



Environmental Protection Agency
An Ghníomhaireacht um Chaomhú Comhshaoil

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland
Ceanncheathrú, Bosca Poist 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire

T: +353 53 916 0600
F: +353 53 916 0699
E: info@epa.ie
W: www.epa.ie

LoCall: 1890 33 55 99

Mr. Richard Fryday
Harvest Lodge Pigs Limited
Gortnamuc
Kilcormac
Co Offaly

30th March 2009

Our Ref: P0412-01

Dear Mr Fryday,

The Agency acknowledges receipt of your letter, received on the 27th February 2009, in which you identify that you are aware that the Agency is currently amending licences granted to pig rearing installations.

It is noted that while you have not received an amendment in relation to slurry/landspreading you state that such an amendment is of no interest or value to you. In your letter you request an amendment of your licence under Section 90(5)(e) of the EPA Acts, which you consider is outstanding and overdue. You also request a copy of the "agreement" referred to in cover letters issued to licensees and the inspectors report associated with amendments.

The Agency has engaged with the IFA, as a representative body for the majority of farmers including farmers involved in pig rearing, and in 2008 reached an agreed position in relation to the information which licensees and licence applicants represented by the IFA would provide to the EPA in respect of farms to whom pig manure is delivered. The details of the agreed arrangements (agreement) were circulated by the IFA to all Pig and Poultry Producers in a letter dated the 25th January 2008 and a letter from the Agency to all licensees (Pig and Poultry) dated the 26th March 2008. The Amendment to licences reflects the agreed arrangements (agreement), which the Agency considers are appropriate and necessary for the Agency to remain satisfied that there is no environmental pollution associated with the recovery of manure/slurry generated by your licensable activity. Regardless of whether or not you align yourself with the terms of the agreement reached with the IFA, the Amendment requires that you continue to submit a Nutrient Management Plan to the satisfaction of the Agency, and failure to do so will constitute a non-compliance with the terms of your IPPC licence.

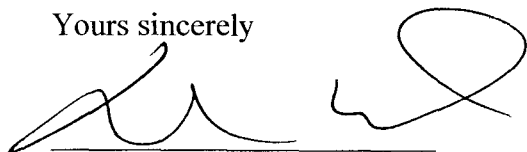
The Agency has received licence review requests, under Article 15 of the EPA (Licensing) Regulations 1994 to 2004, such request are consider on a case by case basis, however to date applications for a licence review to reflect S.I. 378 of 2006 have not been considered necessary by the Agency. You request review of your licence under section 90(5)(e) on the basis of S.I. 378 of 2006 and S.I. 252 of 2008,



the Agency does not consider undertaking a review of your licence on the basis of the points made in your letter. The Agency proposes to amend all pig and poultry licences to reflect the agreed arrangement (agreement) and it considered to satisfy the requirements of the EPA Acts and the legislation which you identify

- Attached please find a copy of the following letters which are considered to represent the agreed arrangements (agreement) between the IFA and Agency:
- Letter from the Agency to the IFA (14 January 2008);
- Letter from IFA to All Pig and Poultry Producers (25th January 2008);
- Letter from the Agency to licensed Pig and Poultry installations (26th March 2008); and
- Letter of clarification submitted to the Agency from IFA (23rd October 2008).

Yours sincerely

A handwritten signature in black ink, appearing to be 'Laura Burke', written over a horizontal line.

Laura Burke
Director
Office of Climate Licensing & Resource Use



Environmental Protection Agency
An tAidmheannaíocht um Chaomnú agus Cosaint

Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford, Ireland

Leannearthaí, Bosa Post 3000
Cistéal Chiaráin Sháiré Sháirín
Contae Loch Garman, Éire

Tel: +353 53 916 2600

Fax: +353 53 916 2599

E-mail: info@epa.ie

Web: www.epa.ie

Telex: 120133 05 00

Mr. Michael Berkery
The Irish Farmers Association
Irish Farm Centre
Bluebell
Dublin 12

14 Jan 2008

Dear Michael,

Please find attached a summary table showing what is required of IPPC applicants and licensees in the pig and poultry sector as discussed and agreed at our meeting on 11 January.

I believe that the arrangements are fair and reasonable and avoid duplication in this highly regulated area. I would like to thank you for your continued efforts to reach a solution to this long-running issue and I look forward to the new arrangements being implemented in full by the intensive agriculture sector.

Yours sincerely,

Dr. Padraic Larkin
Director
Office of Climate, Licensing and Resource Use.

EPA licensing of activities involving landspreading – summary position.

No	Submitted to EPA	Retained by EPA and placed on file	Returned to Licensee	Retained by licensee on-site
1	Annual production of manure and N & P content.	Yes		Yes
2	Summary table of customer farmers. ^{Note 1}	Yes		Yes
3	Map (1:50,000 scale) showing locations of farms.	Yes		Yes
4	Nutrient Management Plans for all lands demonstrating adequate capacity for recovery of the material at 1 above. ^{Note 2}	No	Yes	Yes
5	Declaration by suitably qualified person that lands have been inspected and are suitable for landspreading	Yes		Yes
6				Maps (1:10,560 scale) showing the land to be used.
7				Manure register showing details of all manure dispatched for landspreading.

Note 1: Updated as required to include additional lands acquired during the year.

Note 2: For pig and poultry farmers Nutrient Management Plans may, until 1 January 2011, be based on the 'Nitrogen and Phosphorus' Statements issued by the Department of Agriculture and Food.



The Irish Farmers' Association

IRISH FARM CENTRE, BLUEBELL, DUBLIN 12.

Tel: (01) 450 0266 Fax: (01) 455 1043 Email: postmaster@ifai.ie Web: www.ifai.ie

Friday January 25th, 2008.

Re: IPPC Licensing procedures and arrangements.

To all pig and poultry producers,

Dear Producer,

Arrangements and procedures for submitting information in relation to suitable land for spreading pig and poultry manure from IPPC licensed units have been finalised by the IFA and the EPA. The agreed procedures and arrangements apply from January 21st, 2008.

The procedures and arrangements are as follows:

No	Submitted to EPA	Retained by EPA and placed on file	Returned to Licensee	Retained by licensee on-site
1	Annual production of manure and N & P content.	Yes		Yes
2	Summary table of customer farmers. <i>Note 1</i>	Yes		Yes
3	Map (1:50,000 scale) showing locations of farms.	Yes		Yes
4	Nutrient Management Plans for all lands demonstrating adequate capacity for recovery of the material at 1 above. <i>Note 2</i>	No	Yes	Yes
5	Declaration by suitably qualified person that lands have been inspected and are suitable for landspreading	Yes		Yes
6				Maps (1:10,560 scale) showing the land to be used.
7				Manure register showing details of all manure dispatched for landspreading.

Note 1: Updated as required to include additional lands acquired during the year.

Note 2: For pig and poultry farmers Nutrient Management Plans may, until 1 January 2011, be based on the 'Nitrogen and Phosphorus' Statements issued by the Department of Agriculture and Food.

Elaboration on these points:

The annual production of manure and the N & P content should be calculated as per the Nitrates Regulations (S.I. 378 of 2006).

The Summary table of customer farmers: A coded list (example attached) must be compiled by pig and poultry producers and sent to the EPA at the beginning of each year. Producers can amend this list during the year to include new customers as may arise from time to time.

A register of manure movements is required under SI. 378 of 2006. A record of quantities and dispatch to each customer farmer must be recorded and held on the producer's farm. This confidential information is to be maintained on the producer's farm and is not submitted to the Agency but may be inspected by Agency personnel on site.

A Map (1:50,000 scale) showing the location of customer farms must be submitted to the EPA for their records. Each farm is denoted by a dot.

In assessing the quantity of manure that can be delivered to a customer farmer, the annual nitrogen and phosphorous statement, which every livestock farmer receives from DAFF is the agreed basis for calculation.

1. If the customer farmer has additional livestock other than bovines (e.g. sheep), these additional nutrients must be included.
2. On tillage ground customer farmers can use organic fertilizer up to the value specified for various crops under S.I. 378 of 2006.
3. Area aid maps (1:10,560) can be used to determine the area of the customer's farm and a copy of these maps must be maintained on the pig or poultry unit. These maps are confidential and are not submitted to the Agency but may be inspected by Agency personnel on site.

The Agency requires a declaration by a suitably qualified person that the customer farms are suitable for land spreading of organic manure. Such persons include agricultural science graduates, Teagasc advisors and reps planners.

Licensees adhering to these arrangements can cite such adherence as a good defence in any existing or pending legal actions.

Yours Sincerely,



Amii Cahill
Executive Secretary,
IFA Pigs and Pigeat Committee.

26th March 2008

Our Ref.:

RE: EPA Licensing of intensive Pig & Poultry Sector

Dear

The table overleaf clarifies the information required from IPC/IPPC licensees and IPPC applicants, who wish to carry out landspreading as a means of recovery of slurry/manure generated from their installation. It is issued following agreement between the Agency and the IFA in recent weeks on the information required by the Agency from the intensive agriculture sector. The table links to guidance previously issued to this sector by the Agency on 21st June 2007.

Please contact the inspector for your facility if you have queries in relation to this correspondence.

Yours sincerely,

Mr Kieran O'Brien
Programme Manager
Office of Environmental Enforcement



The Irish Farmers' Association

IRISH FARM CENTRE, BLUEBELL, DUBLIN 12.

Tel: (01) 450 0266 Fax: (01) 455 1043 Email: postmaster@ifai.ie Web: www.ifai.ie

Thursday October 23rd, 2008.

Dr. Dara Lynott,
Director,
Office of Environmental Enforcement,
EPA Headquarters,
Johnstown Castle,
Co. Wexford.

Dear Dara,

Our meeting with yourself and your EPA colleagues on Friday last October 17th in Johnstown Castle was most beneficial and clarified the EPA's requirements for licensed pig and poultry units in operating the IFA/EPA arrangements of January 14th 2008 to our satisfaction.

We can confirm that licensees and license applicants represented by the IFA will provide the following information to the EPA in respect of farms to whom pig manure is delivered from licensed units as per the arrangements of January 14th, 2008.

Firstly to reiterate the previously agreed arrangements in relation to information retained by the EPA and placed on file (points 1,2,3,5):

1. Annual production of N and P produced on licensed units.
2. Summary table of (a) customer farmer's codes, (b) towns lands of the customer farms, and (c) the estimated requirement for the coming year.
3. A 1:50,000-scale map showing the approximate location of these coded customer farms.

*4.

Farm Code	Customer farm – Hectares	Organic N produced on customer farm (as per DAFF N&P Statement)	Requirement of customer farm to import organic N (up to 170kg/ha)	Total N kg delivered.
-----------	--------------------------	---	---	-----------------------

**The information above will be treated in strict confidence by the EPA and will be returned to the licensee to be retained on site.*

5. A declaration by a suitably qualified person that lands have been inspected and are suitable for land spreading of organic fertilizers.

On behalf of IFA, we consider this correspondence together with the letter of January 14th from Dr. Padraic Larkin as completing the EPA/IFA arrangements regarding the supply of pig manure from licensed units to customer farmers.

In conclusion I would like to thank you and your colleagues for your engagement on this issue and assure you of our commitment to good environmental practice in agriculture.

Yours sincerely,

Michael Berkery

No.	Relevant information	Retained by EPA and placed on file	Returned to licensee on request	Retained by licensee	Reference to section of guidance from EPA dated 21/6/2007 & Explanatory notes
1	Annual slurry/manure production and N & P content	Yes		Yes	Sections 1(d) and 1(f) of guidance
2	Summary table of customer farmers ^{Note 1}	Yes		Yes	Sections 1(c), 1(e) and Attachment 2 of guidance
3	Map (1:50,000 scale) showing location of farms for slurry recovery	Yes		Yes	Section 3(b) of guidance - show each farm as a dot along with the corresponding reference number
4	Nutrient Management Plans for all lands demonstrating adequate capacity for recovery of the material at point 1 above ^{Note 2}		Yes	Yes	Sections 1(a) and 3 and Attachment 1 of guidance <i>If the Nutrient Management Plan is based on the N & P statements listed in Note 2 below then EPA must have sight of these statements annually and a copy of the plan (together with the accompanying statements) must be maintained at the site at all times for inspection.</i>
5	Declaration by suitably qualified person	Yes		Yes	Section 1(b) and Attachment 3 of guidance
6	Maps (1:10,560 scale) showing the land to be used for slurry recovery			Yes	Section 2 of guidance
7	Slurry/manure register			Yes	

^{Note 1} Updated as required to include additional lands acquired during the year.

^{Note 2} For pig/poultry farms, Nutrient Management Plans may until 1st January 2011 be based on the 'Nitrogen and Phosphorus' Statements issued by the Dept. of Agriculture and Food.