This Report has been cleared for submission to the Director by Senior Inspector, Brian Donlon.   ***Signed:*** Gráinne Oglesby ***Date: 21st August 2018***

OFFICE OF ENVIRONMENTAL SUSTAINABILITY

INSPECTOR'S REPORT ON AN INDUSTRIAL EMISSIONS LICENCE APPLICATION, LICENCE REGISTER NUMBER P1065-01

TO: DIRECTOR

FROM: Éimer Godsil	**DATE: 21 August 2018**
Applicant:	Mr. Declan Sullivan
Location:	Drumcreeghan, Latton, Castleblaney, Co. Monaghan
Application date:	29 September 2017
Class of activity (under EPA Act 1992 as amended):	6.1 (a): The rearing of poultry in installations where the capacity exceeds 40,000 places.
Category of activity under IED (2010/75/EU):	6.6(a) Intensive rearing of poultry with more than 40,000 places for poultry.
European Directives/Regulations relevant to this assessment are listed in the appendix of this report.	
Main CID:	CID (EU) 2017/302 (15 February 2017). Establishing (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs.
Other relevant BREF documents & national BAT notes are listed in the appendix of this report.	
Activity description/background: Expansion of an activity for the rearing of poultry (pullets) in an installation with a capacity increasing from 28,000 to 60,000 birds.	
Notices under Regulation 10(2)(b)(ii) issued:	23 November 2017 08 March 2018
Notices under Regulation 10(2)(b)(ii) received:	11 January 2018 12 April 2018
Submissions received:	1. Mr. Peter Sweetman (Wild Ireland), 10 October 2017 2. HSE, 20 November 2017 3. Peter Sweetman & Associates, 17 July 2018
EIAR submitted: 29 September 2017	NIS submitted: No
Site visit: 05 April 2018	Site notice check: 20 October 2017

1. Activity description/background

Mr. Declan Sullivan owns and operates a poultry (pullet) rearing farm at Drumcreeghan, Latton, Castleblaney, Co. Monaghan. The installation is in a rural location, with most development in the vicinity of the installation being dwelling houses and farm yards.

The installation currently accommodates 28,000 pullets within one poultry house. The proposed development is for the construction of one new poultry house, increasing the total capacity to 60,000 birds. Poultry farming has been carried out on this site for a number of years. The present enterprise provides employment for the applicant.

As this is the first licence application received from this installation and since the Commission Implementing Decision 2017/302/EU for the Intensive Rearing of Poultry or Pigs was published in February 2017, this activity is classed as a New Activity.

On 25 October 2017, Monaghan County Council granted planning permission (Ref: 17/300) for the construction of one new poultry house to accommodate an overall capacity on the farm of 60,000 places.

The main activities at this installation occur during normal working hours between 08:00 and 18:00. Stock inspections are carried out every day, including weekends and bank holidays and additional essential activities may be undertaken outside of core working hours. The installation currently operates in accordance with the requirements of the Department of Agriculture, Food and the Marine and the Bórd Bia Poultry Products Quality Assurance Scheme (PPQAS).

The process involves the rearing of stock brought from the hatchery (day olds) within the poultry houses to the point of lay (approximately 15 - 16 weeks of age), at which time they are transported off-site to specialised layer houses. Following a period of 2 weeks to allow for removal of the poultry litter (organic fertiliser[1]) and complete drying after the cleaning process, the houses are restocked.

The type of pullet house used for this activity is a simple closed building of block and timber/wood construction on an impervious concrete base. The houses are thermally insulated with a forced computer controlled ventilation system and artificial lighting. Automatic feeding and ventilation systems operate on a 24-hour basis. The solid flooring of each pullet house is bedded with wood shavings/chopped straw over its entire area immediately prior to housing each new batch bought from the hatchery.

The principal inputs to the operation are feed, water, veterinary medicines and energy (electricity and gas for heating). The main by-product of poultry rearing is poultry litter (organic fertiliser). These are discussed in further detail below.

2. Consideration of Best Available Techniques (BAT) and BAT Conclusions.

Section 86A(3) of the EPA Act 1992 as amended, requires that the Agency shall apply BAT conclusions as a reference for attaching one or more conditions to an Industrial Emissions Directive (IED) licence. Therefore, BAT for the installation was assessed against the BAT

[1] Any fertiliser other than that manufactured by industrial process and includes livestock manure, dungstead manure, farmyard manure, slurry, soiled water, silage effluent, non-farm organic substances such as sewage sludge, industrial by-products and residues from fish farms.

conclusions contained in the relevant Commission Implementing decision (CID)/BREF documents specified below. The table below sets out a summary of how the BAT conclusions published in the CID have been taken into account in the licence.

- Commission Implementing Decision 2017/302/EU for the Intensive Rearing of Poultry or Pigs (published in the Official Journal on the 15 February 2017).
- BREF Document on Best Available Techniques for the Intensive Rearing of Poultry or Pigs (July 2003).
- BREF Document on Best Available Techniques for Energy Efficiency (February 2009).
- BREF document on Best Available Techniques on Emissions from Storage (July 2006).

The licensee submitted a review of the installation activities against the relevant BAT conclusion requirements contained in the above documents. There are 34 BATs in the CID 2017/302/EU. The applicant has demonstrated that the installation will comply with the BAT conclusion requirements specified in the Commission Implementing Decision 2017/302/EU establishing BAT conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on the intensive rearing of poultry or pigs and will comply with all the applicable BAT conclusions requirements contained in additional BREF documents.

BAT conclusion requirements, including BAT associated emission levels (AELs) specified in the BAT conclusions for the intensive rearing of poultry or pigs have been included in the RD where necessary (see Table 1 below). As this activity is classed as a new activity i.e. first licensed following the publication of the BAT conclusions under the CID 2017/302/EU, BAT conclusion requirements must be met by the installation before commencement of operations.

I consider that the applicable BAT conclusion requirements are addressed through: (i) the technologies and techniques as described in the application; (ii) the standard conditions specified in the RD; and (iii) where applicable, the inclusion of additional specific conditions (see Table 1 below).

Table 1: Specific Conditions in RD to address BAT conclusion requirements

Main applicable BAT conclusions for the activity: BAT conclusions for the Intensive Rearing of Poultry or Pigs	
Additional Requirements	**Condition/Schedule**
The management of the installation requirements have been updated to include an EMS and schedule of objectives and targets in line with the requirements in the BAT conclusions. (BAT 1).	Condition 2
Good housekeeping in order to prevent or reduce the environmental impact and improve overall performance of the installation. (BAT 2).	Condition 3
Ammonia and phosphorus control and ammonia management programme. (BAT 3 and BAT 4).	Conditions 5 and 6
Prevention/reduction of noise emissions. (BAT 10).	Condition 6

Odour emissions. (BAT 13).	Condition 6
Resource Use and Energy Efficiency. (BAT 5, BAT 6, BAT 7 and BAT 8).	Condition 7
Dust control. (BAT 11).	Condition 6 and Schedule C
Solid manure and slurry storage. (BAT 14, BAT 15 and BAT 16).	Condition 6
Process monitoring (Ammonia and dust). (BAT 25, BAT 27 and BAT 24).	Condition 6 and Schedule B
Ammonia emissions from poultry houses. (BAT 25 and BAT 32).	Condition 6 and Schedule B
A report setting out the selected technique(s) used for each BAT referenced in the conditions of this licence.	Condition 11
Monitoring total nitrogen and total phosphorus in Organic fertiliser. (BAT 24).	Schedule C
Reporting on monitoring of emissions and techniques. (BAT 23).	Condition 5 and Schedule D
BREF document on Energy Efficiency	
Inclusion of energy audit and use efficiency.	Conditions 7 and 11
BREF document on Storage	
Inclusion of requirement for leak detection and repair programme.	Condition 6

3. Planning Permission, Environmental Impact Assessment Report (EIAR) and Environmental Impact Assessment (EIA) Requirements

3.1 EIA Screening

In accordance with Section 83(2A) of the EPA Act 1992 as amended, the Agency must ensure that before a licence or revised licence is granted, that the application is made subject to an EIA, where the activity meets the criteria outlined in Section 83(2A)(b) and 83(2A)(c). In accordance with the EIA Screening Determination, the Agency has determined that the activity is likely to have a significant effect on the environment, and accordingly is carrying out an assessment for the purposes of EIA.

3.2 Planning Status

A number of planning applications to Monaghan County Council have been made by the applicant for the area within the installation boundary since 2007. These are planning references 06/1640, 07/1056; 12/9016; 17/123 and 17/300. The applicant has submitted the Environmental Impact Assessment Report (EIAR) associated with planning permission 17/300.

3.3 Content of EIAR and licence application

I have considered and examined the content of the licence application, the EIAR, other relevant material submitted with it, including the further information requested and received from the applicant. All the documentation received was examined and I consider that the EIAR complies with the requirements of the EPA (Industrial Emissions) (Licensing) Regulations 2013, when considered in conjunction with the additional material submitted with the application, and when supplemented by my assessment as contained in this report.

3.4 Environmental Impact Assessment Directive

Having specific regard to EIA, this Inspector's report as a whole is intended to identify, describe and assess for the Agency the likely significant direct and indirect effects of the proposed activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following environmental factors: Population & human health, flora, fauna, soil, water, air, climate, the landscape, material assets and cultural heritage.

This Inspector's report addresses the interaction between those effects and the related development forming part of the wider project. The cumulative impacts, with other developments in the vicinity of the activity have also been considered, as regards the combined impacts of emissions. The main mitigation measures proposed to address the range of predicted significant impacts arising from the activity have been outlined. This Inspector's report proposes conclusions to the Agency in relation to such effects.

In preparing this Inspector's report I have considered and examined:

- the application, Register Number: P1065-01 and the supporting documentation received from the applicant;
- the EIAR;
- the submissions received;
- the documents associated with the assessments carried out by Monaghan County Council and the issues that interact with the matters that were considered by that authority and which relate to the activity.

While the environmental factors have been considered throughout my entire assessment, the following table identifies, for ease of reference, the sections of this report where each environmental factor has been predominantly discussed.

Table 2: Table of Environmental Factors

Environmental Factor	Addressed in the following Sections:
Population and Human Health	Emissions to Air, Discharges to Water and Ground, Noise, Waste, Other matters relating to EIA
Biodiversity	Emissions to Air, Water and Ground, Noise, Waste, Other matters relating to EIA

Environmental Factor	Addressed in the following Sections:
Land and Soil	Discharges to Water and Ground, Other matters relating to EIA
Water	Discharges to Water and Ground, Other matters relating to EIA
Air	Emissions to Air, Other matters relating to EIA
Climate	Emissions to Air, Other matters relating to EIA
Landscape	Other matters relating to EIA
Material Assets	Use of Resources, Other matters relating to EIA
Cultural Heritage	Other matters relating to EIA

3.5 Consultation with Competent Authorities

Consultation was carried out between Monaghan County Council and the Agency under the relevant Section of the EPA Act as follows:

Consultation	Date
Notice under Section 87(1D)(a) request for observations issued:	06 October 2017
Response to Section 87(1D)(a) Notice received:	26 October 2017

Monaghan County Council raised the following issues in relation to the licence application and EIS (note that the original submission should be referred to at all times for greater detail and expansion of particular points):

- Confirmed that the relevant planning histories to the application were Planning References 07/1065; 12/9016 and 17/123.
- Confirmed that an EIS was submitted with Planning Reference 17/123.

The local authority (LA) did not make reference to planning ref 17/300 or to the EIAR submitted with that planning application.

4. Submissions

There were three submissions made on this application.

While the main points raised in the submissions are briefly summarised in the table below, the original submission should be referred to at all times for greater detail and expansion of particular points.

The issues raised in the submission are noted and addressed in this Inspector's report and the submission was taken into consideration during the preparation of the Recommended Determination (RD).

Submission No. 1 Mr. Peter Sweetman, Peter Sweetman & Associates

The Agency received a submission on the 10 October 2017 from Mr. Peter Sweetman of Peter Sweetman & Associates.

The issues raised in the submission are as follows:

In the submission Mr. Sweetman indicated that adequate information was not provided to enable the EPA to complete an environmental impact assessment of this likely significant indirect effect on the environment in relation to the proposal to spread the manure generated by the proposed development on lands that are remote from the site.

He also stated that no information has been provided on the potential for significant effects on European sites arising from such spreading, and in the absence of an appropriate assessment that deals with this matter, being an indirect effect of the proposed development.

Response:

I am satisfied that I have sufficient information available to complete an assessment, in an appropriate manner, regarding the effects of the project and to make a recommended determination (as accompanies this report). I have considered the information in the environmental impact statement and the application documentation, the further information provided and the information received as part of consultations both externally and internally across the EPA.

As outlined in Section 12 of the IR there are a couple of options for the management of litter manure from the installation. In the application form the applicant has identified the transfer of litter manure to mushroom composters and/or landspreading. Whichever option is chosen the material must be managed in accordance with appropriate National and European legislation. The RD requires the licensee to calculate/record the quantities of organic fertiliser generated and moved off site to provide for the appropriate handling of the material and the protection of the environment.

The IE licence relates to the site of the activity for which the licence application is made and does not extend to the lands on which organic fertiliser may be used as fertiliser. There will be no adverse significant effects on the environment from landspreading which is subject to the controls of the Nitrates Regulations or from the handling on-site of organic fertiliser (poultry litter/wash water) from the activity or from its use in compost production. If the activity is carried on in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution

I have addressed the potential for significant effects of the project arising from landspreading of organic fertiliser on European sites in Section 15 Appropriate Assessment of this report Appendix 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives.

I have considered all of the documents submitted with the licence application and all submissions and observations made on the licence application, and having considered the processes and emissions associated with the activity (as now outlined throughout this Inspector's report), a screening for Appropriate Assessment was undertaken. The assessment determined that the poultry activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out in Section 15 of the IR, that it can be excluded, on the basis of objective information, that the activity, 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 activity was not required.

Submission No. 2.

Claire O' Dwyer, Principle Environmental Health Officer, Environmental Health Service, HSE Dublin/North East, Cavan and Monaghan.
Received 20/11/2017

The submission included a report from Mr. Barry Coady, Environmental Health Officer. The report is based on a site visit (15/11/17), discussion with the applicant and available documents and provides a summary of findings. The report makes a number of observations in relation to the licence application. The issues raised include sensitive receptors, water supply, surface water & storm water; soiled water & wash water tanks, manure, waste, odour, noise, pest control. The submission refers only to those areas within the remit of the HSE. No complaints relating to the installation have been received by the HSE.

Specific Issues raised

Manure

Currently all manure is collected by the contractor Eamon Fitzpatrick, Clones, Co Monaghan, who removes the manure to be used in the manufacture of mushroom compost at various compost yards. There is no suitable storage area for manure onsite; however, no manure is currently stored onsite and the applicant does not intend to store manure onsite. The current arrangement is to continue with the new development.

Response:

Standard conditions are included in the RD in relation to manure management and the use of registered contractors.

Water supply

In their submission the HSE stated that the site is supplied by the Stranooden Group Water Scheme (GWS), this is incorrect, the site is supplied by the Eigish/Kilkitt GWS as per the application. It is intended that the water supply will also serve the proposed development. Mrs. Sullivan (wife of the applicant) informed the HSE at the visit that the water is tested annually as per Bord Bia requirements and has been, to date, satisfactory.

Response:

Section 9 of this report refers to the water supply. The HSE recommends that all results of water testing of the water supply for the activity are maintained onsite. Condition 11 of the RD requires the licensee to maintain records of water supply testing onsite.

Soiled Water

Currently, soiled water is collected from the existing house in a soiled water tank located to the front end of the existing pullet house. There is a natural fall in the concrete yard which drains soiled water during cleaning to the soiled water tank. Mrs. Sullivan stated that if the tanks are getting full they discharge the soiled water into the cattle slurry tank and it is subsequently spread on the family land surrounding the site in accordance with the Nitrates Directive. It is recommended that all soiled water tanks including the tank associated with the new development have high level monitors installed.

Response:

These have been taken into account when assessing the mitigation measures and conditions of the RD. The RD includes conditions in relation to wash water storage onsite. Section 12 of this report address organic fertiliser produced by the activity. Landspreading of organic fertiliser occurs outside of the licensed boundary and will be carried out in accordance with

the European Union (Good Agricultural Practice for the Protection of Waters) Regulations 2014, (Nitrates Regulations) and Animal By-Product Regulations. This is monitored and controlled by the Department of Agriculture, Food and the Marine (DAFM) and Local Authorities.

Storm water / surface water

Storm water and surface water are generated from the roof of the existing pullet unit and yards respectively. Storm water is drained by natural means from the roof to a stoned piped drainage system and then discharged to a field drain on the applicant's land. The surface water associated with the yards surrounding the existing pullet house is drained to separate collection points and then discharged via the same field drain at the same location. The discharge point is not identified in the EIS nor is it identified onsite.

The HSE recommend that the applicant clearly identify all clean surface and storm water discharge points including grid references for the purpose of monitoring and sampling, and that a surface water quality monitoring scheme is put in place as per licence. The HSE further recommend that the applicant establish baseline conditions of the groundwater in the area of the site and that of any landspreading areas, including the provision of groundwater test wells.

Response:

The subject of surface/storm water and groundwater is addressed in Section 6 of this report. The applicant, in response to an Agency request, clarified details regarding storm water management/monitoring on 12 April 2018.

The RD includes conditions regarding the provision of a storm water collection and monitoring system, including clearly identifiable monitoring points.

Section 12 of this report address organic fertiliser produced by the activity. Landspreading of organic fertiliser occurs outside of the licensed boundary and will be carried out in accordance with the Nitrates Regulations and Animal By-Product Regulations. This is monitored and controlled by the Department of Agriculture, Food and the Marine (DAFM) and Local Authorities.

Waste

There are adequate storage facilities provided for the storage of dead bird carcasses onsite. Mrs. Sullivan advised that the dead carcasses are removed as often as necessary, by Animal By-Products contractor, College Proteins, Nobber, Co. Meath. This arrangement is to continue after the new facility commences.

Response:
Waste is covered under Section 8 of the IR and in Condition 8 of the RD.

Odour, Noise and Pest control

The HSE recommend the inclusion of conditions in the licence in relation to odour and noise. They also note that they have not received any complaints regarding odour or noise.

Response:
Odour, noise and pest control have been addressed in Sections 5, 7 and 8 of this report.
The RD includes conditions in relation to odour, noise and pest control.

Submission No. 3 Mr. Peter Sweetman, Peter Sweetman & Associates

The Agency received a submission on the 17 July 2018 from Mr. Peter Sweetman of Peter Sweetman & Associates.

The submission provides a copy of judgement of the 12 April 2018 by the CJEU, in relation to Case C-323/17 and quotes the ruling from that judgement that:

"*Article 6(3) of Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora must be interpreted as meaning that, in order to determine whether it is necessary to carry out, subsequently, an appropriate assessment of the implications, for a site concerned, of a plan or project, it is not appropriate, at the screening stage, to take account of the measures intended to avoid or reduce the harmful effects of the plan or project on that site."*

Response:

In Section 15, Appropriate Assessment, I have addressed the potential for significant effects of the project on European Sites and have detailed the results of an Appropriate Assessment screening conducted as part of the licence application.

There are no European Sites within 20 km of the installation. Any European Sites more than 20 km distance from the installation fall well outside of the potential zone of influence of the activity.

Qualifying interests and conservation objectives of each individual site were detailed as part of that assessment. Section 15 details the results of the Appropriate Assessment screening conducted as part of the licence application.

This assessment determined that the poultry activity is not directly connected with or necessary to the management of any European site and, through setting out a set of reasons, determined why the activity individually or in combination with other plans or projects, can be excluded from having a stage 2 Appropriate Assessment carried out.

5. Emissions to Air

This Section addresses the following:

- Odour
- Ammonia
- Fugitive Dust
- Climate impact

The applicant states that potential emissions to air from the activity should be limited to emissions associated with the general operation of the activity such as emissions of warm air from the ventilation system, as well as the loading, storage and removal of organic fertiliser. Increased emissions may at times be associated with loading of birds and/or loading of organic fertiliser.

5.1 Odour

For the purposes of EIA, the environmental factors potentially affected by odour from the activity include: Population & human health and air.

Assessment and Mitigation:

Odour is not expected to be a significant issue. The nearest third party residential dwellings to the site are approximately 350m south east and approximately 410m north of the unit. The land in the immediate vicinity of the installation is farmland. The applicant states that no complaints regarding odour from the installation have been received. The HSE confirmed in their submission (detailed in Section 4 above) that they have not received any odour

complaints in relation to the installation to date. The EPA has not received any complaints relating to odour for the existing licence.

The potential impact from loading organic fertiliser is deemed to be a minor issue due to the fact that it is removed only once in every 16-18 week cycle (~ three times per annum) and only takes four - five hours to completely remove the organic fertiliser from the houses. All organic fertiliser from the houses is removed off-site by a registered contractor.

The following mitigation measures will reduce the likelihood of odour emissions from the installation:

- Organic fertiliser / bird movements will be minimised and timed where possible to reduce odour effects on people;
- Proper management of temperature and humidity controls within the houses;
- Appropriate maintenance of water, feed and ventilation systems;
- Maintaining stock density at design level;
- Activity operates on dry organic fertiliser basis. Provision of adequate bedding;
- Use of low protein diets. Using feed with optimum crude protein content to minimise nitrogen excretion. This will keep ammonia emissions from ventilation systems and from organic fertiliser transportation to a minimum;
- Provision of adequate organic fertiliser storage capacity;
- Houses are adequately cleaned, disinfected & rested between restocking;
- Houses to be cleaned out as quickly as possible with organic fertiliser removed off site in suitably designated and covered trucks;
- Minimisation of carcasses by good flock management and regular removal of carcasses from the houses;
- Carcasses are stored onsite in covered containers and transported to a rendering facility in covered, leak proof containers;
- Litter content of wash water is minimised by the houses being physically cleaned prior to washing; and
- Proper storage of wastes onsite, with regular removal of wastes.

Condition 5 of the RD requires that amenities, the environment and any legitimate uses of the environment beyond the installation boundary shall not be impaired or interfered with by emissions, including odour, arising from the activity. The RD requires that odour does not cause a nuisance beyond the site boundary, and requires the applicant to use low protein feeds onsite.

Condition 6 of the RD requires the use of BAT to reduce emissions to air from storage of manure.

The installation is situated in an agricultural area where odours from agricultural activities outside the installation may occur on occasion but any odours experienced will most likely be of short duration. It is considered that there will be no significant cumulative odour impact from the activity and other odour generating activities in the area. It is also considered that no secondary or indirect effects are likely as a result of odour from the activity.

Conclusion:

Based on the above assessment, I consider that the odour emissions from the activity are not likely to have a significant effect on the environment when the activity is operating in accordance with the conditions of the RD.

5.2 Ammonia

For the purposes of EIA, the environmental factors potentially affected by ammonia emissions from the activity include: Population & human health, biodiversity and air.

Assessment and Mitigation:

Ammonia emissions from this activity could have the potential to impact sensitive receptors (e.g. lichens, bryophytes etc.) in the vicinity of the installation. However, ammonia emissions and nitrogen deposition have been modelled by the EPA, using a screen model (SCAIL Agriculture[2]) and the predicted concentration of ammonia and nitrogen deposition at European sites will not cause an impact on the designated sites (see Section 15 below).

Qualifying interests in European sites will not be affected by ammonia emissions from the installation, due to the distance between the installation and the designated sites, the type and physical characteristics of designated sites, and therefore the associated dispersion available.

The applicant has stated that they will employ the following mitigation measures, which should reduce ammonia emissions from the installation:

- Using feed with optimum crude protein content to minimise nitrogen excretion. This will keep ammonia emissions from ventilation systems and from organic fertiliser transportation to a minimum;
- Activities onsite to be managed so as to occur at times when the effects (including odours) within / outside of the site will be minimal;
- Houses are adequately cleaned, disinfected & rested between restocking;
- Proper management of temperature and humidity within the houses;
- Appropriate maintenance of water, feed and ventilation systems;
- Provision of adequate organic fertiliser storage capacity;
- Maintaining stock density at design level;
- Organic fertiliser is transported in suitably contained vehicles;
- Using feed with optimum crude protein content to minimise nitrogen excretion. This will keep ammonia emissions from ventilation systems and from organic fertiliser transportation to a minimum;
- Proper storage of wastes onsite, with regular removal of wastes;
- Minimisation of carcasses by good herd management;
- Regular stock inspections and removal of carcasses;
- Carcasses are stored onsite in covered containers and transported to a rendering facility in covered, leak proof containers at least fortnightly.

Condition 5 of the RD requires the submission of an Ammonia Management Programme by 01/11/2019, outlining ammonia reduction measures, including timeframe for implementation, appropriate to the site. The RD requires the applicant to use low protein feeds onsite and the minimisation of ammonia emissions to air from the site. The ammonia management programme shall be updated and reviewed annually.

Conclusion:

Based on the above assessment, I am satisfied that there is not likely to be significant effects from the activity's ammonia emissions on air quality or on lichens and bryophytes, or indirectly

[2] SCAIL Agriculture is a web based screening tool available at http://www.scail.ceh.ac.uk/

on those species which depend on them, or on the environment when the activity is operating in accordance with the conditions of the RD.

5.3 Fugitive Dust

Dust may arise as fugitive emissions from the expelling of warm air from ventilation systems onsite, vehicle movements, removal of organic fertiliser, filling of meal storage bins and the loading and unloading of birds during periods of dry weather.

For the purposes of EIA, the environmental factors potentially affected by dust emissions from the activity include: Population and human health, biodiversity and air.

Assessment and Mitigation:

Dust arising from the activity could have the potential to deposit beyond the site boundary, causing nuisance for those living nearby and potentially affect habitats located close to the site boundary.

The organic fertiliser produced onsite is not dusty and minimising dust formation is mainly a function of good housekeeping and keeping any concrete surface in a clean condition. No complaints were received in relation to dust for this site by the Agency or by the applicant. All delivery vehicles entering or leaving the site will be covered. The applicant states that the road and site are regularly cleaned to prevent the accumulation of dust. The nearest third party residential dwelling is 340m south east of the installation. While minimal, dust impact may occur locally within the installation boundary during organic fertiliser loading operations, dust is not expected to be a significant issue beyond the installation boundary.

The following mitigation measures will further reduce the likelihood of an impact from dust arising onsite:

- Regular and thorough cleaning of houses between batches;
- Having an appropriate ventilation system in place;
- Regular cleaning of any yard areas in order to minimise dust; and
- Ensuring all organic fertiliser and wastes leaving the installation are contained in appropriately designed and covered trailers.

The use of BAT to reduce dust from poultry houses is conditioned in the RD (Condition 6). The site is located in a rural area.

Conclusion:

Based on the above assessment, I consider that dust emissions are not likely to have a significant effect on the environment when the activity is operating in accordance with the conditions of the RD.

5.4 Climate Impact

Climate change is a significant global issue which affects weather and environmental conditions (air, water, land and soil) which consequently affects human resources (population and human health) and amenities (material assets and cultural heritage) as well as biodiversity. Climate change is caused by warming of the climate system by enhanced levels of atmospheric greenhouse gases (GHG) due to human activities.

Table 3 below outlines the sources of GHG emissions from the activity:

Table 3

Greenhouse gas emissions	
Sources of GHG emissions from the activity	Combustion of fuels, poultry litter storage
Relevant GHG gases	Carbon Dioxide, Nitrous Oxide, Methane

For the purposes of EIA, the environmental factors potentially affected by greenhouse gases from the activity include: Population & human health, climate and air.

Assessment and Mitigation:

With regard to reducing the climate impact of the installation under IED, the RD requires an energy efficiency audit and an assessment of resource use efficiency is undertaken in accordance with Condition 7, and is addressed as part of the Resource Use and Energy Programme.

Poultry litter is a dry, solid material and remains in the poultry house until the end of the batch. The manure is completely removed from the installation at the end of each batch (every 16-18 weeks). With appropriate management and bedding during a batch, methane emissions from the poultry litter will be minimal.

Heating for the poultry houses at this installation is provided by gas. A back-up electricity generator is used onsite in the event of a power cut. Emissions associated with the gas boiler and back-up generator are considered to be minor. Electricity is used to power the equipment onsite. The applicant states that they will operate the installation in order to maximise resource efficiency. Energy recovery is not proposed by the applicant through the use of Anaerobic Digestion (AD) or other technology.

The impact of traffic movements associated with the development is dealt with in the decision of the planning authority to grant planning permission for the poultry unit and are not controlled by the Agency. The planning authority has considered the impacts to be acceptable.

The installation is in a rural area with most of the developments in the vicinity of the installation being dwelling houses and farm yards, all of which would use modest amounts of energy and will not be significant contributors of climate altering substances. Also, all farms in the area will produce a quantity of organic fertiliser which they are individually obliged to manage and use as fertiliser in accordance with the Nitrates Regulations. Significant cumulative effects on the environment from the use of energy by this installation and other developments are not likely.

Where the activity is carried out in accordance with the conditions of the RD, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

Conclusion:

Given the small quantity of climate altering substances that could be released from the activity, in a national context, I consider that the impact of any emissions from the installation on climate should be minimal.

5.1 Overall Conclusions in relation to effects of air emissions from the activity on the environment

I am satisfied that there will not be significant effects on climate, air quality, population & human health, flora and fauna or any other aspect of the environment from air emissions arising from the operation of the activity.

6. Discharges to Water and Ground

This Section addresses the following:

- Emissions to ground/groundwater
- Storm water discharges to waters

6.1 Direct Discharges to Waters

6.1.1 Discharges to ground/groundwater

There are no emissions to ground/groundwater from this activity.

6.1.2 Storm water discharges to waters

Storm water arises onsite from storm water collected from clean yards and the roofs of buildings.

For the purposes of EIA, the environmental factors potentially affected by storm water discharges to waters include: Water, land and soil, biodiversity, and population & human health.

All clean storm water is diverted away from soiled areas of the site and will be collected in a storm water collection system around each house. Clean storm water from all of House 2 (proposed) and most of House 1 will be diverted by gravity and discharged via discharge point SW1 into a field drain on the northern boundary of the site. A portion of one side of House 1 may be discharged through SW2, located on the eastern boundary of the site. The location of SW2 will not be known until site works are completed. Both discharge points will discharge to field drainage, this drain flows to the Balladian River which flows in a northerly direction and joins the Dromore River approximately 5.6km downstream of the installation. The Dromore River continues in a westerly direction for approximately 40km before entering Lough Oughter and Associated Loughs SAC. The Balladian River and the Dromore River currently have a WFD status of Poor, closest to the installation. There are no identified drinking water abstraction points on the Balladian River or the Dromore River.

Assessment and Mitigation:

The storm water discharged through SW1 and SW2 should be uncontaminated and therefore, should have no qualitative impact on receiving surface waters. The only period during which there is potential for contamination of surface waters is during removal of organic fertiliser from the poultry houses, i.e. once every 16-18 week rearing cycle, and when the houses are washed out. Storm water from the installation should therefore be uncontaminated and have no impact on surface water quality off site. All soiled water will be diverted to 2 underground organic fertiliser storage tanks.

SW1 as identified by the applicant is located outside the site boundary. The RD requires the applicant to supply details of a revised discharge monitoring point (SW1) within the site boundary by 01/12/2018.

Should any accidental emission e.g. a chemical spill as a result of bund failure, occur it has the potential to discharge through SW1 and SW2. This could have the potential to affect surface quality downstream, as well as aquatic habitats within that surface water. Should any accidental emission discharge to ground as a result of a breach of the wash water tanks (refer to Section 9 below), this could potentially affect the quality of soil and groundwater directly, which could affect those using the groundwater body as a source of drinking water and could potentially indirectly affect surface quality downstream.

Mitigation Measures:
The following mitigation measures will reduce the likelihood of an impact on water quality from organic fertiliser and from accidental spillages arising onsite:

- The provision of in excess of 26 weeks organic fertiliser storage capacity;
- No landspreading is permitted at the site, and landspreading by customer farmers must be carried out in accordance with Nitrates Regulations (S.I. 31 of 2014) and DAFM guidelines;
- New organic fertiliser storage tanks will be constructed to DAFM standards;
- Fill points for organic fertiliser will have concrete area to collect any spill/leak;
- All soiled water is diverted to organic fertiliser storage tanks; and
- A leak detection system will be provided for all new structures.

Condition 6 of the RD requires that there shall be no unauthorised discharge of polluting matter to water. In accordance with Condition 6 and Schedule C.2.3 Monitoring of Storm Water Emissions of the RD the applicant is required to monitor storm water discharges at SW1 and SW2 for BOD and COD as required by the Agency and to carry out a weekly visual inspection of the storm water monitoring points. The RD requires the applicant to provide and maintain a storm water/rainwater collection and drainage system for all poultry houses onsite and to assess the need to install silt traps/swales on the drainage system. The RD also requires the storage of all liquid fuels, chemicals, etc., in bunded areas to avoid spillage and discharge to surface water.

These measures will aid in achieving good water quality in the Balladian River and the Dromore River.

The installation is in a rural area with most of the developments in the vicinity of the installation being dwelling houses and farm yards. It is considered that there will be no significant cumulative impact from storm water emissions from SW1 and SW2 and other process water emissions from the activity on the Balladian River and the Dromore River. It is also considered that no indirect effects are likely as a result of these storm water emissions from the activity.

Conclusion:

I am satisfied that based on the above assessment, the nature of the activity, the mitigation measures in place, and the conditions in the RD that the likelihood of a significant effect on the environment occurring as a result of storm water emissions from the activity is negligible.

7. Noise

The main sources of noise at the installation include the operation of equipment, vehicle deliveries/collections, and birds. For the purposes of EIA, the environmental factors potentially affected by noise emissions from the activity include: Population & human health and flora and fauna.

Noise generated in the proposed development will not exceed legal limits at the site boundary. The applicant submitted, as an attachment, noise survey data relating to a number of other intensive agricultural sites, for comparison purposes only and noise is not expected to cause a nuisance at this site

Assessment and Mitigation:

Given the nature of the operations onsite, noise is not expected to be an issue at or beyond the installation boundary. There has been no history of noise complaints at the installation, and none have been received by the Agency or the HSE

Noise emissions will be minimised by implementing good management practices the most important of these are; use of automated feeding and ventilation systems, ensuring houses and associated feeding and ventilation systems are well maintained, ensuring houses are stocked at the correct rate & that deliveries (inward and outward) are confined to the normal daily work routine.

Standard noise conditions and emission limit values, which apply at noise sensitive locations, have been included in the RD. Condition 6 of the RD requires the applicant to carry out a noise survey, as required by the Agency. Condition 5 of the RD requires that amenities, the environment and any legitimate uses of the environment beyond the installation boundary shall not be impaired or interfered with by emissions, including noise, arising from the activity

Conclusion:

I am satisfied that based on the above assessment, the nature of the activity, the mitigation measures in place, and the conditions in the RD that the likelihood of a significant effect on the environment occurring as a result of the effects of noise is negligible.

8. Waste Generation

The activity or the expansion of the activity is not expected to produce significant quantities of waste. There are no waste disposal or recovery activities undertaken onsite. Waste arising onsite includes fluorescent tubes, fallen stock (animal carcasses), veterinary/chemical waste containers and general waste.

For the purposes of EIA, the environmental factors potentially affected by waste generated by the activity include: Material assets and flora and fauna.

Assessment and Mitigation:

The applicant states that waste is minimised by employing best technologies combined with good management practices onsite and maintaining a high health status on the farm. It is policy to minimise waste accumulation and to recycle as much as possible, and that they will operate the installation in an efficient manner to minimise energy usage and minimise overall waste generation. In order to do this, they use specialist feeding devices to minimise feed waste; and regularly maintain feeding, water supply, organic fertiliser removal and ventilation systems in order to maximise efficiency and help conserve resources. The applicant also states that they minimise and recycle waste, where possible, and promote waste minimisation through source reduction and staff awareness. The storage of uncovered wastes at the installation could attract pests/rodents to the installation. Where infestation by pests occurs, this has negative secondary effects for humans in terms of amenity and potentially spread of disease. Predation and spread of disease could also be an issue for flora and fauna beyond

the installation boundary. In relation to pests and rodents, the following mitigation measures will further reduce the likelihood of a negative impact on the environment:

- Appropriate storage and regular removal of wastes (including carcasses) which could attract pests;
- Good housekeeping around the installation to avoid an impact on the amenities outside the installation boundary;
- Maintenance of feed systems to minimise spills which could attract pests;
- Weed control around the site to remove any potential cover for vermin; and
- Vermin / pest control system in place, with vermin control carried out in accordance with Bord Bia and DAFM requirements.

The RD requires the implementation of a pest control programme and includes conditions for waste management on the installation. The RD requires that bird carcasses are stored in covered, leak-proof containers before being transported to an appropriately licensed installation where the material will be rendered in accordance with the Animal By-Product Regulations (Regulation (EC) No. 1069/2009), and are removed at least fortnightly to an approved installation. All other wastes must be appropriately segregated, stored, labelled and removed from site which will significantly reduce the likelihood of pests being attracted to the installation. This will prevent the occurrence of possible primary, secondary, direct and indirect negative effects. The RD requires that waste is appropriately segregated and stored while onsite and that all waste sent off-site is transported and recovered/disposed in accordance with National and European Legislation and requires maintenance of records on matters relating to the waste management operations and practices at this installation.

If dealt with in accordance with the conditions of the RD, the management of waste generated at the facility will be in accordance with the requirements of Article 11(e) of the Industrial Emissions Directive.

Conclusions:

Based on the above assessment and the mitigation measures in place, I am satisfied that there will not be significant effects on the environment from the generation of wastes from the operation of the activity or from pests or vermin.

9. Use of Resources

The operation of the installation involves the consumption of water, oil and electricity. The estimated existing (used in 2017) and proposed quantities are given below.

Resource	Quantity per annum - existing	Quantity per annum - proposed
Electricity	27,500 kWh	59,000 kWh
Water	1050 m^3	2250 m^3
Liquefied Petroleum Gas	5222 litres	11,190 litres
Feed	595 tonnes	1275 tonnes
Diesel	Only when electricity supply interrupted	Only when electricity supply interrupted

For the purposes of EIA, the environmental factors potentially affected by resource use include: Material assets.

Assessment and Mitigation:

- Energy

  Electricity is used to power all processes onsite. The electricity supply is backed-up by the onsite generator. Heating for the poultry houses is primarily provided by gas. All buildings are insulated to reduce the requirement for gas for heating. A back-up electricity generator is used onsite in the event of a power cut.

- Water

  The primary source of water for the activity is provided by the Lough Eigish/Kilkitt Group Water Scheme. There is also a groundwater well onsite. The installation is located on the Cavan groundwater body (IE_NW_G_061), a poorly productive bedrock, which has a WFD status of Good. It is considered that given the limited quantities abstracted, potential impacts on the environment are considered neither likely nor significant.

  The poultry houses will be physically cleaned of organic fertiliser and brushed/blown down in order to minimise washing and water consumption. The RD requires the licensee to install and maintain a water meter on all water supplies serving the installation and to maintain records of water usage onsite.

- Feed

  There are four stages of rations fed throughout the lifecycle of the birds: Starter, Grower, Finisher and Withdrawal, which are formulated to match the bird's requirements for protein, energy, minerals and vitamins at the various ages and to minimise excretion, and to maximise meat quality. Feed is supplied by specialised suppliers and stored in feed storage bins/silos.

- Medication and Disinfectant

  Medication and disinfectant will be stored in designated areas on the farm.

The use of natural resources by the activity will not be significant.

Annex III of the IED specifies criteria for the determination of BAT, including the consumption and nature of raw materials (including water) used in the process and energy efficiency. The RD includes conditions dealing with water, energy and raw material use, reduction and efficiency onsite.

Accordingly, and in the application of BAT, Condition 7 of the licence provides for the efficient use of resources and energy in all site operations. It requires a Resource Use and Energy Programme to be established and an energy audit to be carried out and repeated at intervals as required by the Agency. The BREF on Energy Efficiency should be referred to in the context of the Resource Use and Energy Programme.

The installation is in a rural area with most of the developments in the vicinity of the installation being dwelling houses and farm yards, all of which would use minimal amounts of resources. Significant cumulative effects on the environment from the use of resources by this installation and other developments are not likely.

Conclusion:

I am satisfied that there will not be significant effects on the environment from the use of natural resources from the operation of the activity, when the activity is operating in accordance with the conditions of the RD.

10. Prevention of Accidents

Measures to be taken to prevent accidents and limit consequences

The following details a range of measures that will help to prevent accidents at the installation and limit their environmental consequences. These include:

- Provision and maintenance of adequate wash water storage facilities;
- Integrity of tanks to be assessed and maintenance carried out as required;
- In excess of 26 weeks organic fertiliser storage capacity provided (onsite);
- Yards around houses to be concreted;
- Emergency response and corrective action procedures will be put in place/is in place;
- Gas tanks protected from accidental damage;
- Storm water collection system at front of yard diverted to wash water holding tank during cleaning;
- Separation of wash water and clean storm water;
- Integrity of wash water network to be assessed and maintenance carried out as required;
- The storm water discharge points to be visually monitored, regularly checked, inspected and monitored;
- Concrete aprons around wash water areas; and
- No storage of organic fertiliser from poultry litter onsite, other than what is under the birds during the cycle at the installation.

Condition 9 of the RD requires procedures to be put in place to prevent accidents, with a possible impact on the environment and to respond to emergencies to minimise the impact on the environment. It also requires the accident prevention procedure is updated in light of experience. In addition, the RD specifies a minimum organic fertiliser storage capacity is maintained, assessment of organic fertiliser storage tanks, control and management of organic fertiliser onsite, storm water monitoring etc.

The RD includes a requirement to ensure that a documented Accident Prevention Procedure is in place that addresses the hazards onsite, particularly in relation to the prevention of accidents with a possible impact on the environment. The RD requires that should any accident occur, the procedure will be updated to prevent any reoccurrence of that accident or incident.

The risk of accidents and their consequences, and the preventative and mitigation measures listed above, have been considered in full in the assessments carried out throughout this report.

Conclusion:

It is considered that the conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of such an event.

11. Cessation of Activity

The application details a range of measures to be employed upon cessation of the activity. At such time there would be normal inputs still in stock (e.g. feed in bins and medicines, etc.) and there would be stock in houses, manure in houses and also some of the wastes (dead animals, medicine containers) in their respective containers. All those materials would then be disposed of or distributed in the same way as was normal during the normal operation of the enterprise. Saleable stock would be sold to the usual outlet. All remaining feed and medicines would be returned to the respective suppliers. The buildings, once empty of stock would be washed clean and all manure and wash water would be spread on farmland, there would be no special or adverse impact on the environment. In the unlikely event of closure being the result of a Class A disease incident, any non-saleable stock would be humanely put down and consigned either for rendering (as currently done for the dead animal tissues) or for incineration. In such a situation, all of that would be under the control of the veterinary Division of the Department of Agriculture.

Condition 10 of the RD specifies decommissioning and residuals management requirements. Condition 12 of the RD requires that an annual statement is provided in the AER as to the measures taken or adopted at the site, in relation to the prevention of environmental damage, for remedial actions following closure/decommissioning or accidents/incidents, as may be associated with the carrying on of the activity. The applicant must have regard to the Environmental Protection Agency's Guidance on Assessing and Costing Environmental Liabilities (2014) and, as appropriate, Guidance on Financial Provision for Environmental Liabilities (2015) when doing so.

Baseline Report

Article 22(2) of the IED requires that where the activity involves the use, production or release of relevant hazardous substances and having regard to the possibility of soil and groundwater contamination at the site of the installation, the operator shall prepare and submit to the competent authority a baseline report before starting operation of an installation. A baseline report in accordance with Section 86B of the EPA Act 1992 as amended was not provided with the licence application. However, a baseline screening assessment was undertaken by the applicant in accordance with Stages 1 to 3 of the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions.

The applicant states that the activity does involve the use of small amounts of hazardous substances including medicines, disinfectants and fluorescent tubes. However, they state that limited quantities will be stored onsite at any one time and materials will be stored in designated areas with minimal if any risk of soil/groundwater contamination. Taking into account the small quantities of substances used, the location of these substances on the site, in view of the soil and groundwater characteristics, and the measures to be taken to prevent accidents and incidents, the possibility of soil and groundwater contamination at the site of the installation is considered to be low. Having regard to the possibility of soil and groundwater contamination and to the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU I am satisfied that a baseline report is not required. The RD does not require that relevant hazardous substances are monitored in soil or groundwater, due to the reasons set out above.

Conclusion:

I am satisfied that there will not be significant effects on the environment from the measures that will be taken upon cessation of the activity

12. Organic Fertiliser

12.1 Poultry manure (Organic Fertiliser)

The installation will necessarily generate organic fertiliser (poultry manure and soiled water). The operation of the poultry unit at current bird capacity (28,000 pullets) results in the production of approximately 230m^3 of organic fertiliser per annum. If the site expands to 60,000 bird capacity as proposed, annual organic fertiliser production is estimated at 480m^3.

For the purposes of EIA, the environmental factors potentially affected by landspreading from the activity include: Population & human health, biodiversity, air, land and soil and water.

Poultry litter is an organic fertilizer/soil improver and is a valuable source of nutrients for farmers, it can be disposed of by spreading on land. However, it is subject to strict conditions to prevent adverse effects through nuisance, nutrient enrichment of natural waters and/or the spread of disease. The other main disposal routes for this material is in composting and biogas plants or as a fuel for combustion.

The collection, transport, handling, treatment, transformation, processing, storage, placing on the market, distribution, and use and disposal of all animal products (ABP) including poultry litter is governed by the EU Animal By-product Regulation (EC) No. 1069 of 2009 and Regulation (EU) No. 142 of 2011 which are given legal effect by The European Communities (Animal By-Product) Regulations 2014 (SI No. 187/2014). Poultry litter is categorised as a category 2 Animal By-Product and the options for its disposal are set out in Article 13 of Regulation 1069/2009. Poultry litter must be transported by a haulier registered with the DAFM.

Poultry litter poses a direct and indirect risk of transmitting botulism to cattle. Outbreaks of botulism may occur, not just on the holding where the poultry litter is being spread, but also on neighbouring holdings. The DAFM provides detailed Codes of Practice for the handling and use of poultry litter.

Assessment and Mitigation:

The applicant has stated that the organic fertiliser/pullet manure produced/to be produced on the farm may be used in compost production and/or, as an organic fertiliser. All litter will be removed off-site by a registered contractor registered under and in accordance with the European Communities (Transmissible Spongiform Encephalopathies and Animal By-Products) Regulations 2008 (S.I. 252 of 2008) and in accordance with the Nitrates Regulations and the European Animal By-Product Regulations (EC Regulation No 1069/2009 and Commission Regulation 142/2011), (Animal By-Product Regulations).

There is no organic fertiliser store provided onsite, other than that which is stored in the poultry houses during a batch.

The application includes a letter from Eamon Fitzpatrick (Agri), confirming they take poultry litter from the installation to mushroom compost production facilities and to recipient farmers for use as organic fertiliser. This company is a registered contractor with the DAFM the transport of animal by-products (poultry litter), Reference No. EFK. All litter will be transported in covered trailers.

The Nitrates Regulations requires at least 26 weeks' storage capacity for organic fertiliser is provided. The poultry litter storage capacity currently provided onsite within the poultry houses is approximately 16 weeks (duration that a batch of birds is onsite). Poultry manure generated onsite will be removed off-site by a registered contractor to mushroom compost production facilities with the option of sending organic fertiliser to farmers for use as fertiliser. Therefore, the licensee is exempt from the requirement to provide a minimum 26 weeks onsite storage for organic fertiliser, as would otherwise be required under Article 11(1) of the Nitrates

Regulations, subject to the licensee having a contract for access to a treatment facility for livestock manure (organic fertiliser) or for the transfer of organic fertiliser to a person registered under and in accordance with the Animal By-Product Regulations 2008 to undertake the transport of organic fertiliser. Such exemption is provided in accordance with Article 14(1) of the Nitrates Regulations.

Condition 3 of the RD requires that such a contract is in place as required under Article 14(1) of the Nitrates Regulations.

The IE licence relates to the site of the activity for which the licence application is made and does not extend to the lands on which organic fertiliser may be used as fertiliser. The Nitrates Regulations specifies when organic fertiliser can be applied to land, the application rates etc. and are enforced by the DAFM and Local Authorities and any landspreading occurring outside of the installation boundary must be carried out in accordance with the requirements of the Nitrates Regulations and will be monitored and controlled by the DAFM and Local Authorities.

The RD provides that organic fertiliser may be sent off site for use as fertiliser by farmers in accordance with the Nitrates Regulations.

The RD requires that records of organic fertiliser that is sent off site for use on land, are maintained in accordance with the requirements of the Nitrates Regulations. Records of organic fertiliser that is sent for compost production must also be maintained.

The Animal By-Product Regulations impose legal requirements on the applicant, the 'commercial haulier' (registered by DAFM) that is used to transport the organic fertiliser, and the user of the organic fertiliser. These requirements include use of a 'commercial document' to record the consignor (applicant/poultry farmer), the consignee (customer farmer/mushroom compost facility operator receiving the organic fertiliser), the carrier (haulier), means of transport, the quantity and the date of dispatch. The consignor is required to receive a completed copy of the 'commercial document' from the consignee confirming the final destination.

The applicant (poultry farmer) is required under the Nitrates Regulations to submit to DAFM by the 31st December annually details in relation to the quantity of organic fertiliser (poultry litter and wash water) exported (Record 3 form). These details can be taken from the commercial documents returned to the consignor (poultry farmer) from the consignee (recipient farmer/composter). DAFM can use the record of export of organic fertiliser to identify the recipient of the organic fertiliser, including farmers who are recipients of organic fertiliser and the quantity received. The record shall also be maintained at the installation for inspection by the Agency, LA or DAFM.

There is no landspreading of organic fertiliser conducted and/or permitted within the installation boundary so nuisance from landspreading or direct impacts, on soil, water and groundwater quality and habitats in the immediate vicinity of the installation and consequential indirect effects on flora and fauna and their habitats will not occur. Therefore, while impacts could occur on or near the spreadlands (nuisance, pollution of water/groundwater/soil, impacts on flora and fauna) these would be indirect effects of the activity only. I consider that the transport and use of organic fertiliser as fertiliser in accordance with the Nitrates Regulations and Animal By-Product Regulations will not cause environmental pollution. I am satisfied that there will be no adverse significant effects on the environment from landspreading which is subject to the controls of the Nitrates Regulations or from the handling onsite of organic fertiliser (poultry litter) from the activity or from its use in compost production.

The quantity of nitrogen and phosphorus generated by the activity is 16,320kg/N and 6,120kg/P based on figures available in the Nitrates Regulations (annual nutrient excretion

rates for livestock). Aside from potential pollution and nuisance, which are negative in nature, the application of organic fertiliser to land as fertiliser is a positive effect of the development as it replaces bagged fertiliser and has the bonus of adding soil organic matter. The organic fertiliser generated by the activity represents a negligible quantity relative to the quantity of organic fertiliser arising from the livestock sectors in the Republic of Ireland (cattle, sheep, pigs, poultry).

Indirect Effects

From a cumulative impacts perspective, the installation is in a rural area where the predominant farming activities involve the rearing of livestock. All farms with livestock in the area will produce a quantity of organic fertiliser which they are individually obliged to manage and may use as fertiliser in accordance with the Nitrates Regulations. The EPA Catchment Unit has provided information that identifies and describes the existing water quality issues (cumulative) in the Cavan / Monaghan region and the findings of the recent River Basin Management Report 2018-2021.

EPA analysis shows that there has been an improvement in the status of 19% water bodies between the 2007-2009 and 2010-2015 WFD monitoring cycles. In Cavan/Monaghan region, this figure is higher at 24% improvement of water bodies between the two monitoring periods.

There has been deterioration in water quality status at 22% of water bodies (35) in the Cavan/Monaghan region between the 2007-2009 and 2010-2015 WFD monitoring cycles. However, there are several new initiatives (described below) that will reduce the potential for water pollution due to organic fertiliser generated at this installation.

The National River Basin Management Plan (2018-2021) was published in April 2018. Over the period of the next river basin planning cycle, there will be initiatives such as significant investments in nutrient storage & low-emission spreading equipment (€395 million allocated under the Targeted Agricultural Modernisation Scheme (TAMS), 6,000 inspections by LA/DAFM personnel, the deployment of 43 local authority investigative assessment personnel and 30 Sustainability Advisors promoting agricultural best practice in 190 Areas for Action nationally.

Decisions on Priority Areas for Action were made through the local-authority-led regional structures, supported by the EPA's scientific analysis and evidence-base. It is noted that 11 of the 15 priority areas for action in this region (Cavan/Monaghan) have agriculture listed as a pressure. The TAMS scheme will promote targeted uptake in these areas, an initiative that will be supported by the EPA through Water Policy Advisory Committee(WPAC) and associated committees. The EPA (OEE) will continue our enforcement of EPA licences on a risk based approach and the Catchment Unit will continue to assess environmental outcomes.

Targeted monitoring as envisaged under the National River Basin Management Plan, allied with multi-party enforcement (OEE/LA/DAFM) will provide an early warning of potential problems/improvements and of the possible need to adapt the Plan to ensure protection of our waters.

Conclusion:

If the activity is carried on in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

I am satisfied that there will be no adverse significant effects, including cumulative and indirect effects, on the environment from landspreading of organic fertiliser produced by this activity, which is subject to the controls of the Nitrates Regulations or from the handling onsite of

organic fertiliser (poultry litter) from the activity or from its use in compost production. No significant cumulative impact has been identified.

12.2 Wash water

Wash water is generated by the activity approximately every 16 weeks, after the poultry litter has been removed from the poultry houses. Prior to washing the houses the floors are brushed to reduce the quantity of poultry litter remaining in the houses. The houses are then washed down with water and disinfectant applied. The wash water is directed to wash water storage tanks where it is contained until sent off-site for use as fertiliser. The wash water consists of water contaminated with poultry litter and small quantities of disinfectant. The wash water is considered suitable for use on land as fertiliser and such use is provided for by the Nitrates Regulation and Animal By-Product Regulations.

Wash water from the activity is currently collected in a wash water tank, located at the end of the existing house. For the proposed expansion, wash water will be collected in two wash water collection tanks, one for each house, each with an estimated capacity of 15.9m^3 (net of freeboard). The wash water storage capacity may be supplemented by storage available in the applicant's off-site bovine slurry storage tanks. The wash water storage tanks and supplementary tanks provide in excess of the 26-week storage capacity requirement in the Nitrates Regulations.

The applicant has identified that the wash water will be spread on the applicant's landholding adjoining the installation. The quantity of wash water that will be generated by the expanded activity has been calculated to be 60m^3/annum.

Mitigation Measures:

The following mitigation measures will further reduce the likelihood of an impact on water and soil quality from organic fertiliser (including wash water) and from accidental spillages arising onsite:

- The licensable activity takes place on an impermeable concrete base;
- The poultry litter is dry;
- All houses are thoroughly brushed out and all organic fertiliser is removed from the installation before washing commences, reducing the nutrient content of the resulting wash water;
- No organic fertiliser storage onsite (other than wash water);
- The provision of in excess of 26 weeks' organic fertiliser (wash water) storage capacity;
- The provision of wash water collection facilities; and
- All wash water is diverted to wash water storage tanks.

The RD requires the movement of the wash water to the land be recorded and the submission of a record of the export (Record 3) to DAFM in accordance with the Nitrates Regulations, as outlined above for poultry litter. The transport and use of wash water as fertiliser in accordance with the Nitrates Regulations and Animal By-Product Regulations will not cause environmental pollution.

The RD requires that records are kept of all organic fertiliser movements off-site and that such records shall be available onsite and sent to the DAFM annually, as required in accordance with the Nitrates Regulations.

The RD requires that a freeboard of at least 200 mm from the top of each covered organic fertiliser storage tank and 300 mm from the top of uncovered organic fertiliser storage tanks

is maintained, as a minimum, at all times. The required freeboard shall be clearly indicated in the tank.

The RD requires that the wash water storage tanks shall be fitted with high liquid level indicators by 01/11/2019. It also requires that the integrity of all underground effluent storage tanks is assessed 01/11/2019, and at least once every five years thereafter. Each of these measures significantly reduces the likelihood of spillages from the wash water storage tanks themselves.

The RD also requires that the storm water discharge points are visually inspected weekly and monitored for BOD or COD as required by the Agency, in accordance with Schedule C.2.3 Monitoring of Storm Water Emissions.

The RD includes conditions in relation to materials handling. The RD requires appropriate storage of materials and wastes, that loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off, and that bunding be provided for all tank and drum storage areas.

The RD also requires that accident and emergency response procedures are put in place and that there is an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the installation.

There are no other installations or activities in the vicinity where there could be a significant risk of release of wash water or other substances to ground that could lead to likely or significant cumulative effects on groundwater, soil, surface water or habitats when considered in tandem with the activities at this installation.

Conclusion:

Based on the above assessments and the mitigation measures proposed, I am satisfied that there will not be significant effects on the environment from the storage and management of organic fertiliser (including wash water) or from accidental spillage of materials to water, groundwater or soil at the installation.

Accordingly, if the activity is carried on in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

13. Other Matters relating to EIA

13.1 Effects on landscape, material assets and cultural heritage

(a) Disturbance of archaeology and architecture from the operation of the activity

Any loss of archaeological or architectural heritage could impact negatively on Population & human health. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments onsite and are not controlled by the Agency. The planning authority has considered the impacts to be acceptable.

There are no buildings or features of architectural significance and no known archaeological features at or near the site of the installation. There is a ringfort/rath over 400m north-west of the site. It is very difficult to envisage any pathway by which emissions from the operation of the activity could impact any feature which may be present.

(b) Landscape, visual and cultural impact

Any disturbance of the landscape or the cultural heritage of an area has the potential to impact on Population & human health and their enjoyment of the surrounding area. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments onsite and are not controlled by the Agency. The planning authority has considered the impacts to be acceptable.

The installation is in an agricultural area that is not highly populated. Emissions from the operation of the activity will not impact on the agricultural landscape and culture of the area.

No mitigation measures have been proposed in relation to (a) and (b) above.

Overall Conclusions in relation to effects on landscape, material assets and cultural heritage from the activity

I am satisfied that there will not be significant effects on landscape, material assets and cultural heritage from the operation of the activity.

Accordingly, if the activity is carried out in accordance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution.

14. Environmental Impact Assessment

14.1 Statutory Provisions

This EIA has had regard to the information provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information where appropriate and includes the licence assessment completed in this Report.

I have carried out an examination, analysis and evaluation of the information provided by the applicant, including the EIAR, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. A summary the submissions made by third parties has been set out at Section 4 of this report.

Having regards to the requirements of EIA Directive 2014/52/EU, I am satisfied that:

(i) the environmental effects arising as a consequence of the proposed activity have been satisfactorily identified, described and assessed in accordance with the requirements of Article 3;

(ii) the information contained in the EIAR has been prepared by competent experts and complies with the provisions of Article 5;

(iii) the EIAR contains a non-technical summary in accordance with the requirements of Article 5;

(iv) the public have been given early and effective opportunity to participate in the environmental decision-making procedure.

14.2 Alternatives

The matter of alternatives is addressed in Chapter 3 of the EIAR.

The consideration of an alternative site does not arise for this installation as it is an existing activity. The consideration of an alternative process does not arise for this installation as it is an existing activity. The existing option for the management of organic fertiliser produced from the activity is long established and the best option for its management.

In this regard, I consider that the matter of the examination of alternatives has been satisfactorily addressed.

14.3 Likely Significant Direct and Indirect Effects

The likely significant direct and indirect effects of the development are considered in this Inspectors Report under the following headings, after those set out in Article 3 of the EIA Directive 2014/52/EU; population and human health, biodiversity, soil, water, air, climate, material assets, cultural heritage, landscape and the interaction of effects.

14.3.1 Population & Human Health

Overall Conclusions

The likely significant direct and indirect effects of the development on population and human health has been identified, described and assessed in Sections 5, 6, 7, 8, & 13 of this Report. I have examined all the information on population and human health, provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of population and human health.

14.3.2 Biodiversity

Overall Conclusions

The likely significant direct and indirect effects of the development on biodiversity has been identified, described and assessed in Sections 5, 6, 7, 8, & 13 of this Report. I have examined all the information on biodiversity provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of biodiversity.

14.3.3 Land and Soil

Overall Conclusions

The likely significant direct and indirect effects of the development on land and soil have been identified, described and assessed in Sections 6 & 13 of this Report. I have examined all the information on land and soil provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of land and soil.

14.3.4 Water

Overall Conclusions

The likely significant direct and indirect effects of the development on water have been identified, described and assessed in Sections 6 & 13 of this Report. I have examined all the information on waste water discharges; storm water discharges; emissions to ground and groundwater provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures and through

the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of waste water discharges; storm water discharges; emissions to ground or groundwater.

14.3.5 Air

Overall Conclusions

The likely significant direct and indirect effects of the development from emissions to air have been identified, described and assessed in Sections 5 & 13 of this Report. I have examined all the information on air provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of air.

14.3.6 Climate

Overall Conclusions

The likely significant direct and indirect effects of the development under the heading climate has been identified, described and assessed in Section 5 & 13 of this Report. I have examined all the information on climate provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of climate.

14.3.7 Landscape, Material Assets and Cultural Heritage

Overall Conclusions

The likely significant direct and indirect effects of the development under the headings material assets, cultural heritage and the landscape has been identified, described and assessed in Sections 9 & 13 of this Report. I have examined all the information on material assets and cultural heritage and the landscape provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that any possible potential effects will be managed and mitigated by any measures proposed. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of material assets, cultural heritage and the landscape.

14.3.8 Interactions of the Foregoing

I have considered the interaction between population and human health, biodiversity, land, soil, water, air, climate, landscape, material assets, cultural heritage and the landscape and the interaction of the likely effects identified throughout this report.

The most significant interactions between factors as a result of the operation of the installation are summarised below:

- Population and human health and biodiversity

Potential impacts due to noise, emissions to air, water and climate. As demonstrated such effects are not considered significant.

- Water, soil, air and biodiversity

Potential impacts from spillages, leaks or accidental discharges of organic fertiliser or soiled water to ground may have a direct or indirect effect on soil, groundwater, surface water and

aquatic habitats and biodiversity. As demonstrated such effects are considered not to be likely or significant.

Overall Conclusions

I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures proposed and through the conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of the interaction between the foregoing environmental factors.

14.4 Cumulative Effects

I am satisfied that based on the assessment, the nature of the activity, the mitigation measures in place or proposed, and the conditions in the RD that there is not likely to be a significant cumulative effect from emissions to water from the installation and from other activities in the area.

Conclusion

The cumulative effects of the development have been identified, described assessed in this report. I have examined all of the information provided by the applicant, received through consultation and written submissions. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD.

14.5 Vulnerability of the Project

The risks of accidents associated with the activity are dealt with in Section 10 of this report. Consequently, no specific mitigation measures have been proposed in relation to these effects.

Conclusion

The vulnerability of the activity to risks of major accidents and/or disasters has been identified, described and assessed in Chapter 4 of the EIAR. I have examined all the information provided by the applicant, received through consultations, written submissions, as well as considering any supplementary information, where appropriate. I am satisfied that there is no significant risk of natural disasters associated with the activity.

14.6 Reasoned Conclusion on the Significant Effects

Having regard to the examination of environmental information contained above and in particular, to the content of the EIAR, supplementary information provided by the applicant and the submissions from third parties in the course of the application, it is considered that there are no potential significant direct or indirect effects of the activity on the environment.

Having regard to the effects (and interactions) identified, described and assessed throughout this report, it is considered that the mitigation and preventative measures proposed will enable the activity to operate without causing environmental pollution. Monitoring and enforcement by the Agency will ensure that, where non-compliances emerge, they are detected and remedied before they have the potential to cause significant environmental pollution.

Accordingly, subject to compliance with the RD and the conditions attached, the operation of the activity will not cause environmental pollution. The conditions of the licence and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions

occurring and limit the environmental consequences of an accidental emission should one occur.

15. Appropriate Assessment

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

In consideration of the documents submitted with the licence application and all submissions and observations made on the licence application, and having considered the processes and emissions associated with the activity (as now outlined throughout this Inspector's report), a screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Site at Kilroosky Lough Cluster SAC.

The activity is 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 activity, 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 activity was not required.

This determination is based on the following:

(i) Uncontaminated surface run-off from roofs and clean paved areas within the installation will be collected separately from the wash water and drain to the local drainage channels. The local stream (Balladian Stream) drains to the Dromore 36 River which eventually drains into the Annalee River. The nearest downstream European Site from the installation is the Lough Oughter and Associated Loughs SAC, which is located approximately 45 km downstream of the installation on the Annalee River.

(ii) The risk of surface water or groundwater contamination as a result of accidental emissions during washing activities, or from spillage from the wash water tanks, is minimal. Any potential accidental emissions from the activity will not impact on the qualifying interests of the European sites identified above.

(iii) The poultry litter generated at the installation has a high dry matter content and will remain within the concrete-floored, covered pullet houses until all pullets are removed at the end of the batch. Therefore, there is no pathway between the litter and surface water/groundwater while the houses are stocked. When the houses are destocked the litter will be removed from the sheds and loaded onto lorries for transport off-site for composting or may be used as a fertiliser on land in accordance with the Nitrates Regulations and the houses will be brushed and washed down. Therefore, I am satisfied beyond reasonable scientific doubt that this method of handling and controlling the organic fertiliser from the activity within the installation boundary will not have a significant effect on any European Site.

(iv) Wash water will be used as a fertiliser on lands that are not within the installation boundary. Poultry litter will be transported by a contractor to composting facilities or may be used as an organic fertiliser on land in accordance with the Nitrates Regulations. The licence, if granted, relates to the site of the activity for which the licence application is made, i.e. the rearing of poultry within the installation boundary, and does not extend to the lands on which organic fertiliser may be used as fertiliser beyond the installation boundary. The regulatory controls in place in relation to the transport and use of organic fertiliser as fertiliser on land beyond the installation

boundary, where this method of recovery is used, will ensure that the use of organic fertiliser from the activity as fertiliser on land beyond the installation boundary will not have a significant effect on any European Sites.

(v) The activities which can take place within European sites are restricted by legislation. All persons must obtain the written consent from the relevant Minister before performing particular operations on, or affecting, particular habitats where they occur on lands/waters within the Special Areas of Conservation and Special Protection Areas. Hence, further regulatory controls exist for the spreading of fertilisers within European sites.

(vi) Based on the use of SCAIL Agriculture, ammonia emissions and nitrogen deposition from this activity are not predicted to have a significant impact on sensitive receptors within the European Site listed above.

(vii) Noise levels from poultry installations are typically very low and as the nearest European Site is approximately 23.4 km (direct distance) from the installation (Kilroosky Lough Cluster SAC), it is considered that noise will not impact on the qualifying interests within those European Sites.

(viii) Given the small scale of emissions associated with the activity, it is considered that the activity in combination with other plans or projects will not have a significant effect on any protected sites.

16. Fit & Proper Person Assessment

The Fit & Proper Person test requires three elements of examination:

(1) Technical Ability
The applicant, Mr Declan Sullivan, is an existing and experienced operator of a poultry farm. It is considered that the applicant has demonstrated the technical knowledge required.

(2) Legal Standing
Records show that neither the applicant nor any relevant person has relevant convictions.

(3) Financial Standing/Provision
Due to the nature of the activity, it is not likely to lead to significant environmental liabilities upon cessation.
The applicant has supplied a declaration confirming that no relevant bankruptcy or other insolvency proceedings exist. He declares no creditor arrangements with creditors nor has he been forced to suspend business activities due to financial insolvency. The application states that the Licensee will maintain adequate public liability insurance in relation to the farm to cover any unforeseen accidents.

It is my view that the applicant can be deemed a Fit & Proper Person for this application.

17. Capacity of Installation

Monaghan County Council have confirmed that the maximum capacity permitted by the planning permissions granted for this site is 60,000 pullets. The EIAR prepared in support of the planning application refers to a capacity of approximately 60,000. It is noted that the licence application was made for a capacity of 60,000 birds.

Therefore, Schedule A of the RD limits the number of birds housed onsite to 60,000 pullets.

18. Site Visit

A site visit was undertaken on 05 April 2018 by Mary Sheehan, Environmental Licensing Programme. The following aspects were noted during a tour of the site:

- There were no notable odours detectable outside the site boundary.
- Construction work for the expansion of the site to above licensable thresholds had commenced and construction activity was observed on the day of the visit.
- The existing house was not stocked on the day of the visit.
- The location of the land drain receiving the storm water from the site.
- Site infrastructure.

19. Cross Office Consultation

Extensive communication has taken place between the ELP and the Office of Environmental Enforcement (OEE) in relation to licensing of the intensive agricultural sector. Advice and guidance issued by the OEE co-ordinated Intensive Agriculture Sectoral Working Group was followed in my assessment of this application. The ELP consulted with the Catchments Unit in relation to water quality issues in the general area.

20. Charges

The annual enforcement change recommended in the RD is €2,552, which is considered appropriate to cover the costs associated with the enforcement of the RD.

21. Recommendation

The RD specifies the necessary measures to provide that the installation shall be operated in accordance with the requirements of Section 83(5) of the EPA Act 1992 as amended and has regard to the AA screening and EIA screening. The RD gives effect to the requirements of the Environmental Protection Agency Acts 1992 as amended and has regard to submissions made.

I recommend that a Proposed Determination be issued subject to the conditions and for the reasons as drafted in the RD.

Signed

Éimer Godsil
Mary Sheehan
Luke Heffernan
Deirdre French

Procedural Note

In the event that no objections are received to the Proposed Determination of the application, a licence will be granted in accordance with Section 87(4) of the Environmental Protection Agency Acts 1992 as amended as soon as may be after the expiration of the appropriate period.

Appendices

1.List of European Sites assessed

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

Site Code	Site Name	Distance To (km)	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives
001786	Kilroosky Lough Cluster SAC	Approx. 23.4 km	**Habitats** 3140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp. 7210 Calcareous fens with Cladium mariscus and species of the Caricion davallianae* 7230 Alkaline fens **Species** 1092 White-clawed Crayfish *(Austropotamobius pallipes)*	NPWS (2018) Conservation objectives for Kilroosky Lough Cluster SAC [001786]. Generic Version 6.0. Department of Culture, Heritage and the Gaeltacht. http://www.npws.ie/sites/default/files/protected sites/conservation_objectives/CO001786.pdf

2. Relevant European (and international) legal instruments

The following Irish and European and international legal instruments are regarded as relevant to this application assessment and have been considered in the drafting of the RD.

Industrial Emissions Directive (IED) (75/10/EU)
Environmental Impact Assessment (EIA) Directive (85/337/EEC, as amended)
Habitats Directive (92/43/EC) & Birds Directive (79/409/EEC)
Water Framework Directive [2000/60/EC]
Air Quality Directives (2008/50/EC and 2004/107/EC)
Environmental Liability Directive (2004/35/CE)
Groundwater Directive (80/68/EEC) and 2006/118/EC
Regulation (EC) No 1069/2009, (Animal by-products Regulation)
Nitrates Directive, 91/676/EEC
Energy Efficiency Directive.

3. Other BREF documents and National BAT notes relevant to this assessment

Sectoral Commission Implementing Decisions	Publication date
Reference Document on the Best Available Techniques for the Intensive Rearing of Poultry or Pigs	February 2017
Horizontal BREF	Publication date
Reference Document on the Best Available Techniques on Emissions from Storage	July 2006
Reference Document on the Best Available Techniques for Energy Efficiency	February 2009