



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Ms. Kathy Sinnott MEP
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24 November 2004

186-1

re: Waste licence application by Indaver Ireland in respect of a facility at Ringaskiddy, Co Cork.

Dear Ms Sinnott,

I am to acknowledge receipt of your correspondence and cheque dated 19th November 2004 which was received by the Agency on 23rd November 2004 in relation to the above referenced waste licence application.

The provisions of Section 42 (3) of the Waste Management Acts, 1996 to 2003 provide for the making of an objection in relation to a decision the Agency proposes to make at any time before the expiration of the appropriate period. The appropriate period is the period of 28 days beginning on the day on which notification is sent in respect of the proposed decision as set out in Section 42(12) of the Waste Management Acts, 1996 to 2003. In this case the notification was sent on 26th October 2004 and the appropriate period expired on 22nd November 2004.

As your correspondence was received on 23rd November 2004, which is after the closing date of the appropriate period, it cannot, by reason of this fact, be considered a valid objection. In these circumstances the Agency cannot consider it and consequently it is returned herewith together with the cheque enclosure.

I am also to advise that your request for an oral hearing cannot be considered by the Agency by reason of the fact that it was received after the date on which the appropriate period expired. It therefore does not satisfy the requirements of Section 42 (9) of the Waste Management Acts, 1996 to 2003.

I should add that as these are statutory provisions the Agency does not have any discretion in these matters.

Yours sincerely,

Patrick J. Nolan
Programme Manager
Licensing Unit
Office of Licensing & Guidance

