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Date

Our ref.

Your ref.

18 December 2002

Dear Deputy O'Dowd,

I am to refer to your letter of 23<sup>rd</sup> September 2002 in relation to a waste licence application on behalf of Indaver Ireland, which was passed to me for reply.

I very much regret the delay in replying to your letter and hope that you will accept my apologies for not replying to you sooner.

The Agency is currently examining an application for a waste licence Reg. No 167-1 in respect of a proposed waste facility at Carranstown, Duleek, Co Meath. This process is very detailed and extensive and it is not possible to say at this stage when the Agency will be in a position to consider issuing a proposed decision. Such a decision can only be made on completion of a detailed technical examination of the application by the Agency.

As you are aware the Agency is the competent authority to determine this application and is involved in a statutory process that requires it to take into consideration all written submissions from the public and interested parties prior to determining the application. I should point out that the application from the applicant is of considerable detail and is supported by the necessary Environmental Impact Statement.

You will also be aware that Directors of the Agency met with public representatives of the Drogheda Borough Council area to explain to them the licensing process and in particular the matters which the Agency must take into consideration when determining an application. The purpose of that meeting was to provide them, as public representatives, with information as to waste and integrated pollution control licensing process and procedures and the relevant environmental control standards specified in national and European Directives.

The Agency has published an information guide to inform members of the public as to the licensing process and the part they can play in that process. It is not the practice of the Agency to host a meeting of the public in relation to any specific application, which is before the Agency for consideration at any given time. As an independent Agency with a statutory licensing function it would be inappropriate for the Agency to



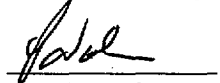
enter into discussion with any community group on the details of an application which has yet to be decided by the Agency. Any such action on behalf of the Agency could be construed as providing a basis for a successful legal challenge to any decision the Agency may take in this matter and as a public representative I have no doubt but that you would be at one with the Agency to ensure that this did not happen.

I wish to confirm that I will make myself and one of my colleagues available to meet with you and a small group of people, say no greater than 10 in number, who in your view represent the local community. For convenience to all concerned may I suggest that the meeting take place at the Agency's Dublin regional office located at Richview, Clonskeagh Road, Dublin 14 (01-2680100). I would have no difficulty if you were to chair the meeting.

My role and that of my colleague, at the meeting, would be to outline the licensing process and in particular the role that members of the public can play in that process together with the statutory legislation relating to same. I should make it very clear however that while I am willing to attend such a meeting it would be on the clear understanding that comments or discussion in relation to any application before the Agency will not be discussed.

I hope that this clarifies matters for you.

Yours sincerely,



Paddy Nolan  
Programme Manager