



Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhshaoil

Mr. Shay Lunney
On behalf of the Nevitt Lusk Action Group and Others
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12 February 2008

W0231-01

Re: Oral Hearing of objections received in respect of an application for a Waste Licence made by Fingal County Council for a proposed Landfill at Nevitt, Lusk, Co Dublin, Reg No: W0231-01.

Dear Mr. Lunney

Thank you for your letter received 4th February 2008 seeking clarification on points related to the above Oral Hearing. The following paragraphs address the specific points raised in your letter. The legislative provisions for oral hearings is set out in the Waste Management Acts 1996 to 2007 and supporting licensing regulations (S.I. No. 395 of 2004).

I am to advise that the purpose of the oral hearing is to hear objections and the reasons, considerations and arguments on which they are based in accordance with Section 42 (3) of the Waste Management Acts, 1996 to 2007. The person appointed by the Agency will determine the manner in which the hearing is conducted. The hearing will be conducted without undue formality.

The Agency has not overturned a proposed decision (PD) in the past regarding landfill. The objections process has however resulted in the amendment of or inclusion of new conditions having regard to the issues raised in objections to proposed decisions.

The Agency refused to grant a licence on 16th February, 2006 to Waterford County Council in respect of their application for a proposed new engineered landfill at Garrynagree and Reanagullee Townlands, Dungarvan, Co Waterford. Reg No: W0187-01. A copy of the decision and related documents is available to view on our website at www.epa.ie.

With regard to the point raised about the fairness of the process I can confirm that the process is provided for in legislation and the Agency has no further comment.

With regard to Mr. David Hammerstein, MEP, the Agency has received direct correspondence from Mr. Marcin Libicki, Chairman of the Committee on Petitions at the European Parliament regarding Mr. Hammersteins attendance at the hearing. The Agency will correspond directly with the Committee in this regard.

Yours sincerely



Mr. Paddy Nolan
Programme Manager
Office of Climate,
Licensing and Resource Use

