

Grainne Oglesby

From: Licensing Staff
Sent: 06 February 2013 14:41
To: Grainne Oglesby
Subject: FW: New submission entered for Reg no: P0974-01. (Reference Number: P0974-01-130206020817)
Attachments: 20130206 - Bulrush IPPC application.pdf
Importance: High

From: Andrew Jackson [<mailto:naturalenvironment@antaisce.org>]
Sent: 06 February 2013 14:09
To: Licensing Staff
Subject: New submission entered for Reg no: P0974-01. (Reference Number: P0974-01-130206020817)
Importance: High

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An Taisce

The National Trust for Ireland

Submitted online via the EPA's website

Office of Climate, Licensing & Resource Use,
Environmental Protection Agency,
PO Box 3000,
Johnstown Castle Estate,
County Wexford

6 February 2013

**Bulrush Horticulture Limited IPPC Licence Application
(renumbered P0974-01; formerly P0599-02)
Peat extraction near Lough Derravaragh SPA, Co. Westmeath**

To Whom It May Concern:

We note the EPA's recent decision - almost two years after the above-mentioned application was lodged - to subject this licence application to an environmental impact assessment pursuant to the EIA Directive (Directive 85/337/EEC; recently codified as Directive 2011/92/EU).

An Taisce is surprised and concerned, however, that the EPA has not screened for (and then carried out) an appropriate assessment of 'in combination' effects on the Lough Derravaragh Special Protection Area (SPA) for birds as part of this licence application, pursuant to the Habitats Directive (Directive 92/43/EEC) and the European Communities (Birds and Natural Habitats) Regulations 2011 (No. 477/2011). For the reasons set out in full in my submission of 14 February 2012 (in the name of Friends of the Irish Environment), such an assessment is required as a matter of law. This view is further supported by the Department of the Environment's submission of 21 June 2010 to the effect that the nearby peat extraction activities of Westland Horticulture must be subject to appropriate assessment as part of that company's ongoing IPPC licence application process (P0914-01). Given that Article 6(3) of the Habitats Directive requires 'in combination' effects to be assessed, if Westland's activities require appropriate assessment, so too must the 'in combination' effects of Westland's activities and Bulrush's activities.

We should therefore be grateful for your confirmation in writing that an appropriate assessment of 'in combination' effects on Lough Derravaragh SPA will be carried out in respect of this licence application.

Yours faithfully,

Andrew Jackson
Natural Environment Officer
naturalenvironment@antaisce.org