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Environmental Protection Agency
- 4 OCT 2010
OFFICE OF ENVIRONMENTAL
ENFORCEMENT
RICHVIEW

1/10/10
Mr Eamonn Merriman
EPA
McCumiskey House
Richview
Clonskeagh Road
Dublin 14

Dear Mr Merriman

your ref; W0195-01/gc10em

I refer to your letter 21/7/10 to myself and a letter from An Bord Pleanala to the Agency 14/9/10 re extension to the composting facility at Ballynalurgan Kilmainhamwood.

Your letter to me was as a result of the Agency taking sworn statements from members of my family who are concerned that airborne emissions from this plant are affecting their health and are interfering with their reasonable enjoyment of their lives here. While I note that your letter makes no mention of this you state that the Agency is satisfied that the monitoring carried out is appropriate and adequate.

In an information sheet attached to your letter under **Bioaerosols** you state *annual monitoring of bioaerosol indicator organisms is undertaken results to date indicate no significant increase.....appendix 4 of the attached AER2009 contains the Bioaerosol monitoring report for 2009.*

My reading of appendix 4 is that it relates to Bioaerosol monitoring on one day 16th December 2009.

Is the Agency saying that after serious complaints over a considerable period of time during which the compost facility is processing a variety of materials and the biofilters are known to be faulty that it is satisfied that Bioaerosol levels are acceptable based on one day's reading?

As well as writing to the Agency on 14th inst An Bord Pleanala also wrote to the applicant and asked for a more detailed mass balance having noted that compost and residual landfill amounted to approx 25% of the material brought on site. We have queried with you what happens to this remaining 75% and we have asked what it contains is it accounted for as gas/vapour from the bio-filters and if so what is in it? We are pleased to note that the Bord share our concern and ask will you be making the Board aware of our concern and informing them that we have raised health issues which we believe are being caused by the emissions from this process reaching us. Would this be appropriate given that the Board have asked you to forward any further comments you may have in respect of the proposed extension of the development?

We note that the AER 2009 gives no weights for material rejected and would ask why not?

In their publicity for their Brown bin service Thorntons specify that weeds, leaves and mosses [not sprayed with weed killer] can go into a brown bin and they also list plenty of items that cannot go into a brown bin. What checking is done that brown bins contain the correct items does anyone ever check the leaves weeds and mosses [whatever they are] for contamination with weed killer. What about grass clippings are they allowed to be treated with weed killer or not and again what check is made?

I suggest that brown bin waste will vary load by load and much of it will contain contaminated material and that this will be processed as compost and we will be subjected to the vapours and gases produced from this faulty system.

There appears to be no record kept of the rejected material or why it was rejected and the Agency seems to be relying on one day's Bioaerosol testing per annum.

Is that appropriate regulation by the Agency?

We have on numerous occasions noted tankers entering the premises, are these tankers loaded with liquid waste and if so how is it mixed for composting, hardly spread on the floor as described in your enclosure with your letter?

The HSE wrote to the Agency 17th Aug 2010 noting that complaints had been received regarding ongoing odour nuisances from the plant and stating that programmed monitoring of air emissions shall be carried out by an independent company agreed to by the EPA. Will you be drawing this to the attention of An Bord Pleanala and will you mention the frequency with you propose that this should be done?

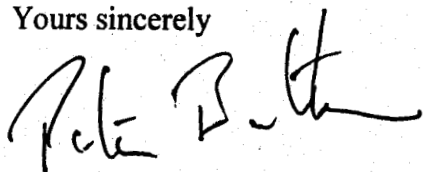
Will it be more than once per annum?

Can you tell us who is responsible for protecting our health by regulating the operation of this plant, the HSE or the EPA?

We have always maintained that there is no commercial outlet for this compost and note that the Bord wish to be informed about the precise location of the land bank [per their letter of 14th Sept to the applicant]. Presumably you are aware that significant amounts of compost are sent to a farm owned by a director of the company, have you sought to enquire whether this is a legitimate commercial use of the material as opposed to a convenient method of disposing of product for which there is no real commercial outlet?

We believe that our health is being affected by the faulty operation of this facility and are concerned that the Agency should take more positive steps to protect us by properly regulating the facility and that it should not be allowed an extension until such time as it is properly regulated and not interfering with our lives.

Yours sincerely



Peter Brittain

PS. Margaret asked me to acknowledge your reply to her letter concerning a Thornton vehicle being driven at excessive speed and we note this not a matter you deal with.

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