

Ms Fiona Marshall,  
Indaver Ireland,  
Unit 11 South Ring Business Park,  
Kinsale Road,  
Cork

13<sup>th</sup> January 2016

Our Ref: W0186-01 nev2nod2.docx

**Notice under Section 92(1) of Environmental Protection Agency Act 1992, as amended**

Dear Ms Marshall,

The Agency wishes to give notice that the carrying on of the activity, to which Industrial Emissions (IE) Licence Reg. No. W0186-01, relates has not substantially commenced within ten years of the date on which the licence was granted.

I am to advise you that in accordance with Section 92(1) of the EPA Act 1992, as amended, IE Licence Registration Number W0186-01 has ceased to have effect and the activity cannot now commence under this licence.

In view of the above you are advised to contact your local & sanitary authority with regard to fulfilling any environmental regulatory requirements.


With regard to your letter dated 18/9/2015, having regard to:

- the legislative changes since the licence was granted,
- changes to relevant development plans and the national hazardous waste management plan,
- the fact that the proposed installation has not yet been built,
- the modifications proposed to the proposed installation,
- the requirement for planning permission, and
- potential implications in terms of environmental impact assessment and appropriate assessment,

the Agency has decided to refuse to consider your request to extend the duration of the licence.

Please quote the above reference in future correspondence in relation to this matter. If you have any queries contact the undersigned at 021-4875540.

Yours sincerely,

  
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Martin O'Reilly  
Office of Environmental Enforcement

Encl.

**Environmental Protection Agency Act 1992, as amended**

*92.—(1) Where, in the opinion of the Agency, the duration of carrying on of the activity to which a licence or licence. revised licence relates has not been substantially commenced within the period of 3 years beginning on the date on which the licence was granted or, as may be appropriate, the period referred to in paragraph (a) or (b) of subsection (2), and the Agency notifies the licensee of that opinion, then that licence shall cease to have effect on the giving of that notice.*

*(2) The Agency may, having regard to the nature of the activity to which a licence or revised licence to be granted or granted by it will relate or relates, as the case may be, and any arrangements necessary to be made or made in connection with the carrying on of the activity and any other relevant consideration—*

*(a) specify for the purposes of subsection (1) a period of more than 3 years beginning on the date on which the licence or revised licence is to be granted,*

*(b) in the case of a licence or revised licence granted by it, on an application which complies with such requirements (if any) as may be prescribed being made by the licensee in that behalf, extend for the purposes of subsection (1) the period referred to in that subsection or specified by it under paragraph (a), as may be appropriate.*

