

This report has been cleared for submission to the Director by Programme Manager Frank Clinton.

Signed:

*Frank Clinton*

Date:

11/2/13



Environmental Protection Agency  
An Oibríochtáireacht um Choimhlint Comhshaoil

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

**ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM**

<b>TO:</b>	DARA LYNOTT, DIRECTOR
<b>C.C:</b>	Frank Clinton
<b>FROM:</b>	Brian Meaney - Environmental Licensing Programme
<b>DATE:</b>	5 February 2013
<b>RE:</b>	Proposal for an Agency initiated Technical Amendment to Waste Licence Register Number <b>W0151-01</b> held by <b>Murphy Concrete Manufacturing Limited</b> in relation to a landfill at Sarsfieldtown, Gormanstown, Co. Meath.

**Introduction**

Murphy Concrete Manufacturing Limited operate an inert landfill at Gormanstown, Co. Meath. The licensee is authorised to dispose of up to 750,000 tonnes of inert waste per annum. The facility was licensed on 5 June 2003. The licence has not been reviewed or amended since. According to the licensee, there is some 150,000m<sup>3</sup> of void remaining at the facility. No waste is being accepted at present.

**Details of Technical Amendment**

*Landfill Directive*

In 2009 an analysis of the existing licence was carried out by OEE regarding its compliance with the requirements of the Landfill Directive (1999/31/EC). A number of deficiencies in the licence were identified and these gaps are proposed for rectification through amendment of certain conditions and schedules of the licence.

- The amendments to condition 5.3 will ensure that waste acceptance procedures and procedures for characterising and periodically testing the waste are in accordance with the requirements of the Directive.
- The proposal for a new condition 5.14 will address a requirement of the Directive that waste not be mixed in order to meet acceptance criteria.
- The proposal for a new condition 9.5 will address a requirement of the Directive that the landfill is operated in a manner preventative of accidents.
- The amendment to condition 12.3 is an update to current licensing standards.
- The proposal for a new Table A.1.1 in Schedule A will satisfy the Directive's requirement to specify the total quantity of waste authorised to be deposited in the landfill.
- The proposal for a new entry to Schedule F – AER – meets the requirement that landfill projects are in line with relevant waste management plans.

The following conditions and definitions are proposed for the purposes of the European Communities Environmental Objectives (Groundwater) Regulations 2010:

- conditions 1.6 and 6.4.3; and
- insertion of the terms "compliance point" and "compliance value" in the Interpretation section of the licence.

#### *Management of Extractive Waste*

As per the Extractive Waste Regulations (SI 566 of 2009) any facility engaged in managing extractive waste on the 01/05/08 falls within the remit of the Regulations. It is a requirement that operations at such facilities should be in compliance with the Regulations by the 01/05/12. It should be noted that the Regulations contain only a limited number of requirements in relation to management of extractive waste at low risk (i.e. non-Category A) facilities.

A quarry was previously in operation at the facility and, consequently, the facility nominally falls within the remit of the Regulations. However, extraction at the quarry has ceased and extractive waste is no longer being produced or managed at the facility. There are no extractive waste overburden mounds at the facility (i.e. there are no extractive waste facilities). The facility now consists of an excavation void into which inert waste (other than extractive waste) is being deposited under licence.

In light of the above it is considered unnecessary to insert conditions into the licence by way of this technical amendment that would set controls in relation to the management of extractive waste (e.g. an extractive waste management plan, controls on extractive waste facilities, etc.).

According to regulation 2(4) of the Extractive Waste Regulations, the competent authority may waive the requirements of the Regulations for the deposit of unpolluted soil where it is satisfied that the management of extractive waste is being carried out in such a manner as to present no risk to the environment or human health. This will indeed be the case as extractive waste is no longer being managed at the facility. Therefore, the following is recommended:

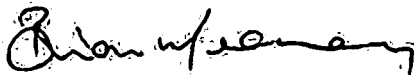
- The requirements of the Extractive Waste Regulations be waived for the facility.
- A new condition 5.15 be included in the licence prohibiting the recommencement of extraction at the facility unless agreed by the Agency and in compliance with the Extractive Waste Regulations.

#### **Recommendation**

I recommend amendment of the licence as proposed above.

The proposed Technical Amendment C of the licence in accordance with Section 42B(1)(c) of the Waste Management Acts 1996 to 2012 will not result in the requirements of section 40(4) of the Acts ceasing to be satisfied.

Signed:



Brian Meaney