



### Objection

Objector:	Mr Tony Lowes
Organisation Name:	Friends of the Irish Environment
Objector Address:	Kilcatherine, Eyeries, Co. Cork.
Objection Title:	Objection #OS005995 - 3rd party objection for Reg No:[P1103-01]
Objection Reference No.:	OS005995
Objection Received:	13 March 2020
Objector Type:	3rd Party
Oral Hearing Requested?	No

### Application

Applicant:	Dairygold Co-Operative Society Ltd and TINE Ireland Ltd
Reg. No.:	P1103-01

See below for Objection details.

Attachments are displayed on the following page(s).



<http://www.friendsoftheirishenvironment.org>

*The Environmental Protection Agency,  
Johnstown Castle,  
Co. Waterford  
13 March, 2020*

Objection to Proposed Decision

Applicant: Dairygold Co Operative Society Ltd and TINE Ireland Ltd  
At Mogeely, Mogeely, Co Cork  
Reg No. P1103-01

Dear Sir or Madam;

The EPA has failed to properly assess the "functional interdependence" between the proposed cheese factory and the source of the raw material – milk - as an indirect effect of the development.

The existing plant processes 120,000 tonnes *per annum*; the new plant is proposed to bring this to 365,411 tonnes *per annum* while cheese production will rise from 12,000 tonnes to 37,000 tonnes *per annum* - a tripling of the current milk feed source.

In the Edenderry Peat Burning Power Plant High Court Judgment Mr Justice Michael White held that there was a "functional interdependence" between the peat extraction and the Edenderry Power Plant.

"From any reasonable application of the objective facts of this project, there are possible indirect effects of the use of peat from these bogs on the environment. The difficulty is that An Bord Pleanála excluded completely the consideration of the indirect effects, when considering the planning application for the extension of life of the power plant." The permission was struck down.

The situation is analogous. The Agency and its Inspector have 'excluded completely the consideration of the indirect effects' of the tripping of the feed stock. The attached map shows the extent of the applicant's milk contracts and demonstrates that the potential indirect impact is substantial.

The Court concluded that An Bord Pleanála 'interpreted the relevant legislation applying Article 3 of the Directive too narrowly'.

Article 3 of the Directive requires the environmental impact assessment to 'identify, describe and assess in an appropriate manner, the 'direct and indirect significant effects' including – *inter alia* - those on climate, air, and human health as well as biodiversity in the context of the Habitats Directive'.

Human health and biodiversity, for example, are impacted by an increase in the dairy herd required for this development through the further production of ammonia. Ireland exceeded its emission limits for ammonia for the first time in 2016 and emissions of this gas are increasing. The agriculture sector accounts for virtually all (99 per cent) ammonia emissions in Ireland and has adversely affected more than 97% of Ireland sites protected under the Habitats Directive.

A form of nitrogen, ammonia is a colourless gas released when organic matter is broken down; it can have significant effects on both human health and the natural environment. In the atmosphere ammonia can bind to other gases to form ammonium which has particularly negative impacts on cardiovascular and respiratory health systems. Ammonia has a direct toxic effect on vegetation or changes in species composition because of nitrogen deposits.

Ammonia emissions are 'significantly higher' on dairy farms, according to the Farm Advisory Service Teagasc, with ammonia emissions 3 times that of average cattle farm.

An adverse impact of agricultural intensification required to supply the additional milk for the proposed development is ironically documented by the developer itself in the Annual Environmental Report of 2018. Groundwater is abstracted at monitoring point GW1 for treatment prior to being used as process water.

The relevant section of the Groundwater Section records 'there is an Upward trend in pollutant concentration over last 5 years of monitoring data' and that 'impact of the Evidence of upgradient nitrate and phosphate contamination likely to be from agricultural source'. This is the result of 'interdependence', as the applicant's contracts surround the installation. [See Map].

FIE argues that the specification of considerations of climate in the European Environmental Impact Assessment [EIA] legislation is reinforced and made incumbent on the Agency as a 'Duty of Certain Bodies' in Section 15(1)(d) of the Climate Action and Low Carbon Development Act 2015. This states that

"Relevant body shall in the performance of its function have regard to a range of considerations including:

(d) the objective of mitigating greenhouse gas emissions and adapting to the effects of climate change in the state.

FIE's submission points out that 'The Greenhouse Gas Emissions Impact', has been left to a future unspecified and undetailed 'Energy Efficiency Plan'. It says 'The applicant's ability to achieve even specified environmental targets are undermined in the 2018 Environmental Report where the proposed 10% reduction in fugitive emissions by 2015 was only 50% achieved and the 61% reduction in overall waste going to landfill by 2016 only 10% completed.

The Agency should require the applicant to address the impact of the expansion in milk production required to meet the proposed development, ensuring assessment of the required protection of human health, the natural environment, and the possibility of undermining Ireland's international obligations through our greenhouse gas emissions targets.

Yours, etc,  
Tony Lowes

### Ireland's milk producer's territories



Source: Farmers Journal