

22nd September 2021



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

To: Councillor Gildernew)
Councillor Graham)
Councillor McAleer)
Councillor McGuigan) Mid Ulster District Council
Councillor Robinson)

Mr M Kelso

Councillor Clarke)
Councillor Fitzgerald)
Councillor Garrity)
Councillor Rainey) Fermanagh & Omagh District
Councillor Thompson)

Ms A McCullagh

Dear Sir/Madam

Re: Tullyvar Landfill Site Joint Committee AGM

The Annual General Meeting of the Management Committee for the development of Tullyvar Landfill Disposal Site will be held at Tullyvar Landfill Site on **Wednesday 29th September 2021 at 10.30am. A link will also be sent to Members to facilitate remote access.**

1. Election of Chair (Mid Ulster to nominate)
2. Election of Vice Chair (Fermanagh & Omagh to nominate)
3. Annual Financial Review (copy report attached)
4. Any Other Business

Yours faithfully

Mark Kelso

Director of Public Health & Infrastructure

Copy: A McCreesh
 AM Campbell
 C McCartan
 J McCullagh
 M McAdoo
 A McIlwrath
 K McGowan

TULLYVAR JOINT COMMITTEE – 29th SEPTEMBER 2021

ANNUAL FINANCIAL REVIEW

1. Overview Summary for 2020/21

During this period site mothballing and landscaping works were carried out to prepare the site for the aftercare period and leave the undeveloped Cell 4 ready for either future lining or restoration. Capping works were officially completed in June 2020 and a significant portion of the site has subsequently been planted with 8,800 trees. This tree planting was aided by a grant from the Forest Expansion Scheme of £20,232.60 to cover the planting costs and maintenance for the first three years.

Approx. 11,500 tonnes of leachate was treated and discharged to Cookstown Sewage Treatment Works, with a further approx. 3,600 tonnes treated through the sites Integrated Constructed Wetlands.

Approx. 2.92 GWhrs of electricity was produced resulting in a royalty payment of £222,568.68 from Renewable Power Systems.

2. Profit & Loss Account

Draft accounts for the 2020/21 financial year has been prepared with the main points summarised below. Please note that some figures may be subject to minor changes as they are currently with auditors for review.

- Total income of approx. £222,569 was received as a royalty for electricity generation. This compares to a budget of £262,659 with the variation of £40,090 due to gas production falling faster than anticipated following the cessation of landfilling operations, and disruption caused by the Phase 4 capping of the site. £33,333 was also recovered from long term debtors during the financial year with only a further £3,774 still outstanding.
- Operational expenses for the year were approx. £266,999 compared to a budget of £262,280. This overspend can mainly be attributed to additional spending on plant hire related to additional preparation works for the tree planting. The top 5 expenses are listed below:
 - Salaries & Wages - £54,338
 - Leachate Tankering & Treatment - £52,638
 - Hire of Equipment - £40,387
 - Fees - £28,746
 - Environmental Monitoring - £22,436

- Capital expenditure for the year totalled £147,685.85 and is made up of the following expenditure:
 - Phase 4 Capping Works - £105,258
 - Phase 4 Project Management Fees - £2,750
 - Cell 4 Works & Landscaping - £23,843
 - Tree Planting (Funded) - £15,835

3. Balance Sheet

The balance sheet figures as at the 31st March 2021 are presented below:

Current Assets	-	£1,021,182.65
Current Liabilities	-	£166,297.55
Net Current Assets / Liabilities	-	£854,885.10

Other Items:

Cash on Account	-	£882,416.04
Projected Discounted Gas Income	-	£526,077.68
Projected Discounted C & A Costs	-	£717,510.61

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Councillor Rainey) Fermanagh & Omagh District
Councillor Thompson)

Ms A McCullagh

Dear Sir/Madam

Re: Tullyvar Landfill Site Joint Committee (immediately following the AGM)

The Meeting of the Management Committee for the development of Tullyvar Landfill Disposal Site will be held at Tullyvar Landfill Site on **Wednesday 29th September 2021 at 10.30am**. A link will also be sent to Members to facilitate remote access.

1. Confirmation of Minutes of the Meeting held on Wednesday 10th February 2021 (copy herewith)
2. Matters Arising from the Minutes
3. Update from Head of Environmental Services/Site Manager's Report (copy herewith)
4. Any Other Business
5. Date of Next Meeting

Yours faithfully

Mark Kelso

Director of Public Health & Infrastructure

Copy: A McCreesh
 AM Campbell
 C McCartan
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 M McAdoo
 A McIlwrath
 K McGowan

**MINUTES OF TULLYVAR JOINT COMMITTEE MEETING HELD ON WEDNESDAY
10TH FEBRUARY 2021 AT 10.30AM VIA WEBEX/COUNCIL CHAMBER,
DUNGANNON**

PRESENT:

FERMANAGH & OMAGH: Councillor Rainey (Dungannon Chamber)
Councillors Garrity, Fitzgerald & Thompson (WebEx)

MID ULSTER: Councillors Gildernew, Graham, McAleer, McGuigan &
Robinson (WebEx)

OFFICERS: A Cassells (Dungannon Chamber)
K McGowan (Dungannon Chamber)
A McIlwrath (Dungannon Chamber)
M Smith (WebEx)
M McAadoo (WebEx)

APOLOGIES: Councillor Clarke

Meeting commenced at 10.30am

1. CHAIRMAN'S REMARKS

The Chair welcomed Members and Officers to the meeting.

2. CONFIRMATION OF MINUTES – 14th OCTOBER 2020

The above minutes were adopted.

Proposed by Councillor Robinson
Seconded by Councillor McAleer and agreed.

3. MATTERS ARISING

As per agenda items.

4. FINANCIAL MATTERS

The Site Manager outlined Section 2 of the previously circulated report relating to the 2021/2022 Budget summary.

Councillor Thompson thanked the Site Manager for the detailed budget analysis report.

The 2021/22 Budget was approved.

Proposed by Councillor Thompson
Seconded by Councillor Gildernew and agreed.

5. UPDATE REPORT FROM SITE MANAGER

The report of the Site Manager, as previously circulated, was considered, reference being made to the undernoted:

5.1 Site Operational Update

The Site Manager outlined the details of the ongoing contract works. The Chair made reference to the extent and progress of the works despite the unfavorable weather conditions.

5.2 Bad Debt

The Site Manager requested permission to write off £240.75 bad debt. Members agreed to the recommendations contained in the report.

5.3 Tree Planting

The Chair sought clarification on the organisation that would undertake the planting on behalf of Tullyvar. The Site Manager confirmed the company who made the application on behalf of Tullyvar would sub-contract the works and it was anticipated that planting would commence in April with draw down of the £20,000 funding to be completed by 28th May.

Councillor Fitzgerald welcomed the environmental works being carried out and Tullyvar's approach to increasing bio-diversity and sustainability on site.

5.4 Site Tour

The Site Manager offered Members a tour of the site following the next Joint Committee to see first-hand the development and progress with capping works and the planting programme.

5.5 Adoption of Report

The Site Manager's report was adopted.

Proposed by Councillor Fitzgerald
Seconded by Councillor McGuigan and agreed.

6.0 ANY OTHER BUSINESS

6.1 Disposal of Farm Plastic

Councillor Robinson sought clarification on the options for the disposal of farm plastic given that Tullyvar was no longer able to accept it, suggesting it was a significant request in some cases to ask the farming community to drive from Fivemiletown to Dungannon to dispose of the material. Councillor Gildernew supported the Member's concerns and asked that consideration be given to an appropriate resolution.

The Site Manager advised that Tullyvar no longer accepted commercial waste as the pre-paid automated system was not in place at the site.

Following discussion, A Cassells agreed to consider options including the installation of the pre-paid system at Tullyvar or alternative collection measures of farm plastics from the local farming community. It was agreed that a report would be presented to the Environment Committee.

Proposed by Councillor Robinson
Seconded by Councillor Gildernew and agreed that a report would be presented to the Environment Committee of MUDC.

7.0 DATE OF NEXT MEETING

It was agreed to convene the next meeting on **Wednesday 9th June 2021 (AGM) at 10.30am at Tullyvar Landfill Site/WebEx.**

Meeting ended at 11.00am

TULLYVAR JOINT COMMITTEE – 29th SEPTEMBER 2021

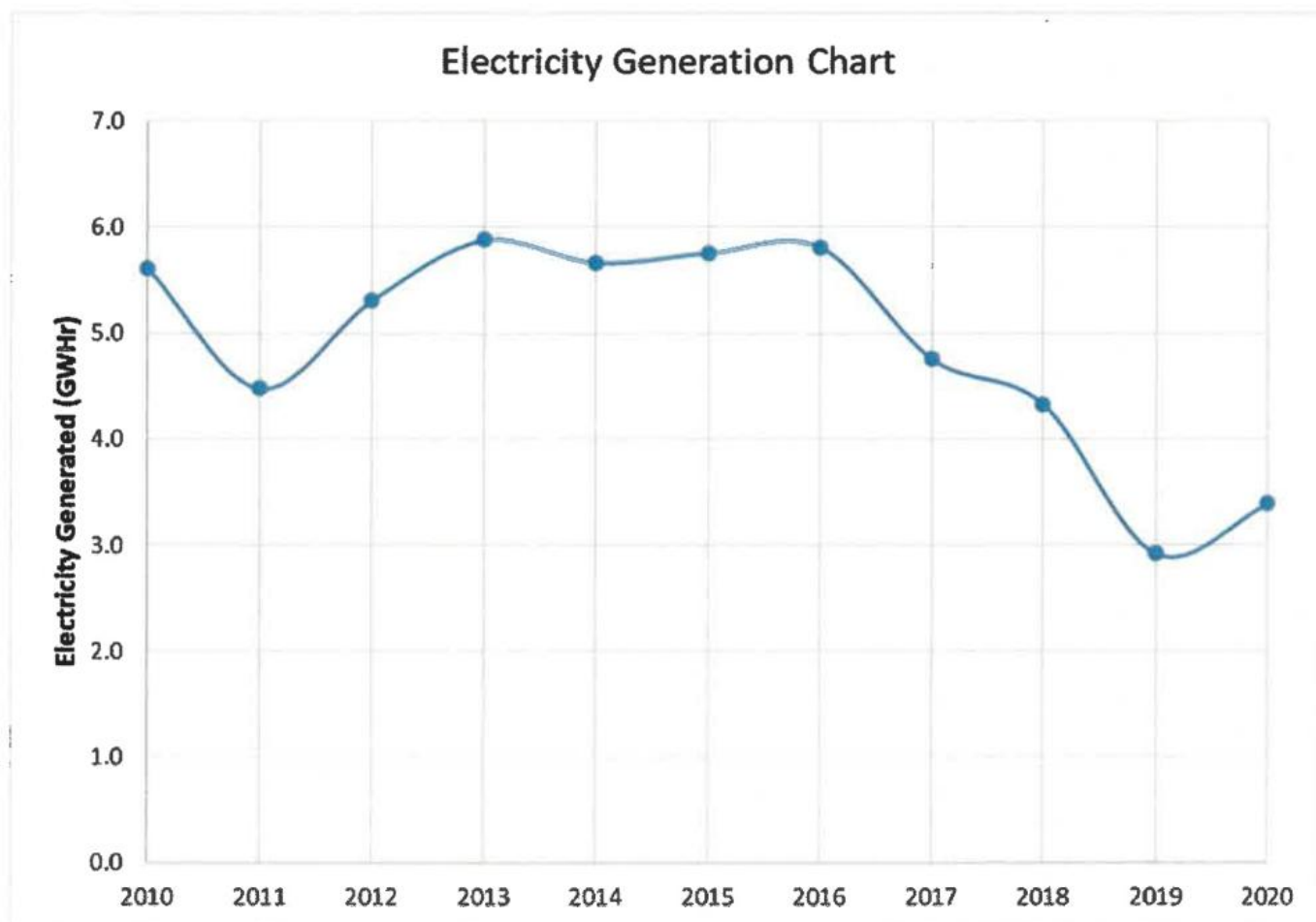
SITE MANAGER'S REPORT

1. Site Operational Update

Between February and August 2021 approx. 260 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. The 6 month NI Water compliance report for January to June was received in July and Tullyvar was deemed compliant, the main results of which are detailed in the table below:

Parameter	Annual Average	Limit	Compliance Score
Ammoniacal Nitrogen	147 mg/l	400 mg/l	100%
Chemical Oxygen Demand	1107 mg/l O ₂	2000 mg/l O ₂	100%
Suspended Solids	93 mg/l	500 mg/l	100%
pH	Min 6.11 / Max 7.73	Min 5 / Max 10	100%

A further year of electricity generation was completed at the end of May 2021 in which the site generated 3.39 GWHrs of electricity. The royalty payment from Renewable Power Systems is expected to be in the region of £100K, bringing the total income to date from landfill gas to approx. £1,386M. The graph below shows the historical gas generation since electricity generation began on-site in May 2010.



2. Site Restoration Works

Mothballing works have continued over the last few months and include further regrading works to prepare Cell 4 for either lining or restoration while also reducing erosion and eliminating any unsafe faces. Other landscaping works have been carried out on the northern and southern sides of the site including scrub removal, grading and top-soiling prior to tree planting. Works have also been completed to address issues with the Integrated Constructed Wetlands caused by settlement that had been made worse by the capping of Cell 1.

During the spring, works were completed to create a new native broadleaf woodland at the site using approx. 8,800 locally sown and grown trees. The woodland comprises almost 5 Hectares of woodland running along the Northern, Eastern and Southern boundaries of the site. This planting adds to existing areas of forest already on-site and the Integrated Constructed Wetlands. The woodland contains; Downy Birch, Silver Birch, Alder, Rowan, Wild Cherry, Aspen, Hazel, Crab Apple, Small Leaved Lime, Guelder Rose, Willow, and Scots Pine. The trees have been specifically chosen to have shallow roots so as to prevent damage to the capping membranes. Funding of up to £20,232.60 was provided by the Forest Expansion Scheme which covers up to 100% of the woodland creation costs in addition to a further 2 years of maintenance costs.

3. Landfill Tax Reclaim Update

As agreed at the Joint Committee meeting on the 11th May 2016 the site submitted claims with HMRC for the reclaim of Landfill Tax monies paid on material used in construction of the sites reverse fluff layer during the period from July 2012 to March 2018. The claim is being managed by KPMG through the appeals process along with a number of their other clients. The Court of Appeal has found for HMRC and subsequently turned down an appeal to the Supreme Court. An application by KPMG, on behalf of its clients, for permission to appeal, has now been made directly to the Supreme Court and the Committee shall be informed of the outcome at future meetings. .

4. Visit by Lisburn & Castlereagh City Council

David Burns, Chief Executive of Lisburn & Castlereagh City Council along with a number of Councillors are planned to visit the site on Monday 27th September. The visit has been facilitated at the request of the Northern Ireland Environment Agency to give interested parties the opportunity to tour a recently capped landfill site.

5. NI Landfill Capacity Report

At the Joint Committee meeting on the 2nd October 2019 the biennial review of the NI Landfill Capacity Report was circulated to Members. The main purpose of the report was to determine if, or when, Tullyvar would need to develop Cell 4 should a shortage of landfill capacity develop in

NI. In the report it was noted that there was sufficient landfill void until 2028 if all Councils meet their landfill diversion targets and no other issues or changes in law arise. Based on the report it was confirmed there was no immediate need to develop Cell 4 but Members could defer the decision for the next two years and review thereafter. Since it is approaching 2 years since the report was compiled approval is requested to commission a review by the Mid Ulster District Councils appointed waste consultants, WDR & RT Taggarts at a cost of £3,000.

6. Approach by Aughnacloy Development Association

The Council received correspondence from Brian MacAuley (CEO of Dungannon Enterprise Centre) indicating that Aughnacloy Development Association may be interested in acquiring a portion of Tullyvar Landfill Site to assist with their expansion plans. He has been informed that any decision on alternative uses for the future use of the site would have to be considered/agreed by the Tullyvar Joint Committee and only then after a final decision has been taken not to develop the remaining landfill void / capacity within the site. The Committee will be kept apprised of any further developments on this issue at future meetings.

7. Variation of Site License

A permit variation for the site was prepared in November 2020 by WDR & RT Taggarts for submission to the NIEA. This variation has now been approved by the NIEA with effect from the 8th June 2021. The variation allows for the site to reduce its monitoring requirements, and associated costs, to reflect the reduced operations during the mothballed period. The variation also allows for the site to be operated under the Hydraulic Containment principle which has been made possible by the Cell 4 drainage works completed during the last phase of capping. This change will allow the Integrated Constructed Wetlands to better deal with high rainfall periods in the winter and dry conditions in the summer by giving more flexibility over leachate holding capacity.

8. Landfill Related Services Tender

A number of contracts, that were due to lapse on the 31st March 2021, were combined into a single Landfill Related Services Tender which was advertised on the 23rd March on eTendersNI and was awarded in lots as detailed below:

- Lot 1 - Leachate Haulage – to allow for tankering of the sites leachate to a number of treatment facilities. This lot was awarded to Road Safety Contracts and is estimated at £47,791 per annum.
- Lot 2 - Environmental Monitoring - to collect water samples and arrange for their testing at a UKAS accredited laboratory in addition to other monitoring and reporting duties. The tender was awarded to Tetra Tech and is estimated at £21,217.84 per annum.

- Lot 3 - Plant Hire – to allow for the hire of various items of plant for use in mothballing operations, landscaping and drainage works. The contract was awarded to R&M Greenkeepers and is estimated at £5,769 for the current financial year. Hiring of other additional items of plant and equipment were allowed for as and when the need arises.
- Lot 4 - Plant Hire (Machine Only) – to allow for the hire of various items of plant for use by Council Staff during mothballing operations. This lot could not be awarded through eTendersNI as no tenderer met the minimum threshold. A subsequent quotation exercise may be run in the future if required.
- Lot 5 – Mechanical and Electrical Services – to allow for the leachate plant capital works detailed above as well as ongoing maintenance of the sites mechanical and electrical infrastructure. The contract was awarded to Drilling & Pumping Supplies and is estimated at £2,000 per annum for maintenance, £6,150 for replacement aerators and £12,500 for the design and installation of a pH Dosing System.
- Lot 6 – Landfill Gas Related Services – to allow for servicing and calibration of the sites landfill gas monitor. This lot could not be awarded through eTendersNI as no tenderer met the minimum threshold. A subsequent quotation exercise was then carried out with Automatic Flare Systems appointed at a cost of £750 per annum.
- Lot 7 – Fencing - to allow for replacement fencing works. The contract was awarded to IL Contracts and is estimated at £13,360 over the next 3 years.

Lots were awarded for a period of 3 years running until the 30th June 2024. The tender included services for the 2 other Mid Ulster District Council landfills to give greater economies of scale and potentially reduce costs.

Appendix 1 – Site Operations Photos



Pictures showing the Southern section of the site during grading of the soil stockpile area prior to covering with soil and tree planting.



Pictures showing tree planting on the eastern flank of Cell 2 and the area at the Northern end of the site post planting.



Pictures showing the final grading of the Cell 4 slopes which are now ready for either lining as a landfill cell or for landscaping. Slopes are to be seeded with wildflowers / grasses as an interim measure to reduce erosion.