

DECISION & REASONS FOR THE DECISION

Proposed Decision

On the basis of the information available to it, the Environmental Protection Agency pursuant to its powers under Section 40(1) of the Waste Management Act, 1996 proposes to refuse to grant a revised waste licence to Oxigen Environmental Ltd to carry on the waste activities that are the subject of waste licence application register number 152-2 at Robinhood Industrial Estate, Robinhood Road, Ballymount, Dublin 22

In reaching this decision the Environmental Protection Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

Activities Refused

Refused waste disposal activities, in accordance with the Third Schedule of the Waste Management Act, 1996

Class 11.	Blending or mixture prior to submission to any activity referred to in a preceding paragraph of this Schedule.
Class 13.	Storage prior to submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where the waste concerned was produced.

Refused waste recovery activities, in accordance with the Fourth Schedule of the Waste Management Act, 1996

Class 2.	Recycling or reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes):
Class 3.	Recycling or reclamation of metals and metal compounds:
Class 4.	Recycling or reclamation of other inorganic materials:
Class 13.	Storage of waste intended for submission to any activity referred to in a preceding paragraph of this Schedule, other than temporary storage, pending collection, on the premises where such waste is produced:

Reasons for the proposed decision:

1. The applicant has not demonstrated to the satisfaction of the Agency, that the expansion in operations applied for will be carried on in accordance with licence conditions of a revised licence if granted. The level of non-compliance with the conditions of the current licence is such that there is a real and likely danger that such non-compliance will cause significant environmental pollution.
2. The applicant has failed to convince the Agency, to the extent necessary to satisfy the provisions of Section 40(4)(d) of the Waste Management Act 1996, that any person or persons employed by him to direct or control the carrying on of the expanded activity to which the application relates, has or have the requisite technical knowledge to carry on the proposed expanded activity in accordance with any proposed licence.
3. The Agency is not satisfied based on the size of the facility, that the applicant will be able to manage an increased waste input at this facility and also ensure that necessary protective measures are taken that operations at the facility will not cause or lead to environmental pollution

Signed on behalf of the said Agency
on the 27th day of February, 2004

Jonathan M. Derham,
Authorised Person