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Sub 13

ARCH HALL,  
WILKINSTOWN,  
NAVAN.  
CO. MEATH.

Ms Mary Rotchfort.  
Office of Environmental Enforcement,  
Environmental Protection Agency,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

ENVIRONMENTAL PROTECTION  
AGENCY  
17 JUN 2005

15<sup>th</sup> June 2005.

RE: ORGANIC GOLD MARKETING LTD.  
WILKINSTOWN, NAVAN.  
PLANNING APPLICATION NA/500074  
APPLICATION FOR WASTE LICENCE.

Dear Ms. Rotchfort,

I strongly object to the issuing of any type of Waste Licence to Organic Gold Marketing Ltd. and in particular to recent Application by them for a 'Waste Licence in respect of upgrading their existing Compost Facility which currently operates under a Waste Permit from Meath County Council.'

This is a misleading application as it appears that all Waste Permits are currently expired and process for which new licence is sought and now being illegally carried out is completely different from that for which a permit was originally granted.


Original process has now been compromised by removal of source of slurry, slatted sheds, etc. and a new and totally different and separate waste business has been illegally and in an unauthorised fashion been carried on at this site for some time causing as you are aware much local distress relating to pollution.

Application appears to be an attempt to gain a Permit /Licence for new process (undefined municipal waste-sewage sludge-coca cola/brewing/gypsum by-products, builders waste, household and green waste, etc. mixing and distribution) under the guise of old process or ancillary to old process.(slurry-peat moss-seaweed composting/mixing and bagging.)

I have also attached copies of my objection to Planning Application and Further Information Request for you to consider with my objection to Licence/Permit application.

Please acknowledge.

Yours sincerely, Martin Mallon.



Consent of EPA Inspector/Inspector to any further use.

ARCH HALL,  
WILKINSTOWN,  
NAVAN.  
CO. MEATH.

Planning Section,  
Meath County Council,  
County Hall,  
Navan.  
Co. Meath.

6<sup>th</sup> April 2005

**RE: PLANNING APPLICATION REF. NA/50074  
DEVELOPMENT AT WILKINSTOWN.  
ORGANIC GOLD MARKETING LTD.**

Dear Sir/Madam,

I would like to object to above mentioned Planning Application and attach cheque for €20 fee in accordance with current legislation.

I object to this development for a number of reasons and these are mainly as follows:

1. An obnoxious stench has been emanating from this site during many periods over past year when the process for which retention is now sought was carried out in an illegal and unauthorised manner and with no regard to Planning Permission, Waste Management Licence requirements or Local concerns.

This stench caused severe pollution in village of Wilkinstown on many occasions over past year as evidenced by complaints to Environment Section, Meath County Council (MCC) and a Petition forwarded to MCC and Environmental Protection Agency (EPA) signed by concerned locals objecting to this similar proposal under Planning Application NA/40198.

Complaints and Petition clearly and strongly demonstrate that the illegal and unauthorised process carried out at these premises for which retention is now sought clearly affects the quality of the environment and impairs and interferes with local amenities and other legitimate uses of the immediate environment and thus constitutes 'pollution' within the meaning of EU Directives & Government of Ireland Acts, and must be treated as such.

*I strongly object to having to endure this pollution while using services and facilities in my local village.*
2. Planning Permission 90/45 referred to in Planning Notice for this Application and relevant Waste Permit 2000/17 relate only to a process to deal with agricultural slurry generated on this site in Wilkinstown and the composting of this slurry indoors with peat and seaweed brought onto site, composted under controlled conditions, mainly bagged and sold offsite.

This Planning Permission 90/45 and Waste Permit 2000/17(now apparently expired) have now been seriously compromised by removal of source of slurry on this site. (i.e. removal of slatted sheds and cattle yard) This removes premise on which that permission stands and the applicable conditions, the Waste Permit and relevant conditions and it changes the original concept of a purely agricultural activity in village of Wilkinstown.

It would appear that due to this significant change in original process, i.e. replacement of area dedicated to agricultural slurry production on this site to commercial waste composting process area, the permission for original agricultural process would now have to be revised and engrossed in this Application so that conditions of original may be reconsidered and amended accordingly. It is not clear if original process is to be continued on this site as there is no longer a source of slurry additive on site. New waste composting process is now clearly a much more favoured venture by Organic Gold Marketing Ltd. (OGM) and obviously intended to become the primary process. This proposal would therefore drastically change use of site from Agricultural to a Commercial/Industrial status requiring reclassification of entire site.

Application is misleading as new composting process proposed cannot be considered as an ancillary composting facility to that existing at these premises. There is no relationship between existing permitted process and the new process. (*It would appear from EIS that it would in fact be essential that no cross contamination takes place.*) It is also clear that the new process would become much more significant than that existing and would have to be considered as the primary process with the existing becoming the ancillary process. It also appears from EIS that existing ex aircraft hanger building used for peat and slurry compost is intended for use as part of new waste compost process.

*My objection is that application wording is misleading and that proposed new waste process is being stealthily presented as an extension to process granted under 90/45 when it is an entirely separate and different process with much greater health and pollution concerns for local community. Site location and size is completely inappropriate for the two processes to coexist.*

3. Furthermore, an Enforcement Order was served on OGM to cease new process last year and this was strangely somewhat relaxed later in year by Environment and Planning Sections of MCC. While no information is available from Environment Section at date of writing as matter has been referred to legal section I understand that a verbal order to cease unauthorised process has again been issued.  
*In light of new process for which Planning Permission is now sought not now being carried on at this site, an Application for Retention cannot be accepted or entertained.*
4. Technically this proposal is for a dump and it should be treated as such. A dump is a dump no matter how OGM, Wasteology Company and RPS-MCOS dress it up.  
*I object to a dump such as this in my local village.*
5. It would appear from red line delineation of boundaries on Site Layout that Applicants claim full ownership of laneway to rear of site while Land registry maps show that ownership is only to centre of laneway.  
*As this laneway has been controversial in previous application (then known as Fletcher's Lane) this issue must be clarified.*
6. Tone of EIS is condescending and misleading in many ways:-
  - i. Paragraph 1.5 V1 states that OGM are long established and permitted under WMP 2002/26 while first condition of Permit requiring Planning Permission before process commences has among others been ignored would suggest that they do not have a Valid Permit.

Other operation on site referred to operating under PP 90/45 and WMP 2000/17 would also appear to now have no Valid Permit.

- ii Paragraph 4.3 V1 claims that they have been carrying out the unauthorised process since 2002 ( not for period of seven years as claimed in order to relax Enforcement Order) with Permission from MCC WMP 2002/26 while this Permit clearly requires Planning Permission be obtained before commencement of Process.
- iii. Attitude to odour problem accepted by OGM as an ongoing part of process proposed is condescending and proposals to mitigate same unacceptable.
- iv. Primary pathogens i.e. bacteria, viruses, parasites and helminths which may invade and infect healthy human beings can survive in the end product along with fecal coliforms, bacterial virus and salmonellae. Biosolids and products remaining after process may survive for years when spread on lands. OGM have irresponsibly allowed this untested product to be spread on local lands and now seeks permission to continue disposal of product for spreading on local lands without any regard to public health and safety. This end product is apparently to be dumped along our new motorways during new construction and used by local authorities for amenity and landscape projects. No analysis of constituents of end product in relation to heavy metals, contaminants etc. has been addressed in EIS and health and safety of general public with regard to use of end product has been completely ignored and avoided. EU policy on Soil Strategy has yet to formulated and approved.
- v. Secondary pathogens mainly comprised of fungi which OGM-EIS recognises as being 'associated with occupational allergic lung diseases such as farmer's lung disease and mushroom worker's lung disease flourish in the composting process' proposed. These fungi may be carried in wind and dust i.e. as Bioaerosols and proposed control of this into Wilkinstown neighbourhood by applicant is not acceptable.
- vi. Containment of leachate within compound, disposal of surplus leachate and spraying of this leachate in open air over windrows is highly questionable.
- vii. Despite MCC request for Further Information on foot of PA NA/ 40198, no definitive information has been submitted under this application with regard to type and amounts of materials to be accepted, origin of waste and exact details of disposal.
- viii. Screening of end product has not been explained in OGM-EIS as to whether it will take place outdoors or indoors and no details for a suitable building have been submitted.
- ix. No details of testing/laboratory facilities on site for assessing incoming materials, end product, odour and dust control in relation to public health and safety have been submitted.

- x. No details of disposal or storage of incoming products/materials unacceptable for process.
- xi. Proposal is for an unacceptable open ended permission to accept any waste to site. Locals suggestions of knowledge of waste products from Coca Cola in Mayo, offal, blood from abattoirs and household rubbish from many sources abound and can only be dispelled by provision of a definitive list of sources of waste.
- xii Unsightly mountain of wood waste existing on site near paddock last year for use in this process has not been addressed. This apparently comprised of building construction waste which would have contained timbers with lead paint, solvent, possible asbestos contamination with consequent contaminated dust being blown throughout neighbourhood of Wilkinstown.

In conclusion Environment Section of Meath County Council have been involved in and concerned with problems at the OGM site since early last year when pollution i.e. obnoxious stench, from process became unbearable for local community. Unfortunately the Environment Section has now been advised that due to legal issues they can no longer discuss matter with public or make comment on same. The present legal status of OGM site operations is therefore unknown to public but hopefully accessible to you in Planning Section.

It appears that MCC has also been a source of product for this unauthorised process in the form of sewage sludge and supply of this to OGM has now hopefully ceased.

Local confidence in OGM respecting any legislation is now very low and non compliance with conditions of previous Permission P90/45 reinforces this. Painting of original building and lack of provision of proper entrance along with compliance with other conditions remains outstanding despite reminders from MCC over past 15 years. OGM have shown nothing but contempt for conditions of Waste Management Permits by totally ignoring all aspects of same and the resultant Public Health and Planning issues.

Original Organic Gold Marketing Ltd. development based on 90/45 was of an Agricultural nature and while it may not have been ideal, buildings out of scale for small rural village, buildings remained unpainted, entrance unfinished etc., and despite a major pollution occurrence leading to a Section 12, it did not create pollution or raise local concerns on the level that the proposed new process has.

The future planning and development of village would be entirely jeopardised by allowing a Commercial development of this scale and nature at this location.

In order to avoid pollution of locality with an obnoxious stench and contamination of local or of any lands with end product I respectfully request that you Refuse Permission for this development and process.

Yours sincerely,

Martin Mallon.

ARCH HALL,  
WILKINSTOWN,  
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Planning Section,  
Meath County Council,  
County Hall,  
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15<sup>th</sup> June 2005

**RE: PLANNING APPLICATION REF. NA/50074  
DEVELOPMENT AT WILKINSTOWN.  
ORGANIC GOLD MARKETING LTD. (OGM)  
FURTHER INFORMATION.**

Dear Sir/Madam,

I attach copy of receipt dated 08/04/05 for my objection to this Application and in relation to Further Information request now add as follows:

1. It appears that few of my concerns relating to this process and expressed in objection are to be considered and that in event of Permission being granted I will have to depend on An Bord Pleanala and EPA to address same.
2. I am also very concerned that tone of OGM/RPS reply to your request for Further Information would suggest that Grant of Planning Permission is to them a foregone conclusion.
3. It is unacceptable that illegal and unauthorised operation of process appears to be ongoing at this location and this irresponsibility on part of OGM should be reflected in MCC refusal of this Application.
4. It is requested that in considering this Application you research previous Planning Permission Reg. Ref. P90/45 non compliance with conditions, Environment File and all its related problems including previous Section 12 prosecution for Pollution.
5. OGM/RPS response to Question 5 clearly admits to the illegal and unauthorised processing of 10,000 tonnes of waste at this site before any significant odour complaints ( how many since?) and while many prosecutions are being taken by MCC in relation to clean top soil ( considered a hazardous waste under EU legislation) transportation and placement, OGM and others directly involved in this process appear to have no problem in continuing to carrying out their illegal waste, transportation and placement activities without redress.
6. Desktop studies referred to by RPS are inadequate and unacceptable and scenarios misleading and unproven. No proper scientific data has been provided in relation to the complete process to date. OGM/RPS documentation only refers to the physical, bioaerosol and odour problems in process and they have continuously ignored and

avoided the very serious matter of content/source/amount of waste being received and stored on site and content/destination/amount of waste leaving process.

7. While obnoxious stench from process does not affect me at my home in this area and it is only while using local village services that stench is found I am very concerned about the open storage of undefined waste products on this site ( wind blown dust lead/asbestos, solvent, etc. content) and the spreading of undefined end product ( heavy metals/pcb's/bacteria, etc. content) from process on lands adjacent to my home, beside my well, on lands in Kilberry/Wilkinstown area and along our country's new motorways.  
(Primary pathogens i.e. bacteria, viruses, parasites and helminths which may invade and infect healthy human beings can apparently survive in the end product along with fecal coliforms, bacterial virus and salmonellae. Biosolids and products remaining after process may survive for years when spread on lands.  
OGM have irresponsibly allowed this untested product to be spread on local lands and now seeks permission to continue disposal of product for spreading on local lands without any regard to public health and safety.  
This end product is apparently to be dumped along our new motorways during new construction and used by local authorities for amenity and landscape projects. No analysis of constituents of end product in relation to heavy metals, contaminants etc. has been addressed in EIS and health and safety of general public with regard to use of end product has been completely ignored and avoided. EU policy on Soil Strategy has yet to formulated and approved.)
8. Technically this proposal is for a dump for and the dumping of undetermined and undefined waste products and it should be treated as such. A dump is a dump no matter how OGM, Wasteology Company and RPS-MCOS dress it up. Suggestion that process is similar to storage of farm-yard manure or other organic matter associated with agriculture and agricultural nature of location is in my opinion disingenuous, unprofessional and unacceptable.
9. Statement from OGM/RPS that research shows that bioaerosols emitted from many agricultural activities are at higher levels than those arising from composting facilities does not induce any confidence in safety of process and number of related deaths from lung diseases attributed to these activities would suggest a major problem does exist.
10. Suggestion that OGM/RPS submit odour impact assessment after process legally commences is not acceptable.
11. Site boundaries require clarification in respect of Fleming's Lane.
12. Planning Permission, Health and Safety statements for storage and use of waste in form of huge mound of undefined wood chip presently stored on site must be addressed and provided.
13. Attitude to odour problem accepted and advanced by OGM/RPS as an ongoing part of process as proposed is condescending and proposals to mitigate same unacceptable.

14. Screening of end product has not yet been explained by OGM/RPS as to whether it will take place outdoors or indoors and no details for a suitable building have been submitted.
15. No details of testing/laboratory facilities on site for assessing incoming materials, end product, odour and dust control in relation to public health and safety have been submitted.
16. No details of disposal or storage of incoming products/materials unacceptable for process.

Again, in conclusion Environment Section of Meath County Council have been involved in and concerned with problems at the OGM site since early last year when pollution i.e. obnoxious stench from process became unbearable for local community. Unfortunately the Environment Section has now been advised that due to legal issues they can no longer discuss matter with public or make comment on same. The present legal status of OGM site operations is therefore unknown to public but hopefully accessible to you in Planning Section.

It appears that MCC has also been a source of product for this unauthorised process in the form of sewage sludge and supply of this to OGM has now hopefully ceased.

Local confidence in OGM respecting any legislation is now very low and non compliance with conditions of previous Permission P90/45 reinforces this. Painting of original building and lack of provision of proper entrance along with compliance with other conditions remains outstanding despite reminders from MCC over past 15 years. OGM have shown nothing but contempt for conditions of Waste Management Permits by totally ignoring all aspects of same and the resultant Public Health and Planning issues.

Original Organic Gold Marketing Ltd. development based on 90/45 was of an Agricultural nature and while it may not have been ideal, buildings out of scale for small rural village, buildings remained unpainted, entrance unfinished etc., and despite a major pollution occurrence leading to a Section 12, it did not create pollution or raise local concerns on the level that the proposed new process has.

The future planning and development of village would be entirely jeopardised by allowing an unsuitable Commercial development of this scale and nature at this location.

Permission for this process at this location would also set a precedent and naturally open avenues for further extension and further development of site by OGM with purchase of adjoining lands putting pressure on Local Authority MCC to Grant further Permissions or encouraging further uncontrollable unauthorised expansion of site similar to that existing in 2004 and 2005.

In order to avoid pollution of locality with an obnoxious and permanent stench, the contamination of local or of any lands with end product and the destruction of a rural village environment and community I respectfully request that you Refuse Permission for this development and process.

Yours sincerely, Martin Mallon.