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**An Bord Pleanála,
64 Marlborough Street,
Dublin 1,
D01 V902.**

By email to: sids@pleanala.ie and by post

2nd May 2024

Re: ABP Case Number – 318844-24 – Response to Submissions

Dear Sir/ Madam,

1. Introduction

We refer to the above case number and to copies of submissions issued by An Bord Pleanála to ESB on 8th and 23rd April 2024. ESB has been invited to respond to the submissions.

Submissions received from:

- a) Commission for Regulation of Utilities Water, Energy (CRU).
- b) Health and Safety Authority (HSA).
- c) Peter Sweetman and on behalf of Wild Ireland Defence CLG.
- d) Local Resident, Kieran Hosty.
- e) Transport Infrastructure Ireland (TII).
- f) Environmental Protection Agency (EPA).
- g) An Taisce.
- h) Clare County Council.

Generally, the issues raised in the submissions have already been considered in the Planning and Environmental Documents and are addressed by mitigation measures or will be addressed during the detailed design and construction stages for this project, as is common for projects of this nature. The specific submissions are responded to below.

2. Response to Submissions

a) CRU

This submission confirms that the proposed development is in line with the current Government policy including the 2021 Policy Statement on Security of Electricity Supply as set out in section 2.2 or the EIAR.

It is therefore considered that no further action is required from ESB in relation to this submission.

b) The HSA

The HSA expresses its concerns about the proposed development with two separate submissions.

- **HSA submission ref PAR 3439** (dated 28th March 2024) – This submission refers to the request of further information in the form of an update to the **Technical Land Use Planning Report** (TLUP) to provide further technical detail on the environmental control measures which will be in place to prevent a major accident impacting the environment. ESB acknowledges the receipt of this request and has subsequently been in consultation with the HSA regarding the required updates to the TLUP Report. ESB aims to address the technical issues raised by the HSA regarding the TLUP in May 2024.
- **HSA submission ref PAR 4349** (dated 23rd February 2024) – This submission refers to the technical advice from HSA on the effects of a proposed development on the risk or consequences of a major accident relates to the developments within the consultation distance for an establishment. It also confirms that the proposed “development will constitute a modification to an COMAH establishment”. Section 1.6 of the EIAR as well as the TLUP is submitted with the planning application.

Due to complex technical considerations in the TLUP, ESB has been in regular consultation with the HSA to address the technical issues raised in the TLUP. ESB requests an extension of time to respond to this submission and aim to respond by the 31st of May 2024.

c) Peter Sweetman on behalf of Wild Ireland Defence

This submission requests the Board to assess the SID application on the following grounds-

- The Planning Acts
- The Environmental Impact Assessment Directive
- Habitats Directive

ESB acknowledges this submission and concludes that no further actions are required in response to this submission.

d) Local Resident, Kieran Hosty

This submission refers to concerns raised by a local resident regarding dust emissions, noise and lighting arrangements for the development.

ESB acknowledges this concern raised regarding the impacts of dust, noise and lighting arrangements for the development. The likely significant impacts and proposed mitigation measures are detailed in the following sections of the Environmental Impact Assessment Report (EIAR).

- **Dust** – Please refer to the Section 7.5 of the Environmental Impact Assessment Report (EIAR) for the likely significant impacts from dust generating activities for the construction, operation and maintenance phases and Section 7.7 of the EIAR for the Mitigation and Monitoring Measures that are proposed to control the generation of dust. It is to be noted that the dust generating activities are proposed to be managed by long term monitoring of dust deposition using mass deposition gauges. The dust generating activities and associated machinery are located away from receptors. Dust suppression techniques such as wetting by water bowser is adopted, where necessary. During the construction phase, all materials that have a potential to produce dust will be removed from site as soon as possible (if they are not reusable).
The proposed transition of the station's primary fuel from coal to HFO and as a security of supply electricity provider rather than baseload will significantly reduce the volume of material to be landfilled. Additionally, the cessation of coal handling will further reduce the potential for dust emissions. It can therefore be concluded that there will be no significant impacts the air quality along with successful incorporation of the proposed best practice mitigation measures and compliance Industrial Emissions Licence.

- **Noise** - Please refer to the Section 9.5 of the EIAR for the likely significant impacts from Noise and Vibration generated from Construction, Maintenance and operation phase activities, and Section 9.7 of the EIAR for the Mitigation and Monitoring Measures that are proposed to control noise and vibration. It is to be noted that the noise emissions will be minimised at the source, monitored and limited in accordance with the conditions of the existing Industrial Emissions Licence (IEL). During construction, the contractor will monitor noise and vibration where significant effects where required. The noise and vibration sources identified for the proposed development is located at least 300m from the nearest dwellings in the townlands of Carrowdotia North, Carrowdotia South and Ballymacrinan.

Furthermore, as stated in section 9.5.3.1 of the EIAR “When unloading the coal ships, the operations of the coal yard normally operate continuously for two to three weeks. The noisy activities associated with this operation include unloading of coal ships, coal conveyors, stacker reclaimers, and ship cranes. However, this operation will cease once the coal stocks are depleted”.

Hence, the proposed transition of the station’s primary fuel from Coal to HFO along with successful incorporation of the proposed best practice mitigation measures, the potential for adverse effects from the noise generated during construction and operation phases of the projects will be mitigated to acceptable levels.

- **Light** - Please refer to the Section 4.4.7 of the EIAR for the proposed lighting arrangement during the operation and maintenance phase. It is to be noted that the proposed development will not be permanently lit and lighting will only be provided when personnel are on site to assist any ongoing activity. External lighting will be automatic with motion detection and will be linked back to a security system if activated. A warm white spectrum will be adopted to reduce blue light component and lighting will be directed toward works areas to avoid light overspill.

Therefore, we can conclude that the proposed transition of the station’s primary fuel from coal to HFO, along with the proposed mitigation measures, will significantly reduce the dust emissions, noise and lighting. In, addition to the above information, the summary of mitigation measures for the proposed development is detailed in Section 19 of the EIAR.

e) TII

This submission acknowledges that availability of a safe, secure and reliable supply of electricity is an essential requirement for Ireland's current and future economic wellbeing. In addition to that, it raises concerns about operational traffic and abnormal loads.

ESB acknowledges the concerns raised by the TII. An overview of answers to these concerns is provided below-

- **Operational Traffic** – *TII acknowledges that Section 15.1 of the EIAR confirms that operational traffic associated with the proposed development will be similar to that of the existing development. ESB can confirm that the proposal does not appear to represent either the creation of a new access nor result in the generation of increased traffic from an existing access to a national road to represent conflict with the provisions of foregoing Government Policy.*
- **Abnormal Loads** – *TII raises concerns about the transport of pre-assembled auxiliary boilers, boiler stack, cranes and possibly parts of Heavy Fuel Oil (HFO) tanks as abnormal loads during the construction phase. ESB can confirm that while it is preferred that for oversized loads to be transported by marine vessel directly to the proposed development site, it is likely that some abnormal loads will be required to be delivered by road during the construction phase. It is anticipated that there will be one abnormal load delivery per month for a three-month period in Q3/Q4 of 2025. Hence, the potential impact to strategic function of the national road network is considered to be not significant.*

Section 2.3 of the Appendix C2 Traffic Management Plan details that haulage will be scheduled outside of the peak network traffic periods where reasonable and will be in accordance with regulatory requirements, noting that the contractor appointed during the construction phase may be required to arrange a special escort with An Garda Síochána. Appropriate permits for designated haul routes will be sought and agreed with the relevant authorities during the detailed design phase. Specific traffic management requirements and localised arrangements will be developed by the appointed contractor and will be agreed in advance of implementation with the appropriate competent authorities. It is ESB's intent to comply with the related procedures outlined in TII's letter and, if needed, it is suggested that any concerns regarding abnormal loads can be dealt with by means of condition to any grant of permission.

f) EPA

This submission acknowledges the existing Industrial Emission (IE) Licence (P0605-04), issued by the Agency on 10th July 2018, which was later technically amended on two occasions, 23rd April 2021 (Technical Amendment A) and 7th February 2024 (Technical Amendment B). The submission highlights the possible need to review or amend the existing licence if the licence does not accommodate the changes proposed in the SID application.

ESB can confirm that the existing licence accommodates the proposed development, and it is therefore not intended to apply for an IE licence review for the purposes of this proposed development. It should be noted that the EPA carried out an EIA and an AA of the licensed activity as part of the licensing process, which included continuous plant operation on both coal and HFO. The site will therefore continue to operate in line with the conditions of the existing IE Licence.

g) An Taisce

While this submission welcomes the phase out of coal, it also expresses concern in meeting the carbon budget for 2026-2030, commitment to cessation of oil fuelled generation at the station, potential deterioration of the status of a surface or ground water body in the vicinity of the station and potential negative impacts on the biodiversity.

ESB acknowledges the concerns raised by An Taisce and submits the following response for consideration.

- **Compliance with Carbon Budgets and Sectoral Emissions Ceiling** – Section 8.8 of the EIAR details that the proposed development is estimated 4-5% of projected sector emissions in 2030 (2030 is the closest projection year available to project closure in 2029). The proposed development will have lower emissions than the existing Moneypoint Generating Station by approximately 29%. This is based on the maximum possible run hours as set out in the Temporary Contact Mechanism (TCM) with Eirgrid in order to assess the worst-case scenario. However, as stated throughout the EIAR the plant will operate as an energy provider of last resort. As more low and zero carbon energy sources become available throughout the period up to 2030 the run hours at Moneypoint are likely to be significantly less than this worst-case scenario with the GHG emissions reduced proportionally as run hours are reduced. Regardless, it is acknowledged it will continue the use of fossil fuels in energy production and as a result could be regarded as “do minimum” action regarding

meeting the national targets of reducing GHG emissions by 51% (against 2021 emissions) by 2030.

The sector projections (EPA 2022) to meet carbon reduction targets show a decrease in GHG emissions with annual carbon budgets, to meet the 2030 target. In 2030 the projection is for 70% renewable energy generation, with the remainder met by a mix of natural gas, coal, and peat. As the proposed development replaces existing coal-fired generation capability, it does align with an objective of the Climate Action Plan 2024, which aims to phase out and end the use of coal and peat in electricity generation. The proposed development is planned to finish operation in 2029 and therefore will not contribute to emissions in 2030, the year which 51% emissions reduction target is proposed for. This project is an interim step in the decarbonisation of the Irish energy production sector.

- **Commitment to Generation Cessation** – The proposed development aims to ensure that the station remains a vital energy generation node until the 2029. After which, ESB intends to transform the station and redevelop it as a hub for offshore renewables sectors as part of the ESB's 'Towards Zero' Strategy. The proposed development is expected to be operational until the end of 2029.
- **Water Framework Directive (WFD)** – The section 11.4 and 11.5 of the EIAR confirms that the station ownership boundary is wholly located within the Shannon Estuary North Catchment (WFD Catchment 27), which includes the area drained by the River Fergus. The station currently discharges stormwater, cooling water and neutralised wastewater to River Shannon Estuary. The section of the Shannon Estuary adjacent to the station is not designated as a nutrient sensitive area. Emissions to water are controlled and monitored in accordance with the IE Licence P0605-04, with monitoring required at each of the emissions points to water.

During any construction project, the main risk arises from heavy rainfall causing surface water runoff which then flows into nearby drains transporting sediment and subsequently may affect nearby surface water bodies. All construction related activities including office and welfare facilities will be contained within the established Contractor's compound and laydown areas. Erosion control measures are proposed to prevent runoff flowing across exposed or excavated ground and becoming polluted with sediments. Such measure will be provided for in-site, if required, during construction stage. Concrete wash water will be stored temporarily on site and prevented from entering the drainage network. All oils, fuels and chemicals will be stored in a designated and protected area and will be prevented from

entering the surface water network by appropriating spill control measures as detailed in Section 11 of the EIAR.

During operation, the proposed development will operate in accordance with the limits for discharge to water set by the EPA under the IE licencing regime. The station's existing water quality monitoring programme will continue, and the parameters, thresholds and frequency will be complied with, as set by the EPA. In an event of an accidental oil spill, ESB Moneypoint Oil Spill Response Plan will be implemented which contains measures and checks to ensure compliance with the conditions of the IE licence including the prevention and response to spills. Considering the control measures to prevent polluting substances entering the surface water and ultimately migrating to the Shannon Estuary transitional waterbody located adjacent to the site, the effects on surface water and drainage are considered to be negligible resulting in an imperceptible effect as detailed in Section 11 of the EIAR.

With the implementation of the mitigation measures proposed, the proposed development will not result in a change in status of the Shannon Estuary WFD quality elements or prevent it from reaching good status in the future.

- **Habitats and Birds Directive** – *The Moneypoint Generating station is not located in, but directly adjacent to, the Lower River Shannon (SAC 002165) and River Shannon and River Fergus Estuaries (SPA 004077). The River Shannon and River Fergus Estuaries are designated as Key Ecological Receptors and potential impacts on them, and other SACs (special areas of conservation) and SPAs (special protection areas) have been assessed in the Natura impact Statement (NIS) submitted with the application. It's to be noted that the proposed changes to the Ash Storage Area (ASA) to only utilise the spare capacity in the ASA by increasing the capping layer thickness from 0.6 m to 1.6 m and does not result in any increase in the area of the landfill. The volume of material proposed to be landfilled and the overall height is proposed to be reduced from the current permission (Clare County Council Planning Register Number P14/373), as stated in section 4.2 of the EIAR. The zone of influence (Zol) of drainage from the ASA is addressed in section 5.2.2 of the AA screening and NIS report.*

h) Clare County Council

While the submission welcomes the phase out of coal, ESB responses to issues raised in the reports submitted with the Clare Co Co submission are as follows -

➤ Chief Executive's Report

- **5.0 Effects of the proposed development** - Please refer the following table for information on the relevant sections of the application which address the topics raised in the Chief Executive's Report.

Topic	Relevant Section of Application
<i>Planning Policy and Project Need</i>	<i>Section 2 of the EIAR</i>
<i>Adjacent Amenities and Land Uses</i>	<i>TLUP</i>
<i>Landscape & Visual Assessment</i>	<i>Section 14 of the EIAR</i>
<i>Traffic and Transport</i>	<i>Section 15 of the EIAR</i>
<i>Surface water Management and Flood Risk</i>	<i>Section 11 of the EIAR</i>
<i>Air and Climate</i>	<i>Section 7 and 8 of the EIAR</i>
<i>Land, Soils & Hydrogeology</i>	<i>Section 12 of the EIAR</i>
<i>Natural Heritage & Biodiversity</i>	<i>Section 10 of the EIAR</i>
<i>Archaeological, Architectural and Cultural Heritage</i>	<i>Section 13 of the EIAR</i>
<i>Major Accidents and Disasters</i>	<i>Section 17 of the EIAR</i>

➤ Letter from Councillor Ian Lynch

The submission from councillor Ian Lynch highlights Traffic Management Plan, Coal Yard Remediation, Capping the existing Landfill, Increased oil storage capacity.

- **Traffic Management, Public Road network upgrades, and community Benefit Fund**
The section 4.3 of the EIAR highlights that during the peak construction stage of the project, a maximum of 17no. HGVs are expected. It is to be noted that this HGV traffic volume will be

limited only during the peak construction period anticipated in ca. Q1 2025 and not expected to continue during the rest of the construction or the operation period.

- **Coal Yard Remediation**

The scope this project as stated in the section 1 and 4 of the EIAR, includes the dismantling and removal of 2 no. mobile stacker/reclaimers and 1 no. coal conveyer bridge. Only dismantling of this coal handling equipment part of the scope of this project. The rest of remediation and redevelopment of the coal yard is proposed to be covered under the scope of potential future applications as part of the wider the Green Atlantic Project. It should be noted that a Decommissioning Management Plan (DMP) and Closure Restoration and Aftercare Management Plan (CRAMP) along with related Financial Provision (2021) is in place for the site in accordance with Condition 10 and 12 of the IE Licence. This DMP and CRAMP includes for the remediation of the coal yard in its scope.

- **Capping the existing Ash Landfill** – *The capping of the Ash Storage Area does not necessarily preclude it from other future uses. The potential future uses for the Ash Storage Area may be a part of a future application, possibly as part of The Green Atlantic @ Moneypoint project. The Green Atlantic @ Moneypoint Strategy is currently undergoing the process of Strategic Environmental Assessment (SEA) and will be published towards the end of 2024.*

- **Increased oils Storage Capacity** – *ESB acknowledges the concerns regarding the oils storage. The TLUP submitted as part of the application covers the concerns regarding increased oil storage capacity in this submission. This TLUP will be updated as set out in section 2b of this letter.*

➤ **Extract from the minutes of the meeting**

ESB acknowledges the concerns raised in the extract from the Clare County Council Meeting.

The response for the concerns raised are as follows-

- **Air Quality issues in Ennis** - *Based on the predicted Environmental Concentration (PEC) plots for annual mean and hourly NO₂, SO₂ indicated in the Section 7.5 of EIAR, it can be concluded that the proposed development will not be exceeding the Air Quality Standards (AQS). Table 7.15 and 7.16 depict the impact of the proposed development on the Air Quality Standards. The dispersion modelling also includes predicted ground level concentrations of SO₂, NO₂, PM₁₀, PM_{2.5} and CO at Human Health Receptors closest to the proposed*

development Table 7.19 of the EIAR shows the relevant human health receptors. From the assessment presented in section 7.5 of the EIAR, it can be concluded the proposed development will not have any significant impacts on the Air Quality.

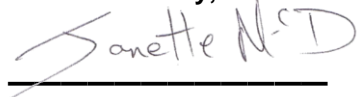
- **Strategy for time sensitive public warnings** – *The site will continue to operate under an IE Licence, which sets limits on emissions to air, enforcing monitoring and reporting requirements, set out environmental management measures, complaint management measures and emergency response requirements. Emissions from the existing boilers are currently monitored by a Continuous Emissions Monitoring Systems (CEMS). The CEMS would continue to operate with the proposed development and would be used to demonstrate compliance with the emission limits specified in the IE Licence. According to the Condition 11.1 of the IE licence (P0605-04), the Agency should be notified of an incident or an accident, or in an event of a release of environmental significance to atmosphere from any potential emissions point including bypasses. It also states that, the licensee shall notify the Agency as soon as practicable the licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence and where available, the steps taken to minimise any emissions.*

Therefore, from a planning policy perspective, the proposed development would be in compliance with the onsite zoning, the site-specific objectives, and associated European, national and regional level policy objectives with respect to the decarbonisation of electricity generation.

3. Conclusion

We trust that you have all the required information to progress the assessment of the application. If there are any further queries, please contact janette.mcdonald@esb.ie.

Yours Sincerely,



Janette McDonald

Environmental Consenting Specialist