



Environmental Protection Agency
In Teagmhís: Oifig na n-Éilimh, 2004

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

Ceanncheathrú, Boscá Post 3000
Eastát Chaisleán Bhaile Sheáin
Contae Loch Garman, Éire

T +353 53 9160600

F +353 53 9160699

E info@epa.ie

W www.epa.ie

LoCall: 1890 33 55 99

Mr Michael Sweeney
Director
NRGE Limited
Mooresfort
Lattin
County Tipperary

03 March 2014

Reg. No: P0986-01

Dear Mr Sweeney,

I refer to your application for a licence, which was received by the Agency on 6 November 2013.

I am to advise in accordance with Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013, that the following information is required in support of the application under Regulation 9 of the Regulations:

1. Confirm whether the townland location of the premises to which the activity relates is Barry's Hall or Barryshall (Regulation 9(2)(a)(ii)).
2. Provide the planning notice dated 30/07/2013 and the related list of planning conditions relevant to the proposed development.
3. Confirm whether a planning application has been made for the construction of the slurry pipeline referenced in the licence application.
 - If a planning application has been made for the pipeline please provide evidence of same from the Planning Authority which includes confirmation as to whether an Environmental Impact Statement (EIS) is required as part of the planning application.
 - Provide a copy of any EIS required as part of the above planning application.
4. Provide the information required by tables G.1 (i) and (ii) and confirm whether the activity involves the use, production or release of relevant hazardous substances (as defined in section 3 of the EPA Act of 1992) (Regulation 9(2)(f)).
5. If the activity involves the use, production or release of relevant hazardous substances (as defined in section 3 of the EPA Act of 1992) provide a baseline report in accordance with Section 86B of the EPA Act of 1992 (Regulation 9(2)(n)).

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





6. Provide the information requested in section E.1.B of the application form with regard to any potential fugitive emissions from the geo-membrane lined manure basins (Regulation 9(2)(i)).
7. Provide the information required under section I.8 of the application form (Regulation 9(2)(h)).
 - Indicate how the requirements of 83(5)(a)(i) to (v) and (vii) to (xi) of the EPA Act of 1992 shall be met, having regard, where appropriate, to any relevant specification issued by the Agency under Section 5(3)(b) of that Act or any applicable best available techniques (BAT) conclusions adopted in accordance with Article 13(5) of the Industrial Emissions Directive and the reasons for the selection of the arrangements proposed.
8. Complete Table H.3 (i) of the application form (Regulation 9(2)(t)).
9. Section B.3 of the application form has identified the proposed activity as class 11.4 of the First Schedule of the EPA Act 1992, as amended. Part I of the Environmental Protection Agency (Licensing Fees) Regulations 2013 states that the fee for a licence application for a class 11.4 activity is €10,000. This amount was not submitted with the application form; please forward the difference of €1,112. (Regulation 9(4)(e)).
10. In accordance with section 83(6) of the Environmental Protection Agency Act 1992 to 2013, please furnish particulars in respect of the ability of Timoleague Agri Gen Limited to meet the financial commitments of liabilities that will be entered into or incurred in carrying on the proposed activity and provide evidence that Timoleague Agri Gen Limited will be in position to make financial provision that is adequate to discharge these financial commitments. Specifically:
 - a. Prepare a fully detailed and costed
 - b. Decommissioning Management Plan (DMP) for the facility, to include as a minimum the following:
 - i. A scope statement for the plan.
 - ii. The criteria which define the successful closure and restoration of the facility or part thereof, and which ensure minimum impact to the environment.
 - iii. A programme to achieve the stated criteria.
 - iv. Where relevant, a test programme to demonstrate the successful implementation of the plan.
 - v. Details of the long-term supervision, monitoring, control, maintenance and reporting requirements for the restored facility.
 - vi. Details of the costings for the plan and the financial provisions to underwrite those costs.
 - c. Prepare a fully detailed and costed Environmental Liabilities Risk Assessment (ELRA) which addresses the liabilities and potential liabilities from past and proposed activities, including those liabilities and costs identified in the DMP. Provide evidence that the assessment was prepared or reviewed, and was found to be complete and accurate, by an independent and appropriate qualified consultant or expert.
 - d. Provide a proposal for financial provision to cover any liabilities associated with the operation and identified in the ELRA (including closure, restoration and aftercare and unanticipated accidents, incidents and liabilities). Provide evidence





that Timoleague Agri Gen Limited will be in a position to put such financial provision in place in the event that a waste licence is granted and prior to development works commencing.

The preparation of the DMP and ELRA and evaluation of the amount and form of financial provision should have regard to Environmental Protection Agency guidance.

In addition to the above please also provide an updated non-technical summary to reflect the information provided in your reply. The non-technical summary must meet the requirements of Section A of the Industrial Emissions Licence Application form, which is available on the Agency's website www.epa.ie.

The requested information should be submitted to the Agency within **2 months** of the date of this notice, in order to allow the Agency to process and determine your application.

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 Noeleen Keavey, 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 Ms Caroline Murphy at the number above.

Yours sincerely

A handwritten signature in cursive script that reads 'Caroline Murphy'.

Caroline Murphy
Environmental Licensing Programme
Office of Climate, Licensing & Resource Use



