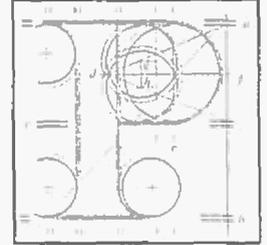


Our Ref: 01.JA0032

Your Ref:

An Bord Pleanála



Eddies Galway
Oldtown
Nurney
Co. Carlow

3rd April 2012

Re: Continued operation of landfilling activities and an increase in waste acceptance at Powerstown Landfill, Powerstown, Co. Carlow.

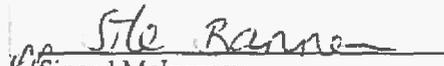
Dear Sir,

An Bord Pleanála has received your recent submission in relation to the above mentioned proposed development and will take it into consideration in its determination of the matter.

Please note that the proposed development shall not be carried out unless the Board has approved it or approved it with conditions.

Please quote the above mentioned An Bord Pleanála reference number in any correspondence or telephone contact with the Board.

Yours faithfully,


Sinead McInerney
Executive Officer
Direct Line: 01-8737295

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64 Sráid Maolbhríde,
Baile Átha Cliath 1

Tel: (01) 858 8100
LoCall: 1890 275 175
Fax: (01) 872 2684
Web: <http://www.pleanala.ie>
email: board@pleanala.ie

64 Marlborough Street,
Dublin 1

STRATEGIC INFRASTRUCTURE DEVELOPMENT/
LOCAL AUTHORITY PROJECT

OBSERVER/ OBJECTOR FORM

(*) OH Request

Case No: JA0032

File With C. McGrath

Last Date for Receipt of Observations/Objections: <u>2/4/12</u>	Date Received: <u>2/4/12</u>
---	------------------------------

Name: <u>Eddie Galway</u>	
Address/Agent: <u>Oldtown</u>	
<u>Nurney</u>	
<u>Co. Carlow</u>	
Contact:	Agent:
Status: Invalid -(insert reason):	

Ms <u>Bannon</u>	
<u>VALID</u>	<u>INVALID</u>
1. Acknowledge with <u>ELO2</u>	1. Return to SENDER with _____
2. Prepare refund form <input type="checkbox"/>	2. Keep Envelope <input type="checkbox"/>
3. Make 3 copies of observation/objection <input checked="" type="checkbox"/>	3. Keep copy of Board's letter <input type="checkbox"/>
4. Issue 2 copies to Local Authority with <u>ELOS</u>	4. Prepare Refund Form <input type="checkbox"/>
5. Keep copy of Board's Letters <input checked="" type="checkbox"/>	5. Return to E.O. <input type="checkbox"/>
6. Place copy on Public File <input checked="" type="checkbox"/>	
7. Input on Observer/Objector List <input checked="" type="checkbox"/>	

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Comments: _____

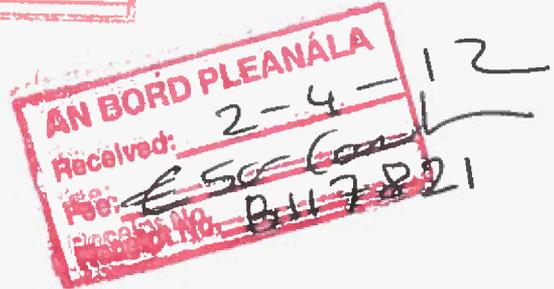
E.O: <u>McSherry</u>	A.A: <u>Site Bannon</u>
Date: <u>2/4/12</u>	Date: <u>3/4/12</u>

To: The Secretary
An Bord Pleanála
64 Marlborough Street
Dublin 1



30 March 2012

From: Eddie Galway
Oldtown
Nurney
Co. Carlow



Ref: PL 01. JA 0032

To Whom It May Concern,

I would like to make a submission or observations in relation to a planning application received by the bord from Carlow County Council as regards the continued operation of land filling activities and an increase in waste acceptance in Powerstown.

I would like to make the following submission known to the board.

- I ask the board to determine once and for all what is the true status of the land adjoining the landfill which is classed as a leased buffer zone, is it as stated in the application arable land or is it as "granted conditions" a sand and gravel quarry. I make reference to the quarry registration list item QY29, and request that the board requests copies of all warning letters etc for this quarry.
- To determine what arrangement is currently in place to secure the buffer zone, is there or was there or a lease agreement between Dan Morrissey IRE ltd and Carlow county council. I have concerns that when the landfill, in time reaches its full capacity and starts the process of reinstatement / capping and then aftercare, (as stated in previous application "the after care period before the waste becomes physically and biologically stable will last up to 40 years") what provision is in place to ensure that the "leased" buffer zone will continue to be arable land for the duration of the "after care period", and not quarried for its sand and gravel.
- The soil / material used on site for capping, "daily cover" to prevent wind blown litter bird scavenging and odours and materials that will be used to restore the site as part of the after care arrangements – where will this material come from and what process will be in place to ensure that no such material will be accepted by the council unless it comes from a authorised source, and not from a unauthorised development or any company which will itself require the same material for its own aftercare programme for it own development whether authorised or not.
- Was there any overall assessment carried out on the general area as regards the total cumulative effect, that the landfill site and its proposed exhaust emissions from the new energy generator plants, together with the emissions from the number of quarries and their production process in the immediate area, as regards the overall environmental impact, noise and air quality.
- Was there any overall assessment carried out on the area surrounding the landfill as regards the risk, environmental impact that could take place if there were any leakage from the lining, the landfill site is adjoined on the east side by section 261 quarry(part of which is arable land) and on the west side by another quarry which is currently seeking retention and continuance of use, both of these quarries produce sand and gravel therefore exposing the regionally important aquifer to a higher risk, this area also contains the powerstown stream which flows into the barrow and is its self a S.A.C
- The county development plan 2009-2015 mentions "Sterilisation of an area 500 mts around the landfill site". Carlow county council have supplied and provided a residential location across the road from the old landfill entrance much less than 500mts. [Page 9](#)
Carlow county council have also provided a location for and built a NRA funded a salt barn outside the old entrance to the landfill site [Page 9](#) I could not find this in the application.
- Opening hours of the landfill I did not see in the application details that the landfill is only open to the public from Wednesday to Saturday.

- Traffic and transport assessment the census would appear to be misleading as they do not take in the fact that the landfill weigh bridge is also used under the road traffic act for the public weighing of vehicles.
- In the last planning permission granted the road network was to be upgraded to include public lighting and a footpath this was only carried out on a section of the road between the old Kilkenny road to the landfill entrance and no works/upgrade have taken place between the landfill and Garryhundred cross. I believe that this breaches its past planning permission.
- What remedial work is carried out or may be carried out on the old landfill site (phase 1) to reduce any impact that it is having on the water down gradient of the site given that it is on a regionally important aquifer?
- The views - I include a picture taken from the roundabout from the Carlow bypass, [page 10](#) why hasn't the tree line been extended to give some kind of visual breakage to this scenic view?
- As regards the lining used on site to contain the seepage will the quality of this material be comprised by prolonged exposure to the sun as seen in the pictures attached a considerable amount of this material is exposed [page 9-10](#)
- The recycling centre should have its own planning permission so that it could continue its operation beyond the life of any permission given to the landfill.
- The rate of input to the landfill over the past number of years and the increase in public awareness of recycling would suggest that there is no need to increase the annual tonnage to this landfill
- With respect to the board and its functions who will assume the responsibility for ensuring that the county council adhere to what ever conditions are placed on it as regards this landfill, this assumes that permission in some form will be granted.
- This is not an exhaustive list of my concerns and I request an oral hearing on this matter.

I submit copies of

- Waste licence application form EPA 2003/120/01/reports/cwla-pl_Rp1002-1 doc page 4 of 41, which indicates the names of all occupiers of the land on which the activity is situated (if different from the applicant) [page 6](#)
- Letter from the Carlow county manager / local government auditor, [page 3-5](#)
- A map from the previous application indicating an area of ground which is leased. [Page 7](#)
- A map supplied to Carlow county council by SLR as a reply to a further information request with planning application 10/130, which is now before the board as file number PL01.238679. In this map Dan Morrissey IRL Ltd indicate the location of other quarries within a 5 mile radius (please note that the company only supplied the location of quarries that they operate/own within the 5 mile radius this does not include the quarries owned /operated by Tom Mc Donald which are also within the radius). Item 1 is the quarry registered as QY29 and I have formed the opinion that the lands indicated as a leased buffer zone is part of this quarry. [Page 8](#)
- Pictures of the salt barn and the new residential location [page 9](#)

I request that An Bord Pleanála give a microscopic and detailed review of this valid request.

Sincerely

Eddie Galway

Edward Galway





CARLOW COUNTY COUNCIL

COMHAIRLE CHONTAE CHEATHARLOCHA

County Buildings, Achy Road, Carlow.

Tel: 059 9170300

Fax: 059 9141503

Email: secretar@carlowcoco.ie

Web: www.carlow.ie

TB/CH

20th December, 2011.

**Mr. Edward Galway,
Oldtown,
Nurney,
CO. CARLOW.**

Dear Mr. Galway,

I wish to refer to the objection raised by you in the Audit of the Accounts of Carlow County Council for year ended 31st December, 2010.

I enclose for your attention the decision of Ms. Ita Howe, Local Government Auditor, on your objection.

Yours sincerely,

**T. BARRY,
COUNTY MANAGER.**

Telephone: 059 9170388

Web: www.carlow.ie

Encl.

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AN BORD PLEANÁLA
TIME _____ BY _____
02 APR 2012
LTF-DATED _____ FROM _____
PL _____

carlow
through the waters of life

DIRECT LINES (059) 059	
Central Engineering Area	9172466
Municipal Area Engineer	9721418
Tulow Engineering Area	9176272
County Library	9170094
Fire Station	9171144
Motor Taxation	9170342
Driving Licence	9170343

Planning	9170307
Housing	9170168
Waste & Environment	9136230
Roads	9170379
Water Services	9136264
County Development Board	9170385
Lease Payments	9172489
Rent Payments	9172489

Human Resources	9170387
Information Technology	9136215
Community & Enterprise	9136205
Higher Education Grants	9170314
Rates	9172487
Register of Electors	9170313
Arts	9136209



LOCAL GOVERNMENT AUDIT SERVICE

Statutory Audit of the Accounts of

Carlow County Council

for the

Year Ended 31 December 2010

Decision on Objection at Audit



Comhshaol, Pobal agus Rialtas Áitiúil
Environment, Community and Local Government

Ita Howe,
Local Government Auditor.

19 December 2011.



Objection at Audit of Accounts of Carlow County Council for the year ended the 31 December 2010

At the statutory opening of the audit of Carlow County Council for the year ended 31 December 2010, I received an objection on a number of issues regarding quarries, enforcement, unauthorised development and the 'community managed fund' for the Powerstown area.

Decision and Reasons

The issues relating to quarries, enforcement and unauthorised development among other items were raised by me in my statutory Audit Reports. Arising from my statutory Audit Report 2008, the County Manager commissioned the Corporate Governance review report. The recommendations are currently being implemented.

The questions raised regarding the 'community managed fund' for the Powerstown area are answered under the various bullet points identified by you.

1. It is not a requirement that a dedicated bank account be set up, however this money is ring fenced to a separate account in the Council's financial accounts.
2. The money is transferred into this account on an annual basis. No interest accrues to this account, however the payments made to this code has been indexed linked in accordance with the EPA requirements.
3. No withdrawals have been made from this account.
4. The Council have submitted details of the current structure of the community liaison group and the evaluation committee to the EPA for agreement.
5. I have been informed that no such lease agreement exists.



Ita Howe
Local Government Auditor.

19 December 2011

AN BORD PLEANÁLA	
TIME	BY
02 APR 2012	
LTD-DATED	FROM
PL	



Waste Licence Application Form- Disposal Activities (Landfill)

B. GENERAL

B.1 Applicant's Details

Name*: Carlow County Council,
Address: County Offices, Athy Road, Co. Carlow
Tel: 0503 70300
Fax: 0503 38206
Email: enviro@carlowcoco.ie

- This should be the name of the applicant which is current on the date this Waste Licence Application is lodged with the Agency.

Operator's Details (if different)

Name*: Not Applicable
Address:
Tel:
Fax:

Name and address for Correspondence (to which all correspondence and communication will be directed)

Name: Carlow County Council
Address: County Offices, Athy Road, Co. Carlow
Tel: 0503 70300
Fax: 0503 38206

Address of registered or principal office of Body Corporate (if applicable)

Address: Not Applicable
Tel:
Fax:

If the applicant is a body corporate, the following information must be attached as Attachment B1:

- a) a Certified Copy of the Certificate of Incorporation or Memorandum & Article of Association;
b) the Company's Registration Number from the Companies Registry Office.
State the interest of the applicant in the land which is subject to the application. The applicant is (please tick):

Table with 2 columns: Interest type (Landowner, Lessee, Prospective Purchaser, Other) and checkbox status.

Name and address of all occupiers of the land on which the Activity is situated (if different from applicant named above).

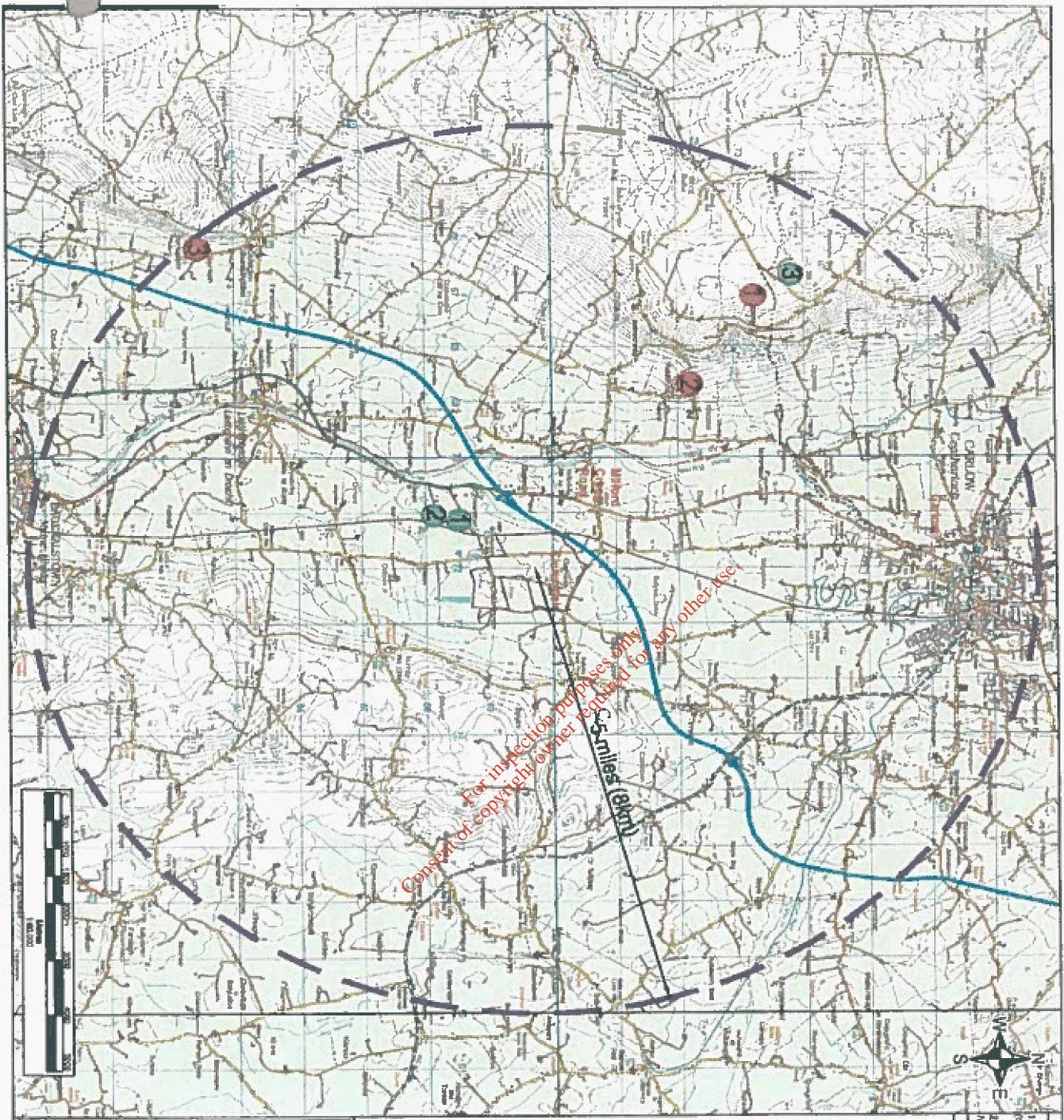
Name: Mr. J. Nolan,
Address: Boherduff, Muinebheag, Carlow

Tel:
Fax: --

Name: Dan Morrissey (IRL) Limited
Address: Concrete Products, Head Office, Bennekerry, Carlow.
Tel: 0503 31464
Fax: 0503 32091

The appropriate documentation, demonstrating the interest of the applicant in the land subject to the application, should be provided in Attachment B1.





NOTES
 1. Ordnance Survey Aerial Licence No. SU/0002719
 2. Ordnance Survey Street & Generalised Relief Vector
 3. Eased from 1:50,000 OSB Discovery Series Map
 No. 01

- LEGEND
- DAN MORRISSEY (RELI) LTD LAND INTEREST REGISTERED UNDER SECTION 251 (C.22(2A))
 - INDIVIDUAL LANDHOLDINGS EXISTING FROM DATE SECTION 251 REGISTRATION
 - DAN MORRISSEY (RELI) LTD. LAND INTEREST (C. 172,294)
 - PLANNING APPLICATION AREA (C. 117,294)

- LOCATION OF QUARRY SITES
- POWERTOWN 1 Q128 (SAND & GRAVEL)
 - POWERTOWN 2 Q130 (SAND & GRAVEL)
 - ROSAQUONE (SANDSTONE)

- QUARRY PITS
- CLOGGONAGH LIME LTD. (INDUSTRIAL LIME)
 - REDROCK QUARRY CO. LTD. (SANDSTONE)
 - STONE DEVELOPMENTS LTD. (DIMENSION STONE)

SLR
 55 COLLEGE ROAD, LIT
 LITVALE, CO. DUBLIN
 T: +353 1 452 2200
 F: +353 1 452 2201
 www.slr.ie

DAN MORRISSEY (RELI) LTD
 CLONMELSH, GARRYRHUDDON &
 POWERTOWN, CO. CARLOW
 SECTION 251 QUARRY REF. NO. 25
 REF ITEM NO. 16 - SAND & GRAVEL PITS
 & QUARRIES LOCATIONS

REF FIGURE 16.1
 Scale 1:50,000
 Date DECEMBER 2010

02 APR 2012
 LT DATED FROM
 PL



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AN BORD PLEANALA	
TIME _____	BY _____
02 APR 2012	
LTR-DATED _____	FROM _____
PL _____	





Why are there no trees planted along the boundary of the site to improve this view?

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AN BORD PLEANÁLA	
TIME _____	BY _____
02 APR 2012	
LTR-DATED _____	FROM _____
PL _____	