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52 Claremont Road
Sandymount
Dublin 4

Monday 17th December 2007

Dr Jonathan Derham
Office of Licensing & Guidance
Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
County Wexford

RECEIVED	
Time	1610
17 DEC 2007	
Signature	
Environmental Protection Agency P.O. Box 3000, Johnstown Castle Estate, Co. Wexford.	

Re: W0232-01
Recommended Decision
DCC Incinerator
Pigeon House Road, Poolbeg, Dublin 4

Dear Dr Derham,

Please find attached our objection to the Recommended Decision published by the EPA. We enclose our cheque for € 300 being the fee of € 200 to make an objection and the further fee of € 100 to request an oral hearing into the proposed decision. We object to such high costs being levied on citizens to participate in the application process where our health and the health of our children is at issue.

We note the RD, your report and your 3 addenda as published on the EPA website.

We note that you have not addressed the following representations submitted by us:

- Unsustainable costs
- Unsustainable impact on the environment
- Impact on wildlife
- Ultrafine particulate matter
- Absence of a health baseline
- Impact of the incineration of sewage

Since these have not been assessed in your report we request an oral hearing to allow us to put these matters formally to the EPA.

Unsustainable costs

The economics of incineration have not been addressed.

Unsustainable impact on the environment

You do not refer to the exceedences for NO_x which are already identified in the EIS, in Dr Broderick's report and in the ABP Inspector's Report. The Inspector suggests that the EPA should address this matter. See the extract below from p 126 of the ABP Report:

The submissions in relation to air quality and Dr. Broderick's assessment of these submissions indicates that air quality in the Poolbeg area is compromised and in some instances air quality limit values are exceeded. Dr. Broderick's assessment notes that the measured mean PM₁₀ concentration in

the background monitoring indicates that the concentration is high compared to other locations in Ireland. The data presented indicates that the figure for the 90 percentile of 24-hour average PM₁₀ levels is in excess of the European Union limit value. Dr. Broderick's assessment also suggests that the level of No_x at various locations and including at least parts of the Special Areas of Conservation may be in excess of levels set out in the European Union Directive 1999/30/EEC for the protection of vegetation.

And also from pp 127-8 of the Report:

Ar[is]ing from Dr. Broderick's assessment some of the options open to An Bord Pleanála would be to refuse to approve the proposed development on the basis of it not having being adequately demonstrated that the proposed development could be operated without leading to exceedances of air quality standards or to require the applicant to carry out a refined modelling to take account of shoreline fumigation. Having regard to existing background levels it is unlikely that any realistic modelling could indicate that all air quality limit values would not be exceeded. A question arises accordingly as to the likely significance of the impact of the proposed development. I consider that this is an issue which requires more detailed assessment and which ideally should be done in the context of considering the details of the air emission standards which could be imposed. I note the reference in the documentation to the BAT note recommending only one bag filter unless the need for a second bag filter is determined by some local driver. It could be argued that in this case there is a local driver in terms of the existing air quality conditions. Such considerations however are in my opinion essentially a matter for the Environmental Protection Agency in its licensing. It is also possible that the EPA could impose more stringent emission standards than set out in the EU Directive.

Having considered the arguments in relation to air quality and having considered Dr. Broderick's assessment I consider that insofar as the issue must be further pursued in terms of more refined modelling this can best be done, if considered necessary, by the Environmental Protection Agency in the process of considering the license application. The requirement for more refined modelling arises from the possibility of shoreline fumigation being a relevant factor. There is no conclusive evidence on this issue. I am not convinced from the evidence available that the impact of the proposed development subject to compliance with license conditions would be such as to render the location unsuitable per se having regard to the fact that I consider that from a number of points of view as referred to in this assessment the location is acceptable. I consider however that having regard to the existing environmental carrying capacity of the area including the assimilative capacity of the atmosphere a reduction in the scale of the development, as previously referred to, would be beneficial. Whilst it is unlikely that there would be a direct proportional reduction in air emissions to a reduction in the throughput of the plant it is likely that a reduction in throughput would result in some reduction in the overall load of pollutants emitted into the area.

[Our emphasis is in yellow]

You will note that ABP considers that the EPA should conduct more detailed analysis of the emissions. This further analysis has not been done. So if ABP does not do so and the EPA chooses not to do so then who are we, the citizens, to turn to?

Also note above the Inspector's comments on the number of bag filters. This topic overlaps with our concerns regarding ultrafine particulates. Again you have not considered this aspect and there is no comment at all on the technologies in your report or in the RD. You leave it to the applicant to design a plant to meet the European standards and then you leave it to the applicant to self monitor that these standards are being met. This is a foolhardy approach given the poor record of this applicant in operating a major plant on the Poolbeg peninsula.

Please convene an Oral Hearing to have this aspect of the application fully debated.

Impact on wildlife

You have not addressed the matters we presented to you in our submission.

Ultrafine particulate matter

This topic is increasingly important in the assessment of the impact of incineration on human health. While it is difficult science which may not yet be settled, you make no reference to it at all.

Please have an expert review the material submitted to you on this topic and then convene an Oral Hearing to have this aspect of the application fully debated.

Health baseline

You have not addressed the matters we presented to you in our submission.

Impact of the incineration of sewage

The applicant has not made a planning application to burn sewage sludge. In fact Mr Twomey explicitly stated at the Oral Hearing that this was not an application to ABP to burn sludge. He stated that if required the application could be "rectified" later.

The EIS makes no study of the impact of burning sewage sludge. It would have a considerable impact on the emissions and it would also severely impact the energy output of the plant and thus the CO₂ impact on climate change.

None of these aspects have been studied. The applicant did not even know what percentage of dry solids would be present in the sewage sludge.

Have you assessed if the 80,000 tonnes of sewage sludge requested includes water or not? This is not stated in the application or in the EIS.

Your comment in Section 13.8 of your report is not based on any analysis presented by the applicant and therefore is without foundation in the present case.

There has been no analysis or elaboration what-so-ever regarding the request to burn 80,000 tonnes of industrial sludge nor do you refer to this aspect at all either in your report or in the RD.

Additional topics for objection:

Climate change

The Bali Action Plan recognises that deep cuts in global emissions are required. In simple terms Ireland can choose not to burn this waste and thereby save almost 2% of national output of CO₂. This is an obvious step which should be taken by the EPA.

Traffic

Since the initial traffic assessments were completed the traffic is considerably worse. Further congestion has been caused by the introduction of bus corridors.

We are concerned that hazardous ash may be transported though our neighbourhood if the applicant is unable to export it.

Mistakes

- Bottom ash is not to be transported in sealed containers
- You cannot rely on the applicant's claim of 60 MW for exported electricity
- The ABP Inspector is sceptical that the facility could export 60 MW of electricity and the EIS did not analyse the incineration of sewage sludge

DCC has demonstrated its incompetence in managing a large plant on the Poolbeg peninsula already – the odour from the WWTP is notorious and is still severe some 5 years after the plant first commenced operation.

We submit that the divided responsibilities of ABP and the EPA leave areas of concern to be addressed such as a full analysis of the potential emissions from this plant.

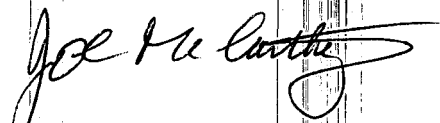
We hereby wish to put on the EPA record the following documents which are publicly available from ABP website:

ABP Documents at <http://www.pleanala.ie/casenum/EF2022.htm>

- [Inspectors report 1 \(EF2/REF2022A.pdf, PDF Format 766kB\)](#)
- [Inspectors report 2 \(EF2/REF2022B.pdf, PDF Format 1108kB\)](#)
- [Inspectors report 3 \(EF2/REF2022C.pdf, PDF Format 413kB\)](#)
- [Inspectors report 4 \(EF2/REF2022D.pdf, PDF Format 12kB\)](#)
- [Inspectors report 5 \(EF2/REF2022E.pdf, PDF Format 811kB\)](#)
- [Inspectors report 6 \(EF2/REF2022F.pdf, PDF Format 267kB\)](#)
- [Inspectors report 7 \(EF2/REF2022G.pdf, PDF Format 852kB\)](#)
- [Inspectors report 8 \(EF2/REF2022H.pdf, PDF Format 34kB\)](#)
- [Inspectors report 9 \(EF2/REF2022I.pdf, PDF Format 224kB\)](#)
- [Inspectors report 10 \(EF2/REF2022J.pdf, PDF Format 2530kB\)](#)
- [Inspectors report 11 \(EF2/REF2022K.pdf, PDF Format 76kB\)](#)
- [Inspectors report 12 \(EF2/REF2022L.pdf, PDF Format 113kB\)](#)
- [Order \(EF2/DEF2022.pdf, PDF Format 80kB\)](#)
- [Direction 1 \(EF2/SEF2022.pdf, PDF Format 19kB\)](#)
- [Direction 2 \(EF2/SEF2022A.pdf, PDF Format 19kB\)](#)
- [Direction 3 \(EF2/SEF2022B.pdf, PDF Format 23kB\)](#)

Please convene an Oral Hearing to allow us make our submissions to the EPA.

Yours sincerely,



Joe McCarthy
Chartered Engineer
BSc FICS MMII DLS CEng MIEI

Yours sincerely,



Valerie Jennings
Chartered Physiotherapist
MCSP MISCPLicAcu