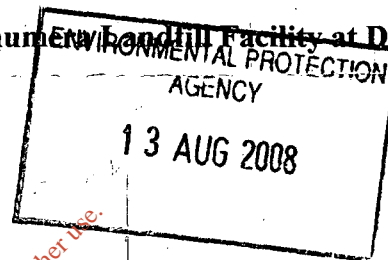


An Taisce – The National Trust for Ireland
Tailor's Hall, Back Lane, Dublin 8

Environmental Protection Agency
Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford

REF: W0021-02 Waste Licence Application: Derrinumerah Landfill Facility at Derrinumerah/Drumila, Newport, County Mayo



10.07.08

Dear Sir/ Madam,

Thank you for referring this application for approval to An Taisce for comment. An Taisce wishes to make the following comments in relation to this application.

An Taisce have concerns relating to the proposal to pump treated leachate from the Derrinumerah Sludge Hub Centre to the proposed outfall of the Newport Wastewater Treatment Plant. The proposed outfall discharges into Clew Bay which forms part of the Clew Bay Complex Special Area of Conservation (SAC) (site code: 001482) and is also designated as Shellfish Water under the European Communities (Quality of Shellfish Waters) Regulations 2006.

According to the National Parks and Wildlife Service site synopsis:

- The geomorphology of the bay has resulted in a complex series of interlocking bays creating a wide variety of marine and terrestrial habitats, including several listed on Annex I of the E.U. Habitats Directive:
- Important populations of Otter and Common Seal are found in Clew Bay. Both of these species are listed on Annex II of the E.U. Habitats Directive.
- The juxtaposition within Clew Bay of a wide variety of habitats, including seven listed on Annex I of the E.U. Habitats Directive, and the combination of important flora and fauna, including one Red Data Book plant and two mammals listed on Annex II of the E.U. Habitats Directive, make this a site of considerable national and international importance.

The discharge of treated leachate into Clew Bay SAC is likely to result in deterioration in water quality of the Bay and may have a significant adverse impact on species and habitats for which the site is designated. More severe impacts may occur due to operational failures of the treatment system. While some mitigation proposals/ emergency response actions are outlined within the EIS, these cannot guarantee that such failures will be completely avoided and that pollution incidents will not occur.

Under Article 6(2) of the Habitats Directive "*Member States shall take appropriate steps to avoid, in the special areas of conservation, the deterioration of natural habitats*". Article 6 (3) of the same directive requires that any project or plan "*likely to have a significant effect*" on an SAC/ SPA should be subject to an "*an appropriate assessment of its implications for the site in view of the site's conservation objectives*".

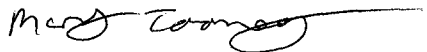
In addition, Ireland is committed to the objectives set out in the EU Water Framework Directive (2000/60/EC), which are to protect all high status waters, prevent further deterioration of all waters and to restore degraded surface and ground waters to good status by 2015.

The discharge of leachate into Clew Bay SAC/ Salmonid Water has potential to result in the deterioration in water quality within the bay and is in direct conflict with our obligations under the Habitats Directive, the Water Framework Directive and the European Communities (Quality of Shellfish Waters) Regulations 2006.

Please ensure that these concerns are taken into consideration and adequately addressed for the above application.

Please provide an acknowledgement of this submission, the nature of the decision, the date of the decision, in the case of a decision to grant an approval, any conditions attached thereto, and the main reasons and considerations on which the decision is based to An Taisce in relation to this submission as per legislative requirements.

Yours sincerely,



Mary Toomey
Natural Environment Research and Casework Officer
An Taisce.

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