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This memo has been cleared for  
submission to the Board by  
Senior Inspector, Dr Tom McLoughlin  
Signed: Sonia Smith Date: 05/02/2014

### ENVIRONMENTAL LICENSING PROGRAMME MEMORANDUM

<b>TO:</b>	DARA LYNOTT, DIRECTOR
<b>C.C:</b>	Frank Clinton, Programme Manager
<b>FROM:</b>	Caroline Murphy, Inspector
<b>DATE:</b>	5 <sup>th</sup> February 2014
<b>RE:</b>	Recommendation to consider a waste licence review application fee refund: Register Number W0021-03, Mayo County Council, Derrinnumera Landfill, Derrinnumera, Newport, County Mayo.

On 22 May 2007 Mayo County Council applied to the Agency for a review of their waste licence, register number W0021-02, to provide for the inclusion of a sludge hub centre, an interim sludge drying/lime-dosing system, a leachate treatment facility and a pumping station to pump treated leachate via a rising main to the discharge outfall of the proposed Newport Wastewater Treatment Plant.

On 17 September 2008, An Bord Pleanála issued Board Direction Ref: 16.JA.0002 stating that it was decided to refuse approval for the construction and operation of a sludge hub centre and leachate treatment facility at the existing landfill at Derrinnumera.

A notice of an intention to consider the licence review application abandoned was issued by the Agency to Mayo County Council on 17 September 2013 in accordance with Article 21(2) of the Waste Management (Licensing) Regulations, 2004, as amended.

Correspondence was received from Mayo County Council on 2 October 2013 stating that they wished to withdraw their waste licence review application and requested a refund of half the fee paid for this application.

Pursuant to the notice under Article 21 of the Regulations the Agency issued a notice on 11 November 2013 declaring the review application as having been withdrawn.

#### INSPECTOR'S ASSESSMENT

Article 45 of the Regulations provides the Agency with the absolute discretion to refund up to half of any fee payable in respect of a particular application where it is satisfied that the payment in full of the fee would not be just and reasonable having regard to the relevant circumstances of the activity.

Mayo County Council submitted a cheque of €28,500 in payment of the application fee (waste activity categories 1.2 (€22,500) and 4 (€6,000) of Part I of the Second Schedule of the Regulations).

The Environmental Licensing Programme's Senior Inspector Ms Marie O'Connor to whom this licence review application had been previously assigned was consulted and it was agreed that it would be reasonable to recommend that half of the fees (€14,250) be refunded to Mayo County Council.

**RECOMMENDATION**

I recommend that a refund of 50% of the fee paid should be granted to the applicant, Mayo County Council, as the application was withdrawn in accordance with Article 21 of the Waste Management (Licensing) Regulations 2004, as amended.

Signed:



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Caroline Murphy

Dated:

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5<sup>th</sup> February 2014