



Environmental Protection Agency
An Ghníomhaireacht um Chaoimhnú Comhshaoil

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Darren Coombes,
Executive Officer,
An Bord Pleanála,
64 Marlborough Street,
Dublin 1.

21/11/05

RE: PL 17.213657

Dear Mr. D Coombes,

The Agency has received an application for a waste licence from Organic Gold (Marketing) Ltd. This is currently under assessment and the decision by the Board of the Agency will be forthcoming in due course. All aspects of the operation of the facility in so far as they may relate to environmental pollution from the licensable activity will be considered by the Agency in its determination process.

In relation to the application Section 40(4) of the Waste Management Act mandates, *inter alia*, that:

The Agency shall not grant a waste licence unless it is satisfied that—

(a) any emissions from the recovery or disposal activity in question (“the activity concerned”) will not result in the contravention of any relevant standard, including any standard for an environmental medium, or any relevant emission limit value, prescribed under any other enactment,

(b) the activity concerned, carried on in accordance with such conditions as may be attached to the licence, will not cause environmental pollution,

(c) the best available technology not entailing excessive costs will be used to prevent or eliminate or, where that is not practicable, to limit, abate or reduce an emission from the activity concerned,

(d) if the applicant is not a local authority, the corporation of a borough that is not a county borough, or the council of an urban district, subject to subsection (8), he or she is a fit and proper person to hold a waste licence,

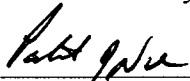
All matters to do with environmental emissions from the activity as detailed in the EIS and licence application documentation, will be considered and assessed by the Agency. Where the Agency is of the opinion that the activities cannot be carried on, or conditioned under a licence, to the extent that permits compliance with a reasonable burden of proof for Section 40(4) of the Waste Management Acts, 1996 to 2005, then it is debarred from granting a licence for such an operation. Should the Agency decide to grant a licence in respect of the activity, it will incorporate



conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) will be used in the carrying on of the activities.

I trust this clarifies matters for you.

Yours sincerely,



Mr. Paddy Nolan,
Programme Manager,
Office of Licensing and Guidance