

Noonan Linehan Carroll Coffey

SOLICITORS

54 North Main Street
Cork
Ireland

Addressee

Telephone 021 4270518
Fax 021 4274347
Email info@nlcc.ie

BY REGISTERED POST
BY FAX & BY EMAIL

Dr. Mary Kelly,
Director General,
EPA,
Johnstown Castle Estate,
Co. Wexford.

28th November 2005

Our ref: 3201-04/JN/PW

RE: Indaver Ireland Limited, Reg No: 186-1, at Ringaskiddy, Co Cork

Dear Dr. Kelly,

We refer to the audio disks which, **according to your website, are available** in respect of the oral hearing in this matter. We refer to our phone call to your office on Friday November 25th when we were advised that they **were** being copied and would not be available until Wednesday December 1st, and our subsequent phone call to your office on Monday November 28th when we were informed by Liz Lacey that they would not be available until "sometime next week".

We refer also to our **letter which** we sent on Friday November 25th forwarding payment of €30.00 for three copies of the transcripts as requested.

It is unacceptable that this material should not be available immediately. You are aware that the eight **week** period for commencing judicial **review** proceedings is already running since last **Thursday**, being the date of the decision. Any further delay in allowing access to this essential **material** is liable to frustrate proper consideration of the matter and so to prejudice our clients.

Please contact us to confirm that the disks have been forwarded to us.

Yours sincerely,


Joe Noonan,
NOONAN LINEHAN CARROLL COFFEY