

AIE Request

Ref. No. AIE 134

Requester – Right to Know

Records Released -

Records in relation to
Correspondence between
Roscommon County Council & the EPA
Records Numbered 8 to 10

From: Mary Grier
Sent: Wednesday 24 July 2024 15:06
To: a.jordan@epa.ie
Cc: Chief Executive; Mick Henry; Patrick Byrne
Subject: Information request re. unauthorised peat extraction - Section 63 of the EPA Act
Attachments: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra ; S63(1) Roscommon Co Co - Monksland and Kilnamanagh ; S63(1) Roscommon Co Co - Drumerr; S63(1) Roscommon Co Co - Cornaveagh; S63(1) Roscommon Co Co - Assaun and Castletown ; S63(1) Roscommon Co Co - Aghafin Co. Roscommon

Tracking:	Recipient	Delivery
	a.jordan@epa.ie	
	Chief Executive	
	Mick Henry	
	Patrick Byrne	
	CCollins@roscommoncoco.ie	Delivered: 24/07/2024 15:10

Dear Ms Jordan,

I am writing in respect of the 6 no. attached communications from your office, received on 2nd May 2024, being notices issued under Section 63 (1) of the Environmental Agency Protection Act 1992 and requesting information relating to peat extraction at 6 identified locations in County Roscommon. Upon receipt of the notices, I was requested by Mr Shane Tiernan, Chief Executive, Roscommon County Council, to collate the requested information and issue responses to same.

I wish to sincerely apologise that I have not to date communicated with your offices on this matter. It had been my intention following receipt of the correspondence and noting the response deadline stipulated on 31st May 2024, to engage with the EPA to request an extension to the period for response, in order to manage the collation of the information amidst other significant bodies of on-going work and limited staff resources in the Planning Department. The practical challenge in adhering to a short response timeframe was outlined to EPA colleagues earlier on 2nd May 2024 in the course of an MS Teams conference call. Regrettably, due to workload, I neglected to issue a communication in response to the 6 no. notices to outline the position and to request an extension to the period for response. (Notwithstanding this, some work has been undertaken in the intervening time in assembling the information requested, but collation of this has not been completed).

I understand that further correspondence issued to Mr Tiernan earlier this week in relation to this matter, referring to the lack of response and requesting further response by 14th August 2024. I wish to assure you that it has been Roscommon County Council’s intention from the outset to fully co-operate with the EPA’s requests. This remains the case. However, in light of continuing increased workload and staff shortages, which are further compounded at the present time by summer annual leave arrangements, may I please request an extended time period to respond to the 6 no. notices, to mid-September.

In closing, I wish to again sincerely apologise for my lack of communication following initial receipt of the notices, and for any delay this has caused to the important work of the EPA in pursuing the appropriate environmental protection of peatlands. In the event that you are not the correct person to direct my belated request for a time extension, I would be grateful if you could advise to whom I should make the request.

Yours sincerely,
Mary Grier

Mary Grier
Senior Planner,
Roscommon County Council,
Email: mgrier@roscommoncoco.ie
Web: www.roscommoncoco.ie
Tel : +353 90 6632511



Comhairle Contae
Ros Comáin
Roscommon
County Council



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra
Attachments: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about **Derryhauran East, Derryhauran West, Churchquarter and Cloonconra Co. Roscommon** [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 Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:22
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Monksland and Kilnamanagh
Attachments: S63(1) Roscommon Co Co - Monksland and Kilnamanagh .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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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: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Monksland and Kilnamanagh Co. Roscommon [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 Monksland and Kilnamanagh Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Drumerr
Attachments: S63(1) Roscommon Co Co - Drumerr.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Drumerr Co. Roscommon [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 Drumerr Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1

Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Cornaveagh
Attachments: S63(1) Roscommon Co Co - Cornaveagh.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Fortheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhortheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about **Cornaveagh, Co. Roscommon** [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 Cornaveagh, Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:20
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Assaun and Castletown
Attachments: S63(1) Roscommon Co Co - Assaun and Castletown .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

Request for Information under section 63(1) of the Environmental Protection Act

1992 ("the 1992 Act"), relating to peat extraction

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Assaun and Castletown Co. Roscommon [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 Assaun and Castletown Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



 **Assau**
Fairview Co., Roscommon
52 692556 -9 219498

Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:19
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Aghafin Co. Roscommon
Attachments: S63(1) Roscommon Co Co - Aghafin.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Aghafin Co. Roscommon [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 AghafinCo. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

9

From: Greg O'Donnell
Sent: Thursday 8 August 2024 10:46
To: Caitlin Conneely; Shane Tiernan
Cc: Mary Grier
Subject: FW: EPA Proposed Direction
Attachments: S63(5) Proposed Direction - Offaly Co Co - Unauthorised Commercial Peat Extraction.pdf

Importance: High

Dear All,

As you know, Mary had verbally requested a time extension to respond to the EPA's first request for information. That request has been overtaken by a Direction issued to Roscommon, Westmeath, Kildare and Offaly and maybe other Counties. Offaly has taken the lead [REDACTED]
[REDACTED] Mary will contact her counterpart in Offaly [REDACTED]
[REDACTED]

I trust this is in order and will advise as matters progress.

Regards,

Greg

Greg O'Donnell | Acting Director of Services
Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98
☎ (090) 663 7174 ✉ GODonnell@roscommoncoco.ie
🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council

Designated Public Official under the Regulation of Lobbying Act 2015



From: Lorraine Mitchell <lmitchell@offalycoco.ie>
Sent: Wednesday 7 August 2024 16:12
To: Alan Dunney <adunney@kildarecoco.ie>; Aoife Brangan <abrangan@kildarecoco.ie>;
ambrose.clarke@westmeathcoco.ie; Louise Kiernan <lkiernan@longfordcoco.ie>; jbrannigan@longfordcoco.ie;
Angela McEvoy <amcevoy@laoiscoco.ie>; 'dohara@laoiscoco.ie' <dohara@laoiscoco.ie>; 'vlough@galwaycoco.ie'
<vlough@galwaycoco.ie>; lhanrahan@galwaycoco.ie; Mary Grier <MGrier@roscommoncoco.ie>; Greg O'Donnell
<GODonnell@roscommoncoco.ie>; cmconnell@mayococo.ie; jmcmyler@mayococo.ie;
sharon.kennedy@tipperarycoco.ie; Devaney, AnnMarie <annmarie.devaney@tipperarycoco.ie>;

cathaldus.hartin@westmeathcoco.ie

Cc: Andrew Murray <AMurray@offalycoco.ie>; Caroline Dempsey <cdempsey@offalycoco.ie>

Subject: RE: EPA Proposed Direction

Hello all,

Please find attached the Proposed Direction which OCC received for your information.

Kind regards,
Lorraine Mitchell

From: Lorraine Mitchell <lmitchell@offalycoco.ie>

Sent: Wednesday, August 7, 2024 2:34 PM

To: Alan Dunney <adunney@kildarecoco.ie>; Aoife Brangan <abrangan@kildarecoco.ie>;
ambrose.clarke@westmeathcoco.ie; :cathaldus.hartin@westmeathcoco.ie <cathaldus.hartin@westmeathcoco.ie>;
Louise Kiernan <lkiernan@longfordcoco.ie>; jbrannigan@longfordcoco.ie; Angela McEvoy <amcevoy@laoiscoco.ie>;
'dohara@laoiscoco.ie' <dohara@laoiscoco.ie>; 'vlough@galwaycoco.ie' <vlough@galwaycoco.ie>;
lhanrahan@galwaycoco.ie; mgrier@roscommoncoco.ie; godonnell@roscommoncoco.ie; cmcconnell@mayococo.ie;
jmcmyler@mayococo.ie; sharon.kennedy@tipperarycoco.ie; anne-mariedevaney@tipperarycoco.ie

Cc: Andrew Murray <AMurray@offalycoco.ie>; Caroline Dempsey <cdempsey@offalycoco.ie>

Subject: EPA Proposed Direction

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Dear all,

Ourselves (OCC) and Kildare have received this proposed direction under the EPA Act. The proposed directions were preceded by S. 63(1) notices. In our case, EPA had sought a response by 2nd Aug. Can you let us know if your county has also received them? If you know of a county not copied herein who may have received such correspondence from EPA, let us know too thanks.

We have engaged Leahy Reidy Solicitors (Gerard Reidy) to advise and in turn Gerard has brought Dermot Flanagan SC on board. Dermot is preparing a draft response. [REDACTED]

OCC's A/DOS has engaged with Colin Ryan in DHLGH who will come back to him after leave (w/c 5th Aug.) with the best contact point in the Dept.

Proposal:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]

Kind regards,

Lorraine Mitchell

Pleanálaí Sinsearach Gníomhach, An Roinn Pleanáil
Acting Senior Planner, Planning Department

Comhairle Contae Uíbh Fhailí

Áras an Chontae, Bóthar an Rátha, Tulach Mhór, Co. Uíbh Fhailí, R35 F893

Offaly County Council

Áras an Chontae, Charleville Road, Tullamore, Co. Offaly, R35 F893

T. +353 57 9346800 | E. lmitchell@offalycoco.ie | W. Offaly.ie



Comhairle Chontae Uíbh Fhailí
Offaly County Council

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www.spiritofbrigid.ie



Tá an ríomhphost seo príobháideach agus ní ceadmhach úsáid an ríomhphoist seo d'éinne ach don té ar seoladh chuige é. D'fhéadfadh go mbeadh eolas ann atá faoi phribhléid agus rúnda de réir an dlí. Muna duit an ríomhphost seo, déan teagmháil leis an seoltóir chomh luath agus is féidir. D'fhéadfadh nach iad tuairimí Chomhairle Contae Chill Dara na tuairimí atá curtha in iúl sa ríomhphost seo. Déanann Comhairle Contae Chill Dara iarracht ríomhphoist a chosaint ó víris. Mar sin féin, moltar duit gach ríomhphost a scanadh, mar

ní ghlacann an Chomhairle aon dliteanas i leith damáiste do do chórais. Le haghaidh eolas ar do chearta príbháideachta agus ar conas a bhainistímid sonraí pearsánta, logáil isteach ar <https://scanner.topsec.com/?d=1424&r=show&u=https%3A%2F%2Fkildarecoco.ie%2FYourCouncil%2FOvernanceandCompliance%2FDataProtection%2F&t=9049ce10de41f63072c1541f7ee63eddeafe46c1> Chun do chuid sonraí pearsanta a nuashonrú cuir ríomhphost chugainn ag customercare@kildarecoco.ie Caithfidh tú deis a thógáil don Chomhairle cé thú féin a chinntiú trí cruthúnas céannachta agus/nó seoladh a sholáthar, sula ndéanaimid aon athruithe.

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Environmental Protection Agency
Regional Inspectorate, McCumiskey House,
Richview, Clonskeagh Road, Dublin 14
T: +353 1 2680100
F: +353 26800199
E: info@epa.ie
W: www.epa.ie

ENVIRONMENTAL PROTECTION AGENCY

Terms of a Proposed Direction issued pursuant to Section 63(3)(c) of the Environmental Agency Protection Act 1992 ("the 1992 Act") proposed to be issued pursuant to section 63(5) of the 1992 Act, relating to commercial peat extraction.

BY REGISTERED POST

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

FAO: Ms Anna Marie Delaney, Chief Executive

EPA Reference: Unauthorised Commercial Peat Extraction

The Environmental Protection Agency ("the Agency") has carried out an assessment under Section 63(2) of the 1992 Act in relation to unauthorised commercial peat extraction in Co. Offaly. This included an assessment of the various reports and documentation provided by the Local Authority in relation to the Agency's requests for information under Section 63(1) of the 1992 Act.

[Redacted text block]

1. [Redacted list item]

[Redacted]

2. [Redacted]

a. [Redacted]

b. [Redacted]

c. [Redacted]

d. [Redacted]

e. [Redacted]

f. [Redacted]

g. [Redacted]

h. [Redacted]

i. [Redacted]

3. [Redacted]

4. [Redacted]

5. [Redacted]

The Agency, pursuant to Section 63(4) of the 1992 Act, hereby requests that you submit any observations to the Agency in relation to this Proposed Direction by 2nd August 2024. The Agency reminds you of the requirement to comply with Section 63 of the 1992 Act as attached.

Dated this 5th day of July 2024

Signed on behalf of the Agency:

Pamela McDonnell

Pamela Mc Donnell

Programme Manager

Office of Environmental Enforcement

Appendix 1 - Full Terms of Section 63 EPA Act 1992

(1) The Agency may request a local authority to furnish, within a specified period, to it information in relation to the performance by the authority, either generally or in a specific case, of a statutory function of that authority in relation to environmental protection and the authority shall comply with such a request.

(2) The Agency may, having notified the local authority of its intention to do so, carry out an assessment of the performance by a local authority, either generally or in a specific case, of a statutory function of that authority in relation to environmental protection; for that purpose the authority shall comply with any request for the furnishing to the Agency of information, records or reports or the results of any monitoring by the authority, or, in connection with the foregoing, the affording to the Agency of access to any premises occupied by the authority, made by the Agency during the course of such assessment.

(3) Having exercised its powers under subsection (1) or (2), and having considered any information furnished to, or otherwise coming into the possession of, it in consequence of that exercise, the Agency may, with a view to ensuring the satisfactory performance by the local authority concerned of the function in question, do all or any of the following—

(a) issue such advice and recommendations to the authority as it considers necessary,

(b) provide, on such terms and conditions as may be agreed, such assistance, support or guidance as the Agency considers, in consultation with the authority, would be helpful,

(c) without prejudice to any of its powers under this Act or any other enactment, issue to the authority the terms of a direction ("the proposed direction") it proposes to issue, under subsection (5), to the authority requiring it to carry out, cause to be carried out, or arrange for, within a specified period, such action related to the function in question as the Agency considers necessary for the purposes of environmental protection.

(4) The proposed direction shall specify a period within which the local authority may make observations to the Agency in relation to the proposal to make the direction (and the authority may make such observations within that period accordingly).

(5) After the expiration of the period referred to in subsection (4) and consideration of any observations made by the local authority under that subsection, the Agency may confirm, with or without modification, or decide not to confirm its proposal to make the direction concerned, and, in a case where the proposal is confirmed, the Agency shall issue to the authority the direction concerned accordingly and the authority shall comply with the direction within the period specified therein.

(6) Notwithstanding anything in this section, where the Agency is of the opinion that the failure of a local authority to perform in a satisfactory manner a statutory function of the authority in relation to environmental protection is resulting in significant environmental pollution, or in a real and imminent risk of such pollution, the Agency may direct the authority to carry out, cause to be carried out, or arrange for, within a specified period, such action related to the function in question as the Agency considers necessary for the purposes of preventing, limiting, eliminating, abating or reducing such pollution, and the authority shall comply with such a direction.

(7) Where a local authority fails to comply with a direction issued under subsection (5) or (6), the Agency may carry out, cause to be carried out, or arrange for, such action related to the function in question as it considers necessary to ensure compliance with the direction and the costs of such action may be recovered by the Agency from the authority as a simple contract debt in any court of competent jurisdiction.

(8) A local authority shall be guilty of an offence if it—

(a) fails to comply with a request under subsection (1) or (2), or

(b) fails to comply with a direction under subsection (5) or (6).

(9) The Minister may, with the consent of such other (if any) Minister of the Government as the Minister considers appropriate having regard to the functions of that other Minister, make regulations enabling the Agency to exercise, in relation to a public authority (other than a local authority within the meaning of this section) that, in the opinion of the Minister, performs a statutory function in relation to environmental protection, the powers conferred on the Agency by this section in relation to a local authority.

(10) Nothing in this section shall be construed as enabling the Agency to exercise any power or control under this section in relation to the making of a decision on an application for a permission under section 34 of the Act of 2000.

(11) In this section, "local authority" has the meaning assigned to it by the Local Government Act 2001.

Brian Duffy

10

From: Mary Grier
Sent: Thursday 8 August 2024 11:16
To: Greg O'Donnell
Subject: RE: EPA Proposed Direction
Attachments: Information request re. unauthorised peat extraction - Section 63 of the EPA Act

Hi Greg,

Just for accuracy (and in accordance with the CE's specific request), the apology for the delayed response and the request for more time was issued by e-mail (see attached). To date I have not received any response from any of the recipients in the EPA. As far as I understand, a separate letter was also going to issue to the EPA from the CE's Office.

Regards,
Mary

Mary Grier,
Senior Planner,
Roscommon County Council,
Email: mgrier@roscommoncoco.ie
Web: www.roscommoncoco.ie
Tel : +353 90 6632511

From: Greg O'Donnell <GODonnell@roscommoncoco.ie>
Sent: Thursday 8 August 2024 10:46
To: Caitlin Conneely <CConneely@roscommoncoco.ie>; Shane Tiernan <STiernan@roscommoncoco.ie>
Cc: Mary Grier <MGrier@roscommoncoco.ie>
Subject: FW: EPA Proposed Direction
Importance: High

Dear All,

As you know, Mary had verbally requested a time extension to respond to the EPA's first request for information. That request has been overtaken by a Direction issued to Roscommon, Westmeath, Kildare and Offaly and maybe other Counties. Offaly has taken the lead [REDACTED].
[REDACTED] Mary will contact her counterpart in Offaly [REDACTED].
[REDACTED]

I trust this is in order and will advise as matters progress.

Regards,

Greg

Greg O'Donnell | Acting Director of Services
Áras an Chontae, Roscommon, Co. Roscommon. F42 VR98
☎ (090) 663 7174 ✉ GODonnell@roscommoncoco.ie
🌐 www.roscommoncoco.ie



Comhairle Contae
Ros Comáin
Roscommon
County Council

Designated Public Official under the Regulation of Lobbying Act 2015



From: Lorraine Mitchell <lmitchell@offalycoco.ie>
Sent: Wednesday 7 August 2024 16:12
To: Alan Dunney <adunney@kildarecoco.ie>; Aoife Brangan <abrangan@kildarecoco.ie>;
ambrose.clarke@westmeathcoco.ie; Louise Kiernan <lkiernan@longfordcoco.ie>; jbrannigan@longfordcoco.ie;
Angela McEvoy <amcevoy@laoiscoco.ie>; 'dohara@laoiscoco.ie' <dohara@laoiscoco.ie>; 'vlough@galwaycoco.ie'
<vlough@galwaycoco.ie>; lhanrahan@galwaycoco.ie; Mary Grier <MGrier@roscommoncoco.ie>; Greg O'Donnell
<GODonnell@roscommoncoco.ie>; cmccconnell@mayococo.ie; jmcmlyer@mayococo.ie;
sharon.kennedy@tipperarycoco.ie; Devaney, AnnMarie <annmarie.devaney@tipperarycoco.ie>;
cathaldus.hartin@westmeathcoco.ie
Cc: Andrew Murray <AMurray@offalycoco.ie>; Caroline Dempsey <cdempsey@offalycoco.ie>
Subject: RE: EPA Proposed Direction

Hello all,

Please find attached the Proposed Direction which OCC received for your information.

Kind regards,
Lorraine Mitchell

From: Lorraine Mitchell <lmitchell@offalycoco.ie>
Sent: Wednesday, August 7, 2024 2:34 PM
To: Alan Dunney <adunney@kildarecoco.ie>; Aoife Brangan <abrangan@kildarecoco.ie>;
ambrose.clarke@westmeathcoco.ie; cathaldus.hartin@westmeathcoco.ie <cathaldus.hartin@westmeathcoco.ie>;
Louise Kiernan <lkiernan@longfordcoco.ie>; jbrannigan@longfordcoco.ie; Angela McEvoy <amcevoy@laoiscoco.ie>;
'dohara@laoiscoco.ie' <dohara@laoiscoco.ie>; 'vlough@galwaycoco.ie' <vlough@galwaycoco.ie>;
lhanrahan@galwaycoco.ie; mgrier@roscommoncoco.ie; godonnell@roscommoncoco.ie; cmccconnell@mayococo.ie;
jmcmlyer@mayococo.ie; sharon.kennedy@tipperarycoco.ie; anne-mariedevaney@tipperarycoco.ie
Cc: Andrew Murray <AMurray@offalycoco.ie>; Caroline Dempsey <cdempsey@offalycoco.ie>
Subject: EPA Proposed Direction

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We have engaged Leahy Reidy Solicitors (Gerard Reidy) to advise and in turn Gerard has brought Dermot Flanagan SC on board. Dermot is preparing a draft response. [REDACTED]

OCC's A/DOS has engaged with Colin Ryan in DHLGH who will come back to him after leave (w/c 5th Aug.) with the best contact point in the Dept. [REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Proposal:

1. [REDACTED]
2. [REDACTED]
3. [REDACTED]
4. [REDACTED]

Kind regards,

Lorraine Mitchell

Pleanálaí Sinsearach Gníomhach, An Roinn Pleanáil
Acting Senior Planner, Planning Department

Comhairle Contae Uíbh Fhailí
Áras an Chontae, Bóthar an Rátha, Tulach Mhór, Co. Uíbh Fhailí, R35 F893
Offaly County Council
Áras an Chontae, Charleville Road, Tullamore, Co. Offaly, R35 F893

T. +353 57 9346800 | E. lmitchell@offalycoco.ie | W. Offaly.ie



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eolais san ríomhphost seo, agus in aon ceanglín leis, faoi phribhléid agus faoi rún agus le h-agmaigh an seolaí amháin. D'fhéadfadh ábhar an seoladh seo bheith faoi phribhléid profisiúnta nó dlíthiúil. Mura tusa an seolaí a bhí beartaithe leis an ríomhphost seo a fháil, tá cosc air, nó aon chuid de, a úsáid, a chóipeál, nó a scaoileadh. Má tháinig sé chugat de bharr dearmad, téigh i dteagmháil leis an seoltóir agus scríos an t-ábhar ó do ríomhaire le do thoil.

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Brian Duffy

From: Mary Grier
Sent: Wednesday 24 July 2024 15:06
To: a.jordan@epa.ie
Cc: Chief Executive; Mick Henry; Patrick Byrne
Subject: Information request re. unauthorised peat extraction - Section 63 of the EPA Act
Attachments: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra ; S63(1) Roscommon Co Co - Monksland and Kilnamanagh ; S63(1) Roscommon Co Co - Drumerr; S63(1) Roscommon Co Co - Cornaveagh; S63(1) Roscommon Co Co - Assaun and Castletown ; S63(1) Roscommon Co Co - Aghafin Co. Roscommon

Tracking:	Recipient	Delivery
	a.jordan@epa.ie	
	Chief Executive	
	Mick Henry	
	Patrick Byrne	
	CCollins@roscommoncoco.ie	Delivered: 24/07/2024 15:10

Dear Ms Jordon,

I am writing in respect of the 6 no. attached communications from your office, received on 2nd May 2024, being notices issued under Section 63 (1) of the Environmental Agency Protection Act 1992 and requesting information relating to peat extraction at 6 identified locations in County Roscommon. Upon receipt of the notices, I was requested by Mr Shane Tiernan, Chief Executive, Roscommon County Council, to collate the requested information and issue responses to same.

I wish to sincerely apologise that I have not to date communicated with your offices on this matter. It had been my intention following receipt of the correspondence and noting the response deadline stipulated on 31st May 2024, to engage with the EPA to request an extension to the period for response, in order to manage the collation of the information amidst other significant bodies of on-going work and limited staff resources in the Planning Department. The practical challenge in adhering to a short response timeframe was outlined to EPA colleagues earlier on 2nd May 2024 in the course of an MS Teams conference call. Regrettably, due to workload, I neglected to issue a communication in response to the 6 no. notices to outline the position and to request an extension to the period for response. (Notwithstanding this, some work has been undertaken in the intervening time in assembling the information requested, but collation of this has not been completed).

I understand that further correspondence issued to Mr Tiernan earlier this week in relation to this matter, referring to the lack of response and requesting further response by 14th August 2024. I wish to assure you that it has been Roscommon County Council's intention from the outset to fully co-operate with the EPA's requests. This remains the case. However, in light of continuing increased workload and staff shortages, which are further compounded at the present time by summer annual leave arrangements, may I please request an extended time period to respond to the 6 no. notices, to mid-September.

In closing, I wish to again sincerely apologise for my lack of communication following initial receipt of the notices, and for any delay this has caused to the important work of the EPA in pursuing the appropriate environmental protection of peatlands. In the event that you are not the correct person to direct my belated request for a time extension, I would be grateful if you could advise to whom I should make the request.

Yours sincerely,
Mary Grier

Mary Grier
Senior Planner,
Roscommon County Council,
Email: mgrier@roscommoncoco.ie
Web: www.roscommoncoco.ie
Tel : +353 90 6632511



Comhairle Contae
Ros Comáin
Roscommon
County Council



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra
Attachments: S63(1) Roscommon Co Co - Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra Co. Roscommon (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 Derryhaurran East, Derryhaurran West, Churchquarter and Cloonconra Co. Roscommon** (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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:22
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Monksland and Kilnamanagh
Attachments: S63(1) Roscommon Co Co - Monksland and Kilnamanagh .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Monksland and Kilnamanagh Co. Roscommon [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 Monksland and Kilnamanagh Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Drumerr
Attachments: S63(1) Roscommon Co Co - Drumerr.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Drumerr Co. Roscommon [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 Drumerr Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1

Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:21
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Cornaveagh
Attachments: S63(1) Roscommon Co Co - Cornaveagh.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at **or about Cornaveagh, Co. Roscommon** [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 Cornaveagh, Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:20
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Assaun and Castletown
Attachments: S63(1) Roscommon Co Co - Assaun and Castletown .pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidmiú Réigiúnach na Ceadúnais
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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Assaun and Castletown Co. Roscommon [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 Assaun and Castletown Co. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1



 **Assau**
Riverview, Co. Roscommon  
S3 601566, B 219195

Brian Duffy

From: Annette Jordan <a.jordan@epa.ie>
Sent: Thursday 2 May 2024 16:19
To: Chief Executive
Cc: Mary Grier; Mick Henry; Patrick Byrne
Subject: S63(1) Roscommon Co Co - Aghafin Co. Roscommon
Attachments: S63(1) Roscommon Co Co - Aghafin.pdf

Dear Mr. Tiernan,
Please see attached letter for your information and follow up as appropriate.
Kind regards
Annette Jordan

Annette Jordan

Programme Officer, Regional Licence Enforcement
Office of Environmental Enforcement, Castlebar
Oifigeach Cláir, Forfheidhmiú Réigiúnach na Ceadúnais
An Oifig um Fhorfheidhmiú Comhshaoil, Caisleán an Bharraigh



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ENVIRONMENTAL PROTECTION AGENCY

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

BY REGISTERED POST

To: Roscommon County Council (the "Local Authority")

FAO: Mr. Shane Tiernan, 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 Roscommon**:

1. Reports of investigations carried out into peat extraction (including any related drainage of bogland) at or about Aghafin Co. Roscommon [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 AghafinCo. Roscommon** [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 31st May 2024 to m.henry@epa.ie.

Dated this 2nd day of May 2024

Signed on behalf of the Agency:



Patrick Byrne

Programme Manager

Office of Environmental Enforcement

Appendix 1

