

Appendix 2

Submission on rElAR

Ref: -QD05E.323037

by

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This report examines and critically assesses the rEIAR submitted by Patrick McCaffrey & Sons Ltd (hereafter McCaffreys) and the impact of the quarry on local residents, landowners, the environment, quality of life, human health, property, health and safety. Deficiencies and shortcomings in the rEIAR are identified.

Please note the numbering of the sections in this submission broadly aligns with the chapter numbering in the rEIAR.

1. GENERAL

1.3 Development

The site in this application is different from the site defined in the Section 261 registration in 2005. This application includes the unauthorised quarrying expansion to the west of the north quarry undertaken by McCaffreys in 2007.

In this application McCaffreys have also included that section of the road that runs from the N15 as far as the south quarry even though this section is not in their ownership, claiming at various points in the rEIAR that it is a 'private' quarry road. This is in fact a publicly accessible road that runs from the N15 through the south quarry to the L7265 (see Figure 31). I own the lands on both sides of the road as far as the south quarry and I have not given my permission for it to be included.

2. PLANNING CONTEXT

Planning Application 01/106

Section 2.2.2 misrepresents the nature of the 01/106 planning application made to Donegal County Council in 2001. That was an application for the extension, retention and completion of the whole quarry and not solely the north quarry as asserted by the applicant in this rEIAR. Planning permission was refused on appeal by An Bord Pleanála (**05.131103**).

2.6 Need for Development

The rEIAR asserts without any supporting evidence that there is a relative shortage of established quarries in Donegal. There are several well-established quarries in this immediate locality: Roadstone Ballintra, McNulty Quarries in Cashelard and a second Roadstone quarry at Laghey. Since the blasting in the south quarry ceased at end of 2019, all the limestone used as a raw material has been sourced from Roadstone's Ballintra quarry. Two large articulated lorries run continuously during working hours, creating additional traffic movements and adding to the carbon footprint.

3. DESCRIPTION OF THE DEVELOPMENT

3.2.2 Current Activities

The rEIAR claims that

‘During the original Substitute Consent application time period, the Applicant relied primarily on the importation of aggregate to the south quarry to be processed and then re-exported to the market. During this time, small excavations were made in the south quarry; these small excavations in the south quarry have also ceased.’

In fact, during the substitute consent process McCaffreys carried out extensive quarrying in the floor of the south quarry between October 2015 and December 2019, excavating approximately 400,000 tonnes of limestone (see ABP-313030-22). The applicant slips up in Table 5-5 of the rEIAR on Page 48 where they admit that extractive works ceased much later (2018) than claimed elsewhere in their application, see Figure 1.

Outlook towards Proposal	Supportive to Ambivalent	The Development has been an important local employer since extractive work began and ceased in 2013/2018. However, the Development is still an important part of local employment with over ca. 40 people.
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Figure 1: Extract from rEIAR Table 5-6 Page 48

5. POPULATION AND HUMAN HEALTH

Complaints

The applicant states in Table 5-6 of the rEIAR that in **A057008001/A057008002/A057008003 and A057008005** ‘no known complaints have been lodged with DCC’. This is incorrect. Many complaints have been made to Donegal County Council over decades. One can only conclude from assertions such as the one above in the rEIAR that the research undertaken has been very superficial. Examples of complaints that were made to Donegal County Council from 1998 to 2001 are available in correspondence in Appendix 2.1 (Correspondence 1998-2001). An examination of the many objections lodged to McCaffrey’s application for planning permission for the quarry in 2001 (DCC 01/106) would have revealed in great detail complaints from local residents. Local residents complained very vociferously to Donegal County Council when McCaffreys opened yet another unauthorised quarry in 2007. Pending enforcement action by the Council’s planning department led to McCaffreys belatedly submitting planning applications (0721124 and 0721125) and McCaffrey’s ultimately withdrew from this area of new unauthorised quarrying.

Appendix 2.1 also contains complaints made directly to McCaffreys.

More recently, An Bord Pleanála’s Inspector’s report (**PL 05E.SU0128**) on McCaffrey’s 2015 Substitute Consent Application, an additional Inspector’s report (**SU05E.SU0128**) and the Inspector’s Report on an Extension to existing Quarry under the Provisions of Section 37L of the Planning and Development Act 2000 (**QD05.QD0018**) contain summaries of complaints by locals.

Together these complaints describe the many significant negative effects of the quarry on local residents and on the locality. These include persistent nuisance, damage to residents' quality of life, devaluation of residences and farmland, loss of residential amenity, noise, damage to and blocking of views, destruction of the local landscape, impact on human health of blasting, dreadful state of the public right-of-way through the quarry, pollution from dust, fumes and run-off, and the quarry being an eyesore.

McCaffrey's quarry has a constant negative impact on my life as a resident and farmer. It is striking how much more pleasant it is to live here during periods when the quarry is closed for holidays. On working days we have noise disturbance from a wide variety of on-site quarry operations, from lorries coming and going from the N15, dust and noxious fumes from early morning. The noise is incessant and can be heard within the house, and much more invasive when the wind is coming from the general direction of the quarry. Stepping outside, if the wind is coming from that direction, could mean breathing in a lungful of tar fumes. In such circumstances I feel compelled to return indoors until the fumes clear or until the wind changes direction. Surfaces and windows are regularly coated in quarry dust. These effects are all stressors that make living here an endurance. The damage that McCaffreys have caused over many years to my boundary walls and fences make my life as a farmer much more difficult and stressful. This is especially so worrying when the N15 is so close-by and the escape of farm animals could have disastrous consequences. During dry spells the grazing for cattle is coated in dust, rendering it less suitable for feeding.

Deliberate damage to property

In January 2024, McCaffreys carried out works on the road to the quarry that resulted in serious and significant damage to my roadside boundary drystone walls, hedging and roadside verges. They also trespassed onto my property. I had not given them permission for this. This damage was a deliberate action. I sent a letter of complaint by registered post to McCaffreys on 15th January 2024 about the damage and trespass. Their actions and behaviour have caused me a great deal of stress and trouble. I have had to engage a solicitor on this matter and the situation is still not remedied. I have also incurred significant extra expense, and their actions have created a lot of extra work for me. (For details please see the Section 14 of this report entitled 'Road Access to Quarry'). The rEIAR has given absolutely no consideration to the impacts of McCaffrey's behaviour on local landowners.

McCaffreys have in the past four years begun cutting back my roadside hedges that form my field boundaries along the public road to the north and south of the junction with the non-public road. These are traditional whitethorn hedgerows and are over 125 years old. McCaffreys have cut these back excessively, damaging the plants to the point where the hedge on the northern side of the junction is becoming overgrown with weeds. They also cut my roadside hedges on the publicly accessible road to the quarry without permission. I complained to McCaffrey's projects manager about this in May 2024. He admitted that McCaffreys had cut them. I explained that I was very unhappy about this and that they must desist. I followed this up with a formal letter of complaint, sent by registered post on 10th October 2024, demanding that they cease cutting my roadside hedgerows and that they stop interfering with, and damaging, my property. Despite this, McCaffreys proceeded to cut back my traditional hedgerows yet again on 15th November 2024. This speaks of the nuisance and trouble that McCaffreys generate for local landowners.

The rEIAR makes vaunted claims about McCaffrey's complaints processes. However, these complaints go unheeded and neither has been addressed in the rEIAR.

Families leaving the locality

Some people have felt they had no option but to leave the area on account of McCaffrey's quarry. This has negatively impacted on settlement and the sense of community in my neighbourhood. An Coimisiún Pleanála holds in its archives on PL 05.131103 submissions from Edwin and Mary Doyle, and from the Cosgrove family who planned to move to this townland and set up homes. The Cosgrove family already had a house here, having inherited it, while the Doyles had purchased a site with a mobile home in advance of the construction of a house. Both locations were along the eastern side of the L7265, in a general north easterly direction from the south quarry. Given the dreadful conditions they experience when they lived here, both families decided they had no option but to abandon their plans to settle here permanently. Their experiences of the quarry are outlined in the correspondence to Donegal County Council and to An Bord Pleanála, some of which is presented in Appendix 2.2 (Cosgrove-Doyle Correspondence). An assessment by a Property Adviser, included below in Figure 2, advised the Doyles in 2003 that due to the dust pollution alone, their property was not marketable as a residential development. In the case of both families, their only option was to sell out to McCaffrey's Quarry. The two residences are now derelict. This locality could have had a richer and more diverse community had these two families not felt that living near McCaffrey's quarry was intolerable. This loss to the local community due to the negative impact of the quarry has not even been mentioned in this rEIAR.

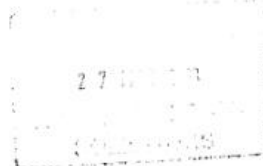
Hazard to Health and Safety

In Section 5.10 of the rEIAR, the application does not mention the many hazards arising from quarry operations over the years, nor the present and long-term hazards that have been inflicted on this local community. These hazards are elaborated upon later in this submission.

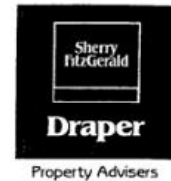
GHD/AH

26 March 2003

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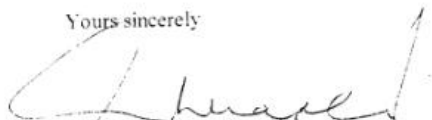
Re: C. 1 Acre At Ballymacroarty, Ballyshannon, Co Donegal with Full
Planning Permission For One House Thereon – Edwin & Mary
Doyle, 35 Marsham Court, Stillorgan, Co Dublin.

Dear Madam

As you are aware on the instructions of our mutual clients I recently went to inspect the above property with a view to assessing the current market valuation of same, and advising on a marketing strategy for the property. As you are probably aware the property is adjacent to McCaffrey's Quarry, and is completely intimidated by the activities of quarrying as carried on therein. As the time of my call did not coincide with the working hours of the quarry I could not assess the effect of noise level on the property but what was very evident was the extent of dust covering the entire plot. It was very noticeable as I walked through the plot the extent of dust on the grass and vegetation was so dense that it rose in a fog like manner clinging to my footwear and clothes. Obviously the condition is more evident at this time because of the long dry spell of weather but of course the dust deposit is always there but not as obvious as in dry weather. In my opinion this property is not marketable as a residential development site due to its condition from the dust emissions from the adjacent quarry.

I await your further instructions.

Yours sincerely



GEORGE H DRAPER F.I.A.V.I.
Sherry FitzGerald Draper

Figure 2: Letter from property valuer about Doyle family house site

6. BIODIVERSITY

A previous planning application by McCaffreys (i.e. 01/106 Donegal County Council) confirmed the presence of a Peregrine Falcon nesting site within the quarry. The survey conducted for this rEIAR was of very short duration and did not manage to locate the nesting site.

Figure 6-2 from the rEIAR shows sections of the quarry faces that the writers deem 'potential Peregrine Falcon habitat'. Strangely, the potential habitats shown in the figure by a blue dashed line exclude more than half the quarry faces in the 'South Quarry'. No explanation is provided by the writer for this exclusion. This is particularly surprising since the nesting site referred to in McCaffrey's 01/106 planning application was actually located in the south-west corner of the South Quarry - in the area deemed unsuitable by this rEIAR!

Shortly after planning permission for that application was refused on appeal by An Bord Pleanála (PL 05.131103), McCaffreys set off a blast along the section of the south quarry face where the falcon's nest was located, removing a slice of the quarry face. Figure 3 shows the drilling rig moved into place to prepare the rock for that blast. Commitments from the applicant in Table 16-1 relating to protection measures for the peregrine falcon truly lack credibility.



Figure 3: Drilling machine in-place preparing the rock to blast above the nesting site of the peregrine falcon in the southwest corner of the 'South Quarry'

It would be expected that the rEIAR would critically assess the impact of the bright security lights that have been installed on-site on nocturnal animals and insects.

7. LANDS SOILS AND GEOLOGY

On-Site Landfill and Waste Disposal

No consideration is given in the rEIAR to the remediation of the on-site landfill. McCaffreys had opened yet another unauthorised quarry in January 1999, this time in the fields to the east of the public right-of-way through the quarry. Complaints from local residents ultimately led to a threat of enforcement action by the Donegal County Council Planning Department. This threat later resulted in McCaffrey's 01/106 planning application to Donegal County Council. However, the quarry excavation that McCaffreys had blasted (north east of the quarry office – identified as Quarry 3 in the KT Cullen & Co report - was backfilled with rubbish and scrap from around the quarry as shown in Figure 4 below and in Appendix 2.3. (Appendix 2.3 contains a report by KT Cullen & Co. Ltd that investigated planning, environmental compliance and general nuisance associated with McCaffrey's quarry). This landfill is a long-term environmental hazard that should have been thoroughly investigated in the rEIAR, particularly given the local hydrology and the proximity of public water supply at Lough Gorman (please see Section 8 Water in this report). I would have expected to see fully-developed proposals for its remediation but it is not even mentioned in the rEIAR.



Quarry No. 3.



Quarry No. 3. (Partly backfilled with scrap metal/drums).

Figure 4: Waste material dumped in on-site landfill (taken from Appendix 2.3)

The lifetime of the quarry has witnessed many examples of contamination of our family farm's fields. This pollution had been the subject of many complaints made directly to the quarry management but also through solicitors (please see Appendix 2.1). Dust contamination of grassland and vegetation is described in a later section of this submission in Section 9 Air Quality. In the past, fields have been flooded by water being pumped from the base of the south quarry. One of the fields that was subject to frequent flooding is beside the quarry but other further away fields to the east of the N15 near Lough Gorman, where the water being pumped out rose in fields as if from springs, were subject to flooding too (please refer to Section 8 Water in this report). The field immediately to the south east of the machinery yard in the south quarry area have also suffered contamination as a result of runoff of pollutants from the quarry. The photograph in Figure 5 was taken in 2002. Further examples of bitumen run-off onto my lands may be found in the KT Cullen report in Appendix 2.3. An analysis of the soil in the photograph was reported by KT Cullen as:-

“The analytical results show that the run-off from the quarry has contaminated the soil.....it is most likely that harmful compounds are entering the food chain. Further leaching of this contamination will result in contamination of local groundwater.”

Besides the immediate direct effect, it should be remembered that Lough Gorman, the source of a large public water supply, is close by and hydro-geologically vulnerable (see Section 8 Water).

The report went on to recommend that all the contaminated soil be excavated and properly disposed of *“because of the elevated concentrations of certain parameters this soil under EPA guidelines is classified as hazardous waste. It will therefore most likely have to be shipped out of the country for disposal.”* I expect an issue such as this would have been addressed in the rEIAR given the requirement to investigate the significant effects on the environment which have occurred, or which are occurring or which can reasonably be expected to occur but it wasn't even mentioned.



Figure 5: Contamination of farmland by run-off from McCaffrey's Quarry.

Another deficiency in the rEIAR in connection with waste disposal was the dumping of waste materials into the base on the north quarry after it was abandoned in 2013 and the ground water began accumulating there. In late 2013 and 2014 McCaffreys transported a large stockpile of waste materials stored to the east of the publicly accessible road at the south quarry and dumped this material into the base of the north quarry. The waste material involved contaminated dust and lime, clean up from around the quarry, waste macadam, tar, oils and general waste products. The north quarry was gradually flooded from ingress of groundwater after the material was dumped in the base of the quarry. This was ongoing in January 2015 as shown in Figures 6, 7, 8, 9, 10, and 11. This illegal dumping has not been addressed in the rEIAR or rNIS.



Figure 6: 2010 Google Earth Map showing stockpile of waste material to east of access road through south quarry

waste material to rear of shed



Figure 7: Google Earth photograph of stockpile of waste material to the rear of quarry storage shed

waste material



Figure 8: View of stockpile of waste material taken from publicly accessible road - March 2012



Figure 9: View of waste stockpile taken from lands to south east - March 2012



Figure 10: Same view as photograph above showing stockpile removed – January 2015

evidence of fresh quarry waste material being dumped January 2015



Figure 11: Photograph from 07th January 2015 showing evidence of waste material dumped over face of north quarry

8. WATER

Not all surface water is collected in settlement lagoons as claimed in section 3.2.3 *Drainage* in the rEIAR. For example, the road to the quarry has a stream of sludge running all day long that ends up on the side of the N15 outside my cattle yard. During periods of heavy rain this sludge floods into my cattle yard.

Public Water Supply at Lough Gorman

Figure 8-3 in the rEIAR acknowledges the high vulnerability of groundwater within the quarry site. The groundwater has been exposed within the site.

Given the nature of limestone with its crack and fissures, liquids and other substances are leeching underground from the surface of the site. The south quarry is upgradient, hydro geologically-speaking, of Lough Gorman which is located about 650m away. Lough Gorman is the source of the public water supply for hundreds of houses and businesses in this area. Given the nature of the bedrock, a spill of fuel or other contaminant, in the south quarry, for example, that reaches Lough Gorman via groundwater or via swallow holes rising as springs will have

catastrophic consequences (please see the Hydrology Report in Appendix 4). Figure 8-6 in the rEIAR significantly fails to show the surface water stream that flows from a spring on the western side of the N15 (100m south of my residence) in an easterly direction into the wetland on the other side of the road. From the wetland it enters a swallow hole on the eastern side of the field and rises again as a spring that feeds a stream flowing directly into Lough Gorman (please refer to Appendix 4 Hydrology Report). This spring and stream are shown in Figure 31 OS Map. There is also another close-by spring shown on the map, rising just on the eastern side of the N15. Both of these springs have been omitted from the rEIAR. Nowhere in their rEIAR has the applicant directly assessed the risks posed by McCaffrey's quarry to the local public water supply. This is a major and serious omission.

The rEIAR confirms that there are toilets on-site but provides no information of the nature, extent and design of the percolation area. Given the thin soil layer and the characteristics of the bedrock, this important matter should have been addressed.

Details on the design and construction of the settlement pond should have been provided in the rEIAR. How is leaching into the bedrock prevented and how are the materials that settle in the pond disposed of?

9. AIR QUALITY

Pollution in the form of dust and noxious fumes has been, and still is, a serious problem at my residence (SR04 in the rEIAR) and around my farm. Grass and plants around the farm, cars, machinery, house windows are frequently coated in lime dust from the quarry and quarry vehicles. As an illustration of this, I have included in Figure 12 two pictures taken on 31st July 2025 showing the leaves of a shrub in my garden coated in dust from the quarry. In one of the pictures, the dust has been wiped off one of the leaves for comparison. Other examples are provided in Figures 13 and 14. This pollution has been and is a regular occurrence.



Figure 12: Dust deposition on a shrub at my residence (SR04) with dust wiped off one leaf for comparison 31st July 2025



Figure 13: Example heavy deposition of dust on leaves of a hawthorn tree located on my lands approx. 125m south of quarry perimeter

Figure 14 taken on 23rd July 2025 shows dust deposition from the quarry on the windscreen of my car.



Figure 14: Dust deposition on my car at my residence – SR04 (23/07/2025)

This type of deposition is a regularly repeated on the windows of my house. Problems with dust pollution from the quarry have persisted for years and McCaffreys appear to be either disinterested or unable to address and solve this persistent nuisance.



Figure15: Traffic generated dust pollution (10th July 2025)

KT Cullen & Co Ltd in their 2000 report investigating planning, environmental compliance and general nuisance associated with the quarry noted the extremely high levels of dust deposition at several measuring points near the quarry boundary at between 753mg/m²/day to 1759 mg/m²/day (please refer to Appendix 2.3 for further information). At another point near the public-right-of-way road but in my field, the concentration there was 2190mg/m²/day.

The dust deposition data in the rEIAR is based on data derived from a poorly designed measuring system with inappropriate placement of measuring points. In section 4.6.3 of his report in 2016 on McCaffrey's Substitute Consent Application on [SU05E.SU0128], the Bord's Inspector commented

*A key consideration in relation to the impact of dust, is the location of the dust monitoring points for the purposes of the assessment. Three of the five dust monitoring locations are located along the south-western boundary of the site. As the prevailing wind as indicated in the Wind Rose contained in the revised remedial EIS indicates, the predominant wind direction is from the south-west. These dust monitoring points are therefore located downwind of the **quarry and therefore in my opinion would not record the highest dust deposition rates.** (emphasis is mine)*

Since the publication of the Inspector's report in 2016, McCaffreys have had ample opportunity to put in place dust deposition measuring sensors at a more appropriate and sensible locations but have failed to do so. The data presented in this rEIAR on dust deposition relies on that same poorly designed measuring system and consequently can only give a very incomplete and partial picture of the dust nuisance generated by McCaffrey's quarry, see Figure 16 for location of measuring points (I have had to assume that D1 in Figure 9-5 of the rEIAR corresponds with DS1 in Appendix 9-4, etc.). Not only is it poorly designed but the data presented in Appendix 9-4 is incomplete with significant gaps. For example, no data is reported for the whole of 2009. Readings stopped completely in November 2022, so there is no data at all for the past three years. From January 2006 to December 2024, there should be 1140 monthly readings, yet only 845 dust readings are available in Appendix 9-4. This suggests a clear breach of the conditions of

McCaffrey's Air Pollution Licence. Section 8.1 of the Licence required McCaffreys to submit the dust deposition results to Donegal County Council on a monthly basis.



Figure 16: Berghoff Monitoring Locations taken from Figure 9-5 in rEIAR

A condition of McCaffrey's Air Pollution Licence is a dust deposition limit of $180\text{mg/m}^2/\text{day}$ (condition 8.2 of the Licence). Any analysis of McCaffrey's compliance with environmental standards should be performed in the context of this licence condition. However, the analysis presented in the rEIAR uses a higher value of $350\text{mg/m}^2/\text{day}$, a strange approach. An analysis of the raw data presented in Appendix 9-4 of the rEIAR reveals that the quarry exceeded the daily dust deposition limit set out in its licence in approximately 13.75% of the monthly averaged readings. The percentage exceeding the limit set in the Air Pollution Licence for each Berghoff measuring location is given in Table 1.

Table 1: Analysis of dust deposition data reported in Appendix 9-4 of the rEIAR

	DS1	DS2	DS3	DS4	DS5
Percentage of readings exceeding $180\text{ mg/m}^2/\text{day}$	13.69	11.52	14.29	13.77	15.48
Mean dust deposition $\text{mg/m}^2/\text{day}$	110.54	103.39	122.40	122.25	124.32
Maximum monthly deposition recorded $\text{mg/m}^2/\text{day}$	948	817	1339	1076	924

However, the analysis in Table 1 raises fundamental questions concerning the validity and veracity of the data presented in Appendix 9-4 of the rEIAR. An examination of this summary data, taking into account the topography of the site, the prevailing wind direction, location of quarry operations, results in the KT Cullen report and the Inspector's comments, would expect to reveal much higher levels of dust deposition at for example DS5 than at DS4 (D5 and D4 in the applicant's rEIAR as reproduced in Figure 16). DS5 is located close to the rock breaker and screening machinery and to lots of internal quarry traffic, all of which generate copious amounts of dust. On the other hand, DS4 is located relatively far from the main dust generating quarry activities and is sited on an elevated plateau well above the south quarry, north west from the main quarry activities. The prevailing wind direction here is from the quadrant between South and West as shown in the Met Eireann's windrose for Malin Head (Figure 17), so dust would rarely blow in the direction of DS4. I would expect the dust deposition readings for DS5 to a multiple of, perhaps an order of magnitude greater than, the readings for DS4. Yet, McCaffrey's data shows them to be almost identical. The only conclusion that can be drawn is that McCaffrey's dust deposition data cannot be relied upon. The dust data submitted in the rEIAR lacks validity and credibility.

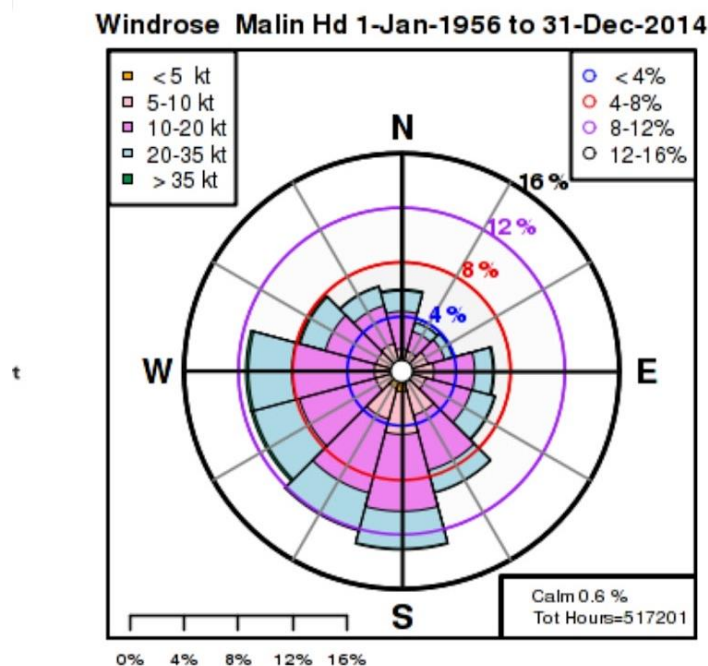


Figure 17: Windrose for Malin Head (Co. Donegal) – Met Eireann

Figure 18 plots the average and maximum deposition rates presented in Table 1. It should be noted that the maximum daily deposition values do not stand up to any objective analysis either. It is just not credible that DS4 would record a higher maximum value than DS5. The data submitted by the applicant in Appendix 9-4 is simply not credible.

The analysis presented in the rEIAR on this suspect dataset suffers the further handicap of being conducted using Windrose data that is not representative of actual wind patterns in Donegal. The Windrose presented for Finner in Co. Donegal (Figure 9-4 in the rEIAR) not representative as it shows that the prevailing winds are from the SE.

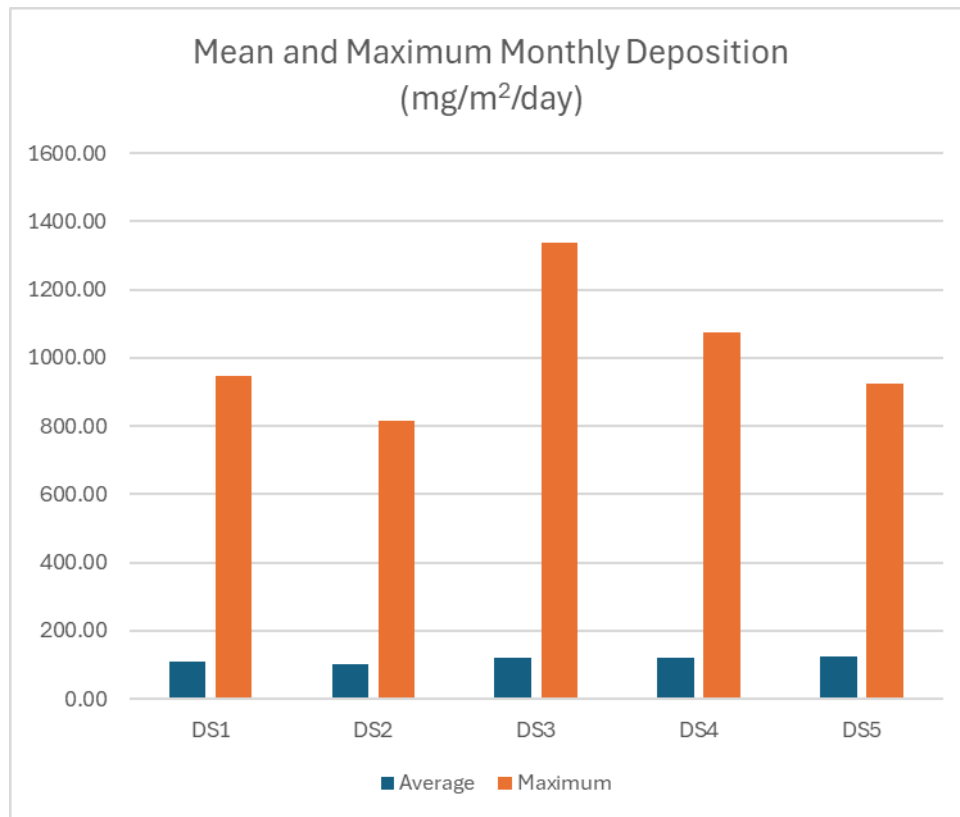


Figure 18: Average and maximum dust deposition rates at sensors (averaged monthly)

Compounding the problem of air pollution from quarry dust are noxious fumes from the asphalt plant, especially in the mornings and when the wind is coming from the general N/NW and carrying the fumes from the quarry to my residence. At times when the odours are strong, I have to return indoors to escape the fumes. What are the impacts on health of breathing in these fumes? Or inhaling the dust? The Bord na Mona model for air dispersion mentioned in Section 9.2.4 of the rEIAR has proved in reality to have significant flaws and weaknesses in predicting the actual patterns of fume dispersion. Real-world observations reveal that the plume from the asphalt plant closely follows the local topography of the landscape, resulting in the fumes being blown near ground level rather than dispersing at higher altitude.

11. NOISE AND VIBRATION

Noise nuisance from McCaffrey's quarry has been a serious problem since they started here in the late 1960s. Noise and blasting have been complained about in many submissions to Donegal County Council and An Bord Pleanála. It has had a serious negative impact on the local community. As described in Section 5 of this submission (Population and Human Health), two families have decided they could no longer endure the noise and blasting (and other pollution from the quarry) and decided to leave the area. While blasting in the south quarry ceased in 2019, noise levels from quarry operations and vehicular traffic continue to pose a serious nuisance and degrade the residential amenity of my home.

During working hours, noise from the quarry is constantly present in and around my home (NSR08 in Table 11-3 of the rEIAR).

Table 11-10 in the rEIAR provides an incomplete statement of noise sources as it has omitted sources such as the main fixed impact breaker which is on an elevated site, and the heavy traffic into and out of the site to/from the N15. KT Cullen & Co Ltd, in their report on planning, environmental compliance and general nuisance associated with the quarry, found that in the year 2000, the noise levels at the site boundary (N1) were 75.1 dB(A), see Figure 19 (and Appendix 2.3). They recommended that, to comply with EPA guidance, noise levels at the site boundary should be reduced to 55dB(a) by daytime (0800 to 2200) and 45dB(a) at night (2200 to 0800). McCaffrey's Air Pollution Licence has a condition (9.2) limiting noise at the site boundary to 55 dB(A) daytime and 45 dB(A) at night-time, the same as recommended by KT Cullen.

The impact of noise at my residence is affected by weather conditions, particularly the wind direction and strength. The wind here frequently blows from the general north west direction, effectively amplifying the noise levels at my home, thus making the noise more intrusive. It is not clear if the effect of the wind has been incorporated into the model used to generate the predicted data for the rEIAR. Wind has a very significant effect on the transmission of sound and its omission from models seriously weaken the accuracy of the predictions. There is no evidence that different wind scenarios have been modelled and assessed for this rEIAR. The noise modelling does not present scenarios based on different wind directions and strength. It is rarely calm here so modelling that ignores wind and air movement has serious limitations. As mentioned previously, the Windrose presented in the rEIAR is not correct for this area.

It is not acceptable that I am deprived of the full enjoyment of my home and farm due to noise nuisance generated by McCaffrey's Quarry that has operated here without planning permission for more than half a century.



Figure 19: KT Cullen Noise measurement locations

On 21st August 2025, using a smartphone app, I made a series of noise measurements near the site boundary at N1 (see Figure 19 above for location). Weather conditions were dry, overcast and calm. The readings revealed average noise readings ranging from 63dB(A) to 71 dB(A) during the measurement period, with peak reading of 86 dB(A), as shown in Figure 20.



Figure 20: Sound levels outside site boundary at N1 (21st August 2025)

Large vehicles exiting the site onto the N15 generate very invasive road noise near my home as they rev their engines to accelerate to join the traffic flow.

12. LANDSCAPE AND VISUAL

Berms and Views

In their rEIAR, McCaffrey's claim that the berms they have created screen the quarry. What they have done in reality is destroy many attractive panoramic views, created long-term hazards and damaged adjoining properties.

The result of their actions is serious deleterious effect on what were beautiful panoramic views from the L7265. This should not have been allowed to happen and is a direct consequence of McCaffrey's dismissive attitude to the planning process over decades. The rEIAR contains no serious assessment these ugly berms, their negative impact on views, the eyesore in the landscape that the quarry itself is, nor any proposals on remediation and restoration of views.

McCaffreys, without the benefit of proper planning, developed the quarry by blasting right up to the inner edge of the berms, posing a significant and serious hazard, now and in the future.

In the process of building the berms, McCaffreys caused serious damage to exiting adjoining field boundaries by intruding onto and collapsing drystone walls.

Views

The pictures in the applicant's rEIAR present a very partial and false impression of what are in reality beautiful panoramic views and landscapes in this locality. The picture below in Figure 21 was taken from a point on the L7265 between VP3 and VP4. The locations identified the VP points are taken from in Figure 12-10 of the rEIAR and reproduces below in Figure 22.

The picture presents a beautiful panoramic view over Donegal Bay, from Slieve League across the Bluestacks, through the beautiful rolling drumlin country of south Donegal to Barnesmore Gap and onto Co. Tyrone. This picture was taken in 2003, before McCaffreys began yet more unauthorised expansion to the quarry in 2007. The foreground is now blasted away and has an ugly fence damaging the view.

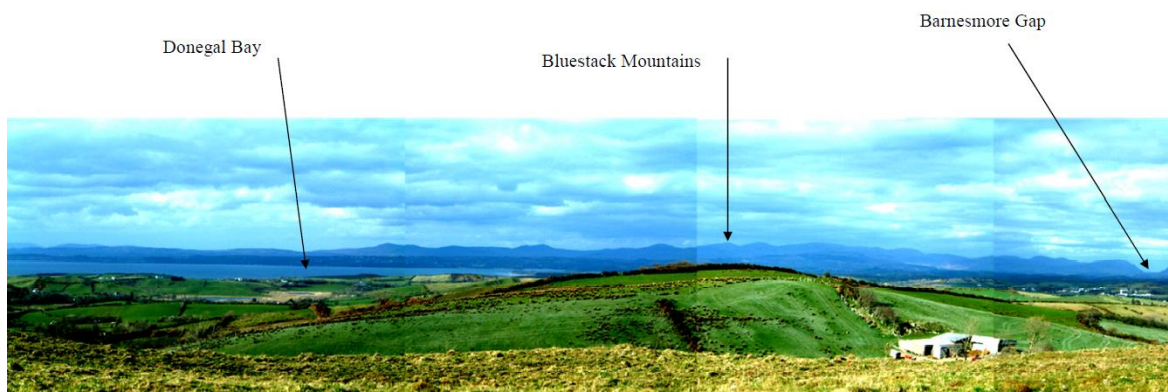


Figure 21: Views taken from point between VP3 and VP4

The assertion by the applicant in Section 12.3.3.1 of the rEIAR that

“The existing quarry facility has been established since the 1960s, with historic aerial photography identifying excavation works that are similar in scale and extent to those in the

current aerial photography.” This is completely a false assertion, complete nonsense. The area of land being quarried in 1969 was miniscule compared with the current size of the quarry.



Figure 22: Viewpoints given in Figure 12-10 of the rEIAR

The views from VP4 looking east offer panoramic views Breesy Hill with the Fermanagh plateau on the horizon. Sadly, if the viewer turns a few degrees to the left they are confronted by the unsightly south quarry, as can be understood in the Figures 23 and 24.



Figure 23: Looking east from VP4



Figure 24: The south quarry pictured from VP4

The contrast in these two pictures speaks volumes about the very negative visual impact the quarry has on the landscape. For the rEIAR to describe the significance of the effect of the quarry on the landscape as 'Slight-imperceptible' speaks of a very dubious quality of assessment by the applicant. Their assessment just does not stand up to any degree of serious objective scrutiny.

Berms

Proceeding downhill on the L7265 from VP4 to VP1 (as identified in Figure 22), the road has huge unsightly berms, particularly on left hand side (north western side), blocking views to the west, north west and north, and then further down there are berms on the right-hand side. At one point, near VP4, the berm is over 4m above road level, (see Figures 25 and 26).

These ugly berms are not a natural feature in the landscape and create an impression of driving through a tunnel.



Figure 25: Berm on north western side of L7265 blocking views



Figure 26: A glimpse over the top of the berm of the view that is blocked

Safety and Security

Worryingly, the rEIAR asserts under Safety and Security (Section 3.2.8) that “Stockproof posts and wire fencing are in place around the perimeter of the Site.” This is not correct and demonstrates a shocking lack of appreciation of the dangers presented by this quarry. The fence, where one is in place, may well be stockproof but is definitely not childproof.

If a child were to climb over the fence around the north quarry, for example, (an easy task given the nature of the materials chosen), there is nothing to prevent them sliding down the berm and off a vertical cliff precipice to the water below, a fall of more than 50m, to almost certain death, see Figure 27. Due to the manner in which quarrying was carried out, i.e. no benching or gently sloping sides and no proper setback, a slip over the edge of the high precipices is going to result in a fatality. There is also no escape route for anybody trapped in the flooded quarry.

It should be noted that the fence around the south quarry is only 1m in height, and the side on the southern side of the perimeter is not fenced at all by McCaffreys (see Figure 28).

McCaffreys knew, at least by the year 2000, that quarry faces should be left with a series of gently sloping rock faces interspaced with horizontal benches. This profile was proposed in 2001 in their planning application (01/106) to Donegal County Council and promised to follow this design principle for reasons of safety and ultimately for restoration. Unfortunately, but hardly

surprisingly, McCaffreys then proceeded to ignore this and instead blasted vertical quarry faces in the north quarry of over 150m in depth, extracting every possible cubic meter of stone. McCaffreys have thus made the restoration of the site much more difficult and created a long-term of safety and security hazard. Mention in the rEIAR of ‘benching’ in the north quarry is a misrepresentation of reality. The platform that remains to the west of the north quarry is a result of the unauthorised quarry expansion onto new lands in 2007. The platform shows the depth at which McCaffreys were stopped by Donegal County Council as a result of many complaints and representations from local residents.

A few flower pots floating in the water in the north quarry is not a serious restoration proposal.

A proper rEIAR would be expected to provide a comprehensive and serious restoration plan.



Figure 27: Inner face of berm sloping towards cliff edge



Figure 28: A one meter high fence runs along part of the south quarry perimeter

Berms and my farm

As McCaffery's removed the topsoil in the south quarry, they pushed it right up against the boundary drystone walls on my farm, resulting in their partial collapse. Not only are these drystone walls important for making fields stockproof but are increasingly recognised in environmental schemes such as ACRES as important features of the environment. As can be seen in Figures 29 and 30, McCaffreys collapsed our drystone walls along the southern boundary of the south quarry. This action would not be consistent with proper planning and reflects McCaffrey's long history of non-compliance with planning legislation. The reconstruction of these walls presents a major financial expense to me and requires that the berms be set back. The rEIAR lacks any discussion of damage and restoration to my drystone walls.



Figure 29: Partial collapse and push-back of our drystone walls caused by McCaffrey's creation of the berm (pictured in 2002, looking north-eastwards). Machinery yards are now located on the other side of this berm to the left.

Also shown in this picture is the pipe that McCaffreys used at that time to pump water out of the base of the south quarry, repeatedly flooding our fields. This water leached into the bedrock and sprung up in our fields close to Lough Gorman.



Figure 30: Damage to our drystone walls along the boundary of the South Quarry (pictured 2002) at a location to the west of the road to the quarry. Besides the very significant damage to these drystone walls, it also created the problem for running the farm as McCaffrey's actions resulted in the fields no longer being stockproof.

The presence of the berm and their collapsed condition also means that these drystone walls cannot be included in environmental schemes such as ACRES, due to their poor condition and that they do not 'stand out' in the landscape.

14. ROADS AND TRAFFIC

Road Access to Quarry

The rEIAR does not address the issue of the public access road through the south quarry. This road has essentially been commandeered by P McCaffrey & Sons Ltd as an internal quarry road between the quarry and the storage and machinery yards on the opposite side of the road. The road is used by pedestrians, cyclists and local traffic that have to negotiate loading shovels, dumpers and trucks driving and reversing on and across the road. The road is not properly demarcated, is covered in muck and dirt from the quarry and is a traffic hazard.

In Section 3.2.7 of the rEIAR, this road is described as a 'private road'. This is repeated in Figure 3-4 of the rEIAR and elsewhere in the application. This description completely misrepresents the actual situation. This is not a private quarry road but a publicly accessible road that runs from the N15 to the L7265. It is shown hatched in the map in Figure 31. The applicant has failed repeatedly in their application to show in their maps and diagrams that this road runs right through the south quarry.

I own the lands on both sides of this publicly accessed road from the N15 as far as the quarry offices. Despite this, the applicant has included the full length of this road within their red-line site boundary. I have not given permission for this.

Traffic to and from the quarry has pushed back my drystone walls along the length of the road. This traffic is composed mainly of quarry vehicles. The quarry operator has raised the height of the access road by approximately 600mm. This has widened the road and put additional weight against the drystone walls, which are subject to collapse (Figures 32, 33 and 34). This is particularly hazardous as the lands are adjoining the heavily trafficked N15 and any farm animals that escape pose a serious traffic hazard. The road is substandard in width and design for such heavy traffic. Lorries going to and from the quarry have been increasing in size and loading tonnage over the years. The road was originally a narrow rural road similar to the other end of the road where it joins the L7265, as shown in Figure 35.

It is also difficult to farm these lands with the constant traffic to and from the quarry. Moving cattle across the road from my fields on one side to my fields on the other is limited to hours when the quarry is closed. This is not acceptable.

Traffic flows

The traffic flow prediction presented in Table 14-5 of the rEIAR is simply not representative. It shows a predicted peak afternoon traffic flow into the quarry of 3 trips per hour. From my own observations as a local resident, I would characterise this estimate as very significantly underestimating actual journeys.

Traffic flow into the quarry all-day-long from just the two articulated lorries alone that are used to import the limestone raw material from the Roadstone Ballintra quarry, averages between 5 and 6 trips per hour. Then there are the regular trips of quarry vehicles return from deliveries, work teams and machinery returning on site, worker's cars etc. The rEIAR appears to base its analysis and predictions on a survey that is extremely limited in scale, merely one day's data

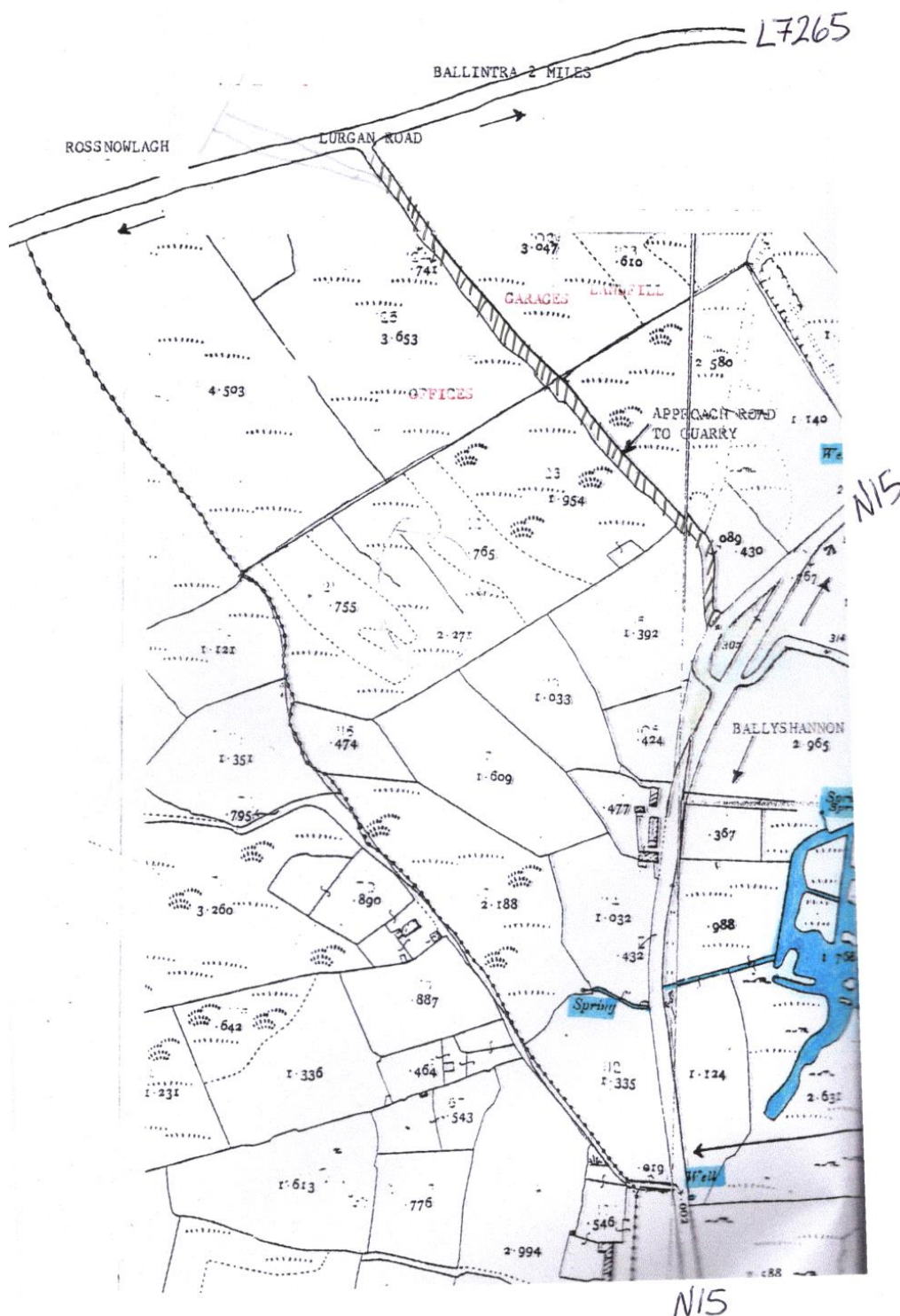


Figure 31: Publicly accessible road through quarry from N15 to L7265 shown hatched

collection, and perhaps on a day during which activity in the quarry was reduced and unrepresentative. For valid representative data, the survey would have needed to capture traffic data that represents the daily and seasonal variations, as traffic may vary according to the day

of the week and the season of the year. Predictions based on such a limited set of data have no validity.

No attempt has been made to assess traffic flows or their impact over the life of the quarry. This is a serious shortcoming.

Section 14.3.4 of the rEIAR states that a speed limit of 32km/h applied along the access road. No such speed limit exists.



Figure 32: Quarry operator has raised access road by 600mm putting additional weight on drystone field walls



Figure 33: Damage to drystone walls with stones falling into field creating hazard of cattle escaping

McCaffreys do not accept that the damage to my drystone walls from quarry traffic is their responsibility and it has been left to me to repair them myself.



Figure 34: Access road through my lands is substandard in width for quarry traffic



Figure 35: Northern section of access road through quarry at junction with L7265.
This section of road is not subject to quarry traffic and shows
the character and width of the original road

Quarry-N15 Junctions

The junctions of the publicly accessible road that runs through the south quarry with the National Primary Road N15 and with the L7265 are insufficient for sightlines and stopping sight distance in accordance with the National Roads Authority Design Manual for Roads and Bridges. The junction of the access road with the N15 is located at a bend on the carriageway with two straight sections on either side, giving rise to high traffic speeds. There have been four road deaths within two hundred metres of either side of the junction with the National Primary Road N15. An Bord Pleanála refused planning permission for a one-off rural dwelling in the locality (please see Donegal County Council Reg Ref 05/20027 An Bord Pleanála Reg Ref PL05.215662). One of the reasons for refusal from the Board was traffic hazard on the N15 as follows:-

2. Access to the site is via a junction with the N15 National Primary Road, which is a highly important and heavily trafficked route, where the maximum speed limit for this class of road applies. Having regard to the submissions made in connection with the planning application and the appeal, including the undertakings in respect of ensuring adequate sightlines at this junction, which are neither enforceable nor irrevocable, and to the minimum requirement of a 215 metre sightline, as set out in the National Roads Authority Road Geometry Handbook, it is considered that the proposed development would endanger public safety by reason of traffic hazard because the traffic turning movements generated by the development would interfere with the safety and free flow of traffic on the National Primary Road.

This proposed one-off rural dwelling was intending to access the N15 via an existing laneway further to the south of the quarry junction on the N15. That laneway already served two dwellings. Its junction with the N15 is located well away from the bend on the N15 where the quarry junction is located and has significantly better sightlines and stopping sight distance than the quarry junction.

Deliberate destruction and demolition of roadside boundaries on my farm and Unsuitability of the publicly accessible road (N15-L7265) as a quarry access road

McCaffreys demonstrated when they set out on a road widening project in January 2024 that the publicly accessible road that runs from the N15 through the south quarry to the L7265 is not in their estimate suitable as an access road for the quarry.

This road-widening was inflicted on my property and resulted in serious and significant damage (please refer to Google map for exact location in Figure 36). It was carried out without my permission or knowledge. It demonstrates the utter contempt with which McCaffrey's Quarry treats local residents and how they make life very difficult and stressful here.

This work was carried out over a distance of almost 80m on the road, resulting in a 140m of damage to my roadside boundaries on both sides. I own the lands on both sides of the road. The demolition of my roadside boundary hedges, drystone wall and barbed wire fences was according the quarry contracts manager aimed at widening the road and creating a road wide enough for two vehicles to pass at the bend. My drystone walls were demolished by pushing them back with a digger and collapsing then into my fields. They filled any gap created along the length of the destruction with road-filling materials to act as a foundation for the road-widening. In

addition to the demolition and destruction of my field boundaries, McCaffreys also encroached onto my lands by placed road filling material in my fields, see Figures 37, 38, 39, and 40. When their workers were confronted, they stated that they intended to 'tar' the full width out as far as they could. At the same time, they laid a water pipe along the road, again without my permission, and continued the laying of this pipe without permission in May 2024, see Figures 41 and 42. Spoil was dumped along the road which blocked access to my farm gate as can be seen in Figure 43. This behaviour is absolutely unacceptable but is typical of how this company has been treating local residents and their property since it commenced operations here since the late 1960s.



Figure 36: Aerial view showing the stretch of the road (identified in red) where McCaffreys undertook work to widen the road in 2024 and caused serious damage to my property

At the same time, McCaffreys removed my roadside grass verges on the western side of the road from the place where the destruction relating to road-widening was carried out almost all the way to the quarry itself, see Figure 44.

Once I became aware of what they were up to, I hand delivered (followed by registered post) a letter to quarry management instructing them that this work must cease immediately and seeking a commitment that they would pay for damages. When McCaffreys resumed work on the road the next working day I had to request the attendance of An Garda Siochana on-site. McCaffreys have not answered my letter.

This is yet another example of the trouble and difficulties that McCaffreys cause local residents. Their behaviour has resulted in addition stress for hassle for me. It has also cost me time and money from having to erect temporary security fencing, locate and repair my animal water supply pipe that they tore out during their excavations on the road, and suffer the loss of grazing time in the affected fields on both sides. The repair of the damage to my boundaries, removal of road fill materials placed by McCaffreys on my land, replanting of hedge plants, restoration of my roadside grass verges, removal of spoil waste that is blocking my field access gate, etc. have yet to be done. I have had to consult a solicitor and place the matter in their hands.

In July 2025, McCaffreys returned to this section of the road and stripped the top surface off the road, again without my permission. It was only through my constant vigilance and insistence

that they did not lay tarmac across the full width onto where they trespassed and inflicted the damage on my boundaries.

This road overall is kept in a terrible state by McCaffreys. Traffic from lorries and the movement of heavy along and across it render it dangerous for pedestrians, cyclists and private vehicles. It is not suitable as an access to the quarry.

These matters are not addressed in the applicant's rEIAR. As discussed earlier in this report, the rEIAR lacks any serious assessment and evaluation of the negative impact on humans as a result of McCaffrey's errant behaviour.



Figure 37: Removal of roadside grass margin, damage to my hedge and drystone wall



Figure 38: Encroachment onto my property, damage to roadside hedge and flattening of barbed wire fence (arrow shows previous upright fence post flattened and partly covered by road filling)
January 2024



Figure 39: Destruction of boundary drystone walls and hedging, removal of roadside grass margin (January 2024)



Figure 40: Other images of damage to my roadside property near the junction (January 2024)



My farm water supply pipe cut by McCaffrey's by their water pipe laying.

As the pipe was installed approximately 40 years ago, it took days of hand digging and searching to locate the crossing point under the road.

Running top to bottom of the picture is the pipe laid without permission by McCaffrey's

Figure 41



Figure 42: Repair of my farm water supply pipe



Figure 43: Waste material and spoil from McCaffrey's activities were dumped along my hedge and blocking access to my field at this gate.



Figure 44: Removal of my roadside grass margins

CONCLUSION

This is an applicant for substitute consent which is required when a development was carried out without proper environmental assessment. Section 177F of the relevant legislation states that

A remedial environmental impact statements shall contain the following:

A statement of the significant effects, if any, on the environment, which have occurred, or which are occurring or which can reasonably be expected to occur because the development the subject of the application for substitute consent was carried out

This rEIAR abjectly fails to fulfil that fundamental requirement. The rEIAR must demonstrate that the development has been critically assessed for past, present and future significant impacts to ensure it has not, does not and will not cause unacceptable environmental harm. The report has failed to identify or date historical impacts which renders the rEIAR meaningless. The rEIAR does not meet the requirement of the Environmental Impact Assessment Directive, particularly given the long history of unauthorised development at the quarry. The applicant repeatedly resorts to the lame excuse that their rEIAR is limited by the availability, completeness and accessibility of publicly available data from the period of time applicable. This is not a valid reason for failing to fulfil the requirement specified in Section 177F. There are ample sources of information that the applicant could have accessed to investigate the historic periods and the impacts and issues associated with the quarry such as the sources listed below. The data and information that they do present is limited in scope, is not comprehensive and lacks validity and veracity. The rEIAR has failed to identify and recognise the significant effects on the environment of this development.

Examples of Sources of Information/Data

Donegal County Council files and letters of complaint from residents and landowners

An Coimisiún Pleanála files

Complaints to North Western Health Board

Complaints to the Office of the Ombudsman

Complaints to Environmental Protection Agency

Complaints to An Garda Síochána

Complaints to Quarry management

Carried out interviews with existing and former quarry staff

Quarry records on damage to property from blasting

Quarry records on laying of watermain to quarry resulting in damage to roadside drystone walls/hedges/grass verge boundaries, and the attempt at road widening perpetrated in 2024

Land Registry and folio details regarding landownership and application red line boundary

Letters from Public representatives

Records held by blasting company

Records held by Irish Army / An Garda Síochána on blasting

Aerial photography Irish Army Cathal Brugha Barracks Dublin

Aerial photography from Ordnance Survey May 1977

Report on Investigations into Planning, Environmental Compliance and General Nuisances Associated with a Quarry Operated by P McCaffrey & Sons Ltd by KT Cullen & Co Ltd, December 2000

Report from Auctioneer dated 26th March 2003 that site on L7265 as not marketable as a residential development due to its condition from the dust emissions

Carried out interviews with residents and landowners impacted by Quarry

Requested diaries and contemporary records available from residents and landowners

Transport Infrastructure Ireland

Road Safety Authority

Health and Safety Authority

Quarry production and financial records