



## OFFICE OF LICENSING & GUIDANCE

### LICENSING UNIT MEMORANDUM

<b>To:</b>	DIRECTORS
<b>From:</b>	BREEGE ROONEY <b>OFFICE OF ENVIRONMENTAL ENFORCEMENT</b>
<b>Date:</b>	5 JANUARY 2006
<b>RE:</b>	ADDITIONAL SUBMISSIONS NO. RECEIVED AFTER 15 NOVEMBER 2005, <b>LICENCE REGISTER 187-1</b>

Seven valid submissions were received up to the 15 November 2005 and these are discussed in my report to the Board dated 15 November 2005. Since then further valid submissions were received. The following is a list of the main points of the further submissions received:

- The proposed facility is adjacent to the River Lickey which hosts *Margaritifera margaritifera* and this species is endangered. The construction and operation of the landfill would pose an environmental risk e.g. increased silt, spills which could wipe out the freshwater pearl mussels.
- Could cause pollution of the River Lickey.
- Threat to the mussels at Garrynagree.
- Pollution of the area.
- Threat of air pollution.
- Numerous requests for an oral hearing.
- The River Lickey should be protected as it has SAC status.
- Quality of life could be affected.
- Visual intrusiveness.
- Threat to groundwater.
- Further investigation on groundwater required.
- Impact on local drinking water.
- Negative impact on bird life, wildlife, flora and fauna and aquatic life.
- Increased volume of traffic, road traffic safety issues particularly during dense fog.
- Threat to local air quality.

- Unsuitable location.
- Negative impact on tourism particularly in a Gaeltacht area and destroy the development of this Gaeltacht area.
- It could destroy the oyster shellfish industry in Dungarvan.
- Destroy walking in the local area.
- Lead to a depopulation of the area.
- Litter pollution.
- Inagh Landfill in Clare is sited as an example of a badly run landfill and this facility could be the same leading to health problems, licence conditions not adhered to, silt could enter the River Lickey which would decimate the freshwater pearl mussels, noise, litter, bird and odour nuisances, increased traffic, the facility is not in keeping with the proximity and the polluter pays principles, lack of proper management and inadequate monitoring.
- Noise pollution.
- The local people should not have to accept the waste from Waterford City and other counties. Landfill should be situated in east Waterford.
- Health Impacts.
- Nuisance such as litter, flies, insects, birds carrying rubbish, rats and vermin.
- Threat to farming in the area.
- Development is not sustainable on environmental grounds.
- Waterford County Council has a poor waste licence compliance record and an inability to manage existing dumps and currently a case taken by the EPA against Waterford County Council is in been dealt with by the DPP.
- Devaluation of property.
- Increase unemployment.
- To grant a licence to this development would be in breach of a number of EU Directives, would breach the terms of the Waste Management Act, 1996 as amended, be contrary to the sustainable development of the area, pose a serious risk to the River Lickey SAC and the protected species living there.
- The EPA must have regard to European Law and the formal letters of complaint from the European Commission in relation to this proposed development.
- Lack of financial information in relation to the proposed development.
- Lack of a treatment plant to process leachate.
- Lack of key information.
- Government Policy favours incineration over landfill.
- Drinking water would be at risk.
- Insufficient buffer between the landfill and the river Lickey

- Design, specification and location of the proposed landfill is not appropriate.

All of the above issues were already considered during the processing of the application. These submissions have been considered again and a refusal of the application for this development will resolve all the issues raised.

**Recommendation**

I recommend refusal of this application for a proposed landfill at Garrynagree & Reanagullee Townlands, Dungarvan, Co. Waterford for the reasons outlined and discussed in the Inspectors Report dated 15 November 2005 and in the Proposed Decision and after considering all the valid submissions received.

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Breege Rooney  
Inspector  
Office of Environmental Enforcement

Date: \_\_\_\_\_