

Comhairle Chontae Longfoirt
Longford County Council

Sanitary & Environment Directorate

Policy For The Management of Construction and Demolition Waste

The issue of the disposal of construction and demolition waste (C&D waste) is topical and is causing problems countywide. It is estimated that approx 145,000 tonnes are generated in the Midlands Region each year. There is a need for Longford County Council to adopt a policy regarding the regulation and disposal of this waste stream.

Background

The National Waste Management Policy “Changing Our Ways” published in October, 1998 advocated a shift away from landfill. It placed a significant focus on C&D waste, which is one of the largest waste streams and is also relatively easy to recycle. It is estimated that 700,000 tonnes of C & D waste was landfilled in 1998. The target set in the Changing Our Ways policy document for C & D waste was 50% recycled by 2003 and 85% by 2013. Some progress is being made towards the achievement of these targets by a National Forum for The Construction Industry established specifically to tackle this problem.

Legal Situation

The Waste Management Act 1996 is very specific as to what constitutes waste. **It defines waste as any substance or object which the holder discards or intends to or is required to discard.** In terms of C&D waste, the following is an illustrative example:-

A quarry operator excavates sands and gravels for sale - these are not waste.
A developer next door excavates similar sands and gravels for site development and needs to get rid of some quantities – they are sold for the same price as the quarry operator’s material. These are waste.

In terms of cut and fill, applying mainly to road construction sites, if the material used in the fill area has originated in the cut area and both areas are within the boundaries of the project, then the fill material is not considered to be waste. However, if cut material leaves the site, it is waste.

Options.

In authorising C&D waste recovery and disposal activities, two options are available:-

1. **Waste Licence From the Environmental Protection Agency. (Disposal)**

From the 16th of July, 2001, the Landfill Directive is in force. This directive means that even inert landfill sites must be lined. Furthermore, depositing inert material in such a site will be classed as disposal and the Landfill Levy also applies.

2. Waste Permit from the Local Authority. (Recovery)

This would be issued under the Waste Permit Regulations 1998. A permit may be issued to a landowner subject to the following:-

- It is a recovery activity.
- The facility lies within the functional area of the local authority.
- The wastes involved do not include hazardous waste.
- For land improvement and development, that there is 100% recovery of the waste.

Furthermore, the local authority must be satisfied that the activity is being carried on in a manner, which does not cause and is not likely to cause environmental pollution.

The difficulty with a waste permit is that 100% recovery of the waste must be achieved. This can easily be achieved in the restoration of land using soil and stone from site development works. However, it becomes very difficult to achieve where mixed C&D waste is being accepted. The bottom line, in the opinion of the EPA, is that if there is any disposal taking place, the facility becomes a landfill and is subject to EPA licence. Therefore, if the waste being accepted includes metal, plastic, paper or wood in mixed C&D waste, then a licence is required regardless of the annual tonnage.

Current Situation.

Were Longford County Council, in conjunction with the other Local Authorities in the Midlands Region, to enforce these regulations rigorously, and require all C & D waste to be deposited in E.P.A. Licenced Landfill Sites, the lifetime of the existing landfill sites at Athlone, Tullamore, Portlaoise and in North Tipperary would be greatly reduced.

However, Longford County Council cannot grant a permit for the disposal of C&D waste unless it is satisfied: -

- a. that no hazardous waste will be disposed of.
- b. that there is 100% recovery of the waste
- c. that the activity is being carried on in a manner, which does not cause or is not likely to cause, damage to the environment.
- d. That no material is deposited/recovered in a Special Area of Conservation (SAC) or any other prescribed area.

If the local authority can be satisfied that the above conditions will be complied with, then a waste permit can be issued.

Policy.

In view of the above, I recommend that the Council adopt the following policy in relation to the recovery of C&D waste:-

1. The recycling of C&D waste for land improvement and development may only take place in accordance with a waste permit issued by Longford County Council.
2. The Council will consider the issue of a waste permit if a, b, c and d above can be satisfied and there is a need for land improvement and development.
3. Appropriate conditions to ensure that inappropriate waste or waste from unknown sources is not deposited at the site will be applied.
4. Appropriate conditions regarding record keeping and reporting will be applied.
5. Account will be taken of the environmental status of all sites (SAC, SPA, etc.).

Adopted by Longford County Council on Monday 14th April 2003.