

Mr John Connolly
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27th February 2017

Reg No: W0283-01

re: Notice in accordance with Section 92(2)(b) of the Environmental Protection Agency Act, as amended, in respect of a Licence issued to Bord Na Mona located at Drehid Mechanical Biological Treatment Facility, In the townlands of Coolcarrigan and Drummond, Carbury, County Kildare.

Dear Mr Connolly,

I refer to your letter of 9th November 2016 received by the Agency on 15th November 2016 seeking an extension of the three year time period specified in Licence Reg No W0283-01.

On 31/1/2017, the EPA amended the licence in accordance with s76A of the Waste Management Act 1996 as amended. The licence is now an Industrial Emissions licence and is no longer a waste licence. The licence period extension request was consequently considered in accordance with section 92 of the EPA Act 1992 as amended.

I am to advise that the Agency has considered your request and decided in accordance with Section 92(2)(b) of the Act, to grant an extension for a period of seven years. The period specified will now end on 27th February 2024. I attach a copy of the memorandum to the EPA Board for your information. Where the activity to which the IE licence relates has not been substantially commenced, the licence shall cease to have effect on the expiry of this period. Notwithstanding this the licensee may make an application to the Agency to extend the period specified in accordance with Section 92(2)(b) before the 27th February 2024.

Yours sincerely



Noeleen Roche
Programme Officer
Environmental Licensing Programme
Office of Environmental Sustainability





**OFFICE OF ENVIRONMENTAL
SUSTAINABILITY**

Environmental Licensing Programme Memorandum

To: Director

FROM: Brian Meaney

C.C: Frank Clinton

DATE: 1 February 2017

RE: Application by Bord na Móna for extension of duration of Industrial Emissions licence **W0283-01** in respect of a proposed mechanical-biological treatment plant at Drehid, Co. Kildare

Correspondence dated 9/11/2016 was received from Bord na Móna in relation to a proposed mechanical-biological treatment plant at Drehid, Co. Kildare. The licensee was granted a waste licence by the EPA on 27 February 2014. Waste activities have not commenced. In accordance with section 49(1) of the Waste Management Act 1996 as amended the licence was to have expired by 27 February 2017.

On 31/1/2017, the EPA amended the licence in accordance with s76A of the Waste Management Act 1996 as amended. The licence is now an Industrial Emissions licence and is no longer a waste licence. The licence period extension request will consequently now be considered in accordance with section 92 of the EPA Act 1992 as amended. Section 92(1) allows the Agency to form an opinion that the waste activity has not substantially commenced and, upon notification to the licensee of that opinion, the licence will cease to have effect.

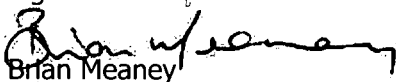
Bord na Móna in its correspondence stated that the appropriate period of the planning consent in relation to the proposed development is 10 years and have sought that the licence would match that. The extended period will allow the licensee to decide whether to develop the activity subject to adequate "fiscal incentives for the development of anaerobic digestion" in the form of the renewable energy feed in tariff (REFIT).

I have carried out a screening for appropriate assessment and this is documented in the Appropriate Assessment Screening Determination dated 27/1/2017.

Recommendation

Bord na Móna has indicated its intention to defer any decision to commence the waste activity the subject of the licence and intends relying on the 10-year period of relevant planning permission. It is not inappropriate to tie the period of the licence into the period of the planning permission. Section 92(2)(b) of the EPA Act 1992 as amended allows for extension of the licence period. I recommend a seven-year extension to 27 February 2024.

Signed


Brian Meaney