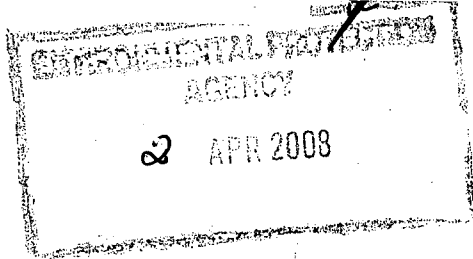


Table



Knightstown
Lusk
Co. Dublin
Ireland
14 March 2008

Marcin Libicki
Chairman of the Committee on Petitions
European Parliament
Brussels
Belgium

Dear Mr. Libicki,
In response to a letter from Dr. Mary Kelly Director General, Environmental Protection Agency EPA [dated 17 Jan 2008].
Ref : Proposed landfill at Nevitt Lusk Co. Dublin Ireland, Ref WO231-01, Petitions 295 / 2005.

May I remind , Dr. Kelly of her duty in relation to this project, The Landfill Directive [1993 / 31 / EC] states that competent authorities should fully assess the compliance of the intended measures with all these legal requirements to ensure that the landfill does not represent a serious environmental risk.

- 1 The EIS did not identify , evaluate or record this full aquifer in Fingal.
- 2 The EIS did not identify , evaluate or record the Huge Horticultural industry that is concentrated over this aquifer [approximately 700 million Euros].
- 3 The EIS did not identify , evaluate or record the approximate 150 wells in this aquifer.
- 4 The EIS did not identify these wells as industrial , which have the same protection as public water supplies R4.
- 5 The EIS did not identify the Nevitt / Annsbrooke [along north / south fault line] as a water supply, but yet all the following people show that yes we have a new water supply for the people of Fingal [a county] ;

Dr. Paul Ashley Mott McDonald UK
White Young and Green
Kevin Cullen
Geological Survey of Ireland
RPS

ALL ABOVE ARE QUALIFIED HYDROGEOLOGISTS [experts on water].
Ex Senior Engineer Mr. Jim Burke
EPA inspector shows there is potential in the area for a water supply.

Why are you Dr. Kelly trying to put a landfill in a perfectly good water supply as defined Under the Drinking Water Regulations 2007 S.I. No. 106 , A water supply that is confirmed by an army of hydro geologists and by the physical evidence. How can the people of Fingal [approximately 200, 000 people] and the farmers have confidence in you Dr. Kelly to protect our water supplies. Your latest report on water supplies in Ireland confirms our concerns, 339 out of a total 944 public water supplies have now been placed on an AMBER alert by the EPA, 113000 Irish people had a water boil notice or restriction, 57 % of groundwater tested is contaminated.

Your report also assesses security of water supplies. A large City Galway had their water supply contaminated but you are not going to prosecute anybody. Do you think you are doing a good job in protecting and securing our water supplies?. Do you think that by trying to put a landfill in a water supply [recommended decision] , that you are safely securing our water and food supplies?. Ennis is another example of a water supply contaminated. Do you care ?.

Examples of some wells ,

The three pump tests in the Nevitt
PW1 560,000 litres per day 1/d
Pw2 311,000 1/d
ASA2 623,000 1/d
4 artesian wells in the Nevitt
1.5 million 1/d flows underneath the Nevitt every day , confirmed by applicant [we believe the figure is closer to 3 million plus litres per day].

Because of many other wells in the area ,

Kerrigans 650,000 litres of water per day 1/d [capacity 1.9 million 1/d]
Moores 750,000 1/d
Larry Hagan 800,000 1/d
Country Crest 3 million 1/d
Bergins 2 million 1/d
John Landy 436,000 1/d
John Murray 872,000 1/d
Thorns 750,000 1/d

And there are many more high yielding wells.

At 1.5 to 3 million litres plus, of water flows through the Nevitt every day . That is 10.5 to 21 million litres plus, flows through every week. That is 546 to 1092 million litres plus, flows through the Nevitt every year. Also Annsbrooke is also confirmed as a water supply by the applicant Fingal County Council FCC. Annsbrooke is approximately the same size as the Nevitt so the same figures again ,can be applied. That is a lot of fresh bacteria – free water to be sacrificing ie destroying. The applicant FCC and EPA have shown that some water from the Nevitt will flow into Annsbrooke , [see map].

You state in your response to Mr. Libicki , the basic fact of the matter in Ireland is that every square meter of the national territory is underlain by an aquifer as defined in national legislation.

Now Mr. Libicki , we will tell you the full story. In the EPA Water Quality In Ireland 2005 , the EPA presents Aquifer Legends. The EPA describes our aquifer as Productive Fissured Bedrock Aquifer [Map enclosed] . The Geological Survey of Ireland GSI describes Aquifers as poor Aquifer, locally important Aquifer and Regional Important Aquifer. Our Aquifer is described by the GSI as a locally Important Aquifer. Are you Dr. Kelly trying to give the impression, that this potential site for a landfill is like any other part of Ireland? . At least everybody knows now that this full Aquifer is very special and was not identified, surveyed, evaluated or recorded in the EIS. Why did you not check this out ?.

You also state , The proposed landfill is located outside of the catchment for this well field [ie. public water supply Bog of the Ring]. Fingal County Council FCC is suggesting a water divide between the water supply and the proposed site for a landfill. Our National Geological Survey of Ireland GSI states the location of the water divide can not be determined and they recommend to drill more wells along the fault line [no extra wells were drilled]. Mr. Jim Burke engineer says there is no water divide, this is one unified water resource. There is obviously a difference of opinion between the experts.

We gave all this information to the EPA and why was this information ignored?. You can see Dr. Kelly , how can the people, including farmers, have confidence in you in protecting our water supplies. There are approximately 20,000 people drinking the water from this well field . Do you care?.

You also stated , the aquifer is suitable for development of landfill subject to EPA engineering guidance. The point is, this Aquifer contains approx 150 wells and the majority is industrial. Perhaps you do not know, that industrial wells have the same protection as public water supplies R4 [after all they are your rules]. White Young and Green [a large Hydro geologist Company] have shown that three Industrial wells Zone of Contribution extends under this proposed landfill. Why was this critical information left out?.

You also state the precautionary method in Ireland is almost unique in Europe and goes beyond any standard articulated in EU Directives. This is of course if the precautionary method is used properly. May I recommend a suggestion . we have a new water supply identified , 20,000 people depend on the present well field, the huge Horticultural industry of Ireland depends on this water being clean [approximately half the population of Ireland eats the food that is grown and processed by the water from this Aquifer. Using the precautionary method, we recommend you do not put a landfill in this water supply . What do you think Dr. Kelly, would this be a more professional way of using the precautionary method ?.

You also state the lining system proposed for the Fingal landfill exceeds the specification in the landfill directive. The fact is you are trying to put a landfill on huge depths of gravel . Gravel is un stable , and all it will take is for a small movement of the landfill and all your specifications will not stop this Aquifer being contaminated. We also note FCC is refusing to do slope stability calculations. We wonder why?. What is the point in having containment and leachate control [that FCC and EPA have admitted will leak], on huge depths of un stable gravel and in a perfectly good water supply ? . A second fault line has been found in the Nevitt and some large areas of bedrock presented in the EIS does not even exist as confirmed by Kevin Cullen Hydro geologist at the recent EPA oral hearing.

You also show that the risk for leachate to enter the rock and gravel aquifer below the proposed landfill is vanishingly low. The risk should be zero Mary, why is our water supplies in Ireland in bad condition [ref your last EPA water report]. How dare you Dr. Kelly put this water supply under any risk., wake up. You of all people should know how sensitive our water supplies and food supplies are to low contamination. A farmer in England lost a major contract with Ribena juice company because of low

contamination was recorded in the ground water. The supermarkets test the water in the Fingal aquifer every two weeks approximately and they will pick up any levels of contamination very quickly. How dare you Dr. Kelly put this huge Horticultural industry that has taken 300 years to build up, to national status at risk.

You mention Dr. Ian Marnane Inspectors report , may I remind you Dr. Marnane presented the industrial wells as private. Of course we know the industrial wells are protected, but private wells are not. Why did Dr. Marnane not ask for an EIS of the huge Horticultural Industry ?. Why did he not insist the Mod Flow be completed ?. Why did he not insist that the extra wells recommended by the GSI be drilled ?. This is not acceptable from an EPA Inspector and of course he has not signed his report.

You also mention information on groundwater risks. The fact that the EIS left out the full Aquifer, left out the industrial wells across this Aquifer and left out the Horticultural Industry of National Importance. It is obvious you have not covered all groundwater risks and you are in breach of the Landfill Directive. The fact that the EPA is accepting this low standard from consultants in general is not acceptable.

We note the applicant has put in an objection to using 10 meters of clay underneath this proposed landfill. We have always said that the clay thickness in the Nevitt starts at 0.7 meters ,yes 0.7 meters and then gravel at AGB4 . It was also stated that there is fractures through this clay and is more permeable, as presented by Dr. Paul Ashley.

You also state that the EPA role is confined for the most part , to providing guidance on how EIS should be prepared. May I remind you that the EIA directive clearly shows a comprehensive study must be done. May I suggest to you that you need to give more guidance , especially stating ALL critical information must be analyzed and recorded in an EIS.

Bord Pleanalla BP[planning board] has put there decision back approximately 10 times .

They are now considering re opening the oral hearing , to ask all parties for there opinion again or make a decision. Bord Pleanalla is working on the old obsolete EIS . EPA is considering the new EIS [please note the new EIS is still in complete, new maps presented at EPA oral hearing are again wrong . We wait for the new maps and EIS of Horticultural Industry and more] . We now have 2 different EISs that are not complete, with two different planning authorities EPA and BP , considering on one proposed landfill. This is un acceptable.

You mention an EIA was not required ? . An SEA is required, [Strategic Environmental Assessment].

The SEA directive [2001/ 42 EC] was adopted by the EU on 27 June 2001 and took effect in member states on 21 July 2004. This proposed landfill was announced on 6 Sept 2004 [difference of 6 weeks] . It is obvious the applicant had plenty of time [approx. 3 years] to announce this project before 21 July 2004. An SEA is required .

A copy of this letter is being forwarded to :
Dr. Padraic Larkin

Mr. Dara Lynott
Ms. Laura Burke
Mr. Larry Stapleton
Mr. Jonathan Derham
Dr. Ian Marnane

All above are EPA members who were present and connected in making a decision to put a landfill in the Nevitt, a water supply confirmed by all the hydro geologists and the physical evidence. Above names were confirmed by a letter from the EPA. The applicant FCC intends to use the water in this aquifer to dilute the leachate [admitted 36500 litres will leak out per year]. This is called contamination and is in breach of the Water Framework Directive. How dare you 7 people sacrifice our water supplies. RTE television has been out recording and a large number of people will be calling on national television for all you seven people to resign [water supply and a major food supply at risk]. We have also written to John Gormley Minister for Environment to ask him, to re consider the extra money he has agreed to give to the EPA.

Dr. Kelly stated recently, we need to protect our groundwater more [Irish Times Oct 12 2007]. Please explain why you are trying to put a landfill in a perfectly good water supply. Please explain this contradiction?. We have also stated that you Mary Kelly and your team must prove to John Gormley and the people of Ireland that you are all capable of protecting our water supplies or resign. We also note that you do not intend to prosecute any body for Galways water supply contamination. Galway is a large City in Ireland, hundreds of people ended up in hospital and thousands were sick from Cryptosporidium contamination. This is sending a clear message to people who contaminates our water supplies, that you will not be prosecuted, this is unacceptable. We have also asked John Gormley to put in place, prison sentences for anybody who makes decisions knowing that water supplies will be contaminated and obviously for people who physical contaminate our water supplies in Ireland. You seven people know that this water supply will be contaminated, [FCC has admitted to 36,500 litres of leachate will leak out per annum and to the use of dilution, this is contamination] if a landfill is put in this water supply. The people of Fingal [200,000 of us] will have great pleasure in being part of a process to put the first person or persons in prison even from the EPA if necessary. The people of Ireland are sick of our water supplies being contaminated one after the other, wake up.

A copy of this letter is also being forwarded to ;

Dr. Mary Kelly EPA
David Hammerstein- Mintz Spanish MEP
Avril Doyle MEP
Prionsios De Rossa MEP
Mr. John Gormley Minister for the Environment
Trevor Sargent Minister for Food
Eamon Ryan Minister for Natural Resources [GSI]
David Rogers Irish Farmers Association of Ireland
James Reilly Fine Gael, Health
Joanna Tuffy Labour, Environment

Explain why the EPA are putting 20,000 peoples health at risk through the public water supply [water divide has not been confirmed , GSI] and 2 million peoples health at risk through the food supply and of course why you are prepared to sacrifice a new water supply. How can we put our trust in the seven people in the Environmental Protection Agency of Ireland to protect our environment. The applicant shows they will use the water to dilute the leachate, this is called contamination and is against the Water Framework Directive. We note that the seven people are intelligent people but why are you prepared to put so much at risk?.

We will be asking the Petitions Committee to recommend to the European Commission to launch a full investigation , into sacrificing this water supply.

It is a sad day , that we have to fight seven people [all individually named above] in the Environmental Protection Agency to protect our water and food supplies.

Yours Truly

Deaglan De Faoite

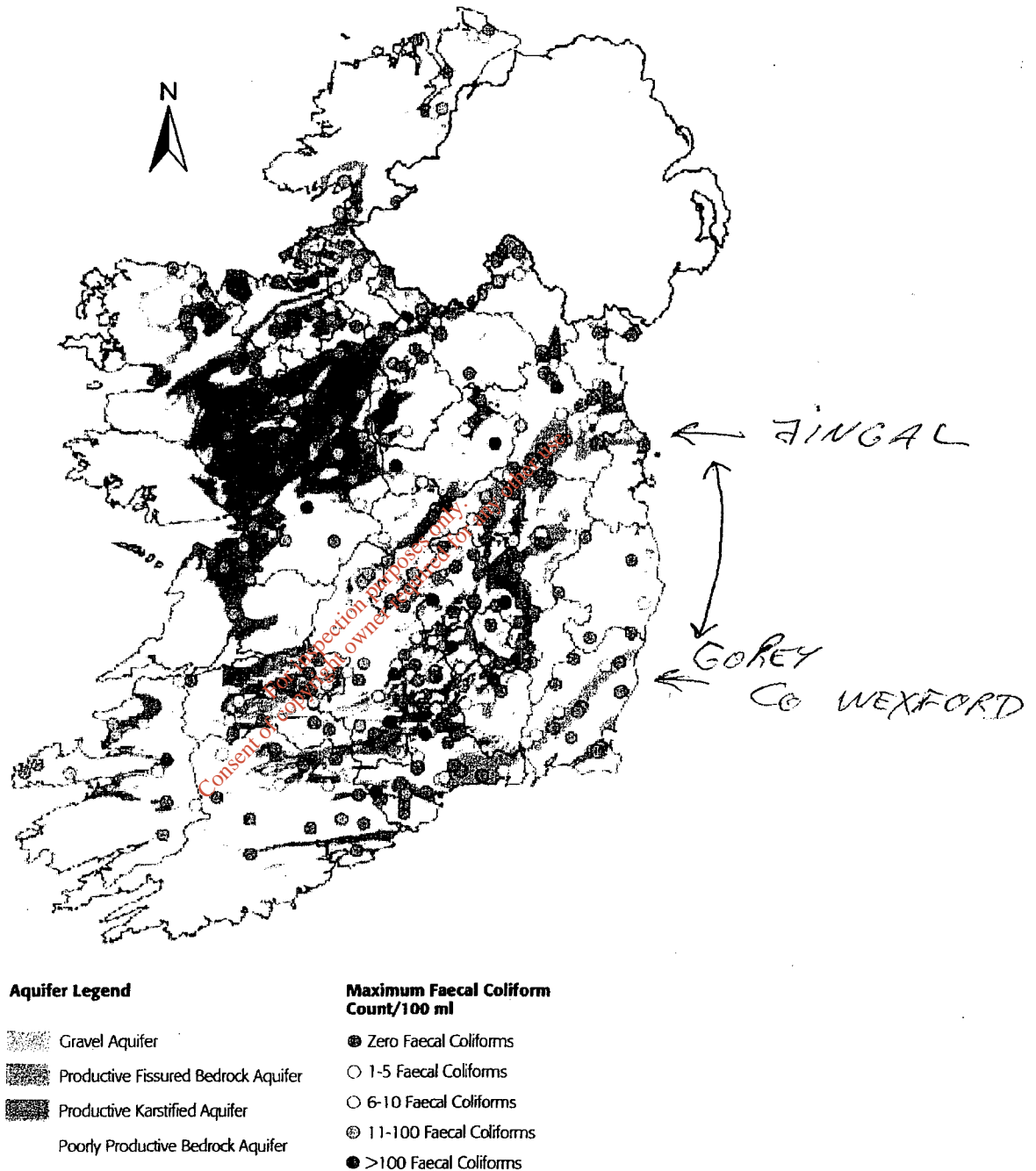
Deaglan De Faoite
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AQUIFER MAP OF IRELAND

MAP 1

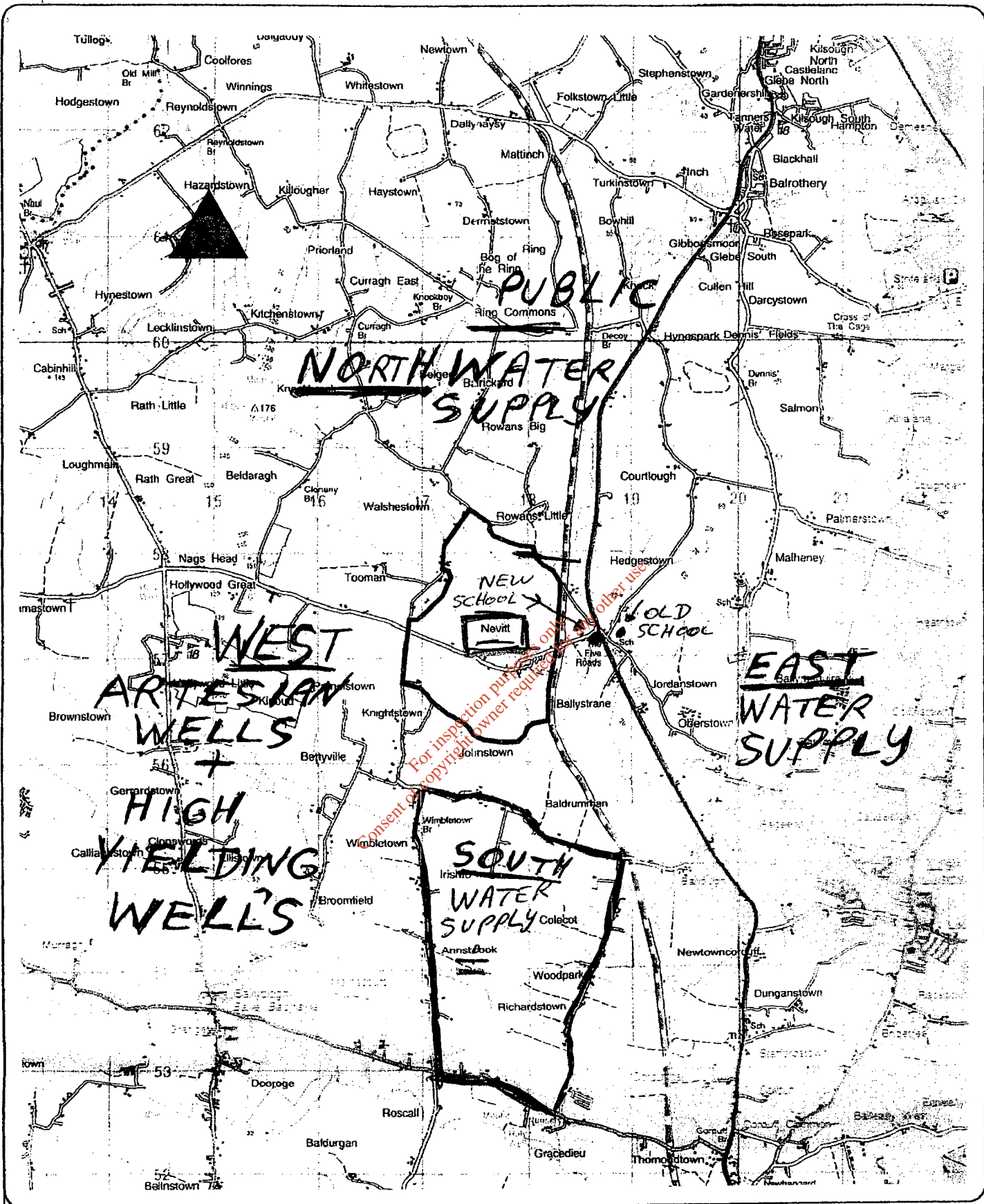
Figure 9b Maximum Faecal Coliform Count/100ml during 2003-2005



Source: EPA (M. Craig)

Sources

EPA (M. Craig); Page, D., Moriarty, J., Doris, Y. and Crowe, M., 2004, *The Quality of Drinking Water in Ireland. A report for the year 2003 with a review of the period 2001-2003*, EPA, Wexford; Toner, P., Bowman, J., Clabby, K., Lucey, J., McGarrigle, M., Concannon, C., Clenaghan, C., Cunningham, P., Delaney, J., O'Boyle, S., MacCárthaigh, M., Craig, M. and Quinn, R., 2005. *Water Quality in Ireland 2001-2003*. EPA, Wexford.



PROJECT: Fingal Landfill Project - Additional Works					TITLE: Mapping Overview				
CLIENT: Fingal County Council					 - Area of Site				
ENGINEER: RPS Group Plc									
SCALE: N.T.S	SERIES: 01 of 01	DATE: 24/02/06	DRAWN: A.W.	CHECKED: T.R.					
					DWG NO: 06-074-Map-Oview-001		REV:		