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ENVIRONMENTAL PROTECTION  
AGENCY

16 JUN 2009

12<sup>th</sup> June 2009

Ms Josephine Kennedy  
Office of Climate, Licensing & Resource Use  
Environmental Protection Agency  
PO Box 3000  
Johnstown Castle Estate  
Co Wexford

### **Re: W0252-01 - Waste Licence Application**

Dear Ms Kennedy,

We refer to the above mentioned Waste Licence Application and now write to outline our response to the submission dated 9<sup>th</sup> June 2009 from Michael Boland, Waste Management Section, Wicklow County Council (WCC).

The first three paragraphs of Mr Boland's letter outline the factual position in relation to the site.

In paragraph 4, however, Mr Boland states that WCC believes that the waste licence application is for a "waste disposal" activity rather than a "waste recovery" activity. We believe that this is definitely not the case and we have been assured at all times in pre and post application discussions with EPA that the activity proposed is deemed as "recovery". Indeed, we note that the EPA website itself classes the proposed facility as a "Soil Recovery Facility" and the description of the Principal Class of Activity is "Recycling or reclamation of other inorganic materials".

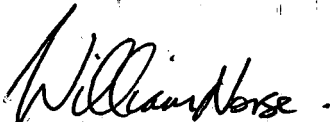
Mr Boland also outlines that WCC believes that some form of "community fund" should be included in any waste licence granted by EPA. Our belief is that a "community fund" is an appropriate concept where there is a "waste disposal" activity (e.g. municipal waste landfill) – the idea being that the greater community benefits from such a landfill while the local community where it is situated may suffer negative consequences and therefore a "community fund" from the operator helps to offset those local impacts. It is important to note that there are few, if any, potential environmental impacts to the local community from the proposed activity in this instance; recovery of inert soils. Full and detailed information is provided in this regard in the EIS

that accompanies the application. Consequently, we strongly believe that a "community fund" is not an appropriate measure in this instance.

We would also point out that Condition No. 12 of the planning permission granted by An Bord Pleanála provides that the applicant must pay a financial contribution to WCC in accordance with the terms of the Development Contribution Scheme in respect of public infrastructure and facilities benefiting the development.

I trust the above is in order, however, should you have any queries please let me know.

Yours sincerely,



**William J. Norse**  
**For & on behalf of Buchpa Limited**  
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