



## Comhairle Contae Mhuineacháin Monaghan County Council

EPA Licensing Section  
Environmental Protection Agency  
Johnstown Castle Estate  
Co Wexford, Y35 W821.

18/09/2020

**RE: Notification in accordance with Regulation 7(5) of the Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 of a proposed decision on a Historic Landfill Certificate of Authorisation application, in respect of Killycronaghan Historic Landfill (Ref- H0366-01)**

### **Representations from - Monaghan County Council.**

A chara,

Please find detailed below our representations to the proposed decision on the Historical landfill Certificate of Authorisation application for Killycronaghan historical landfill, Smithboro, Co. Monaghan.

- (i) **Condition 1.5 Beneficial Uses of the Site:** *“Nothing in this Certificate of Authorisation shall prohibit authorised beneficial uses of the site of the closed landfill that do not interfere with the integrity of the remediation measures adopted”*

**Comment:** Killycronaghan Historical landfill is not owned by Monaghan County Council. The landowner is a local farmer. Does this condition preclude any such development from taking place in the future or can such development progress provided that it can be demonstrated that any potential development will not interfere with the integrity of the remediation measures adopted on site.

- (ii) **Condition 3.2 Site Notice Board** *“The Local Authority, shall within one month of the date of grant of this Certificate of Authorisation and for the duration of the remedial works provide a site notice board on the closed landfill”*

**Comment:** Monaghan County Council would suggest that the notice board is only erected prior to commencement of the remediation works. Erecting the site notice within one month from date of grant of the Cert of Authorisation and providing contact details in relation to the remediation works would in our opinion give the wrong impression that remediation works were due to commence shortly which in reality will not be the case as planning consent, procurement of consultants for design and tender documentation preparation and subsequent procurement of contractor, followed by the

securing of departmental funding will all need to be in place prior to the commencement of any remediation works on site.

- (iii) **Condition 2.4 Environmental Liabilities** *“The local authority shall put in place and maintain a financial provision for costs of likely events or accidents/ incidents related to the closed landfill and associated works”*

**Comment:** Monaghan County Council suggests that this condition be removed taking into consideration the fact that the site is closed >30 years. It would be Monaghan County Council’s opinion that such a condition may be more appropriate for an active licensed landfill. It is Monaghan County Council’s understanding that such a conditions was the subject of previous discussions between our regional historical landfill coordinator and Caoimhin Nolan, and the opinion was that such a condition was not applicable to historic landfills and was more appropriate for licensed landfill sites.

During the construction stage of the remediation works Monaghan County Council can ensure that the appointed main contractor has the appropriate insurance in place to cover and incidents/accidents that could possibly arise during the remediation works.

- (iv) **Condition 3.1** – *“The local authority shall implement the following measures within 18 months of the date of grants of this Certificate of Authorisation...”*

**Comment:** Monaghan County Council would suggest that the specified timeframe of 18 months should be removed from any Certificate of Authorisation as the implementation of any measures on site within such a timeframe is in most likelihood not realistic or practical. Any remediation works carried out on site would be dependent on a number of factors the most critical being the availability of funding from the DCCAE. Other factors that would affect any such timeframe include the time associated with obtaining any planning consent, time associated with the procurement of consultants to prepare a design and contract documents and subsequent SEW approval by the Agency, followed by the time associated with the procurement and appointment of a contractor to carry out the works, followed by the duration of the works itself. For the reasons detailed above we would suggest that specification of the timeframe be removed from this condition.

- (v) **Condition 3.1 (h)** – *Install at least three gas monitoring boreholes outside the waste body, of which one shall be upgradient of the waste body and two of which shall be downgradient of the waste body;*

Monaghan County Council is requesting that this condition be removed as there are already 3 gas monitoring boreholes on site i.e. GW01 & GW02 GW03

- (vi) **Condition 3.1 (i)** – *Install at least three additional groundwater monitoring boreholes, of which one shall be upgradient of the waste body and two of which shall be downgradient of the waste body;*

Monaghan County Council is requesting that this condition be removed as there are already 3 gas monitoring boreholes on site i.e. GW01 & GW02 GW03

- (vii) Condition 3.1 (k) – *Install continuous gas monitoring, gas vents, and gas alarms, in the on site farm buildings***

Monaghan County Council is requesting that the requirement to carry out continuous gas monitoring in the existing agricultural building on site is removed. This building is a rarely used building as confirmed by the landowner that is used on the very rare occasion to store old items of farm machinery. Again, this building has been on site since the closure of the landfill and no issues with gas have ever been recorded here.

- (viii) Condition 3.9 (e) – “Coliform Monitoring”**

Our landfill manager in Monaghan County Council has questioned the need to monitor and sample for Coliforms as monitoring for coliforms on landfills is extremely difficult as it involves the use of sterile equipment on site. Can this parameter be removed from the sampling and monitoring suite.

- (ix) Condition 3.6 – “*The local Authority shall compile a validation report .....etc....Submitted within 30 months of the date of grant of the Certificate of Authorisation*”**

**Comment:** As outlined in (iii) above, Monaghan County Council has highlighted issues in relation to the specification of timeframes. As outlined the timeframes specified in relation to the undertaking of the works maybe an issue considering planning consent requirements, preparation of tender documents, securing contractor(s) & securing DCCAE funding. Consequently, we would suggest that the “30 months” timeframe be removed from this condition also.

- (x) Condition 3.1 (f) – “*Install passive gas venting system..... and Condition 3.1 (m) The local authority shall, following gas monitoring, as required under Condition 3.9(c), for a period of twelve months, seek agreement of the Agency regarding whether to carry out a gas pumping trial*”**

**Comment:** The draft CoA requires the installation of a passive gas venting system within 18 months, yet it requires making a decision as to whether a gas pumping trial is required after a period of 12 months of gas monitoring results. Perhaps this needs clarification in final CoA,

- (xi) Condition 3.8/3.9 – “*The Local Authority shall submit to the Agency, by the 31<sup>st</sup> March each year, an annual update covering the previous calendar year*”.**

**Comment:** Will the requirement to submit an annual report be required prior to remediation works being carried out on site or will it only be required upon completion of the remediation works.

- (xii) Condition 3.4 “*appropriate sampling on a biannual basis*” and **Condition 3.9 (b) *Monitoring (sample, analyse, characterise, and measure the level) on a quarterly basis of leachate in all leachate monitoring boreholes*****

**Comment:** Monaghan County Council note that no parameters appear to be specified in the Cert of Authorisation.

(xiii) **Condition 3.9 (a)** requires an annual *visual inspection of the landfill to ensure that the condition of the site has not deteriorated* however **Condition 3.18 (b)** states *Quarterly surveys of filled areas for the detection of the growth of invasive species*

**Comment:** Monaghan County Council notes that an annual visual inspection of the landfill is specified whereas quarterly surveys of filled areas for the detection of the growth of invasive species are also specified. Monaghan Council would request that any such surveys would be required out on an annual basis as part of the annual visual inspection (rather than quarterly)

(xiv) **Condition 3.19.2** – *The Communications Programme shall inform members of the public what they can and should do to protect their property and health.*

**Comment:** The Killycronaghan landfill has been closed for over 30 years and as the proposed remediation works will remove the risks identified, Monaghan County Council would suggest that this condition be removed. It is Monaghan County Council's understanding that such communication conditions were the subject of previous discussions between our regional historical landfill coordinator and Caoimhin Nolan, and the opinion was that such a condition was not applicable to historic landfills and was more appropriate for licensed landfill sites.

Yours Sincerely,

  
Kieran Duffy,  
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Environmental Services.

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