



EUROPEAN COMMISSION  
DIRECTORATE-GENERAL  
ENVIRONMENT  
Directorate E – Compliance, Governance & Support to Member States  
The Director

Brussels  
ENV.E.3/

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**Subject: Your request for access to documents 2025/6382**

Dear Mr Brady,

We refer to your request for access to documents of the European Commission registered on 5 January 2026 under the above-mentioned reference number.

In your request registered as file EASE 2026/6382, you ask for all information that the Commission holds in relation to illegal dumping at a site known as Murphy's rock which was mentioned in a Commission press release dating from 2004. Thank you for clarifying in your email of 4 February 2026 (Ref: Ares(2026)1298996), that you are interested in the documents of the Commission and the Irish authorities, rather than the original complaint file.

Looking through the various files we have identified 6 documents related to your request:

1. Letter of Formal Notice in case (2002)5266 of 3 April 2003 (Ref: SG(2003)D/220169).
2. Reasoned Opinion in case (2002)4218 of 9 July 2004 (Ref: SG Greffe (2004)D/202990).
3. Commission decision fiche to close case (2002)5266 dated 18 May 2016.
4. Letter from Irish Permanent Representation to then Director-General Day providing a reply to the Reasoned Opinion in file (2002)4218 and follow up to judgment C-494/01 dated 19 October 2005 (Ref: (2005)A/20776);
5. Letter from Irish Permanent Representation to then Director-General Day entitled "update on ECJ Case C-494/01" dated 16 December 2008 (Ref: SG/CdC(2008)A/9460).

6. Extract from the Programme of Measures adopted by the Department of Environment, Communities and Local Government in follow up to judgment in case C-494/01 of 14 November 2014.

Due to the exception relating to the protection of privacy and the integrity of the individual laid down in Article 4(1)(b) of Regulation (EC) No 1049/2001, the above-mentioned documents may not be disclosed in full because they contain in part the names or initials and contact details of Commission staff not belonging to senior management or the names or initials and contact details of other natural persons.

According to Article 9(1)(b) of the Data Protection Regulation, such personal data may not be transferred unless you demonstrate that the transfer of the data is necessary for a specific purpose in the public interest and there is no reason to believe that the legitimate interests of the data subject might be prejudiced.

Consequently, I conclude that, pursuant to Article 4(1)(b) of Regulation (EC) No 1049/2001, access cannot be granted to the personal data contained in the requested document, as the need to obtain access thereto for a purpose in the public interest has not been substantiated and there is no reason to think that the legitimate interests of the individuals concerned would not be prejudiced by disclosure of the personal data concerned. Therefore, I am providing you access to the 6 documents listed above with this information removed.

You may reuse public documents, which have been produced by the European Commission or by public and private entities on its behalf based on the [Commission Decision on the reuse of Commission documents](#). This relates to documents 1, 2 and 3 as listed above. You may reuse these documents disclosed free of charge and for non-commercial and commercial purposes provided that the source is acknowledged and that you do not distort the original meaning or message of the documents. Please note that the Commission does not assume liability stemming from the reuse.

Please note that three documents originating from third parties are disclosed to you based on Regulation (EC) No 1049/2001. However, this disclosure is without prejudice to the rules on intellectual property, which may limit your right to reproduce or exploit the released documents without the agreement of the originator, who may hold an intellectual property right on them. This relates to documents 4, 5 and 6 as listed above. The European Commission does not assume any responsibility from their reuse.

Should you disagree with the above finding, you may, in accordance with Article 7(2) of Regulation (EC) No 1049/2001, submit a confirmatory application requesting the Commission to reconsider your position.

Such a confirmatory application should be addressed to the Secretariat-General of the Commission within 15 working days upon receipt of this letter. You can submit it in one of the following ways:

**via a request for review via the Portal account**<sup>1</sup> (only possible if the initial application was submitted via the Portal account);

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<sup>1</sup> <https://www.ec.europa.eu/transparency/documents-request>

**post:**

European Commission

Secretariat

Transparency, document management and access to documents (SG.A.2)

BERL 7/076

1049 Brussels

Yours sincerely,

Claudia FUSCO