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| Report on | Landfill Closure and Aftercare Financial Provision |
| Date of Meeting | 11th June 2019 |
| Reporting Officer | Mark McAdoo, Head of Environmental Services |
| Contact Officer | Mark McAdoo, Head of Environmental Services |

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| Is this report restricted for confidential business? | Yes | |
| If 'Yes', confirm below the exempt information category relied upon | No | X |

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| 1.0 | Purpose of Report |
| 1.1 | To update members on the closure and aftercare arrangements for the Councils landfill sites and to seek approval for revised Local Authority Deed Agreements. |
| 2.0 | Background |
| 2.1 | Mid Ulster District Council currently manages one closed landfill site at Magheraglass (Cookstown) and two "mothballed" sites at Tullyvar (Aughnacloy) and Ballymacombs (Bellaghy). Due to the potential environmental impact of large waste facilities such as these, it is necessary to model their long term financial liabilities and to make provision for this liability in the Councils annual audited accounts. |
| 2.2 | The landfill aftercare models have recently been reviewed by consulting engineers, WDR & RT Taggart, with a view to more accurately predicting the number of years that the sites must be managed for. The sites must meet a number of closure criteria before the site permits may be surrendered and a detailed computer model of the site is developed to predict when these criteria are likely to be achieved. The modelling takes into consideration the surrounding geology of the site, its lining system and the types and volumes of waste accepted at the site over the years. |
| 2.3 | As part of the aftercare period reviews revised Hydrogeological Risk Assessments (HRAs) were completed to ascertain when the long term risk associated with leachate reached an acceptable level for permit surrender given the large volume of monitoring data that is now available for each site. The landfill Gas Risk Assessments (GRAs) were also assessed using the Gas Sim modelling tool to see when gas production reached a point when it could no longer need to be actively managed to see how this compared to the new hydrogeological completion date (leachate will reach completion criteria faster than the landfill gas in all cases). |

| 3.0 | Main Report | | | | | | | | | | | | | | | | |
|--------------|--|--------------------------|--------------------------|--------------------------|-------------------------|--------------|----|------|---------|----------|----|------|-----------|--------------|----|------|-----------|
| 3.1 | It is a regulatory requirement for large waste facilities to have a financial bond in place to safeguard against operators going bankrupt or otherwise abandoning the site post closure. This would leave the Northern Ireland Environment Agency (NIEA) responsible for any clean-up or aftercare of the site. Local authorities are able to use a Local Authority Deed Agreement in lieu of a financial bond and at the previous major review in 2014 the three legacy councils established individual Local Authority Deed Agreements with the NIEA based on the existing financial models for each site. | | | | | | | | | | | | | | | | |
| 3.2 | <p>The reviews undertaken resulted in a significant reduction in the number of years the sites are predicted to require aftercare (post closure). The previous reviews in 2014 were based on the standard aftercare period of 60 years as recommended by NIEA. The revised length of the aftercare periods and the resulting financial provisions reflecting reduced monitoring requirements are shown in the table below:</p> <table><tr><th>Site</th><th>Aftercare Period (Years)</th><th>Year of Permit Surrender</th><th>Financial Provision (£)</th></tr><tr><td>Magheraglass</td><td>27</td><td>2046</td><td>849,127</td></tr><tr><td>Tullyvar</td><td>19</td><td>2038</td><td>1,396,596</td></tr><tr><td>Ballymacombs</td><td>25</td><td>2045</td><td>1,254,445</td></tr></table> | Site | Aftercare Period (Years) | Year of Permit Surrender | Financial Provision (£) | Magheraglass | 27 | 2046 | 849,127 | Tullyvar | 19 | 2038 | 1,396,596 | Ballymacombs | 25 | 2045 | 1,254,445 |
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| Magheraglass | 27 | 2046 | 849,127 | | | | | | | | | | | | | | |
| Tullyvar | 19 | 2038 | 1,396,596 | | | | | | | | | | | | | | |
| Ballymacombs | 25 | 2045 | 1,254,445 | | | | | | | | | | | | | | |
| 3.3 | The provisions for Ballymacombs and for Tullyvar are higher than for Magheraglass reflecting the fact that capping works that still have to be completed at these sites. The final closure cap was completed at Magheraglass in February 2019 and a permit variation has been submitted to NIEA to allow the aftercare period to officially start. | | | | | | | | | | | | | | | | |
| 3.4 | Mid Ulster District Council will undertake assessments of each of the sites prior to the above proposed permit surrender years. These assessments will gather the required evidence and data as outlined in the Environment Agency Landfill Surrender Guidance to demonstrate that the site has met all the completion criteria. | | | | | | | | | | | | | | | | |
| 3.5 | It should be noted that since Tullyvar Landfill Site is jointly owned by both Mid Ulster District Council and Fermanagh and Omagh District Council only 50% of the aftercare liability is provisioned within the Mid Ulster Council accounts. The Local Authority Deed Agreement will also be jointly signed and sealed by both Councils. | | | | | | | | | | | | | | | | |
| 4.0 | Other Considerations | | | | | | | | | | | | | | | | |
| 4.1 | <p>Financial, Human Resources & Risk Implications</p> <p>Financial:</p> <p>The collective value of the three revised Local Authority Deed Agreements is £3,500,168 compared to £5,772,888 previously i.e. a reduction of £2,272,720, which will have a very positive impact on the Councils future annual accounts. The consultancy cost for undertaking the reviews was £6,750 + VAT per site.</p> | | | | | | | | | | | | | | | | |

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| | Human: None |
| | Risk Management None |
| 4.2 | Screening & Impact Assessments |
| | Equality & Good Relations Implications: None |
| | Rural Needs Implications: None |
| 5.0 | Recommendation(s) |
| 5.1 | Members are asked to note the content of this report and to approve the revised Local Authority Deed Agreements and financial provision for the three landfill sites. |
| 6.0 | Documents Attached & References |
| 6.1 | Proposed Local Authority Deed Agreement for Magheraglass Landfill Site |
| 6.2 | Proposed Local Authority Deed Agreement for Ballymacombs Landfill Site |
| 6.3 | Proposed Local Authority Deed Agreement for Tullyvar Landfill Site |