



Pat Swords <pat.swords.chemeng@gmail.com>

Our Reference: CEI/10/0016 - Acceptance letter which has issued to you today

Phyllis_Flynn@oic.gov.ie <Phyllis_Flynn@oic.gov.ie>
To: pat.swords.chemeng@gmail.com

Thu, Nov 18, 2010 at 4:18 PM

Our Reference : CEI/10/0016

18 November 2010

Mr Pat Swords
10 Hillcourt Road
Glenageary
Co. Dublin

Dear Mr Swords

Re: Access to Information on the Environment Regulations, 2007(SI 133 of 2007) (the Regulations) - Acceptance of Appeal

I refer to your appeal received online on 31 August 2010 against the Department of the Environment, Heritage & Local Government in respect of a deemed refusal of your request under the Access to Information on the Environment Regulations, 2007(SI 133 of 2007) in which you sought to know:

"on what basis of "public interest" has a Foreshore Licence not been awarded for the Poolbeg Incinerator, given that it was applied for two years ago and
what is the official position of the Department with regard to the processing of licences and permits, such as a foreshore application, within an appropriate timeframe and the Prevention of Corruption (Amendment) Act, 2001."

Acceptance of Appeal

The Commissioner has decided that she will accept the appeal in this case.

It is noted that this case has come before the Commissioner on the basis of a non-reply to the request for internal review by the Department of the

Environment, Heritage & Local Government. As you are aware, the time for the making of a decision in this case has expired. However, this Office has asked the Department to arrange for an effective "decision" to issue to you and to this Office. The Commissioner's review will then proceed on the basis of that effective "decision". There is, of course, no right to internal review of that "decision". If, having received notification of the Department's effective decision, you no longer wish to proceed with this review, please notify this Office. Alternatively, if you are not satisfied with their decision, you should let us know what aspect(s) of its decision you find unsatisfactory.

You are entitled to make submissions, in addition to the points made in your appeal, which the Commissioner will take into account in her review. Any such submission should be received in this Office by Friday, 10 December, 2010.

Fee

This Office was established under S.I. No. 133 of 2007. Article 15(3) of the S.I. provides that a fee of €150 must be charged for an appeal to the Office of the Commissioner for Environmental Information. I confirm that a fee of €150 is payable in this case and that the amount of €150 was received by this Office on the 31 August, 2010 (as per Receipt No. IR-AR 1079CEI) and, thus, the appropriate fee has been paid.

As you have submitted a number of appeals to this Office, please ensure that you quote our reference no (CEI/10/0016) in any correspondence related to this appeal. Should you wish to discuss any aspect of this matter, please do not hesitate to contact this Office, by telephone to + 353 1 6395689, or by email to info@ocei.gov.ie

Yours sincerely

Phyllis Flynn
Higher Executive Officer
