



## OFFICE OF ENVIRONMENTAL SUSTAINABILITY

### ENVIRONMENTAL LICENSING PROGRAMME

**TO:** Dara Lynott, Director

**FROM:** Brian Meaney, Inspector, Environmental Licensing Programme

**DATE:** 27 February 2017

**RE:** Request for technical amendment to an Industrial Emissions licence, register number W0201-03, held by Bord na Móna.

The Agency received a request on 16/11/2016 from Bord na Móna for a technical amendment of licence register number W0201-03. The licensee is seeking authorisation for the unlimited use of non-hazardous municipal, commercial and industrial wastes in landfill engineering where the waste is fit for purpose and used in accordance with Agency guidance.

This report recommends a refusal of the licensee's request.

### 1. Background

Bord na Móna was granted a revised licence, register number W0201-03, on 24/3/2010 for the Drehid landfill.

The licence was amended on 15/1/2013 for the purposes of the European Communities Environmental Objectives (Groundwater) Regulations 2010.

The licence was amended for the purposes of Section 76A(11) of the Waste Management Act 1996 as amended on 20/12/2013. That amendment gave effect to the requirements of Directive 2010/75/EU (Industrial Emissions Directive) and the licence became an Industrial Emissions licence. The installation is licenced under classes 11.5, 11.1 and 11.4(b)(i) of the First Schedule to the 1992 EPA Act as amended.

The licence was amended on 15/3/2016 for the purpose of increasing the quantity of waste authorised to be accepted at the landfill in 2016 and 2017. That amendment provided for authorisation to landfill 360,000 tonnes of waste per annum until 31/12/2017, with intake reverting to 120,000 tonnes per annum thereafter.

### 2. Technical Amendment request

Table A.2 of Schedule A of the existing licence (as amended by Technical Amendment B, 15/3/2016) is as follows:

**A.2 Waste Acceptance**

**Table A.2.1 Waste Categories and Quantities**

<b>Waste type</b> <sup>Note 1</sup>	<b>Maximum waste acceptance</b> <sup>Note 2</sup>
Non-hazardous municipal, commercial and industrial wastes	<u>Landfill</u> 360,000 tonnes per annum until 31/12/2017 120,000 tonnes per annum from 1/1/2018 <u>Composting unit</u> 25,000 tonnes per annum
Inert waste	No limit where used in landfill engineering
TOTAL	385,000 tonnes per annum until 31/12/2017 145,000 tonnes per annum from 1/1/2018

**Note 1:** Any proposals to accept other compatible waste streams must be agreed in advance by the Agency and the total amount of waste must be within that specified.

**Note 2:** The individual limitation on waste processes may be varied with the agreement of the Agency subject to the overall total limit staying the same.

As part of the request for technical amendment, the licensee sought amendment of this table to read as follows (proposed new text is shaded):

**A.2 Waste Acceptance**

**Table A.2.1 Waste Categories and Quantities**

<b>Waste type</b> <sup>Note 1</sup>	<b>Maximum waste acceptance</b> <sup>Note 2</sup>
Non-hazardous municipal, commercial and industrial wastes	<u>Landfill</u> 360,000 tonnes per annum until 31/12/2017 120,000 tonnes per annum from 1/1/2018 <u>Composting unit</u> 25,000 tonnes per annum <u>Landfill engineering</u> No limit where fit for purpose and in accordance with Agency guidance
Inert waste	No limit where used in landfill engineering
TOTAL	385,000 tonnes per annum until 31/12/2017 145,000 tonnes per annum from 1/1/2018

**Note 1:** ...as original above...

**Note 2:** ...as original above...

**3. Assessment**

In a cover letter accompanying the request, the licensee cites the Agency’s publication *Guidance Note on Daily and Intermediate Cover at Landfills*. There is no elaboration on the

relevance of this guidance note to the request or how the request for technical amendment should be considered by the Agency in light of the guidance. There is no information provided in the request with regard to the suitability (fit for purpose) of "non-hazardous municipal, commercial and industrial waste" for use as landfill cover.

There is no other description of landfill engineering to be carried out or the suitability of "non-hazardous municipal, commercial and industrial waste" for such landfill engineering.

There is no reason given for seeking the proposed amendment.

There is no explanation provided as to the need for the proposed amendment.

There is no information provided as to whether the increased waste intake is authorised by planning permission or will require EIA.

Notwithstanding the lack of information in the request, the screening document provided by the licensee states that the proposed amendment will not cause an increase [in waste acceptance] above the capacity limitations specified in the licence. The basis for this statement is not clear. In fact it seems that the net effect of the amendment, if made, would be to lift the current 360,000 tonne limit for waste acceptance at the landfill to an unspecified number. This is not an appropriate course of action at this time.

#### **4. Consultation with the Office of Environmental Enforcement (OEE)**

I have consulted with the OEE, Ms Mary Frances Rochford, in relation to this technical amendment request. The OEE confirmed that the proposed amendment to authorised waste acceptance profiles cannot be accommodated under the existing licence.

#### **5. Recommendation**

I recommend refusal of the licensee's request for technical amendment for the following reasons:

- The licence limit for the acceptance of non-hazardous municipal, commercial and industrial wastes is 360,000 tonnes per annum until 31/12/2017 and 120,000 tonnes per annum thereafter. Authorising the acceptance of an unlimited quantity of non-hazardous municipal, commercial and industrial waste for landfill engineering without detailed information or completing an environmental assessment is not appropriate at this time.

Signed



Brian Meaney  
Environmental Licensing Programme