
M E M O R A N D U M

DATE: 09 July 1999
TO: Each Board Member
FROM: Technical Review Committee
RE: Objection to proposed IPC Licence for Kilcormac Farms Limited,
IPC Register # 412

Consideration Of the Objection

An objection was submitted by Kilcormac Farms Limited (letter dated 09/04/99, received by the Agency on 12/04/99) in respect of the PD issued to them for their 1,122 sow breeding facility at Gortnamuc, Kilcormac, Co. Offaly. The Technical Committee (Mr. Leo Sweeney, Chairperson, Dr. Maria Martin and Mr. Mark Kierans, committee members) has considered all of the issues raised and this report details the Committee's comments and recommendation following the examination of the objection on 09 July 1999. The inspector, Dr. Michael Henry was present to provide clarification on the points raised, as required.

Summary of Applicant Objection

The single objection relates to Condition 5.5.7 of the PD which states:

Landspreading of slurry/manure on soils which currently have a Morgan's P test in excess of 15mg P/litre (sampled to a depth of 10 cm) shall not occur until such time as the licensee can demonstrate, to the satisfaction of the Agency, that such soils have a Morgan's P content of < 10 mg P l⁻¹.

Kilcormac Farms Limited (Lessee) currently leases the pig unit from a third party (Lessor). The Applicant has included a purported copy of a page from this lease agreement which allegedly requires the Lessee to spread pig slurry on the Lessors land. The applicant further states that this land has been laid out with roadways and gateways and are located at a distance which are particularly suitable to accommodate landspreading operations

The Applicant requests that a time period should be allowed for the phasing in of new landowners and the phasing out of the unsuitable land belonging to the Lessors. They further state that water quality in the area is quite good and there does not seem to have been any detrimental effects on surface waters or ground waters during the past number of years.

Comment

The Technical Committee wish to comment for the purpose of clarification that the issues raised relating to the purported agreement between the Lessee and the Lessor is

a matter for consideration solely between the two parties concerned. As such this purported agreement does not in any way bind the Committee, or otherwise in reaching its recommendation. Furthermore, it is important to note that the purported lease agreement does not supersede or take precedence over any condition contained in the final IPC licence issued to this facility.

The Applicants primary objection is to the prohibition of landspreading on soils which have a Morgans P in excess of 15 mg P/l and in particular on lands owned by the Lessor. The cut-off phosphorus level of greater than 15 mg P/l takes into account crop requirements, balanced productivity and environmental values including the protection of surface waters and groundwater. The vast majority of the lands owned by the Lessor are located adjacent to the pig unit and have historically been used to take pig slurry from this facility. Because of this, levels well in excess of 15 mg P/l were found on these lands with a maximum of 157 mg P/l being recorded (approximately 75% of the total area of Lessors land has P levels greater than 15mg P/l).

Condition 5.5.7 of the PD allows the applicant to use land once it is demonstrated to the satisfaction of the Agency that such soils have a Morgan's P test of less than 10 mg P/l. Unsuitable lands which presently have P levels exceeding this value may again be considered for inclusion in the land bank once P levels have dropped below the stated value. Condition 5.5.6 allows for landbanks to be altered subject to the prior written agreement of the Agency.

The Committee note that having excluded unsuitable lands having a P content of greater than 15 mg/l the Applicant currently has sufficient lands for landspreading of all slurry arising from this pig production operation.

The Agency as a policy do not permit landspreading on lands with a Morgan's P of greater than 15 mg/l.

Accordingly the Technical Committee recommend that the prohibition to prevent landspreading on land with a Morgan's P of greater than 15mg/l should remain and no timeframe should be permitted for the phasing out of unsuitable lands having elevated P levels.

Recommendation: No change.

Signed

Mr. Leo Sweeney.
Chairman, Technical Committee.