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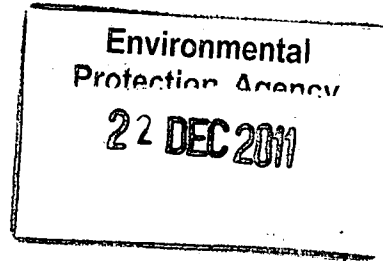
Sub no. 60

Nevitt Lusk Action Group

Attention:

Mr Brian Meeney

Inspector
EPA Waste Licensing Section
Johnstown Castle Estate
Wexford



Subject: Proposed MEHL Hazardous Waste Landfill, Hollywood, Naul, Co Dublin

Dear Sirs

As a resident of Nevitt who has had his home under threat of CPO for the past 7 years to accommodate the proposed Nevitt Landfill I believe that the community of Nevitt has had to endure an intolerable situation and now that the decision not to proceed has been made we are now faced with the threat of living beside a Hazardous dump and having the quality of our lives ruined by the traffic carrying hazardous goods to the MEHL proposed landfill.

We have suffered enough and are entitled to a return to a normal peaceful and healthy environment.

I attended and participated in the entire Bord Pleanala hearing held in Balbriggan and found again that the public have been let down badly by the institutions which are supposed to protect them from bad development and sincerely hope that my below request does not fall on deaf ears and that the matters raised are given their due consideration.

I object to the proposed development and request that the application before you is rejected on the following grounds.

- As the Nevitt Landfill is now cancelled, the potential today and in the future for development of the underlying aquifer has been saved and to put this valuable resource at risk is simply lunacy when we only have one source of water for the greater Dublin region. From a strategic perspective we should be doing everything possible to ensure there is no threat whatsoever to this water resource.
- There was no strategic site selection study presented all we had was MEHL presenting a narrow focussed review of a number of sites that was totally biased.
- The entire proposal by MEHL/Indever is about cost minimisation and no cost benefit analysis was carried out to dispose of bottom ash at sites which are nearer their facility and which already have significantly better infrastructure and economies of scale.
- The EIS presented by MEHL was based upon the Nevitt Landfill proceeding and the vehicles going to the site using the new county road. As this is now cancelled their must be a new EIS prepared and submitted to all parties. In fact during the course of the Bord Pleanala hearing

it was ascertained that no traffic survey was carried out and the data used was that as submitted for the Nevitt landfill which was also found to be inaccurate at the original Bord Pleanala hearing into the Nevitt Landfill. In order to make a sound decision it is imperative that it is based upon solid data and this is completely lacking from the EIS. If we don't know the traffic impact as MEHL did not know how many trucks were required to move the bottom and fly ash how do we know the health impact on Humans from the traffic. Any decision found to be based upon poor data will not stand up to judicial review and I will not accept a shoddy EIS and call on the EPA to take a stance and reject the application on this basis alone.

- There needs to be an assessment carried out by a suitably qualified transport / roads company to ascertain the suitability of the surrounding road network. Just because MEHL have a license to import 500,000 tons per annum of builders rubble etc does not mean that the road infrastructure is adequate and bad decisions should not be exacerbated further. Moving Hazardous goods and builders rubble are 2 entirely different materials and having the same standards for both only shows how little the applicant understands regarding the transport and movement of Hazardous goods.
- Public safety has not been considered by the applicant. No data presented on the amount of trucks that have overturned on the Nevitt road or crashes that occurred have been reported.
- No fire officers report has been presented.
- No strategic hazardous incident plan was presented both for the transportation or the facility.
- No data was provided to state what category the goods fall under for transportation by road? E.g. Non cured bottom ash is known to have a Ph of 12 therefore caustic substance
- Decisions on applications of this nature should not be held separately by 2 statutory bodies and I will be raising this matter with the European Commission and therefore any split decision making will not stand up in court to judicial review.
- It is clear from community meetings with the applicant appears to think that putting a community fund in place will address all the shortcomings, this is simply an excuse not to do the right thing first time.
- If Fingal County Council, An Bord Pleanala and the EPA thought it necessary and best practice to build a new road infrastructure to service the Nevitt site from the Walshestown exit how can be acceptable to use the old road for greater volumes of more Hazardous material, precedence has been set and must be maintained
- No geotechnical analysis/engineering study was undertaken on the underlying rock base of the site in relation to the possible presence of Pyrite, annual groundwater sample analysis indicates high iron content.
- No chemical analysis was presented for the proposed waste streams coming to the site therefore it is impossible to ascertain what level of protection would be required beneath each cell and between cells.
- I understand that there may be a number of pending legal actions against the applicant concerning pyrite and it is impossible to determine the financial impact their outcome may have on the financial stability of the applicant. As previously submitted the applicant does not have a satisfactory balance sheet to support a long term project of this magnitude.

- We understand that with the cancellation of Nevitt Landfill that the Bottom and Fly ash from Poolbeg will be disposed off in MEHL facility and this should be part of the proposal if it is a strategic infrastructure project.
- There was no data presented on the different leachate waste streams produced during the operative and post operative stages, therefore we were not in a position to ascertain what risks to the environment the project presents and what facilities have the capability and the capacity to accommodate this leachate. My understanding is that we do not have sufficient waste water treatment capacity in Dublin.
- My understanding is that in Europe all Hazardous waste streams are deep buried in old mines and this is to protect groundwater usage on/near the surface and I question why we are not following the practice of our European colleagues.

In summary the MEHL proposal is an ill conceived proposal, based upon a flawed EIS and this is being inflicted on a community who have had their lives ruined for the past 7 years and based upon the foregoing points of contention it is incumbent on the EPA to reject the application before them and I welcome your decision to do so.

For and on behalf of Nevitt Lusk Action Group.

John Shortt

Dec 22, 2011

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