



OFFICE OF LICENSING & GUIDANCE

INSPECTORS REPORT ON A LICENCE APPLICATION

To: DIRECTORS

From: ANN MARIE DONLON - LICENSING UNIT

Date: 07/07/05

RE: APPLICATION FOR AN IPPC LICENCE FROM HOGG ENTERPRISES LIMITED LICENCE REGISTER 622

Application Details	
Class of activity:	6.2
Location of activity:	Clohamon Mills, Bunclody, County Wexford
Licence application received:	01/11/01
Notices under Article 11(2)(b)(ii) issued:	20/12/01, 05/07/02, 12/11/02, 21/03/03, 19/08/03
Information under Article 11(2)(b)(ii) received:	20/02/02, 31/05/02, 19/09/02, 09/01/03, 20/02/03, 14/05/03, 01/09/03
Article 24(2) notice issued:	30/09/03
Letter of clarification issued:	04/12/03
Submission from applicant received:	21/10/03, 17/12/03, 18/12/03, 13/02/04
Submissions received: South Eastern Health Board	08/01/02
Carlow Co. Co. notified of landspreading in their area:	06/11/01
Site visits:	11/12/01, 18/10/02, 11/03/03, 19/08/03

Introduction

The application was received in November 2001. Following several requests for information, as outlined in the table above, an Article 24(2) Notice (abandonment notice) was issued on the 30/09/03. Having considered all the information submitted since 2001 the Article 10 compliance notice was issued on 05/07/05. A Recommended Determination (RD) is presented because of the information submitted, experience gained in licensing this sector, IFA/EPA discussions and data publicly available from other sources.

Company

This application relates to a 540 integrated sow unit operated by Hogg Enterprises Limited. The production process involves rearing of pigs to slaughter weights of 90kg. The unit is located along the banks of the Slaney River, near the village of Clohamon (GR E9325, N5472). The pig unit is a minimal disease unit. The general site activities are carried out from 7 a.m. to 4.30 p.m. Monday to Friday, while work at weekends is kept to a minimum and carried out between 8 a.m. to 12 p.m. There are 3 people plus the manager working on the site.

The pig houses on site were constructed between 1961 and 1969, and are considered to be exempt from planning permission. Wexford County Council was requested by both the applicant and the Agency to confirm the planning status of the unit. Wexford County Council stated that planning permission had been granted but when the planning reference (20033014) was queried the planning permission was for retention for a change of treatment system from a biocycle unit to a biocrete unit etc. (site unknown) and did not relate to the pig unit.

Site Specifics

Animals are accommodated in purpose built housing. The housing underwent refurbishment in 1996. Slurry storage facilities include underfloor slatted tanks, an overground tank (Howard tank), a reception tank and a soiled water tank. All under house slurry tanks were rebuilt in 1996 and constructed of mass concrete. Animal movement around the site is confined to passageways.

A wet feed system is utilised on-site. The water supply is from a well just off-site. Feed on-site is a mixture of meal, whey, chocolate and bread. Pieces of plastic are filtered out of the bread component prior to delivery to stock.

Ventilation is by means of computer controlled mechanical ventilation.

Inputs include gilts, water (10088m³/yr), feed (2900 tonnes) and veterinary products.

Council Directive 1996/61/EC – IPPC Directive:

The RD as drafted takes account of the requirements of Council Directive 96/61/EC concerning integrated pollution prevention and control. In particular Condition 8 *Energy Use* deals with energy use, reduction and efficiency on site. Condition 9 *Residuals Management* provides for decommissioning of the site following cessation of the activity.

Recommended Determination

Scope:

The site plan as outlined by the applicant did not include all of the feed plant. The applicant accepts responsibility for the whey tanks, which are located at the centre of the site. The holding tanks for chocolate, bread and dry meal and the mixing vessels are left out of the application. The applicant was requested under notice to include all details relating to the feeding plant. Hogg Enterprises Ltd. refused to include the feeding system and argue that the feed is acquired from Millstream Power Limited and is delivered at the time it is required.

The applicant also contends that the feed supplier can adjust ingredients without reference to the applicant.

In effect the on-site feed plant is owned and operated by a separate company. It is understood from the Companies Register Office that Robert Hogg is a Director and Secretary of both companies. It is understood that the feed plant operates for the sole benefit of Hogg Enterprises i.e. there are no other customers. The two activities are intimately linked. The feed plant is located within the natural boundary of the pig unit. The provision of feed is central to the rearing of pigs. The feed plant is a directly associated activity to the main activity and therefore cannot be excluded (c.f. Section 3, Protection of Environment Act, 2003 Interpretation; Installation). The feed delivery system is automatic with piping going from the tanks directly to the pig houses. Finally, the feeding system is technically, geographically and economically connected to the rearing of pigs.

The RD specifies that the installation refers to the area outlined in the site plan and all associated plant.

Energy:

The installation utilises the river to generate electricity. The power for the pig unit is still generated from this source and it is an integral part of the pig production process. The RD requires an energy audit.

Air:

There are a significant number of dwellings including the village of Clohamon, which are located within 500m of the unit. The Slaney Proteins rendering plant (IPC Reg. No. 193) is located within a few hundred metres of the unit (~200m) and Clohamon village (~100m). Inspector Anthony Dolan, the previous licensing inspector, observed that the odour from the local rendering facility is the dominant source in the area, following a number of visits to the area. Anthony Dolan also observed some pockets of odour were detectable at the unit, no odour was detected off site during the inspector's visits to the unit. On another occasion I noted odour at the unit but not at the entrance.

The Agency has received five odour complaints specific to this installation in 2004. The operation and management of the unit would appear to be carried out to a very high standard.

The applicant did not submit any odour modelling data despite receiving an official request from the Agency. The applicant refused to undertake the odour modelling exercise because (a) nuisance is not being caused and (b) it is not BATNEEC for this enterprise and that this business cannot afford to carry the cost of it, and cannot incur the risk of the implications that could flow from costly and possibly false conclusions.

Given the proximity of the unit to the village of Clohamon (~100m) and the receipt of five complaints, it is likely that there is an odour impact off-site. In the absence of an odour dispersion modelling results it is difficult to gauge the level of impact. The RD requires an odour management programme to actively minimise odour emissions. Condition 5.2 requires the operation of the activity in a manner that does not cause significant impairment of amenities beyond the site boundary.

Water:

Domestic waste water is directed to an on-site septic tank and percolation area. The septic tank on-site was replaced in 1996 and a new percolation area installed.

Storm water from the roof and the majority of clean yard area of the site is directed to a surface water drainage system that discharges to the Mill Stream and then the Slaney River via a single discharge point. Storm water from a lower yard currently discharges to the Mill Stream through two portals in a passageway wall. Storm water from the lower yard needs to be diverted to the drainage system. Some guttering repairs and finishing off of pipe work is required to divert all storm water to the drainage system. The RD requires this work to be completed within six months.

Pig movement is confined to designated passageways, which limits the possibility of generating contaminated storm-water. Passageways are a mixture of solid and slatted. Soiled water generated on passages is directed to slurry tanks for the most part. Soiled water is not collected outside fattening house No. 1 and the passageway to fattening house No. 3 but movement is minimal.

The total slurry storage capacity available is 3,650 m³ (20 weeks). The RD requires six months storage capacity to be provided. Proposals for additional storage shall be submitted and agreed with Agency prior to implementation.

Slurry storage tanks are in part overground. During two visual tank surveys, no slurry tank leakage was detected. Fattening houses 1, 2 and 3 and gilt house have self-contained and independent slurry storage facilities. The Sow house, Farrowing house, and Weaning houses etc. are piped directly to a reception tank (27m³) initially, and then pumped to an adjoining Howard slurry storage tank of some 950m³ capacity. Slurry movement is by gravity and controlled by sluice gate. There is a triple alarm system on the reception tank to prevent slurry overflow. The RD requires a partial bund be provided for the overground tank to ensure sufficient protection of the clean water outfall. Overfill protection on the overground tank is also required in the RD.

The whey tanks are unbunded. The liquid chocolate and liquid bread vessels are on hardcore and any spillage is directed to an unlined channel which discharges to the main slurry collection system. One mixing vessel is in a concrete bund and all spillages are directed to the unlined channel. Spillages and dust discharges from meal bins are directed to a sump from which it is pumped to the gilt house slurry tank. Spillage's from the four mixing tanks in the meal house are directed to the same sump and pumped to the gilt slurry tank. The RD requires that all liquid feed, wet feed mixing tanks and fuel storage facilities shall be bunded within six months.

The preferred option in the event of a Class A disease outbreak would be the rendering of the dead animals off site. This is in line with draft BAT guidance on the Pig and Poultry sector. However, a site has been selected by the applicant north of the unit should burial be required. In the event of a Class A disease outbreak the Minister for Agriculture becomes the owner of the pig carcasses and the Department of Agriculture, Food and Rural Development is the competent authority. No requirements are specified in the RD in relation to Class A disease outbreak.

Waste:

General waste, carcasses and sharps are transported by permitted contractors and disposed at licensed facilities. The method of off-site recovery/disposal has yet to be agreed for fluorescent tubes and batteries.

Landsread assessment and NMP

It has been estimated that 9360m³ of slurry and extraneous water will be produced each year. Manure is landsread by a single contractor using a low trajectory splash plate tanker. The slurry is calculated to have a phosphorous content of 11 tonnes P (1.17KgP/m³) based on the phosphorous content of feed and a Nitrogen content of 36 tonnes (3.86KgN/m³).

A total of 1333 hectares were assessed for the application of pig manure. The majority of farms are located in the area of Bunclody, Clohamon, Templeshanbo and Ballycarney. One parcel of land is within County Carlow. The area is characterised by a rolling topography. Lands are farmed at an extensive to moderate intensity. Agricultural practices include grazing (cattle and sheep), dairying and tillage. The dominant soil type is the Ballinadaggan Series. Following the applicants assessment approximately 1140ha are available for landsreading. Land was excluded for the following reasons: cordon sanitaires, slope and drainage.

All land proposed for the application of manure was soil sampled between March and September 2001. The Nutrient Management Plan was based on the Department of Agriculture Food and Rural Development REPS Recommendation (2000). The total fertiliser

requirement for the farms included in the NMP is 23 tonnes P. This provides a reserve of approximately 200%. The accompanying maps do not outline the cordone sanitaires. As there is only one contractor involved in the landspreading of slurry it is not considered necessary. The buffer zones are specified in the RD.

A groundwater protection scheme has not been developed for County Wexford as yet. The GSI offered a provisional aquifer classification for the area. The landspread areas are underlain by bedrock aquifers classified as either locally important or poor aquifers. A groundwater vulnerability rating has not been applied to the landspread areas. Despite being requested under notice the applicant would not provide sufficient information on the depth of soil cover in the landspread area. However the applicant's consultant, Mr. Gerard Mc Cutcheon, has stated that in his professional opinion pig manure from the unit may be used to fertilise the lands identified in the fertiliser plan in a quantity and manner that complies with Good Farming Practice will not cause significant environmental pollution. The RD requires the report on the Groundwater Vulnerability Assessment of Land to be available for inspection on-site in line with IFA/EPA discussions.

Having regard for the publication *Soils of Wexford* by An Foras Taluntais and a survey of landspread areas, my assessment excludes certain areas from landspreading as I considered groundwater underlying these areas as extremely vulnerable.

Wexford County Council communicated (telecom. and e-mail) that there are four public water supplies and one group water scheme in the area. The borehole in Kilmyshall is the only well likely to be affected by landspreading activities from the unit. Land that is potentially within 300m of the Kilmyshall borehole is excluded having regard to the precautionary principle.

A number of plots fall within the SAC along the Slaney River. A 20m buffer has been accepted by the district Conservation Officer as an appropriate measure until such time that slurry spreading prescriptions are agreed. The RD requires landspreading in these areas to be in accordance with any measures prescribed by the National Parks and Wildlife Service.

As a result of my assessment, the landspread area and its recovery capacity have been reduced by approximately 210 hectares and 4 tonnes of phosphorus. There is still excess capacity.

The landspread areas are within the Slaney River catchment. The Water Framework Directive Characterisation and Analysis of Ireland's River Basin District report describes South Eastern RBD as having a high proportion of water bodies across all water types **at risk** from pressures. The Slaney River within spread-lands is indicated as significantly at risk from pressures. The significant contaminant appears to be total organic nitrogen with a median value of 4mg/lN from diffuse pollution sources.

The EPA Biological survey of river quality (2001) attributed a Q rating of 3-4 on locations along the Slaney River associated with the landspread area and concluded that there were indications of marked ecological stress. The Borris, a tributary of the Slaney, drains a portion of the landspread areas was given a Q rating of 4 and found to be satisfactory despite indications of incipient enrichment. Other rivers in the vicinity such as the Ballycarney and Ballingales streams have Q ratings of 4, but pressures from tillage farming are noted. The Glasha River has a Q rating of 3 and has all the appearance of being in recovery from a wipe out.

The maximum total organic nitrogen loading to the spreadlands in the NMP is 215kgN/ha. The applicant requests a maximum loading of 250kgN/ha. Given the nitrate problem in the surface water as outlined above the RD sets a loading limit of 210kgN/ha (reduced from the standard loading of 250kgN/ha per annum). The nitrogen loading limit may be reduced further by the Nitrates Action Programme when approved by the EU Commission and adopted by Ireland.

Noise:

There is no record of any complaints regarding noise from this activity. Day time limits of 55 dB(A) and night time limits of 45 dB(A) at noise sensitive locations, have been included in the PD.

Fit and Proper

The applicant is operating a pig unit on this site since the 1960's. The installation has undergone renovations in 1996. The RD requires the installation to be decommissioned and a statement of measures in relation to environmental liabilities. It is considered that the requirements of fit and proper person have been satisfied.

Submissions

There was one submission received from the South Eastern Health Board in relation to this application.

1. The submission outlined that there had been no record of any complaints regarding this pig unit up as far as 1998, but that several complaints had been received in relation to the operation of the nearby Slaney meats processing plant.

The correspondence indicated that the site may be subject to flooding and that this should be taken into account when considering the application.

Response:

The Agency has five complaints in relation to the operation of this unit in 2004.

In relation to the pig unit, it is considered that the risk of flooding is minimal. According to the applicant the unit has never flooded since Mr. Derek Hogg commenced operations in 1950.

In relation to the proposed pig burial site, it is considered that the risk of flooding is minimal, as the field appears elevated above the river level. According to the applicant, it has not flooded in living memory, and the flood plain on the western side (opposite bank to the pig unit) of the river appears to be more likely to flood in the event of high water levels in the river.

There is no evidence that the site has or will flood. However the RD requires that flooding should be addressed in the emergency response procedure.

Recommendation:

I recommend that the Recommended Determination be issued subject to the conditions and for the reasons as drafted.

Signed

Ann Marie Donlon

Inspector

Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 87(4) of the Environmental Protection Agency Acts 1992 and 2003, as soon as may be.