

## Incinerator EPA Licence Application - Oral Hearing:

Chairperson,

My name is Michael McGrath, and I am an elected member of Passage West Town Council and of Cork County Council. My comments this morning are in addition to the contributions made yesterday by my two colleagues on the Town Council, the Mayor Jo Kelleher and Dominick Donnelly.

The **Town Council**, which represents the Passage West & Monkstown urban area, has consistently opposed the proposal by Indaver Ireland for a national hazardous waste incinerator at Ringaskiddy. We objected to the original planning application, the material contravention of the County Development, and most recently objected to the EPA in respect of the waste licence application. My colleagues on Cork County Council also voted against the material contravention of the County Development Plan in 2003 despite the recommendation of the County Manager. Therefore, the democratically elected public representatives of the Cork harbour area have consistently expressed their opposition to this proposal, reflecting the views of the overwhelming majority of people in Cork.

I wish to state Chairman; I believe it is wrong that we are discussing the granting of a licence for **two incinerators** even though planning permission has only been sought for one. In the interests of due process, we should only be discussing the incinerator proposal that Indaver has planning permission for – an application for a waste licence should not be entertained for the second municipal incinerator which has not yet entered the statutory planning process.

I regret, but fully understand the reasons why, so many people feel the proceedings here this week lack **transparency and accountability**. I wish to express my own personal disappointment and dismay that the people who will ultimately make the decision on the waste licence application are not present to listen to the arguments and concerns being expressed by members of the local community and their representatives. The members of the board of the EPA should be here for the entire hearing and should not just be relying on a written report to gain a true sense of this oral hearing and more importantly, to really understand the views and concerns of the local people. Regrettably, I, along with many others, do not hold out much hope that the EPA will overturn its original decision to grant Indaver a waste licence. I believe that the oral hearing should have taken place before the EPA issued its draft decision. Equally, the right to object should have been available before that decision was announced. The Board has already signalled its intent on this matter, and its failure to attend here this

week is an insult to the process we are entrusting with the future of our community.

Chairman, I fully recognise the significant challenges we are facing in this country in relation to our **waste management practices**. For far too long, we have ignored our waste management responsibilities, and hoped that the problem of dealing with waste would just go away. In response to evolving European, national and local policy, and growing public awareness, we have seen a huge increase in recycling of household waste, and the habits of generations are changing rapidly. Industry too has made significant progress, not least here in Cork, but it is recognised by all that we still have a long way to go.

In Cork, thousands of jobs are provided by the **pharmaceutical industry** and it is a key contributor to the local economy. I recognise and commend the pharmaceutical sector for the contribution it has made to Cork for the past number of decades, and I very much hope the role of the sector will continue to develop and strengthen in the years ahead.

I realise how emotive the issue before us here today is – a great many people are deeply concerned that the use of incineration technology proposed by Indaver Ireland will have unknown negative consequences in terms of their health and safety and that of their family. I do not wish to engage in scaremongering on **health and safety issues**, because I, like the majority of people, do not have the expertise or knowledge to know conclusively whether incineration is safe or not. We can only rely on the evidence put before us and the opinion of international experts who have spent their lives studying the effects of incineration. I believe the onus of proof in relation to incineration is on those who believe it is a safe means of waste disposal. It is simply not good enough to say that there are no proven public health consequences from incineration.

I would like to refer to the EPA's document "***Municipal solid waste Incineration as part of Ireland's Integrated Waste Management Strategy***" – on the key issue of the correlation between human health and incineration – the document states "although many studies....." (P7, paragraph 2 & 3). These words simply do not provide adequate assurance to the people of the Cork harbour area on the safety of incineration. Therefore, the EPA's own document states, at best, that there is no proven link between incineration and health effects. I cannot say that incineration is not safe, but it concerns me greatly that the competent authority in this country is unable to draw a definitive conclusion on this fundamental issue. Despite this failure to reassure the general public, the EPA clearly believes there is a justifiable basis on which to proceed down the road of mass incineration.

I am concerned, Chairman, that we will ultimately see the **importation** of hazardous waste into Ireland in order for this proposed facility to be economically viable. I acknowledge the condition put down by An Bord Pleanála that importation is not permitted, but I question the enforceability of this condition in the context of competition law and the open market within the European Union. It seems to me that it is a matter of time before we will see shipments of hazardous waste arriving in Cork harbour to be incinerated at Ringaskiddy. Indaver has consistently pointed out that **60% of the country's hazardous waste** is generated in Cork and that it is an obvious location for the hazardous waste incineration. This rationale fails to recognise that much of the hazardous waste generated by the pharmaceutical companies in Cork is already dealt with on-site, by small in-house incinerators, and their waste will not be disposed of at the Indaver site. From any objective analysis of the numbers, it would seem the Indaver proposal is not viable if it relies solely on the waste available to it in Ireland. If this is the case, we are considering approving a facility that will go far beyond fulfilling the waste management principles of self-sufficiency and proximity. While I acknowledge that national statistics identify County Cork as containing a majority of hazardous waste generated in the country, I am also aware that the main pharmaceutical players responsible for this hazardous waste are already treating their own hazardous waste on site. As a consequence, we are led to believe the EPA has already licensed some five hazardous waste incinerators in Cork Harbour. In fact, the evidence would suggest that two-thirds of the hazardous waste generated in Co. Cork is dealt with by in-house incinerators. Indaver did not provide an analysis of the percentage of the national quantities of hazardous waste that are exported for disposal are in fact generated in Co. Cork. However, the company's choice of Cork appears solely to have been based on the use of the statistic that 60% of the hazardous waste generated in Ireland is generated in the Co. Cork. This is highly relevant because the intended purpose of the proposed incinerator is not to deal with hazardous waste that is generated, but only with that portion of the waste which is exported for disposal (approx. one quarter of the amount generated according to An Bord Pleanála) and which "cannot be prevented or recovered" in the words of the Waste Management Act. While Cork undoubtedly has the highest concentration of pharmaceutical and chemical industries, this industrial sector is the one that is probably the most efficient at reducing its waste arisings, or treating them on site, and which has the greatest potential for further reduction. We have not seen any evidence Chairman that local industry intends to provide waste to Indaver for disposal.

I am deeply concerned at Indaver's apparent disregard for the WHO guidelines on **site selection** for incineration facilities. Across a number of headings, Indaver has

ignored the World Health Organisation guidelines on site selection, thereby compromising public trust and confidence in the process from the outset.

The **road infrastructure** serving the Cork harbour area is completely inadequate for a toxic waste incinerator. In December last, the NRA put on display the emerging recommended route corridor for the N28 Cork to Ringaskiddy road project. This project will eventually involve the construction of a bypass of both Shanbally and Ringaskiddy villages. However, it is likely to be towards the end of this year, at the earliest, before the final route of the new N28 is announced. At that stage, detailed design work needs to be carried out, the planning process for the new road will commence and CPO proceedings will be initiated in respect of land that needs to be acquired. It is also worth pointing out that no funding is yet in place for this road project. If Indaver is given the green light to proceed, we will see trucks carrying hazardous waste travelling through Shanbally and Ringaskiddy villages. The consequences of a serious traffic accident involving one of these trucks simply does not bear thinking about. As the competent authority in this area, you must not ignore or overlook the serious public safety risks being highlighted to you. The selection of a site at the extreme southern tip of Ireland, with no rail access and clearly inadequate road infrastructure cannot be justified. The location at the end of a peninsula with single road access leads to serious questions in relation to our capacity to cope with an emergency.

The site selected by Indaver is affected by **coastal erosion** and **flooding**. These are two further exclusionary criteria in terms of site selection outlined by the WHO. The site resembled a lake last October when Cork was affected by serious flooding. What consequences would this have had I ask if an incinerator facility was on site and operational? The recent EPA document "**Climate Change: Scenarios and Impacts for Ireland**", published in July 2003. This advised that development should be curtailed in areas that are at risk of such erosion, arising from more frequent storm weather conditions that could cause erosion occurrences and flooding. Cork Harbour was specifically identified as being under threat. In my view, this is an objective site suitability problem with the proposed development.

The evidence of further exclusionary criteria – **thermal inversions** in the Cork harbour – has not been addressed by Indaver, and their reliance on meteorological data from Cork airport should not be accepted by your Board. The topographical aspect of Cork Airport is entirely different from that of the proposed Indaver site and both science and practical observation confirm that meteorological conditions at Cork Airport are not representative of those at Ringaskiddy. The members of the Town Council are not in any way satisfied that the air dispersion modelling published in the Indaver Environmental Impact Statement (EIS) accurately

represents the anticipated impact of emissions to air from the proposed Indaver facility.

I am concerned that the advice given by the **Health and safety authority** during the planning process appears to be based on incomplete and inaccurate information, and incorrect assumptions. This led the An Bord Pleanála inspector to conclude that reliance should not be placed on the land-use planning advice provided by the HSA in relation to the safety of the proposed development in the event of major accident hazard. I believe that the Board of the EPA has no option but to conclude that there is not sufficient evidence to satisfy it that the proposed development would not pose risks to public safety in the event of major accident hazard, particularly in view of the proximity of the National Maritime College, and the other nearby Seveso II establishments, and having regard to the inadequacy of emergency infrastructure in the area. Only four years ago, the HSA produced a land-use planning report for Passage West arising from the town's proximity to the IFI plant at Marino point. The authority recommended that planning restrictions be put in place in Passage West, and that no further development (either commercial or residential) be permitted in the centre of the town. Thankfully within a short few months we managed to have additional safety measures implemented at IFI and the HSA revised their report and lifted the restrictions. However, we are now saying that it is acceptable to build a national hazardous waste incinerator in a residential setting, and close to several main population centres. This incinerator will deal with waste from different Seveso sites, and yet the HAS did not see fit to recommend against it.

I am of the opinion that the hazardous waste incinerator proposed by Indaver for the Ringaskiddy site is not in compliance with the requirements of the **National Hazardous Waste Management Plan**. The Ringaskiddy proposal is for a co-incineration facility for disposal of both hazardous and non-hazardous waste. The size of the proposed incineration unit is over twice that necessary to deal merely with Irish hazardous waste currently exported for disposal. The comments of the An Bord Pleanála inspector are relevant on this issue:

*"I am satisfied that the term "thermal treatment for hazardous waste", as used in the National Hazardous Waste Management Plan does not, as contended by the applicants, equate with an incinerator such as is proposed in this case..... I consider that the proposed development, at this time, of a hazardous waste incinerator would be in material conflict with the provisions of the National Hazardous Waste Management Plan, and would also be premature pending achievement of waste prevention and reductions in the quantities of hazardous waste arising for disposal, as envisaged in that Plan. It would also be premature*

*pending the provision of hazardous landfill capacity to deal with hazardous waste residues from thermal treatment.”*

The proposal before us is considerably in excess of the scale envisaged for thermal treatment in that Plan, would tend to inhibit the achievement of the Prevention Programme as provided for in the Plan. The proposed development would therefore be contrary to national policy in relation to hazardous waste management and disposal.

As well as being a public representative, I am a father of a young child, and I live only a few kilometres from the proposed incinerator. I am not taking the view Chairman that incineration should never be considered as part of an integrated waste management strategy. I recognise that we already have incineration in Ireland, and indeed in Cork, and some thermal treatment is provided for in the National Waste Management Plan. I am clearly stating, however, that the specific proposal put forward by Indaver Ireland for Ringaskiddy presents an unacceptable risk to public safety because of inadequate road infrastructure, the possibility of serious flooding on the site, the existence of coastal erosion and evidence of thermal inversions. The proposal is out of scale with the incineration envisaged in the National Waste Management Plan. I also believe if we are going to build incinerators in Ireland, we should adopt a conservative approach and locate them away from population centres. I believe, Chairman, that even if we accept that incineration is the way forward, it is absolutely clear that this proposal is premature. I would therefore ask you to refuse to acknowledge the overwhelming wishes of the people of Cork and refuse to grant a waste licence in respect of this proposal.

Thank you.