

Sub ④ 47-2

ENVIRONMENTAL PROTECTION  
AGENCY WASTE LICENSING  
RECEIVED  
- 7 FEB 2005  
INITIALS.....*KS*.....  
Kerdiffstown,

The Environmental Protection Agency,  
Waste Licencing Section,  
Headquarters,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

Sallins,  
Naas,  
Co. Kildare.

3<sup>rd</sup> February 05

**Re:- Neiphin Trading Limited  
Integrated Waste Management Facility including a Landfill for  
Non-Hazardous Waste. Kerdiffstown, Naas, Co. Kildare.**

**Re:- Application for a review of Waste Licence No:- 47-1**  
**File Reference No:- 47-2**

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Dear Sir,

In response to the further information received from Neiphin Trading Ltd by the EPA in December 2004, we would like to make the following observations.

The objective of our submission was not to make complaints and be argumentative. We have been informed by the County Council that the Planners are restricted from refusing Planning Permission on environmental grounds because the EPA are the higher authority since the Environmental Protection Legislation has come into force. The EPA need to know what problems are experienced by the local residents as a result of a Licence being issued. In making our submission to the EPA we are asking them to protect our interests , consider our opinions and try to reach a compromise between the interests of Neiphin Trading and the local residents.

## 1. DUST

- A) Dry weather and local traffic do not give rise to the same quantities of dust as the traffic entering and leaving the site and by the operations on this site in general . The Companys' operations covers over 70 acres of land adjacent to our home and they must take responsibility for majority of the dust generated here.
- B) We did not say that the dust was excessive at present. The main point we were making was that the Company have not commenced filling cell A1 to date. When the filling commences **we anticipate** a large increase in the dust levels.
- C) We acknowledge that the Company has erected a 1.8 metre high fence along the boundary. We would prefer landscaping . We have asked Neiphin Trading to plant trees and hedges along our boundary for over two years now. If two years growth had been allowed to mature ,we believe we would have a lot more protection from the dust which will come our way when the filling of this cell commences than with a small timber fence. Landscaping is more environmentally friendly.

## 2.NOISE

- A)The Planning guidelines suggest that audible, tonal and impulsive sounds should not be heard at any noise sensitive location. This is to protect the Health & Safety of those living in the area. Neiphin Trading Limited cannot comply with Condition 6.2 of their Licence because this constant noise significantly impairs and interferes with the environment directly beyond the facility boundary.
- B)The Company has admitted that there will be an increase in noise levels at the site if the composting is approved and the final site levels are raised to 108Mod. We live 35 metres from this operation and find our environment noisy enough as it is at present.

### **3.AMENDMENT TO THE FINAL SITE LEVELS.**

- A) We have already mentioned that the County Council will not refuse Planning Permission on environmental grounds. This is why Planning Permission was granted for a final height of 108Mod. This does not suggest to us that this is the correct decision.
- B) The Company has stated that additional noise and dust will arise if this amendment is granted.
- C) The Waste management industry has the expertise and the technology to ensure the correct gradients are achieved at 100 Mod.
- D) The Company cannot rely too heavily on an artificial drainage system. The drainage system referred to in the report is already installed on site. On the evening of Friday 7<sup>th</sup> January 05 we had very heavy rain and our yard sustained 3 feet of flooding which took six hours to drain away into the drainage system on Saturday 8<sup>th</sup>. This has happened recently before any extension has been granted to either landfilling or final site levels and backs up our point that with changing weather systems the Company cannot rely too heavily on artificial drainage systems.
- E) We do not want to be overlooked by a further 8Mod. We have the right to privacy and on consideration of all the issues in relation to additional site level increases we firmly believe that the EPA were correct to limit the height to 100Mod. This is 4 Mod (approx 13 feet) higher than our home.
- F) The machinery currently operating at the Facility can be seen clearly from the roundabout leading to Johnstown. The land they are working on is gradually sloped behind the hedges. These hedges are mature and quite high and yet the machinery and operations in the facility are visually obtrusive to motorists even at this distance - approximately one mile.

#### **4. GAS MANAGEMENT**

We feel that the location of the Gas Management Compound should be reviewed.

#### **5. Condition 5.4.2**

The compacting and rolling of the landfill has been proven to damage our property. If this condition cannot be reviewed at present, we request that the EPA review this Condition as soon as possible.

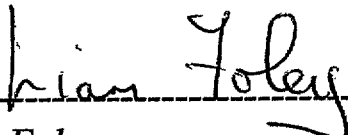
#### **6. COMPOSTING**

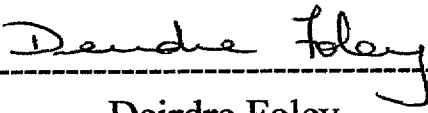
This facility has dealt only with C. & D. waste historically. We are opposed to the treatment of any form of Domestic waste at this location. The level of activity at this site should be sufficient.

We have no problem in acknowledging that over the years we have always had a good relationship with Neiphin Trading Limited and the staff that manage the facility on the Companys' behalf. Both sides have worked hard at alleviating problems and providing assistance to each other. However, the operation has become very large, and there is a need for compromise on both sides. We believe that the EPA can achieve this compromise through the Licencing process and through their control of the operation of this facility by enforcing the conditions attached to the Licence.

Thank you for taking the time to read our opinions.

Yours faithfully,

  
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Liam Foley

  
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Deirdre Foley

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