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Ewa Babiarczyk, Licensing Unit,
Office of Climate, Licensing & Resource Use
Environmental Protection Agency,
Headquarters, P.O. Box 3000
Johnstown Castle Estate
Co. Wexford

**Environmental Protection
Agency**

10 APR 2008

8th April 2008

Our Ref.: MDR0515Lt0006dun
File Ref.: 330

Re: W0240-01

Dear Ewa,

I understand that you spoke to John MacNamara, AES, and requested clarification on a pending action by North Tipperary County Council pertaining to the existing waste transfer facility, which currently operates under a permit. Please find attached a letter from AES clarifying the situation.

I hope this is to your satisfaction. Please do not hesitate to contact the undersigned or Dr John MacNamara if you require any further clarification.

Yours faithfully,



Micheál Spillane
For & on behalf of RPS

MS/lot.

cc.

Dr. John MacNamara, Environmental Manager, Advanced Environmental Solutions Ltd.



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Ms Ewa Babiarczyk
Inspector
Office of Climate, Licencing & Resource Use
EPA Head Quarters
Johnstown Castle Estate
PO Box 3000
Wexford

Re: Addendum to Article 14(2)(b)(ii) Further Information for W0240-01

Dear Ms Babiarczyk,

Further to our telephone call in relation to the Article 14 Notice, you requested clarification regarding the pending action by North Tipperary County Council in regard to the permitted facility at Springfort Cross. This action relates to an alleged technical breach of the waste permit, i.e. exceeding the threshold for tonnes accepted. Ironically, since the issuing of this action by the Council, the government has amended the legislation (SI 821 of 2007), significantly increasing the relevant threshold tonnage. Under these new permit regulations and on the same facts, there would be no grounds or cause of action for a case against the facility. The current case has again been adjourned until mid-May.

As you mentioned in our last telephone conversation, the County Council hold the facility and its management in good regard, have acknowledged that there were no complaints against the facility and agreed that the breach was of a technical nature, i.e. that there was no question of actual environmental pollution.

I trust this response addresses your question, and I hope that this, together with the other information provided will expedite the issuing of the licence.

Best regards

Dr John MacNamara
Environmental Director
AES (Ireland) Limited

