

Landfill licence reviews – Jun-Oct 2009



EPA Waste Workshop

Athlone, 21-22 October 2009

Brian Meaney

Environmental Licensing Programme

Municipal Solid Waste – Pre-treatment & Residuals Management

An EPA Technical Guidance Document

16.7.1999

EN

Official Journal of the European Communities

L 182/1

I

(Acts whose publication is obligatory)

COUNCIL DIRECTIVE 1999/31/EC

of 26 April 1999

on the landfill of waste

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130s(1) thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty⁽³⁾,

(1) Whereas the Council resolution of 7 May 1990⁽⁴⁾ on waste policy welcomes and supports the Community strategy document and invites the Commission to propose criteria and standards for the disposal of waste by landfill;

(2) Whereas the Council resolution of 9 December 1996 on waste policy considers that in the future, only safe and controlled landfill activities should be carried out throughout the Community;

(3) Whereas the prevention, recycling and recovery of waste should be encouraged as should the use of recovered materials and energy so as to safeguard natural resources and obviate wasteful use of land;

(4) Whereas further consideration should be given to the issues of incineration of municipal and non-hazardous waste, composting, biometanisation, and the processing of dredging sludges;

(5) Whereas under the polluter pays principle it is necessary, *inter alia*, to take into account any damage to the environment produced by a landfill;

(6) Whereas like any other type of waste treatment landfill should be adequately monitored and managed to prevent or reduce potential adverse effects on the environment and risks to human health;

(7) Whereas it is necessary to take appropriate measures to avoid the abandonment, dumping or uncontrolled disposal of waste; whereas, accordingly, it must be possible to monitor landfill sites with respect to the substances contained in the waste deposited there, whereas such substances should, as far as possible, react only in foreseeable ways;

(8) Whereas both the quantity and hazardous nature of waste intended for landfill should be reduced where appropriate; whereas the handling of waste should be facilitated and its recovery enhanced; whereas the use of treatment processes should therefore be encouraged to ensure that landfill is compatible with the objectives of this Directive; whereas sorting is included in the definition of treatment;

(9) Whereas Member States should be able to apply the principles of proximity and self-sufficiency for the elimination of their waste at Community and national level, in accordance with Council Directive 75/442/EEC of 15 July 1975 on waste⁽⁵⁾ whereas the objectives of this Directive must be pursued and clarified through the establishment of an adequate, integrated network of disposal plants based on a high level of environmental protection;

(10) Whereas disparities between technical standards for the disposal of waste by landfill and the lower costs associated with it might give rise to increased disposal of waste in facilities with low standards of

⁽¹⁾ OJ C 156, 24.5.1997, p. 10.

⁽²⁾ OJ C 355, 21.11.1997, p. 4.

⁽³⁾ Opinion of the European Parliament of 19 February 1998 (OJ C 80, 16.3.1998, p. 196); Council common position of 4 June 1998 (OJ C 333, 30.10.1998, p. 15) and Decision of the European Parliament of 3 February 1999 (OJ C 150, 28.5.1999, p. 78).

⁽⁴⁾ OJ C 122, 18.5.1990, p. 2.

⁽⁵⁾ OJ L 194, 25.7.1975, p. 39. Directive as last amended by Commission Decision 90/350/EEC (OJ L 135, 6.6.1996, p. 32).

Pre-treatment An

16.7.1999

EN

Official Journal of the European Communities

L 182/1

I

(Acts whose publication is obligatory)

COUNCIL DIRECTIVE 1999/31/EC of 26 April 1999 on the landfill of waste

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130s(1) thereof,

Having regard to the proposal from the Commission⁽¹⁾,

Having regard to the opinion of the Economic and Social Committee⁽²⁾,

Acting in accordance with the procedure laid down in Article 189c of the Treaty⁽³⁾,

(1) Whereas the Council resolution of 7 May 1990⁽⁴⁾ on waste policy welcomes and supports the Community strategy document and invites the Commission to propose criteria and standards for the disposal of waste by landfill;

(2) Whereas the Council resolution of 9 December 1996 on waste policy considers that, in the future, only safe and controlled landfill activities should be carried out throughout the Community;

(3) Whereas the prevention, recycling and recovery of waste should be encouraged as should the use of recovered materials and energy so as to safeguard natural resources and obviate wasteful use of land;

(4) Whereas further consideration should be given to the issues of incineration of municipal and non-hazardous waste, composting, biomethanisation, and the processing of dredging sludges;

(5) Whereas under the polluter pays principle it is necessary, *inter alia*, to take into account any damage to the environment produced by a landfill;

(6) Whereas, like any other type of waste treatment, landfill should be adequately monitored and managed to prevent or reduce potential adverse effects on the environment and risks to human health;

(7) Whereas it is necessary to take appropriate measures to avoid the abandonment, dumping or uncontrolled disposal of waste; whereas, accordingly, it must be possible to monitor landfill sites with respect to the substances contained in the waste deposited there, whereas such substances should, as far as possible, react only in foreseeable ways;

(8) Whereas both the quantity and hazardous nature of waste intended for landfill should be reduced where appropriate; whereas the handling of waste should be facilitated and its recovery enhanced; whereas the use of treatment processes should therefore be encouraged to ensure that landfill is compatible with the objectives of this Directive; whereas sorting is included in the definition of treatment;

(9) Whereas Member States should be able to apply the principles of proximity and self-sufficiency for the elimination of their waste at Community and national level, in accordance with Council Directive 75/442/EEC of 15 July 1975 on waste⁽⁵⁾ whereas the objectives of this Directive must be pursued and clarified through the establishment of an adequate, integrated network of disposal plants based on a high level of environmental protection;

(10) Whereas disparities between technical standards for the disposal of waste by landfill and the lower costs associated with it might give rise to increased disposal of waste in facilities with low standards of

⁽¹⁾ OJ C 156, 24.5.1997, p. 10.

⁽²⁾ OJ C 355, 21.11.1997, p. 4.

⁽³⁾ Opinion of the European Parliament of 19 February 1998 (OJ C 80, 16.3.1998, p. 196), Council common position of 4 June 1998 (OJ C 333, 30.10.1998, p. 15) and Decision of the European Parliament of 3 February 1999 (OJ C 150, 28.5.1999, p. 78).

⁽⁴⁾ OJ C 122, 18.5.1990, p. 2.

⁽⁵⁾ OJ L 194, 25.7.1975, p. 39, Directive as last amended by Commission Decision 96/350/EC (OJ L 135, 6.6.1996, p. 32).

Licensing Regs

LCP reviews

Operational requirements

Review of 25 landfill licences

25 landfill licence reviews initiated by EPA on 18 June

Licensees were invited to make submissions

No third party submissions except from An Taisce

Reviews took into account

- Landfill Conditioning Plans – Landfill Directive
- Waste Pre-treatment Guidance
- Submissions received

Proposed decisions released 19 October

Objection period will apply – as normal



Some of the new or amended conditions ...



epa

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnaíocht

Treatment of waste prior to landfill

“Only waste that has been subject to treatment shall be accepted for disposal at the landfill facility.”

- Source separation (e.g. home composting, packaging waste)
- Separate collections (e.g. '2 Bin' or '3 Bin' systems)
- Manual sorting
- Composting
- Aerobic / Anaerobic Digestion
- Mechanical treatment (crushing, grading, magnetic separation, eddy current separation, ballistic separation, trommeling, sorting, etc)
- Biological stabilization of 'black bin' residues (after mechanical treatment)
- Thermal (sterilisation, pyrolysis, incineration, etc)
- Energy From Waste
- Rendering



Municipal Solid Waste –
Pre-treatment & Residuals Management
An EPA Technical Guidance Document

Biodegradable municipal waste diversion condition

“Unless otherwise as may be specified by the Agency, the following limits shall apply:

- from 1 July 2010 .. a maximum of 40% by weight of MSW accepted for disposal to the body of the landfill shall comprise BMW
- from 1 July 2013, a maximum of 24% ...
- from 1 July 2016, a maximum of 15%

unless an alternative has been agreed in writing by the Agency in accordance with [the next] condition.”

Collective arrangements condition

“Two or more licensed landfills may seek the agreement of the Agency that collectively they will arrange to comply with [the BMW diversion] condition

... review of the landfill licence for any facility seeking an increase in the [BMW] limits ...

... technical amendment of any licence for a facility seeking a decrease ...

... contingent on the net combined acceptance of BMW at the participating facilities remaining unchanged.”

Measurement of BMW content conditions

- BMW content of all MSW accepted must be quantified:
 - using factors to be published by EPA; or
 - by on-site measurements according to protocol (and approved contractors).
- Quarterly reports
 - especially important in 2010
 - to measure progress during the year vis-à-vis the diversion target
- Prompt and accurate reports will lead to revisions of the diversion limit where these are needed
- EPA objective is to achieve the Landfill Directive diversion targets – not to exceed them

Biostabilised residual waste conditions

- If treated so that respiration activity after 4 days is:
 - < 10 mgO₂/gDM until 1.1.2016 and
 - < 7 mgO₂/gDM thereafter
- Or if an alternative protocol is agreed that correlates to full treatment – e.g. validated residence time, temperature etc.
- Then can be counted as MSW, not BMW.
- Can only be used as landfill cover if treated to standard (or alternative protocol) and meeting ABP requirements.

Odour Management Plan conditions

13 landfills have upgraded odour prevention and control conditions

Centred around an Odour Management Plan, to include:

- prevention – identification and management of sources
- landfill gas management
- monitoring surface VOC emissions
- covered leachate holding tanks/lagoons
- monthly ambient odour monitoring
- monthly reviews of odour control measures
- assessment of complaints
- annual review of odour management plan

Liabilities and cost of landfill

- Consistent obligation for
 - Environmental Liabilities Risk Assessment
 - Financial provision to cover any and all liabilities (operational, closure and aftercare)
 - Cost of landfill (construction, operation, closure, aftercare for at least 30 years) to be covered by gate fee



The process from now ...



epa

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnaí Comhshluaí

Objections

- Objection period is open as normal until 15 November 2009
- Objections will be considered as normal
- Final decisions will issue