

# MEMO

**TO:** Each Director **FROM:** Michael Owens  
**CC:** Office File **DATE:** 22 January 2014

**SUBJECT: Request for oral hearing of objections on PD re: Padraic Thornton Waste Disposal Ltd- Reg. No. W0195-02**

I have assessed the objections to the Proposed Decision issued in relation to Padraig Thornton Waste Disposal Ltd (Reg. No. W0195-02). The closing date for receipt of objections was 28 October 2013.

Two objections were received from the following:

- (i) Peter Brittain, Newcastle House, Kilmainhamwood, Kells, Co. Meath.
- (ii) George and Maggy Williams, The Annexe, Newcastle House, Kilmainhamwood, Kells, Co. Meath.

The objections were received within the appropriate period. They also comply with the following sub-sections of Section 42(4) of the Waste Management Act 1996, as amended, in that they:

- (a) were submitted in writing
- (b) provided name and address
- (c) subject matter of objection(s) stated
- (d) grounds for objection(s) stated
- (e) were accompanied by the appropriate fee.

A request for an oral hearing was made by both objectors. The requests for an oral hearing are valid and the fee of €100 was submitted in both cases.

The EPA publication *Waste Management and IPPC Licensing – Aspects of Licensing Procedures: Objections and Oral Hearings* states that while there are no specific statutory criteria that govern the decision to hold an oral hearing, there are matters for consideration that could influence the decision of the EPA, including:

- (i) New issues not previously raised that are specific to the location or the development.
- (ii) The sensitivity of the location/local environment.
- (iii) Whether it is a matter of national or regional importance.
- (iv) The scale or complexity of the development.
- (v) Significant new information.

I have examined the objections received against the criteria above and I consider that an oral hearing of the objections is not required in this case for the following reasons:

- (i) New issues not previously raised that are specific to the location or the development.

**Comment:** A new issue is raised in both objections whereby it is contended that the EIA as carried out by the Agency is flawed; however, it is considered that the matter can be fully considered and assessed by a Technical Committee and I do not think that it warrants consideration by an oral hearing.

- (ii) The sensitivity of the location /local environment.

**Comment:** All matters related to the sensitivity of the local environment have previously been considered by the Agency at the licence review stage. Adequate protection measures have been included in the Proposed Decision. Consequently I do not think that consideration of this matter by way of an oral hearing is warranted.

- (iii) Whether it is a matter of national or regional importance.

**Comment:** It is not considered that the principal subject matters of the objections are of national or regional importance being of significance mainly to the facility itself and to the manner in which the Agency carried out EIA. The matters raised can be dealt with in the normal course of assessment of objections by a Technical Committee and I do not consider that the matters raised warrant consideration by way of an oral hearing.

- (iv) The scale or complexity of the development.

**Comment:** The nature of the process remains unchanged. It is proposed to increase waste intake by 100% although this will not result in an extension to the current size of the facility. All matters related to the proposed increase in waste intake have already been assessed during the licence review process. Consequently, it is not considered necessary to consider this matter by an oral hearing.

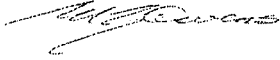
- (v) Significant new information.

Regarding the objections, and not to minimise the importance of the issues raised, there is no significant new information provided and therefore an oral hearing is not warranted under this heading.

**Recommendation:**

I have read the objections and the requests for an oral hearing from Mr Peter Brittain and Mr and Mrs George and Maggy Williams. The issues raised in the objections can, in my view, be fully considered and assessed by a Technical Committee. This does not infer that the objections will get less consideration than if dealt with by way of an oral hearing.

I do not therefore recommend that an oral hearing be held.



Signed: \_\_\_\_\_

Michael Owens

Inspector

Dated: \_\_\_\_\_

22 January 2014

