



Electronic Copy

Mr. Paraic Fay

On behalf of Doon Farm Enterprises Limited

17 November 2022

Reg. No.: P1024-02

Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013, in respect of a licence application from Doon Farm Enterprises Limited for an installation located at Doon Farm Enterprises Limited, Doon, Araglin, Kilworth, County Tipperary

Dear Mr. Fay,

I refer to the application for a licence received by the EPA on 03 April 2017, and to other documentation received as part of this application.

Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with the above mentioned legislation. You are therefore requested, in accordance with the regulations, to supply the information detailed below.

1. **Planning permission:** It is noted that the final grants of planning permission have been included in the licence application for a number of planning permissions for the installation (e.g. planning permission refs: 07/1368 and 19/601471).

With regards to all other relevant planning permissions for the activity at the installation, (e.g. planning permission refs. 19/00609, 16/601143, 11/349, and 96/574), you are required to submit:

- a) A copy of Tipperary County Council's final grant of planning permission for each planning permission granted.
2. **Best Available Techniques (BAT):** It is noted that the documentation regarding BAT has not been fully completed. The responses provided to address compliance with BAT 10 and 30 are not acceptable with regards to the Commission Implementing Decision (CID) document for the Intensive Rearing of Poultry or Pigs (2010/75/EU, Feb 2017). You are required to:
 - a) Regarding BAT 10 (reduction of noise emissions), provide specific details regarding the technique, or the combination of the techniques that will be used, and
 - b) Regarding BAT 30 (ammonia emissions from pig houses), provide specific details regarding the technique, or the combination of the techniques that will be used.

- i. Specifically reference the techniques which will be utilised onsite (i.e. a, b, c, etc.).
- ii. Provide sufficient detail to clarify how the measures to be implemented will comply with the specific BAT techniques referenced.
- iii. Where applicable, differentiate between the techniques being proposed for the existing houses/tanks and the new house/tanks.
- iv. It is noted that the further information received 22 October 2022 refers to frequent slurry removal to an external store as the BAT 30 technique to be utilised in the new pig houses. Where any new organic fertiliser (slurry) storage tank(s) are to be provided at the installation to satisfy any proposal for frequent slurry removal:
 1. provide confirmation that frequent slurry removal will be retrofitted in the two new houses to meet the specifications outlined in the CID/BREF documents
 2. provide confirmation from the planning authority that planning permission is in place or is not required; and
 3. update all other relevant sections of the application, including but not limited to, the site plan, organic fertiliser storage capacity, emissions to air, EIS and NIS.

3. **Boilers:** In relation to boilers for the activity, it is noted that no reference is made to boilers in the application. It is further noted that the site plan includes a boiler room. It is unclear as to the number and type of boilers installed or to be installed onsite.

- a) Complete Section 7.4.1 of the application form. All required details in the tables must be submitted as well as a full assessment of the impact of any main emissions. In relation to any minor emissions, the response must include a detailed specification for the boilers including their thermal input. The applicant should ensure all emissions are correctly classified as either main/minor and correctly numbered in accordance with Agency guidance:
- b) Confirm the total number and location of boilers (existing and/or proposed) for the activity onsite;
 - i. Update the relevant layout plan to outline the location of any boilers;
 - ii. Confirm the quantity of fuel estimated to be used onsite annually for the activity; and
 - iii. Provide details of the capacity, location, bunding and protection of any existing/proposed fuel storage facilities onsite.

4. **Ammonia and odour emissions:** It is noted that calculations of emissions of ammonia and odour associated with the activity have not been provided. The revised site plan lists the pig type to be housed in the majority of the animal houses, but some have been omitted. It is further noted in your correspondence received 22 October 2021 that low crude protein feed is to be utilised throughout; and that frequent slurry removal is to be implemented in the two new animal houses ref. A and B.

- a) Update the site plan where necessary ensuring that all building housing animals have a unique identifying label. It is noted that two of the structures have been labelled as "08".
- b) Provide details of the pig type(s) to be housed in animal houses ref. 6, 7 and 10.1.
- c) In tabular format, provide a breakdown of the capacity, in terms of animal numbers by pig type, for each of the animal houses associated with the activity (i.e. all animal houses). Ensure the relevant house number is quoted as per the revised site plan.
- d) Provide details, for each pig type, of the existing and proposed crude protein percentage of the feed used and proposed to be used onsite.
- e) Provide calculations of the ammonia and odour emissions estimated to be generated by the existing activity.
- f) Provide calculations of the ammonia and odour emissions estimated to be generated by the activity when the proposed BAT techniques have been incorporated onsite.

Any reductions associated with the use of low protein feed and/or frequent slurry removal to be installed in the two new animal houses should be factored into the calculated emissions from the activity.

5. **Odour Assessment:** The EPA recently published an odour screening tool and "Instruction note for the assessment of odour emissions from intensive agriculture pig installations". The odour screening tool and instruction note can be found on the Agency's website at the following link:

<https://www.epa.ie/publications/licensing--permitting/industrial/ied/instruction-note-and-screening-tool-for-the-assessment-of-odour-emissions-from-i.php>.

The EPA's odour screening tool has indicated that odour levels may exceed 3 OUE/m³ at nearby sensitive receptors. This is the odour benchmark for a new (unlicensed) installation.

- a) Provide a map showing the location and distance from the installation boundary to the closest sensitive receptors. The map should also highlight which sensitive receptors are family dwellings, and which are third party dwellings.

- b) Provide an assessment of the odour emissions from the activity and the impact on local residents. The required odour impact assessment should be undertaken in line with the approach outlined in the above-mentioned document and tool.
- c) The assessment should be supported by use of a model to predict odour concentrations at the sensitive receptors in the vicinity of the installation. The assessment should, as appropriate, identify odour reduction/mitigation measures.

6. **Appropriate Assessment:** With regards to Appropriate Assessment, and the Natura Impact Statement (NIS) received 22 October 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 NIS taking account of the requirements below and any other relevant points outlined in this letter:

- a) Only the legally permitted stock onsite (e.g. ≤ 750 sows and $\leq 2,000$ production pigs in an integrated unit) may be considered as part of the background ammonia concentration or used when demonstrating a reduction in ammonia emissions due to the implementation of mitigation measures relative to the existing installation.
- b) Provide SCAIL / site specific modelling to demonstrate that there will be no impact on European sites. The CID and associated BREF should be referred to in relation to this. Where no impact on European sites cannot be demonstrated through SCAIL, site specific modelling may be more appropriate.
- c) Where multiple ammonia mitigation measures are to be used in combination (i.e. Reduced crude protein in feed and reduced feed crude protein), 100% of the impact may only be applied for the first mitigation measure. Only 50% of the impact of a second measure may be applied.
- d) Have reference to 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>.

7. **Environmental Impact Statement (EIS):** With regards to the EIS:

- a) The assessments of potential impacts from the activity on air, and fauna and flora are not complete. Provide revised assessments to include the potential impacts of ammonia on air, and on fauna and flora; and

- b) The assessment of potential impacts from the activity on climatic factors is not complete. Provide an assessment of the potential impacts on climatic factors (climate).

The applicant is reminded that the operation of the installation above the licensing threshold (Class 6.2 of the First Schedule of the EPA Act 1992 as amended) shall not occur until a final determination has been granted by the Agency for the activity proposed.

The applicant is also reminded that any water abstraction exceeding 25 cubic meters (25,000 litres) of water per day should be registered with the EPA. More information regarding this requirement is available on the EPA's website at the following link: <https://www.epa.ie/our-services/licensing/freshwater--marine/water-abstraction/>

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.

The requested information should be submitted to the Agency within *10 weeks* of the date of this notice, in order to allow the Agency to process and determine your application.

It should be noted that the eight-week period within which the Agency is to decide the proposed determination will commence on the day on which this notice has been complied with. If you have any further queries please contact licensing@epa.ie.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Your response to this request is to be submitted via EDEN. Guidance on how to use this portal is available on the EPA website at <https://www.epa.ie/our-services/licensing/industrial/industrial-emissions/licensing-ied/how-to-apply-for-an-ie-licence/ie-licence-application-guidance/>.

Please direct any queries to licensing@epa.ie.

Yours faithfully,

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