

17th June 2020



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

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

Mr A Cassells

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 Meeting

A meeting of the Management Committee for the development of Tullyvar Landfill Disposal Site will be held at Strule Arts Centre, Omagh on **Wednesday 24th June 2020 at 10.30am (immediately following the AGM)**. The option to join the meeting remotely will also be available via WebEx.

1. Confirmation of Minutes of Meeting held on Wednesday 12th February 2020 (copy herewith)
2. Matters Arising from the Minutes
3. Financial Matters
 - 3.1 Annual Report (as tabled at AGM)
4. Update from Head of Environmental Services/Site Manager's Report (copy herewith)
5. Any Other Business

6. Date of Next Meeting
- Wednesday 14th October 2020

Yours faithfully

Andrew Cassells

Director of Environment & Property

Copy: A Tohill
K O'Gara
M McAdoo
A McIlwrath
K McGowan

**MINUTES OF TULLYVAR JOINT COMMITTEE MEETING HELD ON WEDNESDAY
12TH FEBRUARY 2020 AT 10.30AM AT TULLYVAR LANDFILL SITE**

PRESENT:

FERMANAGH & OMAGH: Councillor Rainey (Chair)
Councillor Clarke & Thompson

MID ULSTER: -

OFFICERS: A Cassells, M Kelso, M McAdoo, J McCullagh,
K McGowan & A McIlwrath

APOLOGIES: Councillors Fitzgerald, Graham, McAleer & S McGuigan
K O'Gara

Meeting commenced at 10.30am

1. CHAIRMAN'S REMARKS

The Chair, Councillor Rainey, welcomed Mark Kelso to the meeting and paid tribute to A Cassells for his support and direction in relation to Tullyvar matters, wishing him well on his retirement from local government.

2. CONFIRMATION OF MINUTES – 9th OCTOBER 2019

The above minutes were adopted.

Proposed by Councillor Thompson
Seconded by Councillor Rainey and agreed.

3. MATTERS ARISING

As per agenda items.

4. SOLAR PANELS REPORT

A Cassells referred to report circulated to Members. It was noted that Tullyvar harnessed the gas which was turned into electricity, however, with gas levels depleting, Officers were considering alternative forms of utilising the valuable grid connection. Solar panels was a move towards sustainability and utilising renewable energy sources.

The report has confirmed a payback within 10 years based on an investment of £1.4 million. A Cassells made reference to the potential income from the fluff layer claim and the opportunity to use some of the income towards funding the project should the outcome be positive.

Generating electricity from a renewable source would help displace the use of fossil fuels and generate sufficient electricity to meet Tullyvar demands and export surplus to the grid. Noted it was a spend to save project and would aid income as the gas generation dropped off.

The Chair and Members fully supported the project.

Councillor Clarke enquired about the feasibility in placing a small wind turbine on site. A Cassells confirmed that wind and solar could complement each other on site.

Following discussion, Members fully supported the project and agreed that the matter be reconsidered in light of the outcome of the landfill tax claim.

Proposed by Councillor Clarke

Seconded by Councillor Thompson and agreed.

5. FINANCIAL MATTERS

5.1 2020/21 Budget

The Site Manager confirmed that a 2020/21 budget had been prepared, reference being made to Appendix 1 of his report. The projected operational expenditure for the year was estimated at £262,280, a decrease of approximately 7% to reflect a reduction in site operations. The Site Manager highlighted to Members the major costs relating to the £262K spend.

Following a query in relation to site Rates, the Site Manager confirmed an agreement with LPS for a reduction to £7K given the site's mothballing and a potential rebate of £30,000.

The Site Manager highlighted to Members that the site had £1,534,167.11 in its current account and net current assets/liabilities of £1,598, 508.31.

6. UPDATE REPORT FROM SITE MANAGER

The Site Manager's Report was considered, copy attached as appendix one, reference being made to the undernoted:

6.1 Landfill Tax Reclaim

The Site Manager confirmed potential income of £2.2 million to Tullyvar pending the outcome of the appeals process which should be known before the end of the year.

6.2 Purchase of Tractor

Members agreed to the purchase of the tractor as outlined in the report.

6.3 Site Operational Update

6.3.1 Leachate Treatment

The Site Manager confirmed compliance within all monitoring parameters.

6.3.2 Electricity Generation

Noted generation was down to approximately 47% due to the cessation of infilling and temporary disconnection of wells to facilitate the capping contract.

6.3.3 Mothballing

The Site Manager advised that mothballing operations were ongoing.

6.4 Phase 4 Capping Contract

The Site Manager updated Members as per the report.

Councillor Clarke sought clarification on the cement stabilisation process. The Site Manager outline the process involved and confirmed that approximately 60/80 tonnes of cement was mixed with the on-site material, the process proving very successful. The additional cost of the works was approximately £40,000. Members approved the additional expenditure.

A Cassells confirmed that it was anticipated that the works would be completed mid March dependent upon weather conditions. The seeding of the wetlands may be deferred until milder weather.

Following query from M Kelso, the Site Manager provided clarification on the purpose of the wetlands. The Site Manager confirmed that the pre-treatment of leachate resulted in no build-up of solids and therefore no sediment build up in the ponds. The plants were established and self-propagating. The existing wetland were well managed and monitored.

6.5 Adoption of Report

The Site Manager's report and all recommendations was adopted and agreed.

Proposed by Councillor Thompson
Seconded by Councillor Clarke and agreed.

7.0 ANY OTHER BUSINESS

7.1 Memorial Request

The Site Manager advised that an informal request had been received from the family/representatives of Marian Beattie who was murdered in close proximity to Tullyvar in 1973, to erect a memorial in the vicinity of Tullyvar marking her death, further details to be provided by the family representatives.

Members agreed in principle to the request, the Chair to get a formal letter outlining the details, with the Site Manager liaising with the family representatives to finalise arrangements.

Proposed by Councillor Clarke
Seconded by Councillor Thompson and agreed.

8.0 DATE OF NEXT MEETING

It was agreed that the next meeting be held on **Wednesday 10th June 2020 at 10.30am at Tullyvar Landfill Site** (scheduled AGM).

Following discussion, it was agreed that the current Chair, Councillor Rainey, continue for a further year in Office, given the reduction in frequency of meetings with only three having been held under the Member's tenure.

Meeting ended at 11.30am

TULLYVAR JOINT COMMITTEE – 12th FEBRUARY 2020**SITE MANAGER'S REPORT****1. Site Operational Update**

Between October 2019 and January 2020 approx. 200 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. The NIWater compliance report for 2019 was received in January and Tullyvar was deemed compliant, the main results of which are detailed in the table below:

Parameter	Annual Average	Limit	Compliance Score
Ammoniacal Nitrogen	87 mg/l	400 mg/l	100%
Chemical Oxygen Demand	835 mg/l O ₂	2000 mg/l O ₂	100%
Suspended Solids	167 mg/l	500 mg/l	98%
pH	Min 5.26 / Max 7.73	Min 5 / Max 10	100%

The electricity generation plant is currently operating at approx. 375kW (47% Capacity). This is lower than normal, due to the cessation of infilling and a number of wells in Cell 1 being temporarily disconnected to facilitate site capping works. The capping works were planned so as to disrupt the gas field as little as possible and the work has been phased to ensure a majority of the wells are reconnected as quickly as possible. Works in this area should be substantially complete in the next month allowing gas extraction to return to normal.

Mothballing works completed over the last few months include the regrading works that will prepare Cell 4 for either lining or restoration and also reduce erosion and eliminate any unsafe rock faces. A large quantity of rock has also been extracted along the new groundwater drainage line to be crushed at a later date for use creating in access roads and paths around the site to facilitate water sampling and gas monitoring.

2. Financial Matters

A budget has been prepared by Officers for the 2020/21 period, the projected operational expenditure for the coming financial year is £262,280, a decrease of approx. 7% to reflect the further winding down of site operations. The major costs in the next financial year are £60,210 for leachate haulage (reflecting the decreased volumes generated post capping and increased use of the sites ICW), salaries and wages of £54,371, hire of plant / equipment of £24,280 and fees of £20,000. All costs are generally lower than the previous year due to reductions in site operations, with further significant reductions expected in the 2021/22 period once the site has been fully mothballed.

Site income for the year is predicted to be £262,659 mainly due to the predicted electricity generation royalties. This gives a balanced budget for the year and any small surplus will be added to the sites reserves.

The full budget and details of the last 6 months expenditure are detailed in Appendix 1. At the end of the first 6 months of the current financial year the site had £1,534,167.11 in its bank current account and a net current assets / liabilities position of £1,598,508.31.

3. Landfill Tax Reclaim

As agreed at the Joint Committee meeting on the 11th May 2016 the site has 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 appeal to the Upper Tier Tribunal that was heard in November 2019 was found in our favour. HMRC may still ask leave to appeal but a win at this stage is positive and should the site ultimately be successful then there is a potential claim of £2,242,474.94 once KPMG's fees are taken into account.

5. Purchase of Tractor

Due to the age and condition of the sites current tractor it is recommended to replace it with a pre-used 4 wheel drive tractor in better condition. A pre-used tractor is being recommended as a good compromise between condition and cost given that it may only be required for a few years and the short term hire of a tractor would be cost prohibitive. A quotation exercise was recently completed with 5 submissions received prior to the closing date on the 16th January. Submissions were assessed on 21st January and approval is now being sought to award the contract to Brian Keys Tractors for a New Holland T6020. The tender price of £22,750 will be off-set from the sale of the old Deutz Agrostar 6.38 which shall be auctioned off following delivery of the new tractor in February. The tender price is also much lower than the £36,000 recently received from our insurance company to cover the theft of the New Holland T6.160 stolen in March 2019.

6. Phase 4 Capping

Works commenced in early October on the Phase 4 Capping of the site. The works consist of the installation of a composite capping system over an area of approximately 17,000m² of which approx. 10,500m² will be final capping and restoration and the remainder as an interim cap. A set of Integrated Constructed Wetlands to increase leachate treatment capacity and a groundwater drainage line are also being installed as part of the works. CivCo have been appointed as main contractor but the majority of the works are being completed on site by their sub-contractor, Contract Ground Services. The standard of work completed to date has been good and, a selection of photos showing the work to date have been included overleaf.

Works completed to date include the completion of the Phase 1 works on the intermediate cap and the laying of approx. 14,000m² of geotextiles and protection layer sub-soils. 95% of the drainage infrastructure has been installed and works on the wetlands are also well advanced. Progress has been hampered due to the wet weather over the winter resulting in the need for soil stabilisation works but the project should be completed in March only a few weeks behind schedule. The stabilisation works involved mixing cement into the wet clays under the area for the Integrated Constructed Wetlands to harden the surface and allow it to carry the weight of the construction plant and eventually the wetland bunds and the water contained within.

The works were awarded to CivCo for a total price of £488,810.50 plus VAT and a 10% contingency giving a total of £537,691.55. The 10% contingency was to allow for compensation events that are typical in a contract of this nature, however, the additional soil stabilisation works have resulted in compensation events over and above what was anticipated and approval is requested to increase the contingency to 18.6%, giving a total projected expenditure of £579,620.12. Project management fees due to WDR & RT Taggarts for the project were £13,749.71 for the first 12 weeks (as per the tender framework) with an additional £14,700 based on an expected project length of 26 weeks. These increased figures are still less than the £626,400 that has been allowed for in the site Closure and Aftercare Provisions.

Appendix 1 – 6 Month Accounts and Draft 2010/21 Budget

Account Code	Expense Description	2019/20 6 Mts TD	2019/20 Budget	2020/21 Budget
2176	SALES	0	0	0
2991	DEPOSIT A/C INTEREST	0	(500)	(500)
2501	GAS GENERATION INCOME	(236,363)	(401,000)	(262,159)
4990	MISC INCOME	0	(1,200)	0
	1 Total	(236,363)	(402,700)	(262,659)
2004	SALARIES & WAGES	19,432	36,051	54,371
2006	LEACHATE TREATMENT	36,898	74,880	60,210
2009 & 2117	MANAGEMENT CHARGE	0	11,000	11,000
2010	RATES	36,513	18,500	7,000
2011	INSURANCE	0	20,000	10,000
2012	HEAT & LIGHT	5,510	20,000	15,000
2018	REPAIRS & RENEWALS GENERAL	5,428	15,000	10,000
2021	REPAIRS VEHICLES	568	3,000	1,500
2024	BANK CHARGES	0	550	50
2029	TELEPHONE	162	2,250	500
2031	ADVERTISING	0	0	0
2030 & 2032	POST & STATIONERY	0	500	50
2033	COMPUTER SOFTWARE	639	0	0
2039	HIRE OF EQUIPMENT	5,645	7,404	24,280
2040	PROTECTIVE CLOTHING	68	400	400
2041	BLINDING MATERIALS	4,329	8,500	3,000
2035 & 2048	FEES & LEGAL FEES	21,840	25,000	20,000
2054	FUELS & OILS	5,540	2,500	11,000
2060	TRAVEL & SUBSISTENCE	1,113	1,000	2,500
2061 & 2145	TRAINING & CONFERENCES COURSES	0	750	750
2070	CHEMICALS	0	5,000	500
2072	WATER	194	1,000	500
2073	SITE ENGINEERING	0	5,000	8,000
2081	LANDFILL TAX ON BLINDING	0	0	0
2104	SAMPLES	12,671	21,569	21,569
2300	MISCELLANEOUS	40	1,000	100
8100	BAD DEBT WRITE-OFF/RECOVERED	0	0	0
8102	PROVISION FOR BAD DEBT	0	0	0
	2 Total	156,590	280,854	262,280
	Grand Total	(79,773)	(121,846)	(379)

Appendix 2 – Phase 4 Capping Photos



Picture showing the drainage layer geocomposite placed over the top of recently laid GCL and the application of a 300mm deep layer of protection material (left). Picture showing the drainage line / manholes from the unlined Cell 4 and the settlement pond / discharge point (right).



Pictures showing the stabilisation works with the application of cement powder (left) and the mixing with the regulation soils using a specialised blending plant (right).



Picture showing stabilised area after the cement has cured (left). Picture showing the construction of the wetlands on top of the stabilised area (right).

TULLYVAR JOINT COMMITTEE – 24th JUNE 2020

SITE MANAGER'S REPORT

1. Site Operational Update

Between February and May 2020 approx. 150 tonnes of leachate per week was discharged to Cookstown Sewage Treatment Works. The NIWater compliance report for the first quarter was received in April and Tullyvar was deemed compliant, the main results of which are detailed in the table below:

Parameter	Annual Average	Limit	Compliance Score
Ammoniacal Nitrogen	66 mg/l	400 mg/l	100%
Chemical Oxygen Demand	607 mg/l O ₂	2000 mg/l O ₂	100%
Suspended Solids	81 mg/l	500 mg/l	100%
pH	Min 5.36 / Max 6.89	Min 5 / Max 10	100%

The electricity generation plant is currently operating at approx. 410kW (51% Capacity). This is slightly higher than expected due to a number of wells in Cell 1 recently being reconnected following the site capping works. It is hoped that gas production will increase further over the coming months. Some additional perched leachate pumps are planned to be installed in Cell 1 which should further boost gas capture rates.

Mothballing works completed over the last few months include further regrading works that will prepare Cell 4 for either lining or restoration and also reduce erosion and eliminate any unsafe rock faces. Wildflower and wildgrass seed has been delivered to site in preparation for sowing the newly finished cap, this will be sown by site staff in the coming month.

2. Landfill Tax Reclaim

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 appeal to the Upper Tier Tribunal that was heard in November 2019 was found in our favour, however, HMRC have since been given leave to appeal. It is requested that Members consider and approve advancing our claim to the next phase at a cost of £10,000 to cover the legal fees. Should the site ultimately be successful there is a potential claim of £2,242,474.94 once KPMG's fees are taken into account.

3. Potential Tree Planting Grant Application

It is proposed to create a new native broadleaf woodland at the site using approx. 6,000 locally sown and grown trees. The woodland will comprise of just over 3 Hectares of woodland running along the North, East and Southern boundaries of the site. The area adds to existing areas of forest already on-site and the Integrated Constructed Wetlands. The Forest Expansion Scheme, which is operated by the Forest Service, provides up to 100% of the approved woodland creation

costs in addition to a further 2 years of maintenance costs. The scheme is open to all landowners with a minimum of 3 Hectares of available space.

The proposed woodland will predominantly be comprised of the following species; Downy Birch, Silver Birch, Alder, Rowan, Wild Cherry, Aspen, Hazel, Crab Apple, Guelder Rose, Willow, Scots Pine, and Oak. The trees have been specifically chosen to have shallow roots so as to prevent damage to the capping membranes. The only exception is the Oak will only be planted outside the cap, to avoid penetration by the deep tap roots.

The trees will be planted in single species circular clusters (2,000 stems per ha) with varied spacing to make the woodland look as natural as possible, with meandering paths throughout and perimeter access retained. Trees will be protected with recycled clear plastic spiral guards and a cane and the Scots Pine will be protected using mesh guards with two canes. There will be 20% open space allowed for that will incorporate access tracks and open glades throughout the woodland.

The trees will be spot sprayed with glyphosate on completion of planting with ongoing maintenance for 2 years after including replacement of dead or dying trees where necessary and glyphosate spray application.

The site is partnering with the consultants Indiwoods who will prepare the application for funding and submit before the deadline of the 30th September. Indiwoods will also be responsible for the planting and maintenance of the woodland for the first 2 years. If successful, the necessary preparation work and planting shall be carried out between January and May 2021. Indiwoods had previously been involved with the establishment of similar woodlands at both Ballymacombs and Magheraglass Landfill Sites. There will also be an opportunity for local schools to be invited to participate in the tree planting on specially supervised days.

4. Phase 4 Capping

Works have now been completed on the Phase 4 Capping of the site. The works consisted of the installation of a composite capping system over an area of approximately 17,000m², a set of Integrated Constructed Wetlands to increase leachate treatment capacity and a groundwater drainage line in the floor of Cell 4. CivCo were appointed as main contractor but the majority of the works were completed on site by their sub-contractor, Contract Ground Services. The standard of work completed has been good and, a selection of photos showing the work to date have been included overleaf.

The works were awarded to CivCo for a total price of £488,810.50 plus VAT and contingency. Approval was granted at the Joint Committee Meeting in February to increase the contingency to allow for a total projected expenditure of £579,620.12. The final account is due to be received this month and is expected to be around £555,000. Some unexpected COVID-19 expenses were incurred as the contractor had to stop work for 6 weeks due to the restrictions impacting on the supply of raw materials. These expenses were offset by removing some items from the contract, such as the grass seeding which is now being completed in-house, resulting in savings of almost £20,000.

Appendix – Phase 4 Capping Photos



Picture showing the drainage layer geocomposite placed over the top of recently laid GCL and the application of a 300mm deep layer of protection material (left). Picture showing the drainage line / manholes from the unlined Cell 4 and the settlement pond / discharge point (right).



Pictures showing the lining of the wetlands central bund (left) and the finished cap and perimeter drainage system adjacent to the main office (right).



Picture showing the finished cap and access road (left) and the new Integrated Constructed Wetlands (right) showing them being initially filled, with approx. 300mm of water, following planting.