

ZERO WASTE ALLIANCE IRELAND

Towards Sustainable Resource Management



Submission by ZWAI to the Northern Ireland Department for Infrastructure in Response to the Transboundary Consultation on a Proposed Dalradian Gold Mine Project in the Sperrin Mountains, County Tyrone

Ref: SPD/2017/1249F and LA10/2017/1249/F

23 April 2025

**Zero Waste Alliance Ireland is funded by the Department of the
Environment, Climate and Communications through the Irish Environmental
Network, and is a member of**



and



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23 April 2025

Department for Infrastructure Northern Ireland,
James House,
2-4 Cromac Avenue,
The Gasworks,
Belfast,
BT7 2JA

By email to planning@infrastructure-ni.gov.uk

Dear Sir / Madam,

Transboundary EIA Public Consultation on the Proposed Gold Mine Project in the Sperrin Mountains, County Tyrone

Submitted By Zero Waste Alliance Ireland to the Department for Infrastructure Northern Ireland

Refs: SPD/2017/1249F and LA10/2017/1249/F

In response to the invitation by the Department for Infrastructure Northern Ireland, and by the Minister for Housing, Local Government and Heritage, in Ireland, to make submissions, observations and comments on the transboundary and other environmental consequences of the proposed gold mining application, we are attaching a submission prepared by and on behalf of Zero Waste Alliance Ireland (ZWAI).

ZWAI is very pleased to have the opportunity to respond to this important public consultation; and, even though our principal interest and aims are the reduction and elimination of every form of waste, we recognise the importance of ensuring that this type of large-scale mining operation should be properly assessed in compliance with all relevant EU Directives and International Conventions.

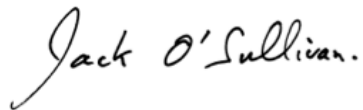
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Directors: Jack Coffey (Chairman), Jack O'Sullivan (Vice-Chairman), Claire Keating (Hon. Treasurer), Ollan Herr (Hon. Vice-Treasurer), Craig Tobin Dower (Hon. Secretary), Luke Fagan, Sara Borkent.

We therefore see this public consultation as a welcome opportunity to provide observations on a very significant proposed development in which Zero Waste Alliance Ireland has a major concern interest.

We look forward to your acknowledgement of the submission, and to seeing in due course that planning consent for the proposed mine has been refused.

Yours sincerely,



Jack O'Sullivan

Zero Waste Alliance Ireland

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Refs: SPD/2017/1249F and LA10/2017/1249/F

1. INTRODUCTION

1.1 Transboundary Issues and the Need for a Public Consultation

On 30 January 2025, the Minister for Housing, Local Government & Heritage, Ireland, received a statutory notification from the Northern Ireland Department for Infrastructure (DfI) in connection with development consent applications for the proposed Dalradian Gold Mine Project, together with an invitation to participate in a transboundary EIA consultation in relation to this proposed mining project. The reason for the notification was that the environmental screening process had identified potential transboundary issues for Ireland, especially because of potentially adverse environmental impacts on the River Finn in County Donegal.

On 20 February, following consultation with experts on potential transboundary impacts of the proposed mining development, the Minister for Housing, Local Government & Heritage accepted the invitation to participate in a transboundary EIA consultation. This public consultation is being held in accordance with article 132 of the Planning and Development Regulations 2001-2024.

In accordance with the provisions of the 1991 United Nations Economic Commission for Europe Convention on Environmental Impact Assessment in a Transboundary Context ("the Espoo Convention"), transboundary States are required to engage in transboundary consultations as part of the environmental impact assessment of a proposed development, including consultation with members of the public, in connection with any project likely to have significant

effects on the environment of neighbouring States. For this purpose, the transboundary State in the territory of which the project is intended to be carried out is required to send to the affected State, no later than when informing its own public, a description of the project and any available information on its possible transboundary impact.

As noted above, the Department of Housing, Local Government and Heritage recently received information in the form of a letter of notification dated 30 January 2025 from the NI DfI, which briefly described three applications for development consent for the proposed Dalradian Gold Mine Project, currently under consideration in the Northern Ireland planning process. These include an application for planning permission to explore for, and to extract, underground minerals, and two applications for the construction of a 33kV overhead electric power line, and an underground cable to provide electrical power to the proposed gold mine. This mine, if granted planning permission, would be located in County Tyrone, approximately 15 km northeast of the town of Omagh (*Ómaigh*), 7 km east of the village of Gortin (*Gortín*), and between the settlements of Rousky (*Rúscaigh*) and Greencastle (*An Caisleán Glas*) on the southern edge of the Sperrin Mountains.

The Northern Ireland Department for Infrastructure has determined that the proposed development requires an environmental impact assessment and therefore the necessary environmental impact statements on the above applications have been published. The initial screening exercise has determined that the proposed development may have transboundary environmental impacts in Ireland concerning the River Finn which flows into County Donegal.

The proposed mining development, if granted planning permission, would be extremely polluting; and, of more immediate and direct interest to ZWAI, gold mining generates incredible quantities of waste, principally finely-ground rock contaminated by the mixture of chemicals used to extract the gold. It is important to note that this waste will remain forever, with adverse effects on the landscape, water pollution (surface and groundwater) and on the communities living in and around the mining area.

According to the information provided in the relevant planning application documents, details of the proposed development have been changed several times since the gold mine was first proposed in 2017, but the current proposal would involve mining, extracting and crushing between 1,200 and 1,700 tonnes of rock per day, extracting 8.7 million tonnes of rock; and producing 15.9 million tonnes of waste rock and 8.25 million tonnes of tailings, some of which would be deposited back into the proposed mine. The mining operation would require 15.9 m³/hr of fresh water, 8,000,000 kWhr/year of electricity and 3.3 million litres of diesel fuel per annum; all of which would have adverse impacts on climate.

Given the scale, location and potential environmental impact of this proposed development, Zero Waste Alliance Ireland has decided to respond to this public participation.

2. ZERO WASTE ALLIANCE IRELAND (ZWAI)

At this point we consider that it is appropriate to mention briefly the background, aims, activities, policies and strategy of ZWAI, and to mention briefly some of our previous submissions to Irish Government departments and to the European Commission.

2.1 Origin and Early Activities of ZWAI

Zero Waste Alliance Ireland (ZWAI), established in 1999, and registered as an Irish company limited by guarantee in 2004, is a Non-Government Environmental Organisation (eNGO) and a charity registered in Ireland. ZWAI has prepared and submitted to the European Commission, the Irish Government and to Irish State Agencies many policy documents on waste management and waste elimination, and continues to lobby the Irish Government and the European Commission on using resources more sustainably, on promoting re-use, repair and recycling, and on development and implementation of the Circular Economy.

One of our basic guiding principles is that human societies must behave like natural ecosystems, living within the sustainable flow of energy from the sun and plants, producing no materials or objects which cannot be recycled back into the earth's systems, or reused or recycled into our technical systems, and should be guided by economic systems and practices which are in harmony with personal and ecological values.

Our principal objectives are:

- i) sharing information, ideas and contacts,
- ii) finding and recommending environmentally sustainable and practical solutions for domestic, municipal, industrial and agricultural waste management, and for more efficient and ecologically appropriate uses of natural resources such as scarce minerals, water and soil;
- iii) lobbying Government and local authorities to implement environmentally sustainable waste management practices, including clean production, elimination of toxic substances from products, re-use, repairing, recycling, segregation of discarded materials at source, and other environmentally and socially beneficial practices;

- iv) lobbying Government to follow the best international practice and EU recommendations by introducing fiscal and economic measures designed to penalise the manufacturers of products which cannot be re-used, recycled or composted at the end of their useful lives, and to financially support companies making products which can be re-used, repaired, recycled or are made from recycled materials;
- v) raising public awareness about the long-term damaging human and animal health and economic consequences of landfilling and destruction by mass burning or incineration of potentially recyclable or re-usable materials;
- vi) investigating, raising public awareness and lobbying Irish Government departments and agencies about our country's failure to take adequate care of vulnerable and essential natural resources, including clean water and air, biodiversity, and soil;
- vii) advocating changes in domestic and EU legislation to provide for more ecologically appropriate, environmentally sustainable and efficient uses of natural resources; and,
- viii) maintaining contact and exchanging information with similar NGOs and national networks in the European Union and in other countries, and with international zero waste organisations.

2.2 Our Basic Principles

Human communities must behave like natural ones, living comfortably within the natural flow of energy from the sun and plants, producing no wastes which cannot be recycled back into the earth's systems, and guided by new economic values which are in harmony with personal and ecological values.

In nature, the waste products of every living organism serve as raw materials to be transformed by other living creatures, or benefit the planet in other ways. Instead of organising systems that efficiently dispose of or recycle our waste, we need to design systems of production that have little or no waste to begin with.

There are no technical barriers to achieving a "*zero waste society*", only our habits, our greed as a society, and the current economic structures and policies which have led to the present multiple environmental, social and economic crises.

"*Zero Waste*" is a realistic whole-system approach to addressing the problem of society's unsustainable resource flows – it encompasses waste elimination at source through product design and producer responsibility, together with waste reduction strategies further down the supply chain, such as cleaner production, product repairing, dismantling, recycling, re-use and composting.

ZWAI strongly believes that Ireland and other Member States, and the EU as a whole, should have a policy of not sending to other countries our discarded materials for further treatment or recycling, particularly to developing countries where local populations are being exposed to dioxins and other very toxic POPs. Relying on other countries' infrastructure to achieve our "recycling" targets is not acceptable from a global ecological and societal perspective.

2.3 What We are Doing

Our principal objective is to ensure that government agencies, local authorities and other organisations will develop and implement environmentally sustainable resources and waste management policies, especially resource efficiency, waste reduction and elimination, the promotion of re-use, repair and recycling, and the development and implementation of the Circular Economy.

As an environmental NGO, and a not-for-profit company with charitable status since 2005, ZWAI also campaigns for the implementation of the **UN Sustainable Development Goals**, including (but not limited to) Goal 12, Responsible Consumption and Production; Goal 6, Clean Water and Sanitation (having particular regard to the need to avoid wasting water, and to wasting nutrients contained in our wastewater); and Goal 15, to protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, to halt and reverse land degradation and to halt biodiversity loss.

In responding to many public consultations, members of ZWAI have made submissions and given presentations on:

- How Ireland, the European Union and the Irish food industry should address the problems of single-use plastic packaging and plastic waste (March & Nov. 2019);
- Transforming the construction industry so that it could become climate-neutral (instead of being a major emitter of greenhouse gases & toxicants);
- Observations on the general scheme of the Irish Government's Circular Economy Bill (October 2021);
- Several observations and submissions addressing the need for recovery and reuse of the phosphorus and nitrogen content of wastewater (2019 to 2023);
- Observations to the European Commission on a proposed revision of the EU Regulation on Shipments of Waste (January 2022);
- Feedback to the European Commission on a proposed Directive on Soil Health – Protecting, Sustainably Managing and Restoring EU Soils (March 2022);¹

¹ <https://www.zwai.ie/resources/2022/protecting-sustainably-managing-and-restoring-eu-soils/>

- Submission in response to a public consultation on the review of Ireland's security of energy supplies (October 2022);²
- Submission in response to a public consultation on Ireland's Fourth National Biodiversity Action Plan (November 2022);³
- Submission in response to a public consultation on Ireland's National Bioeconomy Action Plan 2023-2025 (January 2023);⁴
- Submission in response to a public consultation on Ireland's draft Waste Management Plan for a Circular Economy (July 2023);⁵
- Submission in response to a public consultation on the problem of disposable vaping devices (July 2023);⁶
- Observations and recommendations on the rapidly increasing European and global problem of waste electronic & electric equipment (WEEE, Sept. 2023);⁷
- Observations to the European Commission on a Proposed EU Directive on Soil Monitoring and Resilience (November 2023);⁸
- Observations on the Irish Government's draft Green Public Procurement Strategy & Plan (November 2023);⁹

² Submission to the Department of the Environment, Climate and Communications in Response to the Public Consultation on a Review of the Security of Energy Supply of Ireland's Electricity and Natural Gas Systems; <https://www.zwai.ie/resources/2022/public-consultation-on-a-review-of-the-security-of-energy-supply-of-irelands-electricity-and-natural-gas-systems/>

³ <https://www.zwai.ie/resources/2022/submission-to-the-department-of-housing-local-government-and-heritage-in-response-to-the-public-consultation-on-irelands-fourth-national-biodiversity-action-plan-nbap/>

⁴ <https://www.zwai.ie/resources/2023/zwai-submission-on-irelands-national-bioeconomy-action-plan-2023-2025/>

⁵ Submission to the Regional Waste Management Planning Offices on the draft Waste Management Plan for a Circular Economy; ZWAI, 05 July 2023: <https://www.zwai.ie/resources/2023/submission-on-the-draft-waste-management-plan-for-a-circular-economy/>

⁶ Submission to the Department of the Environment, Climate and Communications in Response to the Department's Public Consultation on Disposable Vaping Devices; ZWAI, 27 July 2023: <https://www.zwai.ie/resources/2023/submission-to-the-decc-on-disposable-vapes-and-why-they-should-be-banned/>

⁷ Submission by ZWAI to the European Commission on Waste from Electrical and Electronic Equipment — Evaluating the EU Rules; ZWAI, 22 September 2023. <https://www.zwai.ie/resources/2023/waste-from-electrical-and-electronic-equipment-weee-evaluating-eu-rules/>

⁸ Observations and Feedback to the European Commission on the Proposed EU Directive on Soil Monitoring and Resilience; ZWAI, 03 November 2023. <https://www.zwai.ie/resources/2023/submission-on-the-proposed-eu-directive-on-soil-monitoring-and-resilience/>

⁹ <https://www.zwai.ie/resources/2023/submission-to-the-decc-on-the-draft-green-public-procurement-strategy-and-action-plan/>

- Observations and feedback to the European Commission on the proposed revision of the EU Waste Framework Directive (November 2023);¹⁰
- Observations & feedback to the European Commission on revision of Directives 2000/53/EC & 2005/64/EC on End-of-Life Vehicles (December 2023);¹¹
- Submission by ZWAI to the Department of the Environment, Climate and Communications in response to the Department's public consultation on proposed amendments to the Access to Information on the Environment (AIE) Regulations 2007-2018 (January 2024);¹²
- Response to the first Public Consultation by the Department of the Environment, Climate and Communications on Ireland's draft National Energy and Climate Plan (March 2024);¹³
- Submission by ZWAI to the European Commission in response to the Commission's public consultation on the evaluation of the Nitrates Directive (91 / 676 / EEC) on Protection of Waters against Pollution caused by Nitrates from Agricultural Sources (March 2024);¹⁴
- Response to the second Public Consultation by the Department of the Environment, Climate and Communications on Ireland's updated draft National Energy and Climate Plan (June 2024);¹⁵
- Submission by ZWAI to the European Commission in response to the Commission's public consultation on proposed ecodesign and ecolabelling requirements for computers (July 2024);¹⁶
- Submission by ZWAI and the Waterford Environmental Forum to the Department of Transport in response to the Department's Public Consultation:

¹⁰ <https://www.zwai.ie/resources/2023/observations-and-feedback-to-the-european-commission-on-the-proposed-revision-of-the-eu-waste-framework/>

¹¹ <https://www.zwai.ie/resources/2023/end-of-life-vehicles-observations-and-feedback-to-the-european-commission/>

¹² <https://www.zwai.ie/resources/2024/submission-to-the-decc-on-the-proposed-amendments-to-the-access-to-information-on-the-environment-aie-regulations-2007-2018/>

¹³ <https://www.zwai.ie/resources/2024/submission-by-zwai-to-decc-on-irelands-national-energy-climate-plan-necp/>

¹⁴ <https://www.zwai.ie/resources/2024/submission-by-zwai-to-the-eu-public-consultation-on-the-evaluation-of-the-nitrates-directive/>

¹⁵ <https://www.zwai.ie/resources/2024/draft-update-of-irelands-national-energy-and-climate-plan-necp-submission-by-zwai-to-decc/>

¹⁶ <https://www.zwai.ie/resources/2024/ecodesign-and-ecolabelling-requirements-for-computers-zwai-submission-to-eu-commission-ecodesign-and-ecolabelling-requirements-for-computers/>

“Moving Together – A Strategic Approach to Improving the Efficiency of the Transport System in Ireland” (August 2024);¹⁷

- Submission by ZWAI to the Irish Department of Housing, Local Government and Heritage in response to the Department’s Public Consultation on Draft Proposed Additional Measures for Ireland’s Fifth Nitrates Action Programme (December 2024);¹⁸
- Submission by ZWAI to the European Commission in response to the Commission’s public consultation on the European Union Ocean Pact, emphasising the importance of Europe’s surrounding seas and the Atlantic ocean, and their fundamental in sustaining life on our planet (February 2025);¹⁹ and,
- Submission by ZWAI to the Department of the Environment, Climate and Communications, in response to a public consultation on Ireland’s draft National Implementation Report 2025 to the Aarhus Convention Secretariat (April 2025).²⁰

It will be clear that ZWAI is concerned with the very serious issues of discarded substances, materials, water and energy, whether from domestic, commercial or industrial sources, how these become “waste”, and how such “waste” may be prevented by re-design along ecological principles. ZWAI is also very concerned about the effectiveness and appropriateness of Irish and EU policies, legislation, programmes and plans which are the prime determinants of how these “wastes” are managed, controlled and monitored for environmental and societal benefits.

In-depth examination and analysis of national policies have made us very aware of the many disconnections and conflicts between economic, environmental, land-use planning and social policies, frequently resulting in failure to implement necessary changes. While making the submissions listed above, we have welcomed many proposed policy changes; but at the same time we have also considered that it was very necessary to evaluate all proposals in the context of what is best for the environment and society.

ZWAI is represented on the Irish Government’s Water Forum (An Fóram Uisce), is a member of the Irish Environmental Network and the Environmental Pillar, and

¹⁷ <https://www.zwai.ie/resources/2024/moving-together-a-strategic-approach-to-improving-irelands-transport-system/>

¹⁸ <https://www.zwai.ie/resources/2024/proposed-additional-measures-for-irelands-fifth-nitrates-action-programme-nap/>

¹⁹ <https://www.zwai.ie/resources/2025/eu-oceans-pact-submission-by-zwai/>

²⁰ <https://www.zwai.ie/resources/2025/aarhus-convention-national-implementation-report-2025/>

is funded by the **Department of the Environment, Climate and Communications** through the **Irish Environmental Network**.

ZWAI is also a not-for-profit company limited by guarantee (Company registration number **394205**), and a registered charity (CRN number **20057244**). Membership has been growing in recent years, and is currently slightly more than 50 individuals, and the company's affairs and activities are supervised by a 6-person Board of Management (Directors), some of whom are regular contributors to submissions, or make presentations at conferences.

In 2019 ZWAI became a full member of the **European Environment Bureau** (EEB); and a member of the **Waste Working Group** of the EEB. Through the EEB, we contribute to the development of European Union policy on waste and the Circular Economy. In November 2021, the EEB established a **Task Force on the Built Environment**; ZWAI is a member of this group, and we contribute to continuing discussions on the sustainability of construction materials, buildings and on the built environment.

3. OUR OBSERVATIONS ON THE PROPOSED GOLD MINE

3.1 Nature of the Proposed Development and Planning Applications

As mentioned briefly in the introduction (section 1) above, several applications have been made by Dalradian Gold, an American-owned company, in the Sperrin Mountains Area of Outstanding Natural Beauty in County Tyrone. These include not only an application for the mine itself, and two applications for the construction of a 33kV overhead electric power line, and an underground cable to provide an electrical connection for the proposed gold mine; but also two Water Abstraction applications, and two applications for Discharge Consents.

Because all of these activities and applications are directly connected with, and necessary for, the operation of the proposed mine, it is our submission that all of eight of them must be considered together as components of a single integrated project, and their effects considered cumulatively. Any other approach would be considered as “project splitting” a practice which the High Court in Ireland and the Court of Justice in the European Union (CJEU) has judged to be unacceptable and in conflict with the EU Directive on Environmental Impact Assessment.

3.2 Failure to Comply with the Requirements of the Aarhus and Espoo Conventions; Inadequate Environmental Impact Assessments

One of our serious concerns about this proposed project is that the obligations under the Aarhus Convention on Access to Information, Public Participation and Access to Justice in Environmental Matters, as well as the Espoo Convention on EIA in a Transboundary Context, have not been properly complied with.

It is our submission that these non-compliances have adverse consequences for the proper and legally robust assessment of transboundary impacts, and therefore on the legal status of the project itself, and on the current transboundary consultation. Identified problems and non-compliances include:

1. A flawed methodology used by the applicant in various EIA reports, from which follow that the transboundary implications have not been adequately assessed;
2. The applicant has not produced the necessary detail, free of gaps and uncertainties, in the EU Habitats Regulation Assessment for the water abstraction and discharge consent applications – a failure which creates serious difficulties and problems in evaluating the information required for transboundary environmental impact assessment of the proposed development on surface waters in County Donegal;

3. The Habitats Regulations Assessment carried out by the applicant has been criticised by the Loughs Agency, by Fermanagh District Council and by Omagh District Council's independent ecologist, for using outdated methodology and not fully assessing the potential risks to nearby Natura 2000 sites, including the River Finn SAC and the River Foyle SAC;
4. The 'screening out' of the Owenreagh River and Pollanroe Burn from the Dalradian "shadow" Habitats Regulations Assessment, despite the presence of Atlantic salmon, a protected species under both jurisdictions in Ireland; leading to our firm conclusion that the environmental impact of the proposed development on this species has not been properly assessed; especially given that the River Foyle and Tributaries SAC is hydrologically connected some 20km downstream from the project site, and given that salmon are a mobile species and are known to have an extensive range through the connected river system from headwaters to mouth, it is our submission that significant impacts on this protected species are possible, or even likely;
5. Failure to take into consideration the destruction of peatlands, which have an important role as carbon sinks, in the Applicant's carbon accounting and climate impact assessment calculations;
6. Failure to explain why the proposed development will require such huge amounts of energy, including 8,000,000 kWhr/year of electricity and 3.3 million litres of diesel fuel per annum; all of which would have adverse impacts on climate, if the proposed mine were to be permitted;
7. Failure to consider the cumulative effects of the combined planning applications, which (if not considered) would amount to "project splitting", as mentioned in section 3.1 above;
8. Failure to utilise the Precautionary Principle when considering potential impacts of the proposed mining development;
9. The overall environmental impact assessment of the proposed mining project, and particularly the transboundary implications of the project and the transboundary impact assessment, do not include the potential impact of the mine on breeding grounds of migratory birds, air pollution by emissions of particulate matter and other atmospheric contaminants, impacts on water quality, and on shared cultural heritage and human rights of impacted communities; and,
10. The applicant's mitigation plans do not conform to Article 6(3) of the EU Habitats Directive.

3.3 Toxicity of Wastes Produced by the Proposed Mining Operation

Zero Waste Alliance Ireland (ZWAI), because of our specific interest in all forms of waste, is especially concerned about the toxic legacy of the proposed gold mining operation, if it were to be granted planning consent.

Dalradian Gold proposes to extract, by using explosives twice daily for 25 years, thousands of tons of rock, which, as stated by the applicant, would be crushed to a fine powder and floated in a chemical mixture to extract the gold ore.

Dalradian proposes to store the waste in a huge 54 metres high “Dry Stack Facility” which is also known as a “Filtered Tailings Stack” in the industry. Technically, it is not “dry” as it contains at least 15% water. This is not a risk-free storage, as this type of mine tailings storage has failed in a significant number of cases, leading to large-scale water pollution and environmental damage.

One example of a mine tailings facility which failed catastrophically is the disaster in Brumadinho, Brazil, in 2020, where the collapse killed 272 people, wiped out entire villages and led to massive environmental destruction. In 2024, another landslide occurred in a mine waste tailings dam at the Turmalina Mine, also in Brazil, which was the same design as Dalradian’s proposed Curraghinalt project.

If we look for an example in Europe, we note that the Baia Mare waste dam collapsed in Romania, in the year 2000, sending 100,000m³ of cyanide-contaminated waste water into rivers that spread across three countries, killing fish and disrupting water supplies for millions of people.²¹

The long-term impact of mine waste or tailings storage is a matter of particular concern to ZWAI, for the reason that Dalradian’s mine closure plan appears to fall catastrophically short. The applicant initially proposed five years for the duration of the closure plan, but in October 2024, the company stated that it would monitor the site for 15 years post-closure, and would provide a financial guarantee of £20 million to the Department for Infrastructure.

Dalradian state that the Dry Stack Tailings Facility would need to be sprayed with water to prevent the dust, containing heavy metals, from blowing in the wind. If dry, the toxic dust could be blown across several counties in Ireland. A study in Finland found the fine dust, 2.5 micron, particulate matter containing arsenic and mercury, on the leaves of trees 60 kilometres from a goldmine at Kittila. Dalradian’s proposed site is approximately 18 miles/30 km from parts of County Donegal so all the poisonous contaminants can be easily transported by air.

²¹ Antypas, J. and Gulacoy, S. (2001). Transboundary Environmental Governance and the Baia Mare Cyanide Spill. *Review of Central and Eastern European Law*, 27(4), pp.639-691.

It is our submission that these TSFs [Tailings Storage Facilities] will last for perpetuity, and that neither mining companies nor state agencies have the necessary experience to design facilities so that they would last forever. Responsible tailings management, required for as long as the TSF exists, is therefore not possible; with the consequence that the mine will leave a heritage of environmental destruction and potential loss of life.

3.4 Acid Mine Drainage

The rock extracted from the mine will contain sulphides which produce sulphuric acid when exposed to air and water; an effect known as Acid Mine Drainage (AMD), which will dissolve or liberate heavy metals (e.g., arsenic, mercury, chromium, cadmium, lead, zinc, copper, etc.) from the rock. Acid mine drainage is a permanent problem, which, once started, continues in perpetuity, poisoning land and water. Mines in Spain operating from Roman times are still leaking.

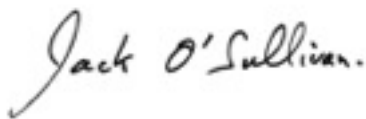
Furthermore, other mining activities, such as the burning of fossil fuels, can also lead to acid rain, impacting a much larger area.

4. CONCLUDING OBSERVATION

It is our principal conclusion that this type of large-scale mining operation should be properly assessed in compliance with all relevant EU Directives and International Conventions; and, as far as we can ascertain, this has not been the case.

It is therefore our further conclusion that planning consent for the proposed mine should be refused.

Jack O'Sullivan



Zero Waste Alliance Ireland

23 April 2025

This submission was prepared and edited by Jack O'Sullivan (ZWAI founder member and Vice-chairman), based on a significant contribution by Alison Hough (ZWAI member, legal specialist and senior lecturer in law at the Technological University of the Shannon and Head of the Access to Justice Observatory).



Transboundary Environmental Impact Assessment (EIA) Public Consultation – Dalradian Gold Mine Project development, located in County Tyrone on the southern edge of the Sperrin Mountains

- From: [Department of Housing, Local Government and Heritage](#)
- Published on: 28 February 2025
- Open for submissions from: 28 February 2025
- Submissions close on: 23 April 2025
- Last updated on: 28 February 2025

Summary

On 30 January 2025, the Minister for Housing, Local Government & Heritage, received notification from the Northern Ireland Department for Infrastructure (DfI) in relation to development consent applications concerning the proposed Dalradian Gold Mine Project and an invitation to participate in transboundary EIA consultation in relation to it. The environmental screening process identified potential transboundary issues for Ireland relating to the River Finn.

Subsequently, on 20 February 2025, following consultation with relevant subject matter experts on the potential transboundary impacts of the proposed development, the Minister accepted the invitation to participate in transboundary EIA consultation. This public consultation is being held in accordance with article 132 of the Planning and Development Regulations 2001 – 2024.

Why is this consultation being undertaken?

In accordance with the provisions of the 1991 United Nations Economic Commission for Europe Convention on Environmental Impact

Assessment in a Transboundary Context (“the Espoo Convention”), transboundary States are required to engage in transboundary consultation, including with members of the public, in respect of projects likely to have significant effects on the environment of neighbouring States as part of the environmental impact assessment of a proposed development. For this purpose, the transboundary State in whose territory the project is intended to be carried out is required to send to the affected State, no later than when informing its own public, a description of the project and any available information on its possible transboundary impact.

As noted above, the Department of Housing, Local Government and Heritage recently received information in the form of a letter of notification dated 30 January 2025 from DfI, relating to three applications for development consent concerning the proposed Dalradian Gold Mine Project development that are now under consideration in the NI planning process. These consist of one mine application concerning planning permission for underground valuable minerals mining and exploration and two powerline applications concerning the construction of a 33kV overhead line and underground cable to provide an electrical connection for the mine development. The Mine in question is located in County Tyrone, approximately 15 km northeast of the town of Omagh, 7 km east of the village of Gortlin and between the settlements of Rouskey and Greencastle on the southern edge of the Sperrin Mountains.

The DfI, Northern Ireland, has determined that the proposed development requires an environmental impact assessment and consequently environmental statements on the above applications have been published. The initial screening exercise determined that the proposed development may have transboundary environmental impacts in Ireland concerning the River Finn which flows into County Donegal.

Further to the three applications detailed above, DfI in their notification of 30 January, also provided links to five other applications related to this project which members of the public are free to review and consider in terms of making submissions. Links to these applications are provided below.

How to Participate

All documentation related to the development consent application for the proposed development, including additional or amending documentation accepted at the discretion of the DfI, is available to view on the DfI or NI planning portal websites.

Members of the public may wish to visit the Donegal County Council public consultation portal to view correspondence from the DfI, digital copies of extracts from the applicant's Environmental Statement; associated documents and links provided by the DfI to the full Environmental Statement and all other documentation relating to the development consent application for the proposed development.

The public consultation notice should also be available to view in the office of the Planning Section of each local authority nationwide during office hours, by appointment if required.

A copy of these documents are available for inspection, or purchase at a fee not exceeding the reasonable cost of making a copy, during office hours at the office of each local authority nationwide. Links to all documents will also be made available online by each local authority. Please contact your local authority for further details.

Making submissions or observations

Submissions or observations should be made directly to the Planning Inspectorate UK at: planning@infrastructure-ni.gov.uk

Deadlines for submissions or observations

The public consultation period is open from **26 February 2025**. The deadline for the receipt of written submissions or observations under this transboundary consultation process is close of business on **23 April 2025** at the latest. The Department of Housing, Local Government and Heritage will not accept submissions or observations in relation to the project.



Jack O'Sullivan <jackosullivan2006@gmail.com>

Automatic reply: Response to the Transboundary EIA Public Consultation on the Proposed Gold Mine Project in the Sperrin Mountains, County Tyrone

DFI Regional Planning <Planning@infrastructure-ni.gov.uk>
To: Jack O'Sullivan <jackosullivan2006@gmail.com>

23 April 2025 at 16:49

Thank you for your email received earlier today.

Your email has been forwarded to our Planning Officials for consideration and directly reply to you in due course.

We hope you find this acknowledgement helpful

Planning HQ