

SUB NO. 62

Little Acre Cottage
Walshestown
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Co Dublin

Mr Brian Meaney
Inspector
Office of Climate Licensing and Resource Use
EPA Headquarters
PO Box 3000
Johnstown Castle Estate
Co Wexford

10/01/2012

Re: Murphy Environmental Hollywood Ltd, Hollywood great, NAGS Head, The Naul, Co Dublin. File ref: W0129-03.

Dear Mr Meaney,

Please accept this submission as an expression of serious concern and exceptional reservation at the potential risk of toxic poisoning of myself, my family and the environment in which we reside given the outlandish proposal which is before you from MEHL seeking a license.

Licensing toxic facilities

I cannot understand how this government could afford to sanction the licensing of such a dangerous facility in the absence of strategic planning or direction from central government. It would be incomprehensible to imagine the placing of such a controversial facility in the hands of a private operator who offers no knowledge or expertise in the acceptance, handling, management, disposal, aftercare or emergency procedures for disaster resulting from chemical explosion and toxic release into the atmosphere. The flawed EIS effectively shows the applicant is simply a quarry owner who to the best of my knowledge does not employ any chemical engineers or any experts associated with chemical engineering. To release a license to this applicant would be akin to placing a loaded shotgun in the hands of a child.

Complaints about the applicant

The EPA enforcement section are already fully informed through a litany of long and protracted complaints from local residents about the activities of Murphy's Quarries and the breaches of license conditions attached to licenses issued to Murphy's Quarries and associated companies related to Seamus Murphy.

Pyrite concerns

I am sure the EPA is well aware of the fact that thousands of homes in the Fingal and Meath areas have been found to contain iron pyrite in the hardcore beneath their floors and walls. This product is the source of immense structural damage to these homes due to the expansion and inertia of the pyrite resulting in extensive cracking to the floors and walls. This is a very serious problem for the home owners and a very complex problem for the local authorities and the government in general as most of the quarry owners have long since gone and no one is prepared to accept responsibility, most notably "Home Bond" the agency that most people felt was their guarantee against structural damage first and foremost. As an ordinary citizen I am not qualified or in a position to say whether or not the hardcore provided by Murphy's quarry contains iron pyrite but the EPA is in a position to ensure me that Murphy's quarry is not a source of the iron pyrite problem.

Water quality

All I can tell you in this regard is that the water from wells in our area has a very high iron content and the local people are saying that the stone provided from Murphy's quarry did contain iron pyrite. It is not up to me to prove that the rock in Murphy's quarry upon which the DAC liner will be constructed will be free of iron pyrite, but under the circumstances it most certainly is up to the EPA to satisfy themselves that such DAC liner foundations will be stable. Can you imagine the disastrous consequences of a cracked DAC liner retaining hazardous leachate? All I am asking is for you to do your job – the job expected of you as the appointed experts in environmental matters.

Planning

As an ordinary citizen of Ireland which forms part of the larger EU member states I can't help but feel totally abandoned by the Irish planning system. For example, I was present during the An Bord Pleanala oral hearing into the MEHL proposal and what I experienced would seem inconceivable in any democracy. An Bord Pleanala were not represented at that hearing by any chemical experts, (Whereas at the Corrib gas pipeline oral hearing An Bord Pleanala retained the services of Prof. Nigel Wright whose input to the case resulted in the pipeline being relocated further away from residential properties than previously advised in the EIS). Notwithstanding the above An Bord Pleanala granted planning permission to MEHL. **This is totally bizarre!**

In my opinion the Irish planning system should be disbanded with immediate effect as too many erroneous decisions have been made by a small group of people who believe they are above the law.

I appreciate the impossible position the EPA now finds itself in following the An Bord Pleanala decision however, the facts in this case remain unchanged:

- Pyrite is a critical factor at this quarry
- There is no strategic plan nor is it in the program for government to develop such a facility
- The agri-food business in Fingal is thriving and government expect job creation in the industry as part of the economic recovery
- A highly productive aquifer traverses the region and many public and private wells are located too close and down gradient of the facility
- The Bog of the Ring public water is threatened by MEHL proposal

- MEHL possess no expertise in handling / management of toxic waste
- Carcinogenic matter will be deposited on site with no expert supervision to contain it safely
- I believe the EPA are bound by a recent European Court of Justice ruling that condemns split decision making on environmental matters
- INDAVER IRL have made it abundantly clear that they will take no responsibility for the waste once it arrives at the MEHL facility and in fact they are standing apart from the proposal while at the same time promoting it
- With the Nevitt landfill now **scrapped** the proposed county road will not be constructed therefore MEHL traffic will be forced onto existing road networks which are already over capacitated
- Murphy's Quarries and MEHL have shown complete disregard for the safety of the local community and have failed to have regard for the children in the local primary school, all in favour of profit
- If the EPA grant a license the traffic problems locally will become catastrophic and injury and death involving waste industry traffic will be inevitable
- My home is located down gradient and downwind of the proposed site and I have absolutely no confidence whatsoever in the applicant operating or maintaining the site to any degree of safety for now or in the future
- No private company could be expected to last a lifetime yet this facility will be there forever and ever offering no contribution to the community or the environment and long after the applicant has washed his hands of it, who then will pick up the pieces and attempt to undo the disastrous consequences? – The tax payer of course!
- All around the world toxic facilities are located in deep unused mines far removed from any residential habitation, farming and food producing industries, so what exactly is the problem in Ireland? Why do authorities entertain such bizarre proposals when it is strikingly obvious that a more **unsuitable** site would be difficult to find anywhere in Ireland.
- Can the EPA give indemnity to my family and all other families locally including future generations, that when the inevitable disaster happens that they will step in to rectify the situation and compensate everyone for their losses because there is no way on this earth that MEHL will do it?
- The EPA licenses and conditions granted for the incinerators at Carnstown and Poolbeg are clear in their statements that all ash produced must be exported
- **The EPA should have the expertise to agree that a facility of this magnitude must be government run** if there is to be any guarantee of certainty on safety, management, aftercare and above all **liability**
- If the EPA grant a license North County Dublin will have the equivalent of the Haulbowline site in Cork where there is serious concern about the increase in cancer related illness since that site closed in 2001
- For 10 years before the Irish ISPAT steel plant closed more than 500,000 tonnes of toxic waste was dumped there making it one of the most toxic dumps in Ireland. Is this what the people of North County Dublin can expect for the future?
- A suspected cover up took place at Haulbowline when a subcontractor on site discovered evidence of the deadly toxin chromium six also known as hexavalent chromium (CRCV1) which is a serious cause of cancer. The same material was the subject of the movie **Erin Brokovich** and the MEHL site will definitely contain this highly dangerous chemical
- If the EPA decide to grant a license I believe that they would be culpable in any future litigation as the applicant has failed to produce any satisfactory route to financial recourse in the event of illness, injury or death as a result of toxic exposure from MEHL

- The EPA and An Bord Pleanala will no doubt form part of the public enquiry which is being sought by some TD's into the squandering of **€35 million** on the **Nevitt project now cancelled due to lack of need**
- I believe that both the EPA and An Bord Pleanala must account for their lack of vision in granting approval for a super dump that a **need was never established** for and for failing to be in touch with reality in regard to waste market trends and industry projections
- Lastly, the EPA could do worse than reflect on its own record before deciding on the MEHL proposal

A more proactive approach from the EPA and An Bord Pleanala would be to refuse approval and to make a recommendation to develop a new public water supply from the abundant aquifer beneath the proposed site.

Yours sincerely,

James P. Lunney

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