

From: Shane Roper [mailto:sroper@fexco.com]
Sent: 18 August 2009 16:30
To: plan@kerrycoco.ie; Wexford Receptionist
Subject: letter for KCC planning AND EPA
Importance: High

Best regards

N Roper

<<2nd letter of objection NR.doc>>

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Caherdean
Ballyhar
Killarney
Co. Kerry

Planning Dept
Kerry County Council
Council Buildings
Tralee
Co. Kerry

c.c. EPA
PO Box 3000
Johnstown Castle Estate
Co. Wexford

17th August 2009

Dear Sir/Madam,

**Re: proposed Development of Kerry Central Recycling Facility,
Scart/Caherdean
Ref: 08 2415**

Further to my previous objections (copy of receipt enclosed), I wish to raise a number of points in objection to these plans, particularly in relation to:

- environmental damage
- protected wild life obliteration
- emissions form the incineration of waste products
- scale of plant into the future/operating times
- potential bird strike to aeroplanes and helicopters
- increase in traffic, mainly trucks on narrow rural 'by roads'
- the potential hazards at the junction of the N22 and the by road (L3023) on which the proposed entrance is located
- anti social impact and health threats to local community and farm animals

Section1. ENVIRONMENTAL DAMAGE

1.1 Landscape and Natural Heritage

The proposed plans for this Waste Treatment and Recycling Facility will create environmental destruction. The long term costs of this are irreversible. The short term benefits are financial profit for a privately owned concern. Once this land has been destroyed it is gone forever.

There is nothing stopping Mr Murphy from selling this plant in the future for financial gain. The site then could be utilised for some other industrial purpose. It may well suit the Kerry County Council imminently to have this facility but there is no guarantee that it will remain as such, being privately owned.

This is a place of natural heritage and beauty. (The river Gweestin is a Special Area of Conservation.) It does not make sense to destroy the area from an aesthetic perspective. It is a rural site on a route from the airport to Killarney, with spectacular views of the gap of Dunloe; it is simply short sighted to place a facility with ugly trucks with ugly smelly loads, entering and leaving it via the main Tralee Killarney route. Failte Ireland (The National Tourism Development Authority) spend revenue promoting the beauty of the landscape as part of their efforts to promote tourism and bring business into Kerry. This proposed waste facility is diametrically in opposition to their goals and is undermining their investments.

It also against all European and National guidelines, targets and legislation in relation to global warming, forestry, biodiversity and protection of wild life, birds and fish.

It is destroying an environment that is proven by the EPA to be a sink for carbon dioxide – greenhouse gases - which globally every nation has a commitment to reduce. Globally, there is a danger of warming of the earth and with it, all the well documented serious and dramatic consequences. **Why would a County Council in the face of all the scientific evidence available deliberately add to the effects of global warming by destroying the very environment that is required to reduce carbon dioxide ?** **Actions such as this are putting the climate further at risk at a time when there is a commitment to REDUCE our emissions of greenhouse gases.**

Unspoiled land should not be decimated for the purpose of short term goals particularly, private financial gain.

The County Councils must pay for pre treatment of municipal waste with the objective of minimising the quantity of municipal waste going to landfill. Recycling waste is also recognised as a commitment at Government level. However this is not the appropriate location for this facility.

1.2 Irish Grasslands and their contribution to minimising greenhouse gases.

A recent Report from the EPA ERTDI-funded project 2001-CD-C2 (published on 5th August 2009.) **entitled** 'Celticflux: Measurement and modelling of Greenhouse gas fluxes from Grasslands and a Peatland in Ireland' highlights the importance of protecting Irish Grasslands due to the vital role they play in reducing greenhouse gases.

The report states that Irish grasslands are potentially an important sink for carbon dioxide.

Carbon dioxide is the most important greenhouse gas (GHG) considered to be causing climate change. Policy makers worldwide are working to achieve an international agreement to reduce GHG emissions under the **UN Framework Convention on Climate Change and its Kyoto Protocol**.

The Report results are based on analysis of intensive measurements, carried out by University College Cork and Teagasc over a five-year period, at sites in the south-east and south-west of the country. The report indicates that grasslands can take up between 11 tonnes and 18 tonnes of carbon dioxide from the air, per hectare per year.

Commenting on the report, EPA Director Laura Burke said:

“These are important results from research which the EPA has funded. Grassland is the dominant land use in Ireland and these results show that management of Irish grassland can have an important role in addressing climate change”

Laura Burke continued:

“...However, some other land uses are likely to be a source of carbon dioxide so a simple scaling up of these data can be misleading. **Overall, the main message is positive and we need to use these results to inform decisions on the future use of grassland and other land.**”

The EPA is working with the Department of the Environment, Heritage and Local Government; the Department of Agriculture, Fisheries and Food and others on assessment of how best to account for these results in the context of future development of national actions on climate change.

Frank McGovern, Senior Scientific Officer, EPA said:

“...we need to insure that... (these issues are)... understood when decisions are being made on land use and management and particularly in accounting for these under future actions on climate change. These issues are being considered at EU and UN levels.”

It cannot be appropriate for the Kerry County Council to approve the destruction of these lands in the light of the efforts at global, European and national level to minimise greenhouse gases and the proven role of Irish grasslands in this endeavour.

1.3 Bio Diversity - Ireland has Commitments.

This proposal will destroy a natural, ecologically balanced environment and acres of forestry.

The Environmental Impact Statement produced for the developers of the proposed waste facility, refers to many incidences of river pollution, ground water pollution and damage to the biodiversity, including brown trout in the stream, mature birch and alder trees on the western side of the site, mature

trees on the eastern side, habitats in the trees and hedgerows wherein, deer, bats, hare, hedgehogs, badgers live.

The EIS states that several species of bird are present but that none are rare and they are not *'overly sensitive to disturbance'*. Birds are by nature sensitive to disturbance. House Martins return every year from Africa to their same nests. If they have been removed or damaged they continue to fly around the vicinity looking for their nests for several days.

The EIS states that Pollution from oil, lubricants, fuels and concrete will pollute the river and pose a serious threat to groundwater. The Gweestin River is a SAC and is home to salmon, lamprey and Freshwater Pearl. The risk of pollution from benzene and petrol which is highly toxic to this SAC is very high given the nature and scale of the proposed development as well as the likelihood of further activity which is not highlighted in the planning application.

The EIS refers to the public recycling facility which will take Construction and Demolition waste, household appliances, metal, glass, plastic, batteries, fluorescent tubes, waste oils and hazardous household waste. Amongst these there are many substances which are damaging to the aquatic environment. For example, decomposing food, fats, grease, oil, household and garden chemicals, rubble, batteries and chemicals from household appliances are toxic.

Run off water from any of these substances or from bio degradable organic wastes or cardboard, treated wood, animal products and commercial and industrial waste products has a toxic effect on the streams, rivers and aquatic life.

The EIS further states that sources of pollution are in the processing and the storage areas, fuel storage tanks, waste delivery area. In effect, all areas including parking areas are a source of water pollution.

The EIS states that **"...the potential exists for significant contamination of surface water"**.

There is a **natural waterway** running along the edge of the L3023, along the edge of fields and inside resident's gardens. Various species of wild animal will drink this water as well as water from the stream. Cattle may drink it and pets will drink from it. Humans, particularly children in gardens will come into contact with this water.

Ineffectiveness of Mitigating Measures

The mitigating measures listed in the EIS appear to be worthy but would be completely ineffective. All measures referred to cannot be policed, enforced or guaranteed in any way. They demand careful consideration and monitoring as well as financial expenditure.

Risks are too High

This level of pollution and contamination of the Gweestin River, surface and ground water is far too big a risk. The mitigating measures would have to be fully understood, fully committed to and fully complied with, by everyone on site for the duration of the construction. Thereafter, no matter what control measures are in place there is always human error, accidents, spillages, freak weather conditions, industrial disputes, short cuts and cost cutting measures. **All of these would expose ground water and the river to irreversible pollution, damage aquatic life and poison mammals and birds. It is also putting human health at serious risk which is a Human Rights issue.**

COHAB – Conference on Health and Biodiversity

In his statement to COHAB, the first ever Conference on Health and Biodiversity in Galway on 23-25 August, 2005, the Secretary-General of the United Nations, Kofi Annan, said:

*“If we fail to use and conserve biodiversity in a sustainable manner, the result will be increasingly degraded environments, and a world plagued with new and more rampant illnesses, deepening poverty, and the perpetuation of patterns of inequitable and unsustainable growth. Unfortunately, our actions run the risk of taking humanity down this path. As the Millennium Ecosystem Assessment reported earlier this year, **human activities are fundamentally changing the planet, perhaps irreversibly. Over the last fifty years, pollution, climate change, degradation of habitats and overexploitation of natural resources led to more rapid losses of biological diversity than at any other time in human history**”.*

By becoming a Party to the Convention, Ireland has committed itself to working at national level and to international measures to achieve the objectives of the Convention.

The EU, at the Gothenburg Summit of Heads of State and Government in 2001, set an even more ambitious target than that of the Convention on Biological Diversity.

The EU target is now to halt, rather than to significantly reduce, the current rate of loss of biodiversity by 2010. The main vehicle available to the EU for this purpose is the **EC Biodiversity Strategy**, which was the subject of a comprehensive review under Ireland’s Presidency of the EU in 2004. A Presidency Conference held in Malahide, Dublin, on the subject - **“Biodiversity and the EU - Sustaining Life, Sustaining Livelihoods”** - attracted participation from 22 Member States and a wide range of stakeholders across Europe, and adopted the **Malahide Message**.

Ministerial Responsibility for Biological Diversity/Biodiversity.

Section 9 of the Wildlife (Amendment) Act, 2000, places a statutory responsibility on the Minister for the Environment, Heritage and Local Government to *“promote the conservation of biological diversity”*.

Ireland is affiliated to the IUCN, the World Conservation Union, which is currently promoting **Countdown 2010**, a broad alliance of Governments, State agencies, international organisations, non-governmental organisations and private sector interests which are being brought together to achieve the 2010 biodiversity targets.

The National Biodiversity Plan is the main vehicle by which Ireland is meeting its commitments under the Convention on Biological Diversity and the EC Biodiversity Strategy.

The Plan was approved by Government and published in April 2002. The Plan contains 91 Actions aimed at securing the conservation and sustainable use of biodiversity in Ireland, and where possible its enhancement, and also to contribute to the conservation and sustainable use of biodiversity globally.

The destruction of trees, disturbance of river and wild life habitats runs contrary to Ireland's commitments and Government department initiatives, some of which have been very costly.

Measure 5 in REPS provides for the conservation and maintenance of hedgerows. The new REPS requires participants to choose from a range of biodiversity options to **rejuvenate existing hedgerows and to establish new hedgerows.**

Biodiversity loss is occurring at an increasingly rapid rate and therefore demands effective and timely action. Pressures on biodiversity are increasing with growth in population, use of resources and change in land use, urbanisation, road building and infrastructure development.

The COMHAR report produced action points for Government departments which promote biodiversity. The proposed plans for this waste facility run completely contrary to these national plans.

Included in the action point are:

- in response to the National Biodiversity Plan, the National Roads Authority (NRA) has produced a guideline document '*Landscape Treatments for National Road Schemes in Ireland*'. A core objective of the guidelines is to promote the use of native species derived from indigenous seed stands. Furthermore, the guidelines promote an '**ecological landscape design**' and include **landscape integration, nature conservation and biodiversity and heritage amenity.**

- The NRA has also produced guidelines for the assessment of ecological impacts of national road schemes. This document provides guidance on the assessment of impacts on the natural environment during the planning and design of national roads.

- introduce guidelines on forestry and biological diversity, and ensure their implementation as a mandatory condition of grant aid and revise other guidelines to enhance their role for biodiversity conservation.
- the Forest Service's Forest Biodiversity Guidelines were published in July 2000. The Forest Biodiversity Guidelines focus on how best to conserve and enhance biodiversity in Irish forests, through appropriate planning, conservation and management.
- the Code of Best Forest Practice, the Forest Harvesting Guidelines and the Water Quality Guidelines also contain detailed biodiversity elements. Compliance with the Forest Biodiversity Guidelines, the Code of Best Forest Practice and the Forest Service suite of environmental guidelines is a condition of grant-aided projects.
- Compliance also extends to activities associated with felling licences. These guidelines apply to all afforestation schemes, irrespective of size.
- provide for the conservation and sustainable use of biodiversity in all stages of the forest cycle, whether planning, planting or management, through the Code of Best Forest Practice which has been developed in conjunction with the **Irish National Forest Standard and Environmental guidelines**.
- introduce a Biodiversity Woodland Scheme. A) Native Woodland Establishment, aimed at encouraging the development of new native woodlands on both isolated greenfield sites and sites contiguous to existing woodland cover. There are target of 15,000 ha of new native woodland set, plus 1,000 ha of riparian woodland. B) Native Woodland Conservation – Aimed at protecting and enhancing existing native woodlands.
- consider initiatives which could be employed to **enhance the conservation of freshwater fish species** and communities including the need to designate sites for the conservation of important fish communities. (Department of the Environment, Heritage & Local Government Department of Communication, Marine and Natural Resources)
- A national monitoring programme for **lampreys** is being developed and investigations of the association of lampreys with water quality are underway.
- ensure waters will primarily be stocked with indigenous species, including by reviewing the situation in regard to the translocation of fish between catchments and producing appropriate guidelines or other necessary regulations. (Department of Communications, Marine & Natural Resources)
- the continuous review of the adequacy of wildlife legislation in furthering the objectives of strategies for biodiversity.

- the Heritage Council have compiled a list of native species which will be incorporated into the guidelines for the production of Local Authority and Departmental Biodiversity Action Plans.

Given the EU Biodiversity Strategy and the Government Biodiversity Plan, protective legislation and investments into the maintenance of Biodiversity in Ireland, the proposed plans for the destruction of 12 acres of natural environment, with river, forestry, flora, fauna and protected wild life and birds, are clearly in breach of legislation and undermining Ireland's national biodiversity and environmental objectives.

1.4 Water Pollution and Flooding

There is increased risk of flooding if this proposal is approved. The response from the planners to this concern has not been satisfactorily addressed. Flooding has increased dramatically as the incidents of torrential downpours have increased. The incidence of flash flooding and rising water levels will continue to increase due to global warming. Future water levels have not been taken into account. (Residents in the area have experienced serious flooding problems.)

Flooding from a waste site holding contaminated rotting refuse, chemicals, and waste prescription drugs containing dangerously high levels of bacteria and chemical poisoning, would cause fatal disease and illnesses to humans, unborn children, animals, birds and fish.

The proposed site for this waste facility is elevated causing water to run into the natural waterways along the edge of the L3023.

Relying on tankards to remove water is equally disturbing. What would happen if the tanker was involved in a road accident ? Additionally it cannot be guaranteed that short cuts will not be taken and therefore the public cannot be assured that waste water would be removed. The public cannot be sure that accidental spillage will not occur on site, thus polluting the streams, surrounding surface water and ground water as well the immediate natural water way on L3023, which runs along the edge of the residents' gardens. Residents are at risk of having to walk through polluted water to enter their homes. Residents on the L3023 already have to walk through flooded entrances when the ditches overflow.

Even without flooding, water seepage into ground water and surface water cannot be avoided. The serious threat of pollution to the ground water and surface water has not been adequately addressed. Why ?

Section 2. PROTECTED WILD LIFE OBLITERATION

2.1 Mammals. Wildlife Act 1976 and Wildlife (Amendment) Act 2000. Ireland has protected species under the **Wildlife Act 1976 and Wildlife (Amendment) Act 2000.**

It is most apparent amongst those of us living here that those mammals identified in the legislation are in abundance in the environment being proposed for development for waste recycling. They are in the woodlands, in and nearby rivers and streams.

Particularly, there are badgers, bats, hare and hedgehog. They are seen frequently. Scant regard has been given in the planning documents/reports for the wild life aspect of this area. In fact in one section of the planning application it is stated by the engineer that there are no bats. This is not a fact. There is an Aquatic Ecology Report submitted in support of the planning application. The writer has gone to great lengths to minimise the importance of the area for salmon and lamprey which are protected.

A deliberate attempt has been made to give the impression that virtually nothing of value is living in this environment or living in the stream. This is biased and it is nonsense.

It would be foolish to believe that in such an environment there were no living mammals or that the tributaries were insignificant in sustaining aquatic life.

Is the intention of the developers to bulldoze them out of their breeding grounds and to contaminate the stream in order to achieve their objectives ?

Protected Mammals

Badger
All Bat species
Hare species
Hedgehog
Otter
Pine Marten
Red Squirrel
Porpoise species
Pygmy Shrew
Stoat

Protected Amphibians

Natterjack Toad
Common Frog
Common Newt

Protected Invertebrates

Freshwater crayfish
Freshwater pearl mussel
Kerry slug

Each of these species is protected from injury, or disturbance / damage to their breeding or resting places. They are also protected from accidental harm.

2.2 Birds

The Countryside Bird Survey (CBS) is undertaken between April and June each year and provides scientific data on the abundance and distribution of Ireland's breeding bird populations. It is conducted by Birdwatch Ireland, National Parks & Wildlife Service and the Heritage Council.

In 2007, the Irish Government failed to fulfil its obligations under EU Law in relation to the designation and classification of Special Protection Areas for **wild birds**. The ruling was made by the European Court of Justice. Upholding five complaints made against the Irish State by the European Commission, the Court ruled that Ireland had failed properly to classify and/or protect several Important Bird Areas (IBAs) identified by BirdWatch Ireland, and had neglected its duty both fully to protect threatened birds and habitats and correctly to implement provisions of the EU Birds Directive.

Dr. Stephen Newton, Senior Conservation Officer with "Furthermore we welcome the Court's recognition that **land management outside designated areas is also important in the protection of bird species** considered as having unfavourable conservation status. Here we are talking about the declines of formerly common farmland species such as the **Skylark**, which has been lost from most tillage and lowland grasslands in Ireland because of intensive silage production and the switch to the use of winter cereals."

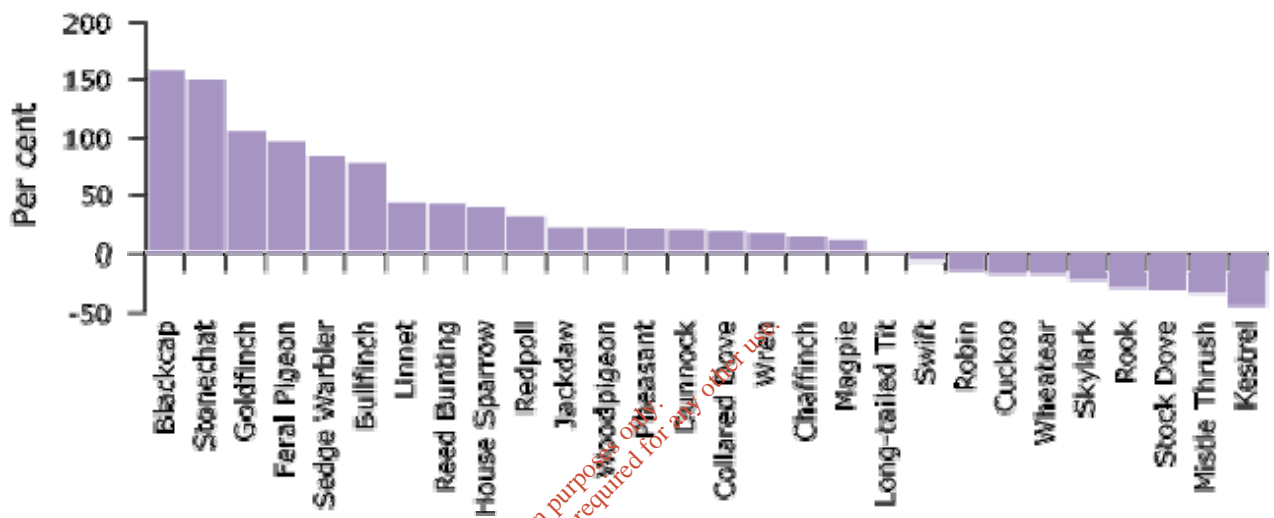
Siobhán Egan, Policy Officer with BirdWatch Ireland, said, "This judgement is a clear signal to the Irish Government that it needs urgently to make up for lost time and put in place the necessary protection measures for threatened bird species and habitats, **both to prevent further infringements of EU law and the continued destruction of our natural environment.**

"Birds are crucial indicators of the health of our environment and represent an important asset to tourism and to Ireland's natural heritage. The Irish Government needs to invest in protecting them. Without doing so, the unsustainable use of natural resources and loss of biodiversity will continue unabated."

Oran O'Sullivan, CEO of BirdWatch Ireland, said, "This case highlights the need for urgent action to protect our wild birds and the habitats on which they depend. " The case highlights the risk that the Irish Government takes in not protecting the bird population.

Legislation The major national legislation covering the protection of ecosystems and species is the Wildlife Acts. The major European legislation driving ecosystem and species conservation comprises the Habitats Directive (92/43/EEC), Birds Directive (79/409/EEC) and Water Framework Directive (2000/60/EC).

Countryside Bird Surveys 1998-2004 – Recorded Changes in Population of Bird Species (Source: Birdwatch Ireland)



Trend over time

The bird species showing a population change in the period 1998 to 2004 are shown in the figure.

An analysis of the 2004 CBS data shows that the distribution of most species has remained constant, particularly among the top 20 most widespread species. The wren, robin, chaffinch, blackbird and woodpigeon were the most widespread in 2004. Further down the list, several species have shown some dramatic changes in distribution. The goldfinch, the blackcap and the stonechat have shown range expansion, while the skylark has shown range retraction. The skylark population has been in continuous decline since 2000, and it is now on the Birds of Conservation Concern Ireland amber list. Other trends in common farmland birds' distributions include increases for the pheasant, the feral pigeon, the woodpigeon, the collared dove, the magpie and the jackdaw, with declines for the kestrel, the cuckoo and the rook.

The CBS has shown that some once common countryside species, such as the skylark, are now under threat. Incentives to improve countryside management – such as the Rural Environment Protection Scheme (REPS) – can help the skylark and other endangered species to recover.

Section 3.

PRE TREATMENT OF MUNICIPAL WASTE AND AIR QUALITY

It is apparent that the air quality is under serious threat.

The use of incineration and thermal treatment of municipal waste poses threats to the quality of air. Under Article 6 of the Landfill Directive, a landfill operator will have to be able to demonstrate that **all waste accepted at the landfill has been subjected to pre treatment.**

Article 5 of the Directive sets out specific pre-treatment obligations for biodegradable municipal waste (BMW).

3.1 Pre treatment of Municipal Waste

Minimum Pre-Treatment Obligations

The two principal residuals management options are Landfill Disposal and Incineration. Within the EU waste hierarchy and policy, incineration with energy recovery is preferred over landfill.

Incineration

Under the principles established in BAT (Best Available Techniques) as well as in EU legislation and policy obligations, an operator of a waste-to-energy facility (WtE incinerator) must demonstrate to the EPA that what is accepted for combustion has been pretreated to an acceptable level.

Bio waste diversion obligations are a sub-set of the waste treatment requirements, and have specific limitations in respect of the tonnage of biowaste that can be accepted at landfills.

- By 1st January 2010 Ireland can only landfill a maximum 75% of the BMW generated in 1995, i.e. a national maximum of **967,443t BMW** can be landfilled. Based on current waste growth trends this, in 2010, will equate to a requirement that approximately **50% of all BMW accepted at a landfill facility for disposal must be biologically pre-treated (including diversion).**

- By 1st January 2013 Ireland can only landfill a maximum 50% of the BMW generated in 1995, i.e. a national maximum of 644,956t BMW can be landfilled. Based on current waste growth trends this, in 2013, will equate to a requirement that approximately 70% of all BMW accepted at a landfill facility for disposal must be biologically pre-treated (including diversion).

- By 1st January 2016 Ireland can only landfill a maximum 35% of the BMW generated in 1995, i.e. a national maximum of 451,469t BMW can be landfilled. Based on current waste growth trends this, in

2016, will equate to a requirement that approximately 90% of all BMW accepted at a landfill facility for disposal must be biologically pre treated.

What is Pre-Treatment ?

The pre-treatment of waste can include processes such as:-

- Source separation (e.g. home composting, packaging waste)
- Separate collections (e.g. '2 Bin' or '3 Bin' systems)
- Diversion to non disposal waste management routes
- Manual sorting
- Composting
- Aerobic / Anaerobic Digestion
- Mechanical treatment (crushing, grading, magnetic separation, eddy current separation, ballistic separation, trommeling, sorting, etc)
- Biological stabilization of 'black bin' residues (after mechanical treatment)
- Thermal Treatment
- Energy Recovery.

Waste treatment options thus span the following classes of process: Manual – Mechanical – Biological – Thermal. Acceptable pre-treatment solutions will likely entail a range of these treatments

3.2 Air Quality

The engineers have not addressed the issue of the quality of air from the facility despite the fact that it is apparent that a vast amount of the activity at the facility is pre treatment, including, incineration, in order to minimise the quantities of waste going to landfill. As the figure below indicates 35% of the quantity of municipal waste landfilled in 1995 can be landfilled in 2013.

Landfill Directive Obligations Maximum quantity allowed, nationally, to be land filled (tonnes)

2010 75% of quantity generated in 1995	967,433
2013 50% of quantity generated in 1995	644,956
2016 35% of quantity generated in 1995	451,469

EU Directives on Air Quality

A suite of new EU Directives setting out a completely new approach to the monitoring, assessment and management of air quality has been adopted in recent years.

The objectives include avoiding, preventing and reducing the impact of harmful air emissions on human health and the environment.

This issue has been completely excluded from any documentation thus far.

DIRECTIVE 2008/50/EC OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 21 May 2008 on ambient air quality and **cleaner air for Europe** (café) establishes the need to **reduce pollution to levels which minimise harmful effects on human health, paying particular attention to sensitive populations...**

The Directive provides that:

In order to protect human health and the environment as a whole, it is particularly important to combat emissions of pollutants at source and to identify and implement the most effective emission reduction measures at local, national and Community level. Therefore, emissions of harmful air pollutants should be avoided, prevented or reduced and appropriate objectives set for ambient air quality taking into account relevant World Health Organisation standards, guidelines and programmes.

Furthermore, the Directive states: **1. Air quality status should be maintained where it is already good, or improved. Where the objectives for ambient air quality laid down in this Directive are not met, Member States should take action in order to comply with the limit values and critical levels, and where possible, to attain the target values and long-term objectives.**

2. The risk posed by air pollution to vegetation and natural ecosystems is most important in places away from urban areas. The assessment of such risks and the compliance with critical levels for the protection of vegetation should therefore focus on places away from built-up areas.

The increase in traffic, cars, trucks and HGVs, as well as emissions from the pre treatment of waste will have a serious impact on the quality of air in a rural/farming environment. Vegetation consumed by dairy cattle will be polluted by contaminated water, emissions containing chemicals and dust which will enter into the food chain.

Occupants of residences who have chosen to live in a rural environment will be exposed to pollution levels similar to that of a densely populated and industrialised environment.

This Directive, café, will effectively not be complied with if the proposed waste facility is placed in a rural environment which hitherto has not been developed but used for grazing and forestry.

Section 4. SCALE OF PLANT AND ITS OPERATING HOURS

4.1 Scale of the Waste Facility

The planning application states that the maximum amount of tonnage accepted at the facility will not exceed 95,000 tons. According to the EPA document '*Municipal Solids Waste – Pre treatment and Residuals Management*' the amount of waste produced nationally will have increased from 2.6 million tonnes to 4 million tonnes in 2020.

This proposed facility is taking waste, not just from Kerry, Limerick and Clare but from licensed operators nationally.

Regardless of the Municipal waste being pre treated, taking into account the projected increases in waste production, as stipulated in the EPA document

referred to above, **it is not realistic to accept that the facility has a maximum capacity of 95,000 tons of waste.**

I would suggest that this figure is conveniently below the 100,000 tonnes capacity to avoid making an application to **An Bord Pleanála**.

Nationally the amount of **biodegradable waste alone**, apart from green bin contents and construction/demolition waste for 2010 is predicted to be **2.5 million tonnes**.

It is most apparent that having a 12 acre site there will be the potential to further develop and expand this facility, thereby exacerbating any of the concerns in relation to emissions, pollution, flooding, traffic noise, road hazards, odours and risk of bird strike.

4.2 Operating Hours

The operating hours of the plant are anti social for residents in this area and along any of the local roads. In response to the KCC request to supply information about this, the responses are a non sense. It is stated that the public recycling facility will be open for 12 hours (08.00. – 20.00) 7 days a week. The mitigating measures for the 'human environment' consist of *'implementing a traffic management plan'* and *'traffic volumes will not deliver or leave the site during peak hour traffic'*. If the facility is open from 8.00 – 20.00 the public will be coming and going during peak hour traffic.

Waste acceptance is Monday – Friday is 07.00 – 20.00. If the facility is open for waste acceptance at these times, how and why would the traffic be prevented from delivery or leaving the site at peak traffic hours ? Why have it open if no one can deliver during peak traffic ? Exactly what is their **traffic management** system ?

The operating hours are 24. Employees have to get to work and drive home. Traffic will be coming and going at the start and end of shifts.

Noise and odours will travel easily and quickly given the nature of the open space around the site. Noise from traffic, shutters, equipment, processing of waste etc. will be heard throughout the night. This is inappropriate for a residential area in a rural community.

There are no other obstacles such as industrial developments to obscure the noise. The mitigating measures listed are designed to reassure, but in reality this is all a non sense. For example *'minimise the operation of significant noise generating equipment'*. Clearly if the equipment is there it will be used no matter how noisy it is. There will be nothing that any of the residents can do about it.

Other phrases such as 'noise monitoring' and 'odour management' and 'construction dust minimisation plan' simply serve to reinforce the fact that this is a smelly, dirty, dusty, noisy, unhealthy facility, in a residential area.

The scale of the operation means that extremely large quantities of waste will be stored for up to three months; this will draw disease carrying rats. If poison is used to kill large numbers of rats there is a risk that birds will eat the poison.

Light will be a pollutant to those residents whose homes are close by.

There is no way that such as facility should be so close to people's homes. Industry and residences in close proximity are an example of very bad planning.

Section 5 ROAD TRAFFIC HAZARDS

The L3023 is a relatively narrow road. Currently two milk tankers or HGVs cannot pass each other without slowing to a standstill and scraping up against the ditch. If the proposal for this facility goes ahead, traffic will intensify to a degree that will cause congestion, noise and pollution. It will cause erosion of the ditches.

Furthermore the cross roads at the west end of the L3023, is narrow and dangerous. The routes from this cross roads are all local roads. HGVs coming from Milltown or Firies will have extreme difficulty passing each other. In regard to the road to Milltown, the road becomes considerably narrower after Flynnes Forge to the point where it is literally impossible for a car to pass a large truck or coach, let alone two trucks to pass each other.

In the case of the road to Firies from the same crossroad, there is a very narrow bridge on a bend which would not permit large vehicles to pass. This bridge has the potential to be extremely dangerous if the driver, of a truck in particular, does not slow down to about 15 miles per hour.

The N22 is a very busy road. There is a particularly unrelenting traffic flow when there is a concert at the INEC or a football match in Killarney. Trying to enter the N22 from the L3023 is extremely difficult as turning off the N22 into the L3023.

The current speed limit on the L3023 is 100 kilometres per hour. Exiting from a drive way onto a road frequently used by heavily laden trucks driving at maximum speed poses a serious risk to road safety.

SECTION 6 BIRD STRIKE

The flight path is so close to the proposed waste facility that it should never be considered from the point of view of the possibility of an air tragedy.

As well as aeroplanes, helicopters will fly from Kerry airport. The path to the mountain range from where climbers often need to be rescued is straight across the proposed facility.

The response from the developer to this, apart from quoting distances of other airports from waste collection facilities, is that if ‘...in the unlikely event that bird activity in the immediate vicinity...increases...**appropriate control measures will be implemented**’. Given that most birds in Ireland are protected species, what does this mean ? Are they to be poisoned or shot ? Or will regular gun shot sounds be fired into the air to frighten them ? Again this mitigation measure is not explained.

I would urge Kerry County Council to place this facility in an industrial zone with suitable infrastructure in place, where there are no rivers to pollute, no likelihood of contamination of grazing land, no risks to the food chain, no wildlife to obliterate, no valuable grasslands, forestry or trees to disturb, no flight paths, no residents whose health and quality of life will be seriously undermined.

Yours sincerely,

Noirin Roper

Noirin Roper

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