

RECORD OF MEETING

Date and Venue of meeting	16 May 2012, EPA HQ Wexford
Type of meeting	Article 16 discussion
Name of Licensee	Murphy Environmental Hollywood Ltd
Location	Co. Dublin
People present at meeting	EPA: Brian Meaney For EPA: Dr Marcus Ford, Geosyntec Consultants MEHL: Patricia Rooney, Ken Rooney For MEHL: Louise O'Donnell, Patel Tonra Kevin Cullen
Discussion is related to the following	Article 16 notice dated 23 March 2012 and follow up correspondence
Items / matters discussed	<p>MEHL expressed dissatisfaction with the fact that the Agency is not taking at face value the conclusions drawn by An Bord Pleanála regarding the hydrogeology at the facility. MEHL is adamant that the issues raised in the article 16 notice are fully and adequately addressed in the documents presented to the hearing and in the inspector's report to the Board. MEHL also expressed dissatisfaction with the length of time the licence application is taking, particularly in light of An Bord Pleanála's fast-tracking of the planning application through the SID process. MEHL expressed disappointment that the EPA has not put the necessary resources into the application. MEHL sought an immediate discussion with the manager or director responsible for the licensing function. However neither was available at that time.</p> <p>EPA explained that the licensing process is separate to the planning process and the EPA is entitled to address the hydrogeology of the site from first principles. EPA queried whether the planning reports that were not part of the application contained any data not already included as part of the waste licence application and noted that documents already seen by it were more discursive in nature. EPA recalled that while the oral hearing documents had been mentioned to EPA by MEHL's representatives previously, it was decided that those reports would not be submitted as unsolicited additional information. Instead MEHL's representatives decided that relevant parts of those reports would be provided in response to specific questions as might arise under article 16.</p> <p>MEHL is taking the words "is expected" in section 8 of the article 16 notice as an instruction to carry out work. EPA explained that the EPA cannot instruct an applicant how to conduct its application or what or how much work to carry out. The EPA can only state what information it needs to enable it to assess an application. If an applicant chooses not to provide the information requested by the EPA, the EPA has the discretion to proceed to make a decision without that information. The process is governed by article 16 of the Waste Management (Licensing) Regulations 2004.</p>