

Mr Andy Howarth
Desmond & Associates
The Captains Cabin
68 Lower O'Connell Street
Kinsale
County Cork

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
Ceanncheathrú, Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire
T: +353 53 9160600
F: +353 53 9160699
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

28/02/2014

W0273-01

Re: **Notice in accordance with Section 42 (II)(b) of the Waste Management Act 1996-2013 as inserted by SI No. 505 of 2013**

Dear Mr Howarth

I am to refer to the above regulations and the above referenced application for a waste licence received on 30/09/2009 relating to a facility at Michael O Hanlon's, Mallow, Co. Cork.

In accordance with Section 40 (2A)(C) of the Waste Management Acts (1996-2013), the Agency has assessed the information submitted and considers that the application must be made subject to an environmental impact assessment (EIA).

Therefore in accordance with Section 42 (II)(b) of the Waste Management Acts (1996-2013), you are requested to take the steps and supply the information detailed below:

SECTION 42 (II)(b) COMPLIANCE REQUIREMENTS

Submit an Environmental Impact Statement (EIS) within 16 weeks of the date of this letter. The EIS should be prepared in light of the Agency's guidance documents on EIS, which are available at the following link:
<http://www.epa.ie/downloads/advise/ea/guidelines/>

Please be advised that if you ***fail to submit*** an EIS within the period specified above, or any additional period as may be specified by the Agency, the application for a licence ***shall be deemed to be withdrawn.***

You should note that applications for activities which are on-going and licensable cannot be withdrawn and any applications of this nature that are deemed to be withdrawn will be referred to the Office of Environmental Enforcement for investigation and possible enforcement action. You should consult with the Agency before letting your application be deemed to be withdrawn. This will relate in particular to facilities where the total intake of waste at the facility since waste activities commenced has exceeded 100,000 tonnes and where the facility has not been closed in accordance with a waste facility permit and to the satisfaction of the local authority that issued the permit.


In addition to the above, please be advised that you are required to erect a site notice, publish a newspaper notice and notify the planning authority in accordance with Article 6, 7 and 9 of the Waste Management (Licensing) Regulations 2004. The purpose of the revised notices is to advise of the preparation of an EIS in relation to the activity. A copy of the relevant notices must be submitted with the EIS, as per the Regulations.

Please supply the information outlined above in the form of a one (1) original plus one (1) copy in hardcopy format. In addition please submit two (2) copies of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.

If you need to discuss any aspect of the information required above, please contact the undersigned.

Please note that the application's register number is W0251-01. Please direct all correspondence in relation to this matter to Administration, *Licensing Unit, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,


Patrick Geoghegan
Environmental Licensing Programme