

Subj: or obj  
D. office

**Environmental  
Protection Agency**  
08 NOV 2007

Environmental Protection Agency  
Headquarters P0 box 3000  
Johnstown Castle Estate  
Co. Wexford

Baile Na Ridire  
Lusk  
Co. Dublin  
28 / 10 / 07

Ref; WO231-01  
Location; Proposed landfill by Fingal County Council [ FCC ] at Nevitt Lusk Co Dublin.

We wish to object to Mary Kelly Director General and her organization EPA granting a provisional license [ RD ] to put a landfill on a perfectly good water supply as confirmed by five Hydro geologists and the physical evidence.

We wish to object to David O Connor manager of FCC in trying to put a landfill on the cleanest biggest food producing aquifer in Ireland based in Fingal. This is the biggest natural asset we have in Fingal. The Horticultural industry depends on the water in this aquifer being perfectly clean [ as confirmed by the water tested every two / four weeks for the supermarkets and certificates going back many years ]. We enclose a report which proves the concerns of the farmers of Fingal. We also notice FCC trying to change standards with their objection.

Page 5 ; it states it makes little sense environmentally to use large amounts of fossil fuels to manage odorous compounds. Try telling this to people of Inagh Co. Clare and it makes little sense environmentally to destroy a perfectly good water supply.

Page 7 ; We disagree that the site holds an R1 response. The zoc of a public water supply and industrial wells extends into the Nevitt which means a response of R4 [ DoEHLG/EPA/GSI, 1999 ]. You have not got 10 m of clay at AGB4 [ 0.7 m yes 0.7 m only ,inside proposed footprint] Karst features are also present [ R3 , 1 ].

There is also evidence of the gravel up to the river beds.

Page 7 ; We notice you want to change the wording of condition 8.1.2. With the speed of the water and the quantity flowing through the Nevitt every day, contamination will occur very quickly [ it is like a fast flowing underground river ].

Page 10 ; You say the max. flow is 200 m cube. [this is 200,000 litres per day or 200 tonnes]. An average lorry can carry 20,000 litres [ 20 tonnes ]. You are telling us the proposed landfill at the Nevitt will equate to 10 lorries per day. In Inagh Co. Clare during the wet weeks they were removing 30 – 40 tankers per week. Inagh is tiny compared to the proposed landfill at the Nevitt. In the period 3- 21 of Jan. 2006, 72 tankers removed 1440 tonnes [ 1440,000 litres] of leachate in 14 working days. Who are you people trying to fool ?????.

You have to prove you can handle this leachate. Portrane new waste treatment plant has been cancelled, Lusk has only holding tanks, Swords has over flown into the neighbours gardens on a number of occasions and Malahide is close to maximum, [Swords is possibly the fastest growing town in Europe ].

Page 11 ; We notice you do not want to carry out Stability Calculations. Landslides of landfills have happened in the past. You people are trying to put a landfill on a hill with artesian conditions. Is this called Professionalism or Stupidity ?.

Page 11 ; We also notice you do not want to monitor wells outside this proposed landfill. Any small contamination in the wells will be picked up immediately by the supermarkets. People have died in America by eating contaminated food. Do you think the supermarkets are going to take a chance on stocking contaminated food?. Will you take a chance on buying contaminated food for your family ?. They will

immediately stop buying vegetables / potatoes etc from growers across this aquifer. The Horticultural Industry of National Importance will be destroyed very quickly. Page 9 ; You people have been planning this project for approximately 10 years and FCC has spent approximately 20 million Euros. You say you are working within National and European policy. Where exactly does National and European policy state , that it is okay to destroy a water supply by putting a landfill on it?. Where exactly does it state that landfill is far more important than a water supply?. Where does it state that you can sacrifice a water supply ?. You will break the Groundwater Directive and the Water Framework Directive, this is also National and European Policy.

We know David O Connor FCC has inherited this problem. We are asking David to put a moratorium on this project because of all the new evidence. There was no study of the National Horticultural Industry or the aquifer of Fingal or the water supply in your old EIS or your new EIS [ Non Technical summary was changed ] and we are asking you David to undertake a study off all these areas. David, we have an E-mail stating FCC has spent 20 Million Euros approximately on this project. Why was the above three important areas not included in this multi million euro EIS?. The EIA directive is not fully compliant. Bord Pleanalla is working off the first EIS , which we all know is obsolete. This is a statement that we have been advised to ask and record.

We are asking Mary Kelly EPA to ask for an EIS of the Horticultural Industry , the aquifer and the water supply. You say groundwater needs more protection , well how about stating landfills should not go in water supplies and this would be an example, of supporting yourself. The EIA directive is not fully compliant. This is a statement that two MEPs have advised us to ask and record.

To; Mary Kelly , Jonathan Derham, Dr. Ian Marnane EPA ,David O Connor FCC and the Technical committee [ we have been told there will be three intelligent people picked and obviously there would have to be Hydro geologists on the team ]. We look forward to recording their names. Legally, you are leaving yourselves open because EIA directive is not fully compliant.

You all are intelligent people and we are not accusing you of anything. If a landfill is put on this water supply by yourselves, it is only a matter of time that the water supply will be contaminated and the Horticultural Industry destroyed. The EPA admits through Dr. Marnane that no landfill is watertight [ therefore admitting to leaks ] , RPS admits 36500 litres of leachate will leak out per year, Dr. Marnane / RPS recommend not to use the water to the East of this proposed landfill purely based on the Precautionary Principle, therefore admitting to contamination. It is considered, you will break the Groundwater Directive, and the Water Framework Directive. The EPA is also debarred from law in causing any environmental damage but you are admitting to leaks on top of a perfectly good water supply. It is considered, you will contravene 52 2 b and 52 2 e of the EPA act 1992.

Lady and Gentlemen , it is a sad day that we have to fight the EPA and FCC to protect our water supply as confirmed by five Hydro geologists and the physical evidence. Has the EPA lost the reason why you exist ? . Let us remind you , part of the reason why you exist is to protect our water supplies. Do you think you are doing your job

properly when you try to put a modern leaking landfill [ that will generate 200,000 litres of leachate every day ] in a perfectly good water supply?.

ZOC of industrial wells on the east of this proposed landfill are more than likely extending into the Nevitt [ RPS p25 inspectors report ir ] . Thornes [ approx 120 m ] and Moores industrial wells are on the east . The Bog of the Ring Public water supply ZOC is extending into the Nevitt [ GSI and they do not know where the water divide is ]. Kerrigans industrial well ZOC is extending into the Nevitt [ White Young and Green Hydro geologists ]. Karst features are also present R3, 1 . It would be very un professional for you seven people to ignore this critical information. Obviously , the Precautionary Principle should be applied .

Let us give a simple analogy, imagine putting a plastic container holding approximately one million litres of poison over Lexlip water treatment plant in Co. Kildare [ supplies water to Dublin and Fingal ]. We know the modern landfill in Inagh County Clare has identified 9 leaks, and we are told they are only on their second cell. There are 20 to 25 cells planned for the Nevitt. This equates to 100 holes approximately punched into the plastic over the Lexlip water treatment plant and therefore over the water supply in the Nevitt. You people are trying to tell us that this is okay because we have a dilution factor of 15000. Wake up, this is called contamination.

We all know that contractors make mistakes, materials and equipment break down, accidents do happen [ Galway ] . You can try and hide behind some some rules and regulations but that is not advisable under the present climate of the Greens in Government.

Who will get the blame if this water supply and the Horticultural Industry is destroyed [ thousands of jobs gone ] ? .

RPS ; probably not and the reason is they have admitted to a water supply in the Nevitt area [ along N/S fault line ]. They have also admitted to 36500 litres of leachate per year will leak out. They have covered themselves technically and legally.

FCC ; John Tiernan ex- manager FCC , moved  
Gilbert Power ex- manager environment FCC , moved  
Eamon Walsh senior Engineer FCC , moved  
PJ Howell ex- manager water FCC , moved

It is amazing that all the people involved in this project have moved .  
We wonder why ??????????

Bord Pleannalla have not made a decision at this time but we notice they have put their decision back , is it 8 times ?.

Mary Kelly, Jonathan Derham , Dr. Ian Marnane , David O Connor and the technical committee , you all have the power to destroy this water supply or you can protect this groundwater , water supply for the farmers and the people of Fingal [ present and future generation ] .

Mary Kelly, you have said [ Irish Times Oct 12 2007 ] to have all our waters , both surface and groundwater in good or higher status by 2015. Do you think you will improve our groundwater quality by putting a leaking poison landfill on our water supply ?. please explain to us , this contradiction ?.

Jonathan Derham , when the NLAG presented a presentation to you and Dr. Ian Marnane in the EPA building in Dublin. The first statement you said to us was I hope we are all Ducks talking to Ducks ?????. Your second statement was, I have just read the Non Technically Summary NTS and it says there is no gravel in the landfill footprint. We went into great detail [ bore well after bore well ] and you two gentlemen were left under no illusion that there was plenty of gravel in the Nevitt. The NTS has since been changed to recognize this fact . No landfill should go on huge depths of gravel like the Nevitt. Why is 57 % of our groundwater tested contaminated in Ireland ?. Do you understand the principles as to how our groundwater is contaminated?. Do you think that by putting a leaking landfill on huge depths and huge areas of gravel like the Nevitt area ,you will contain the contamination ?. Remember, 1.5 million litres of fresh water is flowing through the bedrock of the Nevitt every day , how much is flowing through the gravel and in the fault line , 5 million litres ? . Obviously when the contamination leaks out , this huge aquifer will be contaminated very quickly . Do you understand ?. Johnathan ??????. Dr. Ian Marnane , We have told you all the true facts about the Nevitt from the start . Your report left out critical information eg. 5 hydro geologists state the Nevitt area is a water supply [ along N/S fault line ], Why ?. You also presented industrial wells as private wells but then we all know industrial wells are protected , Why?. David O Connor you have inherited this problem but now you are made fully aware of all the issues and are therefore responsible from here on in .

We have requested Minister John Gormley to introduce prison terms for any person or persons that contaminates or knowingly will contaminate our water supplies of Ireland. Minister John Gormley can introduce this under a number of Directives. The NLAG , the farmers , the people of Fingal [ over 200,000 of us ] , the people from Galway [ definitely supporting prison ] and all over Ireland will be delighted to be part of the process to put the first person or persons in prison for contaminating our water supplies . We in Ireland are sick of our water supplies being contaminated one after the other. We now have the EPA and FCC trying to put a leaking landfill on a perfectly good water supply. We know this is the only way [prison ] to guarantee the present generation can pass on clean water supplies to the next generation . This aquifer has proven it can supply clean water for 300 years to the Horticultural Industry and this aquifer can deliver clean water for thousands of years to the people of Fingal.

Will you seven people be know as the people who saved this water supply or the PRIMARY people who will destroy this water supply and our National Horticultural Industry ? . Remember, your decision will follow you for the rest of your life and we will make sure of that , [ be it good or bad ]. Minister John Gormley could introduce prison terms in one, two, three or more years time and we look forward to that day. You have not got one independent Hydro geologist to state the public water supply will not be contaminated, the Horticultural industry will not be destroyed. Sign the report [ not like Dr. Ian Marnane NOT signing his report] and get a large insurance company to back the person up [ minimum on insurance policy would have to be 1000 million euros ] and then of course what about the water supply in the Nevitt ?.

DVDs in previous submissions submitted.

A copy of this letter is being sent to ;

Objection EPA

Minister John Gormley

Minister Trevor Sargent

Minister Eamon Ryan [ GSI ]

Mary Kelly EPA [ registered post ] A response is required to the questions [ we have not received a response for our last set of questions delivered by registered post ] . Is

the EPA open and transparent ?, because we definitely know the proposed landfill is .

Jonathan Derham [ registered post ]

Dr. Ian Marnane [ Registered post ]

David O Connor manager FCC [ registered post ]

MEPs ,when we make our presentation in Brussels.

RTE is producing a programme, our speech in Brussels will be included and they have already sent a team out recording. Where exactly does it state in the Rules and Regulations of the EPA that gives you the right Mary Kelly to SACRIFICE A PERFECTLY GOOD WATER SUPPLY ?. A landfill location can be moved but a groundwater , water supply cannot be moved.

On behalf of NEAG

Thanking You

*Deaglan De Faoite*

Deaglan De Faoite

BSc [ hon's ] BSc [ open ]

Dip Eng Dip Des Inn

AmI Mech E

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# The Irish Farmers' Association

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Tuesday 16<sup>th</sup> October 2007

Grange,  
Ballyboughal,  
Co. Dublin.

Environmental Protection Agency,  
Headquarters,  
PO Box 3000  
Johnstown Castle Estate  
Co. Wexford.

**Re: Proposed Landfill by Fingal County Council at Nevitt, Lusk**  
**Reference: W0231-01**

To the EPA Board & Technical Committee.

Please accept this document as an objection to the proposal by the EPA to grant a licence to Fingal County Council for a landfill at Nevitt, Lusk, Co. Dublin.

This letter also represents a request for the EPA to grant an oral hearing in relation to this matter.

IFA are seeking an oral hearing because the following issues have not being addressed in adequate detail:

- **Horticulture** is of national importance and was not giving appropriate consideration by Mr. Marnane. IFA request a full and comprehensive Horticultural Impact assessment report is conducted to assist in a comprehensive decision.
- Mr. Marnane did not consider **ownership of Groundwater** and potential contamination from the landfill, which is of critical importance to he farmers of North Dublin.

The matters raised in this objection are of critical importance to the farming community in the area.

I trust that the issues raised will receive your full consideration.

Yours sincerely,

**David Rodgers**  
**Chairman - Dublin IFA**