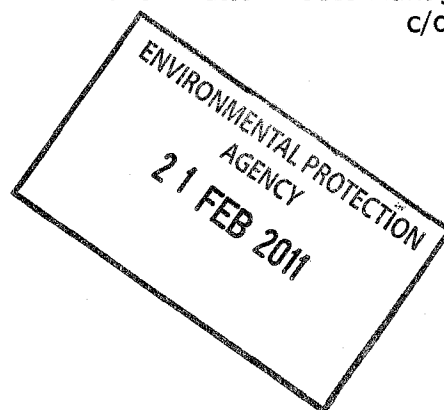


Sub on obj 1

Cavan Better Waste Management Group
c/o Peter Sexton
Killygoan
Cavan
Co. Cavan



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

18th February 2010

RE: Response to Cavan County Council's Objection to Proposed Decision on Waste License Application W0077-04

Dear Sir/Madam,

This submission has been prepared on behalf of the Cavan Better Waste Management Group, c/o Peter Sexton, Killygoan, Cavan, Co. Cavan.

We, the Cavan Better Waste Management Group, have been invited by the EPA to submit a response in respect of the objection submitted to the EPA by Cavan County Council on 20th January 2011. In that regard we acknowledge receipt of the EPA's letter dated 24th January 2011, enclosing a copy of Cavan County Council's objection.

We have considered all of the issues raised in the objection, and wish to comment on some of them briefly. The points below are listed with their corresponding numbers from the objection by Cavan County Council.

Point No. 1

Cavan County Council state that "*modifications to the existing licence were never sought by Cavan County Council nor was there any indication from the EPA at any stage that these modifications were being considered. This constitutes a fundamental lack of fair procedures.*"

We wish to commend the EPA for a proactive approach to waste management and protection of the environment in this instance. The EPA derives their mandate from the Waste Management Act, 1996, and the Protection of the Environment Act, 2003. Therefore, there should be no question of unfair procedures undertaken on the part of the EPA.

Point No. 9

Cavan County Council considers that the figure (approx. 90,500 tonnes) for total household mixed residual waste collected in the North-East waste management region in 2008 *"grossly underestimates the quantity of waste requiring landfill disposal in the North East Region"*.

It is submitted that this statement is incorrect, as the subsequent *National Waste Report* from 2009 illustrates a fall in household mixed residual waste collected in the North-East Region, to 82,310 tonnes. It is expected that volumes of waste going to landfill in the future will reduce significantly as waste disposal practice is developed in line with EU, National and Regional policy to reuse and recycle. As a result, in tandem with increasing rates of recycling and recovery, the current provision of waste management facilities in the North East Region will be more than capable of accommodating all the waste generated in the region, with a substantial surplus in capacity.

Point No. 10

Cavan County Council argue that it is unreasonable to reduce waste intake rates at Corranure while refusing a waste licence for Oxigen's Waste Licence Application at the same facility.

It is submitted that this point relates to Waste Licence Application W0248-01, not the subject application.

Point No. 11

Cavan County Council state that *"a perceived (and unfounded) increased difficulty with enforcement cannot be used as a justification for refusing the licence review applied for, particularly where the imposition of conditions can deal with such concerns"*.

It is submitted that there have been numerous difficulties with enforcement of waste licences at the Corranure facility in the past, even when appropriate conditions have been attached. The EPA is continuously receiving complaints from the general public about odour problems in the area surrounding Corranure landfill. The systems in place have failed on numerous occasions, causing considerable annoyance and discomfort to local residents, schools etc. Therefore, it is submitted that the perceived difficulty with enforcement is warranted in this instance.

Point No. 20

Cavan County Council quote extracts from the Inspectors Report on Waste Licence Application W0248-01.

It is submitted that this point relates to Waste Licence Application W0248-01, not the subject application.

Point No. 23

Cavan County Council request that the EPA include the waste treatment facilities in the Oxigen Environmental Ltd. (W0248-01) application as infrastructure under the Proposed Decision W0077-04.

It is submitted that Cavan County Council are required to follow the correct procedures and lodge a separate Waste Licence Application with the EPA if they wish to apply for such a development.

Point No. 25

Cavan County Council considers the additional monitoring requirements requested by the EPA to be excessive and unreasonable.

We refer back to Point No. 11, where Cavan County Council specifically note that the imposition of conditions can deal with concerns in relation to enforcement. However, it appears that Cavan County Council are unwilling to accept these conditions in this instance. We once again commend the EPA for their proactive approach to waste management and protection of the environment. It is submitted that the monitoring requirements requested by the EPA are warranted in this instance, particularly given the poor history of compliance with Waste Licences by Cavan County Council at this facility.

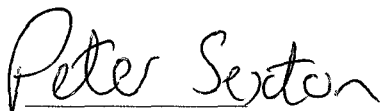
Conclusion

It is submitted that Cavan County Council's objection does not raise any environmental issues which were not adequately addressed in the Inspectors Report and Proposed Decision by the EPA. It would appear that Cavan County Council is more concerned with legal and financial issues than the protection of the environment and the health of local residents in the area surrounding the facility at Corranure.

We trust that the Agency will have regard to this submission when finalising the Proposed Decision and will examine the particular points of concern raised on behalf of the Cavan Better Waste Management Group.

We would be grateful for written acknowledgement of this submission in due course and ask that all future correspondence regarding same be sent to Cavan Better Waste Management Group, c/o Peter Sexton, Killygoan, Cavan, Co. Cavan.

Yours Faithfully,



Peter Sexton
Cavan Better Waste Management Group

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