

AIR POLLUTION ACT, 1987 as amended

Air Pollution Act Appeal Register Number: E0001-01

APPEAL by Antóin Ó'Comáin of Roxborough, Chill Chartha, County Donegal, against the decision made on the 23rd day of June 2015 by Galway County Council to grant, subject to conditions, a licence to Mortimor Quarries in respect of the operation of an asphalt plant in the townland of Belclare, Tuam, County Galway (reference number: AP11/14). The plant is an asphalt batching plant comprising of a number of open and closed storage aggregate bays, a cold feed drying and heating system, a filter feed system, a bitumen supply and a 30 metre stack. The principal emissions from the exhaust stack are sulphur dioxide, oxides of nitrogen, particulates and other products of combustion from the production process, all in accordance with plans and particulars lodged with the said Council.

DECISION: The Agency, in exercise of the powers conferred on it by Section 34 of the Air Pollution Act as amended, based on the reasons and considerations set out below, hereby refuses the appeal and directs the said Council to grant the licence in accordance with the conditions attached to it.

REASONS AND CONSIDERATIONS

Having regard to the relevant air quality standards, the information submitted in support of the application and the report of the Inspector, it is considered that, subject to compliance with the conditions attached to the licence prepared by Galway County Council, the operation of the proposed asphalt plant would not result in air pollution and would otherwise be compatible with the protection of the amenities of the area and of public health and the environment.

Prior to making its decision the Agency completed a screening exercise in relation to nearby Natura 2000 sites, taking into account:

- the submissions by the appellant,
- the report of the Inspector, and
- the Appropriate Assessment screening carried out by the Inspector.

Having considered the nature and scale of the facility in question, the characteristics of the Natura 2000 sites in the vicinity and the potential impacts of the subject facility, the Agency was satisfied that no Appropriate Assessment issues arise and concluded on the basis of the information available that the air emissions from the facility, either individually or in combination with other plans or projects, would not be likely to have a significant effect on any European site.

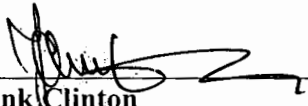


MATTERS CONSIDERED

In making its decision, the Agency had regard to those matters to which, by virtue of the Air Pollution Act 1987, as amended and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

SEALED by the Seal of the Agency on the 19th day of May 2016

PRESENT when the seal of the Agency was affixed hereto:



Frank Clinton
Authorised Person

