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Stage 1 Appropriate Assessment Screening Ballyragget Closed Landfill, Co. Kilkenny.

Sherman's landfill is located at Donaghmore, Ballyragget, Co. Kilkenny at coordinates X: 245863, Y: 169526 off the N77 road from Kilkenny to Ballyragget.

The site is currently not in use, the surface is uneven and rough. The surrounding fields are used for livestock grazing. The land falls in a north westerly direction. There is a new house built 145m down gradient from the site. There are no wells within 250m of the site. There are no surface water features in the vicinity of the site. There are no visible sources of contamination. There are no visible signs of impact to the environment.

The surface of the site is covered by grass, which is understood to be cut and baled by the site owner. A hedge runs across the southern portion of the site. The landowner pointed out areas of distressed vegetation on the surface.

According to OSI Discovery Series 1:50,000 Map 60 the site lies at an elevation of approximately 80m above Ordnance Datum and slopes to the northwest.

The site is located directly off a local public road. The surrounding land is mainly agricultural. There are residential houses located approximately 145m to the east of the site. There is a gravel quarry approximately 300m south of the site.

It is understood that a sand and gravel mound existed previously on the site, which was quarried out prior to the commencement of landfilling activities at the site. The site was used by KCC for the disposal of municipal waste between March 1987 and May 1989. Following closure of the landfill in 1989, the site was re-instated in line with the surrounding topography. The council filled the pits and covered the site with soil. The north-western corner of the site is elevated as the site owner imported soil & stone under a Waste Permit from KCC in 2005. The site is owned by Timothy Sherman, Donaghmore, Ballyragget. Mr Sherman held a Waste Facility Permit ref: WMP 24/2005 under which he imported soil and stone to level the site. This permit expired in March 2008.nThe approximate waste volume is estimated at 40,000m^3.

AA Risk Screening Process

The Habitats Directive, which is implemented under the European Communities Birds and Natural Habitats) Regulations 2011 (S.I. No 477 of 2011) requires an "appropriate assessment" of the potential impacts any works may have on the conservation objectives of any Natura 2000 site. Article 6(3) of the Directive stipulates that *any plan or project not directly connected with or necessary to the management of a Natura 2000 site, but likely to have a significant effect thereon…shall be subject to appropriate assessment of its implications for the site in view of the site's conservation objectives.*

Natura 2000 sites are those identified as sites of European Community importance and designated as such under the EU Habitats Directive (92/43/EC) (Special Area of Conservation) or the Birds Directive (Special Protection Areas).

Guidance documents issued by Department of Environment, Heritage and Local Government and the National Parks and Wildlife Services recommend that the assessment be completed in a series of Stages, which comprise:

Stage 1: Screening

The purpose of this Stage is to determine, on the basis of a preliminary assessment and objective criteria, whether a plan or project, alone and in combination with other plans or projects, could have significant effects on a Natura 2000 site in view of the site's conservation objectives.

Stage 2: Appropriate Assessment

This Stage is required if the Stage 1 Screening exercise identifies that the project is likely to have a significant impacts on a Natura 2000 site.

Stage 3: Assessment of Alternative Solutions.

If Stage 2 determines that the project will have an adverse impact upon the integrity of a Natura 2000 site, despite the implementation of mitigation measures, it must be objectively concluded that no alternative solutions exist before the plan can proceed.

Stage 4: Compensatory Measures:

Where no alternative solutions are feasible and where adverse impacts remain but imperative reasons of overriding public interest require the implementation of a project an assessment of compensatory measures that will effectively offset the damage to the Natura site 2000 is required.

Stage 1 Screening Methodology

The Stage 1 Screening was conducted in accordance with the guidance presented in the "Assessment of Plans and Projects significantly affecting Natura 2000 sites, Methodological Guidance on the provisions of Articles 6(3) and 6(4) of the Habitats Directive 92/43/EEC" (2001); The Department of Environment, Heritage and Local Government (2009, revised February 2010) Appropriate Assessment of Plans and Projects in Ireland and the National Parks and Wildlife Services (2010) Circular NPW 1/10 & PSSP 2/10 Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.

The River Nore is a designated Special Area of Conservation (SAC) approximately 1.5km to the west of the site (Appendix 1).

SACs are selected for the conservation and protection of habitats listed on Annex I and species (other than birds) listed on Annex II of the Habitats Directive, and their habitats. The habitats on Annex I require special conservation measures. SPAs are selected for the conservation and protection of bird species listed on Annex I of the Birds Directive and regularly occurring migratory species, and their habitats, particularly wetlands.

Remedial Works

The remedial works design are shown on the Drawings in Appendix 2. There is currently top soil and grass on the entire landfill and in some areas (central portion) this complies with the EPA recommended cap thickness. The topsoil will have to be stripped to allow additional capping soils to be placed and to allow for grading and compacting the entire capping layer.

The on-site soil stockpile is suitable for use to increase the capping thickness. Additional clay will have to be placed in the south of the site. It may be possible to use surplus soils from the central portion of the site as a source. However it is more likely that additional soil will have brought into the site to achieve the required gradient across the site.

The capping material should be placed, compacted and graded to achieve a fall from south to north consistent with the current topographic slope and also to achieve falls from a central south to north ridge to the east and west at 1:40. A 150mm top soil layer should be placed over the compacted capping layer and should be grass seeded

A surface water collection drain should be installed around the perimeter of the landfill to collect run-off from the compacted clay layer. The drain should be lined with an LDPE membrane and piped to a percolation area located to the north of the landfill.
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Four gas ventilation wells should be installed, one in each quadrant of the waste, to allow passive ventilation of the gas. The well pipes should be 100mm slotted uPVC and should extend 150mm above the top soil layer. These wells should be fitted with cowls and fenced off to prevent damage by livestock.

The limited remedial works have the potential to general dust emissions in the immediate vicinity of the site when the capping layer is being re-worked and the top soil layer is being placed. There is no connection between the SAC and the landfill. While dusts will be generated during the proposed remedial works, given the distance to the SAC they do not present any risk to the SAC.

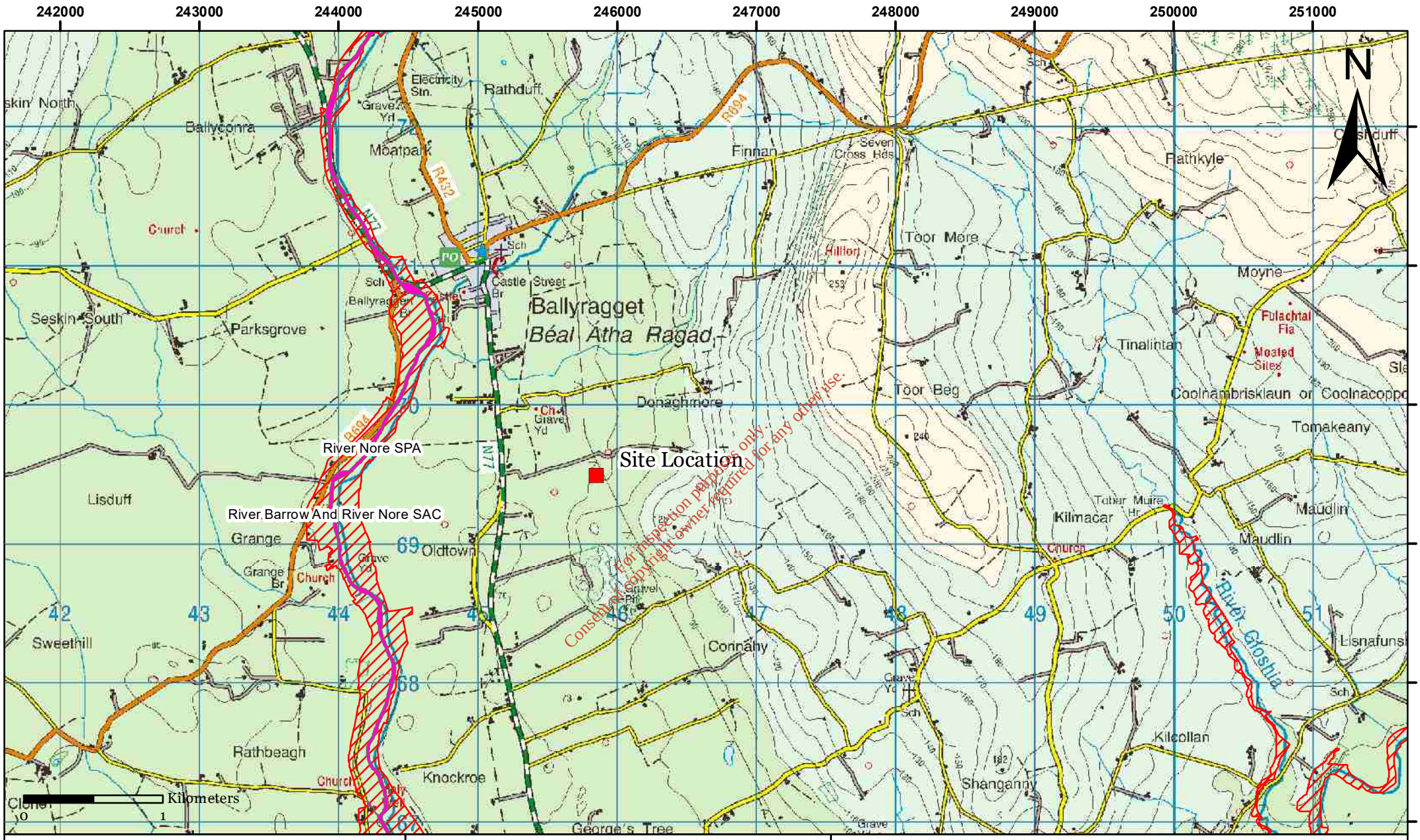
Given the distance from the Ballyragget former landfill site the proposed remedial works do not present any risk to the River Nore SAC.

Stage 1 Conclusion

As the remedial measures will not impact on the SAC a Stage 2 Appropriate Assessment is not required.

APPENDIX 1

River Nore SAC



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Details:
- Site Location
- SPAs
- SACs

Figure 7.1

APPENDIX 2

Remedial Design Drawings

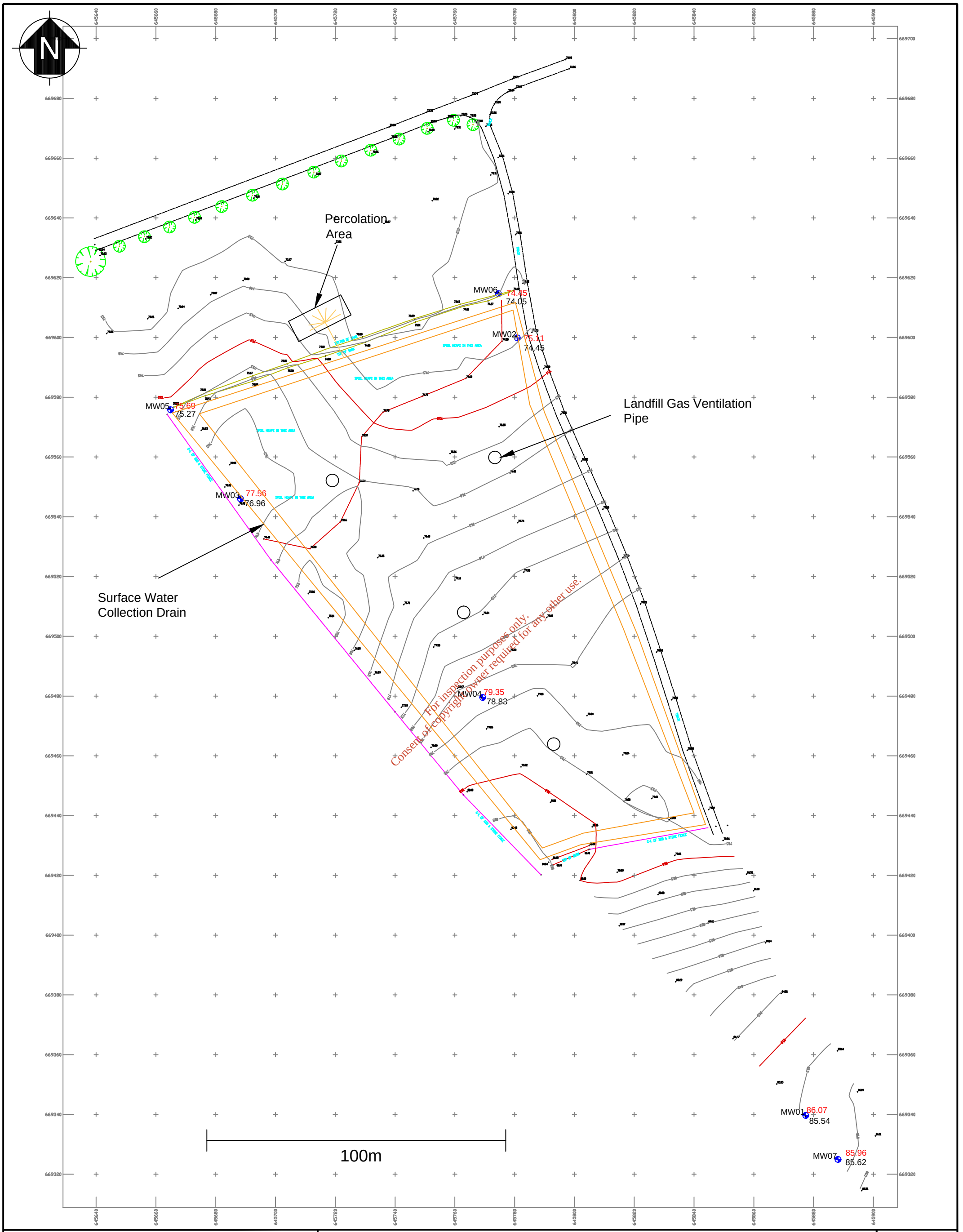

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FIGURE No.

6.1

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Remediation Design Drawing

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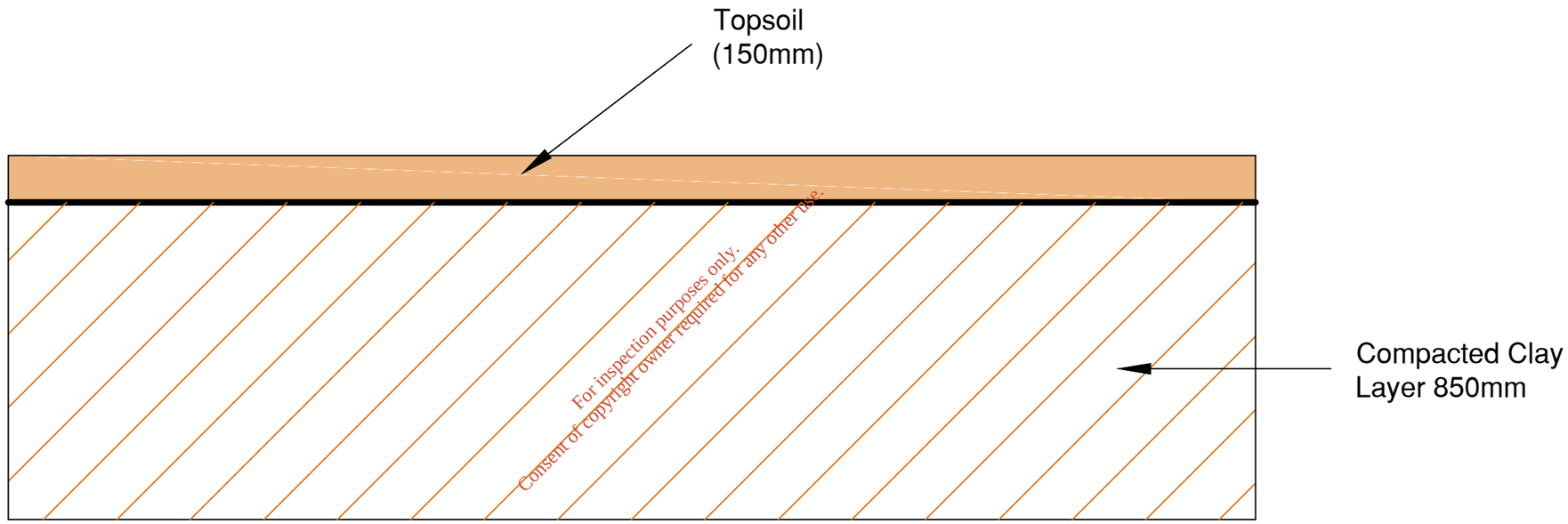

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FIGURE No.
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Landfill Capping Detail

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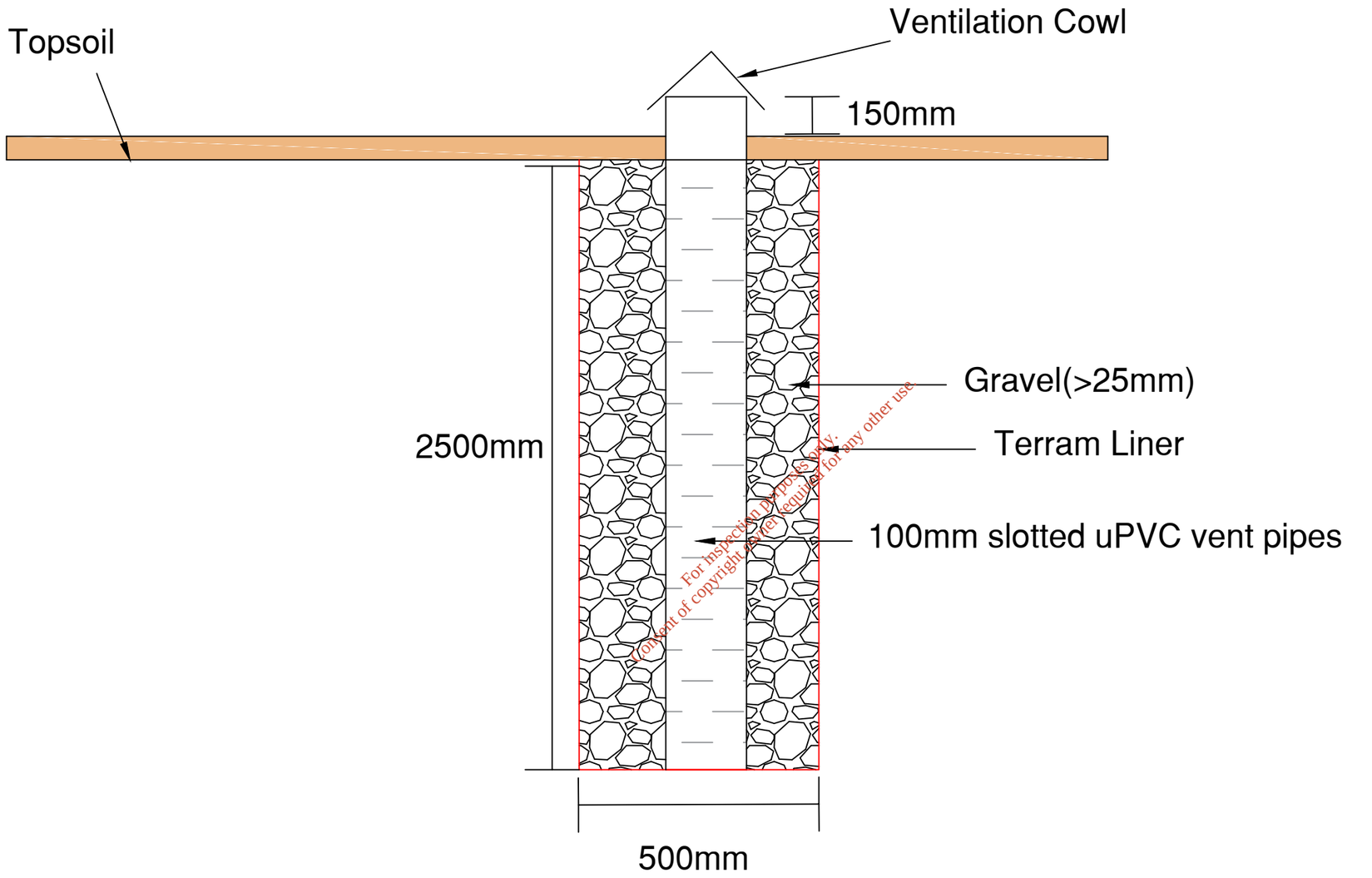

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FIGURE No.
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Landfill Gas Ventilation Pipe

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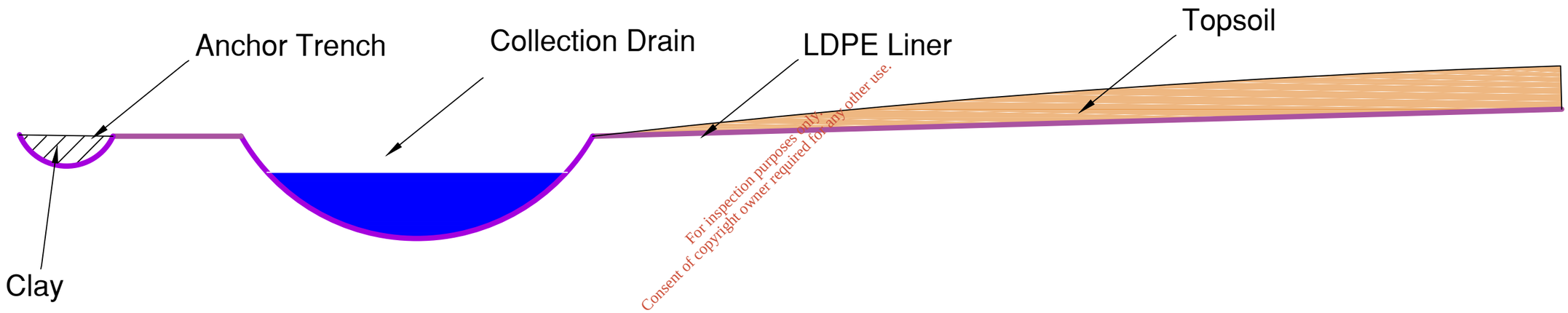

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FIGURE No.

6.4

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Surface Water Collection Drain

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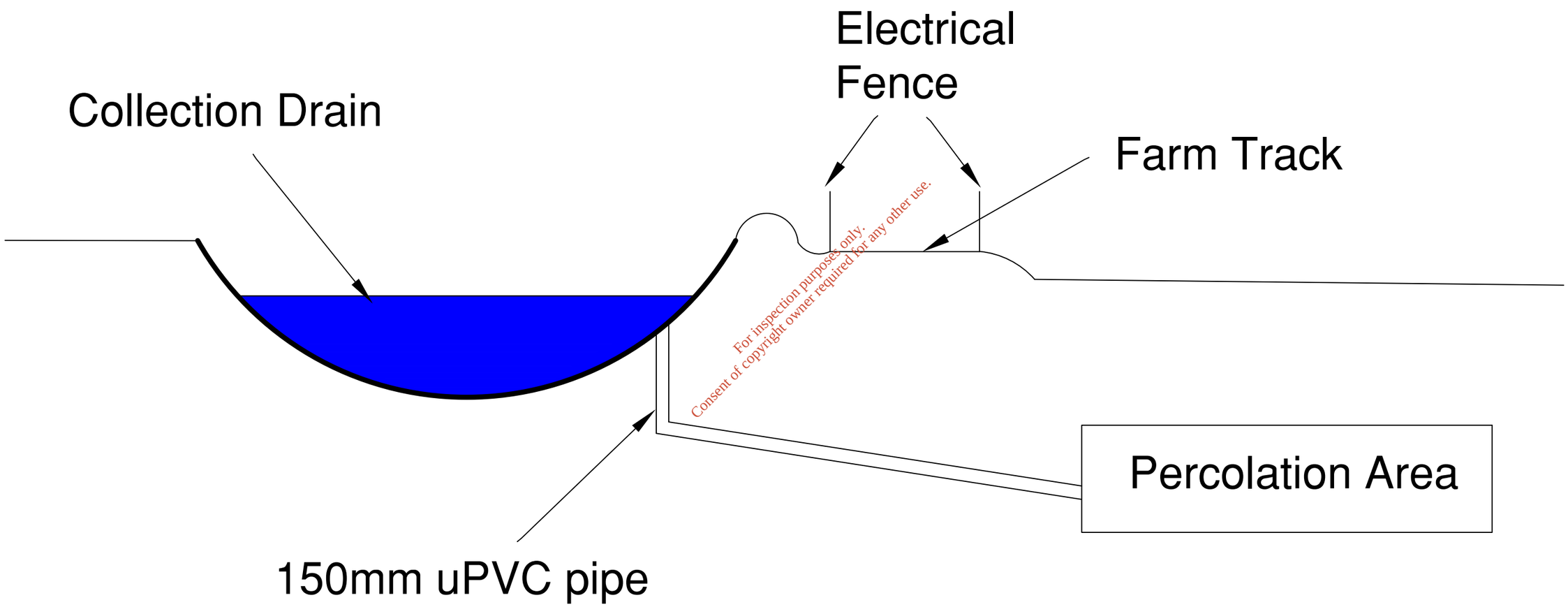

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FIGURE No.

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TITLE

Surface Water Collection Schematic

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