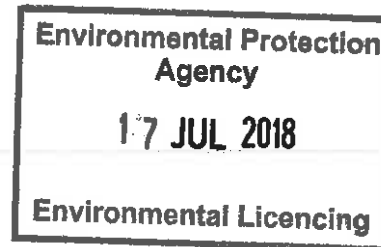


Noeleen Keavey

Subject: FW: HSE response to application for a licence W0298-01 by GCHL LIMITED at site in Ballinderry, Carbury, Naas, Kildare
Attachments: HSE Waste Management Licence Application Review - Ballinderry, Carbury, Co. Kildare.pdf



From: Robbie Doyle [mailto:robbie.doyle@hse.ie]

Sent: 17 July 2018 17:24

To: Licensing Staff <licensing@epa.ie>

Subject: HSE response to application for a licence W0298-01 by GCHL LIMITED at site in Ballinderry, Carbury, Naas, Kildare

Dear Sir/Madam,

In accordance with the provisions of the applicable licensing regulations, please find attached the HSE consultation report in relation to the above proposal.

Hard copy to be posted.

All correspondence or any queries with regard to this report including acknowledgement of this report should be forwarded to Mr. Tom Prendergast, Principal Environmental Health Officer, Environmental Health Service, The Crossings, Naas, Co Kildare.

Best wishes,

Robbie

Robbie Doyle,

Environmental Health Officer,

The Crossings,

Naas, Co. Kildare.

Direct Line: 045-920204

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Environmental Health
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Health Service Executive

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Waste Management Licence Application
HSE SUBMISSION REPORT
Environmental Health Service Consultation Report
(as a Statutory Consultee (Planning and Development Acts 2000,
& Regs made thereunder).

Date: 16 July 2018

Our Ref: 0795

Report to: Environmental Licensing Programme
Office of Environmental Sustainability,
Environmental Protection Agency,
Johnstown Castle Estate,
Co. Wexford.

Type of consultation: Waste Management Licence Application

EPA Reference Number: W0298-01

Applicant: GCHL Ltd., Naas Industrial Estate, Naas, Co Kildare

Location: Ballinderry, Carbury, Naas, Co. Kildare



Proposal:

Waste Licence application being made by GCHL Ltd to the Environmental Protection Agency (EPA) for authorisation to import waste soil and stone to restore a worked-out sand and gravel pit using inert waste materials to a landform that ties in with surrounding land contours. The restoration will involve the phased dewatering and infilling of 2 No. ponds at the Site.

General Introduction:

The following HSE departments were made aware of the consultation request for the proposed development on June 18 2016.

- Emergency Management
- HSE Estates
- Health Protection
- CHO – David Walsh
- Environmental Health

This report only comments on Environmental Health (EH) Impacts of the proposed Waste Licence application, as outlined in the accompanying Environmental Impact Assessment Report (EIAR), dated 16th June 2018, and the adequacy of this EIAR from an EH viewpoint. Reference will also be made to any monitoring undertaken by the EH office to determine threats to the health and wellbeing of the public in the area.

Application Summary:

The above application was referred to the Kildare Environmental Health Service on June 18th 2018.

This office is concerned primarily with highlighting issues of public health & environmental health concern. The documentation submitted by the EPA and the accompanying EIAR submitted by GCHL Ltd to the Environmental Protection Agency (EPA) in support of their Waste Licence application was reviewed under the following headings.

- Surface Water
- Ground Water
- Air Quality
- Noise

Surface Water

The Ballinderry 2018 Environmental Impact Assessment Report (EIAR) states that, "The site is located within the Eastern River Basin District and falls within the Water Framework Directive ('WFD') catchment area for the River Boyne (SAC). The eastern edge of the site is bounded by the River Glash and the Balrinnet Stream runs within 100 m of the western Site boundary (which flows north to act as a tributary to the River Glash). The River Glash continues to flow north until its eventual confluence with the River Boyne".

The report indicates that the "Balrinnet stream and upper River Glash to the north-east of the site were attributed WFD 'Poor' status by the EPA for both the 2010-2012 and 2010-2015 periods." It should be noted that this data is 3 years old.

The report relies on "Biological surface water quality data available from the EPA for their station at Clonuff Bridge (downstream of the Site, where the Balrinnet stream discharges into the River Glash, see Figure 6.1) reported a quality value (Q) rating of 2-3 in 2015, which represents 'moderately polluted' water."

The EIAR states – "It should be noted that Moyvalley Meats and Clonuff residencies are licensed to discharge waste water to the River Glash and is likely to contribute to the makeup of the waters assessed when producing the Q ratings discussed above."

It is considered that the contents of the Environmental Impact Assessment Report are inadequate by reason of an absence of sufficient information, i.e. further sampling of the actual River Glash and Balrinnet Stream should have been undertaken upstream and downstream of the site. This would have determined the exact impact this site is having on these

watercourses. The surface water sampling undertaken for this report was only within the confines of the Site (SW1) and adjacent to the River Glash. (SW2 and SW3).

Ground Water

The Geological Society of Ireland (GSI) has determined that the Groundwater vulnerability at the Site as predominantly “High” and “Extreme” in the areas where the aquifer is directly exposed i.e. Pond B and C

In 2003, Kildare County Council decided to REFUSE planning permission for application 02/1475 to extract sand and gravel at the site. In 2004, GCHL Ltd. appealed the decision to An Bord Pleanála (PL. 09.205039) who overturned the Kildare County Council’s decision and GRANTED permission with 24 conditions.

Condition 4 of the An Bord Pleanála (PL. 09.205039) decision stated that, “No extraction or excavation shall take place below one metre above the highest water table recorded at the point of extraction/excavation.” The reason given by the Bord for this condition was “to minimise the impact of the development on the underlying groundwater, in the interest of public health.”

From the information provided in the 2018 Ballinderry EIAR, it would appear that this condition was not adhered to – Section 6.3.5: “Table 6.4 includes the surveyed water level of Ponds B and C on 08 March 2018. These ponds are located where the gravel extraction exceeds the depth of the groundwater table and are thought to be representative of rest groundwater elevation.”

Operations on the site have directly exposed the aquifer at Pond B and C in direct contravention of Condition 4 of An Bord Pleanála’s (PL. 09.205039) 2004 ruling.

There are a number of domestic residences in close proximity to the site that rely on private wells. Analysis of drinking water samples taken in June 2018 from some of these wells by the Local Authority indicated that the samples were NOT in compliance with the European Union (Drinking Water) Regulations 2014/2017. These results were referred to the HSE for public health advice and were considered in the review of this waste application licence.

Air Quality

It is considered that the contents of the Environmental Impact Assessment Report are inadequate by reason of an absence of sufficient information of predicted dust levels associated with the proposed development outside the boundary of the site and the cumulative impact of dust levels on the surrounding area from the proposed development and the neighbouring quarries to the west and south-west of the site.

Noise

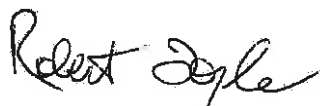
It is considered that the contents of the Environmental Impact Assessment Report are inadequate by reason of an absence of sufficient information of predicted noise levels associated with the proposed development outside the boundary of the site and the

cumulative impact of noise levels on the surrounding area from the proposed development and the neighbouring quarries to the west and south-west of the site.

Conclusion:

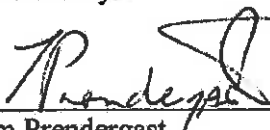
It was considered that the contents of the Environmental Impact Assessment Report are inadequate by reason of an absence of sufficient information in regard to Surface Water, Air Quality & Noise. In the absence of such information, the Environmental Health Service HSE is unable to fully assess the impact of the proposed development on the health and wellbeing of the population residing in the surrounding area.

Having considered the documentation submitted, the Environmental Health Service HSE has serious concerns relating to the application for a Waste Management Licence by GCHL Ltd to the Environmental Protection Agency (Ref. W0298-01). These concerns relate to the protection of public health due to the potential contamination of the groundwater by the proposed operations on the site.



Robert Doyle
Environmental Health Officer

Endorsed by:



Tom Prendergast
Principal Environmental Health Officer

*** All correspondence or any queries with regard to this report including acknowledgement of this report should be forwarded to Mr. Tom Prendergast, Principal Environmental Health Officer, Environmental Health Service, The Crossings, Naas, Co Kildare.**