



**OFFICE OF ENVIRONMENTAL
SUSTAINABILITY**

**REPORT OF THE TECHNICAL COMMITTEE ON REPRESENTATIONS MADE ON A
DRAFT CERTIFICATE OF AUTHORISATION**

TO: Each Director

FROM: Technical Committee Environmental Licensing Programme

DATE: 26 November 2020

RE: Representation on draft Certificate of Authorisation issued to **Cavan County Council** for a closed landfill at **Dunaree, Kingscourt, Co. Cavan**.
Certificate of Authorisation Register Number **H0016-01**.

APPLICATION DETAILS

Type of facility:	Closed landfill as defined in the Regulations ¹ .
Application received:	28 July 2014
Draft Certificate issued:	12 February 2020
First party representation received:	11 March 2020

1. Background to this report

The site is located 0.6km west of Kingscourt town in the townland of Dunaree, Co. Cavan and covers an area of 1.2 ha. The site is surrounded primarily by housing estates with the exception of the south-eastern boundary which borders an undeveloped construction site. The landfill was operational from 1970 – 1991 and comprises of approximately 6000 tonnes of municipal solid waste (MSW) and construction and demolition waste (C&D) deposited in an area of the site extending to approximately 2,300m². Post the completion of remedial works Cavan County Council intend to continue to use a part of the site where no waste was deposited as a storage yard.

The overall risk assessment has categorised the site as moderate risk (Class B) with the pollutant linkages identified as:

- Potential for leachate migration to the underlying aquifer and private wells;
- Potential for landfill gas migration to nearby houses through the underlying bedrock and existing landfill cap;

¹ Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008).

2. Consideration of the Representation

This report considers one valid first party representation from Cavan County Council in relation to the issuing of the draft Certificate of Authorisation as summarised below.

The representation should be referred to at all times for greater detail and expansion of particular points.

The Technical Committee (TC) comprising of Anne Lucey (Chair) has considered all the issues raised in the representation and this report details the Committee's comments and recommendations following the examination of the representation.

2.1 Draft Certificate of Authorisation

The applicant considers that the proposed authorisation is not applicable to the current status of the site. The applicant states that all remediation works have been completed on the site and were carried out in accordance with Risk Assessment Reports submitted by the applicant to the Agency in 2014. The applicant also states that a validation report was submitted to the Agency, as part of the authorisation assessment, outlining and depicting the works that were completed. As a result, the applicant appeals all conditions contained within the draft Certificate of Authorisation.

Technical Committee's Evaluation:

The TC acknowledges the views expressed in the representation taking into account that the applicant considers that remediation and validation works have been completed. The TC notes that a validation report was not received by the Agency as part of the assessment documentation, but also notes that condition 3.5 of the draft Certificate of Authorisation requires the validation report to be submitted to the Agency within 30 months of the date of grant of the Certificate of Authorisation. This sequence of events and time period is appropriate to enable the applicant to demonstrate that the agreed remediation option has been successful and that the Source-Pathway-Receptor linkages have been broken. It is further noted that while compliance with a number of the proposed conditions may already be achieved through the completed works, other conditions in the draft certificate will still need to be implemented such as, the following:

- The requirement to obtain authorisation for the discharge of surface water under Condition 3.4;
- The completion of monitoring of parameters identified in Condition 3.8 along with the assessment of results and maintenance of records as per Condition 2;
- The protection and decommissioning of wells and boreholes in accordance with Condition 3.31;

Additionally, the granting of the proposed decision will bring into effect the referenced Regulations² including Regulation 7(7)(b) which states that a certificate of authorisation issued "*may specify further necessary measures in addition to those identified by the Risk Assessment.*". This ensures that all relevant requirements, whether completed to-date or outstanding, are set out in the Certificate of Authorisation.

² Waste Management (Certification of Historic Unlicensed Waste Disposal and Recovery Activity) Regulations 2008 (S.I. No. 524 of 2008).

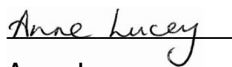
Recommendation: No change to any conditions of the draft Certificate of Authorisation.

3. Recommendation

It is recommended that the Board of the Agency grant a certificate of authorisation to the applicant

- (i) for the reasons outlined in the draft Certificate of Authorisation,
- (ii) subject to the conditions and reasons for same in the draft Certificate of Authorisation, and

Signed



Anne Lucey

Inspector

for and on behalf of the Technical Committee

Date 26 November 2020