

Noeleen Keavey

From: Licensing Staff
Sent: 11 February 2015 12:48
To: Noeleen Keavey
Subject: FW: New Third Party objection entered for Reg no: W0272-01. (Reference Number: W0272-01-150211123904)
Attachments: FriendsIrishEnvironment.docx
Importance: High

From: Tony Lowes [mailto:admin@friendsoftheirishenvironment.org]
Sent: 11 February 2015 12:40
To: Licensing Staff
Subject: New Third Party objection entered for Reg no: W0272-01. (Reference Number: W0272-01-150211123904)
Importance: High

Objection submitted on: 11/02/2015 12:39
Title: Mr
First Name: Tony
SurName: Lowes
Organisation Name: Friends of the Irish Environment
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Address Line 2: Eyeries
Address Line 3:
County: Cork
Post Code: 0000
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Objector Type: Third Party

Oral Hearing: No

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Kilcatherine, Eyeries, County Cork
<http://www.friendsoftheirishenvironment.org>

The Secretary
Office of Climate, Licensing & Resource Use
PO Box 3000
Johnstown Castle Estate, County Wexford
11 February 2014

**Re: Objection to proposed grant of Waste Licence - W0272-01
Request for Oral Hearing
Milverton Waste Recovery Facility, Milverton, Skerries, County Dublin**

Dear Sirs;

We wish to object to the proposed Waste Licence for a Soil Recovery Facility at a disused quarry at Milverton, Skerries, County Dublin and request an oral hearing.

The proposed licensed activities include the processing of and storage of recycling construction materials, soil cleaning, composting and other biological transformation processes.

Serious concerns arise that appear not to have been addressed. These include the economic and social impact of the proposal on the property values. The Inspector states:

'There is no evidence presented to suggest that local property will be devalued due to the presence of this waste soil recovery facility. In any event this is not a matter that is within the remit of the Agency.'

Whose remit is it? The applicant states that

Fingal Co. Council carried out a review of the planning status in 2012 in accordance with the requirements of Section 261A of the Planning Development Acts. That review determined that Roadstone should apply for Subsequent Consent. However An Bord Pleanala subsequently determined that Substitute Consent was not required on the basis that the quarrying operation was a pre-1964 operation and therefore decided to set aside the Council's determination.

Thus it would appear that the normal requirements of proper planning and development have not been undertaken on the grounds that the quarrying operation was a pre-1964 development. But the proposed development is not for quarrying. It includes soil reclamation from natural, clean soil and stone but also permits gasification and pyrolysis as part of composting and other biological treatment.

Friends of the Irish Environment is a non-profit company limited by guarantee registered in Ireland.
It is a member of the European Environmental Bureau and the Irish Environmental Network.
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Directors: Caroline Lewis, Tony Lowes

In transport demands alone, these are socially contentious operations. According to the EPA Guidance Manual:

"Biological treatment" means composting, anaerobic digestion, mechanical-biological treatment or any other biological treatment process for stabilising and sanitising biodegradable waste, including pre-treatment processes.

How can an exemption for quarrying apply to anaerobic digestion? Gasification and pyrolysis were not even envisaged in 1964. This would be Alice in Wonderland were it not that residents have constitutional rights of ownership that the planning system is there to balance with the common good.

The Planning Appeals Board should attend an oral hearing to explain their position and demonstrate how the proper planning and development is served with this proposal exempted.

If the file is correct in stating that any Discharge Licence will no longer apply to the operations at this location once a Waste Licence is issued then further attention must be given to the discharge conditions, especially to surface waters. Dissolved solids must be sampled as well as suspended solids and sampling must be continuous.

The submission from Fingal County Council recorded in the Inspector's Report states that 'there must be no discharge of suspended solids or any deleterious matter to watercourses and that the applicant should be asked for his proposals to ensure that there is not a wash out from the settlement ponds during periods of heavy rainfall.' No such proposal appears to have been provided, the Inspectors response simply repeating reliance on the pump controls ('affording control of discharges to the receiving water' when the issue is a wash out which overwhelms the pumping system).

Aside from national protection, internationally, Peregrines are also listed in Appendix 1 of the Convention on International Trade in Endangered Species (CITES). This is the highest level of protection given to any species - the same level of protection given to tigers and Giant pandas and reflects the importance given to the species by the international community. We were also unable to find surveys for critical species (like bats).

The value of the site for nature conservation in an area where intensive agriculture has removed traditional small field patterns with their hedgerows and shelters has not been assessed. In fact, the current and future potential for a biodiversity hotspot to support our obligations under the Biodiversity Convention appears to be absent from any considerations, as has the amenity value.

In these circumstances, we would be grateful if the Agency reassessed its decision and sought the views of all parties through an oral hearing before determining this licence application.

Yours, etc.,

Tony Lowes