

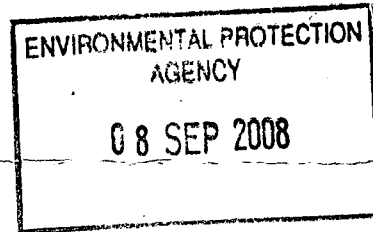
**MURPHY  
ENVIRONMENTAL**

A DIVISION OF MURPHY CONCRETE MANUFACTURING LTD.

Hollywood • Naul • Co. Dublin

T: 01-8433 744 • F: 01-8433 747 • W: [www.murphyenvironmental.ie](http://www.murphyenvironmental.ie)

Waste Licensing Section,  
Office of Climate, Licensing and Resource Use,  
EPA,  
PO Box 3000,  
Johnstown Castle Estate,  
County Wexford.



Our Previous Ref: WO129- 02/LOD/200808(2 )  
Our Ref: WO129-02/PR/020908

Re: Application for the Transfer of WO129-02 from the ownership of Murphy Concrete Manufacturing Ltd to the ownership of Murphy Environmental Hollywood Limited

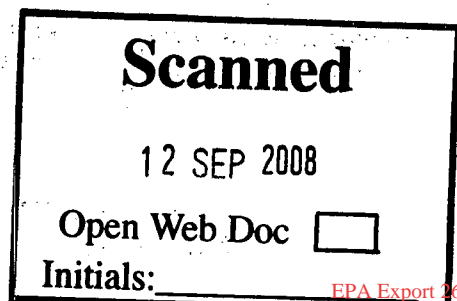
Dear Sirs,

Thank you for your previous correspondence on this issue and your confirmation by telephone that the transfer of this licence to our new registered company is likely to have been processed by your department by mid September.

As you are aware from previous correspondence forwarded to you on our behalf by Ms. Louise O'Donnell of Patel Tonra Limited who acts as consultants for this firm, we had originally hoped this transfer would have been completed before 1<sup>st</sup> September so that all other legal and documentary changes could be implemented with effect from that key date. However, due to a failure to appreciate your offices procedures in relation to the treatment of incoming documentation marked confidential which was entirely a failure on our part this was not possible.

The news that this will in all likelihood now take place mid September from your perspective is most welcome, however, it poses another challenge for us which we hope you will assist us with. As there are a number of legal instruments which must be executed to give effect to accounting demands that assets transfer at one and the same time as legal ownership of the licence and control of the landfill occur we need to have advance notice of the 'effective date' to comply with a raft of company law that plays a part in this exercise.

We appreciate that this is of no particular concern of the Agency accept in so far as we know you would be among the first to wish to see that all legal compliance issues are met in full by a licensee. To that end we propose and ask you to agree that when you are ready to issue the licence during this month it is done with an effective date at the front cover of the licence document. In other words that you issue the actual authority to transfer as you have indicated in the mid month, but that this transfer does not take effect until the 1<sup>st</sup> October, 2008.



This will facilitate the execution of all the necessary legal instruments on the 1<sup>st</sup> October a day when we will not be open for business at the Hollywood facility in order to implement the changes that will follow the licence transfer.

To give you some idea of the items that we have to address on 1<sup>st</sup> October I include what is by no means an exhaustive list below:

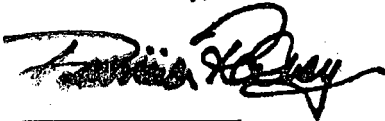
1. Transfer of Staff Employment Contracts & Pensions
2. Transfer of Assets
3. Transfer of Business Accounts
4. Transfer of lands and associated matters into the New Company
5. Transfer of all contracts for services supplied or provided
6. Transfer of all accounting practices and procedures to the control, documentation and implementation of the New Company
7. Transfer of Insurances

As you can easily assess for yourself, we cannot legally operate a licence in a company that does not have legal control of the licence and similarly we cannot legally operate a transferred licence in a company that has relinquished control and legal ownership of the licence it has been operating. Therefore, we need advance notice of the 'effective date' of the transfer.

In addition but not as a matter of legal fact, we need to be able to close off and open up orderly accounts for our customers and suppliers and this is best achieved at the beginning of a month, hence the preference for 1<sup>st</sup> October. We do not anticipate that this will pose any particular issue for your department and we look forward to formal agreement from you that this can be facilitated to assist the orderly transition from one legal entity to the other as and from 1<sup>st</sup> October, 2008.

Please accept my thanks for your co-operation in this matter.

Yours sincerely,



Patricia Rooney  
General Manager  
Murphy Environmental  
(a registered trading division of Murphy Concrete Manufacturing Ltd)

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