

This memo has been cleared for submission to
the Director by Programme Manager Frank Clinton.

Signed: *Ana Bolger*

Date: 21/12/12



OFFICE OF CLIMATE, LICENSING & RESOURCE USE

LICENSING PROGRAMME MEMORANDUM

TO: Dara Lynott

FROM: EO Project Team/Patrick Byrne

DATE: 18th December 2012

RE: Technical amendments required in order to bring licences into compliance with the European Communities Environmental Objectives (Surface Waters) Regulations 2009 and 2012 and the European Communities Environmental Objectives (Groundwater) Regulations 2010 and 2012, and amendment to applicable conditions for the control and management of organic fertiliser (manure/slurry)

Introduction

The Agency is obliged to examine the terms of all relevant existing IPPC, Waste and waste water discharge licences with a view to determining whether they address the obligations laid down in the Environmental Objectives (Surface Waters) and Environmental Objectives (Groundwater) Regulations. The Agency must declare that the licence is compliant or technically amend/review the licence by 22nd December 2012.

A memo was presented to the Board in August 2011 which set out how the Environmental Licensing Programme would carry out technical amendments to licences, in order to bring a number of licences into compliance with the Regulations. A previous memo (dated 25th May 2011) had detailed how reviews will be carried out in order to bring licences into compliance with the Regulations. The remaining licences which are already compliant, will be issued with a declaration stating compliance with the Regulations.

Assessment

IPPC and Waste licences granted by the Agency have been assessed and the Agency has determined that a number of licences can be brought into conformity with the provisions and requirements of said Regulations by the exercise of the powers conferred by Section 96(1)(c) of the Environmental Protection Agency Acts 1992 to 2012.

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 2012.

The Table below indicates the Licences that are to be amended so as to add a condition related to the protection of groundwater regarding on-site wastewater treatment systems. The wording of the condition has been approved by the Board and states:

Condition re: domestic waste water treatment system

x.XXx Any waste water treatment system and any percolation area for the treatment of sanitary effluent arising on –site, shall satisfy the criteria set out in the ***Code of Practice: Waste Water Treatment and Disposal Systems Serving Single Houses***, published by the Environmental Protection Agency, within six months of date of grant of this technical amendment.

Table 1 List of Licences

Reg No.	Licensee
P0215-01	Mr John Kiernan
P0308-01	Horan Pig Enterprises
P0310-01	Mr Brian Dowley
P0315-01	Messrs Jack and David Ronan
P0316-01	Mr James O'Brien
P0375-01	Toomevarra Farms Limited
P0382-01	Mr Antone Kiernan
P0412-01	Harvest Lodge Pigs Limited
P0413-01	Mr Patrick O'Keeffe
P0418-01	Rosderra Farms Limited
P0427-01	Mr Bernard Maguire
P0429-01	Rennard Pig Farms Limited
P0431-02	Mr J. Marry
P0446-01	Mr Michael Monagle
P0447-01	Mr James McGrath
P0450-03	Mr Brendan Kiernan
P0451-01	Mr Kevin Kiernan
P0458-01	Mr Michael Caffrey
P0459-01	Mr James Briody
P0460-01	Irisford Limited
P0466-02	Mr Frank Higgins
P0469-01	Mr Kevin Kiernan
P0470-01	Mr Patrick Moore
P0481-01	Mr Pdraig Kiernan
P0489-01	Glen of Aherlow Pig Producers Co-Op Society Ltd
P0514-01	Mr Pdraig Kiernan

P0538-01	Fitzpatricks Pig Farm (Finea) Limited
P0554-01	Mr Thomas O'Brien
P0580-01	Burgos Limited
P0617-01	Lagan Pigs Limited
P0618-02	Mr Jack Marry
P0621-02	Mr Martin O'Donovan
P0640-01	Mr John Kiernan
P0642-01	Mr Tom Lee
P0644-01	Mr Howard McCollum
P0651-01	Mr James McGrath
P0657-01	Drumagoland Farms Limited
P0660-01	Mr Michael Crowley
P0684-01	Mr Kevin Kiernan
P0685-01	Mr Oliver Brady

Control and Management of Organic Fertiliser

ELP and OEE presented a memo to the Board of the Agency in December 2011 which recommended changes to the control and management of organic fertiliser (manure/slurry) generated on licensable intensive agricultural installations. Following approval by the Board of the recommendation OEE wrote to all intensive agricultural licensees, letter dated 21st December 2011. The letter informing the licensees of the new controls and management of organic fertiliser at Integrated Pollution Prevention and Control (IPPC) licensed installations and went on to state that the controls and management were effective from 20th December 2011 and that IPPC licences for pig and poultry installations issued prior to December 2011 would be technically amended to reflect the new controls and management.

During 2012 the Agency has included conditions which reflect the controls and management of organic fertiliser approved by the Board in December 2011 in licences issued.

While amending the above list of licenses (Table 1), to bring them into compliance with the with the European Communities Environmental Objectives (Surface Waters) Regulations 2009 and 2012 and the European Communities Environmental Objectives (Groundwater) Regulations 2010 and 2012, they have also been amended to reflect the control and management of organic fertiliser approved by the Board in December 2011 and notified to all intensive agricultural licensees by letter dated 21st December 2011.

Recommendation

For the reasons outlined above I recommend that the Agency agree to a technical amendment of the licences specified in Table 1 above under Section 96(1) of the EPA Acts, 1992 to 2012.

Signed



Patrick Byrne

