



Dear Chief Executive/Department,

Please find attached a formal notification letter from Save The Moat – Save The Sperrins concerning serious and ongoing radiological risks in the Sperrins region, specifically:

- The legacy of Caesium-137 (Cs-137) contamination from the 1986 Chernobyl disaster, which may still be present in peat soils and at risk of mobilisation through excavation and infrastructure development;
- The chronic radon exposure risk across upland areas of Northern Ireland, including significant parts of your council district, which remains under-assessed in planning and development policy.

Despite the well-documented presence of both contaminants, there is currently no monitoring programme, risk mapping, or mandatory requirement for developers or authorities to assess or mitigate these hazards in Environmental Impact Assessments (EIAs).

This constitutes a potential breach of statutory obligations under:

- The Environmental Liability Regulations (NI) 2009
- The Ionising Radiations Regulations 2017
- The Planning (EIA) Regulations (NI) 2017
- The Aarhus Convention and Article 2 of the ECHR

This matter directly concerns regulatory integrity, public health, and environmental justice, particularly in rural and vulnerable communities affected by infrastructure expansion into sensitive peatland areas.

We would welcome your response and any engagement with this issue in the coming weeks.

Yours sincerely,

Ann-Louise Bresnahan

Secretary

Save The Moat – Save The Sperrins

Subject: Formal Notification of Regulatory Failures Concerning Radiological Hazards in the Sperrins – Cs-137 Contamination & Radon Exposure

Dear [Department / Officer],

I write to formally raise serious regulatory and public health concerns regarding the failure of Northern Ireland authorities to assess and manage radiological hazards in the Sperrins, specifically:

- (1) the persistent legacy of Caesium-137 (Cs-137) contamination from the Chernobyl disaster, and
- (2) the chronic radon gas risk in areas with known high geological susceptibility.

There is strong evidence that these hazards are being ignored or inadequately addressed in Environmental Impact Assessments (EIAs), planning policies, and environmental regulation — in direct breach of domestic legislation and the UK's retained EU law obligations.

1. Chernobyl Fallout – Cs-137 in Deep Peat Soils

Recent scientific and media reporting (including the John O'Groat Journal and analysis by Communities B4 Power Companies) has confirmed that disturbing deep peatlands during infrastructure development in upland areas can mobilise long-retained Cs-137 fallout from the 1986 Chernobyl incident.

Official UK studies such as Radio caesium in British Soils (ITE, 1993) and RIFE Reports confirm that Northern Ireland received substantial wet deposition of Cs-137, particularly in high-rainfall, peat-covered areas like the Sperrins.

Despite this:

There is no current programme of monitoring, mapping, or baseline assessment of Cs-137 in peat soils across the region.

There is no legal requirement or policy compelling developers or planning authorities to consider residual radioactive contamination in peat during EIA screening or scoping.

This omission is a direct breach of the Environmental Liability Regulations (NI) 2009, which impose a statutory duty to identify, prevent, and remediate environmental damage — including damage caused by ionising radiation. The

precautionary principle must be applied where environmental or health harm is foreseeable, even in the absence of complete data.

2. Radon Gas – Under-assessed Despite Statutory Risk

The UK Health Security Agency's radon map confirms that large portions of the Sperrins lie within 10–30% and >30% probability zones for indoor radon concentrations exceeding 200 Bq/m³, the UK's statutory action level.

Radon is:

A Group 1 carcinogen and the second leading cause of lung cancer in the UK.

Prevalent in upland rural areas — particularly on granitic and shale bedrock.

Not currently assessed in the majority of EIA processes, nor required in planning applications, despite the clear occupational and residential exposure risks.

This constitutes a breach of the Ionising Radiations Regulations 2017 (IRR17), which require risk assessments and exposure mitigation for all construction and occupation activities in radon-affected areas. It also represents a failure under the Health and Safety at Work (Northern Ireland) Order 1978, which imposes a general duty of care to protect workers and the public from avoidable harm.

3. Legal and Regulatory Non-Compliance

Your Department's failure to address these radiological risks is incompatible with the following legal obligations:

Environmental Liability Regulations 2009 (NI): Duty to prevent and remedy foreseeable radiological damage.

Ionising Radiations Regulations 2017: Duty to assess and mitigate exposure risks to radon and other ionising sources.

Planning (EIA) Regulations (NI) 2017: Legal requirement to assess "risks to human health or the environment (for example due to accidents or disasters)" including from radiation.

Radioactive Substances Act 1993: Requires regulatory scrutiny where radioactive materials may be released into the environment.

Aarhus Convention (retained post-Brexit): Right of the public to be informed of environmental and health risks.

Your Department may also be in breach of common law duty of care and Article 2 obligations under the European Convention on Human Rights (right to life) where it fails to regulate known health hazards affecting rural and vulnerable communities.

4. Urgent Requests

In accordance with the precautionary principle and applicable environmental law, I formally request that your Department:

1. Undertake an immediate region-wide assessment of residual Cs-137 levels in deep peat soils across the Sperrins and publish the findings.
2. Mandate radiological risk assessments (including legacy fallout and radon) in all EIA screening/scoping opinions in high-risk areas.
3. Update planning and environmental guidance to reflect radiological hazard zones, including UKHSA radon maps.
4. Apply a moratorium on deep peat disturbance in infrastructure projects where radiological risks have not been properly assessed and mitigated.
5. Confirm what steps, if any, the Department has taken to comply with its legal obligations under the above statutes and international instruments.

5. Information Request (EIR/FOI)

Under the Environmental Information Regulations 2004 and the Freedom of Information Act 2000, I request:

Copies of all monitoring data or internal assessments concerning Cs-137 contamination in the Sperrins since 1986.

All current departmental policies, procedures, or guidance related to radon risk in planning or infrastructure development.

Any screening or EIA scoping opinions issued in the last five years in the Sperrins area that address radiological risks, including legacy radioactive substances and radon gas.

Conclusion

This is not merely a scientific issue — it is a matter of regulatory integrity, public health, and environmental justice. The continued failure to acknowledge or mitigate radiological risks in the Sperrins, while promoting peatland disturbance and infrastructure expansion, constitutes a dereliction of statutory duty.

I request a formal, detailed response outlining what immediate steps your Department will take to investigate and rectify these failures.

Yours faithfully,
Ann- Louise Bresnahan
Secretary
Save The Moat – Save The Sperrins