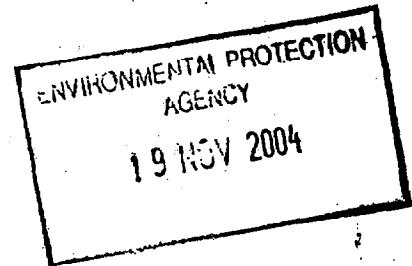


01/5

Kinsale Environment Watch
Shippool
Innishannon
Co. Cork

EPA Headquarters
PO Box 3000
Johnstown Castle Estate
Co. Wexford



November 18th 2004

Re: Application for Waste Licence from Indaver Ireland, Ringaskiddy, County Cork, Reg. No. 186- 1

Dear Sir/Madam:

We the undersigned wish to appeal against the decision by the EPA to grant the draft licence to Indaver Ireland for the Ringaskiddy Waste Management Facility. We also formally request an oral hearing with regard to it.

Please find enclosed a cheque for € 253.95. With regard to this fee we wish to point out that in our opinion such a prohibitive charge is undemocratic, excluding and against the whole spirit of the Aarhus Convention. We ask you to call upon the government, in the interest of the Irish people and the Irish environment, to ratify the said convention forthwith.

If an oral hearing takes place we ask that an independent outside adjudicator be appointed in the interests of objectivity and transparency.

The following are some of our reasons for appeal:

- 1) Indaver Ireland have never clarified how they will disperse of the toxic ash produced by their incinerator. On page 14 of the EPA memorandum written by Kieran O'Brien it states that "... all waste disposal off site is at appropriately approved facilities..". Which specific facilities are being referred to here? Ireland does not have any toxic waste landfill sites, so where exactly will all the bottom and fly ash go?
- 2) The topography of the site is not suitable due to the prevailing winds and inversion bowl effect of the harbour basin as dispersal of airborne pollutants will be restricted and concentrate in the low lying harbour and Lee river estuary area.
- 3) We are very concerned that the meteorological readings were taken at Cork Airport. This information does not apply to Cork Harbour, which is at a much lower elevation. Therefore you are basing your decision on incorrect readings.

- 4) Self-monitoring does not lead to public confidence. Once a year dioxin monitoring is not sufficient. Continuous monitoring for two-week periods, frequently throughout the year, should be the minimum. With this toxic incineration process the EPA should be actively involved in protecting the environment and not just monitoring emissions.
- 5) We are very concerned at the recent flooding of this site. Considering the extremes in the global climate with regard to global warming, it is very possible that this site will flood again. It is against WHO guidelines to site an incinerator in an area prone to flooding and or erosion. It is our understanding that this is in line with the EPA guidelines. The site for the proposed incinerator is affected by both flooding and erosion and is therefore completely unsuitable.
- 6) Ireland does not produce enough toxic waste to warrant this incinerator. Over half of what we now produce is exported for recovery. There is no recovery facility in Indaver's proposal.
- 7) The baseline for the flora and fauna data is woefully inadequate.
- 8) Ireland is a signatory to the Kyoto Protocol and other international agreements. Incineration is a process that adds to greenhouse gas levels. It would be inconsistent with agreed national policy to approve an incinerator of this scale that would add to Ireland's already considerable breaches in carbon dioxide emissions.
- 9) We fear that the EPA does not have the ability to protect the concentrated populations in the area, including the students at the adjacent Maritime college and a large number of school children, from accidents or emission control failures that may arise at the proposed facility. The Director General Mary Kelly is on record (Irish Examiner 3/11/04, pg. 4) as stating that there is no system to monitor the health of people living near waste sites and incinerators. We are appalled that the EPA would even consider licensing these incinerators knowing that the issue of health is not being addressed. We feel that it is imperative that planning, environment and health issues are considered together, as a whole, when making licensing decisions. We believe that accepting the applicants own assessment of the risk to human health (pg. 12 Kieran O'Brien's Report) is not conducive to public confidence. Indaver is not impartial and independent bodies should carry out these assessments. The WHO Tolerable Daily Intake figure is based on adult sizes, does not take into account total toxic body count and is a measurable figure not a proven safe one.
- 10) There are exciting new technologies available and already in use worldwide which offer a wide choice of options to deal with our waste. These do not carry the same risks as incineration and really do offer environmental protection. We would like to see these technologies promoted by an independent EPA.

11) We are of the opinion that a proper waste management strategy would minimize and reduce waste following the government's own stated policy. This will not happen if we put in place incinerators that need to be fed for the next 25 to 30 years. As a so called environmental protection agency we would expect you to encourage policies which have low impact on the environment and not licence to pollute before these policies are in place and functioning.

In closing we would like to state that the internal report written by Keiran O'Brien is a disgrace. We feel that he has accepted Indaver's own assessments without question and not explained why these assessments and estimates are sufficient. For example, Indaver have explained why the proposed technologies are the preferred options and it appears that Indaver are instrumental in deciding national waste management policy. Surely the EPA should carry out it's own independent assessments and consider all the alternatives without influence from those with a vested interest in one particular area.

Thank-you for your consideration and we await your reply.

Yours sincerely,

Roma E. Fulton

Roma Fulton

On behalf of Kinsale Environment Watch

Clare Boyle
Clare Boyle

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