

Ms Siobhan White
Executive Officer
An Bord Pleanála
64 Marlborough Street
Dublin 1

Regional Inspectorate, Inniscarra
County Cork, Ireland
Cigireacht Réigiúnach, Inis Cara
Contae Chorcaí, Éire

T: +353 21 487 5540
F: +353 21 487 5545
E: info@epa.ie
W: www.epa.ie

Lo Call: 1890 33 55 99

8 November 2005

Re: Waste Licence Application Register Number 223-1, Fingal County Council,
Kilshane Cross Recycling Park, Newtown, Kilshane Cross, Dublin 15

Dear Siobhan

I am to refer to your letter of 20 October 2005 regarding the above proposed recycling centre site.

The Agency has received a waste licence application for the above facility.

All aspects of the development, operation and safe closure of the facility in so far as they may relate to environmental pollution from the licensable activities are considered by the Agency in its determination process.

Section 40 (4) of the Waste Management Acts 1996 to 2003 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 activities detailed in an EIS and licence application are 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 WMA 1996, then it is debarred from granting a licence for such an operation. Should the Agency decide to grant a licence in respect of each of the activities, it incorporates conditions that will ensure that appropriate National and EU standards are applied, and that Best Available Techniques (BAT) are used in the carrying on of activities.

I must stress that the Agency consideration does not extend to any impacts or emissions associated with road use external to the controlled sites.

If you have any specific queries that you feel the EPA can address, please let us know and we will endeavour to answer them.

Yours sincerely



Maeve McHugh
Licensing Unit
Office of Licensing & Guidance