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**OFFICE OF CLIMATE,  
LICENSING AND  
RESOURCE USE**

**MEMORANDUM**

TO:	DIRECTORS	
FROM:	Brian Meaney	- Environmental Licensing Programme
DATE:	14 March 2011	
RE:	Information for the Board on an application for a waste licence review from <b>Wicklow County Council</b> in relation to <b>Ballymurtagh Landfill</b> , Co. Wicklow, licence register <b>W0011-02</b>	

Paper for EPA Board Meeting: 22 March 2011

**TOPIC**

The purpose of this paper is to present to the Board an update on progress in the assessment of the application for a review of the licence for the Ballymurtagh landfill, W0011-02.

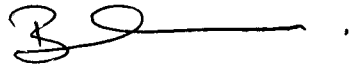
The Board is requested to note the following:

The Ballymurtagh landfill accepted waste for disposal between 1989 and 2002. The landfill was designed and constructed as a 'dilute and disperse' facility by Wicklow County Council and was constructed in a disused open cast mine that had previously been used for the storage and drainage of mine tailings. A waste licence application was first made for the facility in 1997 and the Agency granted a licence in 2001. A civic amenity site operates under the existing licence and the closed landfill has been capped and restored since 2006. The landfill is monitored and maintained in accordance with the licence.

On 25 October 2007 the European Court of Justice (case C-248/05) found against Ireland in a case that related to a complaint concerning the Ballymurtagh landfill. The Court found that Ireland failed to comply with articles 4, 5, 7 and 10 of Council Directive of 17 December 1979 on the protection of groundwater against pollution caused by certain dangerous substances (80/68/EC).

At a meeting with the European Commission on 12 December 2007 it was decided that Wicklow County Council would prepare a new Environmental Impact Statement and apply for a review of the waste licence for the facility. By agreement with the Agency, the EIS was to concentrate primarily on aspects of risk to surface and groundwaters, currently and into the future, for the facility as constructed. In November 2009 Wicklow County Council made an application to the Agency for a review of the waste licence for the landfill. In June 2010, the Agency requested further information. This was provided in September 2010. A further request for additional information is now to be made to allow the Agency to make a decision on the application in a manner that meets the requirements of the Directive and in keeping with the Court's judgement.

Signed

A handwritten signature in black ink, appearing to be 'B Meaney', with a long horizontal line extending to the right.

Brian Meaney