

ENVIRONMENTAL PROTECTION AGENCY ACTS 1992 TO 2007
NOTIFICATION OF A PROPOSED DETERMINATION OF AN APPLICATION FOR AN INTEGRATED
POLLUTION PREVENTION AND CONTROL LICENCE IN ACCORDANCE WITH SECTION 87(2) OF
THE ENVIRONMENTAL PROTECTION AGENCY ACTS 1992 TO 2007.

In pursuance of the powers conferred on it by the above mentioned Acts the Agency proposes to determine the application by: Mr. Paul Tully, Moate Pig Unit, Ballinakill, Portlaois, County Laois (Licence Register No. P0710-03), under Section 83 (1) of the said Acts in the following manner:

The applicant submitted the application, plans, documents and other particulars on 24 February 2010.

It is proposed, for the reasons hereinafter set out, to grant a licence to the above named applicant to carry on the following activity

- : The rearing of pigs in an installation, whether within the same complex or within 100 metres of the same complex, where the capacity exceeds - 750 places for sows in a breeding unit, or 285 places for sows in an integrated unit, or 2,000 places for production.

at Moate Pig Unit, Ballinakill, Portlaois, County Laois subject to 12 Conditions.

A copy of the Proposed Determination accompanies this notification.

OBJECTIONS/ORAL HEARING REQUESTS

The applicant and any other person may object to the Proposed Determination, in accordance with section 87(5) of the EPA Acts 1992 to 2007. In accordance with section 87(12) of the EPA Acts 1992 to 2007, objections must be received at any time no later than:

5.00 pm on 24 November 2010

A person making an objection may request an oral hearing of the objection, in accordance with section 87(6) of the EPA Acts 1992 to 2007 at any time no later than the date specified above.

It is important to note that any objection to the proposed determination/request for an oral hearing of the objection must be made either on-line on the Agency's website at www.epa.ie or by sending it by prepaid post to the Headquarters of the Agency, or by leaving it with an employee of the Agency **at the Headquarters of the Agency in Wexford**, during office hours, i.e. 9.00am to 5.00pm Monday to Friday.

An objection against the Proposed Determination must include the grounds for the objection. An objection and a request for an oral hearing of an objection must **each** be accompanied by the appropriate fee, and be addressed to the Office of Climate, Licensing & Resource Use, EPA Headquarters, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

A valid objection/request for an oral hearing of the objection must be received at the headquarters of the Agency **no later than 5.00 pm on the applicable date above.**

Note: The form and content of an objection is set out in the attached extract from the Environmental Protection Agency (Licensing) Regulations 1994 to 2008.

The fees for an objection and request for an oral hearing of the objection are as set out in the attached extract from the Environmental Protection Agency (Licensing Fees) Regulations 1994 to 2008.



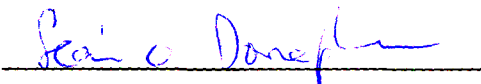
In order to be considered valid, an objection and a request, each must also comply with the other statutory requirements in relation to objections and requests for oral hearings as set out in the EPA Acts 1992 to 2007, the EPA (Licensing) Regulations 1994 to 2008 and the EPA (Licensing Fees) Regulations 1994 to 2006. Extracts from the Acts and the Regulations accompany this notification.

In the event that:

- (a) no objection is taken against the proposed determination or
 - (b) an objection or objections is or are taken against the proposed determination and the objection or objections is or are withdrawn,
- the Agency will make its decision in accordance with the proposed determination and grant the licence as soon as may be thereafter.

A copy of the Proposed Determination may be obtained from the Office of Climate, Licensing & Resource Use, Environmental Licensing Programme, EPA Headquarters, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

Signed on behalf of the said Agency:


Sean O'Donoghue Authorised Person

Date of notification:

28 October 2010

**Article 29 of the Environmental Protection Agency (Licensing)
Regulations 1994 to 2010**

**Form and content
of objection**

- (1) An objection shall-
 - (a) be made in writing,
 - (b) state the name and address of the objector,
 - (c) state the reference number given under article 42(2) to the application or the review in the register of licences and the subject matter of the objection,
 - (d) state the grounds for the objection and the reasons, considerations and arguments on which they are based, and
 - (e) be accompanied by a fee specified in accordance with section 99A of the Act.
- (2) Without prejudice to article 31, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds for the objection stated in the objection, or to submit further grounds of objection and any such elaboration, submission or further grounds for the objection that is or are received by the Agency shall not be considered by it.
- (3)
 - (a) An objection shall be accompanied by such documents, particulars or other information relating to the objection as the objector considers necessary or appropriate.
 - (b) Without prejudice to article 31, the Agency shall not consider any documents, particulars or other information submitted by an objector other than the documents, particulars or other information which accompanied the objection.
- (4) An objection shall be made -
 - (a) by sending the objection by prepaid post to the headquarters of the Agency, or
 - (b) by leaving the objection with an employee of the Agency at the headquarters of the Agency during office hours.
- (5) The Agency shall as soon as may be after receipt of an objection acknowledge such receipt

**Sections 87(6) & (7) of the Environmental Protection Agency Acts 1992
to 2007**

Section 87
Processing of
applications for
licences or reviews
of licences

- (6) (a) A person making an objection under subsection (5) may request an oral hearing of the objection.
- (b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under section 99A.
- (ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.
- (c) A request for an oral hearing of an objection shall be made before the expiration of the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.
- (7) An objection, or a request for an oral hearing under subsection (6), shall be made-
- (a) by sending the objection or request by prepaid post to the headquarters of the Agency, or
- (b) by leaving the objection or request with an employee of the Agency, at the headquarters of the Agency, during office hours, or
- (c) by such other means as may be prescribed.

Extract from EPA (Licensing Fees) Regulations 1994 to 2006

Fees for an objection

- 8** (1) A fee shall be paid to the Agency in respect of an objection.
- (2) Subject to sub-article (3), the fee payable under sub-article (1) shall be the amount indicated in column (3) of Part II of the Schedule opposite the appropriate mention of objection in column (2) of the said Part of the Schedule.
- (3) Where an objection is made to the Agency by -
- (a) a local authority,
 - (b) a planning authority
 - (c) a sanitary authority,
 - (d) the National Monuments Advisory Council,
 - (e) the Central Fisheries Board,
 - (f) Failte Eireann
 - (g) in the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Ltd., that Company, and
 - (h) An Taisce - The National Trust for Ireland,
- the fee payable in respect of the objection shall be the amount indicated in column (3) of Part II of the Schedule opposite the mention of a reduced fee for an objection in column (2) of the said Part of the Schedule.

Fee for request for an oral hearing

- 7C** (1) Where a person making an objection under section 87(5) of the Act requests an oral hearing of the objection, a fee shall be paid to the Agency by the said person.

(1)	(2)	(3)
Article 8(2)	Objection by the applicant or licensee	€253
	Objection by any other person other than a person mentioned in Article 8(3)	€126
Article 8(3)	Reduced fee for an objection	€63
Article 7C(2)		€100



Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

INTEGRATED POLLUTION PREVENTION & CONTROL LICENCE
Proposed Determination

Licence Register Number:	P0710-03
Licensee:	Mr. Paul Tully
Location of Installation:	Moate Pig Unit, Ballinakill, Portlaoise, County Laois

INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

This licence is for the operation of an installation with a capacity for 650 places for sows in an integrated unit owned and operated by Mr. Paul Tully at Moate Pig Unit, Ballinakill, Portlaoise, County Laois. The installation is located in a rural part of County Laois, approximately 5km east of the town of Abbeyleix.

The production on the site is continuous, however the presence of operative staff, deliveries and collections are normally between 06.00 and 20.00 hours.

Slurry/manure shall be recovered on land as fertiliser in accordance with the conditions of this licence and S.I. No. 101 of 2009 (European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2009). The licensee shall manage and operate the installation to ensure that the activities do not cause environmental pollution.

This installation falls within the scope of category 6.6 (b)

- “Installations for the intensive rearing of poultry or pigs with more than 2000 places for pig production (over 30kg)”

of Annex I of Council Directive 2008/1/EC concerning integrated pollution prevention and control.

The licence sets out in detail the conditions under which Mr. Paul Tully, Moate Pig Unit, Ballinakill, Portlaoise, County Laois will operate and manage this installation.

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Glossary of Terms

All terms in this licence should be interpreted in accordance with the definitions in the Environmental Protection Agency Acts 1992 to 2007 / Waste Management Acts 1996 to 2010, unless otherwise defined in the section.

Animal By-Product Regulations	Regulation (EC) No. 1774 /2002, European Communities (Animal By-Products not intended for human consumption) Regulations 2002 and amendments.
AER	Annual Environmental Report.
Agreement	Agreement in writing.
Annually	All or part of a period of twelve consecutive months.
Application	The application by the licensee for this licence.
Appropriate Facility	A waste management facility, duly authorised under relevant law and technically suitable.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
BAT	Best Available Techniques.
BOD	5 day Biochemical Oxygen Demand (without nitrification suppression).
Buffer zone	Area excluded from landspreading of slurry/manure.
CEN	Comité Européen De Normalisation – European Committee for Standardisation.
Client List	A list of farmers and associated farmlands used for the landspreading of slurry/manure from the installation.
COD	Chemical Oxygen Demand.
Daily	During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
Day	Any 24 hour period.
Daytime	0800 hrs to 2200 hrs.
dB(A)	Decibels (A weighted).

DO	Dissolved oxygen.
Documentation	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
Drawing	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
EIS	Environmental Impact Statement.
Emission limits	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> of this licence.
Environmental damage	As defined in Directive 2004/35/EC.
EPA	Environmental Protection Agency.
European Waste Catalogue (EWC)	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2000/532/EC and any subsequent amendment published in the Official Journal of the European Community.
Facility	Any site or premises used for the purpose of the recovery or disposal of waste.
Fortnightly	A minimum of 24 times per year, at approximately two week intervals.
Freeboard	The difference in elevation between the maximum elevation of the slurry/manure and the minimum elevation of the storage tank (i.e. the minimum spare vertical height between tank contents and point of over-topping).
ha	Hectare.
Hours of operation	The hours during which the installation is authorised to be operational.
Incident	<p>The following shall constitute as incident for the purposes of this licence:</p> <ul style="list-style-type: none">(i) an emergency;(ii) any emission which does not comply with the requirements of this licence;(iii) any trigger level specified in this licence which is attained or exceeded; and,(iv) any indication that environmental pollution has, or may have, taken place.
Installation	A stationary technical unit or plant where the activity concerned referred to in the First Schedule of EPA Acts 1992 to 2007 is or will be carried on, and shall be deemed to include any directly associated activity, which has a technical connection with the activity and is carried out on the site of the activity.

IPPC	Integrated Pollution Prevention & Control.
Landspreading	The application of slurry/manure to farmland.
L_{eq}	Equivalent continuous sound level.
Licensee	Mr. Paul Tully, Moate Pig Unit, Ballinakill, Portlaoise, County Laois.
Local Authority	Laois County Council.
Maintain	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.
Monthly	A minimum of 12 times per year, at intervals of approximately one month.
Night-time	2200 hrs to 0800 hrs.
Noise-sensitive location (NSL)	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other installation or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
NMP	Nutrient Management Plan.
Odour-sensitive location	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other facility or area of high amenity which for its proper enjoyment requires the absence of odour at nuisance levels.
Production pig	Any pig over 30 kg in weight which is being fattened for slaughter.
PRTR	Pollutant Release and Transfer Register.
Quarterly	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
Sample(s)	Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
Sanitary effluent	Wastewater from installation toilet, washroom and canteen facilities.
Slurry/manure	Animal faeces, urine, washwater and any associated feed or bedding.
SOP	Standard operating procedure.

Sow	A female pig after its first farrowing.
Specified emissions	Those emissions listed in <i>Schedule B: Emission Limits</i> of this licence.
Standard method	A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent); or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.
Storm water	Rain water run-off from roof and non-process areas.
The Agency	Environmental Protection Agency.
Washwater	Water contaminated by use in the washing of yards and animal housing.
Water Services Authority	Laois County Council.
Weekly	During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.

Decision & Reasons for the Decision

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Acts 1992 to 2007.

In reaching this decision the Environmental Protection Agency has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

Part I Schedule of Activities Licensed

In pursuance of the powers conferred on it by the Environmental Protection Agency Acts 1992 to 2007, the Agency hereby proposes to grant this Integrated Pollution Prevention & Control licence to:

Mr. Paul Tully, Moate Pig Unit, Ballinakill, Portlaoise, County Laois

under Section 83(1) of the said Acts to carry on the following activity

- :- the rearing of pigs in an installation, whether within the same complex or within 100 metres of the same complex, where the capacity exceeds 285 places for sows in an integrated unit, or 2,000 places for production pigs;

at Moate Pig Unit, Ballinakill, Portlaoise, County Laois, subject to the following twelve Conditions, with the reasons therefor and associated schedules attached thereto.

Part II Schedule of Activities Refused

None of the proposed activities as set out in the licence application has been refused.

Part III Conditions

Condition 1. Scope

- 1.1 IPPC activities at this installation shall be restricted to those listed and described in *Part I Schedule of Activities Licensed*, and shall be as set out in the licence application or as modified under Condition 1.4 of this licence and subject to the conditions of this licence.
- 1.2 Activities at this installation shall be limited as set out in *Schedule A: Limitations* of this licence.
- 1.3 For the purposes of this licence, the installation authorised by this licence is the area of land outlined in red on the Attachment B.2.(a) Site Layout Plan of the application. Any reference in this licence to “installation” shall mean the area thus outlined in red. The licensed activity shall be carried on only within the area outlined.
- 1.4 No alteration to, or reconstruction in respect of, the activity, or any part thereof, that would, or is likely to, result in
- (i) a material change or increase in:
 - the nature or quantity of any emission;
 - the abatement/treatment or recovery systems;
 - the range of processes to be carried out;
 - the fuels, raw materials, intermediates, products or wastes generated, or
 - (ii) any changes in:
 - site management, infrastructure or control with adverse environmental significance;
- shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.
- 1.5 The installation shall be controlled, operated and maintained, and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.6 This licence is for the purpose of IPPC licensing under the EPA Acts 1992 to 2007 only and nothing in this licence shall be construed as negating the licensee’s statutory obligations or requirements under any other enactments or regulations.

Reason: <i>To clarify the scope of this licence.</i>

Condition 2. Management of the Installation

- 2.1 Installation Management
- The licensee shall ensure that a person in charge, as defined under the terms of the Environmental Protection Agency Acts 1992 to 2007 shall be available on-site to meet with authorised persons of the Agency at all reasonable times.
- 2.2 Documentation
- (i) The licensee shall establish and maintain an environmental management documentation system which shall be to the satisfaction of the Agency.
 - (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.3 Corrective Action

The licensee shall establish procedures to ensure that corrective action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined.

2.4 Awareness and Training

2.4.1 The licensee shall establish and maintain procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect on the environment. Appropriate records of training shall be maintained.

2.4.2 Personnel/contractors performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and/or experience, as required. The licensee must ensure that contractors/agents involved in transport of waste are appropriately trained and/or experienced, and receive adequate supervision on site.

2.5 Communications Programme

The licensee shall maintain a Communications Programme to ensure that members of the public can obtain information at the installation, or as otherwise agreed by the Agency, at all reasonable times, concerning the environmental performance of the installation.

Reason: *To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.*

Condition 3. Infrastructure and Operation

3.1 The licensee shall establish and maintain all infrastructure, for each component of the installation, all infrastructure referred to in this licence, or as required by the conditions of this licence. Infrastructure specified in the application that relates to the environmental performance of the installation and is not specified in the licence, shall be installed in accordance with the schedule submitted in the application.

3.2 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. The requirement with regard to off-site points is subject to the prior agreement of the landowner(s) concerned.

3.3 Tank, Container and Drum Storage Areas

3.3.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).

3.3.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:

- (i) 110% of the capacity of the largest tank or drum within the bunded area; or
- (ii) 25% of the total volume of substance that could be stored within the bunded area.

3.3.3 All drainage from bunded areas shall be treated as hazardous waste unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal.

3.3.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.

3.3.5 All tanks, containers and drums shall be labelled to clearly indicate their contents.

- 3.4 The licensee shall have in storage an adequate supply of suitable absorbent material to contain and absorb any spillage at the installation. Once used, the absorbent material shall be disposed of/recovered at an appropriate facility.
- 3.5 The licensee shall install and maintain a water meter on all water supplies serving the installation within six months from the date of grant of this licence. Records of water usage shall be maintained on site and a summary record shall be submitted annually as part of the AER.
- 3.6 The licensee shall provide a minimum of 26 weeks storage of slurry/manure at the installation.
- 3.7 All wellheads, shall be adequately protected to prevent contamination or physical damage within six months from the date of grant of this licence.
- 3.8 The licensee shall provide and maintain a wastewater treatment plant at the installation for the treatment of sanitary effluent arising on-site. Any waste water treatment system and percolation area shall satisfy the criteria set out in the *Code of Practice Wastewater Treatment and Disposal Systems Serving Single Houses (p.e. ≤ 10)* published by the Environmental Protection Agency.

Reason: *To provide for appropriate operation of the installation to ensure protection of the environment.*

Condition 4. Interpretation

4.1 Noise

Noise from the installation shall not give rise to sound pressure levels (Leq, 30mins), measured at noise sensitive locations, which exceed the limit values specified in *Schedule B.4 Noise Emissions, of this licence.*

Reason: *To clarify the interpretation of limit values fixed under the licence.*

Condition 5. Emissions

- 5.1 No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with, amenities or the environment beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary.
- 5.2 No polluting matter shall be discharged to the surface water drainage system.
- 5.3 The licensee shall ensure that all or any of the following: vermin, flies, mud, dust and/or odours associated with the activity do not result in an impairment of, or an interference with, amenities or the environment at the installation or beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary. . Any method used to control any such nuisance shall not cause environmental pollution.

5.4 Odour Control

The licensee shall, within one year of the date of grant of licence, submit an odour management programme for agreement with the Agency outlining odour reduction measures appropriate for the site. The odour management programme shall as a minimum include the following: the use of low-protein feeds; covering of open slurry/manure storage tanks; renovation of existing buildings to incorporate low emission housing design; an assessment of the use and efficacy of biological slurry/manure additives. The licensee shall implement this odour management programme with the agreement of the Agency, within a specified timeframe. The odour management programme shall be reviewed annually and amendments thereto notified to the Agency for agreement as part of the Annual Environmental Report (AER). A report on the programme, including the success in meeting odour reduction targets on site, shall be prepared and submitted to the Agency as part of the AER.

Reason: *To provide for the protection of the environment by way of control and limitation of emissions.*

Condition 6. Control and Monitoring

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring* of this licence.
- 6.1.1 Analyses shall be undertaken by competent staff in accordance with documented operating procedures.
- 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.
- 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
- 6.1.4 Where any analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 6.3 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the Schedules to this licence; and
 - (ii) any reference measurements for the calibration of automated measurement systems;
- shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards that will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.4 The licensee shall ensure that groundwater monitoring well sampling equipment is available/installed on-site and is fit for purpose at all times. The sampling equipment shall be to Agency specifications.
- 6.5 All treatment/abatement and emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.

- 6.6 The licensee shall complete an assessment of underground and overground effluent storage tanks, including integrity and water tightness testing, pipelines and liquid feed storage tanks within twelve months of date of grant of this licence, and at least once every five years thereafter. In the case of new storage facilities installed on site, the assessment shall be undertaken in advance of utilisation. A report on such assessment shall be included in the AER, together with proposals for repair of any significant defects found.
- 6.7 The licensee shall ensure that the slurry/manure generated on-site is stored in a manner that does not pollute ground or surface waters.
- 6.8 Storm water
- 6.8.1 A visual examination of the storm water discharge shall be carried out weekly. A log of such inspections shall be maintained.
- 6.8.2 The drainage system (i.e. gullies, visible conduits, and such other aspects as may be agreed) and bunds, shall be inspected weekly and desludged as necessary. All sludge and drainage from these operations shall be collected for safe disposal. The drainage system and bunds shall be properly maintained at all times.
- 6.8.3 The licensee shall provide and subsequently maintain a rainwater collection and drainage system for all pig housing on-site.
- 6.8.4 The licensee shall divert all uncontaminated surface water run-off from roofs and non-contaminated impervious areas of the site, where practicable, to the surface water drainage system. The licensee shall, within six months of the date of grant of this licence, provide and maintain an inspection chamber(s) at the outlet(s) of the surface water drainage system.
- 6.8.5 There shall be no unauthorised discharge of polluting matter to water.
- 6.8.6 The licensee shall monitor storm water discharges in accordance with *Schedule C.2.3 Monitoring of Storm Water Emissions* of this licence. The results of monitoring shall be reported annually as part of the AER.
- 6.9 Monitoring of available storage capacity for slurry/manure shall be undertaken as outlined in *Schedule C.4 Waste and Slurry/Manure Monitoring* of this licence. Results shall be retained on-site and records of the results shall be available for inspection by authorised personnel, including Agency personnel, at all reasonable times. The results shall be submitted to the Agency in a summary report included as part of the AER.
- 6.10 The licensee shall ensure that a freeboard of at least 200 mm from the top of each covered slurry/manure storage tanks and 300 mm from the top of uncovered slurry/manure storage tanks is maintained, as a minimum, at all times. The required freeboard shall be clearly indicated in the tank.
- 6.11 Underground, partly underground or overground storage facilities shall conform to the Department of Agriculture, Fisheries and Food specifications (S108, S123) or equivalent standard.
- 6.12 Where overground storage facilities are utilised, the licensee shall, with the agreement of the Agency:
- (i) provide tanks with two lockable valves in line,
 - (ii) provide an appropriate reception pit with level alarm,
 - (iii) provide an external safety ladder and railed platform to facilitate inspection,
 - (iv) undertake measures as necessary for the protection of tanks from damage by vehicles or trailers,

- (v) provide a partial earthen bund to ensure sufficient protection of the clean water outfall in event of tank overflow, collapse or leakage.

6.13 Pollutant Release and Transfer Register (PRTR)

The licensee shall prepare and report a PRTR for the site. The substance and/or wastes to be included in the PRTR shall be as agreed by the Agency each year by reference to EC Regulations No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.

6.14 Noise

The licensee shall carry out a noise survey of the site operations as required by the Agency. The survey programme shall be undertaken in accordance with the methodology specified in the 'Environmental Noise Survey Guidance Document' as published by the Agency.

Reason: *To provide for the protection of the environment by way of treatment and monitoring of emissions.*

Condition 7. Resource Use and Energy Efficiency

- 7.1 The licensee shall carry out an audit of the energy efficiency of the site within one year of the date of grant of this licence. The audit shall be carried out in accordance with the guidance published by the Agency: "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency.
- 7.2 The audit shall identify all opportunities for energy use reduction and efficiency and the recommendations of the audit will be incorporated into a Resource Use and Energy Programme.
- 7.3 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into a Resource Use and Energy Programme.
- 7.4 The licensee shall undertake an assessment of the efficiency of use of raw materials in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for this type of activity. Where improvements are identified, these shall be incorporated into a Resource Use and Energy Programme.

Reason: *To provide for the efficient use of resources and energy in all site operations.*

Condition 8. Materials Handling

- 8.1 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor or an exempted person (Waste Management (Collection Permit) Regulations, 2007-2008)). The waste shall be transported only from the site of the activity to the site of recovery/disposal only in a manner which will not adversely affect the environment. Such transportation shall be in accordance with the appropriate National and European legislation.
 - 8.1.1 Animal tissue or carcasses sent off site for disposal/recovery shall be transported in covered, leak-proof containers.
- 8.2 The transport of slurry/manure via the public road shall be carried out in sealed containers such that no spillage can occur.

- 8.3 Waste shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste shall be clearly labelled and appropriately segregated.
- 8.4 Animal tissue or carcasses stored on-site pending disposal shall be placed in covered leak-proof containers and shall at a minimum be removed fortnightly.
- 8.5 Waste for disposal/recovery off-site shall be analysed in accordance with *Schedule C: Control & Monitoring* of this licence.
- 8.6 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.7 No waste classified as green list waste in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended) shall be consigned for recovery without the agreement of the Agency.
- 8.8 Unless approved in writing, in advance, by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.
- 8.9 Disposal or recovery of waste on-site shall only take place in accordance with the conditions of this licence and in accordance with the appropriate National and European legislation and protocols.
- 8.10 The licensee shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14th June 2006 on shipments of waste and associated national regulations
- 8.11 Slurry/manure shall be considered to be a manure or fertilizer when recovered as defined in the Waste Management Acts 1996 to 2010 and as agreed by the Agency.
- 8.12 Slurry/manure shall only be recovered by landspreading subject to the prior agreement of the Agency and the following conditions:
- 8.12.1 The licensee shall submit by the first of January annually and maintain on-site the following:
- (i) Annual production of slurry/manure at the installation and the nitrogen and phosphorus content of the slurry/manure;
 - (ii) Summary table of customer farmers receiving slurry/manure. The table shall include as a minimum 'Customer Code' (Name to be maintained on-site), 'Townlands' and 'Quantity of Slurry/manure (m³)'. The table shall be updated, based on a nutrient management plan, as required, to include additional lands acquired during the year;
 - (iii) Map (scale of 1:50,000) showing the location of farms where slurry/manure may be recovered;
 - (iv) Declaration by suitable qualified person that lands, for recovery of slurry/manure, have been inspected and are suitable for landspreading, and
 - (v) A nutrient management plan for all lands demonstrating adequate capacity for recovery of slurry/manure generated at the installation. Nutrient management plans shall be to the satisfaction of the Agency and shall be agreed prior to the movement of slurry/manure off-site. Nutrient management plans may, until 1 January 2011, be based on the 'Nitrogen and Phosphorus' Statements issued by the Department of Agriculture, Fisheries and Food. Nutrient management plans shall be maintained on-site for inspection by authorised persons.

- 8.12.2 The licensee shall maintain on-site for inspection by authorised persons maps (scale 1:10,560) showing land that may be used for recovery of slurry/manure.
- 8.12.3 The licensee shall ensure, in all cases where there is a transfer of slurry/manure from the installation to storage provided on farms in the client list, that the recipient farmer is advised of the need to store the slurry/manure in a purpose-built holding structure adequate for the protection of groundwater and surface water.
- 8.12.4 Soil monitoring shall be undertaken as outlined in *Schedule C.6 Ambient Monitoring, C.6.2 Land Used for Landspreading* of this licence and a summary report included as part of the Nutrient Management Plan.
- 8.12.5 Landspreading shall, as a minimum, be carried out in accordance with S.I. No. 101 of 2009 European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009. All landspreading activities shall be carried out in such a manner as to avoid contamination of surface waters and groundwaters, and so as to minimise odour nuisance.
- 8.12.6 Landspreading shall be undertaken only in accordance with appropriate national standards and protocols as agreed by the Agency.
- 8.12.7 Landspreading from this activity shall take place only on lands agreed in advance in writing by the Agency. Alterations to this landbank are subject to prior written agreement with the Agency.
- 8.12.8 Landspreading shall be undertaken to ensure an even spread of slurry/manure over land. Slurry/manure shall be spread using soil injection, bandspreading or low trajectory splashplate methods. Any other method must be agreed in advance by the Agency.

Reason: <i>To provide for the appropriate handling of material and the protection of the environment.</i>
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Condition 9. Accident Prevention and Emergency Response

- 9.1 The licensee shall, within six months of date of grant of this licence, ensure that a documented Accident Prevention Procedure is in place that addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.2 The licensee shall within six months of date of grant of this licence, ensure that a documented Emergency Response Procedure is in place, that addresses any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.3 Incidents
- 9.3.1 In the event of an incident the licensee shall immediately:
- carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
 - isolate the source of any such emission;
 - evaluate the environmental pollution, if any, caused by the incident;
 - identify and execute measures to minimise the emissions/malfunction and the effects thereof;
 - identify the date, time and place of the incident;
 - notify the Agency and other relevant authorities.

- 9.3.2 The licensee shall provide a proposal to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency, to:
- (i) identify and put in place measures to avoid recurrence of the incident; and
 - (ii) identify and put in place any other appropriate remedial actions.

Reason: *To provide for the protection of the environment.*

Condition 10. Decommissioning & Residuals Management

- 10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution.

Reason: *To make provision for the proper closure of the activity ensuring protection of the environment.*

Condition 11. Notification, Records and Reports

- 11.1 The licence shall notify the Agency by both telephone and facsimile, if available, to the Agency's headquarters in Wexford, or to such other Agency office as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:
- (i) any release of environmental significance to atmosphere from any potential emissions point including bypasses;
 - (ii) any emission that does not comply with the requirements of this licence;
 - (iii) any incident with the potential for environmental contamination of surface water or groundwater, or posing an environment threat to air or land, or requiring an emergency response by the Local Authority.

The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions.

- 11.2 In the case of any incident relating to discharges to water, the licensee shall notify the Local and Water Services Authority and the Inland Fisheries Ireland as soon as practicable after such an incident.
- 11.3 The licensee shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to manage the incident, minimise wastes generated and the effect on the environment, and avoid recurrence. The licensee shall, as soon as practicable following incident notification, submit to the Agency the incident record.
- 11.4 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.5 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation.

- 11.6 The licensee shall as a minimum keep the following documents at the site:
- (i) the licences relating to the installation;
 - (ii) the previous year's AER for the installation;
 - (iii) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation;
 - (iv) relevant correspondence with the Agency;
 - (v) up to date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;
 - (vi) up to date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment;
 - (vii) any elements of the licence application or documentation referenced in this licence.
- This documentation shall be available to the Agency for inspection at all reasonable times.
- 11.7 The licensee shall submit to the Agency, by the 31st March of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report* of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.8 A full record, which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall as a minimum contain details of the following:
- (i) the tonnages and EWC Code for the waste materials sent off-site for disposal/recovery;
 - (ii) the names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);
 - (iii) details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required;
 - (iv) written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site;
 - (v) details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record;
 - (vi) details of any rejected consignments;
 - (vii) details of any approved waste mixing; and
 - (viii) the results of any waste analyses required under *Schedule C: Control & Monitoring*, of this licence.
- 11.9 The licensee shall maintain a 'slurry/manure register', to the satisfaction of the Agency, showing, as a minimum, details in accordance with Article 23 of S.I. No. 101 of 2009 European Communities (Good Agricultural Practice for Protection of Waters) Regulations 2009.
- 11.10 The licensee shall maintain a register of animal numbers housed at the installation. The register shall be devised to reflect the classes of animal specified in *Schedule A.1 Animal Numbers Housed at the Installation* of this licence. This register is to be updated weekly and available on-site for inspection by the Agency.

- 11.11 The licensee shall submit report(s) as required by the conditions of this licence to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency.
- 11.12 All reports shall be certified accurate and representative by the installation manager or a nominated, suitably qualified and experienced deputy.

Reason: *To provide for the collection and reporting of adequate information on the activity.*

Condition 12. Financial Charges and Provisions

12.1 Agency Charges

- 12.1.1 The licensee shall pay to the Agency an annual contribution of €4,862 or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Environmental Protection Agency Acts 1992 to 2007. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31st day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Environmental Protection Agency Acts 1992 to 2007, and all such payments shall be made within one month of the date upon which demanded by the Agency.
- 12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

12.2 Environmental Liabilities

- 12.2.1 The licensee shall as part of the AER, provide an annual statement as to the measures taken or adopted at the site in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with the carrying on of the activity.
- 12.2.2 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Decommissioning Management Plans and Financial Provision when implementing Condition 12.2.1.

Reason: *To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

SCHEDULE A: Limitations

A.1 Animal Numbers Housed at the Installation

Animal Class	Numbers ^{Note 1}
Sows	650
Maiden Gilts	120
Weaners	4,300
Production Pigs	4,800

Note 1: A 20% increase in the number of production pigs held on site, for a period not exceeding 2 weeks, is permissible. The frequency of such occurrences must be kept to a minimum. Any other variation in any of the animals numbers specified requires prior agreement from the Agency.

SCHEDULE B: Emission Limits

B.1 Emissions to Air

There shall be no emissions to air of environmental significance.

B.2 Emissions to Water

There shall be no emissions to water of environmental significance.

B.3 Emissions to Sewer

There shall be no process effluent emissions to sewer.

B.4 Noise Emissions

Daytime dB(A) L_{Aeq} (30 minutes)	Night-time dB(A) L_{Aeq} (30 minutes)
55 ^{Note 1}	45 ^{Note 1}

Note 1: There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location.

SCHEDULE C: Control & Monitoring

C.1.1 Control of Emissions to Air

There shall be no emissions to air of environmental significance.

C.1.2 Monitoring of Emissions to Air

There shall be no emissions to air of environmental significance.

C.2.1 Control of Emissions to Water

There shall be no emissions to water of environmental significance.

C.2.2 Monitoring of Emissions to Water

There shall be no emissions to water of environmental significance.

C.2.3 Monitoring of Storm Water Emissions

Emission Point Reference No.: SW1 (western boundary of the site)

Parameter	Monitoring Frequency	Analysis Method/Technique
BOD/COD	Quarterly	Standard method
Visual inspection	Weekly	Sample and examine for colour and odour

C.3.1 Control of Emissions to Sewer

There shall be no process effluent emissions to sewer.

C.3.2 Monitoring of Emissions to Sewer

There shall be no process effluent emissions to sewer.

C.4 Waste and Slurry/Manure Monitoring

Materials	Frequency	Parameter	Monitoring Reference
Slurry/Manure	Weekly	Available storage capacity	Storage tanks associated with houses no.s B, M, N, T as per Attachment E.3.1 of the application.
Other ^{Note 2}	Annually	Nutrients (N, P & K) ^{Note 1}	

Note 1: Nutrient concentrations in the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2009 (S.I. No. 101 of 2009) may be used as an alternative.

Note 2: Analytical requirements to be determined on a case by case basis.

C.5 Noise Monitoring

No additional noise monitoring is required in this schedule.

C.6 Ambient Monitoring**C.6.1 Groundwater Monitoring**

Location:

GW-1 (Well at southern end of site beside site entrance)

Parameter	Monitoring Frequency	Analysis Method/Techniques
Nitrate	Annually	Standard Method
Total Ammonia	Annually	Standard Method
Total & Faecal Coliforms	Annually	Standard Methods

C.6.2 Land Used for LandspreadingMonitoring Location: All lands included in the landbank^{Note 1}

Conditions	Monitoring Frequency ^{Note 2 & 5}	Analysis Method/Technique ^{Note 3 & 4}
Soil Sampling ^{Note 1}	Prior to the preparation of an NMP or Every six years	Morgan's P test

Note 1: Each sample should be representative of a maximum area of 4 ha except where uniform cropping and land use has been in place for the previous five years or more. In the latter situation a sample of 12 ha is acceptable.

Note 2: The licensee may assume 'Index 3' for preparation of nutrient management plans where no soil samples are available.

Note 3: Peach, M. and English, L. (1944) 'Rapid micro chemical test'. *Soil Science* 57:167.

Note 4: Soil analysis shall only be conducted by Department of Agriculture, Fisheries and Food approved laboratories.

Note 5: The above requirements may be substituted by the requirements specified in Article 16(2) of the European Communities (Good Agricultural Practice for the Protection of Waters) Regulations 2009, S.I. 101 of 2009, until 2011.

SCHEDULE D: Annual Environmental Report

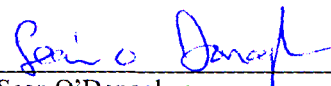
Annual Environmental Report Content ^{Note 1}

Emissions from the installation.
Waste management record.
Slurry/Manure Register.
Waste and Slurry/Manure Monitoring.
Resource consumption summary.
Complaints summary.
Odour Management Programme.
Noise monitoring report summary.
Ambient monitoring summary.
Tank and pipeline assessment report.
Bund integrity test.
Reported incidents summary.
Energy efficiency audit report summary.
Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated.
Resource use and energy programme.
Development/Infrastructural works summary (completed in previous year and/or prepared for current year).
Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).
Any other items specified by the Agency.

Note 1: Content may be revised subject to the agreement of the Agency.

Signed on behalf of the said Agency

On the 28 day of October, 2010


Sean O'Donoghue

Authorised Person