



**OFFICE OF ENVIRONMENTAL
SUSTAINABILITY**

ENVIRONMENTAL LICENSING PROGRAMME

TO:	Dara Lynott, Director
FROM:	Marian Doyle, Inspector, Environmental Licensing Programme
DATE:	4 January 2017
RE:	Technical Amendment to Industrial Emissions Licence Register Number: P0395-03, held by Wyeth Nutritionals Ireland Limited, Coolrahee, Askeaton, Co. Limerick.

The Agency received a request from Wyeth Nutritionals Ireland Limited, Licence Reg. No. P0395-03 on 24/10/2016 to technically amend their Licence. The licensee has requested to change the installation boundary to accommodate a proposed car park.

This memo recommends that the change may be accommodated by a Technical Amendment, in accordance with Section 96(1)(c) of EPA Acts 1992, as amended.

1. Background

This installation carries out the manufacture of dairy products (baby food). The first licence (Reg. No. 395) was granted by the Agency to AHP Manufacturing B.V. T/A Wyeth Nutritionals Ireland on 27/10/2000. The installation is licenced under the following classes of activity: Class 7.2.1 (*The treatment and processing of milk, the quantity of milk received being greater than 200 tonnes per day (average value on a yearly basis)*) and Class 2.1 (*combustion of fuels in installations with a total rated thermal input of 50MW or more*) of the First Schedule to the EPA Acts 1992, as amended.

A revised licence P0395-02 was granted to AHP Manufacturing B.V. T/A Wyeth Nutritionals Ireland on 23/01/2004. The licence was transferred from AHP Manufacturing B.V. t/a Wyeth Nutritionals Ireland to Pfizer Ireland Pharmaceuticals on 25/01/2011. The licence was subsequently transferred from Pfizer Ireland Pharmaceuticals to Pfizer Nutritionals Ireland Limited on 24/10/2011. On 28/07/2011 a revised licence P0395-03 was granted which gave effect to the Environmental Objectives (Surface Waters) Regulations 2009 and the Environmental Objectives (Ground Water) Regulations 2010. This licence was amended on 16/12/2013 to give effect to the requirements of the Industrial Emissions Directive (2010/75/EU).

On 02 September 2014 the licensee informed the Agency that the legal name of Pfizer Nutritionals Ireland Limited had changed to Wyeth Nutritionals Ireland Limited but that there was no change to the Company legal structure, registered address or register number. A Certificate of Incorporation on Change of Name for CRO (Companies Registration Office) number 393631 was provided by the licensee dated 01 September 2014.

2. Technical Amendment request

On 24/10/2016 the Agency received a request for a Technical Amendment of IE licence P0395-03 to accommodate a proposed car park. The licensee has requested an extension to

the installation boundary to include the car park as it is proposed to direct the storm water run-off to the existing storm water drainage system for the installation.

The proposed car park is to the west of the installation across the public road from the main site. The licensee states that it will provide 156 parking spaces to replace a portion of an existing car parking area at the installation, which will allow for potential expansion of existing buildings in the future. The additional area to be included within the boundary is 5,070m² (0.507 hectares).

Storm water run-off from the proposed car park will be to an underground attenuation tank followed by a Class I bypass separator. It is proposed to connect the outflow from the separator to the existing storm water drainage system. The discharge to the River Deel will be via an existing silt trap and separator at SW5.

Engineering drawings are provided as follows:

- Dwg. No. C-000-014 (*Site Location Map Site Boundaries*), which shows the requested installation boundary incorporating the proposed car park.
- Dwg. No. C-000-007 (*Proposed Surface Water Drainage Layout*) for car park.
- Dwg No. 7558-42161 (*Layout Plan - Stormwater Drainage SW4, SW5, SW6*).

Planning permission was required for the car park development, which included demolition of two vacant residential dwellings. Planning permission (Ref: 15.1057) was granted by Limerick County and City Council on 22 February 2016. Following an appeal to An Bord Pleanála permission (Ref: PL91.246327) was granted on 13 July 2016. An Environmental Impact Statement was not submitted as part of planning process.

3. Consultation with the Office of Environmental Enforcement (OEE)

I have consulted with the OEE inspector, Mary Sheehan, in relation to this amendment request. The OEE confirmed to the licensee (in response to request ref: LR024791), that the request could not be accommodated under the existing licence.

4. Assessment

The documents submitted as part of the amendment request have been assessed. There are no new emission points associated with the proposal. Storm water runoff from the car park will discharge to water via an existing licenced emission point SW5 (grid ref: 133634E, 151090N). SW5 is specified in the current licence P0395-03 in *Schedule C.2.3 Monitoring of Storm Water Emissions*.

There will be a new Class I separator and attenuation tank serving the car park as well as the existing silt trap and separator upstream of SW5. There are no watercourses in the vicinity of the proposed car park with the nearest watercourse being the River Deel 150m to the east. SW5 discharges directly to the River Deel which is part of the River Shannon and River Fergus Estuaries SPA (004077). The current licence requires weekly monitoring of SW5 for pH, BOD, Total Ammonia and Total Nitrogen. A daily visual examination of the discharge is also required with a log of inspections to be maintained. The licence includes requirements in relation to silt traps and oil separators and the drainage system is required to be inspected weekly. The discharge at SW5 is uncontaminated storm water and complies with the requirements of the *Environmental Objectives (Surface Water) Regulations, S.I. No. 272 of 2009*, as amended.

The proposed car park is located on lands owned by the licensee. A baseline report in accordance with Section 86B of the EPA Act 1992, as amended, was not provided with the

amendment request. As the request is for an increase to the installation boundary, the licensee was asked to consider whether a Baseline Report was required. They have stated that the car park site was previously used for domestic and agricultural purposes, that farming ceased over 12 years ago and that the site has been unused and derelict ever since. The area is only used for parking and will not be used for storage of hazardous substances. Having regard to the possibility of soil and groundwater contamination I am satisfied that a baseline report is not required for this technical amendment request.

5. Appropriate Assessment

Appendix 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at Lower River Shannon SAC (002165) and River Shannon and River Fergus Estuaries SPA (004077).

The activities are not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activities, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activities was not required. The reasons for this determination are:

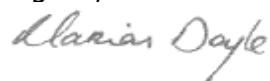
- The changes do not substantially change the nature or extent of the operations or emissions at the installation, from what was considered when Licence Reg. P0395-03 was granted.
- There will be a Class I separator serving the car park area. There are also storm water controls and monitoring requirements as specified in Licence Reg. P0395-03. Therefore it is unlikely that there will be any significant risk of pollution as a result of surface water run-off from the car park.
- The conditions of Licence Reg. P0395-03 in relation to protection of surface water and groundwater and the on-site infrastructure are sufficient to ensure that the activities will not impact on the qualifying interests of any European site.

6. Recommendation

This memo recommends that the requested change be accommodated by a Technical Amendment of Licence P0395-03 (held by Wyeth Nutritionals Ireland Limited), in accordance with Section 96(1)(c) of the EPA Acts 1992, as amended. It is recommended that Condition 1.3 of the licence be amended to refer to the installation boundary drawing provided with the amendment request (Dwg. No. C-000-014 entitled *Site Location Map Site Boundaries*).

I recommend that the licence amendment be approved as set out in the attached Recommended Technical Amendment. The making of the amendment will not result in the relevant requirements of Section 83(5) of the EPA Acts 1992 to 2012 ceasing to be satisfied.

Signed,



Marian Doyle
Environmental Licensing Programme

Appendix 1: List of European Sites assessed, their associated qualifying interests and conservation objectives.

	European Site (site code)	Distance/ Direction from installation discharge(s)	Qualifying interests (* denotes a priority habitat)	Conservation objectives
1	River Shannon and River Fergus Estuaries SPA (004077)	0km east of the installation. Discharges are directly to the SPA.	Habitats Wetlands Species Cormorant <i>Phalacrocorax carbo</i> Whooper Swan <i>Cygnus cygnus</i> Light-bellied Brent Goose <i>Branta bernicla hrota</i> Shelduck <i>Tadorna tadorna</i> Wigeon <i>Anas penelope</i> Teal <i>Anas crecca</i> Pintail <i>Anas acuta</i> Shoveler <i>Anas clypeata</i> Scaup <i>Aythya marila</i> Ringed Plover <i>Charadrius hiaticula</i> Golden Plover <i>Pluvialis apricaria</i> Grey Plover <i>Pluvialis squatarola</i> Lapwing <i>Vanellus vanellus</i> Knot <i>Calidris canutus</i> Dunlin <i>Calidris alpina</i> Black-tailed Godwit <i>Limosa limosa</i> Bar-tailed Godwit <i>Limosa lapponica</i> Curlew <i>Numenius arquata</i> Redshank <i>Tringa totanus</i> Greenshank <i>Tringa nebularia</i> Black-headed Gull <i>Chroicocephalus ridibundus</i>	As per NPWS (2012) Conservation objectives for River Shannon and River Fergus Estuaries SPA (004077). Generic Version 1.0. Department of Arts, Heritage and the Gaeltacht (dated 17/09/2012).
2	Lower River Shannon SAC (002165)	650m north of the installation. 0.95km downstream of discharges from the installation to the Deel Estuary.	Habitats Sandbanks which are slightly covered by sea water all the time Estuaries Mudflats and sandflats not covered by seawater at low tide *Coastal lagoons Large shallow inlets and bays Reefs Perennial vegetation of stony banks Vegetated sea cliffs of the Atlantic and Baltic coasts <i>Salicornia</i> and other annuals colonizing mud and sand Atlantic salt meadows (<i>Glaucopuccinellietalia maritimae</i>) Bottlenose Dolphin <i>Tursiops truncatus</i> Otter <i>Lutra lutra</i> Mediterranean salt meadows (<i>Juncetalia maritim</i>) 3260 Water courses of plain to montane levels with the <i>Ranunculion fluitantis</i> and <i>Callitriche-Batrachion</i> vegetation <i>Molinia</i> meadows on calcareous, peaty or clayey-silt-laden soils (<i>Molinion caeruleae</i>) *Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>)	As per NPWS (2012) Conservation objectives for Lower River Shannon SAC (002165). Generic Version 1.0. Department of Arts, Heritage and the Gaeltacht (dated 07/08/2012).

			Species Freshwater Pearl Mussel <i>Margaritifera margaritifera</i> Sea Lamprey <i>Petromyzon marinus</i> Brook Lamprey <i>Lampetra planeri</i> River Lamprey <i>Lampetra fluviatilis</i> Atlantic Salmon <i>Salmo salar</i> (only in fresh water)	
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