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THE SENIOR INSPECTOR, BRIAN MEANEY

SIGNED: *Brian Meaney*

DATE: 26/04/2017



OFFICE OF CLIMATE, LICENSING & RESOURCE USE

INSPECTOR'S REPORT ON A LICENCE APPLICATION

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| TO: | DARA LYNOTT, DIRECTOR |
| C.C: | Frank Clinton, Programme Manager |
| FROM: | Dr. Magnus Amajirionwu - Licensing Unit |
| DATE: | 26 April 2017 |
| RE: | Recommendation to consider a waste licence review application fee refund: register number W0279-02, Rehab Glassco Limited, Unit 4, Osberstown Industrial Park, Caragh Road, Naas, County Kildare. |

Background

Rehab Glassco Limited was granted a waste licence dated 10th December 2014 for a glass and can recycling facility at Naas, County Kildare (Register No. W0279-01).

On 23rd February, 2015 the Agency received an application for the review of Licence Register No. W0279-01. The purpose for the Waste Licence Review application was to address a new air emission point (A2) located at a new extension to the main processing building at the facility. The Agency had advised in a correspondence to the Licensee dated 10th December 2014 that a review of Waste Licence Register No. W0279-01 was required to regularise the new emission point. The new emission point had not been included in the original licence application received on 27 July 2011.

In the letter that accompanied the licence review application, the Licensee requested the Agency to consider a partial reduction or refund of the application fee for the review application. The request was made on the basis that Waste Licence Register No. W0279-01 was granted two months earlier (December 2014), and that the majority of the information contained in the review application had remained unchanged.

INSPECTOR'S ASSESSMENT

Article 45 of the Waste Management (Licensing) Regulations, 2004, as amended provides the Agency with the absolute discretion to refund up to half of any fee payable in respect of a particular application where it is satisfied that the payment in full of the fee would not be just and reasonable having regard to the relevant circumstances of the activity.

Rehab Glassco Limited submitted a cheque of €6,000 in payment of the application fee.

The Environmental Licensing Programme's Inspector Mr John McEntagart to whom this licence review application had been previously assigned was consulted and it was agreed that it would be reasonable to recommend that half of the fees (€3,000) be refunded to Rehab Glassco Limited.

RECOMMENDATION

I recommend that a refund of 50% of the fee paid should be granted to the applicant, Rehab Glassco Limited, having regard that the licence under review was issued less than three months before the licence review application was made. The contents of the Inspector's Report dated 25 September 2014 were substantially valid and were therefore, unchanged but reviewed for currency:

Signed: 

Dated: 26 April 2017

Dr. Magnus Amajirionwu
Inspector
Environmental Licensing Programme