

Electronic copy

Mr. Patrick Ryan  
On behalf of Ballyfaskin Enterprises Ltd



14 October 2022

Reg. No. P0915-02

**Re: Appropriate Assessment in respect of a licence review application from Ballyfaskin Enterprises Ltd in respect of the installation located at Ballyfauskeen, Ballylanders, Co Limerick.**

Dear Sir or Madam,

I refer to your application for a licence review in respect of the installation located at Ballyfauskeen, Ballylanders, Co Limerick, Limerick, V35KV12.

I am to advise you in accordance with Regulation 42(8)(a) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, that the EPA has made a determination that an Appropriate Assessment is required as the project, individually or in combination with other plans or projects, is likely to have a significant effect on European sites. Notification of this determination is attached for your reference. The EPA acknowledges receipt of Natura Impact Statements (dated September 2019 and September 2020), submitted on 14 March 2022.

In carrying out an Appropriate Assessment the EPA shall take into account each of the matters specified in Regulation 42(12) of the European Communities (Birds and Habitats) Regulations 2011 as amended, where applicable.

The EPA shall publish a Notice for Public Consultation on Appropriate Assessment under Regulation 42 of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended.

Submissions or observations on a licence application can be made to the Agency in relation to Appropriate Assessment as set out in the notice for public consultation.

The application and all associated correspondence including the notice for public consultation are available to view on the EPA website at [www.epa.ie](http://www.epa.ie). You are advised to refer to the website for information on the progress of the application.

If you have any further queries, please contact [licensing@epa.ie](mailto:licensing@epa.ie).

Yours faithfully,

Environmental Licensing Programme  
Office of Environmental Sustainability  
Tel: 053 – 9160600

## Appropriate Assessment Screening Determination

In accordance with Regulation 42(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, the Agency has undertaken Appropriate Assessment screening 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 European Sites. In this context, particular attention was paid to the European Sites listed below.

### Consent Details:

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|--|---|
| <b>Reg. No.</b>                            | P0915-02  |
| <b>Applicant Name:</b>                     | Ballyfaskin Enterprises Ltd                                 |
| <b>Type of Consent Sought:</b>             | Industrial Emissions Licence                                |
| <b>Location of installation:</b>           | Ballyfauskeen, Ballylanders, Co Limerick, Limerick, V35KV12 |
| <b>Licence Review Application Date:</b>    | 8/03/2022   |
| <b>European Site(s) assessed:</b>          | Galtee Mountains SAC (Site Code: 000646)                    |
|  | Moanour Mountain SAC (Site Code: 002257)                    |
|  | Lower River Suir SAC (Site Code: 002137)                    |
|  | Carrigeenamronety Hill SAC (Site Code: 002037)              |
|  | Ballyhoura Mountains SAC (Site Code: 002036)                |
|  | Blackwater River (Cork/Waterford) SAC (Site Code: 002170)   |
|  | Glen Bog SAC (Site Code: 001430)                            |
| <b>Date of AA Screening Determination:</b> | 14 October 2022   |

### AA Screening Determination:

That the activity is not directly connected with or necessary to the management of any European site and 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 is required. The EPA acknowledges receipt of Natura Impact Statements (dated September 2019 and September 2020), submitted on 14 March 2022.

This determination has been made in light of the following reasons:

- Air emissions from the installation, in particular ammonia (and associated nitrogen deposition), have the potential for effects on qualifying interest habitats and species in the

European Sites listed above due to their proximity to the installation and the qualifying interest's particular sensitivity to ammonia.

- The closest European site, Galtee Mountains SAC, is approximately 4kms from the installation boundary. A number of the qualifying interest habitats of this SAC including *Northern Atlantic wet heaths with Erica tetralix* [4010], *European dry heaths* [4030], *Alpine and Boreal heaths* [4060], *Blanket bogs (\* if active bog)* [7130], *Siliceous scree of the montane to snow levels (Androsacetalia alpinae and Galeopsietalia ladani)* [8110] and *Siliceous rocky slopes with chasmophytic vegetation* [8220] may have lichens and/or bryophytes present which are particularly sensitive to ammonia. Information in relation to European Sites is available on [www.npws.ie](http://www.npws.ie)
- Regard has been had to the EPA's Licence Application Guidance (Assessment of the Impact of Ammonia and Nitrogen on Natura 2000 Sites from Intensive Agriculture Installations, Version 1, May 2021) and the online screening tool SCAIL Agriculture ([www.scail.ceh.ac.uk](http://www.scail.ceh.ac.uk)) as part of this Appropriate Assessment Screening Determination.
- Taking all of the foregoing into account it is considered that significant effects on European Sites and their qualifying interests due to emissions to air from the installation cannot be ruled out at the screening stage and based on the precautionary principle this determination is that a Stage 2 Appropriate Assessment is required.

Documents relating to the licence review application are available on the Agency's website at [www.epa.ie](http://www.epa.ie).



Date: 14 October 2022

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Rachel Neeson

Office of Environmental Sustainability