

From: kfinn [kfinn@esatclear.ie]
Sent: 15 June 2006 09:45
To: kfinn; John Doheny
Cc: Wexford Receptionist; Sean O'Donoghue
Subject: Re: DAIRYGOLD IPC 404 & 775
Dear John/Sean

1. At our recent meeting you requested information as to whether there was any written record of Dairygold's undertaking re compliance with the terms of their IPC Licence given at the time I took the court case against DG in 2001/2002. I was not expecting such a request and you through me a little at the time.

2. The answer is there is:

The undertaking - to comply strictly with the terms of their IPC Licence - was given by their Council at the conclusion of both the first and second part/day of the hearing in the District Court before Judge McCellen? after consulting each time with those Dairygold Management present in court. That undertaking is a matter of court record and you have my permission to source and use it in whatever way you wish.

If you wish I will obtain a hard copy for you, assuming you will pay whatever fee there is.

3. Secondly there is a written agreement by Dairygold given at the conclusion of the Circuit Court appeal case. This provides inter-alia that DG would include a location adjacent to my house in the annual noise survey as a noise sensitive measurement location. It provides also they DG would request the EPA to include this location as an official measurement position in the Annual Noise Survey.

The other provisions of the Agreement relate to compensation and costs paid by Dairygold. I can let you have a copy of this on a confidential basis should you decide to proceed against Dairygold at any time in re the matters I have complained of, vis: Noise, Mal-odours, Systems/supervision/monitoring.

4. I would also like to submit and herein request that the full and complete data recorded during the Annual Noise Survey be included either in the annual report or as a separate report submitted on file within one month of the survey date, and not just summary data.

5. I also request that the ANS measurements include the following:

a. A survey of the power and frequency of each piece of noise generating equipment located externally and of each air exhaust/emission point for internally located equipment. b. Measurements to be taken within eye sight directly opposite and at say 1.0 m and 10 m from each equipment/emission point.

c. Narrow band measurements and analysis to be carried out on (a) at least the top 10 power sources and (b) the highest 10 frequency emitters.

d. Narrow band measurements and analysis to be carried out at the frequencies identified in (c) above, at the NSL's in King's Square, Kingston Close and O'Brien's premises on the passageway to Castle Gardens.

e. The full measurement data to be included in a submission on file to the EPA within one month of the survey date(s).

6. In relation to the wind direction and intensity during the annual noise survey, I note that DG have two plants in Mitchelstown, Castlefarm CF and Clonmel Road CR. For CF, most NSL's are located SE of the site. For CR most of the NSL's are located to the west and south. It is therefore open to the EPA to direct DG to carry out the ANS on two separate days (for each site) firstly when the wind is from the NW and secondly when the wind is from the North or NE.

7. I herein request that provision for the above be included in both the existing and any new licence.

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