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Environmental Licensing Programme
Office of Environmental Sustainability

November 21st, 2024

Re: Section 87(3) of EPA Act 1992 as amended in respect of licence review from Milltown Composting Systems Ltd for an installation located at Miltownmore, Fethard, County Tipperary.

To whom it concerns,

We refer to the recent request by the Agency on November 20th for a further extension of the appropriate period by which the Agency must issue a proposed determination to 25th of March 2025 in accordance with Regulation 14(2) of the EPA (Industrial Emissions)(Licensing) Regulations 2013. This is the fourth extension period sought by the Agency to assess the licence review application since the initial request for a 4 month extension was requested by the Agency on February 15th 2024. This latest extension request to March 25th, 2025 would bring it more than a year beyond the initial expected assessment period for the licence review.

A request for further information was issued by the Agency in relation to the review application under Reg.10(2)(b)(ii) or Art14(2)(b)(ii) on 04/09/2024, this was complied with and responded to on 30/09/2024 well within the requested time period. Within the RFI request letter it was stated that "The requested information should be submitted to the Agency within *eight weeks* of the date of this notice, in order to allow the Agency to process and determine your application" and that "It should be noted that the eight-week period within which the Agency is to decide the proposed determination will commence on the day on which this notice has been complied with." Based on this Milltown Composting thought that the application was being progressed and were looking forward to a decision being made by the end of November 2024.

The RFI was responded to within 4 weeks of the request by the Agency and it was assumed when a request for further information was issued that the Agency had reviewed the application information in full. It was also assumed that the RFI request on 04/09/2024 would cover all outstanding queries related to the licence review application and that further RFIs will not be issued. Therefore it is difficult to understand why it will take an additional 4 months to assess the additional information submitted as part of the RFI and not the 8 week period that was stated in your letter. It is understood that the Agency are battling resource issues in relation to getting applications processed. However, it should be noted that the Agency issue strict timelines to licensees to complete works at their premises without accounting for availability of funds or manpower and these must be complied with or risk non-compliances with their licences and possible prosecution.

The licence review application for Milltown Composting has been in process since 2022. The licence review application has been submitted to the Agency since March 2023 and the final planning decision on the site has been submitted to the Agency since December 13th 2023. The continued delay in processing the licence review application is having detrimental operational, planning and financial impacts on the business in what is a very unpredictable marketplace that the Agency must be cognisant of. Milltown Composting see the increase in composting activities as a way to continue to divert organic waste from landfill and be part of meeting the greenhouse gas emissions targets set in the Government's 2024 Climate Action Plan to reduce GHG emissions by 51%.by 2030. As stated numerous times previously, they are very keen to progress his review as quickly as possible and so would prefer to not extend the appropriate time period out to March 25th, 2025. To allow the Agency some additional time to process the application Milltown Composting will again reluctantly agree to a further extension to January 25th, 2025. Based on the number of extensions already agreed to by Milltown Composting the licensee would expect there would be no more further delays related to extension requests or RFIs and that a proposed determination on the licence review would be made on that date. This gives the Agency a further 9 weeks to assess the licence review application. However, Milltown are not prepared to extend beyond this date as the continued delays on this matter are having very real and significant impacts on the company's ability to forward plan in terms of existing and future contracts in what is a very volatile sector.



Yours sincerely,

John Rea, B.Sc., MEnv.Sc.
JRE Ltd.

cc. Neil Barry, David Ronan – Milltown Composting Systems Ltd.