

ENVIRONMENTAL IMPACT ASSESSMENT REPORT FOR THE EXPANSION OF A MATERIALS RECOVERY FACILITY AT CAPPOGUE AND DUNSINK, BALLYCOOLIN ROAD, DUBLIN 11.

Volume 2 – Main Body of the EIAR Chapter 6 – Scoping and Consultation

Prepared for: Padraig Thornton Waste Disposal Ltd. T/A Thorntons Recycling



Date: November 2022

J5 Plaza, North Park Business Park,
North Road, Dublin 11, D11 PXT0, Ireland

T: +353 1 658 3500 | E: info@ftco.ie

CORK | DUBLIN | CARLOW

www.fehilytimoney.ie



TABLE OF CONTENTS

6. SCOPING AND CONSULTATION	1
6.1 Introduction.....	1
6.1.1 Statement of Competency	1
6.2 Consultation and Scoping	1
6.2.1 Consultation and Scoping Methodology	1
6.2.2 Stakeholder Consultation.....	3
6.2.3 Consultation with Utility Companies.....	8
6.2.4 Virtual Public Consultation.....	8
6.3 Pre-application Consultation with Statutory Authorities	9
6.3.1 Pre-application Consultation with An Bord Pleanála	9
6.3.2 Pre-application Consultation with the EPA	11
6.3.3 Pre-application Consultation with Fingal County Council	12
6.4 Summary.....	12
6.5 References	12



LIST OF TABLES

Page

Table 6-1: Stakeholders Consulted on 24th of March 2022.....3

Table 6-2: Stakeholder Consultation Responses5

Table 6-3: ABP Comments..... 10



6. SCOPING AND CONSULTATION

6.1 Introduction

This chapter describes the consultation process and Environmental Impact Assessment Report (EIAR) scoping that was undertaken to identify key impacts from the proposed development to be included in the EIAR.

It presents the issues that arose through the consultation process and how these issues were addressed in the preparation of the EIAR.

6.1.1 Statement of Competency

This chapter has been written by Richard Deeney.

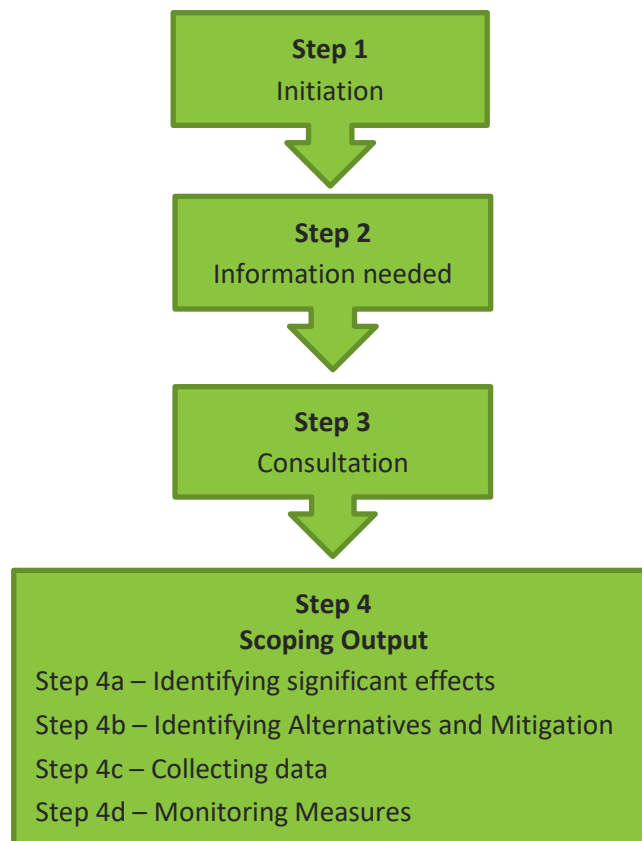
Richard is a Senior Environmental Scientist with Fehily Timoney and Company (FTCO) and is Project Manager with responsibility for coordinating the development of this Environmental Impact Assessment Report. Richard has over 10 years' experience in environmental and planning consultancy. Richard has a B.Sc. in Environmental Management and an Advanced Diploma in Planning and Environmental Law with the Kings Inns. He has a vast amount of experience coordinating and completing Environmental Impact Assessment Reports for a wide variety of development types including waste facilities, tourism development, quarries and manufacturing facilities. Richard has a substantial amount of experience completing EIAR Scoping Assessments and coordinating stakeholder consultation including public consultation events during the planning process.

6.2 Consultation and Scoping

The purpose of the EIA scoping process is to identify the key points and issues which are likely to be important during the environmental impact assessment (EIA) and to eliminate those that are not. The scoping process identifies sources or causes of potential environmental effects, the pathways by which the effects can happen, and the sensitive receptors, which are likely to be affected. It defines the appropriate level of detail for the information to be provided in the EIAR. The primary focus of scoping is to define the most appropriate assessment of significant effects related to the proposed intensification.

6.2.1 Consultation and Scoping Methodology

An informal or voluntary scoping exercise was carried out, which established the terms of reference for the EIA and identified the concerns and issues that warranted attention during the assessment phases. This process was carried out considering the four-stage process recommended in the European Commission guidance entitled 'Environmental Impact Assessment of Projects - Guidance on Scoping' (EC, 2017) as follows:



The Guidelines on the Information to be Contained in Environmental Impacts Assessment Reports, Environmental Protection Agency (2022) advise that scoping should be an ongoing and iterative process and assessors should ‘*maintain a flexible view of the scope throughout the work on the EIAR, particularly during the earlier stages.*’

Using the (EC) (2017) methodology, while maintaining a “flexible view” of the scope of the EIAR, the following tasks were undertaken during the scoping exercise:

1. The Applicant initiated a voluntary scoping exercise in February 2022.
2. The party responsible for producing this EIAR, FTCO, conducted a preliminary appraisal of planning and environmental considerations relevant to the proposed development. This involved the following:
 - A review of EIARs/EISs carried out for similar waste management development, or for development situated in the vicinity of the proposed development site (where such documents were deemed to be of an acceptable standard by the relevant authorities).
 - An examination of publicly available baseline environmental data and information relating to the development site and its environs.
 - An examination of historic planning application files pertaining to the development site and surrounding sites.
 - A review of historic environmental monitoring data for the existing waste management facility at the development site.
 - The experience of the project team undertaking EIAR for similar waste infrastructure was harnessed to allow for a determination of relevant environmental matters that need to be addressed in this EIAR, having regard to the context of the development site.



3. In March 2022, a stakeholder consultation document, which set out the proposed scope of the EIAR, was prepared and sent for circulation to relevant consultees. This document requested scoping input from various 'prescribed bodies' with an interest in planning and environmental matters. The scoping opinions from such bodies were taken into consideration when completing this EIAR.
4. Consultation with utility companies took place to inform the design of the proposed development.
5. A Virtual Public Consultation was carried out in August 2022 to allow members of the public to develop an understanding of the proposed development and planning and environmental aspects associated with the development. People were provided with an opportunity to submit their views on planning and environmental matters relating to the proposed development.

6.2.2 Stakeholder Consultation

A consultation letter was sent out to 40 no. recipients on the 24th of March 2022. The recipients included relevant statutory consultees (as defined in Article 28 of the Planning and Development Regulations, as amended), non-governmental organisations (NGOs) and key stakeholders.

A sample of the consultation letter is included in Appendix 6.1 of Volume 3 of this EIAR. Stakeholders consulted are identified in Table 6-1.

Table 6-1: Stakeholders Consulted on 24th of March 2022

Stakeholder	
Fingal County Council Planning	Irish Water
Fingal County Council Heritage Officer	Eirgrid
Fingal County Council Environment Department	The Arts Council
Fingal County Council Roads Department	Geological Survey of Ireland
Fingal County Council Water Services	Health Service Executive
Fingal County Council Archaeologist	Office of Public Works
NPWS Development Applications Unit	Transport Infrastructure Ireland
Inland Fisheries Ireland	An Taisce
Irish Wildlife Trust	Birdwatch Ireland
Bat Conservation Ireland	Fáilte Ireland
Irish Raptor Study Group	Environmental Protection Agency
Department of Rural and Community Development	Commission for Energy Regulation
Department of Environment, Climate and Communications	National River Basin District, Local Authority Waters Programme (National River Basin District)
Department of Housing, Local Government and Heritage	Eastern and Midland Regional Assembly
Department of Agriculture, Food and the Marine	Eastern Midlands Region, Eastern Midlands Regional Waste Office



Stakeholder	
Department of Tourism, Culture, Arts, Gaeltacht, Sport and Media	Irish Sports Council
Department of Transport	ESB Network Services Bureau
The Heritage Council	The Health and Safety Authority
Sustainable Energy Authority of Ireland	Teagasc
Gas Networks Ireland	Dublin Airport Authority

In total, 5 no. substantive scoping responses were received (not including summary acknowledgements). Copies of those responses are included in Appendix 6.2 of Volume 3 of this EIAR. A summary of the key issues raised and a note on how and where that issue is addressed in the EIAR is provided in Table 6-2. The responses received were fully considered and where appropriate, the topics raised were included within the EIAR.



Table 6-2: Stakeholder Consultation Responses

Consultee	Date of Response	Summary of Comments Provided	How and where comments are addressed in EIAR
NPWS Development Applications Unit	22/04/2022	<ul style="list-style-type: none"> Noted that the development site is situated within the catchment of the River Tolka, which supports various fish species including brown trout, salmon and kingfisher. Further noted that the development is hydrologically connected to a number of protected sites, including the South Dublin Bay and River Tolka Estuary Special Protection Area (SPA), the North Dublin Bay Special Area of Conservation Special Area of Conservation (SAC), the North Bull Island SAC and the South Dublin Bay SAC. Stated that the EIA should consider the potential of leachate from the development entering surface water runoff, reaching the Tolka and possibly impacting these receptors. Noted the hedgerow traversing the site may have significant levels of biodiversity, and that this should be retained, if feasible. Advised that it is necessary to carry out a variety of baseline ecological surveys in support of the Biodiversity impact assessment under this EIAR, including Advised that any vegetation removal carried out as part of the proposed development should be completed outside of main bird nesting season from March to August inclusive. 	<ul style="list-style-type: none"> An assessment of how the proposed development may be potentially impact receiving surface waters including the River Tolka has been undertaken in Chapter 10 Surface Water and Hydrology, of Volume 2 this EIAR. An assessment of how the proposed development may potentially impact on aquatic ecology present in receiving surface waters has been carried out in Chapter 8 Biodiversity, of Volume 2 of this EIAR. The proposed development has been designed to ensure that process washwater, termed 'dirty water' in this EIAR, is contained and directed to foul sewer for treatment. A variety of further best practice mitigation measures have been proposed to prevent the discharge of polluting material during the construction and operational phases of the development. Screening for Appropriate Assessment (AA) has been undertaken to determine the potential for the proposed development to impact on Natura 2000 sites. An AA Screening Report presenting the findings of this assessment accompanies this planning application. This assessment has concluded that the proposed development would not be likely to have significant effects on any European sites. The existing hedgerow which traverses the development site will be removed as part of the proposed development. It is proposed to reinstate 651 m of native hedgerow as part of the proposed development however.



Consultee	Date of Response	Summary of Comments Provided	How and where comments are addressed in EIAR
			<ul style="list-style-type: none"> A variety of baseline ecological surveys have been carried out as part of this EIAR, including all the survey types listed by the consultee in their submission. As a mitigation measure, it is proposed to carry out vegetation removal outside of bird nesting season.
Gas Networks Ireland	25/03/2022	<ul style="list-style-type: none"> Advised that a gas wayleave traverses the site. Provided gas network mapping for the development site and its environs Provided contacted details for Area Engineer for confirming in-situ location of gas transmission pipelines Provided a safety advice document and the code of practice on working near gas pipelines. 	<ul style="list-style-type: none"> The proposed development has been designed to 'tie in' with the existing gas network at and surrounding the development site. A gas connection will be made from the site to the public gas main situated ca. 50 m north east of the MRF 1 building at the Cappogue Industrial Park access road. No built development will be taking place upon the gas wayleave traversing the site. Access to this wayleave will be maintained on an ongoing basis.
Geological Survey of Ireland	11/04/2022	<ul style="list-style-type: none"> Advised on the need to assess potential impacts on geoheritage and groundwater in the EIAR. Noted the presence of the Huntstown Quarry County Geological Sites (CGS) in the local area. Provided geological and groundwater mapping data resources. Requested copies of any Site Investigation carried out as part of the development process. 	<ul style="list-style-type: none"> An assessment of how the proposed development may potentially impact on aquatic ecology present in receiving surface waters has been carried out in Chapter 9 Soils, Geology and Hydrogeology, of Volume 2 of this EIAR. This assessment concluded that, following the implementation of mitigation measures, the residual impact significance to the receiving geological and hydrogeological environment would be imperceptible during the construction and operational phases of the proposed development.



Consultee	Date of Response	Summary of Comments Provided	How and where comments are addressed in EIAR
Inland Fisheries Ireland (two response received)	04/04/2022 and 08/04/2022	<ul style="list-style-type: none"> Noted that the development lies in the Tolka River catchment, and that this river supports salmon, lamprey and brown trout. Advised that wastewaters/leachate type substances should be contained and managed on-site and should not be discharged to the receiving surface water environment. Stated that best practice should be adopted to prevent the release of polluting material to the receiving surface water environment. Stated that only clean uncontaminated surface water should be discharged from the site to the environment Inland Fisheries Ireland's 'Guidelines on the Protection of Fisheries during Construction in and Adjacent to Waters' should be consulted when undertaking any works on this site, particularly in the vicinity of surface water features. Advised that an Invasive Species Plan should be prepared to prevent the spread of invasive species during the proposed development. Advised that the cumulative impact of the proposed development should be assessed. 	<ul style="list-style-type: none"> Please see the response in this table above to the comments received by the NPWS Development Applications Unit for an understanding of potential impacts on surface waters are assessed and prevented under the proposed development. Construction works being carried out near surface waters (e.g. culverting works) will be carried out in accordance with applicable requirements defined in the Inland Fisheries Ireland's Guidelines on the Protection of Fisheries during Construction in and Adjacent to Waters. An Invasive Species Management Plan for the proposed development has been prepared. This plan is presented in Appendix 8.2 of Volume 3 of this EIAR. The cumulative impact of the proposed development in combination with other projects has been assessed in this EIAR. Cumulative impact assessment sections are present in each 'impact assessment' chapter in Volume 2 of this EIAR. These sections contain details on potential cumulative impacts associated with the proposed development for each environmental topic (i.e. noise, air and climate, traffic and transport etc.).



6.2.3 Consultation with Utility Companies

The following utility infrastructure is currently present at the development site:

- an existing overhead powerline,
- an ESB wayleave and mains,
- a gas wayleave and mains,
- existing foul and stormwater drainage systems and a mains water supply (serving the Applicant's existing waste management facility).

The proposed development will involve re-routing the existing overhead powerline traversing the site underground, culverting the surface water drainage ditch over a gas main, the development of an electrical sub-station on-site, and the development of new on-site infrastructure and services.

Early design consultation with ESB Networks, Gas Networks Ireland (GNI) and Irish Water was undertaken by the project team given the potential for the proposed development to impact on and interact with this existing infrastructure.

The project team contacted the ESB Networks on the 19th of April 2022, 27th of April 2022 and 13th of May requesting early design consultation on proposed electrical infrastructure alterations with the area engineer with responsibility for managing the electrical infrastructure for the jurisdiction. A response from ESB Networks was received on the 24th of May advising that early design consultation on the proposed alterations was not possible, and that these matters could only be reviewed and considered by ESB Networks following submission of formal applications for the alterations (e.g. connection application, line re-routing application).

The project team contacted GNI on gas network related design matters (e.g. the construction of a culvert over a gas main) on the 21st of April 2022. The GNI area engineer responded to the project team on the 3rd of May 2022 and provided advice on the new connection application process, and the technical requirements and minimum standards for construction near an existing gas main. This detail informed the design of the proposed development, in particular the proposed culvert design.

The project team contacted Irish Water on the 13th of April 2022 and 19th of April 2022 seeking early design consultation on several matters (e.g. existing foul drainage mapping detail, suitable connection location). Irish Water responded to the project team on the 1st of June 2022 and provided foul and water supply network maps for the site and its environs, which informed the design process and the location of proposed services and connections associated with the proposed development.

6.2.4 Virtual Public Consultation

The Applicant held a Virtual Public Consultation (VPC) event prior to submitting the planning application for the proposed development to provide the wider community with an understanding of what the proposed development will involve, and to provide members of the public with an opportunity to submit their views on the proposed development.

Advance notice of the event was published in the Dublin Gazette on the 28th of July 2022 and the Northside People West on the 3rd of August 2022. Copies of these notices are available in Appendix 6.3. Both newspapers serve the local area in which the development site is located.



This event was held online between the 4th and 22nd of August 2022. A virtual exhibition display was presented in an online consultation room. The exhibition display included content on the following topics:

1. Introduction to the Project
2. The Proposed Development
3. A Site Layout Plan
4. A Site Location Map
5. Project Benefits
6. Environmental Assessment and Management
7. Community Engagement

The exhibition display included several virtual ‘pull up banners’ and ‘easels.’ Through these displays, those who entered the room were introduced to the proposed development; and were provided information on all elements of the proposed development, including the location of the proposed development, and the layout of the proposed development site. An overview of benefits associated with the proposed development was provided. An overview of the environmental assessment process that was being undertaken in support of the planning application, and detail on how environmental aspects of the proposed development would be managed, was then presented. Finally, members of the public were invited to submit their views on the proposed development and were provided detail on how to make submissions and the deadline for doing so. Still images of the event exhibition displays and content are provided in Appendix 6.4. It is recommended the reader refer to this detail to develop a greater understanding of what the VPC event entailed.

In total, 18 visitors entered the VPC event room over the course of the event. All attendees visited the room during the early stages of the event, with no new attendees visiting the site after the 12th of August 2022. Attendees spent just under 3 minutes on average viewing the event room. The ‘Community Engagement’ banner was the most viewed part of the room. This was followed by the ‘Introduction,’ ‘Project Benefits’ and ‘Proposed Development’ banners. 100% of visitors were from Ireland.

These traffic numbers were considered by the provider hosting the event to be low, relative to similar events held for development projects which constitute Strategic Infrastructure Development (SID). The applicant received no submissions on the proposed development during or after the hosting of the event.

6.3 Pre-application Consultation with Statutory Authorities

6.3.1 Pre-application Consultation with An Bord Pleanála

A Strategic Infrastructure Development (SID) pre-application consultation meeting took place with An Bord Pleanála (ABP) on the 11th of February 2022. Various aspects of the proposed development were discussed with ABP representatives at this meeting. A summary of their comments during this meeting and how these matters were addressed in this EIAR is provided in Table 6-3.



Table 6-3: ABP Comments

Summary of Comments Provided	How and where comments are addressed in EIAR
The proposed development should be designed to ensure that leachate type material is contained and managed on-site, and that no such material is discharged from the site to the receiving environment.	The proposed development has been designed to ensure that process washwater, termed 'dirty water' in this EIAR, is contained and directed to foul sewer for treatment. A variety of further best practice mitigation measures have been proposed to prevent the discharge of polluting material during the construction and operational phases of the development.
The need for the proposed development should be detailed and justified in the EIAR.	The need for the proposed development has been demonstrated in Chapter 2 – Need for the Proposed Development, of Volume 2 of this EIAR.
It should be demonstrated that the proposed development accords with the land use zoning designation for the development site, GE (General Employment), under the Fingal County Development Plan.	The need for the proposed development has been demonstrated in Chapter 5 – Planning and Policy, of Volume 2 of this EIAR.
The noise impact of the proposed development on local residences should be adequately assessed, and the proposed facility should be designed to prevent any adverse noise impact on these residences.	An assessment of the noise impact of the proposed development has been carried out in Chapter 12 – Noise, of Volume 2 of this EIAR. This assessment concluded that the proposed development would not have any significant, adverse impact on local residences, with the adoption of the proposed noise related mitigation measures.
Traffic related impacts associated with the proposed development should be assessed.	Traffic impacts associated with the proposed development have been assessed in Chapter 13 – Traffic and Transportation, of Volume 2 of this EIAR. This assessment concluded that the proposed development would not have any significant, adverse impact on traffic conditions or capacity.
Climate related impacts associated with the proposed development should be assessed.	Climate related impacts associated with the proposed development have been assessed in Chapter 11 – Air and Climate of this EIAR. This assessment concluded that the proposed development would not have any discernible climate related impact.
Odour associated with proposed facility operations will need to be adequately managed.	Odour related impacts associated with the proposed development have been assessed in Chapter 11 – Air and Climate of this EIAR. This assessment concluded that the operation of the proposed facility would not result in the generation of significant levels of odour, with the adoption of the proposed odour related mitigation measures.
Landscaping screening should be provided to ensure the proposed development does not impact visually on users of the M50 or on persons present in Premier Business Park to the east of the proposed development.	A Landscape Mitigation Plan has been developed for the proposed development (See Appendix 15.2 of Volume 3 of this EIAR). This plan proposed that screening be provided along the southern boundary of the proposed development site to screen views of the site from off-site receptors including the M50 and Premier Business Park.



Summary of Comments Provided	How and where comments are addressed in EIAR
There should be adequate provision for truck movements and parking on-site, with no spill over of truck movements off-site.	The proposed facility has been designed to adequately and safely accommodate all truck movements and parking requirements associated with operations. Vehicle swept path analysis has informed the design of the site and the site layout. An adequate supply of truck parking has been provided on-site having regard to expected truck parking requirements.
Light spill from the site should be prevented.	Site lighting will be designed and operated in a manner that prevents light spill off-site, including onto the M50 (See Chapter 4, Description of Existing and Proposed Development, of Volume of this EIAR for more detail on lighting design approach).

6.3.2 Pre-application Consultation with the EPA

The proposed facility will be required to operate under an Industrial Emissions (IE) licence from the Environmental Protection Agency (EPA). Considering this, a pre-application consultation regarding the operation of the proposed facility was carried out with the EPA on the 26th of May 2022.

The Applicants agent FTCO gave a presentation during this meeting which described the objectives of the meeting, the project background, the proposed development, the development site location and context, and proposed environmental management measures that will be implemented at the proposed facility. A concept site layout plan was also presented during this presentation.

The EPA proceeded to provide detail to the Applicant on the following:

- The IE licence application process generally.
- The need for the proposed facility to be designed and operated in accordance with Best Available Techniques for Materials Recovery Facilities defined in the following documents:
 - European Commission - Best Available Techniques (BAT) Reference Document for Waste Treatment (BREF Document), 2018
 - Commission Implementing Decision (EU) 2018/1147 of 10 August 2018 establishing best available techniques (BAT) conclusions for waste treatment, under Directive 2010/75/EU of the European Parliament and of the Council, 2018.
- The need to adequately control emissions from the proposed facility, including odour, noise and aqueous emissions.
- The need to agree emission limit values for discharges to sewer with Irish Water in advance of making the prospective IE licence application to the EPA.

Subsequent to this meeting, the licensing section of the EPA contacted FTCO to confirm that the Waste Facility Permit (WFP) for the existing waste management facility will continue to be enforced by Fingal County Council until the EPA decides to grant an IE licence application for the proposed facility.



6.3.3 Pre-application Consultation with Fingal County Council

The Applicant requested a pre-application consultation meeting with Fingal County Council (FCC) on the 26th of January 2022. FCC responded to the Applicant on the 1st of March 2022 and advised them that they would not hold a pre-application consultation meeting regarding the proposed development with the Applicant as the development would most likely constitute SID, which would necessitate a planning application being made to ABP, rather than to FCC. (Note, ABP subsequently determined that the proposed development was SID).

6.4 Summary

A number of prescribed bodies and interested stakeholders were consulted during a stakeholder consultation process.

Consultation with utility companies with responsibility for utility infrastructure at the development site was undertaken.

A VPC event was undertaken to understand the level of public interest in the proposed development, and the views of members of the public on the development.

Pre-application consultation with both An Bord Pleanála and the EPA was undertaken.

The variety of issues raised by the various parties above were considered and addressed during the design of the proposed development and the completion of this EIAR.

6.5 References

European Commission (2017) Environmental Impact Assessment of Projects - Guidance on Scoping.

Department of Housing, Planning and Local Government (2018) Guidelines for Planning Authorities and An Bord Pleanála on carrying out Environmental Impact Assessment.

Environmental Protection Agency (2017) Guidelines on The Information to Be Contained in Environmental Impact Assessment Reports Draft.



**CONSULTANTS IN ENGINEERING,
ENVIRONMENTAL SCIENCE
& PLANNING**

www.fehilytimoney.ie

CORK OFFICE

Core House
Pouladuff Road,
Cork, T12 D773,
Ireland
+353 21 496 4133

Dublin Office

J5 Plaza,
North Park Business Park,
North Road, Dublin 11, D11 PXT0,
Ireland
+353 1 658 3500

Carlow Office

Unit 6, Bagenalstown Industrial
Park, Royal Oak Road,
Muine Bheag,
Co. Carlow, R21 XW81,
Ireland
+353 59 972 3800

