



DETERMINATION OF MERGER NOTIFICATION M/09/024 – GREENSTAR/VEOLIA (IRELAND)

Section 21 of the Competition Act 2002

Proposed acquisition by Greenstar Holdings Limited of Veolia Environmental Services (Ireland) Limited from its current owner Veolia Propreté SA

Dated 7 January 2010

Introduction

1. On 22 October 2009, in accordance with section 18 of the Competition Act 2002 (the “Act”), the Competition Authority (the “Authority”) received a notification of a proposed transaction whereby Greenstar Holdings Limited would acquire sole control of Veolia Environmental Services (Ireland) Limited (“VESI”) from its current owner Veolia Propreté SA (“Veolia”), a company which is registered in France.
2. The parent company of VESI, Veolia, has decided to exit the non-hazardous waste business in Ireland. VESI owns and operates Veolia’s hazardous and non-hazardous waste operation in the Republic of Ireland and Northern Ireland. The proposed acquisition relates only to Veolia’s non-hazardous waste business. Post-acquisition, Veolia will continue to operate in the hazardous waste business in Ireland through Veolia Environmental Services Technical Solutions Limited.
3. On 18 November 2009, the Authority sent a requirement for further information (“RFI”) under section 20(2) of the Act to both Greenstar Holdings Limited and VESI. VESI complied with its RFI on 8 December 2009. Greenstar Holdings Limited complied with its RFI on 9 December 2009. The new “appropriate date” in accordance with section 19(6)(b)(i) of the Competition Act 2002 is 9 December 2009.

The Undertakings Involved

The Acquirer

4. Greenstar Limited (“Greenstar”) is a wholly owned subsidiary of Greenstar Holdings Limited, which is ultimately controlled by National Toll Roads plc. Greenstar provides integrated waste management

solutions for domestic and commercial customers in the State. Using either its own fleet of collection vehicles or subcontracting to other collectors, Greenstar takes waste from customers' premises to one of its waste transfer stations where it is segregated before being directed to the most appropriate disposal facility (i.e., landfill, incineration, recycling, etc). Greenstar operates waste transfer facilities in Dublin, Waterford, Cork, Kilkenny, Wexford, Wicklow, and Sligo.

The Target

5. VESI is a wholly owned subsidiary of Veolia. VESI's non-hazardous waste business provides integrated waste management solutions for commercial and industrial customers in the Republic of Ireland and Northern Ireland. VESI is headquartered in Ballymount Cross, Dublin and operates waste transfer stations in Dublin, Newry, Cork, Waterford and Limerick.

Analysis

6. The Authority's investigation is ongoing. The Authority is unable, at this stage, to reach a determination that the proposed acquisition will not lead to a substantial lessening of competition in any market for goods or services in the State.

Determination

The Competition Authority, in accordance with section 21(2)(b) of the Competition Act 2002, has determined that it intends to carry out a full investigation under section 22 of the Act in relation to the proposed transaction whereby Greenstar Holdings Limited would acquire sole control of Veolia Environmental Services (Ireland) Limited from its current owner Veolia Propreté SA.

For the Competition Authority

Carolyn Galbreath
Member of the Competition Authority