 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	<b>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</b>
<b>ENVIRONMENTAL LICENSING PROGRAMME</b>	
<b>TO:</b>	Micheal Lehane, Director
<b>FROM:</b>	Jim Johnson, Inspector, Environmental Licensing Programme
<b>DATE:</b>	3 September 2021
<b>RE:</b>	Technical Amendment to Industrial Emissions Licence Register Number: W0020-02, held by Monaghan County Council, The Glen, Monaghan

The Agency received a request on 28<sup>th</sup> September 2020 from Monaghan County Council, to technically amend Industrial Emissions licence (Reg. No. W0020-02) for a non-hazardous landfill at Scotch Corner, Letterbane, Annyalla, Castleblaney, Co. Monaghan. The licence also covers the operation of a Civic Waste Facility (CWF) and a Materials Recovery Facility (MRF) which are operated by a third party under a Service Concession Contract. The request relates to a change to the installation boundary to remove the MRF/CWF area while retaining the subsurface landfilled-waste beneath.

This memo recommends that the change **may** be accommodated by a Technical Amendment, in accordance with Section 96(1)(c) of Environmental Protection Agency Act 1992, as amended.

## 1. Background

Monaghan County Council was granted a waste licence in December 2001 for a landfill and a materials recovery facility (MRF). The MRF also includes facilities available to members of the public for the deposition of waste. A revised waste licence, Licence Reg. No. W0020-02 was issued to Monaghan County Council on 24<sup>th</sup> March 2010 to meet the requirements of the Landfill Directive.

The licence was amended in 2013 to bring it into compliance with the Environmental Objectives (Groundwater) Regulations, 2010 (Technical Amendment A). In 2018 the licence was amended to extend the period of time that waste can be held at the MRF before removal (Technical Amendment B).

A technical amendment (IE Amendment) was issued on 7<sup>th</sup> January 2014 giving effect to the requirements of the Industrial Emissions Directive (Directive 2010/75/EU). The installation is licensed under classes 11.5 (landfills) and 11.1 (recovery or disposal of waste) of the First Schedule to the EPA Act 1992 as amended.

In 2017, Monaghan County Council ceased accepting waste for landfilling. The MRF/CWF has continued in operation.

## 2. Technical Amendment request

The MRF and CWF were constructed upon an area where waste had been deposited at the site c. 30 years ago. A concrete slab provides an impermeable barrier between the surface and the waste below. The Technical Amendment relates to the removal of the MRF/CWF area from the installation boundary while retaining the subsurface landfilled-waste beneath within the licence boundary.

The requested change involves setting new horizontal and vertical limits for the installation boundary. The proposed boundary change is set out in drawings P2048-0100-0002 and P2048-0100-0004 (Appendix 1). The MRF/CWF area is in the south east corner of the installation. This area is to be removed to a depth of 0.3m below ground level.

If the amendment request is granted, Monaghan County Council will retain ownership of the MRF/CWF area and the third party will continue to operate the MRF and CWF under a concession contract. The MRF/CA activities will continue to be regulated by Monaghan County Council in the form of a Waste Facility Permit and the terms and conditions of planning permission. Monaghan County Council will co-ordinate with the Agency, so that the Waste Facility Permit will come into force on the same day as the Technical Amendment issues. That way there will be valid and appropriate waste authorisation for the facility at all times.

The waste underground will remain subject to the conditions of the existing IE licence. Monaghan County Council will also retain access to the MRF/CWF area to access landfill gas monitoring and groundwater monitoring wells.

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

I have consulted with the OEE Inspector, Mr. Cathal Gahan, in relation to this technical amendment request. The OEE confirmed that the proposed boundary change cannot be accommodated under the existing licence. OEE has confirmed that there are no legal proceedings in train in respect of this licence. An exit audit was carried out on the area to be removed from the boundary on 10<sup>th</sup> September 2020.

### **4. Assessment**

The proposed new boundary is set out in drawings P2048-0100-0002 and P2048-0100-0004 submitted on 28<sup>th</sup> September 2020 and 10<sup>th</sup> March 2021 respectively (Appendix 1). The cross section diagrams delineate a boundary at 0.3m below ground level in the MRF/CWF area to be removed. This will keep the landfilled waste within the licence boundary.

There are no emission points in the area to be removed. Emission limit values apply to gas and groundwater monitoring wells in the MRF/CWF area. However, these will be retained in the licence as they apply to the subsurface waste which will stay within the boundary of the installation. Monaghan County Council will retain access to the MRF/CWF area to access these wells.

The MRF/CWF activities aboveground will be authorised and regulated by Monaghan County Council. These activities give rise to process water from surface runoff in waste storage and handling areas. This previously discharge to a leachate lagoon in the main landfill, but this connection was closed on foot of the exit audit. This process water is currently retained in a sump within the MRF/CWF area, collected by the operator and tankered off site to a wastewater treatment plant.

Stormwater from the road entrance and carpark in the southern section of the MRF/CWF area is connected to the stormwater infrastructure within the licenced boundary. Also, rainwater from the roof of MRF building discharges to a surface drain in the main landfill. These will continue to be in place following the boundary change.

The exit audit concluded that there were no outstanding environmental liabilities associated with the area of land to be removed from the licence. The physical condition of the area of land to be removed was found to be satisfactory.

## 5. Appropriate Assessment

The technical amendment relates to changing the site boundary and does not involve changing any direct discharge to surface waters, ground waters, land or air. Appendix 2 lists the European Sites assessed, their associated qualifying interests and conservation objectives.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at **Dundalk Bay SAC (000455) and Dundalk Bay SPA (004026)**.

The activity is not directly connected with or necessary to the management of any European site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required.

This determination is based on the technical amendment request which relates to altering the site boundary and does not involve any discharges from the installation to surface water, ground waters, land or air and therefore will not impact the Natura 2000 sites referred to above.

## 6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence W0020-02, held by Monaghan County Council, in accordance with Section 96(1) (c) of the EPA Act 1992 as amended.

I recommend that the licence amendment be approved as set out in the attached recommended Technical Amendment. The making of the amendment will not result in the relevant requirements of Section 83(5) of the EPA Act 1992 as amended, ceasing to be satisfied.

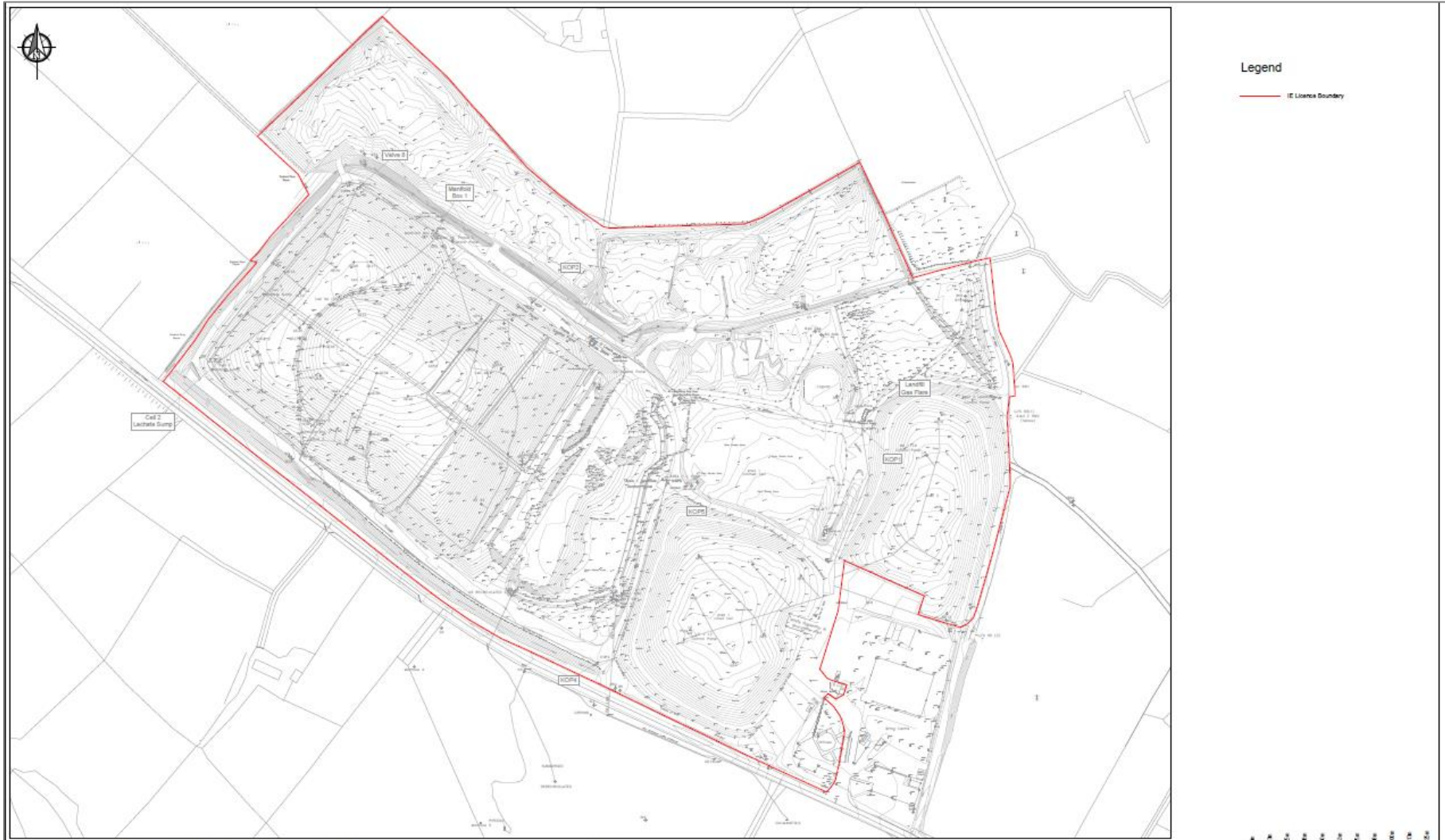
Signed,



Jim Johnson  
Inspector

**Appendix 1:** Proposed new boundary diagrams.

The proposed new boundary will include the land outlined in red in Figure 1 Drawing Number P2048-0100-0002 and the underground area in Figure 2 Drawing Number P2048-0100-0004.



If Applicable : Ordnance Survey Ireland Licence No. EN 0001217 © Ordnance Survey Ireland and Government of Ireland  
CSI 15190

Scale 1:1250



Rev.	Description	App By	Date
A	ISSUE FOR DISCUSSION	SG	03.07.19
B	ISSUE FOR LICENCE APPLICATION	SG	24.09.20

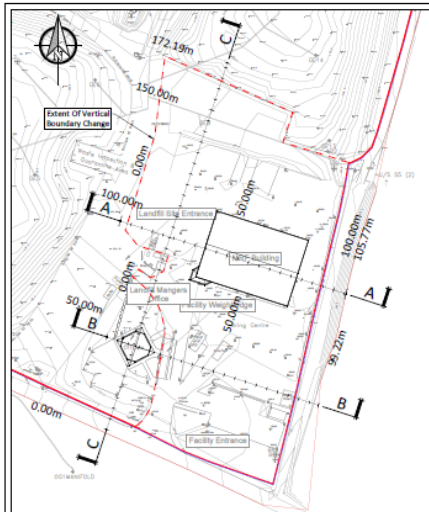
**CONSULTANTS IN ENGINEERING & ENVIRONMENTAL SCIENCES**  
**PEHILLY TWOMEY & COMPANY**  
 25 Plana, Fossilfield Rd, Cork, Ireland.  
 25 Plana, North Park Business Park, North Road, Dublin 11, Ireland.  
 T: +353-01-8562100, F: +353-01-4964444, T: +353-01-4963000, F: +353-01-4963333, W: www.pwhilltwomey.com, E: info@pwhilltwomey.com

PROJECT	SCOTCH CORNER LANDFILL
SHEET	W0020 1E LICENCE BOUNDARY

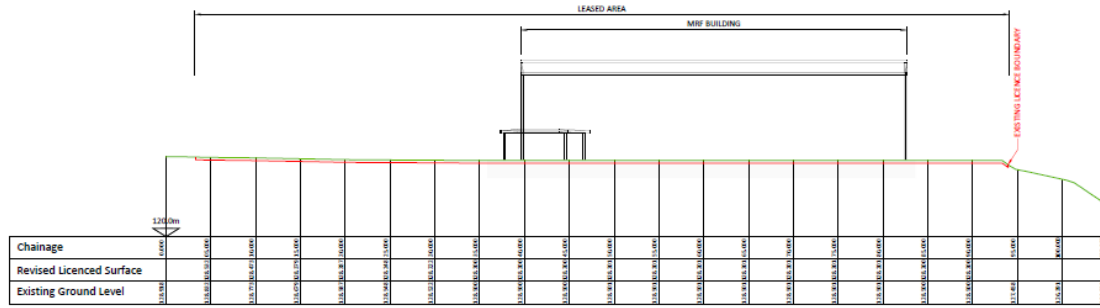
CLIENT		MONAGHAN COUNTY COUNCIL	
Date	03.07.19	Project number	P2048
Drawn by	FOR	Drawing Number	P2048-0100-0002
Checked by	AS	Rev	B
Scale	1:1250	Scale	A3 - 1

No part of this document may be reproduced or transmitted in any form or stored in any retrieval system of any nature without the written permission of Pehilly Twomey & Company as copyright holder except as agreed for use on the project for which the document was originally issued. Do not scale. Use figured dimensions only. If in doubt - AS!

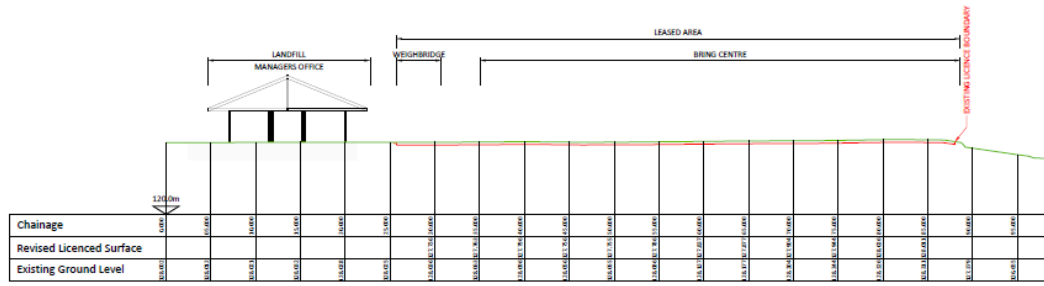
Figure 1 Drawing number P2048-0100-0002



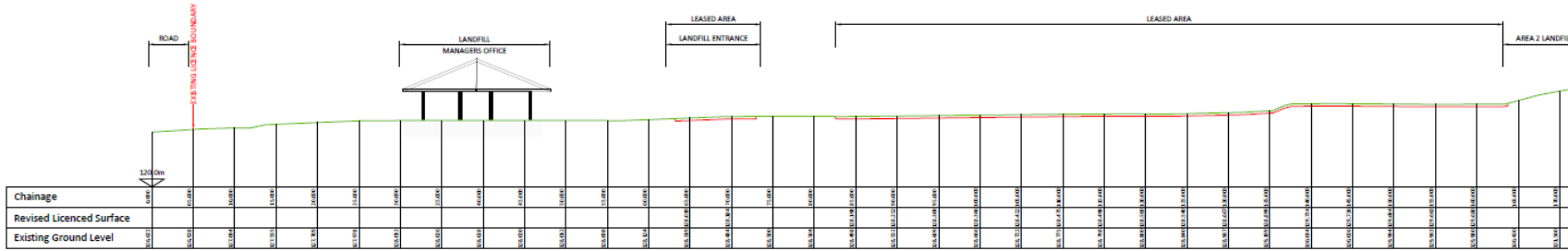
**SITE PLAN**  
Scale 1:1000



SECTION A-A



SECTION B-B



SECTION C-C

**CROSS SECTIONS**  
Scale 1:250

If Applicable : Ordnance Survey Ireland Licence No. EN 0001217 © Ordnance Survey Ireland and Government of Ireland



No part of this document may be reproduced or transmitted in any form or stored in any retrieval system of any nature without the written permission of Fehily Timoney & Company as copyright holder except as agreed for use on the project for which the document was originally issued. Do not scale. Use figured dimensions only. If in doubt - Ask!

Rev.	Description	App By	Date
A	ISSUE FOR INFORMATION	BG	01.03.21
B	ISSUE FOR EPA	JON	10.03.21

PROJECT	SCOTCH CORNER LANDFILL
SHEET	SITE CROSS SECTIONS

CLIENT MONAGHAN COUNTY COUNCIL			
Date	03.03.21	Project number	P2048
Drawn by	SK	Drawing Number	P2048-0100-0004
Checked By	JON	Rev	B

W:\Timoney - 10 March 21

**Figure 2** Drawing number P2048-0100-0004

**Appendix 2** List of European Sites assessed, their associated qualifying interests and conservation objectives.

Site Code	Site Name	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives
000455	Dundalk Bay SAC	<b>Habitats</b> 1130 Estuaries 1140 Mudflats and sandflats not covered by seawater at low tide 1220 Perennial vegetation of stony banks 1310 Salicornia and other annuals colonising mud and sand 1330 Atlantic salt meadows ( <i>Glauco-Puccinellietalia maritima</i> ) 1410 Mediterranean salt meadows ( <i>Juncetalia maritimi</i> )	NPWS (2011) Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.
004026	Dundalk Bay SPA	<b>Birds</b> A143 Knot ( <i>Calidris canutus</i> ) A179 Black-headed Gull ( <i>Chroicocephalus ridibundus</i> ) A156 Black-tailed Godwit ( <i>Limosa limosa</i> ) A141 Grey Plover ( <i>Pluvialis squatarola</i> ) A182 Common Gull ( <i>Larus canus</i> ) A137 Ringed Plover ( <i>Charadrius hiaticula</i> ) A046 Light-bellied Brent Goose ( <i>Branta bernicla hrota</i> ) A184 Herring Gull ( <i>Larus argentatus</i> ) A053 Mallard ( <i>Anas platyrhynchos</i> ) A130 Oystercatcher ( <i>Haematopus ostralegus</i> ) A052 Teal ( <i>Anas crecca</i> ) A162 Redshank ( <i>Tringa totanus</i> ) A142 Lapwing ( <i>Vanellus vanellus</i> ) A140 Golden Plover ( <i>Pluvialis apricaria</i> ) A069 Red-breasted Merganser ( <i>Mergus serrator</i> ) A054 Pintail ( <i>Anas acuta</i> ) A048 Shelduck ( <i>Tadorna tadorna</i> ) A065 Common Scoter ( <i>Melanitta nigra</i> ) A160 Curlew ( <i>Numenius arquata</i> ) A157 Bar-tailed Godwit ( <i>Limosa lapponica</i> ) A149 Dunlin ( <i>Calidris alpina</i> ) A043 Greylag Goose ( <i>Anser anser</i> ) A005 Great Crested Grebe ( <i>Podiceps cristatus</i> ) <b>Habitats</b> Wetlands	NPWS (2011) Conservation Objectives: Dundalk Bay SAC 000455 and Dundalk Bay SPA 004026. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.