

Churchtown Landfill Reg. No. H0291-01

Date: 21st October 2019

Appeal of Conditions of Proposed Decision

ENVIRONMENTAL PROTECTION
AGENCY

24 OCT 2019

Proposed Decision Appeal:

This report details Limerick City and County Council's appeal to the proposed decision issued by the Agency on the 2nd of October 2019.

Condition 2.3 Environmental Liabilities

What financial provision is required considering the risk assessment for the site has already been carried out. Limerick City & County Council will ensure any contractor(s) engaged to undertake the remediation works will have adequate insurance in place to cover any incidents/accidents that may arise during restoration.

Condition 3.1 - *The local authority shall implement the following measures within 12 months....*

Condition 3.4 – *“... the validation report shall be submitted to the Agency within 30 months of the date of grant...”*

The timeframes specified in relation to the undertaking of the works maybe an issue considering planning consent requirements, preparation of tender documents & securing of DCCAE funding.

Condition 3.3 – *“The local authority shall, within six months of the date of grant of this Certificate of Authorisation, obtain authorisation under Section 16”*

While Limerick City & County Council can apply to Irish Water for authorisation the granting of the authorisation, within the six month timeframe, is the remit of Irish Water

Condition 3.6 (b) – *Monitoring on a quarterly basis for leachate (sample, analyse, characterise, and measure the level of leachate) in all leachate monitoring boreholes*

There are no specific leachate monitoring boreholes on the site, just the leachate sump.

Condition 3.6 (d) – *Monitoring on a quarterly basis to detect the presence and concentration of benzene in all on-site and off-site monitoring boreholes;*

In relation to benzene the Tier 3 report for the site states the following:

No elevated levels of Benzene were detected in GW1 – GW3 in June 2013. Furthermore no benzene was detected in the Landfill during the initial Tier 2 site investigations (2007). The presence of elevated benzene off site over a 1 month period may suggest that either cross contamination has

occurred or an offsite source is responsible for the contamination. Further testing should be completed to identify the source

As the Tier 3 report has shown that the elevated benzene levels were only detected off site & the elevated levels maybe because of cross contamination or an offsite source the required quarterly monitoring appears very onerous. Especially as **Condition 3.9** of the draft CoA requires Limerick City & County Council to undertake an *investigation of the source of elevated concentrations benzene in the off-site monitoring locations* within 12 months of the grant of the CoA.

Condition 3.18 – Communications

The Tier 3 report for the site states:

- *“A theoretical GasSim model (April 2012) indicates that the landfill is now producing very low volumes of gas (i.e. ca. 20m³ /hour)”*
- *The results show a peak in LFG production for the landfill facility in 1987 (53.8 m³ /hr). A total bulk LFG of 20.9m³ /hr was predicted for 2012 and 19.7 m³ /hr in 2014 with a slow decline over the following years*
- *Gas flow measurements were attempted on GW1, GW2 and GW3 (See Appendix 7). However no adequate measurement was recorded due to absence of sufficient differential pressure. This may indicate that the levels of methane generated are limited at these locations.*

As the volume of landfill gas has been shown to be low & the remediation proposed removes any risk of landfill gas migration this Condition does not appear to be applicable.

Signed: _____

John O Carroll,
Executive Scientist,
Limerick City & County Council

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