

Mr Mark Hamill
Quality Systems Manager
Westland Horticulture Limited
14 Granville Industrial Estate
Granville Road
County Tyrone
BT70 1NJ

Regional Inspectorate
McCumiskey House, Richview,
Clonskeagh Road, Dublin 14, Ireland
Cigireacht Réigiúnach, Teach Mhíic Chumascaigh
Dea-Radharc, Bóthar Cluain Sceach
Baile Átha Cliath 14, Éire
T: +353 1 268 0100
F: +353 1 268 0199
E: info@epa.ie
W: www.epa.ie
LoCall: 1890 33 55 99

21 September 2010

Reg No: P0914-01

Dear Mr Hamill

I refer to your application for an Integrated Pollution Prevention and Control licence received by the Agency 12/03/10 and to the further information received 20/07/2010 and 05/08/2010 in response to the Agency's Article 11 request for information dated 07/05/2010.

I am to advise in accordance with Article 11(2)(b)(ii) of the EPA (Licensing) Regulations 1994 to 2008, that the following information is required in support of the application under Article 10 of the Regulations:

Section B.1

Submit the following item as part of attachment B1:

1. Certified copy of the company's registration in the Overseas Companies Registration Office (Dublin).

Section B.2

1. Submit maps identifying the ambient monitoring locations included in Table F3 as well as those requested below (Section F). Geo-referenced digital drawing files (e.g. AutoCAD files) in Irish Grid projection of the site boundary and overall site plan, including labelled emission, monitoring and sampling points, are also required. This data should be provided to the Agency on a separate CD-Rom containing sections B.2, E.6 and F.3.
2. Re-submit Table E6 and include data for silt trap #5 at Clonsura accordingly.

Section B.5

1. Submit confirmation in writing from the planning authority that the activity has full planning permission or is an exempt development.
2. Submit confirmation in writing from the planning authority in relation to the requirement for an Environmental Impact Statement (EIS) in respect of the activity. If they identify that an EIS is required please submit a complete EIS in support of the licence application.

Note: Any *telephone enquiries* in relation to the above should be directed to **John McEntagart** at the number above.
All *written communications and replies* should be directed to Sonja Smith, Office of Climate, Licensing, & Resource Use, EPA, PO Box 3000, Johnstown Castle Estate, County Wexford.

Section D

1. Confirm that the silt pond cleaning procedure (WI 2003) requires that excavated sludge is spread at least 3 m away from the silt ponds.

Section E

1. Review the data in tables E.2(ii) and E.2(i) and confirm that the flow rates (m^3/sec) and mass emission rates (kg/hr) are consistent, or revise and re-submit corrected tables as necessary.
2. Redo the waste assimilative capacities using the proposed emission limit values as opposed to measured data. Waste assimilative capacity calculations should be based on the normal flow rate at the discharge and the 95%ile flow in the receiving water. Confirm the levels of ammonia and BOD in Tables E.2(ii) and carry out waste assimilative capacity calculations for these parameters accordingly. Background levels of ammonia, suspended solids and BOD should be used in the waste assimilative capacity calculations. Results of assimilative capacity calculations should be compared against the standards specified in the European Communities Environmental Objectives (Surface Waters) Regulations 2009, S.I. No. 272 of 2009.
3. Submit Table E.2(ii) for silt trap #5 at Clonsura.
4. Submit Tables E.2(i) for silt trap #4 at Coole and silt trap #12 at Clonsura. Confirm the flow rates for silt traps #8, 9, 10 and 11 are all the same (i.e. $547 \text{ m}^3/\text{day}$).
5. Clarify the receiving water bodies specified in Tables E.2(i), River Inny, tributary of River Inny, River Glore, etc., confirm the flow rates for the receiving waters and re-submit the tables accordingly.

Section F

1. Submit full details of the program of works for the installation of the silt ponds and related drainage work, with timeframes for completion. This should identify what works have already been completed, as well as remaining tasks and the date such tasks are due for completion. This should also include comprehensive proposals on plans to plant reed beds for polishing effluent post the silt ponds.
2. Submit data for the maximum water levels in the River Inny, including the dimensions of the weirs, and justify the assertion that the adjustable weirs at the settlement ponds can address rising water levels.
3. Determine the potential for settlement pond flow to pass under the adjustable weirs and thereby avoid settlement. Justify your answer by way of engineering details and drawings as appropriate.
4. Explain the contingency measures in the event of torrential rainfall and justify they are adequate to prevent washout of silt ponds and achievement of the emission limit values during such events. Reference can be made to the methods and data included in the application for waste licence Reg. No. W0199-02 in this regard.

Note: Any *telephone enquiries* in relation to the above should be directed to **John McEntagart** at the number above.
All *written communications and replies* should be directed to Sonja Smith, Office of Climate, Licensing, & Resource Use, EPA, PO Box 3000, Johnstown Castle Estate, County Wexford.

5. Correct the grid reference co-ordinates for the river monitoring point on the River Glore. Submit details of river monitoring data in the River Inny (upstream and downstream of the Clonsura site), the River Inny (downstream of the Coole site) and the River Glore (upstream and downstream of silt ponds # 3 and 4). Re-submit table F.2.

Section I

1. Advise on the detection limit for ammonia measurements in the receiving waters. Re-analyse the receiving waters for ammonia using a detection limit consistent with the standards included in European Communities Environmental Objectives (Surface Waters) Regulations 2009, S.I. No. 272 of 2009. Clarify the grid reference locations for points on the river Inny monitored. Assessment of the impact of on water quality must be made by comparing water quality in the Rivers Inny and Glore upstream and downstream of the silt pond discharges and by comparison against the standards specified in the European Communities Environmental Objectives (Surface Waters) Regulations 2009, S.I. No. 272 of 2009. In addition consideration of the results of biological quality monitoring conducted by the Agency should be made.

Section L

1. Carry out an Appropriate Assessment of the effects of the proposed development on all relevant *European site(s)*, where *European site* is defined in S.I. 272 of 2009 (European Communities Environmental Objectives (Surface Waters) Regulations 2009) in accordance with Article 6 of the Habitats Directive. Reference should be made to *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities*, available on the website of the National Parks and Wildlife Service (www.npws.ie) in completing this task. An assessment of “in combination effects” should also be made in line with *Circular Letter NPWS 1/10* (also available on www.npws.ie).
2. Re-submit the site surveys for the two bogs (Ref. drawing files 17674-09.dwg and 17685-09.dwg). The drawings should be on A3 paper and clearly legible in accordance with the IPPC licence application guidance notes. Re-submit the electronic versions of the drawings, revised as necessary, in A3/pdf format.
3. Complete the assessment of ‘fit and proper’ person with respect to the legal aspects for Westland Horticulture Limited (the organisation, as opposed to the personnel).

In addition to the above please also provide an updated non-technical summary to reflect the information provided in your reply. Please refer to the IPPC licence application form and associated guidance notes in the preparation of the non-technical summary.

The requested information should be submitted to the Agency within ***eight weeks*** of the date of this notice, in order to allow the Agency to process and determine your application.

Note: Any ***telephone enquiries*** in relation to the above should be directed to **John McEntagart** at the number above.
All ***written communications and replies*** should be directed to Sonja Smith, Office of Climate, Licensing, & Resource Use, EPA, PO Box 3000, Johnstown Castle Estate, County Wexford.

In the circumstances, you should make immediate arrangements to have the required document(s) (1 signed original and 1 copy in hardcopy format, and 2 copies of all files in electronic searchable PDF format on CD-ROM) submitted to the Agency without delay. Your response to this request should be directed to Sonja Smith, Administration Officer, Office of Climate, Licensing & Resource use.

It should be noted that the eight-week period within which the Agency is to decide the proposed determination will commence on the day on which this notice has been complied with. If you have any further queries please contact John McEntagart at the number above.

Yours sincerely



John McEntagart

Office of Climate, Licensing & Resource Use

Note: Any *telephone enquiries* in relation to the above should be directed to **John McEntagart** at the number above.
All *written communications and replies* should be directed to Sonja Smith, Office of Climate, Licensing, & Resource Use, EPA, PO Box 3000, Johnstown Castle Estate, County Wexford.