



### Submission

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|---------------------------|---------------------------------|
| Submitter:                | Miss Bernice Martin             |
| Organisation Name:        | Fingal HSE Env.Health           |
| Submission Title:         | Env. Health Submission W0301-01 |
| Submission Reference No.: | S005527                         |
| Submission Received:      | 03 June 2019                    |

### Application

|            |                      |
|------------|----------------------|
| Applicant: | Glv Bay Lane Limited |
| Reg. No.:  | W0301-01             |

See below for Submission details.

Attachments are displayed on the following page(s).

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Feidhmeannacht na Seirbhíse Sláinte  
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**Waste Licence Application  
HSE Submission Report  
Environmental Health Service Consultation Report**

**Date:** 17 May 2019

**Our reference:** 0929

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

**Type of Consultation:** Waste Licence Application

**Applicant:** GLV Bay Lane Ltd., Block B, Maynooth Business Campus, Maynooth  
W23W5X7, Co. Kildare

**Nature of Activity:** The principal activity is the recycling/reclamation of other inorganic materials, which includes soil cleaning, resulting in recovery of the soil and recycling of inorganic construction materials. Other activities include the storage of waste pending any of the operations numbered R1 to R12 (excluding temporary storage (being preliminary storage according to the definition of 'collection' in section 5 (1)), pending collection, on the site where the waste is produced).

### Introduction

The following HSE Departments were notified of the consultation request for the licence application on 10 April 2019

- Emergency Planning – Brendan Lawlor
- Estates – Helen Maher
- Assistant National Director for Health Protection – Kevin Kelleher/Laura Murphy
- CHO-Mary Walshe

This report only comments on Environmental Health impacts of the licence application.

## General

GLV Bay Lane Ltd. have made an application to the EPA for a waste licence for a development which will comprise a soil and stone recovery facility that will allow for the full restoration of lands that currently constitute a disused quarry. It is proposed that the restoration of the site will occur on a phased basis over a 30 month period. The site area is approximately 13.67 hectares in total with the quarry void accounting for 8.59 hectares.

It is proposed that 296,000m<sup>3</sup> per annum of inert soil and stones will be imported to the site over a 2.5 year period. An additional 27,918m<sup>3</sup> of soil covering will also be used.

The location of the development was a green field site prior to its use as a quarry from approximately 2002 until 2008. The site is in a rural area, close to the N2/M2, M50, M1 and N3 road and motorway networks

All commitments to future actions, including mitigation and further testing have been taken as read, and all data has been accepted as accurate. No additional investigations/measurements were undertaken in the review of the application.

In respect of this application, the areas reviewed were those of concern to Environmental Health and which are:

- Any potential contamination of surface water
- Any potential contamination of ground water
- Emissions to air including noise and dust

Although it is acknowledged that this application is for a waste recovery activity and not for a waste disposal activity, the EPA's **BAT Guidance Note for the Waste Sector: Waste Transfer and Material Recovery** is the most relevant BAT document against which to review the licence application.

## Site location

The site is located 1km to the southwest of Exit 2 on the M2 motorway and 6km from Exit 5 on the M50 motorway. It is 3km south west of the village of St. Margaret's, 3 km north east of Mulhuddart and 2.8km west of the closest boundary of Dublin Airport.

There are three occupied residential properties within 250m of the site's eastern boundary. Land use in the area is a mixture of agricultural, commercial and industrial.

## Public Consultation

The Environmental Health Service notes the consultation undertaken during the EIA process, but was unable to locate any evidence of public consultation. It is the experience of the Environmental

Health Service that early and meaningful public consultation minimises the risk of future complaints around the operation of a licensed facility.

Table 1.2 **Effects Summary Table** (Non-Technical Report) states that *'the applicant will seek to meet with local residents regularly to ensure issues relating to nuisances that may affect their material assets do not arise'* While this is a positive measure it is reactive rather than proactive.

The Environmental Health Service is unable to determine from the application what provisions, if any, will be put in place to deal with complaints, if any, from members of the public. It is recommended that a procedure for responding to complaints is put in place.

### **Surface Water**

The Environmental Health Service has considered any potential risk of contamination of surface water from the proposed activities. It was noted that a separate application has been made by GLV Bay Ltd to reactivate the discharge licence to empty the quarry pit of standing water.

It was also noted in **'EPA Application Form 7.2 Emissions to Surface Water'** that *'precipitation falling onto the pit and surrounding area'* which will encounter soil and therefore has the potential to carry suspended solids is the main source of emissions to surface water. The Application Form lists extensive mitigation measures, which, if followed by the applicant, should minimise the risk of pollution of surface water.

### **Ground Water**

The proposed development is located within the Swords Groundwater Body and the Eastern River Basin District and overlaps two aquifer designations. An aquifer to the north of the site (including the northern corner of the quarry pit) is designated a **'Locally important Aquifer – Bedrock which is Moderately Productive only in Local Zones'** The majority of the quarry pit is designated **'Poor Aquifer – Bedrock which is generally Unproductive except for Local Zones'**

The site of the proposed development and surrounding area are within an area of groundwater that is a source of drinking water.

Section 2.4.1 of the Non- Technical Summary document (Soil and Groundwater) refers to eight groundwater wells providing water to domestic properties.

The Environmental Health Service recommends that each of these wells is tested against the parameters specified in the Drinking Water Regulations (S.I. No. 122 of 2014). Monitoring of the quality of water in private wells should be undertaken twice per year during works and once in the six months following completion of the works.

It is noted that mains water is available on site.

Due to the lack of use of the public mains water supply to the site, it is recommended that any drinking water used on the site is tested prior to work commencing.

## Emissions to air including noise and dust

### Noise

The primary source of noise and vibration will be from the movement of trucks on approach roads to the site including Bay Lane, and from the movement of vehicles within the site, including the tipping of materials. The 'Effects Summary Table' (Table 1.2) indicates that an additional 196 truck movements per day will be generated as a result of the development.

Other noise sources in the vicinity include road traffic noise from the N2-R121 dual carriageway link road, distant plant noise from the Halton Concrete site, distant truck movement noise from the Pallas Foods plant, overhead aircraft noise and local passing traffic along Bay Lane.

There are two noise sensitive locations near to the proposed development – a residential property to the south east of the site at Bay Lane, which is within 100m of the site and a second property, also to the south east, which is approximately 130m from the site.

It is stated that baseline noise monitoring was undertaken at the site to establish existing noise levels. Monitoring was undertaken at three locations on February 14<sup>th</sup> and 15<sup>th</sup> 2019 in accordance with ISO 1996-1:2003 '*Acoustics-Description and Measurement of Environmental Noise –Part 1, Basic quantities and assessment procedures*'

An number of noise mitigation measures are proposed in the EIAR, including that '*care should be taken when unloading vehicles to reduce or minimise potential disturbance to residents*'. The Environmental Health Service recommends that the EPA seeks detailed information from the applicant as to how this mitigation measure will be undertaken.

Chapter 12 of the EIAR (Noise) states that '*the recommended frequency of monitoring is on an annual basis*'. As the proposed timescale for the development is thirty months, this would mean that noise monitoring would only be undertaken on two occasions. The Environmental Health Service recommends that noise monitoring is undertaken bi-annually at the nearest noise sensitive locations

### Dust

The applicant specifies a number of mitigation measures proposed to control dust on site. The site (quarry pit) is currently below ground level and at the earlier stages of the development; this will act as a natural barrier which will help to control dust. A mobile water bowser will be used on site, and a wheel wash will be employed for all vehicles exiting the site. A road sweeper will be used on internal haul roads and on the approach roads to the facility.

Details should be provided regarding the dust control measures it is intended to employ in order to control dust levels (*Non-Technical Summary, Table 1.2 Human Beings*)

It is stated that '*public roads outside the site will be regularly inspected for cleanliness and cleaned as necessary*'. It is recommended that visual checks are undertaken on a daily basis as a minimum.

The Environmental Health Service notes that *'the transportation of very fine soils should be undertaken in covered vehicles'* and recommends that **all** trucks delivering material to the site should be covered in order to minimise the impact of nuisance from dust on residents of adjacent homes.

It is noted that dust monitoring will be undertaken at two locations. EPA Application Form 7.4.1 **'Emissions to Atmosphere- Main and Fugitive Emissions'** indicates that it is predicted that there will be fugitive emissions to air from *'dust from access roads and deposition of waste soil and stone for recovery'* which will be within the TA Luft dust deposition limit value of 350mg/m<sup>2</sup>/ day averaged over a 30 day period.

EPA Application Form 4.3.5– **'Waste Acceptance Procedure'** outlines the procedure for accepting/rejecting soil and stone deliveries to the site. In Section 1.1.1.3 **'Tipping, on site verification (Rejection Point 3)** the applicant indicates that *'any excessive quantities of non-inert soil and stone waste inadvertently imported and accepted at the site will be segregated (mechanically or by hand)...*' Measures should be taken by the applicant to protect the health of staff involved in the manual segregation of such materials. This should involve the provision of PPE (construction gloves), hand-washing facilities and First Aid facilities.

## Conclusion

- The Environmental Health Service recommends that the public are informed of the proposal to develop a sand and stone recovery facility allowing for the full restoration of the disused quarry at Bay Lane, St. Margaret's, Co. Dublin. Meaningful public consultation should be undertaken.
- A system for recording and responding to complaints from the public should be put in place by the developer.
- It is recommended that the eight private wells identified should be sampled twice per year during the works and once in the six months following completion of the restoration of the quarry, in order to ensure that drinking water quality has not been compromised as a result of the proposed works.
- All water provided to staff for drinking and food preparation should be potable and should be tested in order to ensure compliance with the requirements of the Drinking Water Regulations (S.I. No. 122 of 2014)
- Details should be provided of steps to be taken to reduce noise when unloading trucks
- The Environmental Health Service recommends that noise monitoring be undertaken twice every year at the nearest inhabited properties.
- Visual inspections to check for the cleanliness of the public road outside the site (Bay Lane) should be carried out on a daily basis as a minimum.
- It is recommended that all trucks delivering soil and stones to the site are covered in order to minimise the risk of nuisance from dust on nearby residents.
- Details on the dust control measures which the applicant intends to employ should be provided
- Hand washing facilities should be provided for staff involved in the manual segregation of soil and stone waste unintentionally delivered to the site.

- It is recommended that the site is inspected by a competent person one year following completion of the works in order to verify that restoration conditions are satisfactory in respect of settlement, drainage and landscape re-instatement.

*Bernice Martin*

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**Bernice Martin**  
**Principal Environmental Health Officer**

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