



Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

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Mr Bernard Gilsonan
Co-owner, Manager
M Murphy and B Gilsonan
Gilliardstown House
Castlepollard
County Westmeath

EPA

Main File ✓
Public File ✓ X2
Evaluation File SO'D
Date 1/9/04 M

1st September 2004

Reg. No: 697

Dear Mr Gilsonan

I refer to the Agency's letter of 8th July 2004, which required you to send in the information received by the Agency on 13th February, 6th April and 8th June 2004 in a non confidential manner for placing on public file within 21 days, or risk abandonment in accordance with Article 24 of the EPA (Licensing) Regulations 1994. While the Agency has received a reply to this letter the necessary information has not been received.

As you are no doubt aware, increased access to environmental information and the dissemination of such information contribute to a greater awareness of environmental matters, more effective participation by all concerned including local communities in the environmental decision making process and eventually to a better environment. Council Directive 90/313/EEC of June 1990 established measures for the provision of public access to environmental information. The thrust of the Directive was that such access should be continued and developed. These measures were underpinned in 1998 with the signing of the Aarhus Convention (UN/ECE Convention on access to Information, Public Participation in Decision Making and Access to Justice in environmental matters). The Agency, in accordance with its functions and obligations under the Environmental Protection Agency Acts 1992 and 2003 and supporting licensing regulations, has taken steps to ensure that the application process provides for identifying the inputs, releases and transfers of a specified range of substances and products, including water, energy and resource use, from a specified range of activities to environmental media and to on-site and off-site treatment, recovery and disposal sites.

Any person has by the provisions of the Licensing Regulations, Access to Environmental Information Regulations and the Aarhus Convention a right to access to environmental information held by the Agency. It is also the responsibility of the Agency to make available and disseminate environmental information to the general public to the widest extent possible.

In your particular case the information in relation to nutrient and application management is required to be placed on the public file as it offers all interested parties the opportunity to note the locations where waste that is generated at your facility is being recovered. While the landspreading of waste is a well-established means of recovering such waste its impacts on the environment must be open to assessment by the general public as well as the Agency. The provision of this information on the public file allows the public to make the Agency aware of issues/concerns that they may have in relation to the recovery of this slurry.



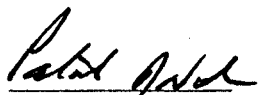
In these circumstances, and in light of your failure to provide the necessary information referred to above, the Agency is therefore of the opinion that your application for a licence Reg. No. 697 has been abandoned. I enclose a Notice in accordance with Article 24 of the EPA (Licensing) Regulations 1994 to 2004.

If no submission is received within the time limit specified in the notice the application will be regarded as having been abandoned. Failure to provide the outstanding information within the time limit will also be regarded as indicating abandonment.

It should also be noted that the Agency is empowered to treat the application as abandoned even if a submission is made and/or the documentation furnished. You should therefore treat this notice as one of primary importance and possibly the last opportunity for you to comply with your statutory obligations.

The carrying on of an activity without a licence is an offence and subject to prosecution by the Agency.

Yours sincerely



Mr. P.J. Nolan
Programme Manager
Office of Licensing & Guidance

**NOTICE IN ACCORDANCE WITH ARTICLE 24 OF THE EPA
(LICENSING) REGULATIONS 1994 to 2004**

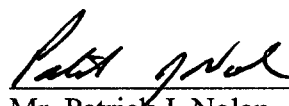
Applicant: M Murphy and B Gilsenan, Ballynagall, Knockdrin, Mullingar, County Westmeath.

Register No: 697

WHEREAS the Environmental Protection Agency is of the opinion that this Integrated Pollution Prevention and Control Licence Application has been abandoned NOW TAKE NOTICE that you are hereby required to make a submission in writing to the Agency on or before the 21st September 2004 as to why the Integrated Pollution Prevention Control Licence Application should not be regarded as being withdrawn and FURTHER TAKE NOTICE that after the said date and after considering the submission (if any) made by you pursuant to this notice the Agency may declare that the Integrated Pollution Prevention and Control Licence Application shall be regarded as withdrawn.

Dated the 1st September 2004.

Signed



Mr. Patrick J. Nolan
Programme Manager
Office of Licensing & Guidance

For and on behalf of the Agency