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Mr. Eoin O'Brien

Mr. Paraic Fay

On behalf of Mr. Eoin O'Brien

01 November 2021

Reg. No.: P0790-03

Further Notice under the EPA (Industrial Emissions) (Licensing) Regulations 2013, in respect of a licence review from Mr. Eoin O'Brien for an installation located at Mogeely Pig Farm, Annistown, Killeagh, Cork

Dear Sirs,

I refer to the EPA's notice of 05 August 2021 requesting information in respect of your licence review application.

You are advised that there remains outstanding information, as required under the EPA (Industrial Emissions) (Licensing) Regulations 2013, as amended. You are therefore required to submit the outstanding information detailed below:

1. **Animal Numbers:** It is noted that the licensee is no longer proposing the 20% variation in all pig numbers but is still proposing 12,400 production pigs. However, as outlined in the EPA's notice of 05 August 2021, the planning permission (and corresponding EIS) for the site permits a total of 9,400 production pigs. It is noted that the applicant has subsequently proposed maintaining the overall pig numbers permitted onsite by reducing the number of weaners by 3,000 in order to increase the number of productions pigs to 12,400:
 - a) You are advised that the Agency cannot agree to this proposal unless the planning authority provides supporting written confirmation; and
 - b) If the pig numbers proposed are confirmed as authorised by the planning authority:
 - i. Update the Air Quality Impact Assessment Report, Natura Impact Statement and the Ammonia Impact Assessment Report to account for the increased animal numbers; and
 - ii. Update all other relevant sections of the application, where appropriate, where any revised animal numbers will affect resources and materials

used or produced by activity e.g. slurry volumes, waste, water, electricity, fuel usage etc.

2. **External Slurry Tanks:** Your response of 01 October 2021 states that rigid covers are to be placed on all storage tanks. However, this response also states that FS14 (overground pig manure tank) will have a 900gsm reinforced PVC cover. Provide further details to demonstrate that this type of cover will comply with the BREF document *Best Available Techniques (BAT) Reference Document for the Intensive Rearing of Poultry or Pigs 2017 and CID 2017/302 section 4.6.1*, outlining how it will be fitted and held in place, the type of frame and supports, and whether it will be a rigid or flexible cover;
3. **Odour:** With regards to odour assessment and the Air Quality Impact Assessment Report received on 13 April 2021, you are required to update and re-submit the modelling report taking account of the requirements below and any other relevant points outlined in this letter:
 - a) The existing licence includes a condition in relation to low protein feeds (condition 5.4). Therefore, the animals in the 'existing' houses should already be on low protein diets and it would not be appropriate to incorporate the full reduction into the modelling for the existing houses;
 - b) As per the EPA's notice of 05 August 2021 and your response of 01 October 2021, ensure all the animal houses and the storage tanks have the same nomenclature/numbering in the Ammonia Impact Assessment Report as the layout plans;
 - c) Ensure that the number, dimensions (and also nomenclature as mentioned above) of the external storage tanks outlined in the report correspond with the 'Mogeely Slurry Storage Available' document received on 01 October 2021;
 - d) With regards to point 2 above, update the modelling if necessary, once the type of cover is confirmed;
 - e) Provide justification for the meteorological data used with regards to both wind speed and wind direction. Provide the source of the meteorological data, and specifically the wind speed data, for the site of the installation.
 - f) Provide justification for the surface roughness factor used;
 - g) The co-ordinates for House 15 are incorrect as they correspond to a location off-site). Update the report with the correct co-ordinates;
 - h) Confirm that the stack heights for all houses correspond to the release heights outlined in the report. If not and taking into account that most of the development works are already complete, confirm whether houses will be retrofitted or amend the modelling to reflect the existing release heights; and
 - i) Refer to the guidance document "Odour Impact Screening and Assessment for Intensive Pig Farms", which will be published by the EPA shortly, before finalising the Air Quality Impact Assessment Report.

4. With regards to Appropriate Assessment, and the revised Natura Impact Statement (NIS) and the Ammonia Impact Assessment Report received 13 April 2021, the Agency is of the opinion that insufficient evidence has been provided to demonstrate that there will be no significant effects on European sites due to ammonia emissions from the installation, either individually or in combination with other plans or projects. You are required to update and re-submit the modelling report and NIS taking account of the requirements below and any other relevant points outlined in this letter:
- a) The existing licence includes a condition in relation to low protein feeds (condition 5.4). Therefore, the animals in the 'existing' houses should already be on low protein diets. Whilst it is noted that there may be further reductions of ammonia from the existing houses due to the incorporation of low protein feeds at 16% crude protein, it is not appropriate to incorporate the full reduction of 30% into the modelling for the existing houses;
 - b) It is further noted that the modelling includes a 25% reduction in ammonia emissions through the use of frequent slurry removal. With regards to the vacuum system for frequent slurry removal outlined in your response of 01 October 2021, provide further details on the sluice-based system onsite i.e. number, location and depth of the sluice gates and confirmation that a vacuum can be maintained in each tank (FS01 to FS18) to satisfy the requirements of the BREF and to provide justification of the 25% reduction for each tank;
 - c) As per the EPA's notice of 05 August 2021 and your response of 01 October 2021, ensure all the animal houses and the storage tanks have the same nomenclature/numbering in the Air Quality Impact Assessment Report as the layout plans;
 - d) Ensure that the number, dimensions (and also nomenclature as mentioned above) of the external storage tanks outlined in the report correspond with the 'Mogeely Slurry Storage Available' document received on 01 October 2021;
 - e) With regards to point 2 above, update the modelling if necessary, once the type of cover is confirmed;
 - f) Provide justification for meteorological data used with regards to both wind speed and wind direction. Provide the source of the meteorological data, and specifically the wind speed data, for the site of the installation;
 - g) Provide justification for the surface roughness factor used;
 - h) The co-ordinates for House 15 are incorrect as they correspond to a location off-site). Update the report with the correct co-ordinates;
 - i) Confirm that the stack heights for all houses correspond to the release heights outlined in the report. If not and taking into account that most of the development works are already complete, confirm whether houses will be retrofitted or amend the modelling to reflect the existing release heights;

- j) The NIS states low protein feed will result in a 25% reduction in ammonia and does not mention frequent slurry removal which conflicts with the Ammonia Modelling Report. You are required to ensure that the information outlined in the NIS corresponds to the Ammonia Impact Assessment Report; and
- k) You are required to update your approach as necessary taking account of the EPA's guidance document "Assessment of the impact of ammonia and nitrogen on Natura 2000 sites from Intensive Agriculture Installations":
<https://www.epa.ie/publications/licensing--permitting/industrial/ied/Assessment-of-Impact-of--Ammonia-and-Nitrogen-on-Natura-sites-from-Intensive-Agriculture-Installations.pdf>.

All BAT/mitigation proposed, and the overall implications of their application must be factored into all your responses to this request for further information.

In addition to the above, please also provide an updated non-technical summary (Application Form, and EIS where applicable) to reflect the information provided in your reply, insofar as that information impinges on the non-technical summary.

With a view to advancing this application for determination, the above-mentioned information should be submitted to the EPA by 01 February 2022.

It should be noted that failure to comply with this request may result in the EPA activating Regulation 19 of the EPA (Industrial Emissions) (Licensing) Regulation 2013 which pertains to Withdrawal or Abandonment of application for a licence.

Your prompt attention to this matter is requested.

Yours faithfully,

Linda Cahill

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