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For the attention of Joanne Percival/Senior Executive Officer, Planning Department

11 February 2016

W0279-02

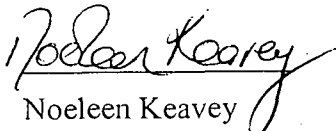
Dear Director of Services

The Agency refers to your letter dated 18 January 2016, received on 21 January 2016 in relation to the decision of An Bord Pleanála in June 2014 to limit the intake of waste at the Rehab Glassco facility at Unit 4 Osberstown Industrial Park, Caragh Road, Naas, Co. Kildare to 97,000 tonnes per annum. We note your concerns about the EPA authorising an intake of 150,000 tonnes without a full assessment of the planning implications of same and comment as follows:

1. It would appear to be a fact that the planning permission as granted can be enforced in its own right without reference to the waste licence and this regulatory role falls to Kildare County Council, not the Agency.
2. The Agency wrote to Kildare County Council on 16 March 2015 as a prescribed body under the Waste Licensing Regulations 2004 stating that an application for review of the waste licence had been made. Submissions on the application were invited at that time. The Agency wrote to Kildare County Council on 3 December 2015 enclosing a copy of the Agency's Proposed Decision on the licence review application and stating that objections could be made to the Proposed Decision before 5pm on 8 January 2016. In this instance there were no valid objections received to the Proposed Decision from any party and the Final Decision has now issued in accordance with Section 43(1)(a) of the Waste Management Act which states that if no objections are made in relation to a proposed decision, that proposed decision is to be the Agency's final decision.

The Agency has a statutory obligation to inform you of any future licence review application and we will welcome your submission at that time.

Yours sincerely



Noeleen Keavey
Environmental Licensing Programme
Office of Environmental Sustainability