

Appeal against the Decision of the Environmental Protection Agency

To grant Licence 186-1 In favour of Indaver Ireland

1 Introduction

1.1 This appeal is made by the Cork Harbour Alliance for a Safe Environment (CHASE) against the proposed decision of the EPA to grant a waste licence for a waste management facility including a hazardous and non-hazardous waste incinerator at Ringaskiddy County Cork, Ireland. This submission should be read in conjunction with a separate submission made on our behalf by solicitors Noonan Linehan Carroll Coffey.

1.2 CHASE seek to appeal against the grant of the licence by the Environmental Protection Agency on the following grounds:

- **Decision and Reason for Decision.** The Agency has failed to give adequate or proper consideration to:
 - ⇒ The application and its supporting documentation or to
 - ⇒ The submissions received from other parties;
 - ⇒ The natural propensity of the site to inundation, from time to time, by marine floodwater and potential for marine pollution arising there from.
- **Conditions.** The conditions imposed on the proposed licence:
 - ⇒ Are inadequate and inappropriate to regulate and control the operation of the incinerator and waste management facility;
 - ⇒ Require the applicant to include unreasonable modifications to the design of the facility

2 Conditions

Conditions 1 – Scope

2.1 Paragraph 1.7 of this condition should be modified as follows:

"No part of the facility to which this licence relates shall be permitted to operate unless and until such time as the Agency has issued its written approval in respect of every plan, programme, proposal or detail referred to in these conditions. Each plan, programme or proposal referred to in these conditions shall be submitted to the Agency for its written agreement pursuant to any condition of this licence and shall include a proposed timescale for its implementation. The Agency may refuse to issue its written approval, modify or alter any such plan, programme, proposal or detail in so far as it considers such action appropriate and shall notify the licensee in writing accordingly. Every such plan, programme or proposal shall be carried out within the timescale fixed by the Agency but shall not be undertaken without the agreement of the Agency. Every such plan, programme or proposal agreed by the Agency shall be covered by the conditions of this licence."

2.2 Unless this condition is modified in the manner proposed the Agency will not retain appropriate control over the operation of the facility in the event of the applicant failing to make an adequate submission of material as required by the conditions. Many of the conditions as drafted in the licence simply require the applicant to "submit" information. There is no requirement on the Agency to "approve" the submission before the operation of the facility commences. In the event that the detail submitted by the applicants is not satisfactory then there is nothing in the terms of many of the conditions to prevent the operation of the facility. The proposed modification will ensure that the facility will not operate unless and until the Agency have approved all the detail material required in these conditions.

- 2.3 In addition to the condition as stated in the proposed licence, for the avoidance of uncertainty, paragraph 1.3 of the condition should be modified as follows:

"This licence is for the purposes of waste licensing under the Waste Management Acts, 1996 to 2003 only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations. In particular, the licensee shall ensure that any permission or consent required under the Planning and Development Acts in respect of infrastructure or modifications to infrastructure required by this licence is obtained before site works commence."

- 2.4 Paragraph 1.4 permits a tonnage of 215,260. This exceeds the tonnage of the plant specified in the original application for planning permission of 100,000 tonnes for Phase I and 100,000 tonnes for Phase II. It is not satisfactory that the agency change the tonnage without adequate reason.
- 2.5 With regard to paragraph 1.9 Indaver Ireland changed the nature of the wastes they intend to burn/process by increasing the list of hazardous wastes from the original licence application. This must therefore constitute a material change under the following headings:

The nature or quantity of the emissions;

The fuels, raw materials, intermediate products or wastes generated.

- 2.6 The nature of the licence applied for has therefore changed. This must make this application for a waste licence null and void as they gave misleading information in the original application on which the public were unable to comment.

Condition 2 – Management of the Facility

- 2.7 This condition should be modified so that the operation of the facility shall not be allowed unless and until the written approval of the Agency has been issued in respect of the personnel, management structure and systems referred to.
- 2.8 Unless this condition is modified in the manner proposed the Agency will not retain appropriate control over the operation of the facility in the event of the applicant failing to appoint appropriately qualified personnel or make an adequate provision for management structure and systems as required by the condition. The proposed modification will ensure that the facility will not operate unless and until the Agency have approved all personnel and other detail material required in this condition.
- 2.9 In the licence the EPA does not specify what a suitable qualified and experienced installation manager is. This must surely make a mockery of the entire application as no criteria are set down. The licensee can employ whom ever they like and say they are qualified. This is exactly the situation we have here. The newly appointed manager for the Ringaskiddy project has no experience of incinerators, has never worked in one or has never run a major or minor project to date worth considering. Furthermore, Indaver Ireland has no personnel who have ever worked on an incinerator, and we were informed that the plant would be monitored from Belgium. (Oral Hearing, 2003, J Ahern, Managing Director). This is extremely worrying. It would appear that the EPA has no criteria for evaluating the credentials of a person in such a responsible position.
- 2.10 Considering the manager should be "qualified on the basis of education, training and experience", we contest that the project manager fails on two out of the three criteria and is therefore not a suitable candidate.

- 2.11 Taking the licensee's word that their personnel are suitably qualified is not good enough. It is the responsibility of the EPA that any facility licensed by them should pose no threat environmentally to the public or their health. To licence such a facility under the management being offered by the licensee is a derogation of the responsibility of the competent authority, the EPA. We, the public, are not happy and will not accept such a decision.
- 2.12 The corrective actions if the licence does not fulfil its licence conditions are not specified. Again this gives the public no comfort as the corrective actions decided upon at a later stage by the EPA could be so ineffective that the licensee might continue to breach their licence. Fines at present are so meagre it is often cheaper for the licensee to continue to offend than to rectify the reasons for the breach.

Condition 3 – Infrastructure and Operation

- 2.13 This condition is unreasonable as it vastly exceeds the scope of the planning permission granted for the facility which itself is the matter of an application for Judicial Review. In particular paragraph 3.1 appears to require "all infrastructure referred to in the licence application and in this licence" to be established prior to the commencement of the licensed activities. The licence application includes the provision of a second incinerator for municipal waste and the plant has not been the subject of an application under the Planning & Development Acts. Amongst the many objections that can be levelled against this second plant is the fact that it would be contrary to the approved Waste Management Plan for Cork which does not include any provision for the thermal treatment of municipal waste. The condition in the draft licence would appear to convey exempted development rights under Article 7 of the Planning & Development Regulations 2001 in respect of this second plant and its inclusion within the licence threatens to subvert the democratic planning process in this case.
- 2.14 Paragraph 3.1 of this condition should be modified to exclude the second plant from this licence. In addition, consequential amendments should also be made to conditions regulating the maximum tonnage acceptable at the facility (condition 1, paragraph 1.4) and the emissions permitted from the facility to take account of the sole plant that has been the subject of the planning process. Failure to address this aspect of the licence could allow for the possibility of the safe emissions level for both plants being applied allowing for a lower overall standard of emissions from that single plant that has been the subject of a planning application.
- 2.15 This condition should be further modified so that the operation of the facility shall not be allowed unless and until the written approval of the Agency has been issued in respect of the details of the infrastructure and operation of the facility referred to.
- 2.16 Unless this condition is modified in the manner proposed the Agency will not retain appropriate control over the operation of the facility in the event of the applicant failing to provide appropriate infrastructure and operations as required by the condition. The proposed modification will ensure that the facility will not operate unless and until the Agency have approved all detail material required in this condition.
- 2.17 With regard to paragraph 3.2.5, the baseline information on which this application was assessed was derived by monitoring weather conditions at Cork airport, a location that is several miles from Cork Harbour, especially from the site in question. The airport is at a much higher elevation and in a quite different topographical situation and is not relevant to this application. (Ref: Oral Hearing Proceedings (PL on 131196). On the calmest day of the year there is a wind blowing at the airport due to its altitude. The site in Ringaskiddy is almost at sea level, in a sheltered valley surrounded by hills. It suffers from temperature inversions frequently in the winter with many days of very still air. This is not acceptable as a basis for assessing the probable dispersal of emissions from the stack. Likewise, if the EPA are serious about protecting the environment and minimising the effects of such facilities on the populations that live therein, they should insist on monitoring meteorological stations at all the sites outlined in Conditions 5 - Emissions.

- 2.18 In paragraph 3.5, regarding waste inspection and quarantine areas, no size or volumes are specified for such areas. The condition should specify that this area is to be bunded, or in the form of sealed tanks rather than open aprons to avoid risks of accidental pollution.
- 2.19 With regard to paragraph 3.7, 110% of the largest tank is not sufficient nor is 25% of the total volume to be stored in the area. What happens to the other 73% in the event of an explosion or some such catastrophe where several tanks could rupture? It is the responsibility of the competent authority to ensure that there is not potential for environmental pollution from this activity. During the recent flooding of the site, those areas were flooded and there is therefore every possibility of contaminants getting into the harbour in such flood conditions. The EPA must be aware of the WHO guidelines for Site Selection. One of the criteria of those guidelines is that the site is not prone to flooding. These issues were discussed at the oral hearing in 2003 (PL 04 131196). The site clearly fails on this criterion. For a competent authority to proceed to issue a licence in the knowledge that there is an environmental/safety threat would be highly irresponsible.
- 2.20 In paragraph 3.10.4 there are no details as to how or where these sludges, which will be contaminated and hazardous, will be safely disposed of. The EPA cannot accept this, as it is their duty to have detailed information on such activities. The treatment and disposal of such was part of a question put to Indaver by the EPA, when they sought additional information and to which the applicants failed to answer.
- 2.21 In paragraph 3.10.6 with regard to fire-fighting arrangements, based on the evidence heard at the Oral Hearing 2003 (PL 04 131196) there is only approximately two hours of fire-fighting water available in the storage tanks, based on information supplied by Indaver in their E.I.S. In the event of a major fire it was made clear that there would not be sufficient water to bring a fire under control. (Ref: Evidence, Chief Fire Officer – Inspector’s Report, Oral Hearing PL 04 131196). This poses a serious threat to public safety, considering the proximity of the new Maritime College with approximately 1000 staff and students, the employees of the Naval Base and the inhabitants of Ringaskiddy and Cobh, which is approximately one mile across the harbour and directly in the line of any plume from the site with a S.W. wind – the prevailing wind in the harbour.
- 2.22 With regard to paragraph 3.14, the company cannot fulfil this condition, they do not know the calorific value of pollutants as the characterization of the wastes is not known.

2.23

Condition 5 – Emissions

- 2.24 Paragraph 5.1 is considered an amazing statement from a “competent authority” responsible for the protection of the environment. Fugitive emissions from the tank farm are of serious consequence considering the number of drums to be stored in situ. There is no discussion as to how the licensee intends to prevent such emissions escaping into the environment. The tank farm is located directly opposite the entrance to the Maritime College – posing a direct threat to this population in particular. The building is provided with extraction and abatement according to the licensee. Does the abatement mean that there is some way of trapping the pollutants present as fugitive emissions? To where are these emissions being extracted? Clearly is it out into the atmosphere, as Indaver have not demonstrated any realistic means of preventing such emissions.
- 2.25 Paragraph 5.2 would be impossible to ensure during flood conditions.
- 2.26 In relation to condition paragraph 5.3 “The licensee shall ensure that the activities shall be carried out in a manner such that emissions do not result in significant impairment of, or significant interference with amenities or the environment beyond the facility boundary. “No provision has been specified within the

terms of the licence requiring an environmental monitoring programme outside of the confines of site and in particular in the centres of population nearby. This condition should be amended to require the continuous monitoring of environmental conditions in those areas including Ringaskiddy and its environs, Cobh, Passage West, Monkstown, Crosshaven, Carrigaline, Midleton, Whitegate/Aghada, Carrigtwohill and other affected areas of population. If the agency were genuinely committed to the principle that the facility should be required to operate without causing adverse effects beyond the confines of the site as per paragraph 5.3 then external-monitoring stations would offer an empirically based method to ensure that the external environment is satisfactorily monitored and safeguarded. The items to be monitored to include noise and vibration levels, dust, smell, fumes and key air quality indicators that relate to the performance of the plant. These monitoring stations should be established prior to operation to establish local baseline standards. Once the plant is operational results of such environmental studies should be published regularly.

Condition 6 - Control and Monitoring

2.27 With regard to paragraph 6.5, the competent authority should determine the competence of the people referred to. What are the qualifications that are deemed to be necessary?

2.28 In paragraph 6.9, the condition should require the "competent authority" to calibrate the monitoring equipment

2.29 In paragraph 6.15, the competent authority should see it as their responsibility to take samples of the residues from the incineration plant and determine their toxicity. Can the EPA clarify that these residues are ash from different parts of the incineration process?

Condition 8 - Material Handling:

2.30 With regard to paragraph 8.2.3(a), Indaver is already on record (Oral Hearing 2003) stating that they will take the customers' word re the nature of waste received at the gate. This is not good enough and potentially dangerous to base the characterisation of potentially dangerous substances on an unsubstantiated customer's statement.

2.31 In paragraph 8.3, waste that contravenes the conditions of the draft licence should not be accepted.

2.32 In paragraph 8.4, there is no quantitative measurement for how much waste will be leaving the site. Surely this type of information is vital for the "competent authority" to have, otherwise how do they know how much waste is leaving for off-site disposal. Also how will they control the movement and disposal of it? We have seen far too often in the last few years' movements of large amounts of waste within Ireland and as far afield as Europe. The EPA in many instances was not familiar with what was happening in relation to how the waste was being disposed of. This must be viewed as a serious failure on their part to ensure environmental protection by such illegal activities. Are we going to have a repeat performance in relation to the quantities of waste leaving this facility?

2.33 Paragraph 8.13 In view of the fact that the site was flooded recently, bottom ash and highly toxic gypsum stored on hardstands would have been washed into the harbour and caused serious pollution of the surrounding water. A competent authority whose responsibility is protection of the environment cannot sanction such behaviour. Such blatant poor management of toxic waste must immediately invalidate the licensee's application as it clearly shows that they are not competent and responsible in the management of such waste .

2.34 Again this shows this company are not clearly responsible and are willing to risk severe contamination of the harbour environment in the event of flooding. Highly toxic waste is to be left on hardstands to be

washed into the harbour at flood time. Ground floor level in the EIS is given at 2.65m OD. Flood levels are given for this site as 2.55m OD using Malin Head Datum. (i.e. ground floor level is only 0.1m above floor level, which is unacceptable). In the October floods the flood water levels were 2.85m OD i.e. (0.2 m above floor level), which clearly shows that this site is unsuitable and no licence should be issued by the competent authority in view of this information.

Condition 9 – Accident Prevention and Emergency Response

2.35 This condition should be modified so that the operation of the facility shall not be allowed unless and until the written approval of the Agency has been issued in respect of the policies, procedures and other details of the accident and emergency proposals put forward by the applicants.

2.36 Unless this condition is modified in the manner proposed the Agency would not retain appropriate control over the operation of the facility in the event of the applicant failing to provide appropriate procedures as required by the condition. The proposed modification will ensure that the facility will not operate unless and until the Agency have approved all detail material required in this condition.

2.37 In addition, because of the serious public concern expressed during the planning procedures in relation to this aspect of the facility's operation, provision should be made within the condition requiring the Agency to consult with local community groups and general public before issuing its consent to these proposals.

2.38 At the Oral Hearing 2003 it was clearly shown that the licensee could not adequately deal with a major incident. The managing director has said many times publicly that he cannot guarantee against accidents happening. We have already discussed the fact that there is not enough water retention for fire fighting in the event of a major accident. We were taken through the scenario at the Oral Hearing of the fire fighting services not being able to access the site in an easterly wind, as the fire would be fanned in their oncoming path. In a southwesterly wind all the noxious smoke would pour over a highly densely populated area of Great Island. In the event of a major explosion the Inspector from the HSA explained that such an event would at least blow out the windows of the Maritime College, due to its proximity. The potential of such a facility having an accident, considering the licensee's lack of expertise in the incineration process and the nature of the facility itself, is enormous. Any competent authority issuing a licence to such a facility would be highly irresponsible and in severe breach of its charter and mission statement.

2.39 With regard to 'Emergencies' addressed in paragraph 9.4, where are the "appropriate facilities" referred to by the licensee and has prior agreement been reached with the operators of these facilities? In the event of the water supply being contaminated by the activities of the facility will it be immediately shut down? If not, then, why not?

Condition 10 - Site Restriction.

2.40 The licensee has offered €12.5million as a bond to help remediate the site or carry out any or all of the activities as are outline by EPA in this section. It takes no maths genius to work out that €12.5million would go nowhere in fulfilling this condition. In addition to the above, in the event of an incident that would result in the contamination of our food chain, the licensee must be made put up a realistic bond. In Belgium in 2000 a food contamination incident cost the national economy €500million.

Condition 11 - Notifications:

2.41 In paragraph 11.1(a) & (c), in the event of an incident, especially a major incident that posed a threat to the environment or the safety of the population, there should be a 24-hour number available to the licensee.

2.42 Schedule B

2.43 We have seen in the last few weeks the case of the site flooding and the potential and almost probable guarantee of pollution and environmental damage being done to the harbour. It is imperative that a schedule should exist for these three categories, C 2.1, C 2.2. and C 2.3 to ensure control and monitoring of emissions to all waters.

2.44 Representatives of the licensee have told us in the past that the ash will be monitored frequently to allow the company to determine what elements of the ash are not toxic so that no toxic ash will go to landfill, and therefore pose an environmental threat. Given that the conditions of the licence will only allow for bi-annual sampling of these residues, where does the licensee intend to store the ash in the interim? There is no provision of any sort of ash storage to be allowed on-site. Does this mean that much of the ash going off-site will not have been sampled, therefore posing a threat to the environment? If this is the case, then the competent authority cannot allow this to happen, as they will be in breach of their charter and mission statement.

2.45 In correspondence received from the EPA it states the following:

“The Agency is debarred in law from granting a waste licence unless it is satisfied that the activity concerned, carried out in accordance with such conditions as may be attached to a licence, will not cause environmental pollution.”

It is very clear from our submissions that this licence cannot be granted as clearly the activity poses a huge environmental threat, as well as posing a risk to the safety at large.

It is clear from the evidence of the Oral Hearing 2003 that the HSA did not know enough to grant a clearance letter on the building of the facility. Due to Indaver changing their characterization of waste and moving non-hazardous wastes into their proper hazardous category now questions its classification as a Tier 2 activity under the Sevesco Directive. This evidence must now be presented to the HAS for re-classification of the site under the Sevesco Directive.

It is clear that this means that the consultation distances could now be incorrect. To grant a licence to a facility that is now in doubt in respect of its threat to the public safety of the populations of Ringaskiddy, the Maritime College, the Naval Base, Cobh town and environs would ‘be the height of irresponsibility and unlawful according to the EPAs own documentation.

2.46

Condition 12 – Financial Charges and Provisions

2.47 Provision should be made within this condition for the payment of a bond to a minimum value of €100 million in favour of the Agency to secure the implementation of the proposals for decommissioning set out in condition 10 in the event of the licensee being unable or unwilling to discharge their obligations in this regard. The value of the bond shall be reviewed on the renewal of this and subsequent licences. Failure to secure adequate bonds in the past has prevented appropriate decommissioning and decontamination to take place in two major industrial installations in the Cork Harbour area at Haulbowline Island and Marino Point. The bond is essential to ensure that in the event of a plant closure not only is the site made environmentally safe but that there is provision to return the site to its original state.

Miscellaneous Points

Along with our submissions to the Draft Waste Licence application, Article 12 Compliance and Article 13 & 14 Compliance Requirements we would also like to make the following points.

In a report in the Examiner 03.11.04 Dr Mary Kelly, Director General of the EPA warned that there is no system in Ireland to monitor routinely the health of people living near incinerator and waste sites. In light of this statement the competent authority, the EPA knowing that there is doubt about the effects of such facilities on human health, cannot possibly proceed with issuing a licence. In view of the fact that health of the population has been identified by the Director General of the EPA as a problem, then that self same authority must refuse this licence i.e. observe the pre-cautionary principle. Though the EPA may have a wide range of experience and expertise they have none in the area under review, i.e. incineration, which is very worrying. A report commissioned by the Minister of the Environment 2002 and carried out by the HRB identified the following issues:-

HRB Risk Assessment

“Ireland has presently insufficient resources to carry out adequate risk assessment for proposed waste management facilities. Although the skills are available, neither the personnel nor the dedicated resources have been made available”. Given that today, 18 November 2004, funding to the EPA has been reduced in its pre-budget estimates, it is highly unlikely that anything will be done to rectify the above situation in the near future. How then could the EPA possibly even consider licensing an incinerator when such doubt exists over its effects on health and environment. “There is an urgent need to develop the skills and resources required to undertake health and environmental risk assessments in Ireland (Ref Doc 1). How can the EPA ignore such findings which clearly indicate the need to observe the precautionary principle in the interest of public safety and health. To grant a licence is also contrary to the mission statement of the EPA which is “to protect and improve the natural environment for present and future generations.”

The HRB report was in total, a fair and balanced report, but unfortunately its’ findings have been ignored by the relevant authorities and indeed the Government as it does not support current Government thinking.

WHO Guidelines

If this company had employed the WHO guidelines for Site Selection of Hazardous Waste Incinerators properly, they would not have chosen this site for such a facility. From a physical perspective this site is prone to flooding, which was discussed at the Oral Hearing 2003 and witnessed first hand in October 2004.

It is also identified in a report commissioned by the EPA and completed by Dr John McSweeney, as an area in danger of coastal erosion and not recommended as an area for the building of such developments.

The ground floor level for the main building, warehouse and tank farm @ 2.65 m O.D., taken from Malin Head Data. The flood level given for the area is 2.55 m OD i.e. 0.1m below the flood height. No engineer would recommend the building of any project @ less than 0.5m above flood water, which is taken to be the highest tide in the last 100 years. During the floods in October the flood height went to 2.85m O.D. which would have all the main buildings and tank farm flooded. Furthermore, the floods of October 2004, are not taken as being a 100 year flood level, the floods in 1960s are still taken as the highest so that this site will be more deeply flooded in a 100 year event.

This totally rules out the site as being suitable for the storing or processing of hazardous wastes due to the enormous environmental threat to the harbour and its waters.

US EPA

The US EPA have declared zero tolerance on dioxin emissions and state that there is no such thing as safe levels of dioxins.

The National Hazardous Waste Management Plan identifies the need for thermal treatment. It does not specify incineration and has given no consideration to the other thermal treatments that have lower emission levels, but merely went for the first option presented to them by a private company.

Alternative Technologies

The EPA's mission statement is:-

“to protect and improve the natural environment for present and future generations, taking into account the environmental, social and economic principles of sustainable development.”

The EPA have given scant regard to that same mission statement. There are many safer, more environmentally safe technologies available today to deal with all waste streams. The EPA have not entertained these technologies in any shape or form. This is a very poor reflection of the agency's commitment to their function as a competent authority. It also shows their lack of commitment to the protection of our natural heritage. They have the opportunity to embrace newer, better, safer technologies, to be innovative in their thinking and creative in finding solutions to our waste problems. They have too easily succumbed to the pressure of big business at the expense of the environment and the health of the people of Ireland. I will remind the EPA of their professed vision – “a powerful agent for change, both in attitude to the environment and in actions on environmental protection.”

EU

The EU has some advice to offer to countries who are structuring their waste management:-

“The Commission does not support incineration. We do not consider this technique is favourable to the environment or that it is necessary to ensure a stable supply of waste for promoting combustion over the long term. Such a strategy would only slow innovation. We should be promoting prevention and recycling above all. Those countries who are in the process of drafting their planning should not base it upon incineration.”

National Policy

Supporting this application is contrary to some of the Government's own policies namely The National Spatial Strategy as CASP does not include incineration.

The National Hazardous Waste Management Plan whose cornerstone is “prevention” does not favour incineration and it is given that prevention cannot be promoted in the atmosphere of mass incineration especially when commercial companies are promoting incineration so aggressively.

In the interest of transparency when the objections and submissions are considered by the Technical Committee and the Board of Directors, we expect that Ms. Laura Burke will not be consulted or involved in any way in the evaluation of the evidence and the making of a final decision to include her in the process would smack of political interference of the highest order.

Again I bring you back to the vision of the EPA

as “an organization that works to place environmental issues at the heart of international, national and local decision-making process.”

It would be so reassuring to those of us who have taken enormous time and trouble to submit to this draft waste licence application, to be able to believe that the EPA were committed to this vision. The recent appointment of a new director, who has worked for the last number of years in promoting incineration has hugely undermined the confidence of the community and the public at large in the EPA. It would and has totally undermined their objectivity on this entire application.

The final point we would like to focus on is the vision the EPA as “a credible and respected organization, speaking out courageously for the protection of the environment.”

As someone who has an enormous respect and deeply values the environment that we are fortunate to have still in Ireland, I would like to believe that there was truth in the above statement. It is unfortunate that to date, in this entire debate, it has been the communities who have brought any sense of balance to the argument, most times against all the odds.

We have as a community been ridiculed and dismissed by the last Minister of the Environment. Our efforts as a community to question the decision of 10 Government appointees on the granting of planning permission to the licensee, was belittled and undermined by the leaking of the draft licence.

Waste License
for a Waste Management Facility
Including a Hazardous and
Non-hazardous Waste Incinerator
At Ringaskiddy, County Cork, Ireland.

Employees of the EPA saw fit to leak the information to The Irish Times before they notified those people who had exercised their democratic right and had taken the trouble to submit to the waste licence application.

In her inauguration speech recently our President said, that “economic success is not a destination in itself.” We too as a community recognize this and what we are looking for is a balance, economic prosperity, but not at any cost. President McAleese went on to state that the “cushion of consumerism is no comfort for communities and acknowledged that the “nations great heartland” is its communities.

That speech in itself has given this community renewed spirit and energy. It has further established us as a strong resilient community and it is reassuring to hear that our President sees such communities as an asset to our country.

We feel fully justified in objecting to this draft waste licence in view of all the issues raised in this submission. They are very serious issues – we ask the competent authority, the EPA, not to compound the mistakes made to date in this entire application. We ask them to have the resilience to follow their own mission statement and vision. In the interest of safety of both the public and the environment we ask the EPA to withdraw this draft licence.

We also request a moratorium on mass incineration until all the issues have been resolved. We call for the establishment of a Baseline Health Study and only then will public confidence be restored.

To discuss these issues in an open forum C.H.A.S.E asks for an oral hearing for this waste licence application.

2.48