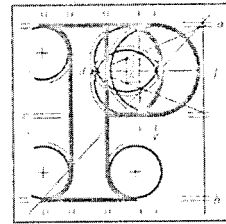


**Our Case Number:** ABP-318802-24

**Planning Authority Reference Number:**



An  
Coimisiún  
Pleanála

Niall Fitzgerald  
1 Dun Bhride Point  
Templebreedy  
Crosshaven  
Co. Cork

**Date:** 13 November 2025

**Re:** Proposed development of a resource recovery centre (including waste-to-energy facility)  
in Ringaskiddy, County Cork.

Dear Sir / Madam,

An Coimisiún 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 accept this letter as a receipt for the fee of €50 that you have paid.

The Commission will revert to you in due course with regard to the matter.

Please be advised that copies of all submissions / observations received in relation to the application will be made available for public inspection at the offices of the local authority and at the offices of An Coimisiún Pleanála when they have been processed by the Commission.

More detailed information in relation to strategic infrastructure development can be viewed on the Commission's website: [www.pleanala.ie](http://www.pleanala.ie).

If you have any queries in the meantime please contact the undersigned officer of the Commission. Please quote the above mentioned An Coimisiún Pleanála reference number in any correspondence or telephone contact with the Commission.

Yours faithfully,

*Kevin McGettigan*

Kevin McGettigan  
Executive Officer  
Direct Line: 01-8737263

PA04

Teil	Tel	(01) 858 8100
Glaó Áitiúil	LoCall	1890 275 175
Facs	Fax	(01) 872 2684
Láithreán Gréasáin	Website	<a href="http://www.pleanala.ie">www.pleanala.ie</a>
Ríomhphost	Email	<a href="mailto:communications@pleanala.ie">communications@pleanala.ie</a>

64 Sráid Maoilbhríde	64 Marlborough Street
Baile Átha Cliath 1	Dublin 1
D01 V902	D01 V902

## Formal Objection Submission – Indaver Ringaskiddy Incinerator (Cork Harbour)

To: The Secretary, An Bord Pleanála

Re: Planning Application – Indaver Ireland Ltd – Ringaskiddy Resource Recovery Centre / Waste-to-Energy Facility (Case Ref: 318802)

Date: [Insert Date]

Dear Sir / Madam,

I hereby submit this formal objection to the planning application lodged by Indaver Ireland for the development of a proposed waste-to-energy facility at Ringaskiddy, Cork Harbour. This submission is made in good faith, as a resident directly affected by the proposal, and in the interest of ensuring compliance with national and EU environmental law, public health protection, and planning transparency. The concerns outlined herein relate to governance integrity, environmental and technical shortcomings, and incompatibility with existing spatial and sustainability policy.

### Executive Summary of Grounds for Objection

Ground	Summary of Concern
Governance & Objective Bias	Historical findings of bias in prior determinations by An Bord Pleanála; continuing relevance of those conflicts requires transparent governance assurances.
PFAS / Forever Chemicals	Operating temperature of 850°C inadequate for PFAS destruction; risk of persistent pollutants entering the environment.
Circular Economy & Efficiency	No heat recovery system; contradicts EU Circular Economy and Energy Efficiency Directives.
Zoning & Development Plan Conflict	Rezoning of Ringaskiddy inconsistent with previous County Development Plan policies and environmental buffer requirements.
Environmental & Health Impacts	Potential emissions of ultrafine particulates, PFAS, and dioxins; insufficient cumulative impact analysis.

Legal & Policy Alignment

Project inconsistent with Waste Framework Directive and Ireland's Waste Action Plan for a Circular Economy (2020).

### **1. Governance, Process Integrity and Objective Bias**

The prior determination of this project was quashed in the High Court in *Cork Harbour Alliance for a Safe Environment v An Bord Pleanála* [2021] IEHC 629, on the grounds of objective bias due to undisclosed relationships between a Board member and consultants engaged by Indaver. This precedent demonstrates the critical importance of maintaining not only actual impartiality but the appearance of impartiality. Given that several individuals with prior institutional associations to the applicant or its consultants continue to hold positions of influence within regulatory and advisory bodies, An Bord Pleanála must ensure that all such potential conflicts are transparently declared and addressed in this decision process.

### **2. PFAS, Operating Temperature, and Public Health**

The application specifies a minimum operating temperature of 850 °C. Current peer-reviewed data and guidance from the UK Environment Agency (2025) and European Chemicals Agency indicate that PFAS ('forever chemicals') require sustained destruction temperatures between 1,000–1,100 °C with adequate residence times to achieve complete mineralisation. At 850 °C, incomplete combustion may occur, producing volatile fluorinated compounds, ultrafine particulates, and persistent by-products that resist environmental breakdown. Without proven PFAS abatement and real-time monitoring, this facility poses an unquantified risk to air, soil, and marine environments, particularly given Cork Harbour's tidal dynamics.

### **3. Circular Economy Misalignment and Energy Inefficiency**

The proposed facility does not incorporate combined heat and power (CHP) infrastructure or any meaningful heat recovery system. As such, it functions as a low-efficiency disposal operation rather than a recovery facility under the EU Waste Framework Directive (2008/98/EC). This conflicts with Ireland's Waste Action Plan for a Circular Economy (2020), which emphasises waste prevention, reuse, and recycling before energy recovery. The proposal's energy conversion efficiency—projected at approximately 23%—is far below the thresholds typically required for classification as 'recovery' under R1 formula standards.

### **4. Zoning and Development Plan Conflicts**

Ringaskiddy's zoning designation was altered in the Cork County Development Plan 2022–2028 to 'Strategic Employment Area'. Previous plans (2014–2020) emphasised environmental protection, public amenity, and maritime heritage in the Cork Harbour region. The rezoning has been criticised by local stakeholders and referenced by the Office of the Planning Regulator (OPR) as part of concerns about transparency and over-zoning. This application is inconsistent with the Development Plan's stated objectives for

sustainable industrial use and fails to respect the harbour's environmental sensitivity, including designated Special Protection Areas (SPAs) and Special Areas of Conservation (SACs).

## 5. Environmental, Health, and Community Impacts

Cork Harbour is home to dense residential communities, educational institutions, and maritime recreation. The Environmental Impact Assessment Report (EIAR) does not sufficiently assess cumulative exposure to ultrafine particulates (PM<sub>0.1</sub>), PFAS residues, or transient emission spikes during startup and shutdown phases. Peer-reviewed literature (Environ. Sci. Technol., 2023; J. Hazard. Mater., 2024) identifies measurable PFAS residues near European incinerators operating at similar temperatures. The precautionary principle, as enshrined in Article 191 TFEU, therefore requires denial or substantial redesign of this proposal.

## 6. Legal and Policy Framework

This proposal is inconsistent with the Waste Hierarchy defined in Directive 2008/98/EC, prioritising prevention and recycling over incineration. It also conflicts with Ireland's National Waste Management Plan for a Circular Economy (2024) and Climate Action Plan (2024–2025), both of which target reduced waste-to-energy capacity and enhanced material recovery. The lack of heat capture or energy integration contradicts the EU Energy Efficiency Directive (2012/27/EU). Approval would risk setting a precedent counter to Ireland's obligations under the European Green Deal and national climate targets.

## 7. Requested Actions and Conditions

1. Operate at or above 1,100 °C with validated PFAS destruction capability.
2. Include combined heat and power (CHP) or equivalent heat recovery to achieve R1 efficiency compliance.
3. Conduct an independent life-cycle assessment comparing incineration with advanced recycling alternatives.
4. Mandate real-time, publicly accessible emission monitoring (including PFAS, dioxins, and ultrafine particulates).
5. Commission an independent governance and conflict-of-interest audit of decision-making participants.
6. Prepare a transparent ash management plan, demonstrating safe, traceable disposal routes.
7. Undertake baseline and longitudinal health monitoring for affected communities.

## Annexes

- Annex A – Case Law Summary

Summary of Cork Harbour Alliance v An Bord Pleanála [2021] IEHC 629, where objective bias was established. The Court emphasised that perceived impartiality is essential for public confidence in planning decisions.

- Annex B – PFAS Destruction Temperature Evidence

UK Environment Agency (2025) and ECHA guidance identify 1,000–1,100 °C as required for PFAS breakdown. Laboratory data indicate partial survival of fluorinated compounds below 950 °C.

- Annex C – EU Circular Economy and Efficiency Policy

References: EU Waste Framework Directive 2008/98/EC; Circular Economy Action Plan (2020); Energy Efficiency Directive 2012/27/EU; Ireland's Waste Action Plan 2020.

- Annex D – Cork County Development Plan (2022–2028) Extracts

Ringaskiddy zoning and environmental objectives, including Policy Objective EE 9-3 and Marine Amenity Policy MA 1-1, emphasising sustainable use of harbour lands and protection of coastal ecology.

- Annex E – Health and Emission Literature

Recent studies (J. Hazard. Mater. 2024; Environ. Res. 2023) show persistent PFAS and ultrafine particle release in waste incineration contexts; recommend stricter emission controls and real-time monitoring.

Yours sincerely,

Niall Fitzgerald

1 Dun Bhríde Point, Templebreedy, Crosshaven, Co. Cork

[Niall.fitzgerald@gmail.com](mailto:Niall.fitzgerald@gmail.com)

0864684369