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# Gortadroma Action Group

Please address all correspondence to Hon. Secretary: Mr Timmy Mullane.  
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Environmental Protection Agency  
Objection to Licence 17-3  
PO Box 3000.  
Johnstown Castle Estate,  
Co. Wexford.

**Environmental  
Protection Agency**  
**23 MAY 2005**

19 May 2005

**Ref: Licence No. 17-3**

To Whom It May Concern:

The Gortadroma Action Group, on behalf of its members, the residents forced to live around the Limerick Co. Council dump at Gortadroma makes the attach objections to the granting of this latest revision of the above licence.

The Group is strongly opposed to the further extension of this scar on the landscape and request that this licence is not issued under any circumstances in view of the potentially disastrous effects it may have on the water supplies of those of our membership whose wells depend on the groundwater under or near this proposed extension site.

The Group is so concerned about this aspect of the proposed extension that it requests an oral hearing to discuss this issue and others further before any decision is made by the Agency.

The Group further objects to what it sees as the watering down of the conditions of the licence which will allow the local authority to reduce its efforts at management of the dump to the ultimate detriment of the local community. We could soon be back to the appalling conditions obtaining prior to licence 17-1, which is simply not acceptable and the Group depends on the Agency to push for ever higher standards of management performance rather than what it sees the Agency doing with the current proposed revision.

Yours sincerely,

EPA ACCOUNTS  
RECEIVED  
23 MAY 2005

Tim Mullane  
Hon. Secretary.

# **Register No.: 17 – 3**

**Objection to proposed granting of waste licence 17-3 to Limerick Co. Council by the Environmental Protection Agency in respect of the proposed extension to the dump at Gortadroma.**

**Objection of:  
Gortadroma Action Group.**

**19<sup>th</sup> May 2005**

## Objection

The Gortadroma Action Group, on behalf of the local residents, living around the periphery and in proximity to and effected by the dump, object to the Environmental Protection Agency extending the licence 17-2 to 17-3 to cover the proposed extension of the dump by Limerick County Council.

The fundamental reason for this objection has not changed; this dump is located in an area fundamentally unsuited to the location of such an operation and has caused and continues to cause on-going problems for the local residents. The only way to adequately address this fundamental issue is to withdraw the licence, or in this specific case, refuse to revise it to cover the proposed more than 100% extension at this unsuitable location.

The second ground for the objection is that of detail of the licence itself. The Agency has reduced the standards of the conditions progressively from the issue of 17-1 in respect to the issues that actually affect local people and 17-3 represents a further erosion of standards and therefore the protections, such as they were, afforded to the local community. This is in direct opposition to the direction in which the standards of operation should be going.

The Gortadroma Action Group and its members, the local residents, are extremely disappointed with this direction by the Agency as it literally pulls the rug of control from under the local residents in their efforts to ensure that the local authority at least continue to strive to manage the dump better.

It has been the track record of the local authority to do nothing to improve matters in any way whatsoever until forced to do so by the conditions of the licence. The **minimum conditions** of the licence are converted into the **maximum standards** to which the local authority management of the operation aspire and it has not reached those standards constantly and consistently at any time since the dump opened.

The reduction of specific standards or the omission of the standard altogether will be followed quickly by the local authority dropping their standards to match the requirements of the licence and give the local community nothing with which to defend themselves. This is utterly unacceptable to the members of the local community, who still vividly remember the trauma of the horror they were forced to live with for several years, until the Agency regulated the operation with the issue of licence 17-1. It was defective in several key areas that affected the local community, nevertheless, gave the local community a lever for significant improvement in management performance in spite of itself.

The fear of a circuit court public hearing of its mismanagement of the dump and the very real possibility of the court ordering closure also had its effect! Removal or reduction of condition standards make this every present route less or ineffective.

## Objection 1

### References:

Environmental Impact Survey Vol. 1	6.8
Vol. 2	3.18.8
Vol. 3	Appendix G

### Geology/Hydrology

The main issue in this area is the question of the effect of the proposed extension on the wells supplying the local residents with drinking water in their houses and on their farms.

This proposed area for the extension brings the dump much closer to clusters of houses to the north, east and south of the boundary. All these residents have private wells bored on their lands that are supplied by groundwater. It is possible that they are all supplied from the same underground source or aquifer.

The local authority, in its own Environmental Impact Survey, has specifically stated that it is relying on old information and does not have any information that can conclusively establish whether their proposed disruption to this area is going to adversely affect or contaminate these private water supplies, without which neither humans nor animals will be able to live where they are and have been since before the advent of this dump.

The question of whether there is an aquifer supplying these houses or not has not been established. Worse, it would appear that the local authority is deliberately trying to avoid establishing the existence of an aquifer; this is specifically to avoid having to admit that what it proposes to do is wrong.

The question is in fact academic as the fact is that the local residents have in the past and presently rely on their own privately bored or dug wells to supply their family and or animals with drinking water and this has been adequate for their needs for many years. The local authority's proposed extension could destroy this water supply for some or all of them and that would be catastrophic.

This absolute failure to address such an essential question that could have potentially disastrous effects on the local residents is simply not reasonable or fair. It certainly calls into question the whole reason for the necessity for the production of an Environmental Impact Survey.

The idea that the objective is to protect the natural environment and protect habitats of plant, molluscs and other living creatures and slide over or refuse to take the issue of the human habitat seriously is anathema.

No development of any kind or extent should be permitted in this proposed extension area until the actual foreseeable consequences on the human beings, living in the immediate vicinity and likely to be seriously effected, are clear.

In the paragraph on Likely Significant Impacts (Vol 3, Appx G p.12), there is a sweeping statement as to the likely effects being minimal. This is based solely on authoritative ignorance as insufficient preparatory study has been carried out to make such a statement.

It is admitted that the local authority has not made a reasonable effort to determine the consequences of its proposed works in this extended area in paragraph 4 on page 6 of the same appendix, where it states:

"There is no evidence at this time to suggest that the overburden deposits constitute an aquifer in the vicinity of the site. No information is available on the potential groundwater yields from the overburden deposits. It is proposed that additional information will be gathered during the site investigation for the detailed design of the proposed cells. The data from the earlier site investigations for the existing landfill site indicated no significant inflows of water from the isolated pockets of sand and or gravel".

This above quotation shows clearly that the local authority is in working complete ignorance of any useful information that would establish clearly what the status of the water supplies to the local houses is.

Having admitted that it has no evidence to confirm whether there is an aquifer present, the local authority seems to forget that this means, that equally, there is no evidence to confirm that there is not an aquifer there.

It then proposes to carry out further works and eventually, figure out whether it was correct in its assumption or not. The Group's firm position on this suck-it-and-see approach is that by the time the local authority realises its mistake it will already have caused irreparable damage to the local water supplies with no adequate, safe alternative supply.

This is not acceptable and the Agency should not grant a licence to the local authority to continue this at best amateurish or at worst cavalier approach to an essential part of the quality of life for local people – a water supply. The Group questions whether the local authority's approach and preparatory investigations meets the requirements of the Agency's own Manuals for Landfill site investigations and whether the Agency has rigorously applied its own stated standards to the reports in this Environmental Impact Survey.

In its decision to grant planning permission to only part of the proposed site, An Bord Pleanála made this point and refused permission for any development of the southern section of the proposed extension specifically because of the paucity of information and the potential adverse effects of work in this section.

The Group feels, that even this decision was faulty, as the level of information is such that there is no way of predicting what will happen when excavation of the cells in the north sector progresses. It is possible that the water from the south section could burst into the north section with the end result being the same as if work was being done in the south section.

The issue of continuous de-watering proposed suggests strongly that the local authority knows it is dealing with an area generously supplied with underground water, in direct contradiction of its above quoted statement. The local authority might argue that the above statement relates to the existing site, as it does, and therefore cannot be taken as authoritative for this extension. The Group would agree with this argument but it would then point out that this cannot be used in any form as an argument for the suck-it-and-see approach to the works, in particular with the potential disastrous effects of mistakes on the people community.

## Conclusion

The Group strongly urges the Agency to refuse this licence in respect of the proposed extension, thereby stopping the extension, specifically because of its potential, and unmeasured but potentially catastrophic, effects on the people of the local community and their animals.

## Objection 2

### References

Licence 17-3  
Licence 17-2  
Licence 17-1

EIS Vol 2.

### Licence 17-3 Condition 1: Scope

#### Hours of Operation

The opening hours granted in this licence are too long. The issue of hours of work for construction phase are not specifically included in this condition. This leads the Group to believe that the hours of work for construction phases of cells or other construction works is not covered by the conditions of the licence leading to a free-for-all situation for both the local authority and the contractors and subcontractors to exploit.

This should be regulated as far as the quality of life of the local community is concerned and the Group proposes to the Agency that the hours of work should start not earlier than 08.00hrs on any morning and that specific mention should be made of construction or maintenance work in this condition

The closing hours for work is granted as 20.00 hrs. This will cause disturbance and disruption for local families and in particular, if the proposed extension is allowed, bringing this activity much closer to dwelling houses late into the evening.

The Group proposes that work should cease, except in emergency, at 18.30 hours at the latest each day of the working week.

### Condition 3: Infrastructure and Operation.

Except for the 3.17 and 3.18 it seems that the conditions of this licence do not specifically apply to contract works or to contractors. This allows for contractors to be excluded from issues such as traffic standards and movements and noise, dust and other issues of pollution because of the exclusion of the specific mention of these activities in the word "operation".

3.19 This condition has changed from that of 17-2, condition 3.11 relating to landfill lining in that the depth of the composite liner has decreased to 0.5m from 1.0m. This should revert to 1.0m in licence 17-3.

**Condition 5: Emissions**

5.5 This condition in 17-3 has reduced significantly to almost a meaninglessly general statement by comparison with the presentation of the same issues in licence 17-2 and 17-1.

This effectively allows the local authority to backslide on progress made. The Agency is effectively allowing the local authority to reduce its standards of management of the very nuisances that has so adversely disrupted the lives of local people for many years.

The Group demands that these conditions be re-instated as they were in previous revisions of the licence.

Thus the Agency should re-instate condition 7.7 for Bird control as it is in licence 17-2.

The Group further requires that the condition in licence 17-2 condition 8.11 with reference to odour monitoring is also fully re-iterated in the 17-3 revision of the licence. Malodours are a constant irritant to local residents and no satisfactory controls are yet in place to bring them into anything near a tolerable or acceptable level.

The issue of noise should be restated as it is in licence 17.2, condition 7.8. This is a very serious issue as, if dewatering goes ahead in the proposed extension, the pumps will not be confined to the time taken to excavate and build a cell but will continue to operate until the cell is filled to a level that will anchor the lining against the pressure of the water outside. This means prolonged exposure of residents in nearby houses to noise from pumps for much longer time spans than that stated in the Environmental Impact Survey. This noise condition also does not specifically include noise generated by contractors and it should.

**5.6 Storm water**

The issue of storm water to the White River is a source of grave concern. This section and condition 6.8 both refer to it. However there is no adequate specific mention of any requirement to check the water quality and the flow in the river prior to emptying the pond for maintenance purposes. The requirement that allows the local authority to submit its own conditions to the Agency without the need to publish them and include them in a printed schedule to be included in this licence is a significant weakness.

The issue of daily or even periodic visual inspection without specific observable parameters to be checked and logged is weak. It is even weaker when no specific mention is made of any clear unequivocal instructions and training required to ensure that the inspectors actually know what to look for and record.

**Condition 6: Control and Monitoring**

This condition should contain a specific article that puts a specific onus on the local authority to impose all the conditions and standards for elimination and control of nuisances on contractors and subcontractors while working on site to the same level as those imposed by the licence on the local authority.

This should clarify the responsibility on the local authority to ensure that all contract work and those who carry it out to adhere to the strict conditions of the licence for all their activities.

**6.14 Dust control**

This, for example should specifically apply to all contractors and subcontractors while working on site.

**6.16 Litter control**

This condition alludes to attachments C7 and H1. Neither of those attachments exist in this licence and they should be included. The text of the licence should not allude to documents that are not an integral part of it.

**6.18 Bird Control**

This condition omits bird control by use of noise polluting means. See remarks at 5.5 above.

**6.20 Operational Controls**

**6.20.2 Working face of cell.**

The conditions laid down in licence 17-3 are diminished by the omission of condition 5.4.1(b) of licence 17-2 relating to a maximum length of the working face. The Group wants this omission re-instated in licence 17-3.

The condition in licence 17-1 (condition 6.7), relating to cell cover at the end of the working week, has been omitted from licence 17-3 and it should be re-instated.

This condition also omits completely the issue of Groundwater Monitoring. This is dealt with in Licence 17-2 under condition 8.6. The monitoring of private wells should be re-instated and the frequency, particularly during the cell development phases, should be increased to ensure that any adverse effects on any well is picked up immediately and adequate corrective action taken.

## Conclusion

Taken as a whole the packet of omissions from this 17-3 licence makes it significantly and unacceptably less stringent than either of its predecessors.

It is normal to expect that the progress of any organisation should be one of continuous improvement. The local authority, if given this licence unchanged, will in effect be given an incentive to backslide on any efforts that it might be presently making to comply with present licence conditions.

The Group feels strongly that the Agency should not be a party to such a reduction in standards and insists that this does not happen.

A further issue for the Group is the lack of any condition placed on the local authority in this licence to even begin to address the more environmentally friendly alternatives to landfill – the reduction, reuse and recycling routes. Allowing the local authority a carte blanche to landfill at the rate of 130,000 tonnes per annum without any strictures on this in terms of progressive reduction year on year to bring its performance into line with EU and National waste management targets and objectives is also a severe weakness in this licence.

It is also one of the excuses used by the local authority as a justification for this enormous expansion which, according to this authority will continue to destroy the lives of the people around the periphery of this dump at Gortadroma, the people we represent for another generation, by which time the local authority, with the blessing of An Bord Pleanála and the Environmental Protection Agency will have succeeded in wiping out the local community as no young people currently growing up in the affected houses intend to make a life for themselves in the locality, specifically because of their personal experiences with this local authority and its dump on their doorstep.

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