



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

ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM

TO:	DARA LYNOTT, DIRECTOR
C.C:	Frank Clinton
FROM:	Brian Meaney - Environmental Licensing Programme
DATE:	21 February 2014
RE:	Request for a Technical Amendment to Waste Licence Register Number W0131-02 held by Midland Waste Disposal Limited for a facility at Navan, Co. Meath.

Introduction

Midland Waste Disposal Ltd is authorised for the operation of a transfer station and composting facility at Clonmagadden, Proudstown, Navan, Co. Meath. According to the AER for 2012, the licensee is "Advanced Environmental Solutions (AES) (Ireland) Limited TA Midlands Waste Disposal Ltd." AES is a Bord na Móna company. The facility was first licensed in March 2001. The licence was reviewed in February 2006 and technically amended in January 2013 for the purposes of the European Communities Environmental Objectives (Groundwater) Regulations 2010, as amended. Up to 95,000 tonnes of waste per annum can be accepted at the facility.

Limited treatment is carried out on municipal, industrial and C&D waste prior to transfer to other treatment facilities. Over 51,000 tonnes were accepted in 2012. No composting of waste took place.

Details of request for technical amendment under section 42B of the Waste Management Acts 1996 to 2012

There is a large unauthorised landfill at the facility in a former quarry containing an estimated 25,000 tonnes of C&D waste below which is some 25,000 tonnes of a mortar-like substance arising from cement production. The waste was deposited in the 1990s and earlier. The licensee submitted a remediation plan and there was correspondence on it with the OEE between 2008 and 2011. The proposal, broadly speaking, is to excavate the C&D waste, leave the mortar waste in-situ and backfill the quarry with clean material and cap it. The OEE advised the licensee in 2011 that the plan was satisfactory in principle but could not be accommodated under the existing licence. Technical amendment of the licence to accommodate the works was requested in October 2013.

The ELP has not received, sought or assessed the detailed quantitative risk assessment and remediation plan prepared by the licensee. However the OEE have stated that the remediation plan requires further development before it can be finally agreed for implementation by the Agency. The OEE considers that a licence condition, as might be inserted by technical amendment, that simply facilitates the implementation of a detailed remediation plan as may be agreed by OEE, will be

difficult to enforce and this option is not favoured. It is evident therefore that a certain amount of environmental assessment remains to be done by the Environmental Licensing Programme and appropriate conditions composed to regulate the proposed works. This type of environmental assessment cannot be accommodated in the technical amendment process.

There are buildings over the deposited waste and these are to be removed and relocated as part of the remediation plan. The licensee has stated that planning permission will be required for the demolition and construction works. It is not clear whether planning permission will be required for the remedial works. It is not clear whether any of the proposed works will require formal Environmental Impact Assessment. If it does, amendment of the licence cannot be accommodated by technical amendment.

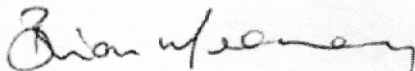
I recommend refusal of this request for technical amendment.

Recommendation

I have discussed the proposals with the OEE inspectors for this facility.

I recommend that the Agency refuse the request to make a technical amendment of licence register number W0131-02 under Section 42B(1) of the Waste Management Acts 1996 as amended.

Signed:



Brian Meaney