limit.

Notwithstanding the foregoing, the uneconomic gates fees being charged by some landfills undermines the viability of investment in alternative treatment facilities thus the waste that is being presented to landfill operators has undergone treatment that, overall, fails to meet the 47% limit.

In order to ensure that national policy is implemented it is incumbent upon the Agency to ensure that landfill gate fees are adequate to ensure compliance with Section 53A of the Waste Management Act, and such an action will, in turn, stimulate investment in and use of bio-diversion facilities. Stimulating investment through an increase in the landfill levy compounds the problem as it raises the overall cost of landfill while further depressing the gate fee payable to the operator triggering further difficulties in relation to S53A compliance.

As it stands the 47% limit has only triggered automatic non-compliances for many landfills for 2010 due to circumstances that are largely beyond the control of most landfill operators.

Therefore it is requested that the Agency reviews the limit of 47% using more recent data.

Yours sincerely,



Mr. Tomás Fingleton,  
Landfill Manager,  
KTK Landfill.

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