

## LEITRIM COUNTY COUNCIL

### **NOTICE PURSUANT TO SECTION 12 OF THE LOCAL GOVERNMENT (WATER POLLUTION) ACTS 1977 TO 2007.**

**WHEREAS** it appears to LEITRIM COUNTY COUNCIL that it is necessary in order to prevent or control pollution of waters, to serve this notice pursuant to the provisions of Section 12 of the Local Government (Water Pollution) Acts 1977 to 2007 on you, Mr. Mark Carlin, MD Coillte Forest, Head Office, Dublin Road, Newtownmountkennedy, Co. Wicklow, A63 DN25 being a person in custody or control of polluting matter that is, **water pollution at Derrynahimmirk, Rossinver, Co. Leitrim LM02-FL0026**, within the functional area of Leitrim County Council.

**YOU ARE HEREBY DIRECTED** to take the measures specified hereunder, being measures, which are deemed necessary in order to prevent water pollution at Derrynahimmirk, Rossinver Co. Leitrim:-

1. Produce a **Remedial Action Plan** proposing specific remediation works
  - (a) for the control and management of sediment
  - (b) to prevent the discharge of sediment discharging from the site
  - (c) to protect the aquatic zones within the site

A method statement for these works shall be included and a site layout map indicating proposed work areas. This should be completed by a competent Environmental Engineer / Environmental Scientist. A copy of the Remedial Action Plan should be submitted to Leitrim County Council **within 7 days of the date of this notice**.

2. All proposed works to be in accordance with felling licence conditions and should adhere to 'Standards for Felling and Reforestation' and 'Forestry and Water Quality Guidelines.' A site specific approach should be adhered to when following these guidelines.
3. All remedial works to be completed **within 14 days of the date of this notice**; these works should be approved by a competent Environmental Engineer / Environmental Scientist, and on completion of works confirmation of this should be sent to Leitrim County Council.

**Note 1:** Coillte shall monitor the site and the effectiveness of remediation works and in particular those on the SouthEast section of the site on a weekly basis, (and more regularly during inclement weather conditions) until the base vegetation re-establishes on the site. Extreme care should be taken in maintaining any silt traps to avoid further sediment loss.

**Note 2:** No further afforestation related works should be carried out on the site until all polluting matter is contained within the site boundaries and is prevented from entering adjoining drains and receiving waters.

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**TAKE NOTICE** that **Condition 1-3** shall be complied with by the dates specified in notice.

**AND FURTHER TAKE NOTICE THAT** representations may be made in writing within **14 days from the date** of this notice.

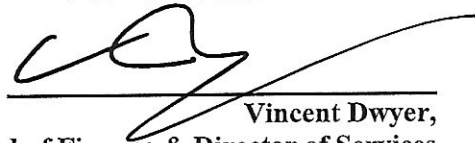
Leitrim County Council, after consideration of any such representations, may amend a provision of the Notice, or may confirm or revoke the Notice.

**AND FURTHER TAKE NOTICE** that if you do not comply with this Notice within the period specified you shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding €5,000 or imprisonment for a term not exceeding 3 months or both.

**AND FURTHER TAKE NOTICE** that if you do not comply with this Notice within the specified period, Leitrim County Council may take any steps considered necessary to prevent polluting matter referred to from entering waters and may recover the costs of such steps from the person on whom the Notice is served as a simple contract debt in a Court of competent jurisdiction.

Dated this 3rd day of December 2021

Signed



Vincent Dwyer,

Head of Finance & Director of Services

Water, Environment, Climate Action and Emergency Services

**To:**

Mr. Mark Carlin,  
MD Coillte Forest,  
Head Office,  
Dublin Road,  
Newtownmountkennedy,  
Co. Wicklow  
A63 DN25