


Signed: Gráinne Dglesby Date: 26<sup>th</sup> May 2020

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	<b>OFFICE OF ENVIRONMENTAL SUSTAINABILITY</b>
<b>ENVIRONMENTAL LICENSING PROGRAMME</b>	
<b>TO:</b>	Dr Eimear Cotter, Director
<b>FROM:</b>	Áine Murphy, Inspector, Environmental Licensing Programme
<b>DATE:</b>	26 <sup>TH</sup> MAY 2020
<b>RE:</b>	Refund request of the licence review application fee for Reg. No. W0183-02, Starrus Eco Holdings Limited, Millennium Business Park, Grange, Ballycoolin, Dublin 11.

## 1. Introduction

This memo concerns the request for the refund of the application fee for licence review application Reg. No. W0183-02, following the receipt of written notification from Starrus Eco Holdings Limited of the withdrawal of this review application under Regulation 19(1) of the Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013. This notification was received by the Agency on 07 January 2020. In the notification, the licensee requested a refund of the licence review application fee.

The withdrawal was accepted by the Agency on 24 April 2020.

## 2. Assessment

The licence review application was received by the Agency on 01 March 2017. The application related to the acceptance and processing of non-hazardous incinerator bottom ash. The Agency's assessment of this application involved the completion of the following key tasks:

- Two site notice checks;
- Consultation notices to specified bodies;
- Five Regulation 10 notices requesting further information;
- Four Regulation 10 notice reminders to respond to further information requests;
- Assessment of responses and submissions received from the licensee;
- One abandonment notice under Regulation 19(2); and
- An EIA Screening determination.

In 2017 and 2018, there were significant delays in the licensee's response to Regulation 10 notices, resulting in the issue of reminders and subsequently an abandonment notice on 16 November 2018. The licensee responded to the Regulation 10 notices within the abandonment notice deadline. Further delays in the licensee's

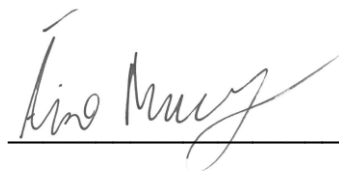
response to Regulation 10 notices were encountered in 2019. The licensee submitted unsolicited correspondence to the Agency on 24 July 2019, 10 September 2019 and 11 December 2019, which collectively indicated that the acceptance of incinerator bottom ash would no longer be pursued as part of the licence review application.

Article 9(1) of the Environmental Protection Agency (Licensing Fees) Regulations 2013 provides the Agency with absolute discretion to refund the fee payable in accordance with the Regulations where it is satisfied that payment in full of the fee would not be just and reasonable. The Agency resources expended in the processing of this application is the key criterion in assessing a refund request. Given this review application involved significant technical and administrative work from the Environmental Licensing Programme but had not progressed towards proposed determination prior to withdrawal, a partial refund is considered appropriate.

### **3. Recommendation**

It is recommended that the licence review application fee of €31,157 for W0183-02 is partially refunded, to the extent of 20%. This recommendation is based on the time and resources the Agency has expended on this application.

Signed,

A handwritten signature in black ink, appearing to read "Lino Murray", is written over a horizontal line.

Inspector  
Environmental Licensing Programme