

IAN please accept the enclosed as a ^{Sub. (91)} final submission on my behalf. Office

Shay Lunny

Dr Ian Marnane
Inspector
EPA Licensing & Permitting
Po box 3000
Johnstown Castle Estate.
Co. Wexford.

14/7/07

Environmental Protection Agency IPC Licensing 17 JUL 2007 Received	Little Acre Cottage Walshestown Lusk Co Dublin
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RE: FCC Proposed Landfill at Nevitt Co Dublin File Ref. Wo231-01.

Initials _____

Dear Dr Marnane,

It has occurred to me that the EPA should reject the above licence application forthwith for the reasons as I have set out below,

- (1) Public consultation is a fundamental requirement of the rules of preparation of an EIS and as I understand it the non-technical summary is prepared and presented for the benefit of the general public. However FCC have made several alterations to this document since its original release but have failed to reissue or redistribute the document for public consultation. Yet the EPA appear to have accepted the application including the altered version of VOL 1 non technical summary of the EIS. Ref Epa letter to FCC 04/07/07. How can this be acceptable when it contradicts the first version.
- (2) It is now abundantly clear that FCC were well aware of the major aquifer spanning the north of the county prior to 2005, Please see appendix (1) Fingal Development Plan 2005-2011, Draft Rural Housing Policy Variation, Strategic Environmental Assessment. Page 17 Ref. 5.5.1 Groundwater. Page 39 Ref. Table 17: Soil and Water.
- (3) EIS Volume 3: 4.1.1 Sources for Leachate Concentrations: Daly 1987: Many organic compounds that may be found in landfill leachate are of environmental significance in very low concentrations- parts per billion, or parts per trillion quantities. Consequently very small amounts can cause severe pollution (Daly 1991). Of particular concern are compounds, which are fat-soluble and biologically stable so that they accumulate in body fats. Such compounds may biomagnify along food chains and in some ecosystems concentration factors from water to top predators may be as high as 10 to the power of 7 (Mason 1996).
- (4) EIS Volume 3: 4.1.1.2 Endocrine Disrupting Chemicals (EDCs): please refer to page 54. (The final report to the European Commission.) "Essential information is still lacking for an assessment of quantitative phthalate emission from landfills."

(5) Aquatic Environment

Can the EIS guarantee not to contravene the following regulations:

- The Local Government (Water Pollution) Act, 1977 (and associated regulations)
- The Fisheries (Consolidation) Act, 1959 as amended by the Fisheries (Amendment) Act, 1962
- Fisheries (Amendment) Act, 1999
- The Freshwater Fish Directive 78/659/EEC as transposed into Irish law under EC (Quality of Salmonid Waters) Regulations 1988 (S.I. No. 293 of 1988)
- The Wildlife Act 1976
- Water Framework Directive (2000/60/EC)

(6) EIS Volume 3: Ref 3.5 Flood Levels

This EIS describes the proposed landfill as a modern fully engineered facility, however a great deal of its calculations are based on outdated studies e.g. page 12 section 5: References:

NERC, Natural Environment Research Council. (1975). Flood Studies Report, Institute of Hydrology, Wallingford, Oxford.

NERC, Natural Environment Research Council. (1985) Flood Studies Supplementary Report 16, Institute of Hydrology, Wallingford, Oxford.

NERC, Natural Environment Research Council (1994) Report No. 124. Flood estimation for small catchments. Institute of Hydrology, Wallingford, Oxford.

The 1975 report is now 32 years old so is it possible that the EIS flood predictions for the future are accurate?

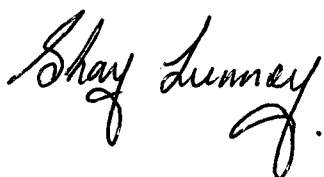
(7) Leachate

It is proposed in the EIS to construct a pipe link to the Lusk sewage outfall to discharge effluent and leachate offsite.

At present Lusk is at over capacity levels in trying to deal with the effluent and sewage from the town and surrounding areas. Every second day the 2 large storage tanks located outside the village, are emptied by container trucks that are regularly under pressure to remove all the contents of the tanks. The locals are constantly complaining of the appalling smells as the storage tanks regularly overflow.

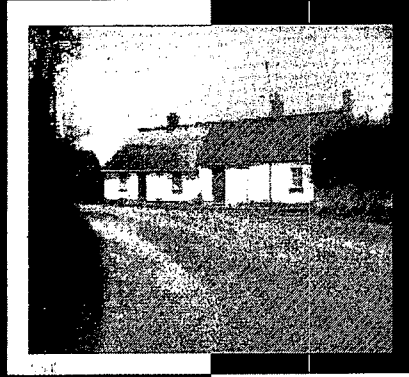
Lusk is the fastest growing village in Ireland and this is an antiquated and highly dangerous operation taking place adjacent to residential estates and local community activities.

Yours sincerely



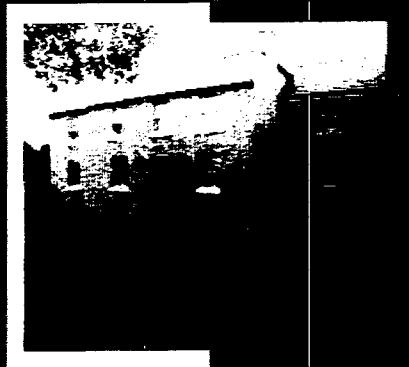
Appendix 1

**Fingal Development
Plan 2005 - 2011**



DRAFT RURAL HOUSING POLICY VARIATION

**STRATEGIC
ENVIRONMENTAL
ASSESSMENT**



Environmental
Protection Agency
17 JUL 2007

Fingal County Council Comhairle Contae Fingal





5.3 Bio-diversity, flora and fauna

The rural area of Fingal is rich in the biodiversity of flora and fauna. The natural habitat within the rural area of Fingal is distinguished by the presence of rolling hills, large open fields, woodlands, and frequent watercourses. There is also an extensive coastline along the eastern side of the county with relatively unspoiled lengths. The nature and richness of this natural landscape has been outlined in section 5.1. The rural landscape provides a supportive area, including important migration routes, for an extensive range of native flora and fauna, which contribute to the making within the area of numerous high quality natural habitats.

5.4 Soil

The soils within Fingal are generally grey-brown podzolics, while on the north western side of the rural area of the county, there is located a pocket of Gley soil. The soils are classified to be of "high suitability" for grazing and "marginally to moderately suitable" for tillage (source: NUI Maynooth, "Irish Agriculture in Transition, A census of Agriculture in the Republic of Ireland", 2002, p.63). As a result of the combination of access to a good market and high quality land, the rural area is dedicated mainly to arable and tillage agriculture, with areas in the east of the rural area about Rush and Lusk traditionally dedicated to market gardening and horticulture.

5.5 Water

The current state of the groundwater, surface water bodies, and sea water within the county is considered.

5.5.1 Ground water

It has not been possible to obtain full information on the current state of groundwater within the rural area as widespread monitoring does not occur. There appears to be only one major aquifer spanning the north of the county which is a Productive Fissured Bedrock aquifer. This aquifer is responsible for the water source which supplies the Bog of the Ring located to the south west of Balbriggan from which approximately 5% of the county's drinking water is supplied. The Bog of the Ring is the subject of a Groundwater Protection Scheme. The Bog of the Ring aquifer provides drinking water to the Balbriggan area. Faecal coliform monitoring results as of the period 2003-2005 indicate that there is no faecal coliform in the ground water in the Bog of the Ring area. The presence of any faecal coliform in a water supply is considered unacceptable (*Water Quality in Ireland 2005, Key Indicators of the Aquatic Environment*, EPA, 2006).

The Eastern River Basin Report issued 2004, the area coverage of which includes Fingal, indicates Risk Categories which apply to the water sources in various areas within the county. The risks are defined as diffuse (i.e. those that cannot be assigned to individual locations but are geographically spread out) and point source (i.e. those that can be assigned to individual locations) ground water pollution. This report indicates that the area in the north east of the county around Skerries is categorised to be either 'at risk' or 'probably at risk' from diffuse and point source pollution in the area. This report also indicates that one major source of potential diffuse ground water system pollution is clustered and leaking sewage treatment systems.



Table 17
Proposed SEA Objectives and Indicators

	SEA Objectives	Targets	Data Indicators
Population and human health	P01 Preserve the integrity of the rural area while accommodating rural generated housing needs within the area.	Produce annual statistics on the density of residential development with the areas zoned, RU, GB, and HA.	Annual report issued by June of the following year.
Landscape	L01 Ensure rural housing design and setting minimises the impact on the rural area.	Rural housing design and setting guidelines are in place by Q4 2007.	Issuance of design and setting guidelines. Mapping of location of commencements of rural houses
	L02 Achieve an action-oriented Landscape Character to promote appropriate use of land area	Landscape Character reviewed by Q4 2007	Review County Landscape Character to include specific policies and to guide location of development.
Biodiversity, fauna, and flora	B01 protect all designated natural heritage sites B02 Ensure all rural development is consistent with Biodiversity Plan.	Implement policies and objectives of Fingal Development Plan 2005 - 2011 with regard to natural heritage. All of development is consistent with Biodiversity Plan	Protection of natural heritage sites
	B02 Ensure all rural development is consistent with Biodiversity Plan.	All of development is consistent with Biodiversity Plan	% of development which is considered to be consistent with Biodiversity Plan.
Material assets	M01 Safeguard the built heritage of the county.	No. and area of protected sites remains constant year on year.	No. and area of protected sites within the rural area.
	M02 Minimise loss of agricultural land	Annual report on area given over to rural housing development is issued.	Annual report issued by June of the following year.
	M03 complete survey of rural hedgerows	Completion of survey detailing hedgerow height, type, and condition by 1st January 2008.	Date of survey completion.
Soil and Water	WS01 Limit ground water pollution to levels that do not damage natural systems.	Produce a County policy statement promoting the enhancement of the rural groundwater quality by January 2008.	Date of production of policy statement.
Cultural heritage	C01 Preserve historic buildings, archaeological sites, and other culturally significant features.	Loss of number of sites that are listed on record of Protected Structures and Record of Monuments and Places is kept at zero per year.	Loss of features important to the County's cultural heritage.