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ENVIRONMENTAL PROTECTION
AGENCY
25 OCT 2005



Crossabeg / Killurin Community Action Group
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24.10.2005

RE: Application lodged on April 1st 2005 with the EPA, Reg. No. 742 for a review and extension of the license to incorporate the use of an Anaerobic Digester, adjacent to an existing pig farm owned and operated by Reenard Farms, at the Deeps Killurin Co. Wexford.

Dear Sir/Madame,

We, the Crossabeg/Killurin Local Environment Group, representing over 300 families on both sides of the River Slaney, strenuously oppose the granting of an extension of a license to incorporate the use of an Anaerobic Digester, on a site abutting the River Slaney.

This area has traditionally been farming and fishing area, the river is extensively used as a recreational facility by anglers, rowers, boating enthusiasts, water skiers, jet skiers and by people cruising and sailing. This is also an area of great natural scenic beauty, with abundant flora and fauna. The area has in recent years become a more densely populated residential area with a demographic profile covering all ages. It is home also to a number of protected wildlife species. The proposed development is of an industrial nature and is not in keeping with the area.

Our comments and observations are under the following headings:

6. Summary of conclusions
7. Proposed Development
8. Location of Proposed Development.
9. Observations re planning application drawings and documentation divided as follows:
 - (a) Planning Application Form
 - (b) Planning Application Drawings
 - (c) Environmental Impact Statement.
10. Bord Pleanala decision to refuse planning permission for Anaerobic Digester August 2005.

Yours sincerely,

John Morris

Michael O Leary

Gerry Nash



1. CONCLUSION

SUMMARY

Issues of greatest concern to the local community:-

Environmental Impact Statement

The EIS is fundamentally flawed, and as such the planning application is flawed. (See Section 4.). Following a detailed review of all documentation presented by the applicant, we would be most concerned that the EIS is not as robust, or comprehensive, as would be required for a development of this nature, having regard to the requirements of the Planning & Development regulations 2001.

Viability

- The viability of the plant depends entirely in processing other wastes than pig slurry, as it has the lowest Biogas m^3 of all waste, with abattoir waste having 5 times the Biogas value, and poultry waste in the region of 4 to 5 times greater Biogas value. The AD is not dependent on the availability of pig slurry and in time the breeding and fattening stations could close, and we are left with another waste disposal facility, opposite the landfill site which the residents have put up with for the past 25 years.

Emissions

- AD like animal slurries produces emissions that can be harmful to the environment and human health (e.g. methane, ammonia, and hydrogen sulphide). Proper management requires that these risks be controlled
- Though anaerobic digestion itself is a natural process, the running of an AD plant is a relatively complicated process, which in the case of a centralised plant involving multiple waste sources needs to be managed by specialists. (Source EPA)

Financial Facts

An Anaerobic Digester plant has significant capital and operating costs. Several assessments have concluded that an AD as a source of renewable energy is not a financially viable stand alone project. The viability of an AD plant depends on it being part of an integrated waste management system generating several income streams. (Source EPA)

Competency of the management –

Bearing in mind the sensitivity of the area and the previous record of the applicant, we have concerns in this area. (See Appendix 1)



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Odours –

There is no odour impact assessment, which would be considered as a basic element of an environmental impact assessment for this type of development. The one guideline limits for odour at nearest sensitive receptors/boundaries which have been recommended by the EPA for intensive agriculture activities, ie. 300ou/m^3 as a 98 percentile of hourly average means, which has been omitted. (See signatures of complaint re odour, Appendix 3.

The Environment Agency in England and Wales has recommended that a separation distance of 250 metres be maintained to the nearest dwelling unless the application is accompanied by a site specific risk assessment based on clear, independent scientific evidence which shows that the bio aerosol levels are and can be maintained at appropriate levels at the said dwelling. The nearest dwelling house to the site is approximately 100 meters.

No assessment of odour nuisance, during the manufacturing process, or in transit through the towns and villages to the site, which is "Potentially injurious to human health". The reception area for the waste is not in an enclosed environmentally controlled building, but an underground tank into which the waste is tipped into. The potential for accidental release of waste during transit or when tipping is a totally distinct possibility. The link between odour nuisance and human health is well documented, which will have the immediate effect of forcing the cessation of all water sports on the river, and in the surrounding area. Killurin is a haven for all forms of water activities.

Traffic -

An AD plant will create traffic movements transporting wastes to the plant and waste residue away from the plant. No evidence that the load bearing capacity of the bridge and approach roads is sufficient for this commercial activity, with the ensuing danger and nuisance of heavy lorries, and tractor driven slurry tankers, to local residents. Not a week goes by but there is an accident or near miss at Catsbridge, which is on the road from Kyle Cross to the proposed facility.

The Pollution of the River Slaney a candidate SAC –

Proposed development, proximity to the reed beds and the river. Although the proposed development should not give rise to discharge of waste water or waste into the River Slaney, an important salmonoid river, under normal operational conditions, it does pose a potential threat to valuable fishing waters in the event of an accident.

Total unsuitability of the site –

High water table, area prone to flooding

Department of the Environment, Heritage and Local Government

In a letter dated 01/12/04 to Roscommon Co. Council planning authority reference: 04/1190, An Bord Pleanála ref. PI 20.211827 Inspectors Report Page 11 of 44, Dated August 2005, states that as the material to be spread is of unknown composition it is not acceptable to landspread this digestate any where in, or close to, a



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designated area (NHA, SAC, or SPA). See also comments on Non Technical Summary Section 1.7

Land ownership conflicts with management of the site –

No consultation with adjoining landowners with regard to surface run-off of water pipeline.

Groundwater –

A number of people in the community have sunk groundwater supply wells. The risk of organic contamination to the groundwater has not been quantified.

Heritage of the site –

An ancient Urn now preserved at the National Museum was discovered in the sandpit spanning the adjoining Freeman farm and the present pig fattening unit. A Norman Castle is situated in the adjoining land, which is a continued source of tourism to the area.

Visual Impact –

The height and scale of the proposed development, over 16 m in height, is totally at odds with its rural scenic location.

The negative effects to the area will include the following;

Loss of revenue from;

Tourists
Anglers
Hikers
Ornithologists
Rowers
Water Skiers
Boaters
Sailors
Clay Pigeon and Target Shooters

2	Proposed Development
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The development includes the following:

Erection of industrial buildings, up to 60 feet in height, which will overlook the river Slaney in a highly sensitive area, currently being enjoyed by anglers, boating enthusiasts, rowing, and other forms of marine sports, at Killurin pier, which is directly opposite the proposed development.

Erection of underground storage tanks, dangerously close to the water table, and the River Slaney, in the event of leakage occurring, would be a source of major pollution.



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The erection of the above structures in an area which is subject to flooding, and is built on soils of such variable structures, could be deemed to be highly risky.

Process

Anaerobic digestion can process almost all types of organic waste.

The process is not dependent on the availability of pig slurry

In the event of the pig farm ceasing operations, this facility can continue to process all types of organic waste, sourced off site.

Dry Waste

Dry waste can also be processed, if pig manure or other liquid waste is added to the dry waste.

Dry waste covers a very wide range of both industrial and agricultural matter, including:

- Pharmaceutical waste
- Milk processing waste
- Brewery waste
- Chip and starch processing waste
- Sewage sludge
- Industrial wastes
- Industrial waste waters
- Municipal solid waste

Fatty Wastes

Fatty wastes are mentioned as being used in the process.

The definition of fatty waste covers a multitude including the following:

- Pigs bellies
- Cows bellies
- Sheep's bellies
- Poultry offal
- All types of animal offal from slaughter houses and rendering plants

The above fatty waste will be sourced off site, with the resultant increase of traffic in the area, and the obnoxious odour which offal generates during transportation, and storage on site.



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Health Issues

Transportation & Storage

- Does the importation of fatty waste pose any health risks, e.g. Brucellosis, T.B., Foot and Mouth, Mad Cow disease etc. to both humans and animals, during the course of transportation to the site?
- Does the importation of fatty waste pose any risk to humans and animals during storage on site?
- Does the importation of fatty waste risk the spread of disease to both humans and animals during the process or during the subsequent spreading of the slurry on farmland.
- No detailed information is given on the following:
 - Type and tonnage of fatty waste to be used in the process, on an annual basis
 - Daily tonnage of pig slurry to be used in the process
 - The maximum tonnage of the above products to be stored on site awaiting processing
 - The process cycle time from storage to processing
 - Feedstock sourcing and management
 - Transport of product to and from site
 - Storage and hygienisation
 - Biogas productivity and purification
 - Odour control

3. LOCATION OF THE PROPOSED DEVELOPMENT



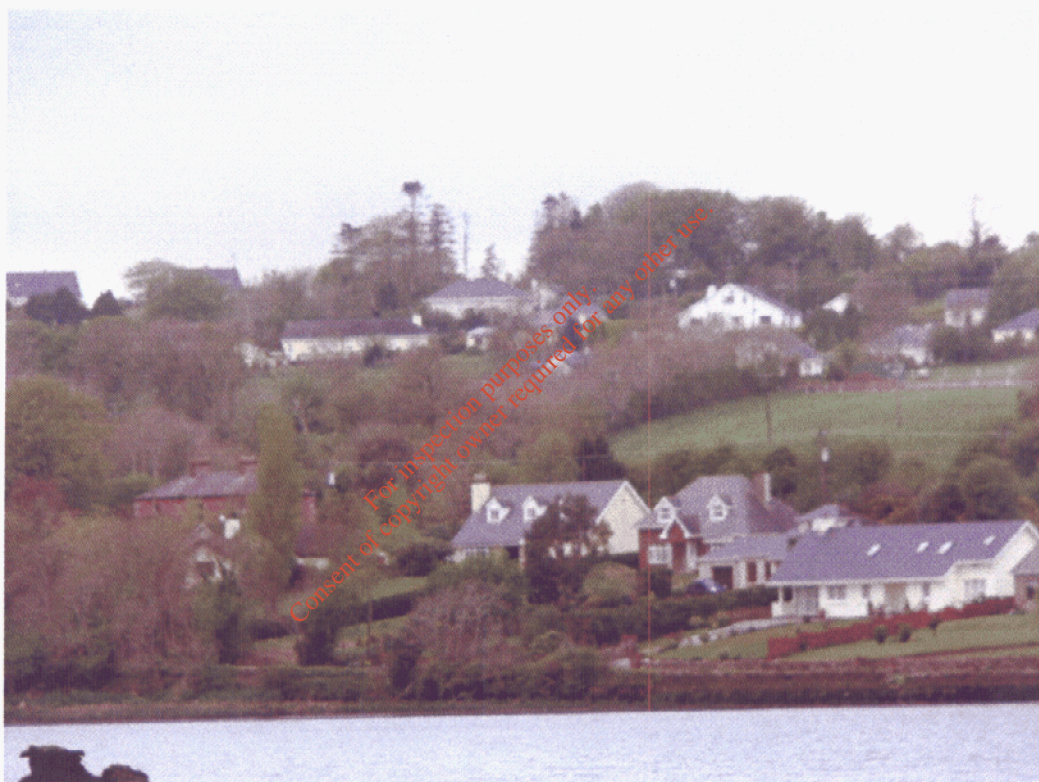


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Above picture showing proximity of the piggery to the Slaney.

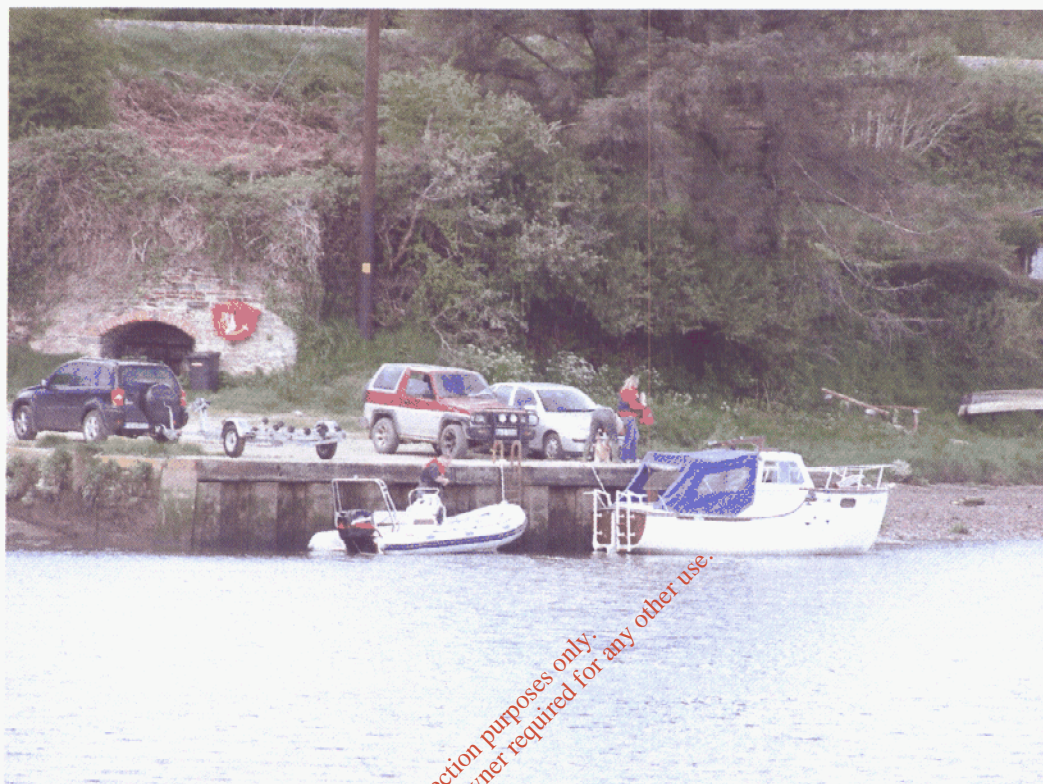
Existing housing opposite the piggery





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Leisure activities on the Slaney





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The proposed development is situated on the banks of the River Slaney, an area that has very specific designations, policy statements and aspirations in the **Wexford County Development Plan –**

Section 3.13 - Development – Strategic Visions

The interdependence between the environment and economy with the environment providing the source and context for long term social and economic progress. This principle reflects European and National concerns for the preservation of assets for future generations. Economic and social development must not be to the detriment of environmental quality.

The proposed development will be in direct contravention of the strategic vision of Wexford Co. Council

Section 3.1.5 - Development – Environmental Objectives

- *To protect and enhance the natural environment*
- *To protect and enhance the landscape, heritage and built environment*
- *To minimise the pollution of land, air and water and the production of waste*
 - **The proposed development is in Contravention of the above**

Section 5.10 - Rural Development – Fishing

The sea and inland waters are natural assets which are invaluable not only from a fisheries perspective, but also as tourism and environmental resources. The Council recognises that it is imperative that these resources are safeguarded in a sustainable manner for present and future generations of County Wexford and the wider international community.

- **The proposed development is in Contravention of the above.**

Section 5.11 - Rural Development – Fishing

The River Slaney is designated water under the European Communities (Quality of Salmonoid Waters) Regulations 1978 and one of the few remaining spring salmon rivers in Ireland. The Council recognises the fishing status of the Slaney and its tributaries and the contribution it can make to tourism. The Slaney Valley is a candidate Special Area of Conservation and supports several species listed in the European Habitats Directive. As such, the River Slaney is not only of national conservation significance, but has now been included in European legislation.

- **The proposed development is in Contravention of the above**

Section 5.12 - Rural Development – Fishing

The Council will support the development of inland fisheries as an important recreational and tourism activity in the rural economy and investigate the development of freshwater aquaculture on the Slaney River.

- **The proposed development is in Contravention of the above.**

Section 6.1.4 - Economic Development –

The Council will permit industrial development on lands not specifically allocated for industry provided:-



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- *The development and associated infrastructure does not cause air or water pollution or otherwise harm the amenities of the area due to noise, dust or fume emissions or traffic generation – ‘*
 - **The proposed development contravenes all of the above.**
- *Its times of operation can be controlled –*
 - **The proposed development contravenes the above as a continuous process 24 X 7 X 365 is proposed.**
- *Its size, scale, layout, design, materials, positioning or appearance does not harm the character of the area – ‘*
 - **The proposed development contravenes all listed above, with the erection of buildings 16 m. high on the banks of the River Slaney.**
- *It satisfies a local employment need which cannot be met on zoned industrial land –*
 - **Current employment 5 people. 3 new jobs created. Previous application stated no new increase in employment.**
- *It does not conflict with other policy or development objectives particularly the control of development on national roads and the Landscape Protection Strategy.*
 - **The proposed development contravenes the Landscape Strategy.**

Section 6.3.5 - Economic Development – Tourism –
The Council will:-

Protect the quality of natural and built heritage resources as the basis for attracting tourists and for the enjoyment and benefit of the local community:-

- *Protecting inland waterways as resources for water based activities including angling and cruising*
- *Designating and promoting distinctive tourism areas within the County based on their distinctive landscapes, nature conservation importance or the quality of their townscapes and architectural character, e.g. the Blackstairs Mountains, the Slaney Valley, the South Coast and the River Barrow - the County Council intends to prepare strategic management plans for these areas.*
 - **The proposed development contravenes all of the above**

Section 7.3 - Infrastructure – Protecting Water Resources

Wexford is a coastal County dependent to a considerable extent on ground water as a source of supply. The protection and maintenance of the quality and health of coastal, estuarine, ground and surface water resources is critical to the health of the community and economic development. The adequacy of water resources and possible risks to water quality, fisheries, amenity and conservation, will assume a high priority in considering development proposals. The County Council is fully committed to protecting these resources and to controlling development which would threaten their integrity.

- **The proposed development contravenes the above**



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Section 7.12.2 - Infrastructure – Recreation & Community Facility – The Council will:-

- *Encourage the use of the County's high quality natural and physical environment, coastal and rural landscapes and amenities for active and passive recreation, while avoiding overuse and adverse environmental impact to these resources;*
- *Promote the recreational use of the county's rivers and coastal zone while protecting these areas from development which would detract from their amenity value and recreational capacity.*
 - **The proposed development contravenes the above**

Section 8.2.2

In seeking to protect the county's archaeological heritage the County Council will:

- *seek to preserve and maintain known existing archaeological monuments as set out in 'The Record of Monuments and Places' and to safeguard the integrity of the setting of archaeological sites – 'The Deeps Castle'*
- *Exercise a presumption in favour of avoidance of development impacts on the archaeological heritage and seek the preservation in situ of archaeological sites and monuments as the preferred option.*
- *protect the following areas designated as being of archaeological potential:*
 - *Ferrycarrig; Wexford; Edammine; Enniscorthy and all on the river Slaney.*
 - **The proposed development contravenes the above**

Section 8.3 - Conservation – Natural

County Wexford has a rich heritage of habitats of nature conservation value containing a wide range of plants and animals. The more important and unique habitats are subject to national and European Union designation as proposed Natural Heritage Areas, candidate Special Areas of Conservation and Special Protection Areas.

- **The proposed development contravenes the above**

The Slaney River Valley is:-

1. a proposed natural heritage area
 2. a candidate special area of conservation
- The application contravenes the above

The Council will:

- *Prohibit development which would damage or threaten the integrity of sites of international or national importance, designated for their habitat/wildlife or geological/geomorphologic importance including the proposed Natural Heritage Areas, candidate Special Areas of Conservation, Special Protection Areas.*
 - **The proposed development contravenes the above**



Section 8.5.3 - Conservation – Landscape

The River Slaney Valley is designated an area of vulnerable landscape. They represent the county's highest quality scenic landscapes with limited potential to absorb intensive development and need to be given the greatest possible protection. These areas contain the principal features which create and sustain the character and distinctiveness of the surrounding landscape. To be considered for permission, development in the vicinity of these vulnerable areas must be shown not to impinge in any significant way upon their character, integrity or uniformity when viewed from the surroundings. Particular attention should be given to the preservation of the character and distinctiveness of these areas as viewed from scenic routes and the environs of archaeological and historic sites.

Within or adjacent to these waters:

- any development which would adversely affect the natural beauty of their landscapes will be strongly resisted;
- ☐ Large-scale developments will be strongly resisted unless they are proven to be in the national interest, incapable of being located in another area and designed to do as little damage to the environment as practicable.

☐ The proposed development contravenes the above

Section 8.5.6 - Conservation – Landscape: the River Slaney is designated a sensitive area

These areas have a distinctive, homogeneous character dominated by natural processes and represent areas of high scenic amenity. Development in these areas has the potential to impact on the appearance and character of an extensive part of the landscape.

Within or adjacent to Sensitive Landscape Areas:

- Development which would adversely affect the special scenic quality of the landscape will be strongly resisted.
- ☐ large-scale development will not normally be permitted

☐ The proposed development contravenes the above

Section 8.5.13 - Conservation -Landscape

The Slaney Valley is designated an area of high amenity.

☐ The proposed development contravenes the above

Section 8.5.15 - Conservation – Landscape

Killurin Bridge over the River Slaney is on a scenic route from Ferrycarrig Route No. 9 (B) via the Irish National Heritage Park

Scenic routes indicate public roads from which views and prospects of areas of natural beauty and interest can be enjoyed. Sightseeing visitors are more likely to be concentrated along these routes. The onus will be on the applicant/developer seeking permission to develop in the vicinity of a designated scenic route, to demonstrate that the development will not give rise to the destruction or degradation of views towards visually vulnerable features, or significant alterations to the appearance or character of sensitive landscapes.

☐ The proposed development contravenes the above



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4. OBSERVATIONS

Cover letter with no changes from first application No. 20050055, same date used for 2nd application – no attempt made in this letter to address the reasons for refusal of the 1st application.

2 A. Planning Application Form

Question 26b re Archaeological Interest on Site – Applicant answered 'NO'

However, directly adjoining the proposed site there are three noted sites or monuments listed in Wexford's Archaeological Inventory – a fact the applicant has shown no regard for:

1. The Deeps Castle (No. 1522)
2. Ballydicken Lower – Crop mark (No. 439)
3. The Deeps – CIST (No. 74)

The banks of the River Slaney are indeed awash with sites and monuments with no less than "33" recorded from Ferrycarrig to Enniscorthy, as can be seen from the attached maps. The archaeological interest of the River Slaney Valley can not be underestimated, and must be protected in accordance with the policies of the County Wexford Development Plan.

The Environmental Impact Statement submitted with the planning application included an archaeological report which consisted of a 'four line statement' that there are no archaeological sites recorded on or adjacent to the proposed site. This four line statement was accompanied with two Ordinance Survey maps, one of which clearly shows two sites of interest adjacent to the proposed site. They are numbered 26 and 27. Why has the applicant ignored these? The archaeological report submitted with the E.I.S. does not address one single archaeological issue and quite simply 'is not a report'.

Question 26c – Does the site lie within a 'Natural Heritage Area', a 'Special Area of Conservation' or a 'Special Protected Area for Birds' – applicant answered 'NO'

However, the correct answer from the County Wexford Development Plan is 'Yes', the site does lie in a 'Natural Heritage Area' and 'Yes' the site does lie in a 'Special Area of Conservation'

The applicant has again completely ignored the many designations the River Slaney Valley has. The Environment Impact Statement submitted with the planning application included a 'Flora and Fauna' report which includes "An assessment of possible impacts on water quality and ecology" of the proposed development. The assessment has three headings:

- Ecology
- Water Quality, and
- E.P.A. discussion document, together with a general Slaney Valley report.

1. Ecology Impact – This is not addressed in this section which is a statement of Area Designation, Habitat type, Flora & Fauna type, to be found in the area, with no impact assessment provided. However, this section does point out the potential hazards associated with other development on the River Slaney – to quote from this section :-



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"Waste water outflows, runoff from intensive agricultural enterprises, a meat factory at Clohamon and a landfill site adjacent to the river and further industrial development upstream in Enniscorthy and in other towns, could all have potential adverse impacts on the water quality unless they are carefully managed" – all of which have nothing to do with their proposed development.

2. Water Quality Impact is not addressed in this section which consists of a table of water quality measurements taken on the 20.08.2001 in the upper regions of the River Slaney – the closest monitoring point to the proposed site being Salsborough Bridge above Enniscorthy town. These figures have no bearing on this application.
3. E.P.A. discussion document – This is a general overview of anaerobic digestion and does not go into any detail regarding impact of the proposed development.

2 B. Planning Application Drawings

All drawings are very difficult to read and interpret, due to poor presentation and print quality. No effort has been made to improve on the first planning submission drawings – this submission was refused planning. The same difficulties apply reading the drawings, as before, but the following should be noted:

1. This site is prone to flooding. Water is known to run down from the site and on to the road, causing the road to flood before discharging to the river. In this application there is **no quantification of the surface water discharging** from the site, **no characterisation of the surface water** on the site and there is the likelihood that soiled surface water and clean water cannot be separated in times of heavy rainfall. This creates a situation where there is a **very high risk of its discharge** into the River Slaney, a designated candidate SAC and a known salmonoid river. Salmonids (trout and salmon) are highly sensitive to water quality and environmental stress.
2. The site layout plan does not clearly show the extent of soiled water areas, i.e. concrete yards, driveways, hard standing areas, circulation areas, and does not show any drainage collection system for these areas.
3. The main storm water drain travelling from East to West passes under Tanks 29 and 30. This is totally unacceptable.
4. Storm water drains from roofs of proposed buildings and tanks is not indicated. Where does this storm water go?
5. Storm water drains to West and East travel to the site boundary line and stop dead at adjoining land owners property, with no further explanation as to the final outfall.
6. N.B. There is no soiled surface water collection system indicated on the drawings and, therefore, soiled storm water from uncovered areas, yards, driveways, etc. will discharge to ground water. As is the case now, it will discharge directly on to the public road and into the River Slaney.



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7. Drawing numbers 12 and 13 indicate a network of drainage pipes connecting to the existing storm water drain. This network of pipes is directly under the following:

- Proposed Tank No. 1
- Proposed Tank No. 2
- Proposed Tank No. 3
- Proposed Mixing Tank
- Proposed Digester
- Proposed New Fattening House 9 A

There are no levels shown on any of these drains.

It is totally unacceptable to collect surface water from around and under these buildings, and then connect into a clean storm water drain. These areas, along with others (i.e. around proposed tanks 29, 30 and 24, and proposed secondary digester plus around existing buildings) are most vulnerable to becoming soiled in the day to day workings of such a plant, spillage leakage etc. These are the very areas from which drainage should be collected separately, thereby creating some degree of a safety net in the event of leakage or spillage. Collecting from these areas and connecting to storm water as proposed, is giving a pathway for pollution directly to the River Slaney and is incompetent and unacceptable.

8. The 'Typical Cross Section' on Drawing No. 14 shows that the proposed new fattening house is of shallow tank construction with the proposed network of drainage pipes under same.

There are no drainage invert levels on any of the pipe work. Considering the depth of the pipe work under the fattening house –

is it possible as proposed, to connect to the existing storm water drain?

At what depth is the storm water drain?

Why is there no drainage network under the secondary digester?

9. To summarise regarding drainage:-

- a) Rainwater off roofs should only discharge to the storm water drain
- b) Rainwater under and around all proposed and existing buildings should be considered 'soiled water'. It should be collected separately in holding tanks. It should then be environmentally assessed and disposed of accordingly.
- c) All proposed works should take full cognisance of 'Emissions to Surface Water' and 'Emissions to Ground', which clearly this application as proposed does not. The environmental risk to underlying ground water has not been quantified in this application.

10. Several drawings do not indicate ground levels or elevations. As such it cannot be ascertained if tanks etc. are above or below the ground, or partially in the ground.

11. Most of the proposed tank drawings do not call up if they are plans, elevations, side elevations or sections, or if the elevations are North, South, East or West.



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12. Existing and proposed ground levels are not shown on the site layout plan.
13. Existing and proposed ground contours are not shown on the site layout plan.
14. Site sections are not clear. What are the existing site levels and what are the proposed site levels.
15. Site sections should relate to the River Slaney and show the existing ground contours, from river tidal level to reed beds, to adjacent land to proposed site. They should show cut and fill, if any, on the proposed site.
16. Site section showing contiguous views do not give a clear indication as to how the proposed development will impact on the surrounding landscape.
17. Site sections showing contiguous views do not show clearly what buildings are existing and which are proposed.
Overall heights of proposed buildings are now shown on this drawing.
The impression given by this site section drawing is that the proposed site is perfectly level. Is this the case, or is it proposed to make the site level?
18. The site section/elevation drawing showing contiguous views is to a scale of 1:500. This scale is too small to read properly and to show any detail. The minimum scale required by Wexford County Council for planning application structural drawings is 1:200.
19. The proposed reception tank (for imported material) is 4m below existing or proposed ground levels. This is certainly well below the water table level in the area. Is it acceptable to store noxious, rotting, imported material in a container – below the water table level? What safeguards are in place in the event of a leak from this container? What are the risks to the environment of such a leak?
20. Buildings and tanks shown on the 1:2500 site map are not in the same locations as shown on the site layout plan, and the proposed fattening house is missing.



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4. Environmental Impact Statement

Non Technical Summary

Section 1.4

EPA are the only organisation in the position to determine whether the facility is in compliance with IPC Licence 453. In addition just because Reenard farms have applied for a licence review need not necessarily presume that a revised licence will be granted. The EPA is statutorily restricted from granting an IP (P) C licence unless they are confident that the proposed development does not present a risk to the environment. By its nature and particularly the location, the proposed development poses a significant risk to the environment.

Section 1.7

The EPA has approved the farms under the terms of the Nutrient Management Plan 2005, **for application of pig manure.** Digestate and pig manure are different in their nature and characteristics, particularly having regard to liquid content, having particular importance in relation to land spreading, when considering the greater liquid content, and its risk to surface water contamination, and higher levels of organic acids.

Section 1.8

This section infers that approval may be sought in the future for the processing of other waste types. An EIA predicts the environmental impact of a proposed development. It is unacceptable to avoid being clear and comprehensive of all wastes likely to be processed, as the EIA is inadequate in the absence of this information.

Section 1.12

Evaluation of the most suitable technology for the management of waste at this site, as is the case with any waste facility site, selection is a key criterion. This site is wholly inadequate, due to its proximity to the River Slaney, and Killurin Dump.

Main Text

Section 2.1

The legislative context of the proposed development is incorrect. The planning requirement for the EIS as specified in the Planning and Development Regulation is 2001 and not 1994.

Section 2.2

Focussing on an 8 year old Teagasc and an 18 year old Department of Agriculture policy to expand the pig industry, presents a very biased view of the policies which are relevant to this development. This development is contrary to the Water Framework directive 2000/60/EC, and the Water Policy Regulations 2003, as it poses (as does the significant additional land spreading requirements) a significant pressure on the River Slaney, and associated groundwater's from achieving the European legal based requirements to achieve "Good Water Status" which includes

- Biological
- Ecological
- Physico-Chemical



- Hydromorphological characteristic

The spreading of the waste material in County Wexford is also likely to present a significant extra complication to Wexford Local Authority in achieving the requirement of the Nitrates Directive 91/676/EC.

Table 3
Section 3.11

None of these tables present land on which digestate as opposed to pig manure have been approved to be suitable land spread by the EPA. The P load is only one material. What about Nitrates, Organic acids, Bacteria (E.Coli) etc?

Section
4.1

The alternative sites considered section is wholly inadequate. Just because the Killurin site generates the largest volume of pig manure, does not mean that this site is the most environmentally appropriate site. **No environmental risk assessment has been conducted.**

Section
5.35

This section is totally inadequate. There are no baseline noise readings and no precondition assessments. (See signatures re Noise Complaints)

Section
6.1.1

This section is totally inadequate. There is no reference to any landscape scenic view presentation, and no way for the reader to note what the appearance of the facility, without photo views/photomontages.

Section
6.1.3/6.1.4

No baseline measurements, prediction modelling, or impact assessments have been completed.

Section
6.2.2.1

The current IPC licensing regime is being modified by the EPA, as it has to integrate the requirements of the IPPC Directive A11. IPC licences must be viewed to take Best Available Technology into consideration. Proceeding with a development as the basis of BATNEEC as opposed to BAT is unsound.

Section
6.2.2.2

The Hydrogeological assessment is totally inadequate as it only simply addresses the receiving environment. As to attachment 4, this data is 7 years old. At a minimum after 7 years of land spreading a revised assessment is necessary. Any prevailing deterioration in soil or ground water quality will not have been detected in the intervening 7 years.

The above should be conducted in addition to groundwater sampling and analysis. This comment holds valid for not only spread loads, but for the actual site itself.

Section



6.2.3

There is no odour impact assessment, which would be considered as a basic element of an environmental impact assessment for this type of development. The one guideline limits for odour at nearest sensitive receptors/boundaries which have been recommended by the EPA for intensive agriculture activities, ie.30u/m³ as a 98 percentile of hourly average means, which has been omitted. (See signatures of complaint re odour, Appendix 3.

Section 6.3

Page 106 of 146 Attachment No. 7 states "run off from agricultural enterprises could have potential adverse impacts on water quality unless they are carefully managed". This is a valid statement particularly in relation to the proximity of the River Slaney an SAC. This report then states "Due to the requirement for intensive pig units to make an application for an Integrated Pollution Control Licence from the Environmental protection Agency, the risk of run-off from intensive agricultural enterprises is removed." This is not an impact assessment-how can applying for a licence eliminate a risk? The ecological assessment identifies the species in the Slaney River Valley which collectively make up the protected ecological characteristics of the locality. Listing species does not constitute an impact assessment and as such this assessment is considered inadequate. There are no appropriate mitigation measures specified.

Section 6.3.5

The interaction statement is very general and appears to pay "lip service" to the requirement. How can the interactions have been adequately assessed if some of the specialist assessments are approximately 8 years old?

There is no evidence that the specialists ever consulted with each other, or made an assessment of the current proposed development.

- 1.1 Applicants claim proposal will improve the environmental performance of the existing facility.

Let there be no doubt about it – this application is not about the environmental treatment of pig slurry for the benefit of the area – it is about providing

a

plant for the treatment of waste which includes,
Offal from meat factories and abattoirs,
Fish waste,
Poultry waste,
Sludge from treatment plants
Pig Slurry

The viability of an Anaerobic Digester depends on it being part of an integrated waste management system, generating income from processing a variety of wastes. Pig slurry has the least Biogas (m³) value by a factor of 4/5. What is proposed is simply a 'High Tec Knackers Yard' with major implications for the area, i.e. smells, disease, transport, etc. directly across the road from the old landfill site, thus replacing one dump with another.



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1.3 Drawings could not easily be read; however, what is clearly proposed is that collection of water from underground proposed tanks (the most vulnerable areas for contamination) is connected directly to a storm water drain. This proposal is

an environmental disaster waiting to happen. Please refer to Section 2B observation on planning application drawings.

1.9 "The proposed development of an anaerobic digester on site will significantly reduce the risk to surface and ground water"

ABSOLUTE NONSENCE – The status of the existing pig manure tanks is not changing – they are old underground slatted tanks of unknown condition and a possible environmental hazard. It is not proposed to upgrade these tanks. All proposed works, anaerobic digester, mixing tanks etc. are an additional load on the environmental status of the site.

1.15 Flora and Fauna environmental impact was not addressed. Please refer to observations on this planning application form – question 26C.

1.16 The impact on archaeological or historic interest was not addressed. Please refer to observations on the planning application from question 26B.

1.18 "There will be no negative effect on tourism in the area"

The negative effects in the area will include the following;

Loss of revenue from;

**Anglers
Hikers
Ornithologists
Rowers
Water Skiers
Boaters
Sailors
Clay Pigeon and Target Shooters**

1.19 "The development will have a positive impact on human beings and increase employment with no nuisance or loss of amenity" –

Loss of Amenity including;

Cessation of all water based sports as listed in 1.18 above

Major impact to residents in the surrounding area due to;

**Odours,
Increase in traffic,
Increase in noise levels
Unsuitability for walkers or joggers
Dramatic adverse impact on house and land values
Impact on residents in Enniscorthy, Oylgate,
Wexford, New Ross etc, caused by odours from**



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trucks transporting offal and other waste to the site.

Contrary to what has been stated there are no positive impacts to be gained by siting this facility in Killurin.

The proposed unit is not located in a remote area but in a highly populated area which has seen a rise in the number of houses recently built, and also in the number of planning applications approved.

It is a Tourist Area

An area of outstanding scenic beauty

An area of high sporting amenity

On a designated tourist route

Served by an extremely busy road which is not capable of carrying current traffic loads

- 6.1.2 Re: Pig manure storage, surface and ground water
N.B. Existing underground and over ground tanks are old and a potential Environmental hazard – they have no leak detection system.
N.B. New underground and over ground tanks have a leak detection system. However, this system connects directly to a 'storm water drain'. In the event of a leak, pollutants are directed instantly towards the River Slaney. Such a proposal simply beggars belief. Please refer to Observations on Planning Application Drawings, Section 2B.

- 6.1.3 Noise levels – "feeding time only 10 – 15 minutes". Current noise levels from the existing facility can be heard over a wide area at night. Anaerobic Digesters generate noise from pumps, compressors, and generator.

- 6.14 Odour emissions

7 Belly grass, commonly known as Paunch, which will be used as an organic raw material, comprises of a mixture of different gases and aggressive acids (Ammonia, Methane, Hydrogen sulphide, Mercaptans, Sulphides, and Polysulphides etc.). The leachate from Pauch is a major pollutant, and is also very odorous (often non detectable by chemical means but very overwhelming to the human olfactory system). 95% of Slaney valley residents live downwind of the proposed site.

- 7.14 Traffic increase

An AD plant will create traffic movements transporting wastes to the plant and waste residue away from the plant. No evidence that the load bearing capacity of the bridge and approach roads is sufficient for this commercial activity, with the ensuing danger and nuisance of heavy lorries, and tractor driven slurry tankers, to local residents. Not a week goes by but there is an accident or near miss at Catsbridge, which is on the road from Kyle Cross to the proposed facility.



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7.15 Transport of Carcasses and Accidental Spillages

No assessment of odour nuisance, during the manufacturing process, or in transit through the towns and villages to the site, which is "Potentially injurious to human health". The reception area for the waste is not in an enclosed environmentally controlled building, but an underground tank into which the waste is tipped into. The potential for accidental release of waste during transit or when tipping is a totally distinct possibility. The link between odour nuisance and human health is well documented, which will have the immediate effect of forcing the cessation of all water sports on the river, and in the surrounding area. Killurin is a haven for all forms of water activities.

5. **Bord Pleanala decision to refuse planning permission for an AD.**

I wish to refer you to a Bord Pleanala decision reference P1.20.211827, August 2005, to refuse permission for an Anaerobic Digester on the following grounds;

CONCLUSIONS AND RECOMMENDATION

In conclusion the proposal before the Board constitutes a revised proposal for a large biological treatment plant on what is a remote and elevated site served by a poor road network. While the revised scheme incorporates design and layout alterations to address the concerns in terms of visual impact the measures proposed are not, in my opinion, sufficient to address the extent of visual intrusion as seen from the south and west. Concurrently the need for such a long access from the main road network and indeed the deficiencies in the said main road network also casts serious doubt on the suitability of the location and in my opinion the extent of road improvement works which would be necessary to bring the access up to an acceptable standard accentuates the inherent suitability of the site. Thus I would concur with the view as expressed by a number of appellants that the Board's previous reason for refusal takes a holistic view as to the suitability of the site or indeed the unsuitability of the site and should not be interpreted as relating to the visual impact only. The site is considered to be inherently unsuitable for the size and scale of operation proposed.

I consider that there are further problems with the remoteness of the actual location in relation to the main road network and connection to the main waste streams.

In conclusion therefore I recommend that permission be refused for two reasons set out below.

DECISION

REFUSE permission for the above described development for the following reasons and considerations.



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REASONS AND CONSIDERATIONS

1. Having regard to the location of the site in an elevated position in a remote rural area, which is only partially screened, prominent in views from the south and west and served by a county road, which is substandard in terms of width, alignment and structural condition, it is considered that the site is unsuitable to serve a development of the nature and scale proposed. The proposed development would be visually obtrusive, would seriously injure the amenities of the area and would, therefore, be contrary to the proper planning and development of the area.
2. It is considered that the proposed development, by reason its location remote from urban centres and a number of waste streams which are to serve the proposed plant, would not comply with the locational requirements of the current Waste Management Plan for the Connaught Region in terms of the proximity principle and therefore would be contrary to the proper planning and sustainable development of the area.

Concerns

From the limited information available, it would appear that this development has the potential to develop into a major industry for the disposal of all kinds of animal offal, and industrial waste, (a high tech knackers yard), albeit in the first instance under the guise of an acceptable process to dispose of pig slurry, but developing in scale into a major industrial waste disposal complex, on a site which may leave Wexford County Council open to litigation and sanctions from the E.U. in contravention of the directive covering National Heritage Areas and Special Areas of Conservation.

Questions

Great care must be taken in determining this application, to ensure that a back door is not given for further development, which could have a serious detrimental effect on the environment and beauty of the River Slaney, which must be protected for future generations.



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Appendix 1

Previous Environmental record of owners

Already included in previous submission

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Appendix 2

Archaeological Maps

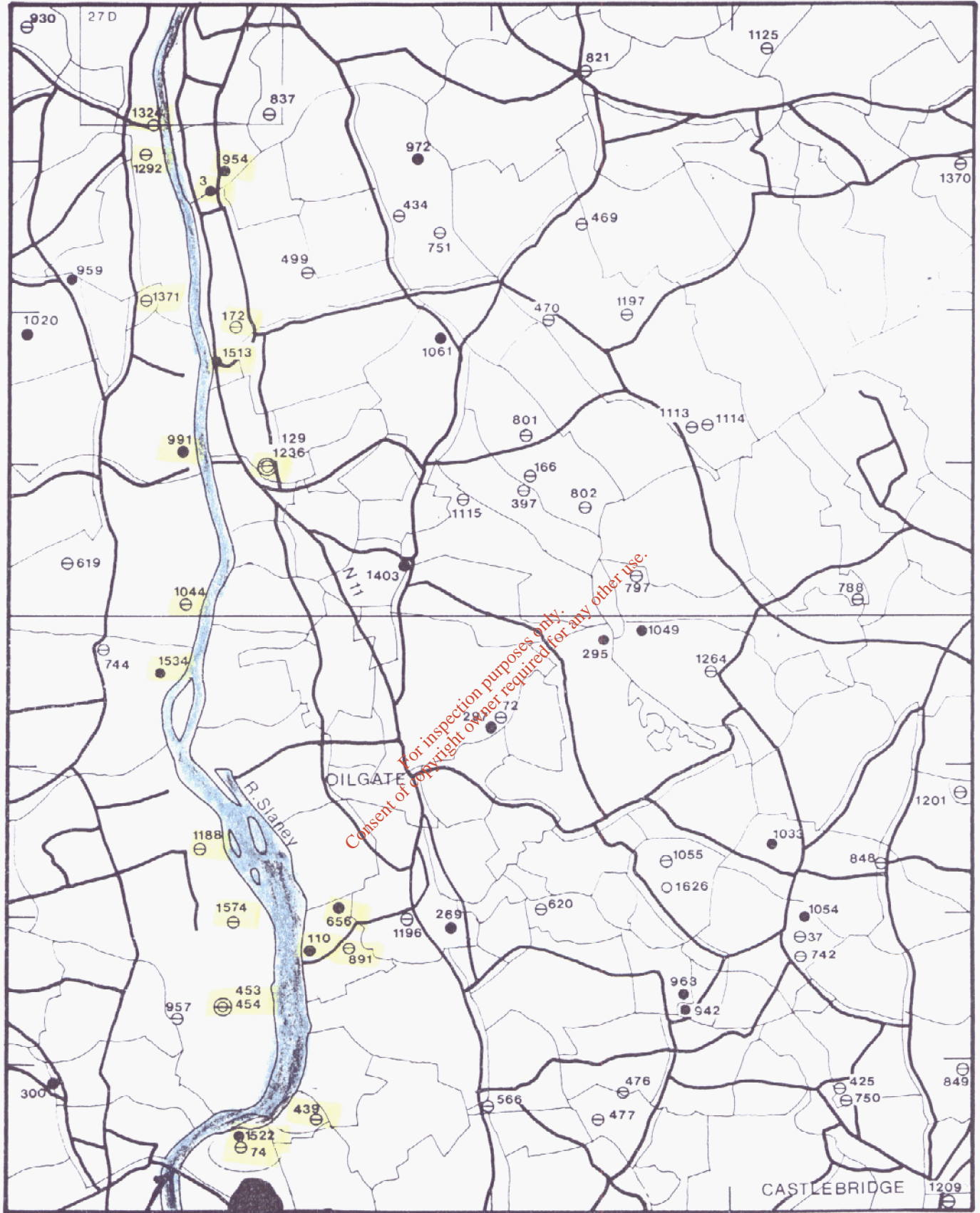
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Map 15

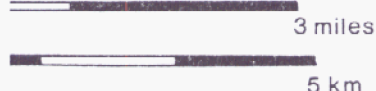
OS 20 MAP 9

S 26

S 32



OS 37 MAP 20



KILLARNEY
BRIDGE

PROPOSED
SITE

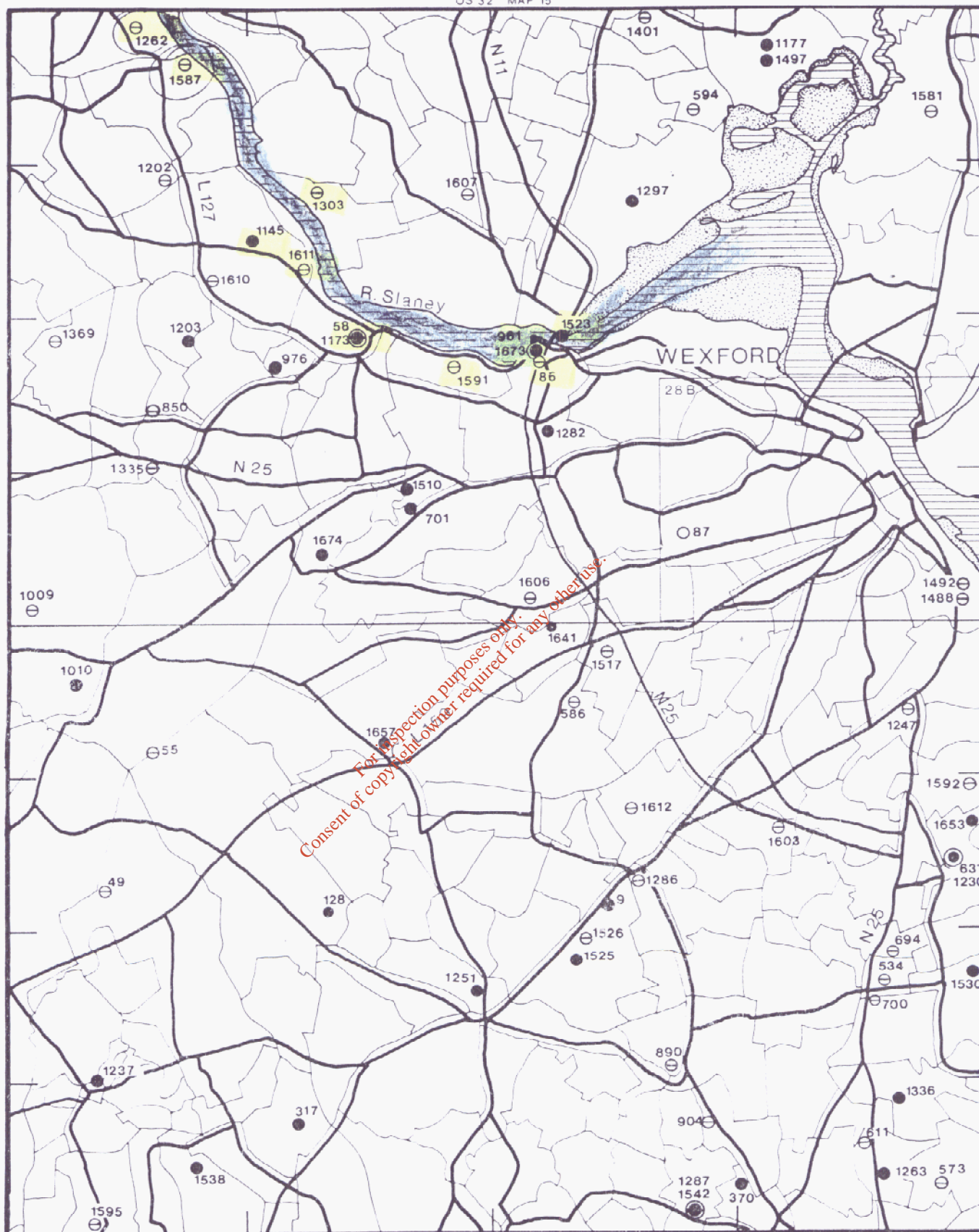
UPSTREAM
OF SITE

249

Map 20

OS 37

OS 32 MAP 15



OS 42

OS 47 MAP 25



254

DOWNSTREAM
OF SITE



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Appendix 3

List of Objectors

Total 400.

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Appendix 4

List of Odour Petitioners

Total 21

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Appendix 5

List of Noise Petitioners Total Number 19

Already included in previous submission

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