



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Mr. John Ahern
Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
Co. Dublin

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
Ceanncheathrú, Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire
T: +353 53 60600
F: +353 53 60699
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

By Register Post

18 March 2005

Reg. No: 186-1

Re: Notice of extension of period for consideration of objections to the proposed decision on a waste licence application by Indaver Ireland in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork

Dear Mr. Ahern,

I refer to the objections to the Agency's proposed decision on the above referenced waste licence application.

I am to notify you in accordance with the provisions of Article 35(1) of the Regulations, that it will not be possible due to the complexities of the issues raised in the objections, to carry out the procedures for the consideration of the objections within the period specified in the Regulations.

I am also to advise that the Agency intends to complete the consideration of the objections before 22 July 2005.

The Agency intends to issue its decision on the application before the specified date, and will take all reasonable steps to ensure that there are no avoidable delays in making its decision.

Yours sincerely,

Padraic Larkin
Director/Authorised Person



Ms Jackie Keaney
Project Manager
Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
Co Dublin

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
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By Register Post

18 March 2005

Reg. No: 186-1

Re: Notice of extension of period for consideration of objections to the proposed decision on a waste licence application by Indaver Ireland in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork

Dear Ms Keaney,

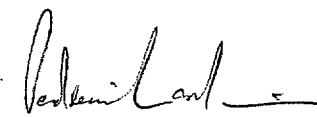
I refer to the objections to the Agency's proposed decision on the above referenced waste licence application.

I am to notify you in accordance with the provisions of Article 35(1) of the Regulations, that it will not be possible due to the complexities of the issues raised in the objections, to carry out the procedures for the consideration of the objections within the period specified in the Regulations.

I am also to advise that the Agency intends to complete the consideration of the objections before 22 July 2005.

The Agency intends to issue its decision on the application before the specified date, and will take all reasonable steps to ensure that there are no avoidable delays in making its decision.

Yours sincerely,



Padraic Larkin
Director/Authorised Person



Ms. Jackie Keane
Project Manager
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13 January 2005

Reg No. 186-1

re: Oral hearing of the objections to the proposed decision of the Agency on a waste licence application by Indaver Ireland in respect of a proposed facility at Indaver Ireland, Ringaskiddy, County Cork, Reg. No. 186-1.

Dear Ms. Keane,

I am to refer to the Agency's letter dated 17th December 2004, informing you of the Agency's decision to hold an oral hearing of the objections to the above referenced Proposed Decision.

I am to advise that the hearing will be carried out in accordance with the provisions of the Waste Management Acts, 1996 to 2003 and the associated Regulations. I am enclosing, for your information, an Agency publication entitled "*Waste Management and IPPC Licensing – Aspects of Licensing Procedures: Objections and Oral Hearings*", which summarises the procedures relating to the consideration of objections and the holding of an oral hearing. This should not be taken to be a legal interpretation of the legislation.

I am to notify you, in accordance with Article 27 of the Waste Management (Licensing) Regulations 2004, of the arrangements for the oral hearing, as follows:

Venue: Wilton Suite
Great Southern Hotel
Cork Airport
County Cork


Commencing on: 14th February 2005 at 11.30 a.m.



In order to ensure the smooth running of the hearing, it is important to note the following:

- ✓ if you are proposing to present a written submission/s at the hearing, please ensure that you have adequate copies (in this case c. 20 copies) made for all other parties to examine and comment on during the course of the hearing.
- ✓ if you are intending to use equipment such as overhead projector, tv/video/dvd etc., in presenting your objections, you should notify the Agency as soon as possible. In any event the onus is on the objector to arrange to have this equipment at the venue for the hearing.

Yours sincerely,



Yvonne Clooney
Programme Officer
Office of Licensing & Guidance

Encl.

Ms Jackie Keane
Project Manager
Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
Co Dublin

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
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07 January 2005

Reg No. 186-1

re: Objection to the proposed decision of the Agency on a waste licence application by Indaver Ireland in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork, .


Dear Ms Keane,

We refer to our letter to you of 17 December 2004 which was accompanied by 14 objections which were received by the Agency, in relation to the proposed decision on the above waste application.

It has come to the Agency's attention that the copy of Objection No. 6 from Monkstown Bay Sailing Club Ltd., dated 17 October 2004, may have been an incomplete copy.

Please find enclosed a complete copy of this objection for your attention and we apologise for any inconvenience caused.

Yours sincerely,



Eve O'Sullivan
Programme Officer
Office of Licensing & Guidance

Encl.



Please note that the register number assigned to this waste licence application is 186-1. Please address all correspondence in relation to this matter to the *Licensing Unit, Office of Licensing & Guidance, Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, Co. Wexford* quoting the register number.

Yours sincerely,

pp BF White
Karen Vaughey
Programme Officer
Office of Licensing & Guidance

Encl.

Ms Jackie Keaney
Project Manager
Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
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17 December 2004

Reg No. 186-1

re: Objection to the proposed decision of the Agency on a waste licence application by Indaver Ireland in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork.

Dear Ms Keaney,

I am to acknowledge receipt of the objection, received from you, to the Agency's proposed decision in respect of the above referenced waste licence application.

Please find accompanying a copy of 14 other objections received by the Agency in relation to the proposed decision.

I am to state that the Agency will consider the objections in accordance with the Waste Management Acts, 1996 to 2003 and the relevant Waste Management (Licensing) Regulations, including notifying you of its decision in due course.

It should be noted that the Agency received a request for an Oral Hearing from one or more parties to the objections. These requests were considered by the Board of the Agency at its meeting on 14th December 2004.

Under the Waste Management Acts, 1996 to 2003 the Agency has an absolute discretion to hold an oral hearing in relation to an objection. The Board of the Agency has decided that an oral hearing of the objections will be held on a date to be decided. The Agency will notify you of the details of the hearing i.e. the date, venue and time as soon as possible.

I am to advise that, once the hearing is concluded, the Chairperson/s will make a written report to the Agency and include in the report a recommendation relating to the grant or refusal of a waste licence. The Agency will notify you of its decision having regard to the report of the Chairperson/s and the objections and the submissions made by all parties, in due course.

Notwithstanding the fact that an oral hearing is being held, you are entitled but not required to make a submission to the Agency on the other valid objections. Submissions on objections must be made in writing to the Agency and be received no later than **25/01/05**.





Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

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County Wexford, Ireland
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Managing Director
Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

26 October 2004

186-1

re: Notification in accordance with Section 42(2) of the Waste Management Acts, 1996 to 2003, of a proposed decision on a waste licence application, in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork

Dear Sir/Madam,

Please find enclosed the notification of the Agency's proposed decision on your waste licence application in respect of a facility at Indaver Ireland, Ringaskiddy, County Cork.

The notification and the accompanying copy of the proposed decision, set out the details of the proposed decision, in accordance with Section 42 of the Waste Management Acts, 1996 to 2003 and the relevant Waste Management (Licensing) Regulations. The Inspector's Report, Proposed Decision and associated documents are available for inspection or purchase at the Agency Headquarters and at the offices of Cork County Council in accordance with the regulations.

It is important to note that any objection to a proposed decision/request for an oral hearing **must be received by the Agency before the expiration of the appropriate period as specified in the accompanying notification.** An objection/request for an oral hearing must be made either by sending the objection or request by prepaid post to the Agency, or by leaving the objection or request with an employee of the Agency at the Headquarters of the Agency in Wexford during office hours, i.e. 9 a.m. to 5 p.m. Monday to Friday.

Yours sincerely,

Eve O'Sullivan
Programme Officer
Office of Licensing & Guidance

Encl.



Guardians of the Environment



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

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County Wexford, Ireland
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Contae Loch Garman, Éire

T: +353 53 60600
F: +353 53 60699
E: info@epa.ie
W: www.epa.ie

Lo Call: 1890 33 55 99

6th September 2004

186-1

re: Acknowledgement of Waste Licence Application in respect of Indaver Ireland at Indaver Ireland (Ringaskiddy), Ringaskiddy, County Cork.

Dear Sir/Madam,

I refer to the above referenced application for a waste licence which was received by the Agency on 23 April 2003 (*and to other information in respect of the application received by the Agency on 15 August 2003 and 15 September 2003*). As the application documentation now complies with the requirements of Article 12 and Article 13(1) of the Waste Management (Licensing) Regulations as and from 15 September 2003, I am directed to acknowledge the application in accordance with Article 14(2)(a) of the Regulations.

All the application documentation is available for public inspection at the Agency's headquarters during office hours.

I am to advise you that any person may make a submission to the Agency, in writing, in respect of the application, pursuant to Article 15 of the Regulations, which provides as follows:

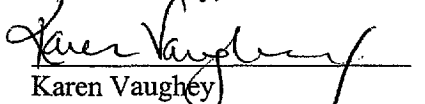
Extract from the Waste Management (Licensing) Regulations
Submissions to the Agency regarding applications.

15. For the purpose of Section 40(2)(b) of the Acts, a person may make a written submission to the Agency in relation to -
- (i) an application, and
 - (ii) such plans, documents and other information and particulars, including an environmental impact statement, as are submitted by the applicant in accordance with articles 12, 13, 14 and 16, and the Agency shall not give notice of a proposed decision under section 42(2) of the Acts before the expiry of a period of one month following the date of a relevant -
 - (a) acknowledgement in accordance with Article 14(2)(a), or
 - (b) notice in accordance with Article 16(2)(a), or
 - (c) acknowledgement in accordance with Article 16(4),whichever such date is the later.

The Agency will have regard to any submission made in accordance with the Regulations and will write, in due course, to each person who makes such a submission, to advise them of the Agency's proposed decision on the application.

Any person may make such a submission, in writing, to the Agency, during office hours, to the *Licensing Unit, Office of Licensing & Guidance, Administration, Environmental Protection Agency, Headquarters, P.O. Box 3000, Johnstown Castle Estate, County Wexford.*

Yours sincerely,

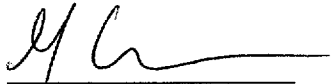

Karen Vaughney
Programme Officer
Office of Licensing & Guidance



Guardians of the Environment

Please find enclosed the Agency's declaration made in accordance with the provisions of Section 39A(6)(a) of the Waste Management Act.

Yours sincerely,



Patrick J. Nolan
Programme Manager
Office of Licensing & Guidance



Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhshaoil

PO Box 3000, Johnstown Castle Estate
County Wexford, Ireland
Bosca Poist 3000, Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire

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Lo Call: 1890 33 55 99

Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

26 November 2003

186-1

re: Declaration pursuant to Section 39 of the Waste Management Act (Amended) in respect of Indaver Ireland at Ringaskiddy, County Cork.

Dear Ms. Burke

I am to refer to your application for a waste licence (Reg. No 186-1) in respect of the proposed facility at Ringaskiddy, County Cork.

As you are probably aware the Protection of the Environment Act 2003 (POE Act) has been enacted and a number of the provisions have come into effect. In this regard I wish to bring your attention to Section 34 of the POE Act which inserts a new section 39A after section 39 into the Waste Management Act 1996. As stated in Section 39A (1) the purpose of the section is to provide that, in relation to activities which are related to one another in the manner mentioned in the section, a single licence under either Part V of the Waste Management Act or Part IV of the Environment Protection Agency Act 1992, but not a licence under both parts, will be required for the carrying on of those activities and that Part V or Part IV applies, accordingly, to those activities.

It should be noted that Section 39A (2) of the Waste Management Act 1996 outlines the activities to which section 39A has effect.

The Agency has carried out a detailed assessment of the application and having regard to the provisions of section 39A(3) is of the opinion that the carrying on of the second activity (as named in section 39A(2)) will be subsidiary to the carrying on of the first activity (as named in section 39A(2)). In these circumstances the second activity shall be regarded as an activity falling within section 39(1) and accordingly the carrying on of it and of the first activity, shall require, and may be the subject of the grant of, a waste licence under that section, and the provisions of Part V shall otherwise apply in relation to any such activity. Neither the carrying on of the first activity nor of the second activity shall be regarded as requiring the grant of a licence under Part IV of the Act of 1992.



Guardians of the Environment



HEADQUARTERS
JOHNSTOWN CASTLE ESTATE
COUNTY WEXFORD, IRELAND
PHONE: +353-53-60600
FAX: +353-53-60699

ENVIRONMENTAL PROTECTION AGENCY

DECLARATION PURSUANT TO SECTION 39 OF THE WASTE MANAGEMENT ACT 1996 (as amended)

Application Register Number: 186-1

Applicant: Indaver Ireland, 4 Haddington Terrace, Dun Laoghaire, County Dublin,

Facility: Indaver Ireland, Ringaskiddy, County Cork.

WHEREAS the Agency is in receipt of an application from the applicant for a Waste Licence for the recovery or disposal of waste (hereinafter referred to as "the First Activity")

AND WHEREAS the application also includes a proposal for an activity which is listed as Class 2.1 in the First Schedule to the Environmental Protection Agency Act 1992 namely "The production of energy in combustion plant the rated thermal input of which is equal to or greater than 50MW other than any such plant which makes direct use of the products of combustion in a manufacturing process" (hereinafter referred to as "the Second Activity")

AND WHEREAS the Agency is satisfied that the primary purpose of the application is the recovery or disposal of waste

IT IS HEREBY DECLARED that the Agency is of the opinion that the carrying on of the Second Activity will be subsidiary to the carrying on of the First Activity.

Given under the Seal of the Agency this 26th day of November, 2003

PRESENT when the Seal of the Agency
was affixed hereto:

Padraic Larkin, Director/Authorised Person



Handwritten initials and "EVP"

ENVIRONMENTAL PROTECTION AGENCY
An Ghníomhaireacht um Chaomhnú Comhshaoil



Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

Regional Inspectorate
Inniscarra
County Cork
Ireland

Tel: +353 21 487 5540
Fax: +353 21 487 5545

Cigireacht Réigiúnach
Inis Cara
Contae Chorcaí
Éire

Email: info@epa.ie
Website: www.epa.ie

Date

27th August 2003

Our ref.

186-1

Your ref.

Dear Managing Director,

I wish to acknowledge receipt of your correspondence dated 13th August 2003 in relation to your response to our Article 14 notice. The comments of your correspondence are noted.

Yours sincerely,

Handwritten signature of Brian Donlon

Dr Brian Donlon
Senior Inspector
Environmental Management & Planning Division



ENVIRONMENTAL PROTECTION AGENCY
An Ghníomhaireacht um Chaomhnú Comhshaoil



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4 Haddington Terrace
Dun Laoghaire
County Dublin

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Bosca Poist 3000
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Contae Loch Garman
Éire

Email: info@epa.ie
Website: www.epa.ie

Date

Our ref.

Your ref.

24th April 2003

186-1

re: Waste Licence Application in respect of Indaver Ireland at Ringaskiddy, County Cork.

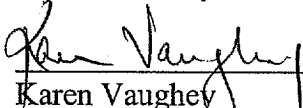
Dear Sir/Madam,

I am to acknowledge receipt on 23/04/2003 of documentation in respect of a waste licence application and cheque for the amount of €39361.88. This letter is not intended and should not be construed as an acknowledgement by the Agency of a waste licence application which complies with the Waste Management (Licensing) Regulations, 2000 (S.I. 185 of 2000). The Agency will examine the documentation for compliance with the Regulations and you will be contacted in due course.

The application and associated correspondence, including any acknowledgements and notifications, are available on the public file relating to the application as they arise and that file may be inspected by any person during office hours at the Agency's headquarters. A copy of the file is also available for inspection at the Agency's regional office in Cork and at the offices of Cork County Council. Copy extracts from the file will be supplied by the Agency to any person, on request, subject to payment of the reasonable cost of making the copy. You are advised to refer to the public file for information on the progress of the application.

Your application has been assigned the following reference number: 186-1 and this should be used at all times when communicating with the Agency. Please direct any correspondence in relation to this application to *Administration, Waste Management Licensing, Environmental Protection Agency, P.O. Box 3000, Johnstown Castle Estate, County Wexford* quoting Register No. 186-1.

Yours sincerely,



Karen Vaughey

Programme Officer
Waste Licensing Administration



RECEIPT OF APPLICATION DOCUMENTATION

This is a courtesy acknowledgement of receipt of documentation in respect of a waste licence. It is not intended and should not be construed as an acknowledgement by the EPA of a Waste Licence Application which complies with the Waste Management (Licensing) Regulations, 2000 (S.I. 185 of 2000). The EPA will examine the documentation for compliance with the regulations and will write to the applicant in this regard in due course.

Waste Licence Application Documentation delivered on behalf of:

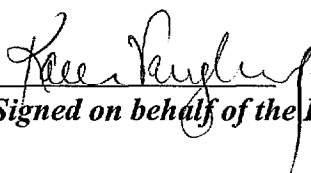
Applicant Name & Address: Indaver Ireland, 4 Haddington Terrace, Dun Laoghaire, County Dublin.

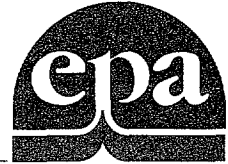
Facility/ Premises Name & Location: Indaver Ireland, Ringaskiddy, County Cork.

Fee Amount Submitted: €39361.88

This is to confirm that, waste licence application documentation, in respect of the above named waste facility, was received by the EPA on:

23/04/2003
24/04/03 14:52


Signed on behalf of the EPA



Indaver Ireland
4 Haddington Terrace
Dun Laoghaire
County Dublin

PO Box 3000
Johnstown Castle Estate
County Wexford
Ireland

Tel: +353 53 60600
Fax: +353 53 60699

Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman
Éire

Email: info@epa.ie
Website: www.epa.ie

Date

Our ref.

Your ref.

24 April 2003

186-1

Re: Agency's Web Site

Dear Sir/Madam,

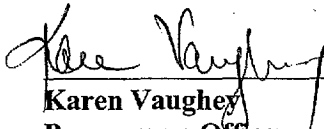
Applicants to the Agency for IPC or Waste licences, along with the holders of such licences, are requested to note that the Agency has developed a Web Site, which will include information about all such applications and licences.

As you are aware, the Agency has a policy of openness and transparency, in relation to access to information, about facilities which are licensed by the Agency and about facilities which apply to it for a licence. As one means of fulfilling that policy commitment, the Agency's Web Site will include, as a minimum, the following information:

- Names & Addresses of all licence applicants and of all licensees
- The closing date for the receipt of objections in respect of each application
- The Agency's proposed decision or final decision on each licence application
- A copy of each IPC and Waste licence granted by the Agency
- The Agency's annual Pollution Emissions' Register, which summarises potentially harmful pollutant releases, or transfers, from facilities licensed by the Agency
- A copy of the Agency's audit reports on licensee performance
- A copy of the IPC and Waste Management registers maintained by the Agency, in accordance with the EPA, Act, 1992 and the Waste Management Act, 1996
- Other information, as the Agency considers appropriate

The address of the Web Site is <http://www.epa.ie>.

Yours sincerely,


Karen Vaughan
Programme Officer
Waste Management Licensing

