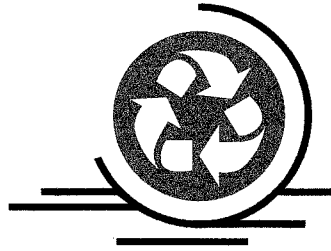


SOIL RECOVERY ASSOCIATION

c/o Mr. John Behan
Behan Land Restoration Limited
Blackhall
Punchestown
Naas
Co. Kildare



Licensing Unit,
Office of Climate, Licensing & Resource Use,
Environmental Protection Agency
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Date: 14^h February 2011

RECEIVED	
Time	12.48
16 FEB 2011	
Signature	
Environmental Protection Agency HQ. P.O. Box 3000, Johnstown Castle Estate, Co. Wexford.	

Our Ref: SRA-WLSUBMISSION-Lennon-14.2.2011

Waste Licence Register W0256-01

Lennon Quarries Limited, Glencastle, Bunnahowen, Ballina, County Mayo.

Site: Lennon Quarries Limited, Tallagh, Belmullet, County Mayo.

Proposed Determination: To refuse a Waste Licence

Dear Sir/Madam,

We, the Soil Recovery Association (SRA) hereby make a submission on the two other objections to the Agency in relation to the proposed determination to refuse a Waste Licence application to Lennon Quarries for a site at Tallagh, Belmullet, County Mayo. We were notified in writing by the Agency that we had lodged a valid objection and that we were entitled to make a further submission before the end of 17/2/2011.

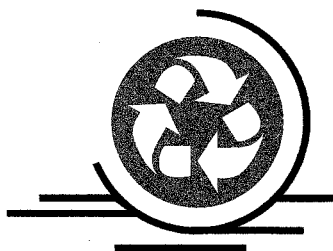
The Soil Recovery Association (SRA) is a National Organisation which represents Members involved in the excavation, transport and recovery of soil and stones at authorised permitted and licensed soil and stone recovery facilities. Mr. T.J. Lennon of Lennon Quarries is a member of the Soil Recovery Association.

We have reviewed both the Kingfisher Environmental objection and the Tobin Objection (Lennon Quarries Ltd.) and the combined information contained within these reports clearly demonstrates that the Waste Licence Application W0256-01 should not have been refused and that the decision should be overturned and a waste licence granted as per the recommendations of the EPA Inspector. If there was any need to clarify to the Agency any outstanding issues then the SRA firmly believes that the information before the Agency leaves literally "no stone unturned".

We particularly refer to the agronomic benefit of the existing and proposed inert soil and stone recovery facility and the clear and unambiguous evidence that the site

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operations are a recovery operation and not disposal as being suggested by the board of the Agency.

Lennon Quarries who are members of the SRA have been unfairly treated by the Agency and the proposed determination to refuse a waste licence for an established waste recovery facility that has no potential to create environmental pollution is illogical. It would discourage any person or organisation from applying for a waste licence to the Agency.

It would appear that the Agency made their decision on the 9/12/2010 before the Draft Waste Management (Waste Framework Directive) Regulations 2010 have come onto the statute books (and as of this date have still not come onto the statute books). The significant changes to how waste is viewed and managed as outlined in the Waste Framework Directive of 2008 show that the SRA were correct in contesting the introduction of the Waste Management (Facility Permit and Registration) Regulations 2007 (as amended by S.I. No. 86 of 2008) on the basis that the recovery of soil stones is recovery regardless of size and scale and that there was no need to over regulate the recovery of soil and stones.

The two other objections clearly identify that there are stark contradictions between the Inspectors proposed decision and the Board's proposed determination. This is a common trend that the Soil Recovery Association has come upon at DOE/EPA level since correspondence began. We have openly invited members of both parties to view sites of the SRA members which have been declined.

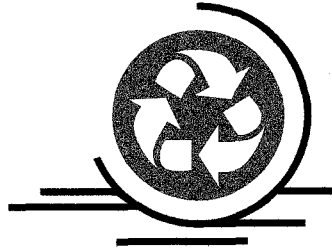
The Kingfisher Environmental objection raises issues about this site being the only site of its kind in the West of the country. The SRA would like to know where is the material currently being recovered and where are all the sites that operated under permits during the boom years gone? Are they all shut? This is an issue that we have consistently taken up with the EPA.

The introduction of waste licensing for soil and stone recovery facilities has been premature, illogical and poorly thought out. Unfortunately, Lennon Quarries appear to have been treated in a completely unfair and unreasonable manner by the Agency in its proposed determination to refuse a waste licence. This sentiment is echoed in the Kingfisher Environmental objection.

It is the opinion of the Soil Recovery Association that the land reclamation works at Tallagh are a recovery activity with a beneficial use to agriculture. This has clearly been shown to be the case in the Kingfisher Environmental and Tobin objections (by experts in this field).

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The SRA feel that the waste License application on behalf of Lennon Quarries has not been given a fair assessment by the Board of the Agency and that the decision to refuse a Waste Licence is incorrect and not based on any legal, scientific or environmental basis; and therefore the decision should be reversed.

In conclusion the Soil Recovery Association urges that the proposed determination to refuse a waste licence to Lennon Quarries is reversed and that a waste licence is issued to Lennon Quarries that is commercially viable and that reflects the environmental impact of soil and stone; which in our view is absolutely negligible.

Yours sincerely,

John Behan

On behalf of the Soil Recovery Association

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