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5th April 2022

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Dear Sir/Madam

I wish to acknowledge receipt of your letter to the Agency, dated 14 March 2022, on behalf of your client DDS Brady Farms Limited.

As stated in our previous correspondence to your client, the Agency is undertaking a review of licence P0408-01 to ensure the licence is up to date with current legislative requirements and to reflect the outcome of the judicial review proceedings associated with this application.

As noted in your letter of the 14 March 2022, this review was initiated in December 2014. The following summarises subsequent communication.

- 18 Dec 2014: The review initiation request letter of 18 December 2014 contained a request for information to ensure the Agency had up to date information on the site, in order to complete its review. This review was subsequently delayed due to Supreme Court proceedings.
- 10 March 2015: In our letter dated 10 March 2015, the Agency stated that in light of comments from the Supreme Court, there was no reason to delay the review of the licence while awaiting the outcome of the proceedings, and that the Agency would take account of any judgment that would issue from the Supreme Court prior to determination of the review. In light of this, the Agency again requested a substantial response in regard to the information requested in December 2014.
- 13 March 2015: Mr. Brady responded on 13 March 2015, stating he was preparing a submission and sought until 18th December 2015; however, no response was received.
- 21 March 2016: On 21 March 2016, the Agency again asked Mr. Brady to submit a response, as proceedings were settled. Again, no response was submitted.
- 14 June 2016: On 14 June 2016, the Agency wrote to Mr. Brady notifying him that the Agency was now proceeding, in the absence of a response, to adopt a Proposed Determination. This Agency acknowledges that this process has been delayed.
- 7 January 2022: As notified in our letter of 7 January 2022, this process has recommenced and will now be finalised. (Letter copied below for ease of reference).

The licence review will be dealt with as a matter of priority by the Agency; however, there are a number of legislative requirements that must be satisfied prior to completing the review, including an appropriate assessment in accordance with the Habitats Directive. These requirements cannot be completed in an immediate manner but will ensure that the final determination is in line with all legal requirements including the Supreme Court decision.

Copies of all Agency correspondence relating to this review can be found on the Agency's website at the following link: <https://epawebapp.epa.ie/terminalfour/ipcc/ipcc-view.jsp?regno=P0408-02>

As stated in our letter of 7 January 2022, should your client have any queries in relation to the review they can contact Niamh O'Donoghue at 021-4860823 (direct) or e-mail licensing@epa.ie.

In addition, any response or submission the licensee may wish to make, in relation to the review, should be submitted via the licence review module on EDEN.

I trust this information is of use to you.

Yours sincerely

Niamh O'Donoghue
Environmental Licensing Programme
Office of Environmental Sustainability
Tel: 053 – 916060

c.c. Mr Donal Brady, DDS Brady Farms Limited

Encl. Letter 7th January 2022