



**Objection regarding the proposed extension of the  
Landfill facility at Nevitt: PL06F.EL2051**

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## 1.0 Outline of Objection

CEWEP Ireland is making this submission as part of a nationwide campaign to highlight the impact of excess landfill capacity on the development of alternative waste management technologies, such as waste-to-energy. It is critical that any new landfill developments do not exacerbate the current oversupply in landfill capacity and continue Ireland's over reliance on landfill for waste disposal.

CEWEP Ireland participated at the first planning hearing for the proposed facility in October 2006. A letter was submitted in March 2008 to the Board outlining CEWEP's concerns about the amount of landfill capacity that had been approved since the hearing and how this would further undermine the need for the Nevitt scheme. These and subsequent developments include:

- Planning approval awarded to Ballynagran (150,000 tpa), Kerdiffstown (235,000 tpa), Usk (200,000 tpa) and Drehid (360,000 tpa) landfills
- Planning approval awarded to the Meath (200,000 tpa) and Poolbeg (600,000 tpa) waste-to-energy projects
- Planning approval sought for a capacity extension at Knockharley (88,000 tpa to 400,000 tpa) landfills

Calculations based on approved landfill capacity indicate that from 2010, there will already be an excess of landfill capacity. This situation will be greatly exacerbated if permission for the landfill at Nevitt is granted. In order for Ireland to meet its obligations under the Landfill Directive with this, the Nevitt facility should be refused planning permission.

## 2.0 CEWEP

CEWEP represents over 340 waste-to-energy plants across Europe in 16 countries, treating approximately 52 million tonnes of municipal solid waste (MSW) per year. CEWEP in Ireland supports European and Irish waste policy and promotes an integrated approach to managing waste. This involves supporting the development of sustainable waste-to-energy facilities in Ireland, and banning the landfill of combustible waste.



## 3.0 Policy Framework

### 3.1 Recent policy developments

CEWEP outlined the relevant policy framework in detail in its previous objection during the hearing in October 2006. This section will only aim to provide an update on policy developments since that time. It should be noted that a separate submission will be made by counsel for CEWEP dealing with the legal issues arising on this planning application in relation to need.

A number of relevant policy and other documents have been recently published including the:

- *National Climate Change Strategy* which gives priority to the diversion of waste from landfill<sup>1</sup>;
- *National Development Plan 2007 – 2013* which seeks to reduce reliance on landfill<sup>2</sup>;
- The 2007 *Programme for Government* which set an objective to reduce reliance on landfill to as low as 10% and required that those landfills provided for under regional waste management plans should be the last to be constructed for a generation<sup>3</sup>;
- A draft EPA Technical Guidance Document *Municipal Solid Waste – Pre-Treatment & Residuals Management* which outlines minimum pre-treatment conditions for biological waste sent to landfill from July 2009 (currently out for consultation).

Government policy therefore still places considerable emphasis on the requirement for Ireland to move away from landfill and requires that no new facilities are developed, due to the impact of a heavy reliance on landfill on the development of alternatives.

Despite these policies, Ireland is still not making progress in moving away from landfill. Since 2006, the amount of waste going to landfill has continued to increase (Appendix A) and as a consequence, Ireland has moved further away from meeting its landfill diversion targets. The increasing urgency of this problem has been highlighted in the following documents published in 2007/8:

- The EPA's *2020 Vision* which finds that Ireland is “.. a long way from meeting EU targets for diverting biodegradable waste from landfill”<sup>4</sup>;

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<sup>1</sup> See Pages 33 and 34

<sup>2</sup> See Page 145

<sup>3</sup> See Page 22

<sup>4</sup> See Page 18



- The EPA's *National Waste Report 2006*, which warned that "Urgent action is required in 2008 on diverting waste from landfill..." and that "new policy intervention is recommended to divert waste, and biodegradable waste in particular, from landfill in the short term"<sup>5</sup>;
- The EPA's State of the Environment Report 2008 which states that "The EU Landfill Directive targets that must be met progressively for biodegradable waste, and this remains a major challenge for Ireland in the coming years.....The increased diversion of recyclable wastes away from landfill would be expected to stimulate the recycling industry in Ireland and elsewhere".<sup>6</sup>
- The Economic and Social Research Institute (ESRI)'s *Medium Term Review 2008-2015*<sup>7</sup>, which warned that without a substantial shift to recycling or large-scale use of incineration, it is unlikely that Ireland will meet its EU Landfill Diversion obligations

The development of any new landfill capacity must be carefully evaluated in this context.

Where there is a demonstrated short-term need, Government policy (see *Changing Our Ways*) endorses the extension and expansion of activity at existing sites to avoid the development of new facilities. CEWEP supports the rational use of existing landfill sites over the development of a new landfill as this capacity can be more easily controlled to reflect capacity developments elsewhere.

### **3.2 Impact on Proposed Landfill**

The most significant policy development outlined above is the publication in September 2008 of draft technical guidelines by the EPA on the pre-treatment of Municipal Solid Waste (MSW)<sup>8</sup>.

These highlight that under Article 6 of the Landfill Directive, all landfill operators will be obliged to demonstrate that waste accepted at a landfill has been subjected to pre-treatment from 16<sup>th</sup> July 2009. Within its remit as administrator of the Waste and IPPC regulatory regime, the EPA proposes a definition of "pre-treatment", or minimum pre-treatment obligations, for landfill. These include source separation via at minimum a two bin system and treatment (including diversion) of the biological component of the MSW to the extent necessary to achieve the diversion obligations.

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<sup>5</sup> See Page vii

<sup>6</sup> Page 152

<sup>7</sup> Fitzgerald, J. et al, *Medium-Term Review 2008-2015*, ESRI, 2008

<sup>8</sup> EPA, *Municipal Solid Waste – Pre-Treatment & Residuals Management*, Technical Guidance Document (Consultation Draft), 2008, available at <http://www.epa.ie>



The EPA submits that appropriate pre-treatment requirements will be assessed on a site/region basis. However, for large urban centres (as for the Nevitt facility given that it is serving the Dublin area), the maximum obligations are suggested i.e. 2 bin collection system with mechanical treatment of black bin and diversion or treatment of the biological element of MSW.

From 2010, the EPA intends that at least 50% of waste accepted at landfill must be biologically treated, in order for Ireland to meet its landfill diversion targets. There is not enough biological treatment capacity in Ireland to treat 50% of waste currently going to landfill, and so this means that landfills will be restricted by licence condition from accepting the same amount of waste as they are currently accepting. From 2013 the EPA intends this to be increased to 70% of all biological municipal waste being required to be biologically treated, and from 2016 it is intended to be 90%.

The EPA guidance notes state that any new landfill will have to be planned in the context of the availability of appropriate waste pre-treatment facilities. It is noted that the Nevitt facility EIS anticipates the development of pre-treatment capacity at the Poolbeg waste-to-energy facility. Until such time as this capacity is developed, no alternative pre-treatment options have been outlined. There is not currently capacity in Ireland to biologically pre-treat 50% of all waste currently going to landfill. In any event, the Nevitt facility will still have to meet the 50% biological pre-treatment requirement that the EPA intends to impose. Careful consideration must be given to whether or not the acceptance of biologically untreated waste beyond January 2010, until such time as Poolbeg or alternative pre-treatment capacity is delivered, would be in line with the new EPA guidelines. If Nevitt is approved, it would directly impact on the ability of the Dublin region to meet its Landfill Directive targets.

CEWEP understands this is the first planning hearing for a new landfill since the EPA Guidance Document have been published and as such, any decisions will form an important precedent for the effective implementation of the pre-treatment conditions. Compliance with conditions specifying that at least 50% of BMW going to landfill is biologically treated will lead to significant decreases in the volume of waste going to landfill. This will mean that the issue of excess capacity, outlined in Section 6 of this submission will be even greater.



## 4.0 Impact of Excess Landfill Capacity

Since 2005, CEWEP Ireland has been monitoring the development of landfill capacity in Ireland and residual waste arising. From this it has become apparent that poor coordination between regions and the development of unplanned facilities or extensions has led to a significant oversupply of landfill capacity, compared with that required for residual waste disposal.

Since the 2006 hearing, figures for 2006 and 2007 landfill deposits have been compiled by CEWEP. It is now estimated that there is approximately 3.5 million tpa approved capacity compared with only 2.1 million tpa waste<sup>9</sup> deposited to landfill in 2007 (see Appendix A). Effectively, Ireland has 165% of the capacity required for residual waste arising. When compared with the amount of waste Ireland *is allowed* to send to landfill under the Landfill Directive, or with the targets for landfill under the *Programme for Government*, this excess is even greater.

Specifically, the Landfill Directive requires a 38% reduction in the amount of biodegradable waste currently going to landfill by 2010, with further reductions of 59% and 71% by 2013 and 2016 respectively. These targets are shown on the right hand side of Figure 1 below. Missing them could incur fines from Europe of over €100,000 per day. Furthermore, as outlined above at paragraph 3.2 the EPA (as an emanation of the State) has clearly signalled its intention to ensure compliance with the Landfill Directive in its draft technical guidance document. The EPA will use its powers to ensure that reduced amounts of municipal solid waste go to landfill.

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<sup>9</sup> Based on Annual Environmental Returns (AERs) for 2007 collated by CEWEP – See Appendix A

### Distance to Landfill Diversion Targets

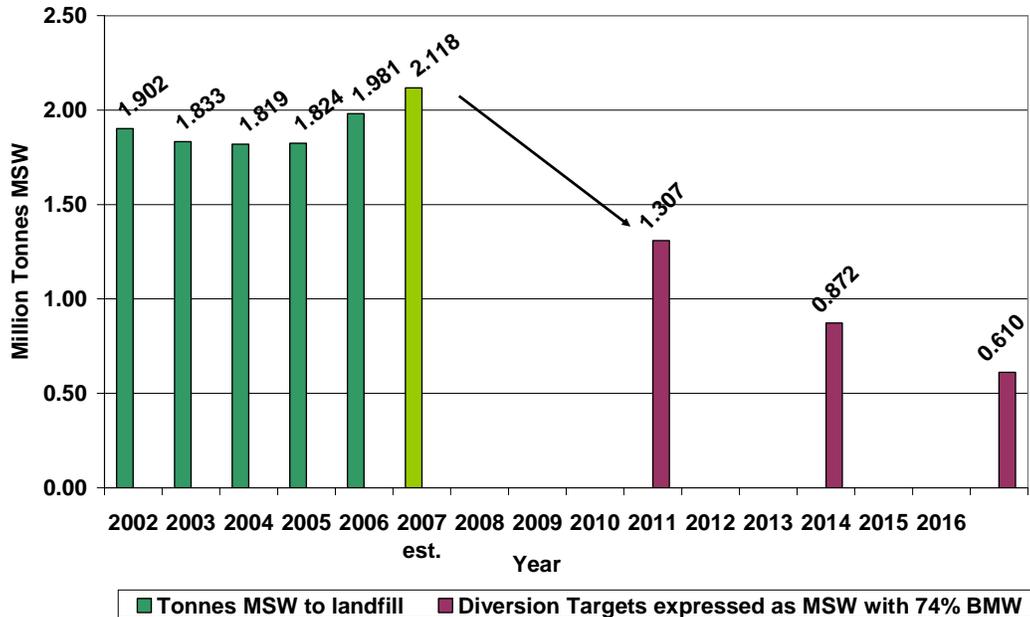


Figure 1: Landfill figures and diversion targets for Ireland<sup>10</sup>

However, as shown on the left hand side of Figure 1, the amount of municipal waste going to landfill has been increasing since 2004. The most recent figures show that since 2004, the amount of municipal waste going to landfill has increased by 12.6%. The EPA in its 2006 report<sup>11</sup> recognised that this was a result of a decline in landfill gate fees, which reduced the economic incentive to collect source-separated materials or to develop alternatives to landfill. This decline, in turn, can be linked to the simple market forces of supply and demand whereby the surplus of landfill capacity is causing landfill operators to compete for waste.

Excess landfill and resultant low gate fees poses a significant risk to developers of alternative waste treatment capacity, in the absence of further legislative or market drivers. It affects the development of everything from waste prevention, reuse and recycling programmes to mechanical biological treatment (MBT) and waste-to-energy facilities for residual waste. A continued reliance on landfill will also ensure waste management costs remain fully exposed to the volatility of landfill gate fees rather than being balanced by a range of treatment technologies.

Historically, it seems that capacity planning has typically erred on the side of caution and allowed for an oversupply of landfill capacity. In the early 2000s, for example, a deficit in landfill capacity was grossly overcompensated by the development of new and unplanned facilities, leading to the current excess. However, as noted above,

<sup>10</sup> In this figure, the 2007 waste deposited figure is based on AERs and may be higher than actual waste deposited – See Appendix A. The Landfill Diversion targets have been calculated for MSW, based on a composition of 74% biodegradable waste as per the 2006 EPA report.

<sup>11</sup> EPA, *National Waste Report 2006, 2007*, available at <http://www.epa.ie>



this excess impacts on the development of alternatives and has led to a vicious circle of landfill reliance. A perceived or minor scarcity in landfill capacity would in fact promote the development of much needed alternative waste infrastructure, driving up the price of landfill gate fees and providing some degree of market certainty to developers.

Therefore, in the context of Ireland's current over reliance on landfill, any decisions on the development of landfill capacity, whether planned or unplanned, are of a critical nature for the achievement of policy goals and the sustainable development of Ireland's waste management sector. It is submitted that a slight deficit or undercapacity should be favoured over any potential oversupply to break the cycle and allow Ireland to move away from landfill reliance.

It is further noted that, even where pre-treatment conditions are applied in line with the EPA Technical Guidance note, facilitating excess landfill capacity would not be in line with the waste policy ambition to reduce overall reliance on landfill. This is because waste streams other than MSW would not be affected by pre-treatment conditions. Excess capacity must therefore be avoided as much as possible.

## **5.0 Decision of An Bord Pleanála in relation to the Drehid and Ballyguyroe Landfills**

The most recent decision in relation to a landfill in the Greater Dublin Area (GDA) is that of An Bord Pleanála in relation to the extension and intensification of the Drehid landfill dated 30 October 2008. In this case, the applicant, Bord na Mona, was seeking an extension of the existing landfill to accommodate an additional 240,000 tonnes per annum of non-hazardous residual municipal waste for disposal for seven years. The question of need was considered in the Inspector's Report where she, on behalf of the Board, clearly accepted that the question of need is an issue for determination by the Board. She went on to recommend a grant of approval for the extension. The Board modified the proposed application by reducing the period of the extension from seven years to five years it seems by reference to need as the reason for this was stated to be as follows:-

*"Having regard to predicted waste arising and capacity issues in the Greater Dublin Area and to national policy objectives in relation to reduction of waste, the Board considered that a five year limit on the increased through-put of waste at the facility is more appropriate than the seven years sought by the applicant".*

Condition 1 restricts the extension to 360,000 tonnes per annum until 1 December 2013. However, it is clear that the Board envisages that this can be reviewed if an additional capacity authorised if appropriate. In its reason for the imposition of Condition 1, the Board states that it:-

*"considers it appropriate that the increased rate of waste deposition hereby permitted should be reviewed after five years, in the light of waste policy and capacity pertaining at that time".*



It is clear the Board did not feel it appropriate to authorise a longer extension, as the figures did not support a need for the greater capacity. Furthermore, in the conclusion to her Inspector's Report, the Inspector stated that

*"I accept that the proposal to extend the existing facility rather than build a new landfill is in compliance with revealing national policy and that the inter-regional movement of waste is acceptable in principal".*

CEWEP would agree that it is preferable to extend existing facilities where appropriate rather than construct new facilities with consequential environmental impacts. In this regard, and as will be illustrated below, any landfill deficit in the GDA can be met by either extending the period of intensification of the Drehid landfill, or by the Board granting approval for the extension being sought for increased capacity at the Knockharley landfill.

An example of the Board refusing an application for a new landfill on the basis of need is the decision of An Bord Pleanála in relation to the proposed landfill at Ballyguyroe, Co Cork. In that appeal (Ref. PL04.222987), decided on 22 February 2008, the Board refused to approve the proposed landfill for the following reason:

*"Based on the information submitted, the Board is not satisfied that it has been demonstrated that there is a need for an additional landfill capacity to serve the Cork region or the adjoining waste management regions. The provision of such a facility where such a need has not been adequately demonstrated, would be contrary to the national waste policy as set out in the 'Changing Our Ways' (1998), 'Waste Management: Taking Stock and Moving Forward' (2004) and the National Strategy for Biodegradable Waste (2004), all of which seek to reduce the amount of waste going to landfill in accordance with the principles of the waste management hierarchy EU Landfill Directive where landfill disposal is the least favourite option. The proposed development in the region would create a disincentive to recycling and other more favoured waste options in the waste hierarchy and would, therefore, be contrary to national waste management strategies. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area".*

## **6.0 Capacity in the GDA**

As noted above, a number of landfill capacity developments have been approved within the Greater Dublin Area (GDA) since this plan was written. Many of these were designed to provide capacity for Dublin and not just the waste management region within which they are to be developed (e.g. Kildare, which has a separate waste plan). Therefore, it is necessary to consider how these developments, which are designed to service Dublin, impact on the overall capacity in the GDA, and whether there is still a "significant requirement" for residual capacity within the region in the short and/or long term.

## 6.1 Forecast capacity

It is extremely difficult and complex to forecast waste treatment or disposal capacity requirements. There is no sector-wide agreement on the modelling of waste arisings and recycling rates. Future disposal capacity depends on the variable rate of landfill intake (since this can extend or reduce the total lifespan of the facility) and on the timeframe of future developments, which can be subject to planning, licensing or construction delays.

The assessment below illustrates this complexity in attempting to assess whether or not there is a need for the Nevitt facility in the GDA. It is critical that careful consideration be given to these and other relevant figures since, as noted above, any excess capacity resulting from landfill capacity approvals has a significant negative impact on the waste management system.

### 6.1.1 Capacity Modelling

The most recent assessment of landfill capacity within the GDA was provided in Appendix 1.2.1 of the Environmental Impact Statement (EIS) for an extension of the landfill at Drehid, Co. Kildare. This is included in Appendix B.

This reviewed existing and potential residual waste management capacities. The table below sets out capacities taking into account changes since the Drehid EIS was prepared.

**Table 1: Capacity under planning permissions in the GDA assessed in Appendix 1.2.1**

Facility	Type	Region	Throughput (tpa)	Assumption
Arthurstown	Landfill	Dublin	600,000	Closing 2010
Nevitt <sup>12</sup>	Landfill	Dublin	500,000	Opening 2010
Poolbeg	WTE <sup>13</sup>	Dublin	600,000	Opening 2012
Drehid	Landfill	Kildare	360,000	Until 2013, 120,000 tpa thereafter subject to review.
Kerdiffstown <sup>14</sup>	Landfill	Kildare	235,000	
Usk <sup>15</sup>	Landfill	Kildare	200,000	Opening 2010
Ballynagran	Landfill	Wicklow	150,000	
Rampere	Landfill	Wicklow	50,000	Closing 2010 <sup>16</sup>
Carranstown	WTE	Meath	200,000	Opening 2011
Knockharley	Landfill	Meath	132,000	88,000 tpa from 2010, though

<sup>12</sup> Does not yet have full planning permission

<sup>13</sup> Waste-to-energy

<sup>14</sup> Not included in all scenarios

<sup>15</sup> Recently received full planning permission

<sup>16</sup> Recent deposition rates suggest this could remain open until 2012

				applied for expansion of capacity to 400,000 tpa in short term. Closing ~ 2018
Balleally	Landfill	Dublin	450,000	Closing 2011

The analysis of the future capacity requirement in the GDA is made in line with regional waste management plans, and assumes that each region achieves its target recycling rate.

For the purposes of this objection it is assumed that only capacity in the GDA, excluding facilities in the wider NE region<sup>17</sup>, is relevant. However, as is discussed, further below, policy is such that inter-regional movements of waste is also accepted. It is also assumed that capacity approved at Kerdiffstown would be exploited where landfill capacity becomes scarce. Therefore, scenarios illustrated in Figures 3.24 – 3.27 of Appendix 1.2.1 of the EIS are considered the most relevant.

### 6.1.2 Forecast Capacity including approved facilities

The EIS (Appendix B) finds that if Nevitt or the Poolbeg WTE facilities are significantly delayed, a deficit of <50,000 tpa could arise in 2010/11 increasing to 300,000 tpa from 2013 onwards. Again, these figures do not take into account the excess landfill capacity that has now been approved for Drehid.

However, where the Poolbeg WTE plant is developed on time or before 2013, this deficit is either minimal or is avoided entirely. The figures set out in the EIS are described in Table 2 below.

**Table 2: Forecast Capacity in the GDA**

Scenario	Reference	2010/2011	2013 onwards
Nevitt not approved/delayed and/or Poolbeg significantly delayed	Figure 3.26 of Appendix 1.2.1	< 50,000 tpa deficit for short period	Deficit increases to 300,000 tpa
Poolbeg developed, Nevitt delayed/not developed	Figure 3.25 of Appendix 1.2.1	< 50,000 tpa deficit for short period	> 300,000 tpa excess
Nevitt developed, Poolbeg delayed/not developed	Figure 3.27 of Appendix 1.2.1	100,000 tpa excess	> 200,000 tpa excess
Poolbeg and Nevitt developed on time	Figure 3.24 of Appendix 1.2.1	> 100,000 tpa excess	800,000 – 1,000,000 tpa excess

<sup>17</sup> Louth, Cavan and Monaghan

However, since this table was prepared, excess capacity of 240,000 tpa at Drehid has been approved. Therefore, the relevant figures are set out in the table below as follows:

**Table 3**

	<b>2010/2011</b>	<b>2014</b>
Nevitt not approved, Poolbeg significantly delayed	> 190,000 tpa excess	Deficit of 300,000 tpa assuming further extension at Drehid not approved
Nevitt not approved, Poolbeg developed	> 190,000 tpa excess	> 300,000 tpa excess assuming further extension at Drehid not approved
Nevitt approved, Poolbeg significantly delayed	> 340,000 tpa excess	> 200,000 tpa excess assuming further extension at Drehid not approved
Nevitt approved and not delayed, Poolbeg developed	> 340,000 tpa excess	>800,000 – 1,000,000 tpa excess assuming further extension of Drehid not approved.

Therefore it is clear:

- Even if Nevitt is not approved, there will be an immediate excess in landfill capacity from 2010 of 190,000 tpa within the GDA.
- If both Nevitt and Poolbeg are developed, there will be significant excess landfill capacity of at least 800,000 tpa from 2012 until at least 2018.
- If Poolbeg is developed and Nevitt is not approved by 1 December 2013, there will be significant excess landfill capacity of 300,000 tpa from 2014.
- It is only if Poolbeg is not developed that a deficit may arise from 1 January 2014. Options for managing this deficit are set out below.

It is important to note that Poolbeg and Carranstown (as WTE facilities<sup>18</sup>) would not contribute to excess landfill capacity, but would make a positive contribution towards Ireland's landfill diversion and greenhouse gas reduction targets. As they will divert

<sup>18</sup> Which under the revised Waste Framework Directive are classified as recovery



waste away from landfill, the remaining landfill capacity will be very much in excess of the GDA's requirements. The development of additional landfill capacity in the region (i.e. the Nevitt facility) will, by contrast, further the region's and Ireland's reliance on landfill and will postpone the attainment of Ireland's landfill diversion targets.

It should be noted that the figures above are based on landfill capacity that has already been approved. They do not take account of the extension currently being sought for the Knockharley landfill for 312,000 tpa additional capacity. If this extension is granted permission, it could be operational by 2010/2011 and the excess landfill capacity in the GDA would be even greater.

## **6.2 Options for Managing a Deficit in the GDA**

There is a possibility, if Poolbeg were to be significantly delayed, that there might be a deficit of 300,000 tpa from 2013. However, the small risk of a deficit of 300,000 tpa is preferable to creating ever greater excess landfill capacity. Methods of managing a deficit are set out below.

### **6.2.1 Absorption by regions outside the GDA**

Deficits in the GDA could be absorbed by existing landfill capacity outside of the region. This does not mean that waste from the GDA would need to travel as far as available landfill capacity in, for example, Cavan. Instead, available capacity would be rationalised across each region to cater for a higher demand from the GDA.

As previously noted, some scarcity in landfill capacity is required to properly stimulate the market for alternatives and to meet the landfill diversion targets in the Landfill Directive.

It is noted that no attempt has been made in the CEWEP figures to compare available capacity with forecast waste arising, since for the latter only 2007 AER figures were used. However, according to Appendix 1.2.1 of the Dredge EIS (figure 3.6), residual waste quantities are to decline from 2007 – 2010/11 and then to increase back to 2007 levels by 2019. In addition, no account has been taken of the proposed EPA measures to reduce the amount of waste going to landfill. Therefore, the estimated amounts of excess or deficit capacity estimated here are likely to be conservative.

There is no policy barrier to waste moving between different waste regions. "*Waste Management: Taking Stock and Moving Forward*". It accepts that facilities provided in a region must deal *primarily* with waste from that region. It does however acknowledge the need to examine the inter-relationship between regional boundaries and waste facilities. It noted that the wholesale attachment of conditions prohibiting trans-regional movement of waste was not always appropriate.

Chapter 4.3 of the policy document states that:



*...it is not an automatic implication of waste management plans that waste facilities provided in the region have to be used exclusively for the region/county concerned....clearly facilities provided in the region must serve primarily the waste management needs of that region. That is entirely consistent with the concept of regional waste management planning where each region has to take lead responsibility for its own waste,.... However careful consideration needs to be given to whether the imposition of blanket prohibitions on all cross-regional movements of waste is an appropriate and measured interpretation of the philosophy underlying regional waste management planning.... It is noteworthy that the EPA in its most recent National Waste Database Report for 2001 has recommended that “the inter-regional movement and treatment of wastes should be provided for.....in appropriate circumstances”.*

Furthermore the Minister for the Environment, Heritage and Local government issued a direction pursuant to Section 60 of the Waste Management Act, 1996 (as amended) (**WIR:04/05**) dated May 2005 which states:-

*One of the fundamental components of policy in regard to the regulation of the movement of waste is the application of the proximity principle.....the application of the proximity principle does not entail interpreting administrative waste management planning boundaries in such a manner as to inhibit the development of waste infrastructure which will support the attainment of national waste management policy objectives through the rational development and use of such infrastructure.*

Absorption of waste by regions outside the GDA if this proves necessary would be preferable to authorising a new landfill which is likely to result in excess landfill capacity.

### **6.2.2 Additional temporary capacity at an existing landfill site**

The temporary extensions approved at Drehid could easily be extended to make up for any deficit in the GDA in the absence of Nevitt or Poolbeg. It is explicitly stated in the permission for Drehid that the increased waste deposition should be reviewed after five years in light of policy and capacity pertaining at that time.

With the extension of Drehid, there could still be a small deficit of 60,000 tpa. This could easily be absorbed by regions outside the GDA, or by an extension at Knockharley. As stated in the Inspector’s Report for Drehid, it is vastly preferable from a planning viewpoint that a deficit is dealt with by extending existing landfills rather than building a new landfill.

If the Nevitt landfill is developed in conjunction with the other planned facilities, including the extensions at Drehid and Knockharley, there would be an oversupply of landfill capacity in the GDA (as indicated in Figure 3.24), resulting in an oversupply of landfill capacity in Ireland of approximately 1,400,000 tpa (see Appendix E). It would



therefore be necessary to regulate the capacity at the extended facilities to return to previous levels on the opening of Nevitt.

However, even if the temporary capacity is cut back, the capacity of Nevitt would contribute to long term excess capacity in the GDA and Ireland (Appendix F) with or without the development of Poolbeg. Therefore, if Nevitt were approved, it is likely to contribute to excess capacity regardless of any forecast deficit.

It should also be noted that if a small deficit in capacity came to pass, this would help to ensure that landfill does not continue to dominate the long-term waste market in the GDA or Ireland. This would provide the investor confidence required to usher in WTE and MBT technology, enabling Ireland to meet its Landfill Diversion targets and reduce greenhouse gas emissions from the waste sector. It would also align with Government policy, which requires that every effort be made to develop interim solutions that do not prejudice the outcome of longer-term strategic solutions.

## 7.0 Summary

The granting of permission for the Nevitt landfill would result in considerable excess landfill capacity of 340,000 tpa from 2010, assuming development of the facility, as must be assumed. This would increase to 800,000 tpa or even 1,000,000 tpa from 2014 if Poolbeg proceeds as planned.

If Poolbeg and Nevitt are significantly delayed, there is potential for a deficit of 300,000 tpa based on conservative figures. This could easily be addressed by extensions at existing landfills such as Drenth, or by the inter-regional movement of waste. If Knockharley is granted its extension this deficit will not arise.

Controlling the amount of landfill capacity available in the GDA, and in Ireland, will ensure that alternatives to landfill become viable in the long term. It will thereby enable Ireland to make progress towards its landfill diversion targets and recycling goals. At this point, the total available capacity in the GDA and Ireland should be reviewed and rationalised to avoid any oversupply of landfill capacity. It would be important that any review process is effectively monitored and enforced. The Nevitt facility is not required and would only contribute to excess capacity in both the medium and the long term.

Furthermore, it is submitted that the proposed development does not take into account the pre-treatment of residual MSW as required by the new EPA draft Technical Guidance Note. The EPA has signalled its intention to restrict the volume of biologically untreated MSW going to landfill and this will inevitably lead to reduction in the volume of waste going to landfill. Thus, the problem of excess landfill capacity in the GDA will be exacerbated. If the Nevitt facility is approved, it would directly impact on the ability of the Dublin region to meet its Landfill Directive targets. Any decision to approve the Nevitt landfill would be contrary to government policy and is likely to set a precedent for the effective control of waste pre-treatment prior to landfill.



CEWEP Ireland therefore urges the Bord to refuse planning permission on the basis that there is no demonstrated need for the facility in either the short, medium or long term; approval of the development would be incompatible with Government policy; and contrary to the sustainable development of the area as a result.

## Appendix A: Landfill Figures in 2007

This table shows the landfill capacity available compared to waste deposited in 2007 based on Annual Environmental Reports (AERs) from landfill operators, compiled by White Young Green. AER figures are typically higher than published EPA figures from National Waste Reports, but they serve as a useful indicator of landfill trends, accounting for household and commercial waste deposits (representative of municipal waste). A comparison of AER figures from 2006 – 2007 shows that waste deposited has increased slightly, which is likely to reflect the trend in EPA figures. It is anticipated that the EPA will publish official figures on municipal and biodegradable waste to landfill in early 2009.

Waste Region	Landfill	Current Status	Waste Deposited (Based on AERs 2007)	Approved Capacity
Clare	Inagh	Operational	46289	56,500
Limerick	Gortadroma	Operational	39578	130,000
Kerry	North Kerry	Operational	56794	77,000
<i>Total</i>			<b>142,661</b>	<b>263,500</b>
Connaught	Ballaghaderreen	Operational	23368	25,000
	Derrinnumera	Operational	14867	40,000
	Rathroeen	Operational	17523	45,000
	East Galway / Connaught Regional	Operational	74229	100,000
<i>Total</i>			<b>129,987</b>	<b>210,000</b>
Cork	Derryconnell	Due for closure 2008/9	9617	14,000
	Kinsale Road	Due for closure 2008/9	31823	100,000
	Youghal	Due for closure 2009/10	126286	170,000
	Bottlehill	Built but not operational		217,000
<i>Total</i>			<b>167,726</b>	<b>501,000</b>
Donegal	Ballynacarrick	Operational	27315	25,000
<i>Total</i>			<b>27,315</b>	<b>25,000</b>
Dublin	Arthurstown	Due for closure 2010	480529	400,000
	Balleally	Due for closure 2008/9	130348	450,000
<i>Total</i>			<b>610,877</b>	<b>850,000</b>
Kildare	KTK	Due for closure 2008/9	252370	275,000
	Drehid	Operational 2008		
	Usk	Operational 2010		200,000
	Kerdiffstown	Operational		235,000
<i>Total</i>			<b>252,370</b>	<b>710,000</b>



Waste Region	Landfill	Current Status	Waste Deposited (Based on AERs 2007)	Approved Capacity
Midlands	Ballaghveny	Operational (1)	30728	37,000
	Ballydonagh	Operational	51904	60,000
	Derryclure	Operational	60341	40,000
	Kyletalesha	Operational	45452	47,100
<i>Total</i>			<b>188,425</b>	<b>184,100</b>
North East	Corranure	Due for closure 2009	79816	90,000
	Scotch Corner	Operational	28568	39,500
	Whiteriver	Operational	65729	92,000
	Knockharley	Operational	136154	132,000
<i>Total</i>			<b>310,267</b>	<b>353,500</b>
South East	Donohill	Operational	16632	40,000
	Dunmore	Due to close 2008	21915	42,495
	Killurin	Due to close 2008 (1)	8600	8,000
	Powerstown	Operational	42455	40,000
	Holmestown	Under construction		67,000
<i>Total</i>			<b>89,602</b>	<b>197,495</b>
Wicklow	Rampere	Due for closure 2010	49795	50,000
	Ballynagran	Operational	149141	150,000
<i>Total</i>			<b>198,936</b>	<b>200,000</b>
<b>Total</b>			<b>2,118,166</b>	<b>3,494,595</b>

<b>Excess:</b>	<b>1,376,429 tpa</b>
	<b>165% %</b>

*Note: The approved capacity for Arthurstown has been revised to align with capacity estimates from Appendix 1.2.1 of the Drehid WMF Intensification and Extension EIS.*



## **Appendix B: Appendix 1.2.1 of Drehid EIS**

## Appendix C: Estimated Capacity in 2010

Estimated landfill capacity in 2010 assuming the closure of numerous landfills in Clare/Limerick/Kerry, Connaught, Cork, Dublin, Kildare, the South-East and Wicklow as highlighted as well as the opening of the Usk landfill. Planned additional capacity in Dublin and Meath are highlighted. No attempt has been made here to compare capacity with forecast waste arising. According to Appendix 1.2.1 of the Drehid EIS, residual waste quantities are to decline from 2007 – 2010/11 and then to increase back to 2007 levels by 2019. Therefore, the figures below are conservative (i.e. there will be less waste and greater excess capacity).

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved / Available Capacity (2)	Excess
	Inagh	Operational	46289	56,500	10,211
Clare Limerick Kerry	Gortadroma	Operational	39578	130,000	90,422
	North Kerry	Closed	56794		-56,794
<b>Total</b>			<b>142,661</b>	<b>186,500</b>	<b>43,839</b>
	Ballaghaderreen	Due to close 2011	23368	25,000	1,632
Connaught	Derrinnumera	Closed	14867		-14,867
	Rathroeen	Operational	17523	45,000	27,477
	East Galway / Connaught Regional	Operational	74229	100,000	25,771
<b>Total</b>			<b>129,987</b>	<b>170,000</b>	<b>40,013</b>
	Derryconnell	Closed	9617		-9,617
Cork	Kinsale Road	Due to close 2011 (1)	31823	30,000	-1,823
	Youghal	Closed	126286		-126,286
	Bottlehill	Operational	0	217,000	217,000
<b>Total</b>			<b>167,726</b>	<b>247,000</b>	<b>79,274</b>
Donegal	Ballynacarrick	Operational	27315	23,500	-3,815
<b>Total</b>			<b>27,315</b>	<b>23,500</b>	<b>-3,815</b>
Dublin	Arthurstown	Closed	480529		-480,529
	Balleally	Due to close 2011 (1)	130348	160,000	29,652
	Poolbeg WTE	Operational 2012			0
	Nevitt	Operational 2010			0
<b>Total</b>			<b>610,877</b>	<b>160,000</b>	<b>-450,877</b>
Kildare	KTK	Closed	252370		-252,370
	Drehid	Operational	0	120,000	120,000
	Usk	Operational	0	200,000	200,000
	Kerdiffstown	Operational	0	235,000	235,000
<b>Total</b>			<b>252,370</b>	<b>555,000</b>	<b>302,630</b>
	Ballaghveny	Due to close 2010 (3)	30728	37,000	6,272
Midlands	Ballydonagh	Operational	51904	60,000	8,096
	Derryclure	Due to close 2010	60341	40,000	-20,341
	Kyletalesha	Operational	45452	47,100	1,648
<b>Total</b>			<b>188,425</b>	<b>184,100</b>	<b>-4,325</b>

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved / Available Capacity (2)	Excess
	Corranure	Closed (4)	79816		-79,816
North East	Scotch Corner	Operational	28568	39,500	10,932
	Whiteriver	Operational	65729	92,000	26,271
	Knockharley	Operational	136154	132,000	-4,154
	Carranstown WTE	Operational 2011			0
<b>Total</b>			<b>310,267</b>	<b>263,500</b>	<b>-46,767</b>
	Donohill	Closed	16632		-16,632
South East	Dunmore	Closed	21915		-21,915
	Killurin	Closed	8600		-8,600
	Powerstown	Due for closure 2011	42455	40,000	-2,455
	Holmestown	Operational		67,000	
<b>Total</b>			<b>89,602</b>	<b>107,000</b>	<b>17,398</b>
Wicklow	Rampere	Due to close 2012	49795	50,000	205
	Ballynagran	Operational	149141	150,000	859
<b>Total</b>			<b>198,936</b>	<b>200,000</b>	<b>1,064</b>
<b>Total</b>			<b>2,118,166</b>	<b>2,096,600</b>	<b>-21,566</b>

(1) Based on average deposits 2006-2007

(2) Available capacity based on remaining capacity 2007 and average deposit rates

(3) Estimate deposits from 2006 as 2007 AER not available

(4) Currently seeking extension



## **Appendix D: Estimated Capacity post 2013**

Estimated landfill capacity post 2013 assuming further closures in Balleally, Powerstown, and facilities in Connaught, Cork, the North East and the Midlands. This scenario assumes that the Carranstown WTE plant is operational but that there have been delays to the development of Nevitt and Poolbeg (highlighted). As per Appendix B, no attempt has been made to compare capacity with forecast waste arising (refer to explanation in Appendix B).

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
	Inagh	Operational	46289	56,500	10,211
Clare	Gortadroma	Operational	39578	130,000	90,422
Limerick					
Kerry	North Kerry	Closed	56794		-56,794
<b>Total</b>			<b>142661</b>	<b>186,500</b>	<b>43,839</b>
	Ballaghaderreen	Closed	23368		-23,368
Connaught	Derrinnumera	Closed	14867		-14,867
	Rathroeen	Operational	17523	45,000	27,477
	East Galway / Connaught Regional	Operational	74229	100,000	25,771
<b>Total</b>			<b>129987</b>	<b>145,000</b>	<b>15,013</b>
	Derryconnell	Closed	9617		-9,617
Cork	East Cork	Closed	0		0
	Kinsale Road	Closed	31823		-31,823
	Youghal	Closed	126286		-126,286
	Bottlehill	Operational	0	217,000	217,000
<b>Total</b>			<b>167726</b>	<b>217,000</b>	<b>49,274</b>
Donegal	Ballynacarrick	Operational	27315	23,500	-3,815
<b>Total</b>			<b>27315</b>	<b>23,500</b>	<b>-3,815</b>
Dublin	Arthurstown	Closed	480529		-480,529
	Balleally	Closed	130348		-130,348
	Poolbeg WTE	Operational	0		0
	Nevitt	Operational	0		0
<b>Total</b>			<b>610877</b>	<b>0</b>	<b>-610,877</b>
Kildare	KTK	Closed	252370		-252,370
	Drehid	Operational	0	120,000	120,000
	Usk	Operational	0	200,000	200,000
	Kerdiffstown	Operational	0	235,000	235,000
<b>Total</b>			<b>252370</b>	<b>555,000</b>	<b>302,630</b>
	Ballaghveny	Closed (1)	30728		-30,728
Midlands	Ballydonagh	Operational	51904	60,000	8,096
	Derryclure	Closed	60341		-60,341
	Kyletalesha	Operational	45452	47,100	1,648
<b>Total</b>			<b>188425</b>	<b>107,100</b>	<b>-81,325</b>

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
	Corranure	Closed (2)	79816		-79,816
North East	Scotch Corner	Operational	28568	39,500	10,932
	Whiteriver	Operational	65729	92,000	26,271
	Knockharley	Operational	136154	88,000	-48,154
	Carranstown WTE	Operational	0	200,000	200,000
<i>Total</i>			<b>310267</b>	<b>419,500</b>	<b>109,233</b>
	Donohill	Closed	16632		-16,632
South East	Dunmore	Closed	21915		-21,915
	Killurin	Closed	8600		-8,600
	Powerstown	Closed	42455		-42,455
	Holmestown	Operational		67,000	67,000
<i>Total</i>			<b>89602</b>	<b>67,000</b>	<b>-22,602</b>
Wicklow	Rampere	Due to close 2012	49795	50,000	205
	Ballynagran	Operational	149141	150,000	859
<i>Total</i>			<b>198936</b>	<b>200,000</b>	<b>1,064</b>
<b>Total</b>			<b>2,118,166</b>	<b>1,920,600</b>	<b>-197,566</b>

(1) Estimate deposits from 2006 as 2007 AER not available

(2) Currently seeking extension



## **Appendix E: Estimated Capacity post 2013 with New Facilities**

Estimated landfill capacity post 2013 assuming further closures in Balleally, Powerstown, and facilities in Connaught, Cork, the North East and the Midlands. This scenario assumes that all planned capacity (including all proposed extensions) has been developed (as highlighted). As per Appendix B, no attempt has been made to compare capacity with forecast waste arising (refer to explanation in Appendix B).

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
	Inagh	Operational	46289	56,500	10,211
Clare	Gortadroma	Operational	39578	130,000	90,422
Limerick					
Kerry	North Kerry	Closed	56794		-56,794
<b>Total</b>			<b>142,661</b>	<b>186,500</b>	<b>43,839</b>
	Ballaghaderreen	Closed	23368		-23,368
Connaught	Derrinumbera	Closed	14867		-14,867
	Rathroeen	Operational	17523	45,000	27,477
	East Galway / Connaught Regional	Operational	74229	100,000	25,771
<b>Total</b>			<b>129,987</b>	<b>145,000</b>	<b>15,013</b>
	Derryconnell	Closed	9617		-9,617
Cork	Kinsale Road	Closed	31823		-31,823
	Youghal	Closed	126286		-126,286
	Bottlehill	Operational	0	217,000	217,000
<b>Total</b>			<b>167,726</b>	<b>217,000</b>	<b>49,274</b>
Donegal	Ballynacarrick	Operational	27315	23,500	-3,815
<b>Total</b>			<b>27,315</b>	<b>23,500</b>	<b>-3,815</b>
Dublin	Arthurstown	Closed	480529		-480,529
	Balleally	Closed	130348		-130,348
	Poolbeg WTE	Operational		800,000	800,000
	Nevitt	Operational		500,000	500,000
<b>Total</b>			<b>610,877</b>	<b>1,100,000</b>	<b>489,123</b>
Kildare	KTK	Closed	252370		-252,370
	Drehid	Operational		360,000	360,000
	Usk	Operational		200,000	200,000
	Kerdiffstown	Operational		235,000	235,000
<b>Total</b>			<b>252,370</b>	<b>795,000</b>	<b>542,630</b>
	Ballaghveny	Closed (1)	30728		-30,728
Midlands	Ballydonagh	Operational	51904	60,000	8,096
	Derryclare	Closed	60341		-60,341
	Kyletalesha	Operational	45452	47,100	1,648
<b>Total</b>			<b>188,425</b>	<b>107,100</b>	<b>-81,325</b>

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
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	Corranure	Closed (2)	79816		-79,816
North East	Scotch Corner	Operational	28588	39,500	10,932
	Whiteriver	Operational	65729	92,000	26,271
	Knockharley	Operational	136154	400,000	263,846
	Carranstown WTE	Operational		200,000	200,000
<i>Total</i>			<b>310,267</b>	<b>731,500</b>	<b>421,233</b>
	Donohill	Closed	16632		-16,632
South East	Dunmore	Closed	21915		-21,915
	Killurin	Closed (1)	8600		-8,600
	Powerstown	Closed	42455		-42,455
	Holmestown	Operational		67,000	67,000
<i>Total</i>			<b>89,602</b>	<b>67,000</b>	<b>-22,602</b>
Wicklow	Rampere	Closed	49795		-49,795
	Ballynagran	Operational	149141	150,000	859
<i>Total</i>			<b>198,936</b>	<b>150,000</b>	<b>-48,936</b>
<b>Total</b>			<b>2,118,166</b>	<b>3,522,600</b>	<b>1,404,434</b>

- (1) Estimate deposits from 2006 as 2007 AER not available  
 (2) Currently seeking extension

## Appendix F: Estimated Capacity post 2013 with Nevitt but no extensions

Estimated landfill capacity post 2013 assuming closures as per Appendix E and no extensions at Knockharley or Drehid. This shows the impact of the planned capacity at Poolbeg and Nevitt on the overall capacity in Ireland.

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
	Inagh	Operational	46289	56,500	10,211
Clare	Gortadroma	Operational	39578	130,000	90,422
Limerick					
Kerry	North Kerry	Closed	56794		-56,794
<b>Total</b>			<b>142,661</b>	<b>186,500</b>	<b>43,839</b>
	Ballaghaderreen	Closed	23368		-23,368
Connaught	Derrinnumera	Closed	14867		-14,867
	Rathroeen	Operational	17523	45,000	27,477
	East Galway / Connaught Regional	Operational	74229	100,000	25,771
<b>Total</b>			<b>129,987</b>	<b>145,000</b>	<b>15,013</b>
	Derryconnell	Closed	9617		-9,617
Cork	Kinsale Road	Closed	31823		-31,823
	Youghal	Closed	126286		-126,286
	Bottlehill	Operational	0	217,000	217,000
<b>Total</b>			<b>167,726</b>	<b>217,000</b>	<b>49,274</b>
Donegal	Ballynacarrick	Operational	27315	23,500	-3,815
<b>Total</b>			<b>27,315</b>	<b>23,500</b>	<b>-3,815</b>
Dublin	Arthurstown	Closed	480529		-480,529
	Balleally	Closed	130348		-130,348
	Poolbeg WTE	Operational		800,000	800,000
	Nevitt	Operational		500,000	500,000
<b>Total</b>			<b>610,877</b>	<b>1,100,000</b>	<b>489,123</b>
Kildare	KTK	Closed	252370		-252,370
	Drehid	Operational		120,000	120,000
	Usk	Operational		200,000	200,000
	Kerdiffstown	Operational		235,000	235,000
<b>Total</b>			<b>252,370</b>	<b>555,000</b>	<b>302,630</b>
	Ballaghveny	Closed (1)	30728		-30,728
Midlands	Ballydonagh	Operational	51904	60,000	8,096
	Derryclure	Closed	60341		-60,341
	Kyletalesha	Operational	45452	47,100	1,648
<b>Total</b>			<b>188,425</b>	<b>107,100</b>	<b>-81,325</b>

Waste Region	Landfill	Current Status	Waste Deposited (Based on AER 2007)	Approved Capacity	Excess
	Corranure	Closed (2)	79816		-79,816
North East	Scotch Corner	Operational	28568	39,500	10,932
	Whiteriver	Operational	65729	92,000	26,271
	Knockharley	Operational	136154		-136,154
	Carranstown WTE	Operational		200,000	200,000
<i>Total</i>			<b>310,267</b>	<b>331,500</b>	<b>21,233</b>
	Donohill	Closed	16632		-16,632
South East	Dunmore	Closed	21915		-21,915
	Killurin	Closed (1)	8600		-8,600
	Powerstown	Closed	42455		-42,455
	Holmestown	Operational		67,000	67,000
<i>Total</i>			<b>89,602</b>	<b>67,000</b>	<b>-22,602</b>
Wicklow	Rampere	Closed	49795		-49,795
	Ballynagran	Operational	149141	150,000	859
<i>Total</i>			<b>198,936</b>	<b>150,000</b>	<b>-48,936</b>
<b>Total</b>			<b>2,118,166</b>	<b>2,882,600</b>	<b>764,434</b>

(1) Estimate deposits from 2006 as 2007 AER not available

(2) Currently seeking extension