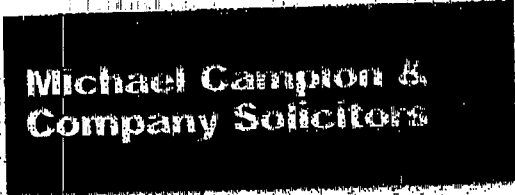


Kreston House,  
Arran Court,  
Smithfield, Dublin 7.

Phone: 8734055  
Fax: 8734144  
E-mail michaelcampion@indigo.ie



# Fax

To: Environmental Protection Agency From: Michael Campion & Co.

Fax: \_\_\_\_\_ Date: \_\_\_\_\_

Phone: \_\_\_\_\_ Pages: 3

Re: Poolbeg Incinerator CC: \_\_\_\_\_

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Comments:

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RECEIVED	
Time	17:24pm
28 APR 2008	
Signature	
Environmental Protection Agency, HQ. P.O. Box 3000, Johnstown Castle Estate, Co. Wexford.	

# MICHAEL CAMPION & CO

SOLICITORS

COMMISSIONERS FOR OATHS

KRESTON HOUSE, ARRAN COURT, SMITHFIELD, DUBLIN 7.  
TEL: 01-873 4055 FAX: 01-873 4144 DX: 1009 FOUR COURTS  
EMAIL: michaelcampion@indigo.ie

Our Ref: EMCK/TC

28<sup>th</sup> April 2008

The Secretary,  
Environmental Protection Agency,  
PO Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

FAX 053 9160699

RE: Our Client: CRAI Limited  
EPA Oral Hearing – Proposed decision on Poolbeg Waste Incinerator

Dear Sir,

We act for CRAI Limited in relation to its objection to the location of an incinerator on the Poolbeg Peninsula, its submission to the Agency to this effect, and its participation in the Agency's Oral Hearing of submissions which is being conducted by Inspector Marie O'Connor.

While considering the application for planning permission for the same incinerator, An Bord Pleanala retained Dr. Brian Broderick to assess the developer's environmental impact assessment, (submitted as part of the planning application) and the evidence which had been given in relation to air quality and climate change. Dr. Broderick, in his report to the Board, concluded that *"further modelling should be carried out using a refined dispersion model capable of accurately calculating ambient concentrations during shoreline fumigation episodes"*. An Bord Pleanala's Inspector, Mr. Padraic Thornton considered that *"in so far as the issue (air quality) must be further pursued in terms of more refined modelling, this can best be done, if considered necessary, by the Environmental Protection Agency"*.

In view of the fact that An Bord Pleanala retained Dr. Broderick, an independent expert witness, as part of its team and that he concluded that further modelling was required, our client believes that it is appropriate that Dr. Broderick give evidence at your oral hearing, so that the Agency can be seen to follow up on the deficiencies identified by the Bord.

MICHAEL CAMPION B.C.L. DIP. E.L.  
COMMISSIONER FOR OATHS

EOGHAN MC KENNA B.C.L.

Our client formally requests that you arrange for Dr. Broderick to attend the oral hearing when it recommences to provide his expert opinion in relation to any further modelling which has been submitted on behalf of the applicant for the licence. Our client intends to examine Dr. Broderick. Whilst Dr Broderick provided his report to the Board rather than the Agency, the Inspector is of course entitled to compel any person to attend the Oral Hearing.

To facilitate our client in preparing its examination, please confirm that Dr. Broderick will give evidence and the date and time of that evidence.

We await your response.

Yours faithfully,

Michael Campion & Co  
Michael Campion & Co.

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