

# COMHAIRLE CONTAE CHILL Mhantáin Wicklow County Council

## Seirbhísí Uisce agus Comhshaoil / Water & Environmental Services

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To the Cathaoirleach & each Member of the Council

17<sup>th</sup> November 2016

### Re; Temporary increase of Waste at Ballynagran Landfill, Wicklow.

Dear Councillor

On the 11<sup>th</sup> November 2016 the three Regional Waste Management Plan Offices circulated a report to all Local Authorities advising of a serious and urgent situation that is arising with regard to waste operators having no outlets for disposal of residual and related waste in the period up to the 31<sup>st</sup> December 2016.

The report highlights the fact this national shortfall in the availability of residual waste disposal / treatment capacity is primarily due to the recent closure to all 3<sup>rd</sup> parties of the largest landfill in the Country at Drehid in County Kildare because the yearly EPA Licence capacity for the facility had been substantially reached. The shortfall can also be partially attributed to a very significant reduction in the amount of waste exported in 2016 compared to previous years.

Over the course of the last week there have been extensive discussions between the various regulatory authorities in seeking solutions to address the difficulties and to avoid the very real prospect of commercial and household waste being left uncollected at the kerbside leading to unsanitary, conditions, pollution and public health threats. Such discussions have included the Department of Communications Climate Action & Environment, the EPA, the CCMA, the Regional Waste Management Plan Offices and the Local Authorities.

Local Authorities in particular were requested as a matter of some urgency, to explore the potential for existing authorised waste management capacity within their administrative areas and it soon became apparent that Knockharley in Meath and Ballynagran in Wicklow



are the only two active landfills where such capacity exists and which would be capable of taking in the suggested shortfall of up on 120,000 tonnes before year end. The only other active landfill in the Country is in East Galway but this site only commenced operations in August of this year and is already operating at maximum intake of waste.

To prevent or limit potential environmental pollution caused by this impending emergency of uncollected waste, both Meath and Wicklow County Council were requested to invoke Section 56 of the Waste Management Act 1996 in order to activate the available landfill capacity in Knockharley and Ballynagran. It is also proposed that Dublin City Council as lead Authority for the Eastern and Midlands Regional Waste Management Planning Office will also invoke this legislative provision which gives a local authority broad powers to take measures in order to prevent or limit environmental pollution caused or likely to be caused in its functional area and exempts a local authority from restrictions in planning and other legislation.

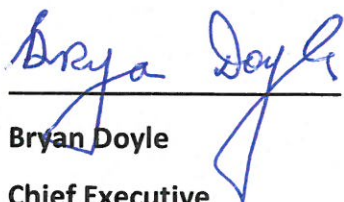
I confirm that in light of the emergency situation I as Chief Executive have acceded to requests to utilise this statutory power and to allow for an intake of up on 40,000 tonnes of waste into the Ballynagran Landfill and subject to an agreement being put in place between the Regional Waste Management Plan Office and the operators of the facility.

The Ballynagran Landfill has a Licensed Capacity by the EPA of 175,000 tonnes for disposal annually but is subject to a maximum of 150,000 tonnes under Planning Conditions. The increase of 40,000 tonnes will bring their intake this year up to a maximum of 190,000 tonnes.

It is pointed out that the EPA in recognising the serious nature of the situation arising have in recent days granted Technical Amendments to the Licences for both facilities which provide for intake of waste based on the aforementioned volumes during that period.

The EPA is satisfied on the basis of information available, that subject to compliance with conditions of Licences any activity will comply with and not contravene any requirement of Section 83(S) of the EPA Act 1992.

It is also understood that the operator of the Drehid landfill will be in a position to resume accepting waste from the 1<sup>st</sup> January 2017 and with a licensed capacity of 360,000 tonnes for the full year. This together with the coming on stream of the Poolbeg Facility in Dublin in mid 2017 and the Galway Landfill being operational for a full year, should ensure the availability of adequate capacity nationally to deal with municipal residual and related waste going forward.



**Bryan Doyle**

**Chief Executive**

**Wicklow County Council**