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From: Brendan O'Neill [mailto:brendan_o'neill@environ.ie]

Sent: 10 October 2008 17:25

To: Jonathan Derham

Subject: Draft EPA Technical Guidance Document on Pre-treatment

Hi Jonathan,

I have read your "Draft EPA Technical Guidance Document (TGD) on Pre-treatment" with interest and it certainly should pave the way for a vast improvement in landfill diversion rates. Perhaps you could help to clarify some aspects of the Guidance-

1. Has the EPA considered the precise legal status of the TGD, including linkage with the 2003 (Draft?) BAT guidance on Landfill?

2. Has the EPA considered focusing the "Gap Analysis" presented in Figure 4 of the Draft TGD on the figures contained in Table 14.3 (p. 128) of the National Strategy on Biodegradable Waste and specifying the pre-dominant role of the National Strategy in bringing forward the Draft TGD? (Perhaps binding the requirements deriving from the Draft TGD more securely to the National Strategy).

3. Has the EPA considered how the management of the "landfill quota" system outlined on pp. 14-16 and summarised in Figure 6 might operate in practice for individual sites, the legal position which will prevail for landfill activities after formal issuing of the TGD and whether "timelines" should be included regarding the related EPA actions to be carried out subsequent to the publication of the TGD?

4. Has the EPA considered, in the context of a TGD establishing standards to be applied in Ireland, referring only on p. 11 to the national definition of "residual waste"? In order to provide further clarity and to avoid the potential for confusion, has the EPA considered defining a separate term such as "residuals" within the TGD to describe the post-treatment waste materials ("rejects") emerging from recycling, biological treatment, MBT or incineration processes?

5. Has the EPA considered making a distinction in the TGD between Treatment, Pre-treatment and Resource Recovery?

6. Has the EPA considered whether further clarity might be brought to Figure 5?

- The depiction of the "3rd bin mixed organics" at a lower level of the schematic diagram might infer a priority for source segregated green waste?

- The location of the "3rd bin mixed organics" as an input to "biological treatment of residues" in the schematic diagram might infer a lower priority and provide a misleading linkage between "stabilised biowaste" and "high

quality compost"?

7. Has the EPA considered whether the configuration of Figure 6 in respect of landfill obligations is consistent with the waste hierarchy and with the policies established in the National Strategy on Biodegradable Waste? (Obligations 1 and 2 appear unconditional, while obligations 3a and 3b appear conditional)?

8. Has the EPA considered what threshold value of Oxygen Uptake Rate (OUR) might correspond to an AT4 of 10 and a DRI of 1,000 for stabilised biowaste?

I have also a number of more general comments on various aspects of the text which might assist in increasing the clarity and strengthening the coherence of the TGD.

The Department would be happy to accept the offer from Dr. Mary Kelly to meet with you and to discuss these points further.

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