

Mrs Valerie Foley Kerdiffstown, Sallins, Co. Kildare

21 June 2006

Headquarters, PO Box 3000 Johnstown Castle Estate County Wexford, Ireland

Ceanncheathrú, Bosca Poist 3000 Eastát Chaisleán Bhaile Sheáin Contae Loch Garman, Éire

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Re:

Recommended Decision in relation to File Reference 47-2

Applicant/Licensee: Neiphin Trading Limited

Location of Facility: Kerdiffstown, Naas, Co Kildare

Dear Mr. Foley

I refer to your letter of 12 May 2006 regarding the above which has been forwarded to me for direct reply.

I note with concern and surprise the contents of your letter and in particular your statement in which you say 'The EPA have lied to the members of the public who took part in this review process'. I can assure you that nothing could be further from the truth.

The Agency has in accordance with its policy of openness and transparency made all documentation in relation to this and every other current application available on it's website for the information of the public. You are no doubt aware from correspondence with the Agency or from accessing the documentation on the Agency website that the processing and final determination of this licence review application has not been completed. The objections to the proposed decision are currently being examined and evaluated by a technical committee of inspectors. The report of the Technical Committee will be submitted to the Board of the Agency when the committee have completed their evaluation and assessment. The Board of Agency will make a final decision when it considers the technical committee report and the objections. A final decision is due on 1<sup>st</sup> July 2006 but the Agency has powers under Article 33 of the Waste Management (Licensing) Regulations 2004 to extend this date. Should it be necessary to extend this date the Agency will notify all relevant parties.

In relation to submissions made prior to the issuing of the proposed decision I can confirm that they were fully considered and referenced by the inspector in his report dated 13 January 2006. They were also fully considered by the Board of the Agency when making the proposed decision as the following extract confirms 'In reaching



The document 'Recommended Decision' to which you refer and which is available for inspection on the Agency website is the recommended decision that accompanied the inspectors report to the Board of the Agency which is dated 2<sup>nd</sup> February 2006. You are therefore mistaken in your belief that this is the recommendation of the technical committee. The report of the technical committee will of course be made available for public inspection along with the final decision.

I wish to take this opportunity to assure you that the Agency deals with all its customers and stakeholders in a thoroughly professional and impartial manner. It is the policy of the Agency to conduct its business with honesty and integrity and in compliance with all legal and ethical standards, together with established Agency policy. Agency officials are required to conform to a high standard of ethics in relation to business activities with its customers and stakeholders. I can therefore assure you and all those who are interested in this application that the Agency will, as in all cases, deal with all submissions and objections in a thoroughly professional and impartial manner.

I should also advise that the enforcement of the existing waste licence (Reg. No. W0047-01) is the responsibility of my colleagues in the Office of Environmental Enforcement who are pleased to deal with any enquiries that you may have in relation to the enforcement of the existing licence.

I trust the above is of some assistance to you and apologise for the delay in replying to you.

Yours sincerely

P.Nolan

Programme Manager

Licensing Unit



Mr Michael Foley Kerdiffstown, Sallins, Co. Kildare

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Ms Hannah Foley Kerdiffstown, Sallins. Co. Kildare

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Mrs Deirdre Foley Kerdiffstown, Sallins, Co. Kildare

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