

OH Doc No: 39

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Evidence to EPA Oral Hearing Date Rec'd: 12/31/08.
9.30a.m.

***For
Fingal Landfill Facility at Nevitt, Lusk,
Waste License Proposed Decision
Registration No. WO231-01
Balbriggan, March 2008***

***Statement of Evidence by Gemma Larkin
Resident of the Area***

Introduction:

I am one of those people who are totally dependent on the Non Technical Summary (NTS) to put me on an equal footing with all the professionals involved in examining the EIS. My understanding of the necessity for the Non Technical Summary is that it puts the ordinary person in a position to make an equal assessment of all the aspects of the project. It turns out, in this case, that is not what we were presented with. The NTS in this case is a manipulation and fabrication of facts and an omission of critical environmental issues resulting in a creditable, plausible work of fiction.

The fact is, I had not even read the NTS and my feeling was I may not like the idea of having a landfill in my back garden but it is obviously the most suitable site and I would just have to get over it.

How naive I was. It was only after having encountered a Fingal County Council employee, working at a pump house, and enquiring was he carrying out investigations for the proposed landfill, that I reconsidered my position. The response I got was surprising to say the least. "Ah no Miss they will never put a landfill around here, sure there is water and gravel everywhere .

That response resulted in me attempting to read and understand the NTS.

After having read this document there seemed to be areas of our environment that were not sufficiently investigated, mentioned, or in my opinion, adequately considered.

Issues that would drastically affect our livelihoods and our quality of life.

- ❖ **Major Horticultural Industry**
- ❖ **Human Impact**
- ❖ **Archaeology**
- ❖ **Illegal, Unlicensed , Historic Landfill.**
- ❖ **Economic Activity in the Area**

Horticultural Industry

This area is known as the market Garden of Ireland which I am sure you are all well aware of right now. If you read the NTS you would not believe that 55-60% of all the fresh produce consumed in this country is grown in this area. 70% of all the fruit and vegetables processed in Ireland are processed in this area. In addition to this up to 90% of all the grading and packaging of fruit and vegetables is carried out in this area. This is a National Industry - one that is worth 600million Euro to the Irish economy and God alone knows what the spin off effect is worth to the local and national economy.

- Was the Planning section of FCC aware of the extensive industry in the area?*
- ~~Was~~ the planning section of FCC aware of its worth?
 - Was there a risk assessment carried out of the Industry?
 - Was this valuable industry considered at all?

I see no evidence of it.

Right now we are all aware of how dependent the horticultural industry is on sustainable and consistently clean water to irrigate and process the produce passing through the area. To a large extent this water is accessed via a complex network of industrial wells bored in the Fissured Bedrock Aquifer in this area. I see no mention of this in the NTS as I trawl through the main body of the report in search of the Well Report. The first thing I stumbled across were the statements that read "There are no ground water users down gradient of the proposed landfill" and "There are no wells immediately down gradient".

How did they come to this conclusion?

Wells

I eventually found the well report with a map to complement it! This highly technical report was carried out, as far as I know, by RPS, at

enormous expense to Fingal County Council and the tax payers of this country. What an embarrassment. This Well Report identified 12 wells, of which, only one was of significance and accurate. This highly technical well report had findings such as

1. The KIDS said there was no well.
2. The neighbours said there is no well.
3. There used to be a well but it is now covered over.
4. No one home, left a card.

One well is reported as having an output capacity of 15 lt. per day. In fact, on drilling, a reading of 1.94 million lts per day was recorded and a pump with an output capacity of 648 thousand liters per day was placed on it.

With the same map as our guide and just one phone call to the drilling company who carried out most of the drilling work in the area, the NLAG had the records of 92 wells, their output capacity at the time of drilling, the bore of the pipe put in position at the site and the size of the pump attached to it, which met with the customers requirements. The group later gathered information on a further 40 wells on the map. All this information was presented to Fingal County Council, along with an aquifer map of Fingal, which was compiled for us by the GSI. This information was viewed with scepticism and the implication was made that we coloured in the map our self. The same information was later presented to An Bord Pleanála and the EPA. This information was not presented to catch people out, but rather to highlight the body of water, or resource, which lies in the area of this proposed landfill. A resource which had not been noticed, considered or assessed in relation to this proposal. There was no or has been no risk assessment pertaining to these wells, some of them which are clearly "Public Water Sources" as the water from them is used in the processing of food for human consumption. The risk pertaining to these wells is the risk of the water in these wells being contaminated. What will happen then?

1. Will the industry be compensated? How?
2. Will mains water be supplied?
3. Will mains water suit these businesses, be sustainable and consistently free from contaminants, which they presently experience and which is clearly documented?
4. Are there funds in place to compensate the processers and their employees if the water standards they are accustomed to cannot be maintained and their business threatened?

Have all of the above been considered?

In the Local Government Water Pollution Act 1977, section 9(2) and Local Government Water Pollution Act Regulations, 1978 , section 37, Local Authorities are bound by law to keep a record of all water extractions over 25meters cubed (or 25,000 Lts) per day. In this case those records have not been kept and even after a large body of information was presented to FCC and ABP in October 2006, to date, not one of the wells with an output capacity over 25,000 lts per day has been recorded.

If they had kept the records required we would all be aware of the resource in this area.

At this stage I think we can safely say that sufficient information regarding the industrial wells in the area was not presented to the EPA to allow the wells to be adequately considered in the granting of this license

Immediately

How far is that?? Over the wall? 100meters? 500 meters? 1 Km or all the way to the sea? Its OK , I think I can cope with the detail, or is it that it is not known because Modflow or similar modeling was never done?

Down Gradient

Where is down gradient? Do we truly know?

The EPA inspector in his Article 14 letter, requested Numerical Model, Modflow or simular modeling to be carried out. FCC decided it wasn't necessary. Obviously it is necessary or the inspector would not have requested it. In the meantime we can't be 100% sure where down gradient is.

- Has the effect of water contamination on the horticultural industry been considered?
- Has the effect of dust from the site on the industry been considered?
- Has the effect of bird droppings from the site been considered?
- Has the effect of odour on the industry been considered?
- Has the produce which is being grown been considered?

- Has the produce processed in the area been considered? Is it high, medium or low risk produce?
- Has the number of jobs in the industry and the quality of those jobs been considered?

I was going to ask has the worth of this Industry to the Irish economy considered, but Minister Sergeant presented them. This information was not available to the inspector when he was making his Proposed Decision.

Human Impact

I am surprised how little regard is given to the people who are under threat of losing their homes.

The total disregard for the stress of living under the cloud of CPO, was never given a thought.

- Where do they go to replace their homes?
- Where do they go to replace their livelihood?
- How long will a farmer need to take a block of land and change it into a functioning dairy farm, with quality grass land, outhouses and milking parlour?
- Will there be support for them to aid in the reestablishment of a new viable farm? Has this been considered?
- Will there be help and support for these people to find new suitable locations as their home, with the community support they are use to?
- How about emotional and social support?

In the meantime and I quote 'Demolition of buildings and felling of trees will be carried out under the guidance of a bat specialist.

At least we know where us humans are in the pecking order!

Archaeology

While the archaeology is mentioned in the NTS, there it ends.

Six properties/structures of architectural merit close to, or within the footprint, of the landfill and 6 properties/structures of architectural merit on the periphery of the site

- What are these properties/structures?
- What part of our history are they from?
- Has this area of archeology been adequately considered?

Illegal, Unlicensed , Historic Landfill

The locals know the site described as containing building rubble and inert waste, holds many a surprise for Fingal County Council. Between the odours, the seepage and the bird activity at the time, this was not the reaction of inert materials deposited in a spent gravel quarry.

- Was the EPA given the opportunity to consider this factor?
- Was the EPA given the ANSWERS to all the questions it asked regarding this illegal landfill in their Article 14 letters to FCC?

From what I read - No.

Economic Activity in the Area

The MI Business Park was well down the planning road when this site was identified. The potential three thousand jobs in this new valued sector of research and development were never even mentioned, not to speak of considered. What is the net worth of three thousand jobs to this area and the national economy? In what section of research and development is it going to be? Do we need a clean environment for this research and development? How could the Inspector have considered these jobs.

He was never told about them?

Property

We have been told in this EIS that our properties would only devalue by 5%, but would regain their value within a few years. This is incredible.

I will tell you my story.

My home has been on the books of an auctioneer since early 06 . We had bought a home and hoped to move there in mid 06. To this day, we have not even had somebody to view our home knowing that it is within high visible proximity to this proposed landfill.

So my house has not depreciated by 5%.
My house, my home, is now worthless.

Odours, Gases

Mr. Chairman, what is presented to us when it comes to smells is an insult to the humans who have to live and work in the area, not to mention the thousands of cars that have to pass on the M1 every day, without even considering the tourist potential for the reign. Odours and gases are seriously upsetting, annoying and diminish the quality of life, as is evident by the number of complaints that are logged regarding these issues.

The worse case scenario when you look at the intensity of odour, it is possible, that on some days it remains within the footprint of the landfill. But those days are rare. As far as I can see the "worse case (WCS) case scenario is living downwind of such a facility 24/7/365

- Only getting respite on calm days
- Not being able to open a window or a door to allow a good breeze through the house.
- People cannot hang their clothes out on the line as they come back smelling worse than before they were washed
- The person who can't even sit in their home because of the odours, permeating through the house

Meath County Council at Basketstown, near Trim, has already gone through extensive litigation resulting in large financial settlements and compensation, as well as a compulsory ruling, to purchase the offended peoples homes.

Bird Activity

We are told that there are mitigating measures in place to control birds. We know these are contained in the Proposed Decision. But are we aware how critical it is to get them right from the start? The only facility which seems to have got it right is the facility in Leicester, England. The falcons were flying before the first piece of earth was overturned and with a team of falcons and falconers they fly from dawn to dusk 365 days a year with no Bank Holidays, and no sick days. There has to be a constant presence. Once the birds get a taste for food or realize there is a food source in the area, they will not stay away.

Worries and Concerns

I am worried that the very proposals that Fingal County Council put forward, as to how they are going to run this facility, are now being objecting to by themselves. Examples of this are: residual waste - they wish to have the word "residual" removed from the license. If they remove the word "residual" what will they put in? On the contrary the NLAG would request that the word residual is in Bold Capitals, with unequivocal definition of its meaning.

They indicated in their proposal what type of liner they were going to use. Now they don't want to do that. It is crucial to specify the type of liner to be used.

Why now do not want to specify the type of stone they propose to use under this liner, as indicated in their application?

This is not acceptable.

What do they want to do?

We are also very anxious, if a licence should be granted, and we sincerely hope that it has been demonstrated why it shouldn't, that all supporting facilities and infrastructural projects be complete and functioning before deposition of waste commences. We would expect that these services would be functional, and would be a condition of the licence prior to commencement of operation.

e.g.

- Waste segregation centres.
- Recycling and reclaiming centres.
- The pipeline for the transportation of leachate.
- The waste water infrastructure.
- The visual screening.
- The Bird Control measures.

Fingal County Council in a signed affidavit presented to the people of Lusk, stated to the people, that they would never have another landfill after Ballyally closed. What's this, another landfill - not just another landfill but the biggest landfill in Europe, and where is it - in Lusk. They gave us this guarantee in a signed affidavit. Is their word worth anything? Is there any regard for the promises they made and the commitments they made to the people of Lusk

If they have gone back on a signed affidavit, how can we now trust them to adhere to conditions of any waste license.

Regarding the running of this facility, what guarantees can we have that this facility will be run to the appropriately highest standards, with nothing more than protection of our environment to the fore.

With regards to the running of this facility we feel that it is critical that the EPA is part of the vetting process to decide who will run this facility. This is the largest proposed facility of its kind ever, in this country.

Would private industry give a job of this magnitude to anyone without checking their credentials?

Ok, we understand if not of the same magnitude.

- Have they taken on a project like this before?
- How have they got on?
- Has there been non-compliance notices?
- Has there been Seepage?
- Have there been odours?
- Has the environment been put at risk? By what?

Their CV needs to be considered.

Precautionary principle

My understanding of the ideology behind the precautionary principle is that we do not do anything that might threaten our environment . In this proposed decision we are warned not to use the resource in the area when this facility goes ahead, based on the precautionary principal.

I think this is the wrong way around.

Perception

The perception that the ground water of Fingal could become contaminated if this landfill is granted a licence, might be sufficient to wipe out the horticultural industry in Fingal, and indeed in Ireland. Given that 55-60% of all fresh produce consumed in Ireland is grown in this area and 90% of all packed, processed and graded fresh produce is prepared in this area, this is a national industry which in 2005, was worth a staggering 600 million euro, to the national economy.

This may sound alarming, but just think about it for a moment. This proposal has gained the attention of the national media with the NLAG's journey to Brussels, where they presented, their concerns, with regard to the threat to their ground water and areas which breache the EU Water Framework Directive, the Landfill Directive and the EIA Directive have been identified.

While recalling this, the hypothetical Mr. Murphy in Cork now hears that the licence has been granted and the threat to ground water in Fingal that has been spoken of is about to become a reality. The next time Mr. Murphy goes to buy processed vegetables or prepared foods and he sees they are from Fingal or North County Dublin he at least think twice about buying it and may put it back on the shelf. He does not know whether the water used in the preparation of these produce came from the North Leinster Aquifer or is this water from the immediate area which is considered to be at risk, BUT his perception is, it might and not worth the risk as far as he is concerned.

Thus to protect the Horticultural Industry in Fingal or North County Dublin, an industry of national importance, is paramount. The

Precautionary Principle should be applied and this landfill should not be licensed as the threat to our National Horticultural Industry is too much for the national and local economy to bear.

As an ordinary person it horrifies me. I cannot understand why one of the finest sources of ground water of fantastic quality, could be put at risk by this landfill which will leak toxic liquid for the next 30 – 40 years and beyond. Just because the water is underground does not mean we should not protect it. If this quantity and quality of water was flowing in a lovely clear river we would never allow a big slurry tank to be placed beside it, even if the owners said it couldn't and wouldn't ever leak. It would be obvious that precautions should be taken.

Water is our most valuable resource and should not be put under threat.

Dublin needs water more than it needs a dump.

We are beginning to realise how important clean sustainable water is to our developing economy. It is felt now that the next world struggle and wars will not be based on access to oil, but rather access to clean sustainable water.

Identification of a Resource

An essential component of an EIS is that it identifies the resource beneath the footprint of the landfill. No resource was identified in this case.

GSI state that the matrix they supply is only for use in Outline Planning and further investigations must be undertaken.

The EIS as presented to the EPA, An Bord Pleanala and the people of the area is inaccurate and misleading. I heard it described as a manipulation of the facts to create a credible plausible work of fiction. As this hearing progresses we begin to realize how accurate that statement is. Here are but a few instances of where this document is manipulated

1. The statement "There is no gravel beneath the footprint of the landfill"

How did they come to that conclusion? I think at this stage we are confident this is not accurate.

2. The Non Technical Summary states "there is clay with variant amounts of 10 to 25 meters" Not true.

When you go and look at the resistivity curves again we can see in parts of the site there is as little as .6mt. in the area, before any site excavations are carried out.

Misappropriation of Public funds for the purchase of the illegal landfill, instead of prosecuting the owner. Now we have a further cost to base of approx 10-15 million

Conclusion

Mr. Byrne, Mr. Misstear and Mr. Reynolds, I would like to put on record on behalf of myself and the NLAG our sincere gratitude and appreciation, for allowing us the opportunity to indicate our grave concerns regarding the information that has not been supplied and the issues not considered. We hope you will find yourself in a position to recommend that this PD should be over turned as a result of all the additional information which has been presented at this hearing and the indications of the areas which have not been considered until now. Most of this information was not available to the Inspector for consideration. I can not continue without drawing your attention to putting on the records, the diverse and very relevant group of objectors. The NLAG never thought we would see ourselves sitting at the side of the room with some of these groups, but we truly appreciate their input. Their presence here highlights the many reasons why this site is unsuitable for landfill. A professional from the waste management sector said, "In all his career in the industry, which now spans two decades, he had never seen a less suitable site."

The only question which remains is - which is the most important to Ireland, our environment and this resource, **water**, or this super dump for which the need has not been proven. The conditions of the proposed decision are exactly that, conditions. In a perfect world, Inspectors would not be needed, complaints would never be made and non-compliance notices would never be served.

When the alarms go off in the monitoring wells on this proposed site it is too late for us, the people of the area, for our water resource and for our environment.

Thank you very much Mr. Chairman.

ENDS

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