



COMHAIRLE CONTAE CHIARRAÍ  
KERRY COUNTY COUNCIL

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LB/AH

22<sup>nd</sup> October, 2018

Brian Meaney,  
Environmental Licensing Programme,  
EPA,  
Headquarters PO Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.



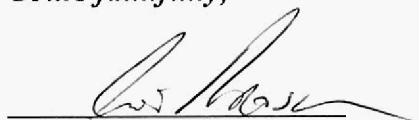
*Planning and Development Acts, 2000 to 2018*  
*Re: EX459 - Referral pursuant to Section 5*

Dear Mr. Meaney,

I refer to previous correspondence regarding the above and in particular to mine dated 26<sup>th</sup> January 2016, copy attached for your convenience.

As I have no record of receiving a response to the matters raised in this letter I assume that no further action is necessary in respect of this Section 5 referral and the file is closed.

Yours faithfully,

  
A.O. Planning



26<sup>th</sup> January, 2016

Brian Meaney,  
Environmental Licensing Programme,  
EPA,  
Headquarters PO Box 3000,  
Johnstown Castle Estate,  
County Wexford.

Re: EX459 – Referral pursuant to Section 5 of the Planning  
and Development Acts 2000 to 2015.

Via Registered Post.

Dear Sir

I refer to your recent application for a Certificate of Exemption for lands owned by Killarney Waste Disposal, Aughacurreen, Killarney, Co Kerry. Before an assessment of this referral under Section 5 of the Planning and Development Acts 2000-2015 can be made, kindly submit the following further information.

- (1) In the Section 5 Referral submission by the EPA, it is stated that “it is apparent that the existing planning permission restricts the waste acceptance at the facility to 40,000 tonnes per annum”. While Kerry County Council notes that an annual waste intake of 40,000 tonnes was used in the assessment of the Planning Application under Planning Register No. 04/2131, no condition was attached to the grant of planning permission restricting the waste intake. The EPA is requested to clarify how it interprets the grant of planning permission as restricting the annual waste intake.
- (2) In the Section 5 Referral Submission by the EPA it is stated that “it is also apparent that an EIA will be required”. The EPA is requested to clarify the criteria used whereby the Agency determined that the proposal to increase the waste intake to the Materials Recovery Facility requires an EIA

Upon receipt of this further information this application will be given further attention.

Yours sincerely,

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Liam Brosnan,  
AO Planning.