

Information for Applicant on the Procedure for Submitting Confidential Information

1. It is EPA policy to make information received by it in the course of its work available to members of the public. Information supplied to the Emissions Trading Section, including supporting documentation, will be put on public display and open to inspection by any person.
2. Nonetheless an applicant may submit information to the Agency relating to their Greenhouse Gas Emissions permit, or applications for permit or allowances, that he/she considers to be confidential and request that the Agency considers the information to be confidential also. The applicant should place the information in a sealed envelope clearly marked "Confidential Information". A cover letter explaining the general nature of the request together with the sealed envelope should then both be placed in a larger envelope and delivered by secure means to the *Emissions Trading Unit, EPA Regional Inspectorate, McCummiskey House, Richview, Dublin 14*. One copy only of this information is required. If more than one copy is received the other copies will be returned to the sender.
3. Confidential information must never be submitted by email. Any confidentiality disclaimer generated by an IT system in e-mail responses will not be treated as a request for confidentiality.
4. The board of the EPA will decide if any information can be deemed as confidential. A note that confidential information has been received will be placed on the public file.
5. The applicant should be aware that there might be circumstances where the EPA is required to supply environmental information in its possession where a request is made to it under the Freedom of Information Acts etc.
6. The obligations concerning confidential information do not apply to information that:
 - was in the public domain at the time it was disclosed or falls within the public domain; or
 - is or becomes known by the receiving party from a source other than the EPA; or
 - was furnished by a third party to the EPA without similar restriction on the third party's rights; or
 - to the extent that such disclosure shall be required by law, but only after the EPA has been notified in writing and has been provided with a reasonable opportunity to take appropriate action to protect the confidential information.