

(7)

S. 37

File With _____

SECTION 131 FORM

Appeal NO: PL 16.207212.

Defer Re O/H ☐

TO:SEO

Having considered the contents of the submission ~~0000~~ received 07/10/04. from

An Taise I recommend that section 131 of the Planning and Development Act, 2000

☒/not be invoked at this stage for the following reason(s): No new issues.

E.O.: Kieran Somers

Date: 08/10/04.

To EO: _____

Section 131 not to be invoked at this stage. ☒

Section 131 to be invoked - allow 2/4 weeks for reply ☐

S.E.O.: M. Dale

Date: 21/10/04

S.A.O: _____

Date: _____

M _____

Please prepare BP _____ - Section 131 notice enclosing a copy of the attached submission

to: _____

Allow 2/4weeks - BP _____

EO: _____

Date: _____

AA: _____

Date: _____

CORRESPONDENCE FORM

Appeal No: PL 16.207212

M Form

Please treat correspondence received on 07/10/04 as follows:

<p>1. Update database with new agent for Applicant/Appellant _____</p> <p>2. Acknowledge with BP <u>23</u></p> <p>3. Keep copy of Board's Letter <input type="checkbox"/></p> <p><u>Response to section 131.</u></p>	<p>1. RETURN TO SENDER with BP _____</p> <p>2 Keep Envelope: <input type="checkbox"/></p> <p>3. Keep Copy of Board's letter <input type="checkbox"/></p>
--	--

Amendments/Comments

<p>4. Attach to file</p> <p>(a) R/S <input type="checkbox"/> (d) Screening <input type="checkbox"/></p> <p>(b) Mapping <input type="checkbox"/> (e) Inspectorate <input type="checkbox"/></p> <p>(c) Processing <input type="checkbox"/></p>	<p align="center">RETURN TO EO <input checked="" type="checkbox"/></p>
---	---

EO: <u>Kieron Somers</u>	Plans Date Stamped <input type="checkbox"/>
Date: <u>08/10/04</u>	Date Stamped Filled in <input type="checkbox"/>
AA: <u>James Fagan</u>	Date: <u>8/10/04</u>

AN TAISCE - THE NATIONAL TRUST FOR IRELAND

Our ref: 20041005-16-3343-Obs

The Secretary
An Bord Pleanála
64 Marlborough St
Dublin 1

5 October 2004

Dear Sir

REF: PL16.207212, Mayo County Council reference number P03/3343
Appeal re construction of gas terminal at Bellanaboy Bridge, Bangor, Erris, Co Mayo

Thank you for the two further information submissions and appendices from the applicant.

Submission 31 August 2004 from Tom Phillips & Associates with Enclosures

Technical appendices were submitted under Appendix 3A & B including information from the Swedish Geotechnical Institute which is provided in Swedish without translation documentation. We submit that the circulation of documentation which forms an appendix to an Environmental Impact Statement must be in the official language of the country or countries affected and that this renders the submission in breach of the EIA Directive.

The letter from the Swedish Geotechnical Institute of 20 July 2004 under Section 2.12 states that: "Tests for the environmental impact have been scheduled. Total contents test and batch tests on both natural soil and stabilised soil are proposed".

It is further confirmed that the data provided is premature as the letter of 27 August 2004 from the Swedish Geotechnical Institute states with regard to item 3 which states that "these tests are ongoing and results are expected in less than one month".

Section 1.2 of the submission of 31 August 2004 from Tom Phillips & Associates states that "without direct communication and interaction between the technical experts it is difficult to ensure that every aspect of these questions has been interpreted correctly". This raises serious questions with regard to the adequacy of information provided by the applicants and the appropriateness of An Bord Pleanála's refusal to call an oral hearing in this case.

We consider that this proposal is unprecedented in the scale of peat removal proposed to accommodate a construction site. The established method of peat harvesting by Bord na Mona is to extend the process of peat removal on a site or area over a period of years, if not decades through progressive drainage and lowering of the water table and removal of the progressively drier upper level of peat through a process of milling.

While it is noted that the consultants involved in this scheme have been responsible for studies of the upland peat slides at Derrybrien in Co Galway and Pollathomas near the

application site, no proper comparison has been provided with regard to the impact of the removal of a large quantity of saturated peat from a site within a confined time period combined with the stabilisation of its perimeter.

In Section 2.2.5 reference is made to the history of peat stabilisation with the technique of "peat dry mixing" introduced in Scandinavia and Japan. We consider that the case studies submitted are not comparable to the ground conditions that prevail at Bellanaboy on a site which is additionally subject to periodic and unpredictable high levels of rainfall. While reference is made in Section 2.2.6 to trials carried out by Hebib and Farrell from Trinity College Dublin in 2003 on two sites in the midlands, there is inadequate information to establish the relevance of these sites as a comparison.

We consider that notwithstanding the involvement of the applicant's consultants in the Derrybrien and Pollathomas peat slide, that unfair conclusions have been drawn with regard to gradients and risks. Section 2.1 of the PPA submission under Bog Slide (Item 20), states that the slope on the site at Bellanaboy Bridge is 2 degrees compared with the same slope at Pollathomas being 30-60 degrees. The slope is only one of a range of considerations to come into play in affecting bog slide. Where there is a lack of containment, saturated peat still moves regardless of the gradient and bog slides affecting roads in Co Mayo are a periodic occurrence.

We do not consider that the adequacy of the containment measure proposed using cement binders has been demonstrated, particularly with regard to the pressure generated by wet peat adjoining the site.

Submission on 15 September 2004 from Tom Phillips & Associates with regard to Road and Transportation and Phosphorous

1. Traffic

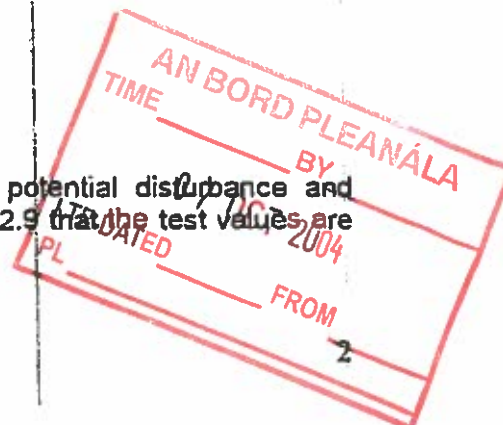
On 21 June 2004 we received a notice from Mayo County Council under Section 179 of the Planning & Development Act 2000 with regard to a Part 8 scheme for upgrading of regional roads R313 and R314 and local roads L1204 and L12044 in a number of identified townlands. This contained no reference to the introduction of a one way scheme which would be applicable to both public transport and private vehicles as well as material transporting peat slurry to Srahmore and returning to the terminal site. In particular, drawing number 3225-04-01, while indicating a one way loop for haul vehicles, makes no reference or suggestion that a one way system would be introduced for traffic in general.

While we are pleased to note that An Bord Pleanála under Item 1 of its requests is seeking information on site distances and turning radii, we submit that that the evaluation by An Bord Pleanála, the impact of the haul route and distribution should extend to all issues and environmental impacts including on the Candidate Special Area of Conservation affected.

Accordingly there is a direct contradiction between the information now supplied by the applicant's consultants and that contained in the Part 8 proposal on which the consultants claim to rely.

2. Orthophosphate Emissions

An Bord Pleanála also requested information with regard to potential disturbance and leeching of orthophosphate. The applicants confirm in Section 2.2.9 that the test values are



based on wet volumes of peat because the test used does not dry the peat from its natural state.

We submit that there are serious concerns because the tests as stated in page 18 of the consultants' submission are based on "extensive water sampling from the site drains". No proper analysis has been carried out to determine the extent to which the wet peat has absorbed orthophosphate and the degree to which this could dry out on a long term basis after deposition on the Srahmore site.

Conclusions

We consider that neither the An Bord Pleanála request or response has addressed or resolved the key issue in this appeal, namely the cumulative and combined impact of the entire project and the particular suitability of the terminal site in the first instance with regard to safety and hydrology.

While we are pleased to note that An Bord Pleanála has raised a number of queries with regard to the impact of peat displacement from the proposed terminal site, and the impact on the haul route, there has been insufficient regard to the combined environmental impacts of this project including the road upgrading and widening between the terminal and peat depository site including location of and tonnages and haul routes of materials required to be imported onto the site.

Furthermore, consideration of this application requires an integrated assessment of all aspects of the project including the Construction of Upstream Gas Pipeline both Offshore and Onshore and Discharge Pipeline and Downstream Pipeline including impact on Designated European Site Nature Conservation Areas and Impacts of Peat Depository

Yours sincerely



IAN LUMLEY
Heritage Officer

For inspection purposes only.
Consent of copyright owner required for any other use.

