

Mr Pat Ryan
Site Owner/Manager
Ballyfaskin Enterprises Ltd
C/O Michael Sweeney
NRGE
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11 May 2010

Reg. No.: P0915-01

Dear Mr Ryan,

I refer to your application for an Integrated Pollution Control Licence, which was received on 16th April 2010.

Following a site visit on the 5th May 2010, I am to advise in accordance with Article 8 of the EPA (Licensing) Regulations 1994, that the site notice in pursuance of Article 5 of said Regulations does not comply with the provisions of Article 7 of said Regulations. A site notice was not fixed in a conspicuous position adjacent to a public road so as to be easily visible and legible by persons using the public road during a site inspection on the 5th May 2010. In addition, the wording of the site notice, as provided in the application, does not refer to the Environmental Impact Statement (EIS) for this installation as required under Article 7(3)(d).

The Agency therefore requires you, in accordance with Article 8 of the Regulations:

- To amend the wording of the site notice to include reference to the EIS.
- To erect or fix a site notice in accordance with Article 7 of the EPA (Licensing) Regulations 1994 for a period of one month from 14th May 2010.

The Agency further requires you to submit the following evidence in relation to compliance with the above requirement:

- Confirm in writing that the site notice has been erected or fixed in accordance with Article 7, referencing the date that the site notice has been erected or fixed at the site.
- Provide a copy of the notice and dated/verified photograph of notice in-situ.

Note: Any *telephone enquiries* in relation to the above should be directed to **Pamela McDonnell** at the number above.

All *written communications and replies* should be directed to Elizabeth Leacy, Office of Climate, Licensing, & Resource Use, EPA, PO Box 3000, Johnstown Castle Estate, County Wexford.

I am also to advise in accordance with Article 8 of the EPA (Licensing) Regulations 1994, that the newspaper notice in pursuance of Article 5 of said Regulations does not comply with the provisions of Article 5 and Article 6 of said Regulations. The newspaper notice was published in the Limerick Leader on the 27th March 2010, three weeks before the licence application was made on the 16th April 2010. Article 5 requires this notice to be published within the period of two weeks before the making of an application. In addition, the wording of the newspaper notice does not refer to the Environmental Impact Statement (EIS) for this installation as required under Article 6(1)(d).

The Agency therefore requires you, in accordance with Article 8 of the Regulations:

- To amend the newspaper notice to include reference to the EIS.
- To re-publish the newspaper notice in accordance with Article 6 of the EPA (Licensing) Regulations 1994 within two weeks from the 14th May 2010.

The Agency further requires you to submit the following evidence in relation to compliance with the above requirement:


- Submit a copy of the relevant page of the newspaper in which the notice required above has been published.

The requested information should be submitted to the Agency within **1 month** of the date of this notice, in order to allow the Agency to process and determine your application.

In the circumstances, you should make immediate arrangements to have the required document(s) (1 signed original and 1 copy in hardcopy format, and 2 copies of all files in electronic searchable PDF format on CD-ROM) submitted to the Agency without delay. Your response to this request should be directed to *Elizabeth Leacy, Administration Officer, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number P0915-01.

It should be noted that the eight week period within which the Agency is to decide the proposed determination will commence on the day on which this notice has been complied with. If you have any further queries please contact Pamela McDonnell at the number above.

Yours sincerely



Pamela McDonnell

Office of Climate, Licensing and Resource Use

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