

Dublin City Council

Comhairle Cathrach Bhaile Átha Cliath

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2nd March 2007
Our Ref: MT/JS

Dr. Mary Kelly,
Director,
Environmental Protection Agency,
P O Box 3000,
Johnstown Castle Estate,
Co. Wexford.

Re: Waste to Energy Facility at Pigeon House Road, Poolbeg Peninsula, Dublin 4

Dear Dr. Kelly,

In accordance with Section 175(5)(b) of the Planning and Development Act, 2000, notice is hereby given that further information in relation to the proposed Waste to Energy Facility at Pigeon House Road, Poolbeg Peninsula, Dublin 4, which is currently the subject of an application approval to An Bord Pleanála under Sections 175 and 226 of the Planning and Development Act, 2000 has been submitted to An Bord Pleanála by Dublin City Council on behalf of the four Dublin Local Authorities.

Such further information contains additional data relating to:

- The likely effects on the environment of the proposed development, and
- The likely consequences for proper planning and sustainable development in the area in which it is proposed to situate the said development of such a development,

The further information submitted to An Bord Pleanála relates to the following documents:

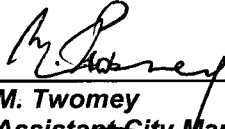
- Document entitled 'Dublin Waste to Energy Project, Major Accident Hazard Assessment', date August 2006 (received and dated by An Bord Pleanála September 2006) and revised version dated February 2007 together with responses to queries from the Health and Safety Authority.
- Clarifications to Plans and revised Drawings of the proposed development (March 2007)
- Plans and Drawings of the proposed development to specified scale (November 2006)
- Revised format photomontages (November 2006)

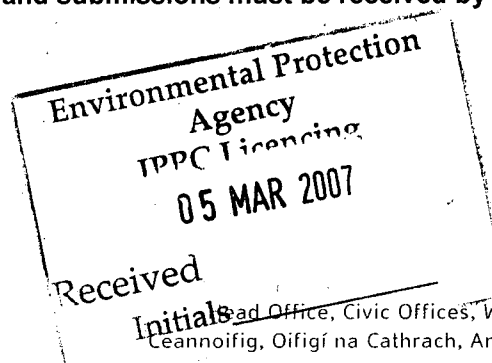
Please find enclosed a copy of all further information outlined above. You are invited to make submissions or observations in writing to An Bord Pleanála, 64 Marlborough Street, Dublin 1 in relation to the additional information provided and specifically as regards:

- The likely effects on the environment of the proposed development, and
- The implications of the proposed development for proper planning and sustainable development in the area concerned, if this development is carried out.

The closing date by which all observations and submissions must be received by An Bord Pleanála is 5.30pm on Friday 30th March 2007.

Yours sincerely


M. Twomey
Assistant City Manager



Head Office, Civic Offices, Wood Quay, Dublin 8, Ireland
Ceannoifig, Oifigí na Cathrach, An Ché Adhmaid, B.Á.C. 8, Éire

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The enclosed additional information contains the following documents:

- Document entitled 'Dublin Waste to Energy Project, Major Accident Hazard Assessment', date August 2006 (received and dated by An Bord Pleanála September 2006) and revised version dated February 2007, together with responses to queries from the Health and Safety Authority.
- Clarifications to Plans and revised Drawings of the proposed development (March 2007)
- Plans and Drawings of the proposed development to specified scale (November 2006)
- Revised format photomontages (November 2006)

Health and Safety Documentation

The enclosed further information contains two reports entitled *Major Accident Hazard Assessment* dated August 2006 (received and dated September 2006 by An Bord Pleanála) and February 2007 (together with responses to queries from the Health and Safety Authority). The most recent Major Accident Hazard Assessment Report (February 2007) supersedes that issued in August 2006.

Dublin City Council notified the Health and Safety Authority in June 2006, as required by Regulation 143 of the *Planning and Development Regulations, 2001* (S.I. No 600 of 2001), that, due to the quantities of dangerous substances to be stored at the proposed Dublin waste to energy facility, the facility would be relevant to the risk or consequences of a major accident. The relevant legislation is the European Communities (Seveso II) Directive (Council Directive 96/82/EC of 9 December 1996 as amended by Directive 2003/105/EC of the European Parliament and of the Council of 16 December 2003), as implemented in Ireland by the *European Communities (Control of Major Accident Hazards Involving Dangerous Substances) Regulations, 2006* (S.I. No. 74 of 2006) (herein referred to as 'the Regulations').

The types and quantities of dangerous substances to be stored at the facility have been compared to the threshold quantities in the Directive and Regulations, and it is estimated that the site will constitute a "top tier" site under the Directive and the Regulations. As outlined in the Environmental Impact Statement (EIS), the dangerous substances making the main contribution to the facilities upper tier status are as follows:

- Ammonium hydroxide (used for abatement of emissions to atmosphere of nitrogen oxide)
- Diesel oil (gas oil) (used as a standby fuel)
- Flue Gas Treatment (FGT) residues

Following a request from the Health and Safety Authority (HSA) on the 25th of July 2006 requesting a detailed assessment of the consequence and likelihood of major accidents to man and the environment, the Major Accident Hazard report was completed and issued to the HSA in August 2006. (Received and dated by the Board as September 2006)

Following review of the August 2006 report the HSA requested additional information before the Authority could fully assess the proposal; the Major Accident Hazard Assessment report was updated (February 2007) and was submitted to the HSA together with response to individual queries raised by the HSA in February 2007.

The Major Accident Hazard Assessment report provides technical information on possible accidents and hazards including methods of prevention and remediation should such an event occur. Following review of the enclosed reports the HSA will in turn provide An Bord Pleanála with technical advice on how to proceed in relation to the health and safety aspects of the site.

The operator of the facility will be obliged to submit a Safety Report to the Central Competent Authority (i.e. the Health and Safety Authority (HSA)) at least six months before commencement of construction. The Major Accident Hazard Assessment Report meets the requirements of the Directive and the Regulations.

Plans and Drawings

The enclosed further information includes two sets of plans and drawings, the most recent dated March 2007, which supersedes the earlier set dated November 2006. The relevant plans and drawings for the purposes of the application are the most recent, March 2007, set of plans and drawings. All earlier plans and drawings should be disregarded.

In response to a request from An Bord Pleanála dated 20th of October 2006 for additional information including clarification of the dimensions of the plans and drawings submitted with the Environmental Impact Statement (EIS), revised plans and drawings were submitted to An Bord Pleanála in November 2006.

It has been necessary to further revise those plans and drawings following clarification and confirmation of the exact location of two 110kV and two 220KV underground ESB cables (noted in section 17 of the EIS), which traverse the southern section of the proposed site. The results of site investigations and the exact location of the ESB cables were confirmed on November 2006, and following discussions with the ESB it has been agreed that, in order to minimise possible disruption to ESB services, the proposed location of the building should be moved by approximately eight metres to the north of the proposed location described in the EIS. The ESB will maintain access to the cables with an agreed wayleave of 2.5 metres.

The attached drawings reflect this proposed relocation of the building and the clarification of the dimensions of the plans and drawings as requested by An Bord Pleanála.

The attached drawings supersede all drawings previously published for this project as follows:

- Application to An Bord Pleanála (including EIS) submitted 30th June 2006
- Waste Licence Application to the EPA 7th July 2006
- Response to Request for Additional Information from An Bord Pleanála November 2006

In response to a request from An Bord Pleanála dated 20th of October 2006 for additional information, photographs indicating the existing situation and photomontages indicating the views with the development in place were prepared for viewpoints 7, 17, 18, 28, 29, 32, 33 and 36 (as indicated in Appendix 6.1 of the EIS) using a focal length of 70mm, and were submitted to An Bord Pleanála in November 2006.

Brady Shipman Martin has been instructed to prepare revised photomontages for the oral hearing which will demonstrate that the visual impact of the proposed relocation of the building by just eight metres to the North will be imperceptible when compared with the enclosed photomontages.