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An Bord Pleanála,
64 Marlborough St.
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Ref 04.PA 0045

Submission to Additional Information submitted by Indaver Ireland to An Bord Pleanála on 15.05.17 re the proposed incinerator in Ringaskiddy Co. Cork

I would like to make the following observations on behalf of Cork Harbour Alliance for a Safe Environment. CHASE)

Error in the information submitted by Indaver Ireland

Regarding appendix 6.3 and 6.4 Modelling of PCDD/F intake for Ringaskiddy Waste to Energy Facility by AWN 2015

Indaver Ireland say;

“Appendix D and J were the wrong print-outs and included in error.”

We do not accept this statement. In the 2008 EIS no one spotted that the dioxin tables purported to be modeled from soil samples from the vicinity of the proposed incinerator site, were not.

They were identical and credited (in the EIS) to dioxin tables submitted to An Bord Pleanála as part of a 2008 application by College Proteins Ltd to build an incinerator in Nobber, Co. Meath. This facility had nothing whatsoever to do with Indaver Ireland.

In the 2015 application, the exact same tables were submitted by Indaver Ireland as their dioxin figures, based on soils samples purported to be taken in 2015, from the vicinity of the site. This time however any reference to College Proteins had been removed and replaced to Indaver Ireland's name.

The fact that the reference was changed on figures that had nothing to do with Indaver Ireland's proposed facility in Ringaskiddy, totally discredits Indaver's statement that they were the "wrong print offs." It would appear to us that they wanted to use these figures as they knew, that when fitted into the model, they would give the correct results, and comply with EU regulations. This can be nothing short of an effort to deceive.

AWN state that "the modeler choose the 2008.txt files to convert rather than the 2015.txt and saved the 2008 file with the "2015" title hence the administrative error. This might have some credibility as a stand alone explanation, but the fact that the "modeler" who did all the inputting and outputting of information, had the where-with-all to change the notation from college protein to Indaver Ireland, again discredits their explanation.

We know now (May 2017) from our expert Dr. Gordon Reid that the new figures in the "corrected print-outs "are still not correct and he will be expanding in this, in detail in his report.

Modeling for Dioxins and furans

Indaver say that the proposal poses no significant threat to increasing dioxin and furans for the MARI man.

We cannot accept Indaver's new figures in view of Dr. Callaghan's total failure at the Oral Hearing 2016 to explain where he got his figures. His failure to answer the questions initially and then his excuse that it was 'a typo' are considered to be totally unbelievable and he has no credibility as "an expert witness"

CHASE maintained that the dioxin figures were both false and inaccurate and the Indaver's response to the Board's request to "correct their error" does nothing to change that belief, as the figures they are now presenting are not corrected figures but new figures.

Dr. Reid will go into this in more detail in his response

We note there are serious discrepancies between the soil concentrations in mass units (kg/kg/soil) and the toxicity equivalents unit (ng/kg/teq) this is again an example of Indaver's efforts to obfuscate, as it makes it very difficult to clearly see what are the real concentrations.

These discrepancies will be further discussed by Dr. Reid but further erodes the credibility of Dr. Callaghan's response

Dioxin Burden

In relation to the effect of dioxins on humans the MARI man is taken by Indaver as the most "at risk" Guidelines indicate that it is the child and unborn are the most at risk. The FAO state that the MARI man needs 3.300 calories /day to provide the energy he needs to be a subsistence farmer. Dr. Callaghan however is practically starving MARI only allowing him 1000 calories /day and only allowing him milk ,no meat no fish or a normal diet he would need to stay healthy.

When we extrapolated the MARI diet to 3.300 with all the food groups he would need to stay healthy we find (using Dr. Callaghan's dioxin readings) that the dioxin intake of MARI is >30 than the burden recommended by W.H.O /E.U.

This cannot be another 'typo error' and as far as we can ascertain it is an effort to deceive both the community and most importantly ABP that it is safe to build this incinerator in this area. i.e. that the background dioxin/furan levels are below E.U./W.H.O. guidelines

A further worrying aspect is that when we looked at the soil samples used by Dr. Callaghan we note that he did not choose the closest site of deposition.

Dr. Reid has gone to the trouble of converting the co-ordinates given by Dr. Callaghan from UTM to Google map co-ordinates and this clearly shows that Dr. Callaghan choose sample 4a to use rather than 3a which is closer to the site of deposition
The only explanation for this is when one looks at the dioxin background levels at site 3a and 4a, those at 4a (further away) are lower, therefore producing the desired favourable results that come in under EU/WHO levels.

This gives the impression that this community can tolerate a further burden of dioxins and furans but in truth when site 3a values are used this is not so, as background levels exceed the EU/WHO recommendations.

It is extremely worrying for all concerned that Indaver and their experts are willing to jeopardise the health of the community into the future, when the reality is that we cannot tolerate any further burden. It would appear that this is an attempt to seek to mislead the planning authority and the community that this application is safe when it clearly isn't.

Report done in advance

It is clear from our study of Indaver Ireland's response to ABP request for more information that Indaver Ireland had prepared some of its answers before March 20th 2017. Dr. Johnson prepared his report September 2016. How did this happen?

Had ABP or any of its agents discussions with Indaver prior to the request being formally made?

We as a community struggle to understand how Indaver anticipated the ABP queries without some discussion. If discussions took place, if this so then this clearly shows bias in favour of the applicant.

Dr. P Johnson's report seems to be based on a different report than that on Indaver's website (rrc.ie) and presumably that given to ABP (which we have no access to).

In Section 5 DATA of Dr. Johnson's report he refers to; "results extracted and presented in an Excel spreadsheet (attached)"

There was no excel spreadsheet attached to Indaver's response to request for further information that was released to the public. This is discussed in further detail in Dr. Reid's submission.

Dr. Johnson is therefore responding to a report that neither the Board or the other parties have knowledge of and therefore in the opinion of CHASE, Dr. Johnson's submission must not be considered as expert evidence.

Indaver have been given every opportunity above and beyond the bounds of fairness by ABP, to mend their ways and correct their mistakes. It is unbelievable that at this last leg of the Oral Hearing having been facilitated in every way, to try to make their application acceptable to the Board, they choose to obfuscate.

This is unacceptable and we hope the Board in its entirety sees clearly what is being done here. It is an insult to the Board to think that they have been given different data to that given to Dr. Johnson, which clearly would allowed Dr. Johnson to give a favourable account of the predicted soil samples and the reporting of same.

Plume Modeling Assessment

Dr. Porter, one of Indaver's experts, in his report claims that his work is based on a "Site –Specific study' He uses meteorological data from Cork Airport over a five year period which he inputs into the AMDS-52 model to give an accurate representation of "the impact of the facility in the surrounding environment."

Cork Airport is approximately 11 kilometers from Cork Harbour and is on a hill several 100 meters high, while Cork Harbour is in a basin and the weather there bears no resemblance to that at Cork Airport.

We have pointed this out at each of the three planning Oral hearings and still he persists that the weather conditions are similar, and the Board in each case accepts this evidence. Indaver have had 17 years to do proper meteorological sampling of Cork Harbour. This would enable them to establish the true nature of the weather system, to witness inversions and plume dispersal which differs greatly to what happens at Cork Airport, where there is nearly always a wind.

Furthermore one of Indaver's other experts Mr. Savage states that;

"the World Meteorological Organisation (WMO) recommends that climate averages are computed over a 30 year period of consecutive records". He also tells us that Met Eireann have readily available data over many years.

Why then does Mr. Porter go against the recommendations of the WMO and only do five years of sampling at a site that is not representative of the conditions at or near the proposed site? Such analysis has no credibility as far as we are concerned, It does not reflect what is really happening in the harbour or how the proposed facility would affect the area.

Helicopter safety and Navigation

Mr. Savage does a lengthy report on helicopter navigation. He tells us that his study is a bench top study and to that extent he is relying on AWN figures to base his work on, in relation to flight paths and profiles.

Taking into consideration what we discussed earlier with respect to AWN credibility, CHASE would be very concerned that Mr. Savage did not audit AWN figures but accepted them at face value.

Based on our experience at the Oral hearing 2016 of AWN and their credibility, we could not share his confidence. Any of his work based on AWN figures is not an independent study as he claims, as a report is only as good as the information it is based on.

Mr. Savage gives a professional opinion and that is all it is as the Irish Air Corps are the experts when it comes to Military Aviation in Ireland.

It is incomprehensible to this community, that ABP would ask a waste company, to tell the Irish Air Force and DOD how to fly their aircraft, in particular their helicopters.

Mr. Savage discussed different scenarios in relation to helicopter flight etc. He discussed the obstacles already existing in the Ringaskiddy area such as pylons, power lines, the

Maritime College and the fact that the proposed incinerator would be within the “no-fly zone”.

However the stack of the proposed incinerator is not static like these other obstacles It has a plume and that is the issue, it is unpredictable by its nature Pylons and power lines are static and Mr. Savage acknowledges that pilots are trained to navigate these where necessary P 25 8.8.

A plume is unpredictable, it has lift / vertical velocity, temperature, potential oxygen depletion, and these are the concerns of the Air Corps and the Department of Defence (DOD)

These two bodies are Ireland’s prescribed experts in relation to all aspects of military flight safety in this country.

Their closing statement at the Oral Hearing leaves one in no doubt with respect to their position;

“Therefore restrictions on the Irish Air Corps’ ability to operate with the Naval Service at Haulbowline is not just a local issue but carries strategic implications for the State.”

To ignore such a statement is to totally undermine the authority of our DOD and Air Corp.

We trust this is not the intention of ABP in favour of a private non-national company who stand to make huge profits, if they succeed in getting their application through.

Indaver and their experts we are told went to visit Devonport, which is a naval dockyard in England. They do acknowledge that;

“It is not submitted that this case study is precisely similar to the proposed development not to the activities of the Irish Air corps”

They say the reason they went there is to see “how the operations of an incinerator fitted in with a busy naval base which has helicopter operations.”

What they omit to mention is that the helipad in Devonport has been shut since 2012 and only limited flights land on ships in port. The incinerator opened three years ago so in fact the helicopter landing facility at Weston Mill Lake and the incinerator were never opened at the same time. This is not the impression given by Indaver on their site visit, nor do they refer to the fact that a new helipad facility with passenger and staff facilities is proposed but it is located 2 k from the incinerator and is on the other side of a hill.

So they are correct, it bears no resemblance to the site being discussed in relation to flight safety at Ringaskiddy.

Helpfully, what it does clearly show is that this incinerator in Devonport has many exit points and in the event of an evacuation due to fire or explosion, has many escape routes. It is not located at the end of a cul-de-sac with no escape route, as would be the proposed incinerator. It is also a reminder that in the event of a fire Indaver stated at the Oral hearing that they would only have two hours fire fighting and after that they would let it burn itself out. Their explosion in Belgium in 2016 took over six hours of fire fighting and we all saw the extent of the toxic cloud arising from that incident.

One cannot begin to imagine how that would impact on the trapped population on Haulbowline Naval base, and especially the people in Cobh, population approx. 10-12,000 people) who would be directly in line of the plume on a SW wind (which is the prevailing wind). Cobh is located on an island with one hump back bridge, as the only land link/escape to the mainland.

Mr. Liddy's report is long and technical and there are those who are better versed to comment on its contents. Again CHASE reiterates that the DOD and Air Corps are the prescribed experts, Mr. Liddy is giving an opinion which cannot supersede that of the DOD or the Air Corps.

At the Oral Hearing in 2016 we learnt of other inadequacies in Indaver Ireland's third application.

Dr. Anthony Staines an eminent Epidemiologist and Professor of Health Systems at UCD, presented evidence at the Oral Hearing that no proper Health Impact Assessment has been done on this facility. The report presented by Dr. Hogan Inc. (Indaver's Medical expert) did not meet the HIA criteria. Therefore the full implications of this facility on the communities has not been done as required by EU Law / EIA Directive.

The fact that the Board has shown that it is willing to put the lives and health of the communities at risk, by not insisting on a proper HIA shows yet again clear bias towards the applicant whose hand has been held by the Board, throughout this application.

The presentation of false figures at the Oral Hearing by AWN in relation to dioxin figures shocked the community to silence. It should have heralded the end of the Oral hearing and indeed this application.

The fact that experts could submit such unreliable information in such a serious application is not acceptable.

It undermined the faith of the community in the integrity of the Oral Hearing and the fact that the Strategic Infrastructure Board (SIB) have again given Indaver another chance to "correct their errors" is again an indication of how accommodating the Board has been to the applicant.

The applicant and the Board has been facilitated in every way throughout this process. Both got as much time as they wanted. Indaver in their pre-planning and then the Board in relation to

the fact that it is now 14 months since the Oral hearing finished and we still have no answer.

Not alone are the Board willing to give Indaver every chance to “get it right”, in relation to dioxin figures and helicopter operations they have also questioned the authority of the DOD and Air Corps, by asking Indaver to comment on the DOD ‘s response.

Indaver had their chance to respond to the DOD on the last day of the Oral Hearing. They were also asked to explain the dioxin anomalies and they couldn’t. They had nothing to say and that should have been that, they had their opportunity. So it is again perplexing to the communities to still see the Board giving every last chance to Indaver.

The question on everyone’s lips is, why is this? Why hasn’t this application been refused once and for all as there is nothing right about it? It is the wrong facility in the wrong place. It is in breach of EU Waste Policy which now recommends a moratorium on new facilities

http://ec.europa.eu/environment/circular-economy/implementation_report.pdf

<http://ec.europa.eu/environment/waste/waste-to-energy.pdf>

It is in breach of National and Local planning and it is 100% rejected by the entire community of Cork Harbour and will never have any acceptance in our community.

We have just last week had the announcement of the signing of the contracts for the clean up of the East Tip on Haulbowline Island. This is the legacy of another hazardous waste facility in Cork harbour, namely Irish Steel. The people of Cork Harbour have made their contribution to the Irish economy over the last 60 years.

Enough is enough. We have been the sacrificial community for the benefit of the national economy. We have played our part, now we want to reclaim our harbour and our health.

We are moving forward to a new future in Cork Harbour, where education leisure and tourism promise a better future for us and future generations.

This application has no part to play in that plan.

We do not trust Indaver Ireland. They have abused our community for 17 years. They abused the Irish Court System as stated by the High Court Judge. They have fought war of attrition on a community, trying to wear us down. They will not succeed.

We ask that a full Board makes the final decision on what has been a very controversial case. We sincerely ask that you reject this application outright. No conditions would make this application acceptable.

We trust as a community this application will be rejected for the many reasons explored over the life time of this application and the Oral hearing and that we will never again have to make a submission to a planning application from Indaver Ireland.

A magnanimous gesture from Indaver would to contribute the site to the people of Cork Harbour and Ringaskiddy village as a peoples park. That would be a good end to this saga.

Thank you for your time and attention.

Yours sincerely,

Mary O'Leary, B.Sc. Dip. Env Sc.

Chairperson,

CHASE

19.07.17

