

This memo has been cleared for submission to the Director by Senior Inspector, Marie O'Connor
Signed: Sybil Smith Date: 10/12/2014



LICENSING & RESOURCE USE

ENVIRONMENTAL LICENSING PROGRAMME

To:	Director
From:	Pamela McDonnell - LICENSING UNIT
Date:	10 th December 2014
RE:	Request for Technical Amendment to IE licence reg. P0696-02, held by Messrs Jim and Mark Wright (t/a JMW Farms), Crosses, Co. Monaghan.

On the 8th August 2014, a Technical Amendment (TA) request was received from Messrs Jim and Mark Wright (t/a JMW Farms), licence Reg. No. P0696-02, to accommodate an increase in the number of animals housed on foot of a proposal to rear 800 replacement gilts on site.

Background

Licence Register No. P0696-01 was issued to Mr John Erskine on the 20th January 2005 for a semi integrated 650 sow unit. Messrs. Jim and Mark Wright purchased the existing installation from Mr. John Erskine and the Agency granted a licence transfer from Mr John Erskine to Messrs Jim & Mark Wright (t/a JMW Farms) on the 10th June 2010. This licence was reviewed on the 16th February 2011 (Licence Register No. P0696-02) as the site was being converted to a 1200 sow breeding unit.

The licence (P0696-02) has since been amended as follows:

- Technical Amendment A, issued on the 15th April 2013, to change conditions in the licence in relation to the control and management of organic fertiliser.
- Section 82A(11) Amendment, issued on the 16th December 2013, to bring the licence into conformity with the requirements of the Industrial Emissions (IE) Directive (2010/75/EU).

It should be noted the IED amendment made on the 17th December 2013 updates the applicable class of activity under the First Schedule of the EPA Act 1992, as amended, as follows:

- 6.2 The rearing of pigs in an installation where the capacity exceeds:
 - (a) 750 places for sows

Schedule A.1 of the licence restricts the animal numbers housed on site as outlined in Table 1 below.

Technical amendment

The licensee has requested that the changes to pig numbers outlined in column 4 of Table 1 below be accommodated into the licence by TA. They outline that due to the outbreak of Porcine Reproductive & Respiratory Syndrome (PRRS) (Blue-ear) around 12 months ago, biosecurity measures have increased substantially on a number of pig farms. As part of their review of the biosecurity measures on the farm, the licensee has identified the need to breed replacement gilts on site rather than source them from outside farms. This will allow the farm to be in full control of the breeding programme and maintain an enclosed breeding policy, thus minimising any potential health risks associated with importing stock from other farms.

The licensee has therefore received planning permission (planning ref. 14/97) for new accommodation which will hold 800 replacement gilts (weighing from 30kg to 100kg). An EIA was not carried out by the planning authority for this development. It is intended that the replacement gilts will be selected from the weaners born and reared on site before the remaining weaners are transported to an off-site finishing unit. There will be no change to the number of weaners housed on site. Therefore an additional 800 gilts will be housed on site overall.

On foot of the CJEU judgement in Case C585/10 which states that 'places for sows' includes places for gilts (female pigs which have already been serviced, but have not yet farrowed), the additional 800 gilts proposed will require that the limitation on the number of 'sows' in Schedule A.1 is increased from 1,200 to 1,650 and the limitation on 'gilts' is increased from 550 to 900 to account for unserved gilts.

Table 1:

1. Animal Class	2. Stock numbers as per Schedule A.1 of licence P0696-02 ^{Note 1}	3. Animal Class	4. Proposed stock numbers ^{Note 1}
Sows ^{Note 2}	1,200	Sows ^{Note 4}	1,650
Gilts	550	Gilts ^{Note 5}	900
Weaners	6,800	Weaners	6,800
Production pigs ^{Note 3}	0	Production pigs ^{Note 3}	0
Total	8,550	Total	9,350

Note 1: This excludes suckling pigs maintained on site.

Note 2: Sow means a female pig after its first farrowing

Note 3: Production pig means any pig over 30kg in weight which is being fattened for slaughter

Note 4: Sows and served gilts, in accordance with CJEU judgement in Case C585/10.

Note 5: Maiden gilts only (unserved)

Consultation with the Office of Environmental Enforcement (OEE)

I have consulted with the OEE Inspector, Thomas Sexton, in relation to this technical amendment request. The OEE confirmed that the change could not be accommodated under the conditions of the existing licence.

Assessment

The changes proposed by the licensee will result in an increase in the overall numbers of pigs housed on site, which requires changes to Schedule A.1 of licence Reg No. P0696-02. Specifically, there will be an increase in the number of larger animals housed on site (30-100kg), which will increase odour and ammonia emissions from the activity. Therefore an assessment of odour and ammonia impact is necessary as part of a licence review.

Recommendation

It is considered that the requested change goes beyond the scope of Section 96(1)(b) and 96(1)(c) of the EPA Act, as amended. I recommend that the technical amendment request, as sought, be refused

Pamela McDonnell

Pamela McDonnell
Inspector
Office of Climate, Licensing and Resource Use.