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## ENVIRONMENTAL PROTECTION AGENCY

**Request for Information** under section 63(1) of the Environmental Agency Protection Act 1992 ("the 1992 Act"), relating to peat extraction

### BY REGISTERED POST

**To: Offaly County Council (the "Local Authority")**

**FAO: Ms Anna Marie Delaney, Chief Executive**

**EPA Reference: Unauthorised Peat Extraction**

The Environmental Protection Agency ("the Agency"), pursuant to the powers conferred on it by section 63(1) of the 1992 Act, hereby requests the local authority to furnish the EPA the following information which the Agency considers necessary for the purposes of environmental protection, in respect of peat extraction in **County Offaly**:

**1.** Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about **Kilmalady Big, Ballykilleen, Curraghboy or Woodfield Co. Offaly** [as shown on the map attached in Appendix 1] since 11 March 2002, where planning permission and an Environmental Impact Assessment ("EIA") may be required under the Planning and Development Act 2000 ("the PDA 2000"). The report shall include the following:

- a. A list of the names and details of the operators undertaking or have undertaken the peat extraction (and where there are a number of operators on different parcels of land on the same bog, a clear indication demarcated on the map as to which operator is extracting or has extracted peat from which area);
- b. The details of the planning status of the identified area(s) of peat extraction;
- c. The details of any water pollution licences that have been issued to the operator(s) in question and the status of same;
- d. An Ordnance Survey or aerial map of the peatland in question showing superimposed a calculated area (in hectares) of the peat extraction, and whether in the Local Authority's view that comprises a "new or extended area". The area should include everything incidental or ancillary to

the peat harvesting, including drained areas, settlement/silt ponds, haul roads, loading areas, stockpiles, etc.;

e. An assessment of the distance and hydraulic connection between the peat extraction areas identified and any Natura 2000 sites or Natural Heritage Areas (proposed or otherwise);

f. The details of any enforcement activity pursuant to Part VIII of the PDA 2000 or otherwise that the Local Authority has taken in respect of the identified area(s) of peat extraction and/or against the identified peat extraction operator(s).

**2. A copy of the Local Authority's enforcement policy in respect of unauthorised peat extraction on areas that require planning permission and that require planning permission including mandatory EIA.**

The purpose of this Request for Information is to ensure the satisfactory performance by the Local Authority of its functions in respect of the regulation and enforcement of peat extraction at **or about Kilmalady Big, Ballykilleen, Curraghboy or Woodfield Co. Offaly** [as shown on the maps attached in Appendix 1] which the Agency considers necessary for the purposes of environmental protection.

The Local Authority shall submit the report on 1 and 2 above to the Agency by **8<sup>th</sup> December 2023** to d.page@epa.ie.

Dated this 7th day of November 2023

Signed on behalf of the Agency:



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**Darragh Page**

**Programme Manager**

**Office of Environmental Enforcement**

## **Appendix 1**

