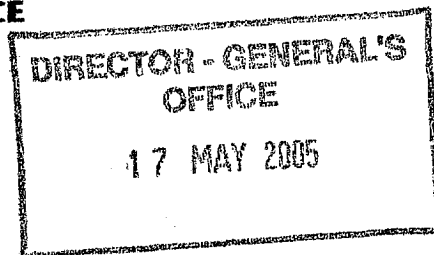


cc: PN for direct reply  
Please copy DG office  
with this reply.

**CORK ENVIRONMENTAL ALLIANCE**

**GORT AN ÉADAIN  
CILL NA MARTRA  
MAIGH CHROMTHA  
CO CORCAIGH**



phone/fax 026 40946 – 086 871 4665  
email:-derryachambers@eircom.net

**Dr Mary Kelly  
Director General  
Environmental Protection Agency  
P O Box 3000  
Johnstown Castle Estate  
Co Wexford  
Ireland**

**attachments 1 page**

**Re Determination of Proposed Waste Licence (reg No 186 – 1) Issued to Indaver Irl, Ringaskiddy, Co Cork, by the Environmental Protection Agency, October 26<sup>th</sup>, 2004**

**Dear Dr Kelly,**

You may be aware that Cork Environmental Alliance was a participant in the EPA Oral Hearing, held earlier this year at the Great Southern Hotel, Cork Airport, of objections to the proposed Waste Licence referred to above. During the course of our main submission to the Hearing we requested that we be indemnified against the costs incurred by our organisation in participating in the objection process. We sought this indemnity under article 6 of the European Convention on Human Rights.

Cork Environmental Alliance's active participation in the initial objection and subsequent Oral Hearing process was possible only through the personal contribution of its members. The available funds did not provide for the retention of legal and other expert advice and representation at the Hearing by our organisation. Therefore our engagement in the entire process was hampered to a significant extent by, what the European Court of Justice has described as, an *inequality of arms*.

We believe this inherent unfairness in the objection process is in serious conflict with article 6 of the European Convention on Human rights. While accepting that this situation cannot now be rectified after the event, we feel the Agency is duty bound to advise the Oireachtas immediately of the current situation whereby environmental issues impacting on peoples' lives are decided under a regime which is in serious conflict with the expressed views of the European Court of Justice.

Cork Environmental Alliance were represented at the Oral Hearing by Mr Nick Loughnan and Mr Derry Chambers and I attach a breakdown of their personal costs, plus other costs incurred by our group's participation in the process.

As the resources available to Cork Environmental Alliance do not permit us to reimburse our representatives at the Hearing, I would be obliged if you would settle this account as soon as possible.

**Yours sincerely,**



**Derry Chambers**  
**(on behalf of Cork Environmental Alliance)**

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## Attachment

### Breakdown of costs incurred by Cork Environmental Alliance

#### Mr Nick Loughnan

*Travel*

10 Days X 60 miles X €00.80 €480.00

*Loss of earnings*

€150.00 X 10 Days €1,500.00

*Lunch*

€10.00 X 10 Days €100.00

#### Mr Derry Chambers

*Travel*

12 Days X 70 miles X €00.80 €672.00

*Fees*

€160.00 X 12 Days €1,920.00

*Lunch*

€10.00 X 12 Days €120.00

#### Cork Environmental Alliance

*Objection Fee*

(incl request for Oral Hearing) €253.95

*Preparation*

8 Days X €310.00 €2,480.00

*Miscellaneous*

€200.00

#### Total

€7,725.95

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TIME : 24.05.05 17:56  
TEL NUMBER : +3535360698  
NAME :

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