

2nd September, 2014.

Ms. Dorota Richards,
Environmental Licensing Programme,
Office of Climate, Licensing & Resource Use,
Environmental Protection Agency,
Headquarters, PO Box 3000,
Johnstown Castle Estate,
Co. Wexford.

**Re: Notification under Section 87(IE)(a) of the EPA Acts, as amended
Reg. No. P0984-01**

Dear Ms. Richards,

First of all, I wish to apologise for the inordinate delay in responding to your original letter of 7th October, 2013. The file shows that a response to this letter was drafted at the time, but for reasons which are unclear, this appears not to have been sent in response to you. I set out here under a response to the three points of information you have raised in that letter.

1. Planning Permission was granted on 26th May 2009 to Ballynegall Feeds Ltd at Bracklyn, Delvin, Co. Westmeath for a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of a proprietary waste water treatments system, percolation area, the carrying out of all ancillary site development works subject to 21 conditions. The total floor area of the development was 6531.492 sqm. An EIS was submitted. (Copy of planning conditions attached).

The permission expires on 25th May, 2014.

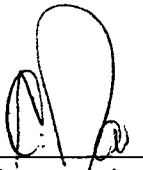
2. Copies of the planning officer's report regarding the planning application, copies of all internal and external reports relating to the application and EIA are forwarded to you separately by email to d.richards@epa.ie.
- 3a. The applicant has complied with Conditions 2 and 17 of the grant of planning permission. Conditions 10, 11, 13 and 14 of the permission are prior to commencement conditions which the developer was to submit to the Planning Authority for prior approval which have not been submitted or agreed at this stage by the Planning Authority.
- 3b. The applicant is required to submit a Nutrient Management Plan in respect of the proposed development to Westmeath County Council.

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- 3c. The applicant must at all times comply with the requirements of The European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. No. 31 of 2014).
- 3d. The applicant must ensure that the development complies with the Department of Agriculture specification for housing of Pig and Sow units and the storage of animal slurries.
- 3e. The applicant must maintain a register for inspection by an authorised officer of all slurry generated on site and stored for export off-site for use to fertilise farmland. The register shall also contain a list of the names and addresses of all farmlands that have imported slurry from the proposed development and the volume of slurry imported.

If you have any queries on this please do not hesitate to contact me at 044 9332177 or by email to cjordan@westmeathcoco.ie.

Yours sincerely,



Ciaran Jordan
Senior Executive Engineer
Environment & Building Control

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Coole Area Office, Civic Offices, Mullingar Road, Castlepollard, Co. Westmeath
Telephone: (044) 933 2200 Fax: (044) 966 1944 Email: coole@westmeathcoco.ie Web: http://coole.westmeathcoco.ie

TO: Ballynegall Feeds Ltd
c/o Sean Lucy & Associates Ltd
Unit 23e, Lough Sheever Corporate Park
Mullingar
Co. Westmeath

**ENVIRONMENTAL PROTECTION
AGENCY**

- 4 SEP 2014

RE/ PLANNING AND DEVELOPMENT ACTS 2000-2007
NOTIFICATION OF FINAL GRANT

Planning Register Number: 09/2025
Valid Application Receipt Date: 03/03/2009

In pursuance of the powers conferred upon them by the above mentioned Acts, Westmeath County Council have by Order dated 22/04/2009 GRANTED PERMISSION to the above named, for the development of land, namely:-

Permission for a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of a proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492 sqm. An EIS will be submitted. at Bracklyn Delvin Co. Westmeath

for the reasons and considerations set out in Schedule 1 and subject to the 21 conditions set out in Schedule 2 hereto.

Signed on behalf of Westmeath County Council

pp. Mary Brady
Planning.

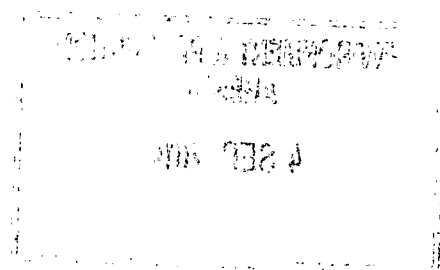
Date 26/05/09

It should be noted that outline permission is permission subject to the subsequent permission consequent of the Planning Authority and that until such permission consequent has been obtained to detailed plans of the development proposed, the development is NOT AUTHORISED. It should be noted that any subsequent application for permission consequent must be made not later than 3 years beginning on the date of the grant of the outline permission.

NOTE:

The permission herein granted shall, except in the case of an outline permission or where otherwise stated in the Notification of Final Grant, on the expiration of the period of 5 years beginning on the date of the granting of permission, cease to have effect as regards: -

- (i) In case the development to which the permission relates is not commenced during the period, the entire development and
- (ii) In case such development is so commenced, so much thereof as is not completed within that period.



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REGISTERED POST:

Coole Area Office, Civic Offices, Mullingar Road, Castlepollard, Co. Westmeath
TO: Ballynegall Farm, Tel: (044) 933 2200 Fax: (044) 966 1944 Email: coole@westmeathcoco.ie Web: http://coole.westmeathcoco.ie
c/o Sean Lucy & Associates Ltd
Unit 23e, Lough Sheever Corporate Park, Ballyvaughan, Co. Dublin
Mullingar
Co. Westmeath

Re: PLANNING AND DEVELOPMENT ACTS, 2000-2007

NOTIFICATION OF DECISION

Planning Register Number: 09/2025
Application Received: 03/03/2009
Further Information Received Date:

In pursuance of the powers conferred upon them by the above-mentioned Acts, Westmeath County Council has by Order dated 22-4-09 decided to **GRANT PERMISSION** to the above-named for development of land, in accordance with the documents submitted:- Permission for a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of a proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492 sqm. An EIS will be submitted. AT Bracklyn Delvin Co. Westmeath for the reasons and considerations set out in Schedule 1 and subject to the 21 conditions set out in Schedule 2 hereto.

Signed on behalf of Westmeath County Council

M.B.L.
PLANNING

Date: 22-4-09

Provided there is no appeal against this DECISION a grant of planning permission will issue at the end of four weeks plus three working days (see footnote). THIS NOTICE IS NOT A GRANT OF PERMISSION AND WORK SHOULD NOT COMMENCE UNTIL PLANNING PERMISSION IS ISSUED.

Note:

1. Any appeal against a decision of a Planning Authority under Section 26 of the Act, of 1963 or Section 127 of the Act of 2000, whichever may apply, may be made to An Bord Pleanála within the appropriate period.
2. Appeals should be addressed to the Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1. An appeal by the applicant should be accompanied by this form. In the case of an appeal by any other person, particulars of the proposed development and the date of the decision of the Planning Authority should be stated. The appeal must be fully complete, with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material and be accompanied by the correct fee.
3. A valid appeal shall conform with section 127 (1)(a-g) of the Planning & Development Act 2000 and shall include the following:
 - a) be made in writing;
 - b) state the name and address of the appellant or person making the referral and of the person, if any, acting on his or her behalf;
 - c) state the subject matter of the appeal or referral;
 - d) state the full grounds of appeal or referral and the reasons, considerations and arguments on which they are based;
 - e) in the case of an appeal under section 37 by a person who made submissions or observations in accordance with the permission regulations, be accompanied by the acknowledgement by the planning authority of receipt of the submissions or observations;
 - f) be accompanied by such fee (if any) as may be payable in respect of such appeal or referral in accordance with Section 144, and
 - g) be made within the period specified for making the appeal or referral.
4. **Fees Payable to the Board on or after the 10th December 2007:**
 - (a) Application for strategic infrastructure development or a request to alter the terms of such development already permitted or approved: €100,000.
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made where the application relates to unauthorised development: €4,500 or €9,000 if EIS involved;
 - (c) Appeal against a decision of a planning authority on a planning application relating to commercial development and made by the person by whom the planning application was made other than an appeal mentioned at (b): €1,500 or €3,000 if EIS involved;
 - (d) Appeal against a decision of a planning authority on a planning application by the person by whom the planning application was made, where the application relates to unauthorised development other than appeal mentioned at (b) or (c): €660;
 - (e) Appeal other than an appeal mentioned at (b), (c), (d) or (g): €220; (f) Application for leave to appeal: €110;
 - (g) Submissions or observations (by observer) on strategic infrastructure development applications, appeals and referrals: €50;Commercial development includes the provision of two or more dwellings. The appeal must be fully completed with your name and address, the subject matter of the appeal, the full grounds of appeal and supporting arguments and material and be accompanied by the correct fee.

NB: Any person who made a valid submissions or observations to the Planning Authority in respect of this development should note in particular (e) above which requires that they submit the acknowledgement from the Council of their submission/observation as without it their appeal will be invalid.

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09/2025

Schedule One

Having regard to the provisions of The County Development Plan (2008) section 7.5.2, it is considered that, subject to the attached conditions set out in schedule two, the proposal is consistent with the terms and provisions of adopted policy and is therefore considered in accordance with the proper planning and sustainable development of the area.

09/2025

Schedule Two

1. Subject to the conditions set out below the development shall be carried out in accordance with submitted plans and details received by the Planning Authority on the 3 March 2009, except for any alterations and modifications specified below.

Reason: In the interests of orderly development.

2. Prior to the commencement of development or as otherwise agreed in writing with the Planning Authority the developer shall pay the sum of €37,451 (Thirty Seven thousand, four hundred and fifty one euro), as set out below, to the Planning Authority as a contribution, in accordance with the Council's Development Contribution Scheme adopted in 2004, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution will be updated annually on the 1st January in accordance with changes in the Wholesale Price Index (Building and Construction), (Capital Goods) and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Class of Infrastructure (Table two)	Rate of contribution	Amount of Contribution
C. Agricultural Development, total floor area proposed.	Nil up to 500 M ² €3 per M ² 500 to 1,000 M ² €6.50 per M ² > 1,000 M ² of development Area	€37,451
Total		€37,451

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Westmeath County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the Planning Authority.

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3. Landspreading of animal manure shall be undertaken in accordance with the conditions outlined under S.I. No. 788 of 2005, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2005.
Reason: In the interests of the environment.
4. Slurry shall be spread only in accordance with the usage of the lands and the capacity of the land and cropping regime to absorb / utilise the slurry nutrients (N.P.K.) being applied
Reason: In the interests of the environment.
5. All uncontaminated surface water, including roof water, shall be separately collected and discharged to soak-pits or land drains, and shall not in any circumstances be allowed to discharge to the foul storage facilities. All other farm effluent (e.g. silage effluents) shall be managed as per conditions outlined under S.I. No. 788 of 2005, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2005.
Reason: In the interests of the environment and orderly development.
6. Development on site shall comply with the Department of Agriculture Specifications for Housing of Pig and Sow Units and storage of Animal slurries.
Reason: In the interests of the environment.
7. The developer shall maintain a register for inspection by an authorised officer on a quarterly basis of all slurries that are generated on site and stored for transfer off-site for use to fertilise farmland. This Register shall also contain a list of all farmlands that have accepted the slurries from Bracklyn site and the volume of slurry accepted.
Reason: In the interests of the environment.
8. Surface water and foul water shall be disposed of on a separate system basis.
Reason: In the interests of orderly development.
9. All structural works shall conform to the requirements of the Department of Agriculture's specification. The proposed underground storage tanks shall be designed and constructed in accordance with accepted good practice to ensure a watertight structure.
Reason: In the interests of orderly development.
10. Prior to the commencement of any development on site samples of Roofing colour and all external materials and finishes shall be submitted for the written agreement by the Planning Authority.
Reason: In the interests of visual amenity.
11. Prior to the commencement of development the developer shall submit for the written agreement by the Planning Authority and the Environment Section a Groundwater Monitoring Plan for the site.
Reason: In the interest of public health.

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12. The existing road drainage shall not be impaired and the existing entrance shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

a) No surface water shall be allowed to flow on to the public road in any way.

Reason: In the interests of road traffic safety and orderly development

13. Before any work on the proposed development commences, the existing boundary fence shall be removed on the left hand side of the entrance and on the right hand side of the entrance and sightlines of 90m x 2.4m shall be provided and maintained at all times from the proposed access point. Any wing wall forming the entrance shall be erected to a height of not more than 1 metre over existing road level and shall be splayed at an angle of 45 degrees to the line of the front fence. The entrance gate shall be located as indicated on submitted site layout map received by the Planning Authority on the 3rd March 2009.

Reason: In the interests of traffic safety.

14. Prior to the commencement of any work on site, the developer shall submit written evidence that:
- a) The source of water is to be of adequate capacity.
 - b) It shall comply with the Drinking Water Directive No. 80/778/EEC and the regulations S.I. No. 81 of 1988.
 - c) The 12mm diameter water service from the scheme or alternate source shall be fitted with a water service control unit and stopcock.
 - d) The sequence shall be as follows: Water source → Control Unit → Stopcock → Building

Reason: In the interests of public health

15. The sewerage treatment plant, to the Planning Authority's approval, shall be provided and maintained to give an effluent quality of 20mg/l BOD and 30mg/l SS or better at all times.
- o The proposed treatment plant shall have an Irish Agrément Board Certification or equivalent.
 - o It shall be provided and maintained in accordance with manufacturers instructions and the requirements of the certification.
 - o The plant shall be located in compliance with the separation distances as laid out in the EPA's Wastewater Treatment Manual – Table 4: Minimum separation distances in meters
 - o The effluent from the plant shall discharge to a percolation area generally in accordance with the EPA's Wastewater Treatment Manual, but specifically satisfying all of the requirements of Chapter 3 – Treatment Options
 - o A regular monitoring programme - to include at least twice yearly sampling and analysis - shall be conducted to ensure ongoing compliance with the specified 20/30 standard.

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- A register of results shall be retained for inspection should the Local Authority wish to do so.
- Prior to bringing the treatment plant and percolation area into service, a certificate of compliance from the plant installer in respect of the design and installation of the system shall be furnished to the Area Engineer.
- Excess sludge from the Treatment Plant shall be disposed of in accordance with Code of Good Practice for the use of Biosolids in Agriculture (Guidelines) D.O.E. & L.G., November 1999.

Reason: In the interests of orderly development and public health.

16. (a) Drainage connections shall not give rise to a Public Health Nuisance.
 (b) Water storage tanks shall be covered adequately but not airtight.
 (c) Suitable refuse storage facilities shall be provided for the storage of waste generated. This area shall be paved, sloped, drained and serviced with a water supply.

Reason: In the interest of Public Health.

- ✓ 17. (a) The developer/applicant shall employ a qualified archaeologist to monitor all groundworks associated with the development.
 (b) Should archaeological material be found during the course of monitoring, the archaeologist may have work stopped, pending a decision as to how best to deal with archaeology. The developer/applicant shall be prepared to be advised by the Development Applications Unit, Department of Environment, Heritage and Local Government with regard to any necessary mitigating action in recording any material found.
 (c) The Planning Authority and the Development Applications Unit, Department of Environment, Heritage and Local Government shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

18. No signs, symbols or advertisements, shall be erected on site without the prior written agreement of the Planning Authority whether or not such development would otherwise constitute "exempted development" under the terms of the Planning and Development Regulations, 2001 (as may be amended).

Reason: In the interests of visual amenity and to maintain proper planning control over the proposed development.

19. All construction and demolition waste removed off site shall go to a licensed/permitted waste recovery facility and be carried out by a contracting firm permitted under the Waste Management Collection Permit Regulations 2001.

Reason: In the interests of pollution control and environmental protection.

20. All vehicle loading and unloading shall take place in the confines of the site.

Reason: In the interest of public and traffic safety.

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21. This permission refers exclusively to the proposals contained within this application and does not refer to any other structure or installation within the site. Any other structure in so far as its use maybe unauthorised shall be subject to a further grant of permission.

Reason: To avoid any misunderstanding as to the proper construction of this permission.

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Cornhshaol, Oldhreach agus Rialtas Áitiúil
Environment, Heritage and Local Government



6th April 2009

Your Ref: 09-2025

Our Ref: DAU-2009-WM-WM-09-2025

The County Secretary
Westmeath County Council
Coole Area Office
Castlepollard
Co. Westmeath

Re: Planning Application Reg. Ref. No. 09-2025 by Ballynegall Feeds Ltd. for permission for a pig rearing unit to accommodate 744 sows and associated site works at Bracklyn, Delvin, Co. Westmeath.

A Chara,

We refer to the Council's notification in relation to the above-proposed development. Outlined below are the archaeological recommendations of the Department of the Environment, Heritage and Local Government.

This Department has reviewed the archaeological assessment that formed part of the EIS accompanying the above planning application and wishes to concur with the recommendations as follows which are in accordance with the recommendation issued in relation to plan ref: 08/2202:

Archaeological Monitoring, as described below, be carried out in conjunction with all works associated with the development.

Archaeological Monitoring shall consist of the following:

- The applicant is required to employ a qualified archaeologist to monitor all groundworks associated with the development.
- Should archaeological material be found during the course of monitoring, the



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archaeologist may have work on the site stopped, pending a decision as to how best to deal with the archaeology. The developer shall be prepared to be advised by this office with regard to any necessary mitigating action (e.g. preservation *in situ*, or excavation) and should facilitate the archaeologist in recording any material found.

- The Planning Authority and this office shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

Kindly forward to the following address a copy of any further information received, or in the event of a final decision being made, please forward to this office a copy of same, as soon as it issues:

The Manager,
Development Applications Unit,
The Department of the Environment, Heritage and Local Government,
Dún Scéine,
Harcourt Lane,
Dublin 2.

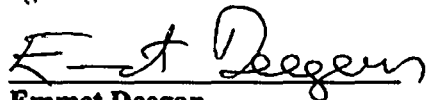
In addition, please acknowledge receipt of this letter (as required under the Planning & Development Regulations 2001) and forward this relevant receipt to the address above.

Recd

Date

Mise le meas,

Yr



Emmet Deegan

Development Applications Unit

Tel: 01-8883116

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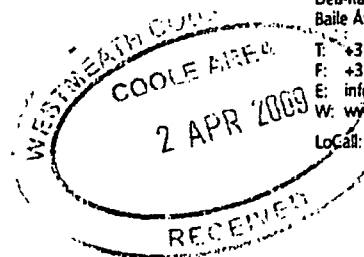
Environmental Protection Agency
An Gníomhaireacht um Chaomhú Comhshaoil

Regional Inspectorate
McCumiskey House, Richview,
Clonskeagh Road, Dublin 14, Ireland

Cigireacht Réigiúnach, Teach Mhic Chumascaigh
Dea-Radharc, Bóthar Cluain Sceach
Baile Átha Cliath 14, Éire

T: +353 1 268 0100
F: +353 1 268 0199
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

Planning Section
Westmeath County Council
Coole Area Office
Castlepollard
Co. Westmeath



1st April 2009

Planning Application Ref.: 09/2025
Applicant: Ballynegall Feeds Ltd.

Dear Sir/Madam,

I refer to your letter and documents received on the 24th March 2009, in relation to the above referenced planning application and EIS regarding the application for planning *Permission for a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of a proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works at Bracklyn, Delvin, Co. Westmeath by Ballynegall Feeds Ltd.*

From the information presented in the current application for planning permission, the activity under consideration is a 744 sow breeding unit, which is located more than 100 metres from an existing 1100 pig fattening unit operated by Clondrisse Pig Farms Ltd. It is considered that in this particular case, the two activities (breeding (proposed) and fattening (existing)) may be considered as not being within the same complex, and therefore an IPPC licence would not be required for the proposed development. However, if the two activities were to be operated 'within the same complex', then the licensing threshold for an integrated unit may be exceeded and a licence under Class 6.2 may be required.

Class 6.2 reads as follows:-

"The rearing of pigs in an installation, whether within the same complex or within 100 metres of the same complex, where the capacity exceeds –

- 750 places for sows in a breeding unit, or*
- 285 places for sows in an integrated unit, or*
- 2,000 places for production pigs.*



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In this paragraph –

'breeding unit' means a piggery in which pigs are bred and reared up to 30kg in weight;

'integrated unit' means a piggery in which pigs are bred and reared to slaughter;

'production pig' means any pig over 30kg in weight which is being fattened for slaughter;

'sow' means a female pig after its first farrowing."

Should you wish to discuss this matter further, please do not hesitate to contact me.

Yours sincerely,



Ciara Maxwell

Inspector

Environmental Licensing Programme

Office of Climate, Licensing & Resource Use

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Feidhmeannacht na Seirbhíse
Health Service Executive
Coole Area Office,

Castlepollard,
Co. Westmeath.

Environmental Health Department
Health Service Executive,
Dublin Mid-Leinster, Unit 7C,
Lough Sheever Corporate Park,
Robinstown, Mullingar,
Co. Westmeath.
Phone 044 9384890 Fax 044 9384889

ENVIRONMENTAL HEALTH OFFICER'S REPORT
Local Government (Planning & Development) Acts 1963 and 2000

P & D No. 09/2025

Proposed Development at: Bracklyn, Delvin, Co. Westmeath for permission for a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kg, staff facilities, installation of a proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492 Sq.M.

Applicant: Ballynegall Feeds Ltd.

ARE PLANS SUFFICIENT TO IDENTIFY SITE AND TO DESCRIBE THE PROPOSED DEVELOPMENT? YES

Water Supply:	Public Main	Well	✓	Group
Sewerage:	Public Sewer	Septic Tank		Other treatment ✓

Remarks and Recommendations

There are no objections from a public health viewpoint to the proposals provided that the following conditions are incorporated:

Service Building

1. Localised extraction shall be provided over steam emitting equipment and ducted to the outer air.
2. The cold water supply to kitchen sink in the staff canteen shall be taken directly from the rising main and not fed through a storage tank.



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3. Drainage connections are such as not to give rise to a Public Health Nuisance.
4. Water storage tanks to be covered adequately but not airtight.
5. Suitable refuse storage facilities shall be provided for the storage of waste generated. This area should be paved, sloped, drained and serviced with a water supply.
6. A minimum of 4.65 square metres of floor space in offices allowed for every person employed in any room to include the area occupied by the office desk and chair but excluding filing cabinets and other office furniture.

General Comment

The development shall be constructed and operated in such a manner as not to allow a public health nuisance to develop. Odours, accumulations and discharges shall not be emitted which might prove injurious to public health.

Environmental Health Officer: _____

Date: 25th March 2009

Principal Environmental Health Officer: _____

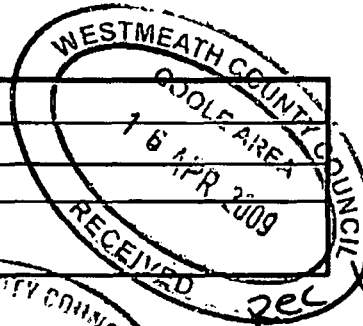
Date: 25th March 2009

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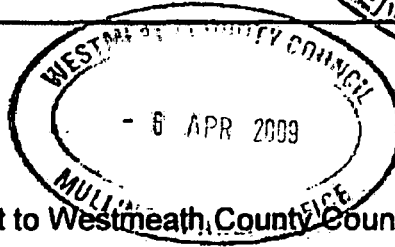


Westmeath County Council
Environment Section, Church View,
Bishopgate Street, Mullingar, Co. Westmeath
Tel : 044 9384232 Fax: 044 9384239
MEMORANDUM

To:	Planning
From:	Anne Bonner
Date:	3/04/09
Subject:	Planning Ref: 09-2025



Applicant: Ballynegall Feed Ltd.



- 1: The applicant must submit a report to Westmeath County Council detailing their compliance with of SI No 14 of 2008 , European Communities (Welfare of Farmed Animals) Regulations 2008 and SI No 48 of 2003 , European Communities (Welfare of calves and pigs) regulations 2003.
- 2: The applicant must comply with the requirements of The European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009.(SI No 101 of 2009)
- 3: The applicant must ensure that the development complies with the Department of Agriculture specification for housing of Pig and Sow units and the storage of animal slurries.
- 4: The applicant must maintain a register for inspection by an authorised officer on a quarterly basis of all slurries that are generated on site and stored for transfer off-site for use to fertilise farmland. The register shall also contain a list of all the farmlands that have accepted the slurries from the Bracklyn site and the volume of slurry accepted.
- 5: The applicant must submit a groundwater monitoring plan for the site.

Anne Bonner
Environment Section.

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To:	Grahame A.Niven
From:	Mkhululi Ndebele
Applicant:	092025 BALLYNEGALL FEEDS LTD
Subject:	Application for permission to construct a pig rearing unit to accommodate 744 sows, facilities to rear weaners to 30kg, staff facilities, installation of a proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m at Bracklyn Delvin
DATE:	31/03/2009

Is the site notice displayed?	Yes
Is it legible from public road?	Yes
Date of inspection:	31/3/09
Person inspecting:	Mkhululi Ndebele, EE, Coole Area Office

Do **Electricity** wires traverse the site? **No**

Do **Telephone** wires traverse the site? **No**

Are **adjoining developments** shown on site map? **Yes**

Description of Road: Local Secondary Road LP 1504
 Required minimum **sight distance**: 3m x 90m **achievable**

The cross section of the LP 1504 in the vicinity of the proposed entrance to the proposed development consists of a 3m wide grass verge on the near side 4.5m wide carriageway and a 3m wide grass verge on the far side.

Entrances should not be located within the following distances from junctions:

Adjacent Junction - 50m Opposite - 10m **achievable**

Source of **Water Supply**:
 Proposed Bored Well

Method of **Foul Sewage** Disposal:
 Collection Tanks and Proprietary Treatment System:

Method of **Surface Water** Disposal:
 Attenuation tank and 300mm surface water drain to open drain.

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I recommend Grant of permission with the following minimum conditions to apply:

1. Subject to the conditions set out below the development shall be carried out strictly in accordance with submitted plans and details received by the Planning Authority on 3rd March 2009 except for any alterations or modifications specified below.

Reason: In the interests of orderly development.

2. The existing road drainage shall not be impaired and the existing entrance shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.
 - a) No surface water shall be allowed to flow on to the public road in any way.

Reason: In the interests road traffic safety and orderly development

3. Before any work on the proposed development commences, the existing boundary fence shall be removed on the left hand side of the entrance and on the right hand side of the entrance and sightlines of 90m x 2.4m shall be provided and maintained at all times from the proposed access point. Any wing wall forming the entrance shall be erected to a height of not more than 1 metre over existing road level and shall be splayed at an angle of 45 degrees to the line of the front fence. The entrance gate shall be located as indicated on submitted site layout map received by the Planning Authority on the 3rd March 2009

Reason: In the interests of traffic safety.

4. Prior to the commencement of any work or grant of permission, the developer shall submit written evidence that:
 - a) The source of water is to be of adequate capacity.
 - b) It shall comply with the Drinking Water Directive No. 80/778/EEC and the regulations S.I. No. 81 of 1988.
 - c) The 12mm diameter water service from the scheme or alternate source shall be fitted with a water service control unit and stopcock.
 - d) The sequence shall be as follows: Water source → Control Unit → Stopcock → Building

Reason: In the interests of public health

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5. The sewerage treatment plant, to the Planning Authority's approval, shall be provided and maintained to give an effluent quality of 20mg/l BOD and 30mg/l SS or better at all times.

- The proposed treatment plant shall have an Irish Agrément Board Certification or equivalent.
- It shall be provided and maintained in accordance with manufacturers instructions and the requirements of the certification.
- The plant shall be located in compliance with the separation distances as laid out in the EPA's Wastewater Treatment Manual – Table 4: Minimum separation distances in meters
- The effluent from the plant shall discharge to a percolation area generally in accordance with the EPA's Wastewater Treatment Manual, but specifically satisfying all of the requirements of Chapter 3 – Treatment Options
- A regular monitoring programme - to include at least twice yearly sampling and analysis - shall be conducted to ensure ongoing compliance with the specified 20/30 standard.
- A register of results shall be retained for inspection should the Local Authority wish to do so.
- Prior to bringing the treatment plant and percolation area into service, a certificate of compliance from the plant installer in respect of the design and installation of the system shall be furnished to the Area Engineer.

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- **Excess sludge from the Treatment Plant shall be disposed of in accordance with Code of Good Practice for the use of Biosolids in Agriculture (Guidelines) D.O.E. & L.G., November 1999.**

Reason: In the interests of orderly development and public health.

Signed: 
Mkhululi Ndebele

Date: 31/03/2009

I AGREE

Grahame Niven
Coole Area Engineer

Date:

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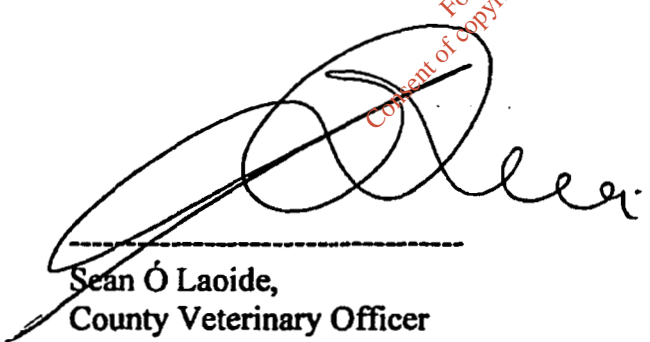
Westmeath County Council

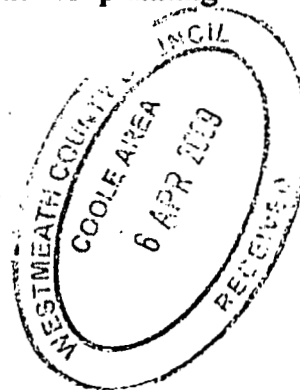
Environment Section, Church View,
Bishopsgate Street, Mullingar, Co. Westmeath
Tel: 044 9332000 Fax: 044 9384239

MEMO

To :	Planning Section Coole Area Office
CC:	
From :	Seán Ó Laoide Veterinary Officer, Environment Section
Date :	1/4/09
Subject :	Planning Ref. 09/2025 Ballynegall Feeds Ltd. Permission for construction of Pig Rearing unit to accommodate 744 sows, facilities to rear weaners to 30KG and ancillary works at Bracklyn Delvin.

Having visited the above site, having spoken to the applicants and their agents and having examined the documents provided we believe that the proposal is in keeping with good pig production practice requirements. We therefore do not have any objection to the grant of planning permission.


Seán Ó Laoide,
County Veterinary Officer
Environment Section.



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Westmeath County Council
M E M O R A N D U M

To:	County Manager
From:	Dáire Mc Devitt, Executive Planner
Date:	15 April 2009
Subject:	<p>Applicant: Ballynegall Feeds Ltd</p> <p>Proposal: Permission for development at this site for a Pig Rearing installation at Bracklyn, Delvin, Co. Westmeath. The development will consist of: A Pig Breeding Unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m. An EIS will be submitted to the Planning Authority with the application.</p> <p>Location: Bracklyn, Delvin, Co. Westmeath Road No: Private agricultural road off the LP 1504 O.S. No: WH27 Site Inspection: 24 March 2009</p> <p>File No: 09/2025</p>
Decision Due:	27 April 2009

Site Location & Description:

The site is located within the demesne of Bracklyn House (Bracklyn Farm), the site in question is set back c.1.6Km from the adjoining public road (LP1504) and accessed by the existing entrance to Bracklyn Farm and associated farm buildings. The site located to the rear of Bracklyn House (RPS) would not be visible from the road. The existing agricultural structures on Bracklyn farm are used to house c. 400-500 Beef Units and 1 no. pig house with c. 1100 fatteners). Reference has been made to this as an attachment to the EIS submitted. There is a SMR c. 47m from the application site and the 4550 cu.m overground slurry tank retained under 09/2018.

Bracklyn House is surrounded by outhouses and extensive stable blocks (formerly a stud farm), according to details submitted (EIS) the nearest dwelling is c.500m from the site (Bracklyn House, owned but not occupied by applicant S. Murphy)

The application site is taken from an extensive landholding associated with Bracklyn House & Farm, the site in question has an area of c. 1.7504Ha, at present the site is currently farmland and cultivated, adjoining the site there is a circular overground slurry tank (32.66m diameter and 6.25m high) granted retention under 09/2018.

The proposed structures would consist of 7 no. houses with 3 main blocks with a gfa of c. 6311sq.m, to accommodate pigs on slatted floors and to store some feed, in addition 5 no. moveable feed bins and a small office structure are proposed. 4 no. silos will also be provided.

The site is not located within any SAC, NHA or SPA.

The overall landholding is 788 acres, there are 2 sections of bog (19.5 acres and 4.5 acres respectively. The total land area excluding bog is just over 700 acres. (EIS submitted refers to 700 acre landholding).

Planning History:

09/2018, applicants granted Permission for retention of an existing overground 4550 cubic metre slurry storage tank and external slump at Bracklyn.

08/2202, applicants applied for Permission for development at this site for a Pig Rearing installation at Bracklyn, Delvin, Co. Westmeath. The development will consist of: A Pig Rearing Unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m. We also intend to apply for retention permission for an existing overground 4550cubic metre slurry storage tank and underground reception tank. An EIS will be submitted to the Planning Authority with the application. (Withdrawn)

In relation to the overall holding:

93/212, Sallyview Estates granted Permission for retention of Horse training Sheds.

There are no records on the Planning Register for the Farm Buildings (Beef and Pig house), the agricultural entrance to same or the numerous dwellings constructed on the holding

The Current Application:

Permission for development at this site for a Pig Rearing installation at Bracklyn, Delvin, Co. Westmeath. The development will consist of: A Pig Rearing Unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m.

An EIS is submitted with the application.

Pre-Planning Meeting/Discussion:

Meeting took place following 08/2202 FI request.

Submissions:

None received to date.

EIS Requirement:

The 2001 Planning and Development Regulations, Schedule 5, Part 2 (e)(ii) indicates that "installations for the intensive rearing of pigs...more than 400 sows in a breeding unit" would require an EIS. The current application is for A Pig Rearing Unit to accommodate 744 sows, facilities to rear weaners to 30kgs. From site inspection it appears that the extent of the existing development and proposed development falls within the parameters of the above.

An EIS has been submitted with the application.

Environmental Impact Statement:

The proposed development has been screened by reference to the Planning and Development Regulations 2001, Schedule 5 Part 2 1.(e) (ii) Installations for the intensive rearing or poultry or pigs with more than (b) (c) 400 places for sows in a breeding unit. The proposed development is for 744 sows as such an EIS is a mandatory requirement to be submitted as part of the Planning Application.

The EIS prepared by Sean Lucy Associates (26 February 2009) has followed the standard structure outlined below and can be summarised as follows:

Description:

Proposals for a new pig breeding and rearing yard. The pigs to be housed on site would comprise gilts and sows, and their progeny up to 30kg liveweight. The progeny would be reared for sale to a pig fattening enterprise (No details submitted regarding the location of same). Sows and gilts culled as unsuitable for breeding would be for sale to a pigmeat processing enterprise. The capacity of the site following the proposed development would not exceed 744 sows and associated animals. The scale of the proposed installation is sub-threshold in relation to requirement for an Integrated Pollution Prevention and Control Licence.

Human Beings:

Significant effects on people are not anticipated. The dwelling nearest the site is Bracklyn House is unoccupied and not used as a residence by the applicant who owns same.

The proposal would provide full-time employment for 4 no. full-time employees, support for contract workers during harvesting season, as well as business for several service and support contractors.

It is envisaged that the construction phase would last 4 months, at which time all the construction materials will be transported by road thus impacted upon adjoining residents, in addition construction waste will be required to be removed/transported off site.

Hours of construction and noise would have a minimal impact on the residents along the LP 1504 due to the set back of the site from the road.

Remedial or reductive measures proposed relate to construction methods and hours of operation during the construction phase would further reduce the impact.

Flora and Fauna:

The site and surrounding lands are tilled and sown with wheat. Cereal fields have low ecological value.

Site Investigation (no dates submitted) indicates no protected species or either flora or fauna within a 500m radius of the site.

There are pheasant runs on the holding (noted at the time of Inspection by the PO) and as per information supplied further runs marked out close to the application site.

Soils, Geology & Hydrogeology:

Site is currently farmland. The soil on parts of the site that will be covered with the structures/yards will be removed as part of the site development works and will be deposited elsewhere for landscaping in or on the boundary of the site.

There are concerns regarding the impact 6770 cu.m of pig manure to be taken from the site and used by local farmers as fertiliser on their farmland might impact on their land.

Water:

Private well/water supply proposed and surface water disposal to the Stoneyford River,

It is envisaged that adverse effect on ground water should be nil, as the only discharge to ground would be treated effluent from the proposed domestic scale pwmts (Site Assessment carried out and submitted).

Risk of accidental leakage or spillage of polluting liquid on the site would be minimal. Abstraction of the volume of water needed for the proposed operations from the well proposed to be drilled to access ground water would have an insignificant impact on water reserves and resources.

Regarding dirty/contaminated water: Leak detection drains to be installed under new tanks, which drains will lead to a sump at which any impact on drainage water of any significant leak from the tank would be detected.

The only discharge from the site to surface waters will be the discharge of clean storm water from roof and clean yards to field drainage and to the Stoneyford River. There will be no discharge of soiled water or effluent to surface water.

Air & Climate:

The potential effects of the proposed development on air are limited to odour emissions that may be associated with pigs and pig manure stored in manure tanks.

Emissions to air from the site would be small and would be mostly attributable to the existence of the animal in the proposed development. Odour from the proposed site would not cause annoyance and would not interfere with the amenity outside the boundary of the site.

The potential of the proposed development for adverse impact on environmental parameters is negligible because of the nature and scale of the development, and because all wastes would be removed from the site for either disposal or recovery at authorised and regulated facilities elsewhere. While waste generated on the site would be accumulated and stored temporarily at the site, there would be no long-term storage and no disposal or recovery of any waste undertaken in the site.

Nosie/light/air/soil/heat pollution:

EIS outlines that noise generated in/by the proposed development would not exceed guideline limits at the site boundary. The potential noise impact will occur during construction phases.

Remedial measures for the construction phase relate to hours of operation, type of machinery used.

Lighting of the site would be the normal for farmyard sites and would not exert influence or interference outside the site boundary.

There would not be any source of significant vibration on the site.

Normal operations on the site of the proposed development will not cause any pollution of soil.

There would not be any significant effect of the proposed installation and the proposed activity on environmental parameters as directed towards ensuring that the systems for collecting wastes and removing them from the site for appropriate treatment in authorised waste treatment installations will be adequate for that purpose.

The proposed development is unlikely to generate or release sounds or odours that will significantly impair amenity beyond the site boundary. The experience of other similar sites indicates that the guidelines limits of 55db (daytime) and 45db (night time) are unlikely to be exceeded beyond the site boundary. (No actual Survey details for development or this site submitted)

There are no processes proposed which will constantly or regularly release odorous emissions from the site at nuisance levels. Fugitive odour emissions at the site will not be significant and will be limited to times at which animal manure is being removed from collection/storage tanks. In so far as possible odour emission is to be managed so as to occur at times when the effect within the site or outside it will be minimal.

Waste:

Hazardous Waste:

The only hazardous waste that would be generated in the proposed site would be spent fluorescent lighting tubes and veterinary waste (medicine containers, used syringes

and needles). The annual quantity of each of these classes of waste generated on site would be less than 50kg. It is proposed to accumulate the used fluorescent tubes and the veterinary waste in specified storage areas in the site pending periodic collection by an appropriate authorised waste collector (SRCL Ltd) for disposal by an authorised disposal site.

Correspondence from SRCL Ltd confirms the arrangement to collect and dispose bio-hazardous waste from Bracklyn Pig farm

Carcases:

A small number of animals born on site will die prematurely. An Authorised contractor (College Proteins, Nobber, Co. Meath) would regularly remove the carcasses of those animals that will die on the site to an authorised rendering plant in accordance with existing law.

Correspondence from College Proteins (dated 8/08/08) outlines:

They have agreed to collect and dispose of pigs from Ballynegall Feeds Ltd. The dead pigs will be contained in 240L or 660L wheelie bins. The Plant (purpose built) in Nobber is equipped with a modern effluent system and is regularly monitored by the EPA under IPC licence no. P0037-03

Pig Manure:

Given the size of the holding associated with Bracklyn Farm (c.700 acres), the majority of the pig manure will be utilised on the holding and any surplus would be transferred to neighbouring farmers who may want it and acquire it as a source of fertiliser for use on their holdings.

All pig manure would be collected and stored on site pending use to supply nutrients to satisfy some crop requirements on the holding or for sale and transfer from site to farmers who would acquire it for their own use as a source of fertiliser nutrients.

Weekly output of pig manure from the proposed site would be about 130m³, or 6770m³ per year. The pigs born on the proposed site would be sold from the site as weaners (30kg) for onward rearing elsewhere (no details submitted regarding the location of this facility).

It is proposed that on-site storage capacity for pig manure would be about 10,664m³ which cater for c. 82 weeks production of manure and well in excess of the 6 month storage capacity generally required for pig manure and prescribed in S.I 378 of 2006.

Recycling packaging (paper etc), to an authorised collector.

Domestic Waste (small amount from the office), to an authorised collector.

Mitigation Measures identified in the EIS:

11 measures identified primarily as:

- (i) provision of sufficient and safe access to the site and measures to avoid excessive soiling of the public road during construction on the site. Use the existing access.
- (ii) A secure fence around the site and effective landscaping comprising hedging, trees and landscaped earth embankments where necessary to

- screen the installation from obtrusive view from the public road and to blend it into the rural landscape. The site is remote from public roads and public views. Landscaping and fencing to be agreed with the PA.
- (iii) Provision of storm water drainage system to properly collect and discharge all clean rainwater from roofs and clean surfaces. Storm water drainage is proposed.
 - (iv) Provision of soiled water drains to properly collect any effluent or soiled water and divert it to the nearest manure tank.
 - (v) Collection and storage of animal manure and wash waters pending dispatch from the site to farmland or to farmers who seek a supply for their use as fertilisers on their holdings.
 - (vi) Collection and removal from the site of hazardous waste materials generated on the site. Such waste removed from the site are to be removed only to sites authorised and agreed as appropriate for the disposal or recovery of the waste concerned.
 - (vii) Collection and removal from site of all dead animals and all animal tissues. Collection by an authorised waste collector, for disposal or recovery at an authorised rendering plant.
 - (viii) The collection of animal tissues from the site is in an appropriate water tight and covered containers, and timely removal so as to ensure minimal generation or release of odours either at the site or during transit to the disposal/recovery destination.
 - (ix) Monitor storm water discharges from the site and maintain records of all monitoring.
 - (x) Record and maintain required records of all consignments of waste despatched from the site.
 - (xi) Record and maintain required records of all consignments of pig slurry despatched from the site.

Landscape and Visual Aspects:

Site is located c. 1.6Km set back from the road within a 700 acre holding, the site is screened and not visible from the public road, it is screened from Bracklyn House by trees.

The EIS concludes that the proposal would not have any negative visual impact on the surrounding area, additional landscaping, sensitive materials and colours to be used to ensure further integration into the landscape are recommended as a mitigation measure.

In landscape terms the proposed development will impact in varying degrees upon: the perceived character of the area, the existing views, its recreational amenity.

Traffic & Transportation:

A small section in the EIS refers to traffic impact.

Source of Traffic:

4 no. staff.

Pig removal for Sale.

Animal Waste removal.

Proposed Piggery:

4 no. staff (8 no. car movements per day)
1 no. lorry per week (transportation of pigs)
2 no. lorries per week (transportation of animal feed)
1 no. lorry per week for the removal of animal tissue.
Total of 8 no. lorry movements per week.

Existing Piggery:

2 cars enter and exit per day (ie 4 no. traffic movements)
3 no. HGV's visit the farm per week (ie 6 no. HGV movements per week).

Total existing traffic movements per week on the farm is 34.

At present the slurry used for spreading on the 700 acres tillage lands has to be transported to the site. These movements will be eradicated when the proposed piggery on the farm becomes operational. Therefore, it is argued that the increase in traffic movements as a result of the proposed development would be minimal.

Cultural & Architectural Heritage:

Field inspection undertaken Aug. 2004, numerous features of archaeological potential noted, remedial measures: Archaeological investigations and monitoring required.

Bracklyn House (RPS B294), there are concerns regarding the proximity of the proposed development to Bracklyn House and the impact such a development would have on the overall integrity and character of the House and its surrounds. (DoEHLG in their submission outline that Archaeological Monitoring will be required but overall have no objection to the proposal). The EIS assess the potential impact on Bracklyn House in the context of the fact that there are existing farmyard building surrounding Bracklyn House

WM014:019 (ringfort) (area planted with coniferous trees), is c. 97m from the nearest proposed pig house but only 40.7m from the substantial overground slurry tank retained under 09/2018 and c. 35m from the site boundaries.

Due to the proximity of the proposed development to the ringfort, there may be an adverse impact on previously unidentified archaeological features associated with the enclosure, it is proposed that monitoring would be undertaken for all ground disturbances, including site investigations and topsoil stripping. This work would be carried out by a licensed archaeologist with full provision to be made for the resolution of any archaeological features/deposits that may be discovered.

WM014:018 (Castle, site of), c. 400m from the site. No visible trace remains

The Gate Lodge (gates), (RPS B294), will not be impacted upon as this entrance off the LP 1504 is not proposed to be used, the agricultural entrance to Bracklyn Farm is proposed. Restrictions on access point could be further strengthened by a condition attached to a grant restricting entrance points.

Mitigation measures: it is recommended that a program of licensed archaeological monitoring be undertaken for all ground disturbance, including site investigations and topsoil stripping. This work should be carried out by a licensed archaeologist with full provision to be made from the resolution of any archaeological features/deposits that may be discovered.

Alternative Sites studied by the developer.

The Planning Authority note that this section of the EIS is fundamentally flawed in the sense that the location of the substantial overground slurry tank to be retained and its location more or less dictated the location of the proposed development as such the examination of alternatives was little more than a desk exercise in this instance.

Referrals:

AE Coole Area, Report received dated 31 March 2009, no objection subject to conditions.

DoEHLG (Development Applications Unit), Report received dated 6 April 2009 recommends Archaeological Monitoring condition to be attached.

DoEHLG (National Parks & Wildlife), No Report to date

An Taisce, Comments received dated 20 March 2009 expressing serious concerns in relation to the proposed development and its proximity to the Ringfort.

County Architect/Conservation Officer, No Report to Date

Irish Wildlife, No Report to Date

WCC Environment Section, Report received dated 3 April 2009, no objection subject to conditions.

WCC Road Design Office, No Report to date

Waterways Ireland, No Report to date

Board Failte, No Report to date

Fisheries Board No Report to date

EPA, Response received dated 1 April 2009 as follows: *From the information in the current application for planning permission, the activity under consideration is a 744 sow breeding unit, which is located more than 100 metres from an existing 1100 pig fattening unit operated by Clondrisse Pig Farms Ltd. It is considered that in this particular case, the two activities (breeding (proposed) and fattening (existing)) may be considered as not being within the same complex and therefore an IPPC licence would not be required for the proposed development. However, if the two activities were to be operated 'within the same complex', then the licensing threshold for an integrated unit may be exceeded and a licence under Class 6.2 may be required.*

County Vet, Report received dated 1 April 2009 as follows: *Having visited the site, having spoken to the applicants and their agents and having examined the documents submitted we believe that the proposal is in keeping with good pig production practice requirements. We therefore do not have any objection to the grant of planning permission.*

Policy Context:

NSS

RPG

MRPG

MWMP

Westmeath County Development Plan 2008-2014

7.5.2 Piggery developments

- (i) New piggery developments exceeding 3000 pig units (1 sow litter = 10.p.u, 1 pig = 1 p.u.) shall preferably be sited a minimum distance of 5 km from existing population centres exceeding 200 persons. The following shall be taken into consideration:
- (a) Where considered warranted by the Sanitary Authority, a treatment plant shall be provided for piggery developments.
- (b) The developer shall have all lands available for spreading in his/her ownership.
- (c) Management controls for slurry spreading shall have regard to;
1. Spreading rates based on assessment of lands concerned;
 2. Storage tank capacities with at least 6 months winter storage;
 3. Time of spread;
 4. Distance from water-courses, with a minimum distance of 30 m in all cases, and;
 5. Distance from houses and public buildings, with a minimum distance of 100m except with the consent of the owner.
- (d) Band spreading or soil injection of all slurries shall be a prerequisite for all piggery developments. Slurry spreading by splash plates shall not be permitted. The use of odour masking agents when slurry spreading shall be required in appropriate developments.
- (e) Where other than the public water supply is being utilised as the source of water supply, the applicant shall satisfy the planning authority as to adequacy of source.
- (f) Where an application for an intensive piggery development is made the following will generally be the council's requirements.
- (ii) Prior scoping with the developer of a comprehensive E.I.S. covering all relevant impacts both physical and socio-economic.
- (iii) Acceptance of the E.I.S. only on the basis of proper treatment of all impacts on a multidisciplinary basis and inclusion of technological mitigating measures, where appropriate.

Principle of Development:

The principle of the development is open for consideration at this location subject to site specific constraints and issues being addressed to the satisfaction of the Planning Authority.

Planning & Development:

The application site is located within the demesne of Bracklyn House (Bracklyn Farm), the site in question is set back c. 1.6Km from the adjoining public road (LP1504) and accessed by the existing entrance to Bracklyn Farm and associated farm buildings. The site located to the rear of Bracklyn House (RPS) would not be visible from the road. The existing agricultural structures on the landholding are used to house c. 400-500 Beef Units and 1 no. pig house with c. 1100 fattners). No reference has been made to this in the application or EIS submitted.

The overall landholding is 788 acres, there are 2 sections of bog (19.5 acres and 4.5 acres respectively. The total land area excluding bog is just over 700 acres.

The application site is taken from an extensive landholding of c. 700 acres associated with Bracklyn House & Farm, the site in question has an area of c. 1.7504Ha, at present the site is currently farmland and cultivated, there is a circular overground slurry tank (32.66m diameter and 6.25m high) to be retained. Bracklyn House is surrounded by outhouses and extensive stable blocks (formerly a stud farm), the House is currently uninhabited as per information supplied by the applicant at the time of inspection. According to details submitted (EIS) the nearest dwelling is

c.500m from the site (Bracklyn House, owned but not occupied by applicant). There is a Ringfort c. 47m from the application site and the 4550 cu.m overground slurry tank retained under 09/2018.

Permission being sought at this site for a Pig Rearing installation at Bracklyn, Delvin, Co. Westmeath. The development will consist of: A Pig Rearing Unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m.

Design:

The proposed structures would consist of 7 no. houses with 3 main blocks with a gfa of c. 6311sq.m, to accommodate pigs on slatted floors and to store some feed, in addition 5 no. moveable feed bins and a small office structure are proposed.

The structures are steel framed with insulated concrete or steel side cladding, to enclose slatted pens in which pigs will be accommodated and fed, and under-slat tanks in which manure will be collected and stored pending dispatch to farmers or transfer to the overground slurry storage tank prior to use on farmland in the holding to help satisfy crop requirement for nutrients or dispatch to farmers who order a supply for use by them on their lands. Pig Slurry will not be dispatched from the site to farmers during the period when the application of slurry to farmland is prohibited under SI 378 of 2006. The site also includes an area on which a container for dead pigs will be parked pending periodic collection for transport to the authorised rendering plant.

Dispatch/loading bay is located adjacent to the weaner unit (SE of the site), movement of the pig manure within the site would be through sluices from individual tanks to a deep channel to the collection sump/tank adjacent to the over-ground tank (09/2018)

The main structures have a total Floor area of c. 6311sq.m (within walls when constructed as per EIS), all of which will be for the accommodation of pigs or to provide access to pigs, storage for feed and supplies and facilities for staff, the break down is as follows:

Drwg BF_101_08 indicates the total floor area as 6531.492sq.m, broken down as follows: 2501.18sq.m, 924.472sq.m, 1035.76sq.m and 2070.08sq.m.

Break down of Structures as follows:

Unit 1 (c.2041sq.m) Use: Gilts, sows, boars and breeding
Unit 2 (c.747sq.m) Use: Farrowing
Unit 3 (c. 747sq.m) Use: Farrowing
Unit 4 (c. 152sq.m) Use: Food Preparation & Store
Unit 5 (c. 77sq.m) Use: Feed Store
Unit 6 (c. 977sq.m) Use: Gilts, Sows, Boars, breeding
Unit 7 (c. 1571sq.m) Use: First & second stage weaners
Total: 6311sq.m.

In addition an Office (c. 61.2sq.m) is proposed.

4 no. silos.

Visual Impact:

With respect to visual impact in terms of the proposed development, it is considered that the proposal is compatible in terms of design and form with the proposed use and its location screens the proposal from the adjoining Bracklyn House and its surrounds, therefore does not detract from the character or integrity of same.

Access & Traffic:

Access is proposed via an existing c. 4m wide agricultural lane/road which also serves the existing structures on Bracklyn Farm (including a pig house and beef units).

Source of Traffic:

4 no. staff.

Pig removal for Sale.

Animal Waste removal.

Proposed Piggery:

4 no. staff (8 no. car movements per day)

1 no. lorry per week (transportation of pigs)

2 no. lorries per week (transportation of animal feed)

1 no. lorry per week for the removal of animal tissue.

Total of 8 no. lorry movements per week.

Existing Piggery:

2 cars enter and exit per day (ie 4 no. traffic movements)

3 no. HGV's visit the farm per week (ie 6 no. HGV movements per week).

Total existing traffic movements per week on the farm is 34.

At present the slurry used for spreading on the 700 acres tillage lands has to be transported to the site. These movements will be eradicated when the proposed piggery on the farm becomes operational. Therefore, the increase in traffic movements as a result of the proposed development would be minimal.

EE Coole Area as per Report dated 31/03/09 has no objection subject to conditions.

Environmental:

The Planning Authority notes that there is an existing pig unit on the holding, having regard to the cumulative effect the existing and proposed development may have. The applicant has provided a detailed inventory of existing units on the landholding:

Existing Operations:

Bracklyn Farm Yard:

House A&B: Slatted Unit accommodating 220 cattle.

House C&D: Slatted Unit accommodating 220 cattle.

House E: Straw bedded accommodation for sick animals.

House F: Pig Fattening Unit accommodation 1100 pigs.

Houses A, B, C, D & E are currently occupied by William Murphy's Herd No. X1705466 for overwintering.

House F is currently occupied by Clondrisse Pig Farms Ltd (William & John Murphy) Herd No. ZX070.

Proposed Operations:

A Pig breeding Unit to accommodate 744 sows, facilities to rear weaners to 30kgs, staff facilities, installation of proprietary waste water treatment system, percolation area, the carrying out of all ancillary site development works. The total floor area is 6531.492sq.m.

The applicant is required to demonstrate that there is adequate land capacity to facilitate disposal of slurry spreading and clarify if an ISPCC license is required (WCC Environment Section has no objection)

EPA Comments Response received dated 1 April 2009 as follows: *From the information in the current application for planning permission, the activity under consideration is a 744 sow breeding unit, which is located more than 100 metres from an existing 1100 pig fattening unit operated by Clondrisse Pig Farms Ltd. It is considered that in this particular case, the two activities (breeding (proposed) and fattening (existing)) may be considered as not being within the same complex and therefore an IPPC licence would not be required for the proposed development. However, if the two activities were to be operated 'within the same complex', then the licensing threshold for an integrated unit may be exceeded and a licence under Class 6.2 may be required*

In addition as the same agricultural entrance and road is proposed to be used to serve both the existing and proposed developments, reference has been made to the cumulative impact that would result from this.

Proposed PWWTS for office also submitted, Assessment carried out by an approved Assessor of the WCC panel, t-value of 51.7.

Identified types of Waste:

Hazardous Waste:

The only hazardous waste that would be generated in the proposed site would be spent fluorescent lighting tubes and veterinary waste (medicine containers, used syringes and needles). The annual quantity of each of these classes of waste generated on site would be less than 50kg. It is proposed to accumulate the used fluorescent tubes and the veterinary waste in specified storage areas in the site pending periodic collection by an appropriate authorised waste collector (SRCL Ltd) for disposal by an authorised disposal site.

Correspondence from SRCL Ltd confirms the arrangement to collect and dispose bio-hazardous waste from Bracklyn Pig farm

Carcases:

A small number of animals born on site will die prematurely. An Authorised contractor (College Proteins, Nobber, Co. Meath) would regularly remove the

carcasses of those animals that will die on the site to an authorised rendering plant in accordance with existing law.

Correspondence from College Proteins (dated 8/08/08) outlines:

They have agreed to collect and dispose of prigs from Ballynegall Feeds Ltd. The dead pigs will be contained in 240L or 660L wheelie bins. The Plant (purpose built) in Nobber is equipped with a modern effluent system and is regularly monitored by the EPA under IPC licence no. P0037-03

Pig Manure:

Having regard to the size of the holding associated with Bracklyn Farm (c.700 acres) WCC Environment Section has no objection. The majority of the pig manure will be utilised on the holding and any surplus would be transferred to neighbouring farmers who may want it and acquire it as a source of fertiliser for use on their holdings.

All pig manure would be collected and stored on site pending use to supply nutrients to satisfy some crop requirements on the holding or for sale and transfer from site to farmers who would acquire it for their own use as a source of fertiliser nutrients.

Weekly output of pig manure from the proposed site would be about 130m³, or 6770m³ per year. The pigs born on the proposed site would be sold from the site as weaners (30kg) for onward rearing elsewhere (no details submitted regarding the location of this facility).

It is proposed that on-site storage capacity for pig manure would be about 10,664m³ which cater for c. 82 weeks production of manure and well in excess of the 6 month storage capacity generally required for pig manure and prescribed in S.I 378 of 2006.

Recycling packaging (paper etc), to an authorised collector.

Domestic Waste (small amount from the office), to an authorised collector.

Cultural Heritage:

Bracklyn House (RPS B294), there are concerns regarding the proximity of the proposed development to Bracklyn House and the impact such a development would have on the overall integrity and character of the House and its surrounds. (DoEHLG in their submission outline that Archaeological Monitoring will be required but overall have no objection to the proposal). The EIS assess the potential impact on Bracklyn House in the context of the fact that there are existing farmyard building surrounding Bracklyn House

WM014:019 (ringfort) is c. 97m from the development (area planted with coniferous trees), 40.7m from the substantial overground slurry tank retained under 09/2018 and c. 35m from the site boundaries.

Due to the proximity of the proposed development to the ringfort, there may be an adverse impact on previously unidentified archaeological features associated with the enclosure, it is proposed that monitoring would be undertaken for all ground disturbances, including site investigations and topsoil stripping. This work would be carried out by a licensed archaeologist with full provision to be made for the resolution of any archaeological features/deposits that may be discovered.

Contributions:

Apply as per Adopted Contribution Scheme.

Table 2 – Levels of Contributions – Other Categories of Development

	Category	Amount of Contribution
C	Agricultural Development	Nil up to 500 M ² €3 per M ² 500 to 1,000 M ² €6.50 per M ² > 1,000 M ² of development Area

Levies are applied as follows;

6531.49m²-500 m² = 6031.49m² is the total area of new build subject to contributions:

€3 per M² 500 to 1,000 M² (ie 500 m2 at €3 per m2), **€1,500**

€6.50 per M² > 1,000 M² (ie 5531m2 at €6.50 per m2), **€35,951**

In accordance with section C of Table 2 of the adopted Development Contributions scheme the contribution amounts to **€37,451**

Conclusion & Recommendation:

The Planning Authority notes that there is an existing pig unit on the holding, having regard to the cumulative effect the existing and proposed development may have the applicant has provided a detailed inventory of existing units and the proposed unit on the site and landholding and the number and types of animals that each house. The applicant has demonstrated that there is adequate land capacity to facilitate disposal of slurry spreading and the development as submitted is sub threshold for an ISPCCL license.

Access to the subject site is by the existing access and private road which serves Bracklyn Farm, as the same agricultural entrance and road is proposed to be used to serve both the existing and proposed developments, the AE Coole Area has no objection to the cumulative impact that would result from this.

With respect to visual impact in terms of the proposed development, it is considered that the proposal is compatible in terms of design and form with the proposed use and its location screens the proposal from the adjoining Barcklyn House and its surrounds, therefore does not detract from the character or integrity of same.

Following detailed examination of the Planning File, Referral Reports, Site Inspection and the EIS submitted the Planning Authority has no objection to the proposal subject to extensive conditions and monitoring.

Recommendation;

It is recommended that planning permission be granted in accordance with the attached schedules.

09/2025

Schedule One

Having regard to the provisions of The County Development Plan (2008) section 7.5.2, it is considered that, subject to the attached conditions set out in schedule two, the proposal is consistent with the terms and provisions of adopted policy and is therefore considered in accordance with the proper planning and sustainable development of the area.

09/2025

Schedule Two

1. Subject to the conditions set out below the development shall be carried out in accordance with submitted plans and details received by the Planning Authority on the 3 March 2009, except for any alterations and modifications specified below.

Reason: In the interests of orderly development.

2. Prior to the commencement of development or as otherwise agreed in writing with the Planning Authority the developer shall pay the sum of €37,451 (Thirty Seven thousand, four hundred and fifty one euro), as set out below, to the Planning Authority as a contribution, in accordance with the Council's Development Contribution Scheme adopted in 2004, in respect of public infrastructure and facilities benefiting development in the area of the Planning Authority, and that is provided or that it is intended will be provided by, or on behalf of, the Council.

The contribution payable will be based on the contribution rate applicable at the time of payment and not the rate in existence when permission is granted. The amount of the development contribution will be updated annually on the 1st January in accordance with changes in the Wholesale Price Index (Building and Construction), (Capital Goods) and penalty interest for late payment, in accordance with the terms of the Council's Development Contribution Scheme:-

Class of Infrastructure (Table two)	Rate of contribution	Amount of Contribution
C. Agricultural Development, total floor area proposed.	Nil up to 500 M ² €3 per M ² 500 to 1,000 M ² €6.50 per M ² > 1,000 M ² of development Area	€37,451
Total		€37,451

Reason: It is considered reasonable that the developer should contribute towards the expenditure incurred or proposed to be incurred by Westmeath County Council in respect of the provision/improvement of public services/infrastructure benefiting development in the area of the Planning Authority.

3. Landspreading of animal manure shall be undertaken in accordance with the conditions outlined under S.I. No. 788 of 2005, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2005.

Reason: In the interests of the environment.

4. Slurry shall be spread only in accordance with the usage of the lands and the capacity of the land and cropping regime to absorb / utilise the slurry nutrients (N.P.K.) being applied

Reason: In the interests of the environment.

5. All uncontaminated surface water, including roof water, shall be separately collected and discharged to soak-pits or land drains, and shall not in any circumstances be allowed to discharge to the foul storage facilities. All other farm effluent (e.g. silage effluents) shall be managed as per conditions outlined under S.I. No. 788 of 2005, European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2005.

Reason: In the interests of the environment and orderly development.

6. Development on site shall comply with the Department of Agriculture Specifications for Housing of Pig and Sow Units and storage of Animal slurries.

Reason: In the interests of the environment.

7. The developer shall maintain a register for inspection by an authorised officer on a quarterly basis of all slurries that are generated on site and stored for transfer off-site for use to fertilise farmland. This Register shall also contain a list of all farmlands that have accepted the slurries from Bracklyn site and the volume of slurry accepted.

Reason: In the interests of the environment.

8. Surface water and foul water shall be disposed of on a separate system basis.

Reason: In the interests of orderly development.

9. All structural works shall conform to the requirements of the Department of Agriculture's specification. The proposed underground storage tanks shall be designed and constructed in accordance with accepted good practice to ensure a watertight structure.

Reason: In the interests of orderly development.

10. Prior to the commencement of any development on site samples of Roofing colour and all external materials and finishes shall be submitted for the written agreement by the Planning Authority.

Reason: In the interests of visual amenity.

11. Prior to the commencement of development the developer shall submit for the written agreement by the Planning Authority and the Environment Section a Groundwater Monitoring Plan for the site.

Reason: In the interest of public health.

12. The existing road drainage shall not be impaired and the existing entrance shall be designed and shaped or otherwise treated to ensure the uninterrupted flow of road surface water run-off.

a) No surface water shall be allowed to flow on to the public road in any way.

Reason: In the interests of road traffic safety and orderly development

13. Before any work on the proposed development commences, the existing boundary fence shall be removed on the left hand side of the entrance and on the right hand side of the entrance and sightlines of 90m x 2.4m shall be provided and maintained at all times from the proposed access point. Any wing wall forming the entrance shall be erected to a height of not more than 1 metre over existing road level and shall be splayed at an angle of 45 degrees to the line of the front fence. The entrance gate shall be located as indicated on submitted site layout map received by the Planning Authority on the 3rd March 2009.

Reason: In the interests of traffic safety.

14. Prior to the commencement of any work on site, the developer shall submit written evidence that:
- a) The source of water is to be of adequate capacity.
 - b) It shall comply with the Drinking Water Directive No. 80/778/EEC and the regulations S.I. No. 81 of 1988.
 - c) The 12mm diameter water service from the scheme or alternate source shall be fitted with a water service control unit and stopcock.
 - d) The sequence shall be as follows: Water source → Control Unit → Stopcock → Building

Reason: In the interests of public health

15. The sewerage treatment plant, to the Planning Authority's approval, shall be provided and maintained to give an effluent quality of 20mg/l BOD and 30mg/l SS or better at all times.
- o The proposed treatment plant shall have an Irish Agrément Board Certification or equivalent.
 - o It shall be provided and maintained in accordance with manufacturers instructions and the requirements of the certification.
 - o The plant shall be located in compliance with the separation distances as laid out in the EPA's Wastewater Treatment Manual - Table 4: Minimum separation distances in meters
 - o The effluent from the plant shall discharge to a percolation area generally in accordance with the EPA's Wastewater Treatment Manual, but specifically satisfying all of the requirements of Chapter 3 - Treatment Options
 - o A regular monitoring programme - to include at least twice yearly sampling and analysis - shall be conducted to ensure ongoing compliance with the specified 20/30 standard.
 - o A register of results shall be retained for inspection should the Local Authority wish to do so.

- Prior to bringing the treatment plant and percolation area into service, a certificate of compliance from the plant installer in respect of the design and installation of the system shall be furnished to the Area Engineer.
- Excess sludge from the Treatment Plant shall be disposed of in accordance with Code of Good Practice for the use of Biosolids in Agriculture (Guidelines) D.O.E. & L.G., November 1999.

Reason: In the interests of orderly development and public health.

16. (a) Drainage connections shall not give rise to a Public Health Nuisance.
 (b) Water storage tanks shall be covered adequately but not airtight.
 (c) Suitable refuse storage facilities shall be provided for the storage of waste generated. This area shall be paved, sloped, drained and serviced with a water supply.

Reason: In the interest of Public Health.

17. (a) The developer/applicant shall employ a qualified archaeologist to monitor all groundworks associated with the development.
 (b) Should archaeological material be found during the course of monitoring, the archaeologist may have work stopped, pending a decision as to how best to deal with archaeology. The developer/applicant shall be prepared to be advised by the Development Applications Unit, Department of Environment, Heritage and Local Government with regard to any necessary mitigating action in recording any material found.
 (c) The Planning Authority and the Development Applications Unit, Department of Environment, Heritage and Local Government shall be furnished with a report describing the results of the monitoring.

Reason: To ensure the continued preservation (either *in situ* or by record) of places, caves, sites, features or other objects of archaeological interest.

18. No signs, symbols or advertisements, shall be erected on site without the prior written agreement of the Planning Authority whether or not such development would otherwise constitute "exempted development" under the terms of the Planning and Development Regulations, 2001 (as may be amended).

Reason: In the interests of visual amenity and to maintain proper planning control over the proposed development.

19. All construction and demolition waste removed off site shall go to a licensed/permitted waste recovery facility and be carried out by a contracting firm permitted under the Waste Management Collection Permit Regulations 2001.

Reason: In the interests of pollution control and environmental protection.

20. All vehicle loading and unloading shall take place in the confines of the site.

Reason: In the interest of public and traffic safety.

21. This permission refers exclusively to the proposals contained within this application and does not refer to any other structure or installation within the

site. Any other structure in so far as its use maybe unauthorised shall be subject to a further grant of permission.

Reason: To avoid any misunderstanding as to the proper construction of this permission.

Please attach as an addendum:

HSE Report received dated 25 March 2009.

Environment Section Report dated 3 April 2009

09/2025

Doreen McDevitt
Area Planner

15/4/09
Date

Area Engineer

Date

[Signature]
A/Director of Services

21/4/09
Date

[Signature]
County Manager

22/4/09
Date

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Dorota Richards

PO984-01

From: Ciaran Jordan <cjordan@westmeathcoco.ie>
Sent: 03 September 2014 11:55
To: Dorota Richards
Subject: RE: Clondrisse Pig Farm Limited - Section 87(1E)(a) Notice
Attachments: Ballynegall Feeds Ltd (Clondrisse Piggery) - EPA.pdf; 09-2025%20ballynegall%20feeds%20ltd[1].zip

Dorota,

I attach a copy of letter issued to you by post along with attached documents requested.

Apologies for the delay in responding to your original letter and subsequent emails.

regards

Ciaran Jordan | Senior Executive Engineer | Environment & Building Control
Westmeath County Council, Áras an Chontae, Mullingar, Co. Westmeath | ☎ 044 9332177 | 📠 044 9342330 |
✉ cjordan@westmeathcoco.ie | www.westmeathcoco.ie

From: Dorota Richards [mailto:d.richards@epa.ie]
Sent: 06 August 2014 11:29
To: David Hogan; Barry Kehoe
Cc: Pamela McDonnell
Subject: FW: Clondrisse Pig Farm Limited - Section 87(1E)(a) Notice
Importance: High

Dear Mr Hogan & Mr Kehoe,

Further to the below e-mail of 1st May, I would like to bring to your urgent attention that to date we have not received your response to the Agency's request (please see attached). Your response is of vital importance in the Agency's further progressing of this application therefore your cooperation in this matter would be greatly appreciated.

Should you require further assistance please do not hesitate to contact me.

Kind regards

Dorota Richards

*Environmental Protection Agency
Office of Climate Change
Licensing & Resource Use
PO Box 3000
Johnstown Castle Estate
Wexford*

*Ph: 053-9160648 (Direct Line)
Email: d.richards@epa.ie
Web: www.epa.ie*

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10-1780-37

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From: Dorota Richards
Sent: 01 May 2014 11:49
To: 'david.hogan@westmeathcoco.ie'; 'bkehoe@westmeathcoco.ie'
Subject: FW: Clondrisse Pig Farm Limited - Section 87(1E)(a) Notice
Importance: High

Dear Mr Hogan & Mr Kehoe,

In accordance with Section 87(1E)(a) of the EPA Act as amended, it was requested of you to respond to the Agency within 4 weeks of receipt of the attached notice with the following information:

1. State whether the activity to which the licence application relates is permitted by the grant of permission referred to above.
2. Furnish all documents relating to the EIA carried out by your authority in respect of the development or proposed development to which the grant of permission refers.
3. Provide any observations your authority has in relation to the licence application.

Unfortunately to date your response had not been received. Could I therefore ask you to give this your urgent attention please.

Thank you for your co-operation in this matter and should you require further assistance please do not hesitate to contact me.

Dorota Richards

Environmental Protection Agency
Office of Climate Change
Licensing & Resource Use
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