SANDYMOUNT & MERRION RESIDENTS ASSOCIATION.

EPA,
Office of Climate, Licensing and Resource Use,   c/o15 Castle Park,
PO Box 3000,   Sandymount,
Johnstown Castle Est.,   Dublin 4.
Co. Wexford.

23/1/2013.

Dear Sirs,

With reference to the application by Dublin City Council for a permit under section 5 of the Dumping at Sea Acts 1996 to 2010 to dispose of 824,000 tonnes of spoil from the proposed sinking of an inlet shaft, tunnelling operations and riser shaft in Dublin Bay for the proposed extension to the existing Ringsend Waste Water Treatment Works, we wish to express our serious reservations as to the e ffects this dumping proposal could have on the seabed and on fauna, [fish and cetaceans], which use the area of the site off Howth Head during the year.

We note that in a letter to Captain David Dignam of Dublin Port Company dated 27th September 2012 the amount of spoil could be greater by some 100,000tonnes up to a possible maximum of 950,000 tonnes. Dumping is to take place on what is described as existing spoil grounds, presumably because over some period of years dumping has occurred in the vicinity, mainly of dredged material from shipping channels with much smaller quantities of mainly inert material from other works. There is a variation of 11.5 m in seabed depth according to the Chart Datum figures - it is unclear how much of this variation is due to the natural configuration of the seabed and how much may be due to previous dumping.

We also note that some spoil is to be transferred from a fixed jack-up barge platform over a period of eight months total, which gives rise to possible spillage and contamination of the sea affecting other marine life. Whether slurry is to be part of the drilling operations for the proposed riser shaft from which some of the spoil will originate is not known. Spillage of slurry from that operation and transfer for disposal, if used, would also be a possible source of water contamination.

The application appears to assume that the excavated material will be of homogenous inert limestone yet some of the cores obtained during drilling investigations showed considerably fractured rock which may contain other minerals.

Section 2.3.2 states that the ESB have agreed to change the IPPC license during construction of the proposed Ringsend WWTW long sea outfall tunnel. Has an application for such boundary change been made?

The application states that none of the recorded cetacean species in Dublin Bay is listed as a qualifying interest of any Natura 2000 sites in the vicinity of the proposed Burford Bank spoil disposal area, which is inaccurate. [It is also admitted on p48 under the heading "Conclusion" that the site is likely to be used by cetaceans for foraging.] The area is within the Rockabill to Dalkey Island proposed Natura 2000 Marine Conservation area 003000.

The application admits that there is a lack of knowledge of fish stock in the area, - sufficient reason we would submit to refuse the application on the grounds of inadequate knowledge of the possible environmental effects.

There is no evidence to support the assertion that adult fish would swim away from the proposed spoil area completely unharmed. Nor is there any indisputable evidence to the effect that other species that may exist in the area would be unaffected by disturbance of the seabed and/or by the distribution or suspension of fines in the water. The Wildlife Acts do not state that it is permissible to destroy or

damage the habitat and species for a period of over three years and later monitor the area to see whether or not the habitat and species recover. The precautionary principal should be applied. Would the granting of a permit to dump this spoil also include or assume the granting of permission for drilling operations etc in the Bay and seabed either within or adjacent to a Natura 2000 site?

Yours Sincerely,

Lorna Kelly, Planning Officer, Sandymount & Merrion Residents Assocn.

Lorna Kelly, p.p. SAMRA.