

Your Reference: 2021/WHR03 – WHR04
Our reference: AIL/2929/0105 and AIL/2020/0106
TC80/20 and TC 81/20

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2nd May 2024.

Dear ██████████

Dalradian Gold Mine: applications for Consent to discharge and Abstraction/impoundment.

I write in response to your letter of 25th April 2024 in respect of the two abstraction licence applications (AIL /2020/0105 and AIL/2020/0106) and two consent to discharge applications (TC 80/20 and TC 81/20) for the proposed Dalradian Gold Mine.

The applicant has submitted two new applications for Abstraction and Impoundment on 24th April 2024. NIEA deemed these applications complete on the 29th April 2024 and these have been advertised on the Department's website and in the local press. Accordingly, the statutory obligations have been met and the applications have also today been referred by the Department to the Appeals Commission for representations to be heard before a Public Local Inquiry.

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The Department sees no reason why the new applications cannot form part of the conjoined public local inquiry, as:

1. Until the 25th April, all parties and objectors were proceeding on that basis.
2. Now that there has been a referral of the new applications to the commission, there is no difficulty in setting a timetable for those applications which enable them to catch up with the timetable as already set out for the conjoined Inquiry.
3. The PAC can now decide the statements of case for those applications should be required, by 14th June, with rebuttals by 17th July, thus giving objectors and representees more time than they had under the previous applications.
4. There is no possible prejudice because the applications are the same and all supporting material has been consulted on and in the public domain since 17th Nov 2020. Since then, there has been further correspondence seeking clarification and this is also now in the public domain.

It is therefore appropriate for the PAC to direct:

- a. Statements of case for these applications by 14th June
- b. Rebuttals by 17th July and;
- c. that the application will be conjoined with the existing Inquiry.

This is clearly in everyone's interest and ensures only one Inquiry which covers everything in relation to the mine proposal, overcomes the jurisdictional and procedural issues recently raised and ensures the Department is informed on public representation to these applications.

If the PAC is not prepared to adopt this approach, the Inquiry should go ahead as planned and the Department will seek a rapid hearing of the referral on the new applications to immediately follow. It is however difficult to see how the PAC can make recommendations on planning and discharge matters without knowing about abstraction issues.

The Department is aware of correspondence from Fermanagh and Omagh district council of the 19th April 2024 and will address the issues in this in due course, however, we do not accept that there is any basis to adjourn the conjoined inquiry even if the new applications do not catch up with it.

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Yours sincerely,



**Director Resource Efficiency Division
Northern Ireland Environment Agency**

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