



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:	16 March 2015
RE:	Request for a Technical Amendment to IE Licence Register Number W0146-02 held by Knockharley Landfill Limited for a facility at Knockharley, Co. Meath.

Introduction

Knockharley Landfill Ltd is authorised for the operation of a non-hazardous landfill. The facility was first authorised by waste licence in March 2003. The waste licence was reviewed in March 2010. It was technically amended in January 2013 for the purposes of the Groundwater Regulations and October 2013 to facilitate a trial for metal recovery from incinerator bottom ash. The licence was amended in December 2013 for the purposes of the Industrial Emissions Directive. The licence was transferred from Greenstar Holdings Ltd to Knockharley Landfill Ltd in March 2014.

Up to 200,000 tonnes per annum of waste can be accepted at the installation including up to 25,000 tonnes of construction and demolition waste for recovery.

Details of request for technical amendment under section 96 of the EPA Acts 1992, as amended

On 20/10/2014, the licensee requested authorisation from OEE to commence acceptance of construction materials containing asbestos for disposal by landfill at the installation. The request was denied on 7/11/2014 as it could not be accommodated under the Industrial Emissions licence. Condition 1.5 of the licence states that no hazardous waste shall be disposed of at the installation.

On 15/12/2014, a request for technical amendment to the licence was received. The licensee sought authorisation to accept up to 5,000 tonnes per annum of construction materials containing asbestos, up to a maximum of 50,000 tonnes total. It is proposed to modify an existing landfill cell that is built but not yet in use. The cell will be modified to isolate it for the purposes of asbestos waste disposal. No other waste types will be disposed of in this cell. This practice is permissible under the Landfill Directive which allows the disposal of stable, non-reactive hazardous waste in non-hazardous landfills, subject to separation from non-hazardous biodegradable waste.

Discussion

Whilst technically permissible under the Landfill Directive, it is not appropriate that a change of such magnitude should be authorised by way of technical amendment – a process that does not provide for third party participation. There would likely be considerable third party interest in the proposal and participation in the Agency's decision-making process can only be facilitated by way of licence review.

In addition, the proposal would require environmental assessment including at least a screening for appropriate assessment and, potentially, Environmental Impact Assessment. The proposal would also require consideration of appropriate environmental monitoring to be included in the licence. A revised Closure, Restoration and Aftercare Management Plan would be required, along with consideration of the suitability of the Environmental Liabilities Risk Assessment and financial provision currently in place. These considerations, not least due to their scale but also their complexity, can only be facilitated by way of licence review.

The request for technical amendment should be refused.

Recommendation

I recommend that the Agency refuse the requested technical amendment of licence register number W0146-02.

Signed:



Brian Meaney