

ENVIRONMENTAL PROTECTION AGENCY ACT 1992 AS AMENDED

NOTIFICATION OF A PROPOSED DETERMINATION OF AN APPLICATION FOR AN INDUSTRIAL EMISSIONS LICENCE IN ACCORDANCE WITH SECTION 87(2) OF THE ENVIRONMENTAL PROTECTION AGENCY ACT 1992 AS AMENDED.

In pursuance of the powers conferred on it by the above mentioned Act the Agency proposes to determine the application for a licence application by: Mr Michael Noel O'Connor, Rathcahill West, Templeglantine, Newcastlewest, County Limerick, (Licence Register No.P1042-01), under Section 83(1) of the said Act in the following manner:

The applicant submitted the application, plans, documents and other particulars on 5/07/2016.

It is proposed, for the reasons hereinafter set out, to grant a licence to the above named applicant to carry on the following activity

- : the rearing of poultry in installations where the capacity exceeds 40,000 places

At Rathcahill West, Templeglantine, Newcastlewest, County Limerick subject to twelve Conditions

A copy of the Proposed Determination accompanies this notification.

OBJECTIONS/ORAL HEARING REQUESTS

The applicant and any other person may object to the proposed determination, in accordance with Section 87(5) of the EPA Act 1992 as amended. In accordance with Section 87(12) and Section 87(13) of the EPA Act 1992 as amended, objections must be received at any time no later than:

12 January 2019

A person making an objection may request an oral hearing of the objection, in accordance with Section 87(6) of the EPA Act 1992 as amended at any time no later than the date specified above.

It is important to note that any objection to the proposed determination/request for an oral hearing of the objection must be made either on-line on the Agency's website at www.epa.ie or by sending it by prepaid post to the Headquarters of the Agency, or by leaving it with an employee of the Agency at **the Headquarters of the Agency in Wexford**, during office hours, i.e. 9.00am to 5.00pm Monday to Friday.

An objection against the proposed determination must include the grounds for the objection. An objection and a request for an oral hearing of an objection must **each** be accompanied by the appropriate fee, and be addressed to the Office of Environmental Sustainability, EPA Headquarters, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

Note: The form and content of an objection is set out in the attached extract from the Environmental Protection Agency (Industrial Emissions) (Licensing) Regulations 2013. S.I. 137 of 2013.

The fees for an objection and request for an oral hearing of the objection are as set out in the Environmental Protection Agency (Licensing Fees) Regulations 1994 to 2006.



A valid objection/request for an oral hearing of the objection must be received at the headquarters of the Agency **no later than 5.00 pm on the applicable date above.**

In order to be considered valid, an objection and a request, each must also comply with the other statutory requirements in relation to objections and requests for oral hearings as set out in the EPA Act 1992, as amended, the EPA (Industrial Emissions) (Licensing) Regulations 2013 and the EPA (Licensing Fees) Regulations 1994 to 2013. Extracts from the Acts and the Regulations accompany this notification.

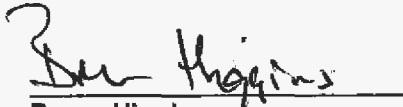
In the event that:

- (a) no objection is taken against the proposed determination or
- (b) an objection or objections is or are taken against the proposed determination and the objection or objections is or are withdrawn,

the Agency will make its decision in accordance with the proposed determination and grant the licence as soon as may be thereafter.

A copy of the proposed determination may be downloaded from the Agency's website www.epa.ie or obtained from the Office of Environmental Sustainability, Environmental Licensing Programme, EPA Headquarters, P.O. Box 3000, Johnstown Castle Estate, County Wexford.

Signed on behalf of the said Agency:



Breen Higgins
Authorised Person

Date of notification:

7 December 2018

Regulation 25 of the Environmental Protection Agency(Industrial Emissions) (Licensing) Regulations 2013

Form and content of objection

- (1) An objection shall-
 - (a) be made in writing,
 - (b) state the name and address of the objector,
 - (c) state the reference number given under Regulation 38(2) to the application or the review in the register of licences and the subject matter of the objection,
 - (d) state the grounds for the objection and the reasons, considerations and arguments on which they are based, and
 - (e) be accompanied by a fee specified in accordance with Section 99A of the Act of 1992.
- (2) Without prejudice to Regulation 27, an objector shall not be entitled to elaborate in writing upon, or make further submissions in writing in relation to, the grounds for the objection stated in the objection, or to submit further grounds of objection and any such elaboration, submission or further grounds for the objection that is or are received by the Agency shall not be considered by it.
- (3)
 - (a) An objection shall be accompanied by such documents, particulars or other information relating to the objection as the objector considers necessary or appropriate.
 - (b) Without prejudice to Regulation 27, the Agency shall not consider any documents, particulars or other information submitted by an objector other than the documents, particulars or other information which accompanied the objection.
- (4) An objection shall be made -
 - (a) by sending the objection by prepaid post to the headquarters of the Agency, or
 - (b) by leaving the objection with an employee of the Agency at the headquarters of the Agency during office hours, or
 - (c) online via the website of the Agency where such facility is made available by the Agency.
- (5) The Agency shall as soon as may be after receipt of an objection acknowledge such receipt

Sections 87(6) & (7) of the Environmental Protection Agency Act 1992 as amended



Section 87
Processing of
applications for
licences or reviews
of licences

- (6) (a) A person making an objection under subsection (5) may request an oral hearing of the objection.
- (b) (i) A request for an oral hearing of an objection shall be made in writing to the Agency and shall be accompanied by such fee (if any) as may be payable in respect of such request in accordance with regulations under Section 99A.
- (ii) A request for an oral hearing of an objection which is not accompanied by such fee (if any) as may be payable in respect of such request shall not be considered by the Agency.
- (c) A request for an oral hearing of an objection shall be made before the expiration of the appropriate period, and any request received by the Agency after the expiration of that period shall not be considered by it.
- (7) An objection, or a request for an oral hearing under subsection (6), shall be made-
- (a) by sending the objection or request by prepaid post to the headquarters of the Agency, or
- (b) by leaving the objection or request with an employee of the Agency, at the headquarters of the Agency, during office hours, or
- (c) by such other means as may be prescribed.



Summary of Environmental Protection Agency (Licensing Fees) Regulations 1994 to 2013

The following is a summary of the provisions of the above referenced regulations. Please refer to the full regulations for exact provisions.

Fees for an objection

- (1) A fee shall be paid to the Agency in respect of an objection.
- (2) Subject to (3) below, the fee payable under (1) above shall be the amount indicated in column (3) of the table below opposite the appropriate mention of objection in column (2) of the table below.
- (3) Where an objection is made to the Agency by -
 - (a) a local authority,
 - (b) a planning authority,
 - (c) a sanitary authority,
 - (d) the National Monuments Advisory Council,
 - (e) the Heritage Council
 - (f) Inland Fisheries Ireland,
 - (g) Failte Eireann
 - (h) in the case of an activity any part of which is situate within the functional area of the Shannon Free Airport Development Company Ltd., that Company, and
 - (i) An Taisce - The National Trust for Ireland,
 the fee payable in respect of the objection shall be the amount indicated in column (3) of the table below opposite the mention of a reduced fee for an objection in column (2) of the table below.

Fee for request for an oral hearing

- (1) Where a person making an objection under Section 87(5) of the Act of 1992, as amended, requests an oral hearing of the objection, a fee shall be paid to the Agency by that person. The fee payable in respect of a request for an oral hearing shall be the amount indicated in column (3) of the table below opposite the mention of the fee for an oral hearing in column (2) of the table below.



eppa

Environmental Protection Agency
An Ghníníocht um Chaomnú Comhshaoil

Column (1)	Column (2)	Column (3)
Objection Fees	Objection by the applicant or licensee	€253
	Objection by any other person other than a person mentioned at 3 above	€126
Reduced Objection fee (see 3 above)	Reduced fee for an objection	€63
Oral Hearing Fee	Fee for request for an oral hearing	€100





Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

**INDUSTRIAL EMISSIONS LICENCE
Proposed Determination**

Licence Register Number:	P1042-01
Applicant:	Mr. Michael Noel O'Connor
Location of Installation:	Rathcahill West, Templeglantine, Newcastlewest, County Limerick

INTRODUCTION

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

Mr Michael Noel O'Connor owns and operates a poultry (broiler) rearing farm at Rathcahill West, Templeglantine, Newcastlewest, County Limerick. The installation is adjacent to the village of Templeglantine, County Limerick. The installation currently accommodates approximately 74,000 broilers within three poultry houses.

The activity is above the IE licensing threshold of 40,000 places specified under Annex 1 of the Industrial Emissions Directive and the First Schedule of the EPA Act 1992, as amended. This licence limits the number of birds (broilers) housed at the installation to 74,000.

For the purposes of the Industrial Emissions Directive (2010/75/EU), the activity carried out by Mr. Michael Noel O Connor is included in Category 6.6(a) of Annex I of the Directive.

The licence sets out in detail the conditions under which Mr Michael Noel O'Connor will operate and manage this installation.

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Glossary of Terms

All terms in this licence should be interpreted in accordance with the definitions in the Environmental Protection Agency Act 1992 as amended/Waste Management Act 1996 as amended, unless otherwise defined in the section.

AER	Annual Environmental Report.
Agreement	Agreement in writing.
Animal By-Product Regulations	Regulation (EC) No.1069/2009 of the European Parliament and of the Council of 21 October 2009.
Annually	All or part of a period of twelve consecutive months.
Applicable Technique(s)	Technique(s) and their applicability as described in the Commission Implementing Decision (CID) (EU 2017/302) of 15 February 2017 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs. Reference to BAT numbers in the conditions of this Licence are references to the BAT Conclusions according to how they are numbered in the aforementioned CID.
Application	The application by the licensee for this licence.
Appropriate Facility	A waste management facility or installation, duly authorised under relevant law and technically suitable.
Attachment	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
BAT	Best Available Techniques.
BAT conclusions	A document containing the parts of a BAT reference document laying down the conclusions on best available techniques, their description, information to assess their applicability, the emission levels associated with the best available techniques, associated monitoring, associated consumption levels and, where appropriate, relevant site remediation measures.
BAT reference document	A document drawn up by the Commission of the European Union in accordance with Article 13 of the Industrial Emissions Directive, resulting from the exchange of information in accordance with that Article of that Directive and describing, in particular, applied techniques, present emissions and consumption levels, techniques considered for the determination of best available techniques as well as BAT conclusions and any emerging techniques.
Biannually	At approximately six-monthly intervals.
Biennially	Once every two years.

BOD	5 day Biochemical Oxygen Demand (without nitrification suppression).
CEN	Comité Européen De Normalisation – European Committee for Standardisation.
CID	Commission Implementing Decision (EU 2017/302) of 15 February 2017 establishing best available techniques (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs.
COD	Chemical Oxygen Demand.
Containment boom	A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
Customer Farmers	Farmers who may use/recover organic fertiliser generated at the installation as fertiliser on their lands.
Daily	During all days of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement on any one day.
Day	Any 24 hour period.
Daytime	07:00 hrs. to 19:00 hrs.
dB(A)	Decibels (A weighted).
DO	Dissolved oxygen.
Documentation	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
Drawing	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
EIS	Environment Impact Statement.
Emission limits	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> of this licence.
Environmental damage	As defined in Directive 2004/35/EC.
EMS	The aspect of the organisation's overall management structure that addresses immediate and long-term impacts of its products, services and processes on the environment.
EPA	Environmental Protection Agency.
Evening Time	19:00 hrs. to 23:00 hrs.

Facility	Any site or premises used for the purpose of the recovery or disposal of waste.
Fortnightly	A minimum of 24 times per year, at approximately two week intervals.
Freeboard	The difference in elevation between the maximum elevation of the wash water and the minimum elevation of the storage tank (i.e. the minimum spare vertical height between tank contents and point of over-topping).
Groundwater	Has the meaning assigned to it by Regulation 3 of the European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9 of 2010).
Hazardous Substances	Substances or mixtures as defined in Article 3 of Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures
ha	Hectare
Hours of operation	The hours during which the installation is authorised to be operational.
IE	Industrial Emissions.
IFI	Inland Fisheries Ireland.
Incident	The following shall constitute as incident for the purposes of this licence: <ul style="list-style-type: none">(i) an emergency;(ii) any emission which does not comply with the requirements of this licence;(iii) any malfunction or breakdown of key environmental abatement, control or monitoring equipment;(iv) any trigger level specified in this licence which is attained or exceeded; and(v) any indication that environmental pollution has, or may have, taken place.
Industrial Emissions Directive	Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (Recast).
Installation	A stationary technical unit or plant where the activity concerned referred to in the First Schedule of EPA Act 1992 as amended is or will be carried on, and shall be deemed to include any directly associated activity, which has a technical connection with the activity and is carried out on the site of the activity.
Intensive Pig and/or Poultry Unit	Activities which are required to hold an IE Licence.
Irish Water	Irish Water, Colvill House, 24/26 Talbot Street, Dublin 1.

L_{Aeq,T}	This is the equivalent continuous sound level. It is a type of average and is used to describe a fluctuating noise in terms of a single noise level over the sample period (T).
L_{Ar,T}	The Rated Noise Level, equal to the L _{Aeq} during a specified time interval (T), plus specified adjustments for tonal character and/or impulsiveness of the sound.
Licensee	Mr. Michael Noel O Connor, Rathcahill West, Templeglantine, Newcastlewest, County Limerick.
List of Wastes (LoW)	A harmonised, non-exhaustive list of wastes drawn up by the European Commission and published as Commission Decision 2014/955/EU, as amended by any subsequent amendment published in the Official Journal of the European Community.
Livestock	All animals kept for use or profit (including cattle, horses, pigs, poultry, sheep and any creature kept for the production of food, wool, skins or fur) as assigned to it by Regulation 4(1) of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2014 (S.I. 31 of 2014).
Local Authority	Limerick County Council.
Maintain	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.
Manure	Animal faeces, urine, wash water and any associated feed or bedding.
Monthly	A minimum of 12 times per year, at intervals of approximately one month.
New Activity	Activity first licensed following the publication of the BAT conclusions under the Commission Implementing Decision 2017/302/EU, BAT conclusion requirements must be met by the installation before commencement of operations.
Night-time	23:00 hrs. to 07:00 hrs.
Noise-sensitive location (NSL)	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other premises or area of high amenity which for its proper enjoyment requires the absence of noise at nuisance levels.
Odour-sensitive location	Any dwelling house, hotel or hostel, health building, educational establishment, place of worship or entertainment, or any other premises or area of high amenity which for its proper enjoyment requires the absence of odour at nuisance levels.
Organic fertiliser	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 sludges and residues from fish farms.
Owner/operator	IE licensee.

Poultry	Shall be construed in accordance with Regulation 2(2) of the European Communities (Poultry and Hatching Eggs) Regulations 2010 (S.I. No. 564 of 2010).
PRTR	Pollutant Release and Transfer Register.
Quarterly	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
Relevant Hazardous Substances	Those substances or mixtures defined within Article 3 of Regulation (EC) No 1272/2008 on the classification, labelling and packaging of substances and mixtures (CLP Regulation) which, as a result of their hazardousness, mobility, persistence and biodegradability (as well as other characteristics), are capable of contaminating soil or groundwater and are used, produced and/or released by the installation.
SAC	Special Area of Conservation designated under the <i>Habitats Directive</i> , Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.
Sample(s)	Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
Soil	The top layer of the Earth's crust situated between the bedrock and the surface. The soil is composed of mineral particles, organic matter, water, air and living organisms.
SOP	Standard operating procedure.
SPA	Special Protection Area designated under the <i>Birds Directive</i> , Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.
Specified emissions	Those emissions listed in <i>Schedule B: Emission Limits</i> , of this licence.
Standard method	A National, European or internationally recognised procedure (e.g. I.S. EN, ISO, CEN, BS or equivalent); or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.
Storm water	Rain water run-off from roof and non-process areas.
The Agency	Environmental Protection Agency.
Wash water	Water contaminated by use in the washing of yards and animal housing.
Waste	Any substance or object which the holder discards or intends or is required to discard.
Water Services Authority	Limerick County Council.

Weekly

During all weeks of plant operation and, in the case of emissions, when emissions are taking place; with at least one measurement in any one week.

Decision & Reasons for the Decision

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any emissions from the activity will comply with and will not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Act 1992 as amended.

The Agency also considers that the activity will not adversely affect the integrity of any European Site, and has decided to impose conditions for the purposes of ensuring they do not do so. It has determined that the activity, if managed, operated and controlled in accordance with the licence, will not have any adverse effect on the integrity of any of those sites.

The Agency has applied the Commission Implementing Decision of 15/02/2017 establishing Best Available Techniques (BAT) Conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on Industrial Emissions, for the Intensive rearing of poultry or pigs (EU/2017/302) as a reference when setting licence conditions.

The Agency accordingly proposes to grant a licence to Mr Michael Noel O Connor to carry on the activity listed in *Part I, Schedule of Activities Licensed*, subject to the conditions set out in *Part II, Conditions*.

In reaching this decision the Agency has considered the documentation relating to:

- the application, Register Number: P1042-01 and the supporting documentation received from the applicant;
- the submissions received;
- the Inspector's Report dated 5th December 2018.

and has carried out an Environmental Impact Assessment (EIA) Screening and an Appropriate Assessment of the likely significant effects of the activity on European Sites.

It is considered that the Inspector's Report contains a fair and reasonable examination, evaluation and analysis of the likely significant effects of the activity on the environment, and adequately and accurately identifies, describes and assesses those effects. The assessment as reported in this document is adopted as the assessment of the Agency. Having regard to this assessment, it is considered that the activity, if managed, operated and controlled in accordance with the licence will not result in the contravention of any relevant environmental quality standards or cause environmental pollution.

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 Sites at Lower River Shannon SAC, Blackwater River (Cork/Waterford) SAC, Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA and Moanveanlugh Bog 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 cannot 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 required, and for this reason determined to require the applicant to submit a Natura Impact Statement. Air emissions have been modelled by the Agency using a screen model (SCAIL Agriculture, <http://www.scail.ceh.ac.uk>). The model results indicated that the potential for significant adverse impact of ammonia emissions and their consequential potential impact on sensitive receptors cannot be ruled out due to the proximity of the installation to the European Site at Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA.

The licensee re-ran the SCAIL model, as part of completion of a Natura Impact Statement with more refined details, the model indicated a significant reduced contribution from the installation and showed that there will be no exceedance of the $3\mu\text{gNH}_3/\text{m}^3$ critical level for ammonia at the European Sites. The Agency has completed the Appropriate Assessment of potential impacts on these sites and has made

certain, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the activity, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Lower River Shannon SAC, Blackwater River (Cork/Waterford) SAC, Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA and Moanveanlagh Bog SAC, having regard to their conservation objective's and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this licence and the conditions attached hereto for the following reasons:

- The installation is not located within a European site.
- The only surface water pathway connecting the installation to European sites arises where the clean storm water from the site discharges to a drain through SW1 which discharges into the Ballymurragh-East Stream, this then flows 500m west to the Doonakenna River. The Doonakenna River flows 5.3km southwesterly to join the Allaghaun River (Lower River Shannon SAC), which flows 7.5km west to join the River Feale. The River Feale continues for approximately 37km into the Mouth of the Shannon.
- 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. The provision of bunding and the protection of surface water and ground water are sufficient to ensure that accidental emissions from the activity will not impact on the qualifying interests of the European sites identified above.
- The litter generated at the installation has high dry matter content and remains within the concrete-floored, covered broiler houses until all broilers 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 is removed from the sheds and loaded onto lorries for transport offsite for composting and the houses are brushed and washed down. Considering the controls in place in relation to the management of organic fertiliser on site the Agency is satisfied beyond reasonable scientific doubt that this method of handling the organic fertiliser (poultry litter) from the activity within the installation boundary will not have a significant effect on any European site.
- Wash water is used as a fertiliser on lands that are not within the installation boundary, in accordance with the Nitrates Regulations. Poultry litter is 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 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. There are regulatory controls in place in relation to the transport and use of organic fertiliser as fertiliser on land beyond the installation boundary. The Nitrates Regulations make it possible for DAFM to know and take account of the additional input of nitrogen and phosphorous from the activity, with a view to ensuring there is no downstream environmental pollution. It is considered that the regulatory systems in place will ensure that cumulative impacts as a result of the use of organic fertiliser on land from this activity will not have a significant effect on any European sites.
- In addition, the Agency notes that 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 Area of Conservation. Hence, further regulatory controls exist for the spreading of fertilisers within European sites. Therefore, the Agency considers that the use of poultry litter and wash water as fertiliser in accordance with the Nitrates Regulations will not cause environmental pollution and the Agency is satisfied beyond reasonable scientific doubt that use of wash water and poultry litter as fertiliser from the activity will not have a significant effect on any European sites. The Agency is also satisfied that the use of the applicant's poultry litter for mushroom composting will not cause environmental pollution and the Agency is satisfied

beyond reasonable scientific doubt that this method of handling the organic fertiliser (poultry litter) from the activity will not have a significant effect on any European site.

- Noise levels from poultry installations are very low, the nearest European Site is 230m north west of the installation (Stacks to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA) and it is considered that noise will not impact on the qualifying interests within that European Site.
- Air emissions have been modelled using a screen model (SCAIL Agriculture, <http://www.scail.ceh.ac.uk>), initially by the Agency using limited input data and subsequently with details such as house design and type and position of ventilation. The model results indicate that process emissions from the site will contribute insignificantly to ammonia and nitrogen deposition levels at the remaining designated sites. The SCAIL Agriculture model is conservative.
- The licensee has proposed a number of measures which comply with BAT to reduce the likely impact of ammonia and nitrogen deposition on the designated sites. This includes a commitment to use low protein diets for the birds.

The Agency is satisfied that no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of those European Sites Lower River Shannon SAC, Blackwater River (Cork/Waterford) SAC, Stack's to Mullaghareirk Mountains, West Limerick Hills and Mount Eagle SPA and Moanveanlagh Bog SAC.

Part I Schedule of Activities Licensed

In pursuance of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, the Agency proposes to grant this Industrial Emissions licence to:

Mr Michael Noel O'Connor, Rathcahill West, Templeglantine, Newcastlewest, County Limerick

under Section 83(1) of the said Act to carry on the following activity:

- the rearing of poultry in installations where the capacity exceeds 40,000 places

at Rathcahill West, Templeglantine, Newcastlewest, County Limerick subject to the following twelve Conditions, with the reasons therefor and associated schedules attached thereto.

Part II Conditions

Condition 1. Scope

- 1.1 Industrial Emissions Directive activities at this installation shall be restricted to those listed and described in *Part I Schedule of Activities Licensed*, and shall be as set out in the licence application or as modified under Condition 1.4 of this licence and subject to the conditions of this licence.
- 1.2 Bird numbers housed at this installation shall be limited as set out in *Schedule A: Limitations of this licence*.
- 1.3 For the purposes of this licence, the installation is the area of land outlined in red on the Drawing No. 10 Rev3 of the application. Any reference in this licence to "installation" shall mean the area thus outlined in red. The licensed activity shall be carried on only within the area outlined.
- 1.4 No alteration to, or reconstruction in respect of, the activity, or any part thereof, that would, or is likely to, result in
- (i) a material change or increase in:
- the nature or quantity of any emission;
 - the abatement/treatment or recovery systems;
 - the range of processes to be carried out;
 - the fuels, raw materials, intermediates, products or wastes generated, or
- (ii) any changes in:
- site management, infrastructure or control with adverse environmental significance;
- shall be carried out or commenced without prior notice to, and without the approval of, the Agency.
- 1.5 The installation shall be controlled, operated and maintained and emissions shall take place as set out in the licence. All programmes required to be carried out under the terms of this licence become part of this licence.
- 1.6 This licence is for the purpose of IE licensing under the EPA Act 1992 as amended only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.

Reason: <i>To clarify the scope of this licence.</i>

Condition 2. Management of the Installation

2.1 Installation Management

- 2.1.1 The licensee shall ensure that a person in charge, as defined under the terms of the Environmental Protection Agency Act 1992 as amended shall be available on-site to meet with authorised persons of the Agency at all reasonable times.

2.2 Environmental Management System (EMS)

- 2.2.1 The licensee shall establish, maintain and implement an Environmental Management System (EMS), which shall incorporate energy efficiency management, within six months of the date of grant of this licence. The EMS shall be reviewed for suitability, adequacy and effectiveness and updated on an annual basis.

- 2.2.2 The EMS shall include, as a minimum, the following elements:

2.2.2.1 An environmental policy defined for the installation that includes the continuous improvement for the installation by the management.

2.2.2.2 The necessary procedures, objectives and targets, in conjunction with financial planning and investment.

2.2.2.3 Management and Reporting Structure and responsibility.

2.2.2.4 Procedures for ensuring compliance with environmental legislation.

2.2.2.5 Procedure that pays attention to safeguarding compliance with environmental legislation.

2.2.2.6 A procedure for checking performance by sectoral benchmarking on a regular basis.

2.2.2.7 Following the development of cleaner technologies.

2.2.2.8 Maintenance programmes.

2.2.2.9 Effective process control.

2.2.2.10 Maintenance of records.

2.2.2.11 Schedule of Environmental Objectives and Targets.

The licensee shall prepare, maintain and implement a Schedule of Environmental Objectives and Targets. The Schedule shall, as a minimum, provide for a review of all operations and processes as referred to in Conditions of this licence, including those impacts from eventual decommissioning of the installation. The Schedule shall include waste reduction targets. The Schedule shall include time frames for the achievement of set targets and shall address a five-year period as a minimum. The Schedule shall be reviewed annually.

2.2.2.12 Documentation

(i) The licensee shall establish, maintain and implement an environmental management documentation system.

(i) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

2.2.2.13 Corrective and Preventative Action

(i) The licensee shall establish maintain and implement procedures to ensure that corrective and preventative action is taken should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective and preventative action in the event of a reported non-conformity with this licence shall be defined.

- (ii) Where a breach of one or more of the conditions of this licence occurs, the licensee shall without delay take measures to restore compliance with the conditions of this licence in the shortest possible time and initiate any feasible preventative actions to prevent recurrence of the breach.
- (iii) All corrective and preventative actions shall be documented.

2.2.2.14 Internal Audits

The licensee shall establish, maintain and implement a programme for internal audits of the EMS. Such audits shall be carried out at least once every three years. The audit programme shall determine whether or not the EMS is being implemented and maintained properly, and in accordance with the requirements of the licence. Audit reports and records of the resultant corrective and preventative actions shall be maintained as part of the EMS in accordance with condition 2.2.2.12.

2.2.2.15 Awareness, Training and Competence

The licensee shall establish, maintain and implement procedures for identifying training needs, and for providing appropriate training, for all personnel whose work can have a significant effect upon the environment to ensure awareness and competence in their work area. Appropriate records of training shall be maintained.

2.2.2.16 Communications Programme

The licensee shall establish, maintain and implement a Public Awareness and Communications Programme to ensure that members of the public can obtain information at the installation, at all reasonable times, concerning the environmental performance of the installation.

Reason: *To make provision for management of the activity on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the environment.*

Condition 3. Infrastructure and Operation

- 3.1 The licensee shall establish and maintain, for each component of the installation, all infrastructure referred to in this licence or as required by the conditions of this licence. Infrastructure specified in the application that relates to the environmental performance of the installation and is not specified in the licence, shall be installed in accordance with the schedule submitted in the application.
- 3.2 The licensee shall use all the techniques listed in BAT 2 (good housekeeping) in order to prevent or reduce the environmental impact and improve overall performance of the installation.
- 3.3 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency. With regard to off-site point(s), this requirement is subject to the prior agreement of the landowner(s) concerned.
- 3.4 Tank, Container and Drum Storage Areas
 - 3.4.1 All tank, container and drum storage areas shall be rendered impervious to the materials stored therein. Bunds shall be designed having regard to Agency guidelines 'Storage and Transfer of Materials for Scheduled Activities' (2004).
 - 3.4.2 All tank and drum storage areas shall, as a minimum, be bunded, either locally or remotely, to a volume not less than the greater of the following:
 - (i) 110% of the capacity of the largest tank or drum within the bunded area; or

- (ii) 25% of the total volume of substance that could be stored within the bunded area.
- 3.4.3 All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise. All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated.
- 3.4.4 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 3.4.5 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 3.4.6 All bunds shall be uniquely identified and labelled at the bund.
- 3.5 The licensee shall have in storage an adequate supply of containment booms and/or suitable absorbent material to contain and absorb any spillage at the installation. Once used, the absorbent material shall be disposed of/recovered at an appropriate facility.
- 3.6 From 1 December 2019, the wash water storage tanks shall be fitted with high level liquid indicators.
- 3.7 The licensee shall provide a minimum of 26 weeks storage of organic fertiliser on-site or have a contract providing exclusive access to adequate alternative storage capacity located outside the installation, have a contract for the transfer of organic fertiliser to a treatment facility for livestock organic fertiliser, or have a contract for the transfer of the organic fertiliser to a person registered under and in accordance with the European Communities (Transmissible Spongiform Encephalopathies and Animal By-products) Regulations 2008 S.I. 252 of 2008 to undertake the transport of organic fertiliser.
- 3.8 From 1 December 2019, the licensee shall install and maintain a water meter on all water supplies serving the installation. Records of water usage shall be maintained on site and a summary records report shall be submitted annually as part of the AER.
- 3.9 The licensee shall undertake annual maintenance of the broiler house heating systems and the back-up generator.
- 3.10 All wellheads, as shown on Map 10 Rev3 of the licence application shall be adequately protected to prevent contamination or physical damage within six months from the date of grant of this licence (if required).
- 3.11 The licensee shall establish, maintain and implement a rodent and pest control programme.
- 3.12 The licensee shall apply a leak detection system in accordance with BAT to all storage tanks, container and drum storage areas that contain liquid material other than water.

Reason: To provide for appropriate operation of the installation to ensure protection of the environment.

Condition 4. Interpretation

4.1 Noise

Noise from the installation shall not give rise to sound pressure levels ($L_{Aeq, T}$) measured at the noise sensitive locations which exceed the limit value(s).

Reason: To clarify the interpretation of limit values fixed under the licence.

Condition 5. Emissions

- 5.1 No specified emission from the installation shall exceed the emission limit values set out in *Schedule B: Emission Limits*, of this licence. There shall be no other emissions of environmental significance.
- 5.2 No emissions, including odours, from the activities carried on at the site shall result in an impairment of, or an interference with amenities or the environment beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary.
- 5.3 No polluting matter shall be discharged to the storm water drainage system, other than when the drainage system is directed to the underground wash water storage tanks.
- 5.4 There shall be no emissions to air of environmental significance.
- 5.5 There shall be no unauthorised discharge of polluting matter to water.
- 5.6 There shall be no process effluent emissions to sewer.
- 5.7 The licensee shall ensure that all or any of the following:
- Vermin
 - Birds
 - Flies
 - Mud
 - Dust
 - Litter

associated with the activity do not result in an impairment of, or an interference with, amenities or the environment at the installation or beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary. Any method used by the licensee to control or prevent any such impairment/interference shall not cause environmental pollution.

- 5.8 Nutritional Management
- 5.8.1 The licensee shall ensure that a diet formulation and nutritional strategy is used to reduce the total nitrogen excreted using one or a combination of the techniques given in BAT 3.
- 5.8.2 The licensee shall ensure that a diet formulation and nutritional strategy is used to reduce the total phosphorus excreted using one or a combination of the techniques given in BAT 4.
- 5.9 Ammonia Control
- 5.9.1
- (i) From 1 December 2019 the licensee shall have in place an ammonia management programme outlining ammonia reduction measures, including timeframes for implementation, appropriate for the site.
- (ii) The ammonia management programme shall be reviewed annually and amendments thereto notified to the Agency as part of the AER. A report on the programme, including the success in meeting ammonia reduction on site, shall be prepared and submitted to the Agency as part of the AER.
- 5.9.2 The licensee shall in accordance with BAT 23, estimate or calculate the reduction of ammonia emissions from the whole production process using the BAT implemented at the installation. The estimate or calculated reductions shall be submitted to the Agency as part of the Annual Environmental Report (AER).

Reason: <i>To provide for the protection of the environment by way of control and limitation of emission.</i>
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Condition 6. Control and Monitoring

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and as in accordance with *Schedule C: Control & Monitoring*, of this licence.
- 6.1.1 Sampling and analysis shall be undertaken by competent staff in accordance with documented operating procedures.
- 6.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.
- 6.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.
- 6.1.4 Where any analysis is sub-contracted it shall be to a competent laboratory.
- 6.2 The licensee shall ensure that:
- (i) sampling and analysis for all parameters listed in the Schedules to this licence; and
- (ii) any reference measurements for the calibration of automated measurement systems; shall be carried out in accordance with CEN-standards. If CEN standards are not available, ISO, national or international standards that will ensure the provision of data of an equivalent scientific quality shall apply.
- 6.3 The licensee shall ensure that groundwater monitoring well sampling equipment is available/installed on-site and is fit for purpose at all times. The sampling equipment shall be to Agency specifications.
- 6.4 All emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.5 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended as required or approved by the Agency following evaluation of test results.
- 6.6 The licensee shall, within six months of date of grant of this licence, submit a programme for agreement with the Agency on the assessment of underground and over-ground effluent storage tanks, pipelines and liquid feed storage tanks to ensure that all storage tanks and pipelines are assessed within twelve months of date of grant of this licence, and at least once every five years thereafter. In the case of new storage facilities installed on site, the assessment shall be undertaken in advance of utilisation. A report on such assessment shall be included in the AER, together with proposals for repair of any significant defects found.
- 6.7 **Bund Integrity**
- From 1 December 2019 the integrity and water tightness of all bunding structures and containers and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee. In the case of new bunding structures and containers installed on site, the testing shall be undertaken in advance of utilisation. This testing shall be carried out at least once every three years thereafter and reported to the Agency on each occasion. This testing shall be carried out in accordance with any guidance published by the Agency. A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee. A report on such tests shall be included in the AER.
- 6.8 The licensee shall inspect the integrity of the floors of all deep litter houses after each wash down and shall undertake remedial actions to repair any damaged or cracked floors as necessary. The licensee shall maintain a record of all inspections and remedial actions taken.
- 6.9 The licensee shall, within six months of the date of grant of licence, repair damaged concrete yards over which wash water may be directed or organic fertiliser may be moved. The licensee shall carry out measures to ensure that the ingress of storm/flood water from adjoining lands

- does not generate excess soiled water or cause the release of polluting matter to ground, groundwater or surface waters.
- 6.10 The licensee shall ensure that all organic fertiliser generated on-site is stored in a manner which does not pollute ground or surface waters.
- 6.11 Storm Water
- 6.11.1 A visual examination of the storm water discharge shall be carried out weekly.
- 6.11.2 The licensee shall, within twelve months of the date of grant of this licence, assess the installation of silt traps/swales on the drainage system. The results of the assessment shall be submitted to the Agency as part of the AER.
- 6.11.3 The storm water drainage system (i.e., gullies, manholes, any visible conduits and such other aspects as may be agreed) shall be visually inspected weekly, and desludged as necessary. Bunds and silt traps shall be inspected weekly, desludged as necessary and properly maintained at all times. All sludge and drainage from these operations shall be collected for safe disposal. The drainage system, bunds and silt traps shall be properly maintained at all times. The licensee shall maintain a drainage map on site. The drainage map shall be reviewed annually and updated as necessary.
- 6.11.4 The licensee shall provide and subsequently maintain a rainwater collection and drainage system for all poultry housing on-site.
- 6.11.5 The licensee shall divert all uncontaminated storm water run-off from roofs and non-contaminated impervious areas of the site, to the storm water drainage system from 1 December 2019. The licensee shall provide and maintain an inspection chamber(s) at the outlet(s) of the storm water drainage system.
- 6.12 Wash Water
- 6.12.1 Prior to the commencement of the removal of poultry manure from the poultry houses and any wash down of the poultry houses and yard areas, and until such time as wash down activities are complete, the licensee shall take measures to ensure that wash water will be diverted to the wash water tanks. The licensee shall establish, maintain and implement a written procedure for the diversion of soiled wash water to the underground wash water tanks. The licensee shall maintain a record of each diversion event.
- 6.12.2 The licensee shall use a combination of the techniques listed in BAT 6 in order to reduce the generation of wash water on site.
- 6.12.3 The licensee shall use one or a combination of the techniques listed in in BAT 7 in order to reduce emissions to water from wash water.
- 6.13 The licensee shall calculate and record the quantity of organic fertiliser stored on-site on the 1st January annually. The licensee shall maintain the record on-site and the record shall be available for inspection by authorised persons, including Agency personnel.
- 6.14 The licensee shall ensure that a freeboard of at least 200 mm from the top of each covered wash water storage tanks and 300 mm from the top of uncovered wash water storage tanks is maintained, as a minimum, at all times. The required freeboard shall be clearly indicated in the tank.
- 6.15 Underground, partly underground or overground storage facilities shall conform to the Department of Agriculture, Food and the Marine specifications (S108, S123) or equivalent standard.
- 6.16 Dust
- Notwithstanding the requirements of Condition 5.2, the licensee shall use one or a combination of the techniques listed in BAT 11 in order to prevent, or where that is not practicable, to reduce dust emissions from each animal house.
- 6.17 Noise
- 6.17.1 The licensee shall carry out a noise survey of the site operations as required by the Agency. The survey programme shall be undertaken in accordance with the

methodology specified in the 'Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities (NG4)' as published by the Agency.

- 6.17.2 Notwithstanding the requirements of Condition 5.2, the licensee shall use one or a combination of the techniques listed in BAT 10 in order to prevent, or where that is not practicable, to reduce noise emissions.
- 6.18 Odour Control
- 6.18.1 Notwithstanding the requirements of Condition 5.2, the licensee shall use a combination of the techniques listed in BAT 13 in order to prevent, or where that is not practicable, to reduce odour emissions and/or odour impact.
- 6.19 Pollutant Release and Transfer Register (PRTR)
- The licensee shall prepare and report a PRTR for the site. The substance and/or wastes to be included in the PRTR shall be determined by reference to EC Regulations No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER
- 6.20 Groundwater monitoring shall be carried out at least once every five years. Monitoring shall be carried out in accordance with *Schedule C.6.1 Groundwater Monitoring*, of this licence.
- 6.21 Solid Manure Storage
- 6.21.1 The licensee shall use one or a combination of the techniques listed in BAT 14 (Emissions from solid manure storage), in order to reduce ammonia emissions to air from the storage of solid manure.
- 6.21.2 The licensee shall use a combination of the techniques listed in BAT 15 (Emissions from solid manure storage), in order to prevent, or where that is not practicable, to reduce emissions to soil and water from the storage of solid manure.
- 6.22 The licensee shall use one or a combination of techniques listed in BAT 31 (Ammonia emissions from poultry houses) in order to reduce ammonia emissions to air from each house for broilers.
- 6.23 The licensee shall use one or a combination of the techniques listed in BAT 32 (Ammonia emissions from houses for broilers), in order to reduce ammonia emissions to air from each house for broilers.

<p>Reason: <i>To provide for the protection of the environment by way of treatment and monitoring of emissions.</i></p>
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Condition 7. Resource Use and Energy Efficiency

- 7.1 From 1 December 2019 the licensee shall carry out an audit of the energy efficiency of the site. The audit shall be carried out in accordance with the guidance published by the Agency, "Guidance Note on Energy Efficiency Auditing". The energy efficiency audit shall be repeated at intervals as required by the Agency.
- 7.2 The audit shall identify all opportunities for energy use reduction and efficiency and the recommendations of the audit shall be incorporated into a Resource Use and Energy Programme.
- 7.3 The licensee shall use a combination of the techniques listed in BAT 8 (Efficient use of energy), to ensure that energy is used efficiently.
- 7.4 The licensee shall identify opportunities for reduction in the quantity of water used on site including recycling and reuse initiatives, wherever possible. Reductions in water usage shall be incorporated into a Resource Use and Energy Programme.

- 7.5 The licensee shall use a combination of the techniques listed in BAT 5 (Efficient use of water), in order to use water efficiently.
- 7.6 The licensee shall undertake an assessment of the efficiency of use of raw materials, including feeds, in all processes, having particular regard to the reduction in waste generated. The assessment should take account of best international practice for this type of activity. Where improvements are identified, these shall be incorporated into a Resource Use and Energy Programme.

Reason: *To provide for the efficient use of resources and energy in all site operations.*

Condition 8. Materials Handling

- 8.1 The licensee shall ensure that waste generated in the carrying on of the activity shall be prepared for re-use, recycling or recovery or, where that is not technically or economically possible, disposed of in a manner which will prevent or minimise any impact on the environment.
- 8.2 All waste that is not reused on site shall be sent off-site to an authorised facility for disposal or recovery or reuse.
- 8.3 Waste sent off-site for recovery or disposal shall be transported only by an authorised waste contractor or an exempted person (Waste Management (Collection Permit) Regulations- 2007 as amended. The waste shall be transported from the site of the activity to the site of recovery/disposal only in a manner which will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.
- 8.3.1 Animal tissue or carcasses sent off site for disposal/recovery shall be transported in covered, leak-proof containers.
- 8.3.2 Waste sent off-site for recovery or disposal shall be transferred only to an appropriate facility.
- 8.4 The loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off.
- 8.5 Waste and materials shall be stored in designated areas, protected as may be appropriate against spillage and leachate run-off. The waste and materials shall be clearly labelled and appropriately segregated.
- 8.6 Unless approved in writing, in advance, by the Agency the licensee is prohibited from mixing a hazardous waste of one category with a hazardous waste of another category or with any other non-hazardous waste.
- 8.7 The licensee shall neither import waste into the State nor export waste out of the State except in accordance with the relevant provisions of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14th June 2006 on shipments of waste and associated national regulations.
- 8.8 Organic fertiliser (poultry litter) shall not be stored in the open pending its collection. Organic fertiliser (poultry litter) shall only be stored within the houses.
- 8.9 Organic fertiliser shall not be discarded to ground while loading for shipment off site. Any organic fertiliser spilled during loading shall be collected and returned to storage or to the vehicle into which it was being loaded.
- 8.10 Organic Fertiliser Movements
- 8.10.1 The licensee shall record all organic fertiliser movements off-site in an 'organic fertiliser register' which shall be available for inspection on-site by authorised persons.
- 8.10.2 The licensee shall maintain an 'organic fertiliser register' to the satisfaction of the Agency, showing, as a minimum the name, herd number of the customer farmer receiving organic fertiliser, quantity of organic fertiliser, date of movement off site, and details in accordance with Article 23 of S.I. No. 605 of 2017 European Union

(Good Agricultural Practice for Protection of Waters) Regulations 2017 and as otherwise specified by the Agency or Department of Agriculture, Food and the Marine.

- 8.10.3 The licensee shall, on or before the 31st December annually, submit to the Department of Agriculture, Food and the Marine the completed records of movement of organic fertiliser from the installation (referred to as 'Record 3' by the Department of Agriculture, Food and the Marine). The record shall be in accordance with Article 23 of S.I. No. 605 of 2017 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 and as otherwise specified by the Agency or Department of Agriculture, Food and the Marine. A copy of the record submitted shall be maintained on site for inspection.
- 8.10.4 The licensee shall calculate and record by the 31st of January annually:
- The quantity of organic fertiliser generated by the animals housed on-site in the previous calendar year;
 - The total quantity of organic fertiliser moved off site and recorded in the organic fertiliser register and 'Record 3' as submitted to the Department of Agriculture, Food and the Marine in the previous calendar year;
 - The opening quantity of organic fertiliser (1st January of the previous year) and closing quantity of organic fertiliser (1st January of the current year).

These details shall be submitted to the Agency as part of the AER.

8.11 Recovery of Organic Fertiliser by means other than use as fertiliser on land.

- 8.11.1 Where organic fertiliser is not used as a fertiliser on land, the licensee shall by the first of February each year submit details of all proposed recipients of organic fertiliser for recovery/disposal other than by landspreading. Details required shall include method of recovery/disposal, location of recovery/disposal facility, permit/authorisation for recovery/disposal facility, agreements between recipient and licensee and quantities to be accepted by the recipient.
- 8.11.2 Recovery/disposal of organic fertiliser shall take place only by methods agreed in advance by the Agency and at agreed recovery/disposal facilities which have appropriate authorisation.
- 8.11.3 Agreements between the licensee and recipients of organic fertiliser for recovery/disposal, other than landspreading, shall not conflict with any conditions of this licence.

<p><i>Reason: To provide for the appropriate handling of material and the protection of the environment.</i></p>
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Condition 9. Accident Prevention and Emergency Response

- 9.1 The licensee shall, within six months of date of grant of this licence, ensure that a documented Accident Prevention Procedure is in place that addresses the hazards on-site, particularly in relation to the prevention of accidents with a possible impact on the environment. This procedure shall be reviewed annually and updated as necessary.
- 9.2 The licensee shall, within six months of date of grant of this licence, ensure that a documented Emergency Response Procedure is in place, that addresses any emergency situation which may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.

9.3 Incidents

9.3.1 In the event of an incident the licensee shall immediately:

- (i) carry out an investigation to identify the nature, source and cause of the incident and any emission arising therefrom;
- (ii) isolate the source of any such emission;
- (iii) evaluate the environmental pollution, if any, caused by the incident;
- (iv) identify and execute measures to minimise the emissions/malfunction and the effects thereof;
- (v) identify the date, time and place of the incident;
- (vi) notify the Agency as required by Condition 11.2 of this licence.

9.3.2 Where an incident or accident that significantly affects the environment occurs, the licensee shall without delay take measures to limit the environmental consequences of the incident or accident and to prevent further incident or accident.

Reason: To provide for the protection of the environment.

Condition 10. Decommissioning & Residuals Management

10.1 Following termination, or planned cessation for a period greater than six months, of use or involvement of all or part of the site in the licensed activity, the licensee shall, to the satisfaction of the Agency, decommission, render safe or remove for disposal/recovery any soil, subsoil, buildings, plant or equipment, or any waste, materials or substances or other matter contained therein or thereon, that may result in environmental pollution.

Reason: To make provision for the proper closure of the activity ensuring protection of the environment.

Condition 11. Notification, Records and Reports

11.1 The licensee shall identify the technique, or combination of techniques where required, used for each BAT referenced in the applicable CIDs. The licensee shall prepare a report setting out the selected technique(s) used and submit this report as part of the AER.

11.2 The licensee shall notify the Agency in a format as may be specified by the Agency, as soon as practicable after the occurrence of any of the following:

- (i) an incident or accident as defined by the glossary;
- (ii) any release of environmental significance to atmosphere from any potential emissions point including bypasses;
- (iii) any breach of one or more of the conditions attached to this licence;
- (iv) any malfunction or breakdown of key environmental abatement, control or monitoring equipment; and
- (v) any incident or accident as defined in the glossary requiring an emergency response by the Local Authority.

The licensee shall include as part of the notification, date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any emissions. All details required to be communicated must be in accordance with any Guidance provided by the Agency.

- 11.3 The following shall be notified, as soon as practicable after the occurrence of any incident which relates to a discharge to water:
- (i) Inland Fisheries Ireland in the case of discharges to receiving waters.
 - (ii) Irish Water and /or Water Services Authority, in the case of any incident where the discharge(s) have been identified as upstream of a drinking water abstraction point.
- 11.4 The licensee shall make a record of any notification made under Condition 11.2. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident or accident. The record shall include all corrective actions taken to manage the incident or accident, minimise wastes generated and the effect on the environment, and avoid recurrence. In the case of a breach of a condition, the record shall include measures to restore compliance.
- 11.5 The licensee shall record all complaints of an environmental nature related to the operation of the activity. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and give details of the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 11.6 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation.
- 11.7 The licensee shall submit to the Agency, by the 31st March of each year, an AER covering the previous calendar year. This report shall include as a minimum the information specified in *Schedule D: Annual Environmental Report*, of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 11.8 A full record which shall be open to inspection by authorised persons of the Agency at all times, shall be kept by the licensee on matters relating to the waste management operations and practices at this site. This record shall as a minimum contain details of the following:
- (i) the tonnages and LoW Code for the waste materials sent off-site for disposal/recovery;
 - (ii) the names of the agent and carrier of the waste, and their waste collection permit details, if required (to include issuing authority and vehicle registration number);
 - (iii) details of the ultimate disposal/recovery destination facility for the waste and its appropriateness to accept the consigned waste stream, to include its permit/licence details and issuing authority, if required;
 - (iv) written confirmation of the acceptance and disposal/recovery of any hazardous waste consignments sent off-site;
 - (v) details of all waste consigned abroad for Recovery and classified as 'Green' in accordance with the EU Shipment of Waste Regulations (Council Regulation EEC No. 1013/2006, as may be amended). The rationale for the classification must form part of the record;
 - (vi) details of any rejected consignments;
 - (vii) details of any approved waste mixing; and
 - (viii) the results of any analyses as required by the Agency.
- 11.9 The licensee shall as a minimum ensure that the following documents are accessible at the site:
- (i) the licences relating to the installation;
 - (ii) the previous year's AER for the installation;
 - (iii) records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and all other such monitoring which relates to the environmental performance of the installation;
 - (iv) relevant correspondence with the Agency;
 - (v) up-to-date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and emission points;

- (vi) up-to-date Standard Operational Procedures for all processes, plant and equipment necessary to give effect to this licence or otherwise to ensure that standard operation of such processes, plant or equipment does not result in unauthorised emissions to the environment;
- (vii) any elements of the licence application or EIA documentation referenced in this licence.

This documentation shall be available to the Agency for inspection at all reasonable times.

11.10 The licensee shall maintain the following records:

- (i) Register of Broiler stock levels;
- (ii) Mortality and dead bird disposal;
- (iii) Floor plan;
- (iv) Floor integrity inspection/remedial action records;
- (v) Weekly house humidity & temperature records;
- (vi) Weekly water consumption;
- (vii) Electric energy consumption
- (viii) Fuel consumption
- (ix) Feed delivery records and details of feed consumption;
- (x) Manure generation;
- (xi) Commercial documents for the transport of animal by-products or derived product, as required by the Animal By-product Regulations, sent off site, unless a derogation is applicable;
- (xii) Rodent control programme including Bait Point Plan and Bait Replenishment;
- (xiii) Storm water inspection records and test reports;
- (xiv) Groundwater monitoring results;
- (xv) Heating systems and back-up generator maintenance certificates;
- (xvi) Hours of operation and reason for operation of back-up generator;
- (xvii) Safety Statement;
- (xviii) Emergency Action Plan; and
- (xix) Chemical inventory and usage.

These records shall be available for inspection by authorised persons of the Agency at all reasonable times.

11.11 The licensee shall submit report(s) as required by the conditions of this licence to the Agency's Headquarters in Wexford, or to such other Agency office as may be specified by the Agency.

11.12 All reports shall be certified accurate and representative by the installation manager or a nominated, suitably qualified and experienced deputy.

Reason: <i>To provide for the collection and reporting of adequate information on the activity.</i>
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Condition 12. Financial Charges and Provisions

12.1 Agency Charges

12.1.1 The licensee shall pay to the Agency an annual contribution of €2,552 or such sum as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activity as the Agency considers necessary for the performance of its functions under the Environmental Protection Agency Act 1992 as amended. The first payment shall be a pro-rata amount for the period from the date of grant of this licence to the 31st day of December, and shall be paid to the Agency within one month from the date of grant of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Environmental Protection Agency Act 1992 as amended, and all such payments shall be made within one month of the date upon which demanded by the Agency.

12.1.2 In the event that the frequency or extent of monitoring or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

12.2 Environmental Liabilities

12.2.1 The licensee shall as part of the AER, provide an annual statement to the satisfaction of the Agency 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.

12.2.2 The licensee shall as part of the AER, provide an annual statement to the satisfaction of the Agency as to the measures taken or adopted at the site in relation to the prevention of environmental damage and the financial provisions in place (including evidence of financial security) in relation to the underwriting of costs for remedial actions following closure/decommissioning or accidents/incidents, as may be associated with the carrying on of the activity.

12.2.3 The licensee shall 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 implementing Condition 12.2.1 above.

<p>Reason: <i>To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.</i></p>

SCHEDULE A: Limitations

A.1 Bird numbers housed at the installation

Poultry Type	Numbers
Broilers	74,000

SCHEDULE B: Emission Limits

B.1 Emissions Limits

Emission Point Reference No: **Broiler House No. 1**
Broiler House No. 2
Broiler House No. 3

Source of Emissions	Parameter	Emission Limit ^{Note 1}
Broilers	Ammonia	0.08kgNH ₃ /animal place/year

Note 1: The BAT AEL is not applicable to organic livestock production.

B.2 Emissions to Water

There shall be no emissions to water of environmental significance.

B.3 Emissions to Sewer

There shall be no process effluent emissions to sewer.

B.4 Noise Emissions

Daytime dB LAr, T (30 minutes)	Evening dB LAr, T (30 minutes)	Night-time dB LAeq, T (15-30 minutes)
55	50	45 ^{Note 1}

Note 1: There shall be no clearly audible tonal component or impulsive component in the noise emission from the activity at any noise-sensitive location.

SCHEDULE C: Control & Monitoring

C.1. Control and Monitoring of Emissions to Air

Emission Point Reference No: **Broiler House No. 1**
 Broiler House No. 2
 Broiler House No. 3

Parameter	Monitoring Frequency	Monitoring/ Analysis Method/Technique ^{Note 1}
Ammonia	As required by the Agency.	Refer to BAT 25
Dust	As required by the Agency.	Refer to BAT 27

Note 1: Alternative methods may be used where agreed by the Agency



C.2.1. Control of Emissions to Water

There shall be no emissions to water of environmental significance.



C.2.2. Monitoring of Emissions to Water

There shall be no emissions to water of environmental significance.



C.2.3. Monitoring of Storm Water Emissions

Emission Point Reference No: **SW1: E120417 N128111**

Parameter	Monitoring Frequency	Analysis Method/Technique
COD or BOD	As required by the Agency	Standard method
Visual Inspection	Weekly	Sample and examine for colour and odour.



C.3.1. Control of Emissions to Sewer

There shall be no process effluent emissions to sewer.

**C.3.2. Monitoring of Emissions to Sewer**

There shall be no process effluent emissions to Sewer.

**C.4.1 Organic Fertiliser Monitoring**

Class	Frequency	Parameter
Organic Fertiliser	Monthly and 1 st January annually	Available storage capacity
Wash water	Monthly	Available storage capacity

C.4.2 Organic Fertiliser Process Monitoring

Emission point reference or source/description of point of measurement	Parameter	BAT associated total nutrient excreted levels ^{Note 1 & 2}	Monitoring frequency	Monitoring standard or method
Broilers	Kg Nitrogen (N) excreted/animal place/year	0.6kg	Annually	Refer to BAT 24
	Kg Phosphorus (P ₂ O ₅) excreted /animal place/year	0.25kg	Annually	Refer to BAT 24

Note 1: BAT-associated total nitrogen and phosphorus excreted levels are assigned in accordance with BAT 3 & BAT 4.

Note 2: The BAT –associated total phosphorus excreted is not applicable to pullets or breeders, for all poultry species.



C.5 Noise Monitoring

No additional noise monitoring is required in this schedule.

C.6 Ambient Monitoring**C.6.1 Groundwater Monitoring****Location:**

Groundwater Well No: W1

Grid reference: E120539 N128158

Parameter	Monitoring Frequency	Analysis Method/Techniques
Nitrate	Annually	Standard Method
Total Ammonia	Annually	Standard Method
Faecal Coliforms	Annually	Standard Method

SCHEDULE D: Annual Environmental Report**Annual Environmental Report Content ^{Note 1}**

Waste management record.

Monitoring of emissions to air including estimation of the reduction of ammonia emissions from the whole production process using BAT implemented.

Report on dust emissions from animal houses (where applicable).

Report on total nitrogen and phosphorus in manure.

Report on technique(s) used at the installation for each BAT referenced in the applicable CIDs.

Resource consumption summary.

Tank and pipeline assessment report.

Bund integrity test.

Reported incidents/complaints summary.

Energy efficiency audit report summary.

Report on ammonia control programme.

Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated.

Report on progress made and proposals being developed to minimise water demand.

Resource use and energy programme.

Development/Infrastructural works summary (completed in previous year and/or prepared for current year).

Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).

Report on PRTR (Pollution Release and Transfer Register) for the site.

Quantity of organic fertiliser generated during the AER reporting year.

Quantity of organic fertiliser moved off-site and recorded during the AER reporting year.

Opening and closing quantity of organic fertiliser at the installation.

Organic Fertiliser monthly monitoring.


Report on assessment of the installation of silt traps/swales on the drainage system.

Monitoring of Storm Water Emissions.

Any other items specified by the Agency.

Note 1: Content may be revised subject to the approval of the Agency.

Signed on behalf of the said Agency
On the 7th day of December, 2018


Breen Higgins, Authorised Person