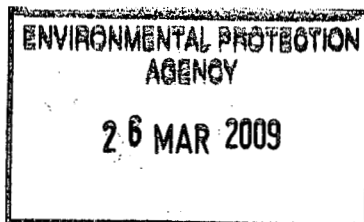


SUB (8)



Scart Cross,
Farranfore,
CO. KERRY.
25/3/2009

SUBMISSION RE EPA REF: W0250-01/KCC PLANNING REFERENCE 08/2145

TO:- Directors of the EPA

I wish to object most strenuously to the above application.

This planning application refers to the construction of a Materials Recovery Facility Building. An annual intake of 95,000 tonnes per annum is proposed.

Per Day:-

166 tonnes municipal (2822 black bins)
10 tonnes organic waste
99 tonnes dry recyclable
40 tonnes construction and demolition

Per Annum:-

50,000 tonnes of municipal waste
3,000 tonnes of organic waste
30,000 tonnes dry recyclables
12,000 tonnes of non-hazardous construction and demolition

A public recycling centre is also proposed. This information is stated on p (xiii) of the Environmental Impact Assessment document – a voluminous technical document for a layperson to read consisting of 230 pages and appendices.

The community surrounding this proposed development were not consulted, or referred to, during what appears to be a lengthy pre-planning process. The community also, unfortunately, do not have a team of experts to hand or on the payroll to consider this EIS in as much depth and technical expertise as was given to its preparation. I find it astounding that the same rules apply to a planning application for the building of a garage as for the development of this scale. The Community had five weeks to consider the planning application and to make a response to Kerry County Council whereas the applicant has had years to assimilate the information required to make an application for both a Waste License and application for planning permission. Given this fact, I reserve the right to submit further information on this submission.

50,000 tonnes of municipal waste converts to approx. 850,000 no. of household black bins. If this proposed development goes ahead, I will live 70 metres from 850,000 black bins per annum being 'recovered'. Incidentally, boundary to boundary distance is maximum 15 metres.

Our first concern that anyone would have when one considers black bin waste is the smell. The EIS provided by the applicant refers to smells as odours and refers also to their 'nuisance' value rather than 'adverse health impacts'. We have serious reservations about this. The EIS also states that there are no legislative limits pertaining to odour in Ireland. They also state that "*activities involving putrescible waste, e.g. landfill, processes involving animal or fish remains, brickworks, fat and grease processing, waste water*", are **high-risk odour categories**. Limits established by the EPA are required to be complied with 98% of the time. Imagine what the 2% will be like 70 metres from 850,000 black bins 'recovered' per annum.

We appeal to the officials considering this application to allow my family and I to live with the quality of air that we presently have - not odours that **may** be mitigated by the applicant as opposed to **eliminated**.

We have concerns to this facility such as attracting rodents, birds, insects, noise and pollution. It is unrealistic to expect that insects, rodents and birds will not be attracted to this facility. The influx of birds, we understand, may be a concern to the I.A.A. given our close proximity to Kerry International Airport. The recent events in Italy with the Ryanair flight are evidence of the dangers associated with birds and aircraft.

We have concerns for the health of ourselves and our three children given the noise, traffic, traffic fumes, odours, insects and birds that this development will inevitably bring. I have concerns for my 3 children playing outside in a garden 15 metres from 95,000 tonnes of waste per annum.

We have concerns regarding the noise. Our experience based on over 4 years living opposite Irish Independent Health Foods (prior to this Munster Wholefoods) and adjacent to the N22, is that the traffic exiting Irish Independent Health Foods is much louder than traffic travelling on the N22. My reading of the site layout indicates that there is a roundabout for all traffic entering the site to use to turn on the site within 70 metres of our home or 15 metres of our boundary.

From our reading of the site layout most of this movement will be required to travel around the roundabout, this is practically opposite my residence. The E.I.S. states that operations will be 24 hours a day – Monday to Saturday, with public access 7 days per week. We take issue with the E.I.S. that states (p187) that even if no development were to take place, then noise levels would increase due to increased traffic on the N22. If the new road is built, then Scart Cross will become a secondary route and resultant traffic and noise associated will, obviously, be reduced, which renders point 10.4.3 null-and-void.

We have also noted that the building in which the municipal waste is to be 'recovered', the waste treatment plant and the drop off point for the public for their waste (including hazardous waste), all classified as high risk odours are situated as close to existing residences as is possible, interestingly, at the furthest away point from the previous landowners residence.

The site notices for this development were on the Ballyhar Road hidden in a ditch beside landowners house, one would not find it unless one was looking for it. In fact, travelling from the N22 side down toward Ballyhar the site notice was not at all visible.

We have concerns re dust, both during construction and operation stages, we have south westerly winds blowing into our property so any noise, smell, dust from the development will blow directly upon us.

We have concerns re Light Pollution, we live in the country in a rural community, and lighting as suggested by the applicant is offensive in a rural community.

The developments' proposal to exit onto the N22 via the local Ballyhar local road we find to be tantamount to abuse of the local road system and a connivance to overcome the policy of restricting direct access onto national primary routes. We believe the intensification of use of this existing access onto the national road will have an adverse impact on the safety, carrying capacity and operational efficiency of these roads:

Pages of technical data have been supplied with application regarding noise. Some of the comparable data, as I can understand it, is supplied by assessments done by RPS – the consultant commissioned to prepare the E.I.S., hardly independent data. It is stated that all scenarios are 'worst case' scenarios, how can we know this?

An extract from the proposed mitigations are as follows:-

- Undertake noisy activities indoors, where practicable, or in areas of the site that are remote from nearest sensitive locations. We consider this to reference ourselves.
- Use acoustic enclosure (screens around plant or equipment) or near more sensitive locations.
- Minimise the operation of significant more generating equipment or plant.
- The interior plant layout and design, where possible, will be constructed to minimise potential noise sources and, where applicable, acoustic insulation will be used to reduce output.
- Ensure, where practicable, that enclosures or doors/windows in building are properly sealed or closed when noisy waste handling and processing equipment or plant is operating inside the enclosure or building.
- Record and investigate all noise complaints.

It is obvious that the amount of machinery, truck movement, car movement, will cause excessive noise in an otherwise quiet area adjacent to the N22.

Why should myself and my family live with mitigations which take noisy activities indoors into buildings whose acoustic properties are unknown, mitigations that are used at the applicants discretion, i.e. 'where practicable' minimise, 'where possible' etc. as opposed to eliminated.

I have concerns regarding impact on the locality, water supply and water quality if this development is allowed to progress. A detailed drainage calculation is supplied. We are not engineers, so we cannot comment on this report as it is extremely technical. We must, therefore, rely on the experts in the EPA and Kerry County Council to guarantee us, as recipients of water of very high quality from the Scart Reservoir, that we will suffer no loss in already very low pressure to our home if this development proceeds.

We also rely on the experts in the EPA and Kerry County Council to guarantee us that the river valley in which we live will not suffer any adverse affect, in particular, guarantee us the preservation of Gweelish River our special area of conservation Castlemaine Harbour.

We also rely on the experts to ensure that they are satisfied that a field visit on 28 March 2008 by, we assume, an appropriately qualified person, that the ecology of the area will not be affected by the development. I do not understand, however, how any species of flora and fauna can survive the proposed development.

It is stated in the map that our home is designated receptor No. 3. The report states that our only view to the left of the mountains will be gone and replaced with a view of the facility. It states that existing vegetation on my property limits the view from my property. We would like to state that any existing vegetation on my property is there by my choice and is there for both my enjoyment and for privacy. In many areas of our site we see spectacular views to the left, this is potentially going to be replaced by the facility.

We are concerned that our home that we have invested large parts of our lives and our income for will inevitably be plunged into a negative equity situation and virtually unsalable. We find it ironic that the applicant has chosen to purchase the house that they consider closest to the site when, in fact, his is not the case. Purchased we take it because the applicant knew that living so close to such a development would be unbearable. It is a shame such consideration was not given to the other residents who reside much closer to proposed development.

We have familiarised ourselves with the 'Waste Management Plan for Kerry, Clare and Limerick'. We see for ourselves that the report states the need for Material Recovery Facilities for the Region. We are disappointed to note that there is no reference to public consultation for private companies as there would be with Local Authorities. We are also disappointed to note that there is no

reference in the report as to recommended distances from residential houses for these facilities. We also note the reference to the 'proximity principle'. There are in existence in Kerry four transfer stations with civic amenity sites included, a landfill with an intake of 68,000 tonnes in 2008; 99 bring banks with expansion considered in 2009 and at least one MRF. How does the 'proximity principle' apply for a facility to take in an extra 95,000 tonnes of waste in Kerry? How can the Regional Waste Management Plan be considered relevant given the continuing collapse in dry recyclables markets?

Meitheal Chiarraí 2002-2011 in its strategy for the county lists 'Quality of Life' as a value in underpinning key achievements of the County Development Board. Kerry County Council's own Corporate Plan 2005-2009 has as its aim 'to enhance the quality of life of its people and visitors, by facilitating economic social and cultural progress which will be inclusive, integrated and environmentally sustainable'.

The mission statement for the EPA reads as follows:

To protect and improve the natural environment for present and future generations, taking into account the environmental, social and economic principles of sustainable development

We understand that Kerry County Council and the EPA have many stakeholders with a myriad of needs and demands, we do hope, however, that the EPA will not satisfy a need identified in the Waste Management Plan for the region to the detriment of our quality of life and that in considering its decision that the EPA will take into account our natural environment and the future generations that are mine and my neighbours' children.

We hope in considering this application the officials remember ours and that of our children's quality of life which, despite all the mitigations in the world, will be destroyed living 70 metres from 850,000 black bins and 45 tonnes of other waste) per annum being 'recovered'.

Angela and John Walsh