

This report has been cleared for
submission to the Director by the
Programme Manager Frank Clinton

Signed Shelagh Date 29/6/11



OFFICE OF CLIMATE,
LICENSING & RESOURCE USE

Licensing Programme Memorandum

To:	Laura Burke, Director
FROM:	Brian Meaney – Environmental Licensing Programme
C.C:	Frank Clinton
DATE:	8 February 2011
RE:	Objection fee refund request from Cavan Better Waste Management Group in relation to objections to Proposed Decisions relating to Corranure Landfill – W0077-04 and W0248-01 .

Proposed Decisions were issued in respect of the following waste licence (review) applications on 15 December 2010 – W0077-04 and W0248-01. The Cavan Better Waste Management Group objected to both PDs and paid a fee of €200 in respect of each of the two objections. In a letter to the Agency (attached), Mr Peter Sexton, on behalf of the Group, requested a refund of the total fees paid of €400. Mr Sexton is of the opinion that the fees are excessive and have prevented a number of local residents from expressing their opinions on the PDs individually. The Group has few funds and all funds are self-raised. No “outside experts” are used by the Group and this, according to Mr Sexton, places the Group at a disadvantage compared to Cavan County Council and Oxigen Environmental Ltd.

I note that the Board decided to refund in full the objection fees paid by third parties in respect of the Proposed Decision on licence review number W0077-03. That review was initiated by the Agency. It dealt with issues relating to the Landfill Directive and the diversion of municipal waste from landfill and was part of a review of a tranche of 25 municipal landfills. This mechanism and reason for reviewing the licence were not well understood by local residents who objected to the idea of a revised licence being granted at all in respect of the facility.

The more recent review (W0077-04) of Cavan County Council’s licence and consideration of the new application from Oxigen Environmental Ltd (W0248-01) are different in that they represent a proposal from the licensee and operator of the facility to transfer responsibility for certain licensed areas of the site and develop new recycling infrastructure at the facility. The local community were fully engaged in the application process and the large number of submissions was dealt with by the Agency in assessing the two licence applications. In a similar manner, objections from all parties will be considered by the Agency before a final decision is made. In accordance with article 42 of the Waste Management (Licensing) Regulations 2004, objection fees are payable by applicants, third parties and others.

Recommendation:

The nature of Cavan County Council's review application W0077-04 and Oxigen Environmental's new application W0248-01, as compared to any other licence application currently or previously before the Agency, provide no reason for refund of objection fee. I recommend refusal of the request.

Signed

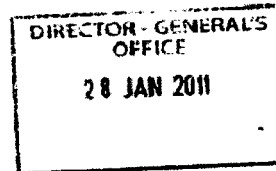


Brian Meaney
Senior Inspector

Cavan Better Waste Management,
C/o Peter Sexton
Killygoan
Cavan
Co. Cavan

Environmental Protection Agency
EPA Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford

24th January 2010



RE: Appeal for refund of submissions fees for W0077-04 & W0248-01

Dear Sir/Madam,


This appeal has been prepared on behalf of the Cavan Better Waste Management Group, c/o Peter Sexton, Killygoan, Cavan, Co. Cavan.

We would respectfully ask the board to refund the total submission fees of €400 that we paid on the appeals of the licences listed above.

We feel that the fees for submissions are excessive, a large number of local residents would have liked to submit their applications individually but have not been able to afford the fees. Our group as you may know is made up entirely of volunteers and we have been working tirelessly over the past ten years to highlight the problems of Corranure. This has necessitated in us having to take a lot of time off work all unpaid as well as countless hours of our family time which we have had to sacrifice in order to act as a watchdog for the local community.

We have very little in terms of funds; anything we have has been self-raised. We refuse to employ any so called outside experts as we feel they could never represent or articulate our feelings on Corranure. This has placed us at a huge disadvantage to Cavan County Council & Oxigen Environmental who appears to have limitless funds at their disposal to hire these experts. We feel they have an unfair advantage because of this and we ask the board to consider our request for the refund of the submission fees of €400.

Yours Sincerely,



Peter Sexton