



OFFICE OF CLIMATE, LICENSING & RESOURCE USE

AMENDMENT OF IPC LICENCES GRANTED TO CLASS 6.1 (POULTRY) AND 6.2 (PIGS)

To:	Director
From:	Patrick Byrne - LICENSING UNIT
Date:	JANUARY 2009
RE:	EXAMINATION OF IPC LICENCES GRANTED TO PIG AND POULTRY SECTORS UNDER SECTION 82(10) OF THE EPA ACTS

IPPC Directive

IPC licences granted, under Part IV of the EPA Act 1992 and in force immediately before the commencement of Section 15 of the Protection of the Environment Act 2003 for activities falling under Class 6.1 and 6.2 of the EPA Act do not fully comply with the requirements of the IPPC Directive (96/61/EC). Section 82(11) provides for the bringing into conformity with the Directive of a licence or revised licence, where in the opinion of the Agency such conformity can be achieved by amending one or more conditions of the licence, and the making of those amendments will not significantly alter the character of the licence.

Based on consideration of the IPC licences granted by the Agency, under Part IV of the EPA Act 1992, it is considered appropriate to amend conditions of the licences under the provisions of Section 82(11) of the EPA Acts 1992 to 2007 to bring the licences into conformity with the IPPC Directive. The amendments necessary to bring the licences into conformity with the Directive, and in particular Article 3, are limited to amending the glossary and the conditions relating to resource use and energy efficiency, accident prevention and emergency response, and decommissioning and residuals management. The amendments necessary are not considered to alter the character of the licence and the licence will continue to comply with and not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Acts, 1992 to 2007.

Management of Manure/Slurry

The conditions included in licences granted to the intensive agricultural sector (class 6.1 and 6.2) for the management and control of the recovery of manure/slurry as fertiliser have evolved since the commencement of IPC licensing. In 2008 the Agency and the Irish Farmers Association (IFA), representative body for many of the licensees, came to an agreement in relation to the recovery of manure/slurry as fertiliser.

The Agency therefore amends the licences granted to date in accordance with section 96(1)(c) of the EPA Acts 1992 to 2007 to reflect the agreement reached between the Agency and IFA. The amendment of conditions is to facilitate the operation of the licence and the making of the amendment does not result in the relevant requirements of section 83(5) ceasing to be satisfied.

Recommendation

The licences issued to the poultry and pig sector (intensive agriculture) shall be amended, as appropriate, to bring them into conformity with the IPPC Directive and also to reflect the currently agreed position in relation to the recovery of manure/slurry as fertiliser.

Licences, which are subject to judicial review proceedings, cannot be amended until such time as the judicial review proceedings are completed. Licences, which are currently the subject of a licence review, can be brought into compliance with the Directive and the agreed position in relation to the recovery of manure/slurry as fertiliser by means of the licence review.

Peter Byrne