

Mr Pat Ryan
Site Owner/Manager
Ballyfaskin Enterprises Ltd
C/O Michael Sweeney
NRGE
Moorsefort,
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County Tipperary

Regional Inspectorate, Inniscarra
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12th January 2011

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, the Agency's letter dated 11th May 2010 in relation to the site notice and newspaper notice, and your response received on the 6th January 2011.

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, as revised and provided in your response received 6th January 2011, does not comply with the provisions of Article 7 of said Regulations. The wording of the revised site notice does not refer to the Environmental Impact Statement (EIS) for this installation as required under Article 7(3)(d). In addition, your letter does not confirm that the site notice has been erected or fixed in accordance with Article 7.

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 21st January 2011.

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

- Confirm in writing that the amended 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 a dated/verified photograph of the 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, as revised and published in the Limerick Leader on the 4th December 2010 and provided in your response received 6th January 2011, does not comply with the provisions of Article 5 and Article 6 of said Regulations. The wording of the revised newspaper notice does not indicate the name of the planning authority to which a copy of the EIS for this installation has been submitted, as required under Article 6(1)(d)(iii).

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

- To amend the newspaper notice to include reference to the relevant planning authority.
- To re-publish the newspaper notice in accordance with Article 6 of the EPA (Licensing) Regulations 1994 within one week of erecting the site notice.

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

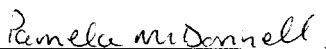
- Submit a copy of the relevant page of the newspaper in which the notice required above has been published.

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. Failure to do so may result in the Agency considering that your licence application fails to comply with the requirements of the EPA (Licensing) Regulations 1994, and your application may not be considered by the Agency.

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

cc Mr Pat Ryan, Ballyfaskin Enterprises Ltd, Ballyfauskeen, Ballylanders, Co. Limerick

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