

Comhairle Chontae Dhún na nGall

Donegal County Council

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**Environmental
Protection Agency**

21 AUG 2012

Donegal County Council,
County House,
The Diamond,
Lifford,
Co. Donegal.

21st August 2012

Dear Sir/Madam

PROPOSED DECISION ON REVIEW OF WASTE LICENCE (REF W0063-02)

Donegal County Council wishes to make an objection to the proposed decision for the above referenced site in accordance with Section 42 of the Waste Management Acts 1996 to 2011

The review of licence W0063-01, for Drumabodan Landfill Site, was initiated to bring the licence into compliance with recent amendments to legislation as listed below:

- European Communities Environmental Objectives (Surface Waters) Regulations 2009
- European Communities Environmental Objectives (Groundwater) Regulations 2010.
- The European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009.

We would firstly note that the site operated as a landfill for Donegal County Council from 1980 to 1999. Donegal County Council applied for a Waste Licence for the site in 2000 and a Waste Licence was granted by the EPA in June 2001. The site had already ceased accepting waste at this time. The waste licence (W0063-01) set out the requirements for the restoration and aftercare for the site. The Works for the restoration and aftercare were approved by the EPA in 2005 and the restoration works were undertaken between 2007 and 2008. The site has been in the aftercare phase since this time.

As a general point the conditions set out in the new licence would appear to be place an obligation on Donegal County Council to retrospectively apply new standards and guidance to a site that has been closed and appropriate aftercare measures agreed with the EPA.

We have set out below a number of specific conditions which the Council wish to objection to:

CONDITION 2 MANAGEMENT OF THE FACILITY

Condition 2.1 Facility Management

Conditions 2.1 sets out the staffing requirements for the Compliance Notice. This states:

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 or as otherwise required by the Agency.

Drumabodan landfill site is in the aftercare phase and Donegal County Council ensure that adequate resources for the aftercare of the site are available. Site visits by supervisory staff will be as required to ensure adequate maintenance and monitoring at the site. The site has been fenced off and is kept locked at all times when the facility is unsupervised. There will be no operations at the site and hence this condition is not considered applicable.

Conditions 2.2 Environmental Management System (EMS)

Conditions 2.2.1 to 2.2.2 sets out the requirements for a Environmental Management System for the facility. This condition has additional requirements from Waste Licence W0063-01. These are

- 2.2.2.2 Schedule of Objectives and Targets
- 2.2.2.3 Landfill Environmental Management Programme (LEMP)
- 2.2.2.4 Documentation
- 2.2.2.8 Maintenance Programme
- 2.2.2.9 Efficient Process Control

All reports/records in relation to the facility are maintained at Donegal County Council's Laboratory based at Magheranan, Letterkenny. The current requirements for the EMS, as identified in Waste Licence W0063-01, are considered adequate for the nature of the facility. We are not aware of the Office of Environmental Enforcement having any concerns in relation to the existing EMS and would therefore query why the scope of the EMS is being increased. Donegal County Council would request that the condition relating to the EMS remains as per the requirements of Condition 2 of the existing Waste Management Licence.

CONDITION 3 INFRASTRUCTURE AND OPERATION

Condition 3.3 Infrastructure and Operation

Condition 3.3 The licensee shall install on all emission points such sampling points or equipment including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.

Drumabodan landfill site is in the aftercare phase and Donegal County Council ensures that monitoring of emissions are undertaken for the location, parameters and frequency as agreed with OEE. As the site is closed and restored Donegal County Council considered it disproportional to consider the need for installation of data-logging or other electronic communication equipment at this site.

Condition 3.6 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent internal to contain and absorb any spillage at the facility. Once used, the absorbent material shall be disposed of at an appropriate facility.

Donegal County Council maintains a supply of spillages kits and absorbents centrally to deal with any spillages should they arise. Donegal County Council also utilise private sector spill response companies when required.

Condition 3.15 Leachate Management

Conditions 3.15 sets out the requirements for Leachate Management for the site. This states:

The licensee shall maintain a leachate management programme. This shall consist inter alia of the following:

- *Installation of three leachate abstraction wells*
- *Provision of an appropriately sized leachate treatment system.*
- *A lined lagoon for the storage of raw leachate prior to treatment.*
- *Installation of mains power to operate leachate extraction pumps.*
- *Separate of clean and contaminated surface water and discharge of contaminated surface water to the leachate system.*
- *All structures for the storage and /or treatment of leachate shall be fully enclosed except for inlet and outlet piping.*

The Restoration and Aftercare Plan for the site, as agreed with the EPA in 2005 (Ref 63-1/Gen007jg), identified the necessary leachate management at the site. This includes a

peripheral leachate cut-off drain has been provided to intercept seepage of leachate from the landfill. The cut off drain allows leachate to be directed and collected in a leachate chamber. The leachate is then pumped from a chamber into a leachate treatment system (puraflo) located on top of the site. The Puraflo system is a package system containing peat fibre media that filters the leachate. A major overhaul of the system is currently being undertaken to improve the performance of the leachate treatment system. The site has been capped and it is not envisaged that additional leachate abstraction wells are required to be installed at this stage, neither is it proposed that any further storage infrastructure will be provided. It has already been agreed with OEE that the infrastructure for the management of leachate is sufficient for the site, hence the conditions outlined above are considered unnecessary. It should also be noted these conditions would require significant additional expenditure by Donegal County Council which is not sustainable in the current economic climate.

Condition 3.17

3.17 Surface Water Management

3.17.1 Effective surface water management infrastructure shall be provided and maintained at 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.*

3.17.2 Surface water runoff perimeter drains shall be installed and maintained at the facility unless otherwise agreed by the Agency.

3.17.3 The licensee shall establish and maintain a drawing indicating all drainage arrangements at the facility.

Surface water management at the site is as per agreed with the EPA in 2005 Ref 63-1/Gen007jg). Hence there are no further surface water management infrastructure considered necessary at the site.

CONDITION 7 RESOURCE USE AND ENERGY EFFICIENCY

Condition 7.1 Resource Use and Energy Efficiency

The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall be carried out in accordance with the guidance published by the Agency, "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency. The audit shall identify all practicable opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.

The current energy requirements at the facility consist of two leachate pumps (duty and stand by) installed in the leachate collection chamber. This is a basic system for pumping leachate to the leachate treatment system. The current energy usage at the site is approximately 2,500 kW per year hence it is considered disproportional to consider the need for an audit of the energy efficiency of the site. Donegal County Council would request that the condition relating to carry out an audit of the energy efficiency is removed.

CONDITION 10 CLOSURE, RESTORATION AND AFTERCARE MANAGEMENT PLAN (CRAMP)

10.2 Closure, Restoration and Aftercare Management Plan (CRAMP)

10.2.1 The closure, restoration and aftercare plan for the facility shall be reviewed annually and proposed amendments thereto notified to the Agency for agreement as part of the AER. No amendments may be implemented without the agreement of the Agency.

10.2.2 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Decommissioning Management Plans and Financial Provision when implementing Condition 10.2.1 above.

10.2 The CRAMP shall include, as a minimum, the following:

- (i) A scope statement for the plan;
- (ii) The criteria that define the successful decommissioning of the activity or part thereof, which ensures minimum impact on the environment;
- (iii) A programme to achieve the stated criteria;
- (iv) where relevant, a test programme to demonstrate the successful implementation of the decommissioning plan;
- (v) Details of long term supervision, monitoring, control, maintenance and reporting requirements for the restored facility; and
- (vi) Details of the costing are for the plan and the financial provisions to underwrite those costs.

The Restoration and Aftercare Plan for the site has already been agreed with the EPA in 2005 (Ref 63-1/Gen007jg) as per Condition 8 of Waste Licence W0063-01. Works at the site have been undertaken in accordance with this agreed Plan. Condition 10.2 requires a closure, restoration and aftercare plan for the facility to be completed and reviewed annually. As this has already been completed in accordance with Condition 8 of Waste Licence W0063-01 it is considered unnecessary to consider the need for a new Plan to take account of the most recent guidance.

CONDITION 12. FINANCIAL CHARGES AND PROVISIONS

Condition 12. Financial Charges and Provisions

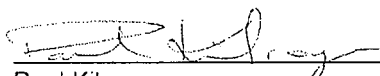
12.2.2 The licensee shall arrange for the completion, by an independent and appropriate qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities from past and present activities.

A Restoration and Aftercare Plan was submitted and agreed with EPA in 2005 (Ref 63-1/Gen007jg). The site has been capped and restored. Should an ELRA be deemed necessary Donegal County Council would request that this be permitted to be undertaken in-house similar to the recently completed ELRA for the Waste Water Treatment Works in the County. Donegal County Council does not specifically underwrite environmental risks but as a Local Authority is committed to provide for the proper environmental management of the site.

SCHEDULE C CONTROL AND MONITORING

The frequency for monitoring of noise and dust as per Schedule D.3 Dust and Schedule D.4 Noise of Waste Licence (W0063-01) was annually while restoration and associated activities are occurring. Since restoration noise and dust levels are inspected during monitoring and a management system can be deployed if required as stated in Annual Environmental Report for the facility. As the site is currently in the aftercare phase Donegal County Council do not consider there to be a need for monitoring of dust and noise annually at the facility as previously agreed with OEE.

The frequency for monitoring of groundwater, surface water, leachate and landfill gas noise as per Schedule D.2 and Schedule D.5 of Waste Licence (W0063-01) was quarterly. In line with all landfill sites, post restoration monitoring frequencies for groundwater, surface water leachate and landfill gas have been reduced due to the performance of the facility to bi annually as agreed with OEE. Donegal County Council considers that this agreement still holds. The requirement to cease the monitoring of List I and II substances was also agreed with OEE.



Paul Kilcoyne

A/Director of Service Water and Environment
Donegal County Council
21st August 2012