

Mr James McGrath
Ashleigh House
Ballynameelagh
Cappagh
County Waterford

29th January 2009

Reg. No. P0447-01

Notice of amendment for the purposes of Section 82(11) and Section 96(1)(c) of the Environmental Protection Agency Acts 1992 to 2007

Dear Mr. Sweeney,

As you are probably aware the Protection of the Environment Act 2003 made a number of amendments to the provisions of the Environmental Protection Agency Acts and the Waste Management Acts. One of these amendments was to give effect to the requirements of Council Directive 96/61/EC concerning integrated pollution prevention and control (IPPC). In this regard the provisions of these Acts have been amended to include a requirement that the Agency examine all licences granted prior to the commencement of Section 15 of the Protection of the Environment Act 2003 on 12 July 2004. The purpose of the examination is to establish if licences, in respect of activities listed in the Annex I to the IPPC Directive, comply with the requirements of that Directive. The requirement provisions are set out in Section 82 of the Environmental Protection Agency Acts 1992 to 2007.

The Agency has examined the terms of the licence/revised licence granted to **Mr James McGrath** on **28 August 2000** in respect of the installation/facility located at **Ashleigh House, Ballynameelagh, Cappagh, County Waterford** for the purposes of determining if the licence complies with the requirements of the Directive or whether it requires to be reviewed or amended as provided for in the legislation.

Having completed its examination, the Agency has determined that the terms of your licence Reg. No. P0447-01 are not in full compliance with the Directive. I am also to confirm that the Agency is of the opinion that conformity with the Directive can be achieved by an amendment to the licence as provided for in Section 82(11) of the EPA Acts 1992 to 2007.

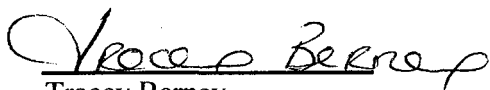


In addition the Agency in accordance with section 96(1)(c) of the EPA Acts 1992 to 2007 amends the conditions of your licence/revised licence to reflect the agreement reached between the Agency and IFA in relation to the recovery of slurry/manure as fertiliser. The Agency is satisfied that the amendment of conditions is to facilitate the operation of the licence and the making of the amendment does not result in the relevant requirements of section 83(5) of the EPA Acts 1992 to 2007 ceasing to be satisfied.

Please find attached amendments to the conditions of your licence Reg. No. P0447-01, which are necessary to achieve the necessary conformity with the Directive. These amendments form part of your licence and must be read in conjunction with your existing licence.

However, it should be noted that no alteration to, or reconstruction in respect of, the activity or any part thereof, shall be carried out or commenced without prior notice to, and without the agreement of, the Agency as required under the conditions of your existing licence and the provisions of Section 98 of the Environmental Protection Agency Acts 1992 to 2007.

Yours sincerely



Tracey Berney
Programme Officer
Environmental Licensing Programme
Office of Climate, Licensing & Resource Use

w/attachment