

## 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: Fiojo Limited, Corvoy, Ballybay, County Monaghan, CRO Number 590989 (Licence Register No. P1147-01), under Section 83(1) of the said Act in the following manner:

The applicant submitted the application, plans, documents and other particulars on 03 March 2021.

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 Corvoy, Ballybay, County Monaghan, subject to 12 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) of the EPA Act 1992 as amended, objections must be received at any time no later than:

**29<sup>th</sup> March 2023**

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](http://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](http://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:

  
Ray Cullinane, Authorised Person

Date of notification:

2<sup>nd</sup> March 2023

## 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.

**FEES FOR OBJECTIONS AND ORAL HEARINGS**

**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.

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**

<b>Licence Register Number:</b>	P1147-01
<b>Company Register Number</b>	590989
<b>Applicant:</b>	Fiojo Limited
<b>Location of Installation:</b>	Corvoy Ballybay County Monaghan

## ***INTRODUCTION***

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

Fiojo Limited will operate a poultry (broiler) unit located at Corvoy, Ballybay, County Monaghan.

The installation is increasing from a capacity of 36,000 free-range poultry (broiler) places within two poultry houses to 90,000 free-range places within three poultry houses.

The process involves the rearing of stock specifically bred for lean poultry meat production, from day old chicks delivered from the hatchery, until they are removed from site and taken to the processing installation (at approximately 8 weeks for free-range). At the end of each rearing cycle the houses are destocked, and the birds are sold for processing. Following the removal of poultry litter (also termed organic fertiliser), the poultry houses are cleaned and left empty for a period of 1 – 2 weeks, to allow for complete drying after the cleaning process. The houses are then restocked.

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 90,000.

For the purposes of the Industrial Emissions Directive (2010/75/EU), this installation falls within the scope of Annex 1, Category:

Intensive rearing of poultry with more than 40,000 places for poultry.

This licence sets out in detail the conditions under which Fiojo Limited 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 glossary.

<b>Accident</b>	For the purpose of this licence an accident means an unplanned event that may result in pollution.
<b>AER</b>	Annual Environmental Report.
<b>Animal By-Product Regulations</b>	Regulation (EC) No.1069/2009 of the European Parliament and of the Council of 21 October 2009 and Commission Regulation (EU) No. 142/2011 of 25 February 2011.
<b>Annually</b>	All or part of a period of twelve consecutive months.
<b>Application</b>	The application by the licensee for this licence.
<b>Appropriate Facility</b>	A waste management facility or installation, duly authorised under relevant law and technically suitable.
<b>Approval</b>	Approval in writing/electronically.
<b>Attachment</b>	Any reference to Attachments in this licence refers to attachments submitted as part of this licence application.
<b>BAT</b>	Best Available Techniques (BAT) 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.
<b>BAT conclusions</b>	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.
<b>BAT reference document</b>	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.

<b>Biannually</b>	At approximately six-monthly intervals.
<b>Biennially</b>	Once every two years.
<b>BOD</b>	5 day Biochemical Oxygen Demand (without nitrification suppression).
<b>Broilers</b>	Chickens reared for meat production.
<b>CEN</b>	Comité Européen De Normalisation – European Committee for Standardisation.
<b>CID</b>	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.
<b>COD</b>	Chemical Oxygen Demand.
<b>Containment boom</b>	A boom that can contain spillages and prevent them from entering drains or watercourses or from further contaminating watercourses.
<b>CRO No.</b>	Company Registration Number.
<b>Customer Farmers</b>	Farmers who may use/recover organic fertiliser generated at the installation as fertiliser on their lands.
<b>Daily</b>	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.
<b>Day</b>	Any 24-hour period.
<b>Daytime</b>	07:00hrs to 19:00hrs.
<b>dB(A)</b>	Decibels (A weighted).
<b>Diffuse Emissions</b>	Non-channelled emissions which can result from ‘area’ sources (e.g. tanks) or ‘point’ sources (e.g. pipe flanges).

<b>DO</b>	Dissolved oxygen.
<b>Documentation</b>	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this licence.
<b>Drawing</b>	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
<b>EIA</b>	Environmental Impact Assessment.
<b>EIAR</b>	Environmental Impact Assessment Report.
<b>Emission limits</b>	Those limits, including concentration limits and deposition rates, established in <i>Schedule B: Emission Limits</i> of this licence.
<b>EMS</b>	Environmental Management System. 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.
<b>Environmental damage</b>	As defined in Directive 2004/35/EC.
<b>EPA</b>	Environmental Protection Agency.
<b>Evening Time</b>	19:00hrs to 23:00hrs.
<b>Facility</b>	Any site or premises used for the purpose of the recovery or disposal of waste.
<b>Farm</b>	An installation as defined in Article 3(3) of Directive 2010/75/EU where pigs or poultry are reared.
<b>Fortnightly</b>	A minimum of 24 times per year, at approximately two-week intervals.
<b>Freeboard</b>	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).
<b>Groundwater</b>	Has the meaning assigned to it by Regulation 3 of the European Communities Environmental Objectives (Groundwater) Regulations 2010 (S.I. No. 9 of 2010), as amended.
<b>Hazardous Substances</b>	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.

<b>ha</b>	Hectare.
<b>Hours of operation</b>	The hours during which the installation is authorised to be operational.
<b>IE</b>	Industrial Emissions.
<b>IFI</b>	Inland Fisheries Ireland.
<b>Incident</b>	The following shall constitute an incident for the purposes of this licence: <ul style="list-style-type: none"><li>(i) an emergency;</li><li>(ii) any emission which does not comply with the requirements of this licence;</li><li>(iii) any malfunction or breakdown of key environmental abatement, control or monitoring equipment;</li><li>(iv) any trigger level specified in this licence which is attained or exceeded;</li><li>(v) any indication that environmental pollution has, or may have, taken place.</li></ul>
<b>Industrial Emissions Directive</b>	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).
<b>Installation</b>	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.
<b>Installation Manager</b>	The licensee or an authorised representative of the licensee with the appropriate seniority and authority to ensure compliance with the licence.
<b>Intensive Pig and/or Poultry Unit</b>	Activities which are required to hold an IE licence.
<b>Uisce Éireann</b>	Uisce Éireann, Colvill House, 24/26 Talbot Street, Dublin 1.
<b><math>L_{Aeq,T}</math></b>	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).
<b><math>L_{Ar,T}</math></b>	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.

<b>Licensee</b>	Fiojo Limited, Corvoy, Ballybay, County Monaghan, CRO Number: 590989.
<b>List of Wastes (LoW)</b>	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.
<b>Livestock</b>	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 2022 (S.I. 113 of 2022).
<b>Local Authority</b>	Monaghan County Council.
<b>Maintain</b>	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.
<b>Manure</b>	Animal faeces, urine, wash water and any associated feed or bedding.
<b>Monthly</b>	A minimum of 12 times per year, at intervals of approximately one month.
<b>Night-time</b>	23:00hrs to 07:00hrs.
<b>Noise-sensitive location (NSL)</b>	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.
<b>Odour-sensitive location</b>	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.
<b>Organic fertiliser</b>	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.
<b>Owner/operator</b>	IE licensee.
<b>Potential emissions</b>	Emissions which take place only under abnormal operating conditions. Examples include emissions from overpressure valves, bursting discs, and back-up generators.

<b>Poultry</b>	Fowl (chickens), turkeys, guinea fowl, ducks, geese, quails, pigeons, pheasants and partridges reared or kept in captivity for breeding, the production of meat or eggs for consumption, or for restocking supplies of game.
<b>PRTR</b>	Pollutant Release and Transfer Register.
<b>Quarterly</b>	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
<b>Relevant Hazardous Substances</b>	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.
<b>SAC</b>	Special Area of Conservation designated under the Habitats Directive, Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.
<b>Sample(s)</b>	Unless the context of this licence indicates to the contrary, the term samples shall include measurements taken by electronic instruments.
<b>Soil</b>	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.
<b>SOP</b>	Standard operating procedure.
<b>SPA</b>	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.
<b>Specified emissions</b>	Those emissions listed in <i>Schedule B: Emission Limits</i> , of this licence.
<b>Standard method</b>	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. and 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.
<b>Storm water</b>	Rain water run-off from roof and non-process areas.

<b>The Agency</b>	Environmental Protection Agency.
<b>Wash Water</b>	Rainwater run-off commonly mixed with manure, water derived from the cleaning of surfaces (e.g. floors) and equipment and water derived from the operation of air cleaning systems.
<b>Waste</b>	Any substance or object which the holder discards or intends or is required to discard.
<b>Water Services Authority</b>	Monaghan County Council.
<b>Weekly</b>	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 and 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 it does not do so. It has determined that the activity, if managed, operated and controlled in accordance with this licence, will not have any adverse effect on the integrity of any of those sites.

The Agency has applied the Commission Implementing Decision (CID) of 15/02/2017 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 as a reference when setting licence conditions.

The Agency accordingly proposes to grant a licence to Fiojo Limited 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: P1147-01 and the supporting documentation received from the applicant; the submissions received; the Inspector's Report dated 23 February 2023; and has carried out an Environmental Impact Assessment (EIA) and an Appropriate Assessment Screening of the likely significant effects of the activity on European Sites. The Agency has performed its functions in a manner consistent with Section 15 of the Climate Action and Low Carbon Development Act 2015 as amended.

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 this licence will not result in the contravention of any relevant environmental quality standards or cause environmental pollution.

Having regard to the examination of environmental information in the Inspector's Report, and in particular to the content of the Environmental Impact Assessment Report (EIAR) and supplementary information provided by the applicant, and the submission from the planning authority, and any other third parties in the course of the application, it is considered that the potential significant direct and indirect effects of the activity on the environment are as follows:

- emissions to air;
- noise emissions; and
- accidental leakages or spills.

Having assessed those potential effects, the Agency has concluded as follows:

- emissions to air will be mitigated through: operation of abatement; imposing emission limit values to comply with the CID; and implementing monitoring, maintenance and control measures;
- noise emissions will be mitigated through: imposing daytime, evening-time and night-time noise limits at noise-sensitive locations; and implementing monitoring, maintenance and control measures; and
- accidental leakages or spills will be mitigated through inspection and maintenance of bunds and tanks; and accident and emergency requirements specified in this licence.



Having regard to the effects (and interactions) identified, described and assessed throughout the Inspector's Report, it is considered that the monitoring, mitigation and preventative measures proposed will enable the activity to operate without causing environmental pollution, subject to compliance with this licence.

The conditions of this licence and the mitigation measures will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Site at Magheraveeley Marl Loughs SAC (NI) (Site Code: UK0016621).

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required.

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

- The closest European site is approximately 18.7 km away.
- Based on the use of the screening model, SCAIL Agriculture, ammonia emissions from this activity are not predicted to have a significant impact on sensitive receptors within the European sites listed above. Based on the model output, nitrogen deposition as a result of this activity will not have a significant effect on sensitive receptors within these European sites.
- The only surface water pathway connecting the installation to a European site is where the clean storm water from the proposed installation discharges via a series of drains, streams and rivers to a European Site (Lough Oughter and Associated Loughs SAC) more than 50 km downstream.
- The risk of surface water or groundwater contamination because of accidental emissions during washing activities, or from spillage from the wash water tanks, is minimal given the distance between the activity and the European sites.
- The quantity and type of waste produced by the activity per annum is not considered significant.
- The litter generated at the installation has high dry matter content.
- The litter 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 animal houses and taken offsite.
- Calculations have been supplied regarding nutrient stocking rates of the free-range areas and demonstrate that the range areas have capacity to accept the increased load when the birds are outside.
- 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, if granted, relates to the site of the activity for which the licence application is made, i.e. the rearing of poultry within the installation boundary, and does not extend to the lands on which organic fertiliser may be used as fertiliser.
- 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 SAC and/or SPA.
- Noise levels from poultry installations are very low and as the nearest European Site is approximately 18.7 km west of the installation (Magheraveeley Marl Loughs SAC), it is considered that noise will not impact on the qualifying interests within that, or any other European Site.

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

## ***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:

Fiojo Limited, Corvoy Ballybay, County Monaghan, CRO Number: 590989,

under 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 Corvoy, Ballybay, County Monaghan, subject to the following 12 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 The licensee shall carry on the licensed activity in accordance with the limitations set out in *Schedule A: Limitations*, of this licence.
- 1.3 For the purposes of this licence, the installation authorised by this licence is the area of land outlined in red on the “Site Layout September 2022”, received by the Agency on 08 September 2022, 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 this 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 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.

<b>Reason:</b> <i>To clarify the scope of this licence.</i>
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## **Condition 2. Management of the Installation**

### **2.1 Installation Management**

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), prior to the date of commencement of the activity. 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 A statement of the commitment, leadership and accountability of management, including senior management for the implementation of an effective EMS.

2.2.2.2 An environmental policy, defined by Management, that includes a commitment to continuous improvement of the environmental performance of the installation.

2.2.2.3 Management and Reporting Structure and responsibility for environmental aspects, including for the planning and provision of financial and human resources to manage and implement the EMS.

2.2.2.4 An analysis of the organisation's regulatory and environmental obligations, including the potential risks to the environment from the activity.

2.2.2.5 The procedures required by this licence, including procedures for:

- (i) ensuring compliance with environmental legislation;
- (ii) ensuring employee awareness of and involvement in complying with environmental legislation; and
- (iii) checking performance and developing performance indicators by sectoral benchmarking on a regular basis, including for energy efficiency.

2.2.2.6 Tracking the development of cleaner technologies.

2.2.2.7 Maintenance programmes.

2.2.2.8 Effective process control.

2.2.2.9 Maintenance of records.

2.2.2.10 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 the conditions of this licence, including an evaluation of practicable options for:

- (i) energy and resource efficiency;
- (ii) the reduction in water consumption;
- (iii) the use of cleaner technology, cleaner production;
- (iv) the prevention, reduction and minimisation of waste including waste reduction targets;
- (v) the impacts from eventual decommissioning of the installation; and

- (vi) a monitoring and measurement programme.

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.

**2.2.2.11 Documentation**

- (i) The licensee shall establish, maintain and implement an environmental management documentation system.
- (ii) The licensee shall issue a copy of this licence to all relevant personnel whose duties relate to any condition of this licence.

**2.2.2.12 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.

**2.2.2.13 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 this licence. Audit reports and records of the resultant corrective and preventative actions shall be maintained as part of the EMS in accordance with Condition 2.2.2.11 above.

**2.2.2.14 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.

**2.2.2.15 Public Awareness and 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.

**2.2.2.16 Maintenance Programme**

- (i) The licensee shall establish, maintain and implement a programme for maintenance of all plant and equipment based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the

planning, management and execution of all aspects of this programme to appropriate personnel (see Condition 2.1 above). The maintenance programme shall use appropriate techniques and measures to ensure the optimisation of energy efficiency in plant and equipment.

- (ii) The licensee shall maintain and repair concrete yards, over which wash water may be directed, or organic fertiliser may be moved.

**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 ensure, at all times after commencement of the activity, that all infrastructure and all equipment required under this licence has been and is:
  - (i) installed;
  - (ii) commissioned;
  - (iii) present on site; and
  - (iv) maintained in full working order.
- 3.2 Where any condition of this licence specifies any later deadline for installation of any piece of infrastructure or equipment, Condition 3.1 above shall apply as and from the deadline specified.
- 3.3 The licensee shall establish and maintain, for each component of the installation, all infrastructure referred to in this licence prior to the date of commencement of the licensed activities in that component, 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 this licence, shall be installed in accordance with the schedule submitted in the application.
- 3.4 The licensee shall have regard to the following when choosing and/or designing any new plant/infrastructure:
  - (i) energy efficiency; and
  - (ii) the environmental impact of its construction/installation, maintenance, operation and eventual decommissioning.
- 3.5 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.
- 3.6 **Sampling Points**
  - 3.6.1 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.
  - 3.6.2 The licensee shall provide and maintain an inspection chamber(s) at the outlet(s) of the storm water drainage system, prior to the date of commencement of the activity. Any new storm water discharge point(s) installed must be fitted with inspection chamber(s) prior to commencement of any discharge.
- 3.7 **Tank, Container and Drum Storage Areas**
  - 3.7.1 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).

- 3.7.2 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.
- 3.7.3 All drainage from bunded areas shall be treated as contaminated unless it can be demonstrated to be otherwise.
- 3.7.4 All drainage from bunded areas shall be diverted for collection and safe disposal, unless it can be deemed uncontaminated.
- 3.7.5 All inlets, outlets, vent pipes, valves and gauges must be within the bunded area.
- 3.7.6 All tanks, containers and drums shall be labelled to clearly indicate their contents.
- 3.7.7 All bunds shall be uniquely identified and labelled at the bund.
- 3.7.8 The licensee shall apply a leak detection system to all storage tanks, container and drum storage areas that contain liquid material other than water.
- 3.8 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.
- 3.9 The wash water storage tanks shall be fitted with high liquid level indicators, prior to the date of commencement of the activity. In the case of new storage tanks installed on site, the indicators shall be fitted in advance of utilisation.
- 3.10 The licensee shall provide the location, dimensions and storage capacity of any new wash water storage tanks. The location shall be labelled on an appropriately scaled site layout map and submitted to the Agency prior to utilisation.
- 3.11 The licensee shall provide a minimum of 26 weeks' storage of organic fertiliser on-site, or
  - (i) have a contract providing exclusive access to adequate alternative storage capacity located outside the installation, or
  - (ii) have a contract for the transfer of organic fertiliser to a treatment facility for livestock organic fertiliser, or
  - (iii) 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.
- 3.12 Water metering and records
  - 3.12.1 The licensee shall install and maintain a water meter on all water supplies serving the installation, prior to the date of commencement of the activity. In the case of new water supplies installed on site, the meters shall be fitted in advance of utilisation.
  - 3.12.2 Records of water usage shall be maintained on site and a summary records report shall be submitted annually as part of the AER.
- 3.13 The licensee shall undertake annual maintenance of the animal house heating systems and the back-up generator.
- 3.14 The licensee shall establish, maintain and implement a rodent and pest control programme. This programme shall be in accordance with any relevant guidelines issued by the Department of Agriculture, Food and the Marine.



**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 measured at the noise-sensitive locations (NSLs) which exceed the limit value(s).

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

## Condition 5. Emissions

5.1 Emissions may be made from the specified emission points set out in *Schedule B: Emission Limits*, of this licence subject to compliance with the Emission Limit Values specified in that Schedule.

5.1.1 Uncontaminated storm water may be discharged to surface water.

5.1.2 Uncontaminated storm water may be emitted to groundwater or to soil.

5.1.3 Minor, diffuse and potential emissions may be emitted to air as specified in the application, or as approved by the Agency under Condition 1 of this licence.

5.2 Notwithstanding the requirements of Condition 5.1 above, there shall be no other emissions from the installation.

5.3 No emissions, including odours and dust, 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.

5.4 The licensee shall ensure that all or any of the following:

- Vermin
- Birds
- Flies
- Mud
- 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.

5.5 Ammonia Control

5.5.1 The licensee shall establish, maintain and implement an ammonia management programme outlining ammonia reduction measures, including timeframes for implementation, appropriate for the site, within six months of the date of grant of this licence.

5.5.2 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.

- 5.5.3 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 estimated or calculated reductions shall be submitted to the Agency as part of the Annual Environmental Report (AER).

**Reason:** *To provide for the protection of the environment by way of control and limitation of emission.*

## **Condition 6. Control and Monitoring**

- 6.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance, calibrations and control techniques as set out below and as in accordance with *Schedule C: Control and 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, which 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 Monitoring and analysis equipment shall be operated and maintained as necessary so that all monitoring results accurately reflect any emission, discharge or parameter specified in this licence.
- 6.5 All emission control equipment shall be calibrated and maintained in accordance with the instructions issued by the manufacturer/supplier or installer.
- 6.6 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.
- 6.7 The integrity and water tightness of all tanks, bunding structures, containers and underground pipes and their resistance to penetration by water or other materials carried or stored therein shall be tested and demonstrated by the licensee.
- 6.7.1 Testing shall be undertaken prior to the date of commencement of the activity.
- 6.7.2 In the case of new bunding structures, tanks, underground pipelines and containers installed on site, the testing for integrity and water tightness shall be undertaken in advance of utilisation.
- 6.7.3 Testing shall be carried out by a suitably qualified and experienced person.

- 6.7.4 Testing shall be carried out in accordance with any guidance published by the Agency.
- 6.7.5 Testing shall be carried out at least once every three years thereafter and reported to the Agency on each occasion.
- 6.7.6 Any repairs required to ensure the integrity and water tightness of tanks, bunding structures, containers and underground pipes shall be carried out as soon as practicable.
- 6.7.7 A written record of all integrity tests and any maintenance or remedial work arising from them shall be maintained by the licensee.
- 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 ensure that all organic fertiliser generated on-site is stored in a manner which does not pollute ground or surface waters.
- 6.10 Storm Water
  - 6.10.1 A visual examination of the storm water discharge shall be carried out weekly.
  - 6.10.2 The licensee shall, prior to the date of commencement of the activity, provide and maintain silt traps at the installation to ensure that all storm water discharges, from paved areas of the installation, passes through a silt trap in advance of discharge.
  - 6.10.3 Any new storm water discharge point(s) shall be fitted with silt trap(s) in advance of discharge.
  - 6.10.4 The storm water drainage system (i.e., gullies, manholes, any visible conduits and such other aspects as may be required by the Agency), 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.
  - 6.10.5 The licensee shall maintain a drainage map on site. The drainage map shall be reviewed annually and updated as necessary.
  - 6.10.6 The licensee shall provide and subsequently maintain a rainwater collection and drainage system for all poultry housing on-site.
  - 6.10.7 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.
- 6.11 Wash Water
  - 6.11.1 Prior to 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.
  - 6.11.2 The licensee shall establish, maintain and implement a written procedure for the diversion of soiled wash water to the underground wash water tanks.
  - 6.11.3 The licensee shall maintain a record of each diversion event.
  - 6.11.4 The licensee shall use a combination of the techniques listed in BAT 6 in order to reduce the generation of wash water on site.
  - 6.11.5 The licensee shall use one or a combination of the techniques listed in BAT 7 in order to reduce emissions to water from wash water.
- 6.12 The licensee shall calculate and record the quantity of organic fertiliser stored on-site on the 1<sup>st</sup> January annually. The licensee shall maintain the record on-site and the record shall be available for inspection by authorised persons, including Agency personnel.

- 6.13 The licensee shall ensure that a freeboard of at least 200 mm from the top of each covered wash water storage tank and 300 mm from the top of each uncovered wash water storage tank is maintained, as a minimum, at all times. The required freeboard shall be clearly indicated in the tank.
- 6.14 Underground, partly underground or overground storage facilities shall conform to the Department of Agriculture, Food and the Marine specifications (S108, S123) or equivalent standard.
- 6.15 The licensee shall use one of the techniques listed in BAT 24 in order to monitor the total nitrogen and total phosphorus excreted in manure annually. The estimated or calculated amounts shall be submitted to the Agency as part of the Annual Environmental Report (AER).
- 6.16 Dust
- 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 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
- 6.18.1 The licensee shall carry out an odour survey of the site operations in response to any odour complaint or as required by the Agency.
- 6.18.2 The survey programme shall be undertaken in accordance with the methodology specified in the *'Air Guidance Note 5 (AG5) Odour Impact Assessment Guidance for EPA Licensed Sites'* as published by the Agency.
- 6.19 Odour Control
- 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.
- 6.20 Pollutant Release and Transfer Register (PRTR)
- The licensee shall submit a PRTR data report for the site. The pollutants and/or wastes to be included in the PRTR shall be determined by reference to EC Regulations No. 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register. The PRTR shall be prepared in accordance with any relevant Agency guidance and shall be submitted electronically in the format specified by the Agency.
- 6.21 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.
- 6.22 Risk Assessment
- The licensee shall carry out a comprehensive risk assessment to determine the risk posed to ground/groundwater by the free-range aspect of the installation as a Scheduled Activity. The report shall be submitted for the approval of the Agency within twelve months of the date of grant of this licence.

**6.23 Nutritional Management**

- 6.23.1 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.
- 6.23.2 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.

**Reason:** *To provide for the protection of the environment by way of treatment and monitoring of emissions.*

**Condition 7. Resource Use and Energy Efficiency**

- 7.1 The licensee shall carry out an audit of the energy efficiency of the site within twelve months of the date of grant of this licence. 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 practical opportunities for energy use reduction and efficiency and the recommendations of the audit shall be incorporated into the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 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 the Schedule of Environmental Objectives and Targets under Condition 2 above.
- 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 materials, including feeds and organic fertiliser, 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 the Schedule of Environmental Objectives and Targets under Condition 2 above.

**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
  - 8.3.1 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).
  - 8.3.2 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.
  - 8.3.3 Animal tissue or carcasses sent off site for disposal/recovery shall be transported in covered, leak-proof containers.
  - 8.3.4 Waste sent off-site for recovery or disposal shall be transferred only to an appropriate facility.
- 8.4 The loading and unloading of materials, including organic fertiliser, 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
  - 8.8.1 Poultry litter shall not be stored in the open pending its collection.
  - 8.8.2 Poultry litter shall only be stored within the broiler houses.
  - 8.8.3 Notwithstanding the requirements of Condition 8.8.2 above, there shall be no poultry litter storage at the installation.
  - 8.8.4 There shall be no landspreading of organic fertiliser at the installation.
- 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 Animal tissue or carcasses stored on-site pending disposal shall be placed in covered, leak-proof containers and shall at a minimum be removed fortnightly.
- 8.11 Organic Fertiliser Movements
  - 8.11.1 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.
  - 8.11.2 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. 113 of 2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 and as otherwise specified by the Agency or Department of Agriculture, Food and the Marine.
  - 8.11.3 The licensee shall, on or before the 31<sup>st</sup> 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. 113 of 2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022 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.

- 8.11.4 The licensee shall calculate and record by the 31<sup>st</sup> of January annually:
- (i) The quantity of organic fertiliser generated by the animals housed on-site in the previous calendar year;
  - (ii) 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; and
  - (iii) The opening quantity of organic fertiliser (1<sup>st</sup> January of the previous year) and closing quantity of organic fertiliser (1<sup>st</sup> January of the current year).

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

8.12 Recovery/disposal of organic fertiliser by means other than use as a fertiliser on land

- 8.12.1. Where organic fertiliser is not used as a fertiliser, the licensee shall by the first of February each year submit details of all proposed recipients of organic fertiliser for recovery/disposal. Details required shall include method of recovery/disposal, location of recovery/disposal facility, permit/authorisation for recovery/disposal facility, and quantities to be accepted by the recipient.
- 8.12.2. Recovery/disposal of organic fertiliser shall take place at recovery/disposal facilities which have appropriate authorisation.

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

- 9.1 The licensee shall, prior to the date of commencement of the activity 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, prior to the date of commencement of the activity 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; and
  - (vi) notify the Agency as required by Condition 11.5 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 and 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 submit the reports, proposals and submissions required by this licence by the deadlines specified. The licensee shall not be in compliance with the requirements of this condition unless and until it has submitted every report, proposal and submission, the deadline for which has passed.
- 11.2 The licensee shall carry out every action required by the Agency, and arising out of such reports, proposals or submissions, by such deadline as the Agency may specify. The licensee shall not be in compliance with the requirements of this condition unless and until it has carried out every such action.
- 11.3 The licensee shall notify the Agency of the intended date of commencement of the Scheduled Activity, one month in advance of commencement, in a format as may be specified by the Agency.
- 11.4 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.
- 11.5 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; or
  - (ii) any breach of one or more of the conditions attached to this licence.

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.

- 11.6 The following shall be notified, as soon as practicable after the occurrence of any incident which relates to a discharge to water:



- 11.6.1 Inland Fisheries Ireland / Department of Agriculture, Food and the Marine in the case of discharges to receiving waters
- 11.6.2 Uisce Éireann 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.
- 11.7 The licensee shall make a record of any notification made under Condition 11.5 of this licence. 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.
- 11.8 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.
- 11.9 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.
- 11.10 The licensee shall submit to the Agency, annually, or as otherwise approved by the Agency,
- 11.10.1 An AER covering the previous calendar year, which shall be;
- (i) to the satisfaction of the Agency and include as a minimum the information specified in *Schedule D: Annual Environmental Report*, of this licence;
  - (ii) prepared in accordance with any relevant guidelines issued by the Agency; and
  - (iii) submitted by the 31st March of each year.
- 11.10.2 The results of all emission monitoring carried out in accordance with the requirements of this licence; including an assessment and interpretation of the results.
- 11.11 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.
- 11.12 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 current EMS for the installation including all associated procedures, reports, records and other documents;
- (iii) the previous year's AER for the installation;
- (iv) 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;
- (v) relevant correspondence with the Agency;
- (vi) up-to-date site drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and discharge points;
- (vii) 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; and
- (viii) 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.

11.13 The licensee shall maintain the following records:

- (i) register of bird stock levels;
- (ii) mortality and dead bird disposal;
- (iii) floor plan;
- (iv) floor integrity inspection/remedial action records;
- (v) weekly house humidity and temperature records;
- (vi) weekly water consumption;
- (vii) electric energy consumption;
- (viii) fuel consumption;
- (ix) feed delivery records and details of feed consumption;
- (x) organic fertiliser (poultry litter and wash water) 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) heating systems and back-up generator maintenance certificates;
- (xv) hours of operation and reason for operation of back-up generator;
- (xvi) safety statement;
- (xvii) emergency action plan; and
- (xviii) chemical inventory and usage.

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

11.14 The licensee shall submit report(s) electronically as required by the conditions of this licence to the Agency.

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

**Reason:** *To provide for the collection and reporting of adequate information on the activity.*

## **Condition 12. Financial Charges and Provisions**

### **12.1 Agency Charges**

12.1.1 The licensee shall pay to the Agency an annual contribution of €2,389 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 commencement of the activity to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of grant of this 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 submit to the Agency 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 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.

12.2.3 The Agency may amend this licence at any time in certain circumstances in accordance with Section 96 of the Environmental Protection Agency Act 1992 as amended to require, or not require as the case may be, the putting in place of a financial provision to incorporate costings for CRAMP and/or Environmental Liabilities Risk Assessment. This amendment may be implemented by the Agency in the event of an incident that creates a significant residual environmental liability or where the environmental risk profile, changes on site.

**Reason:** *To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

## SCHEDULE A: Limitations

### A.1 Bird numbers housed at the installation

Poultry Type	Numbers
Broilers (free range)	90,000

## SCHEDULE B: Emission Limits

### B.1 Emissions Limits for ammonia emissions to air from each animal house

Emission Point Reference No: Broiler House No. 1, 2 and 3 <sup>Note 1</sup>

Source of Emissions	Parameter	Emission Limit
Broilers	Ammonia	0.08kgNH <sub>3</sub> /animal place/year

Note 1: House numbers as per "Site Layout September 2022", received by the Agency on 08 September 2022, as part of the application.

### 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 (30 minutes) <sup>Note 1</sup>
55	50	45

Note 1: During night time hours, 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 and Monitoring

### C.1.1. Control and Monitoring of Emissions to Air

Emission Point description: Broiler House 1, 2, 3 <sup>Note 1</sup>

Parameter	Monitoring Frequency	Monitoring/Analysis Method/Technique
Ammonia	Annually <sup>Note 2</sup>	Refer to BAT 25
Dust	Annually	Refer to BAT 27

**Note 1:** House numbers as per "Site Layout September 2022", received by the Agency on 08 September 2022, as part of the application.

**Note 2:** Where BAT 25(b) is applied, monitoring frequency will be at least annually, but will also be required where there are significant changes to the type of livestock reared, or the housing system.



### 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 Discharges

Discharge Point Reference No: SW1 and SW2 <sup>Note 1</sup>

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.

**Note 1:** Location of discharge points (National Grid Reference (12-digit 6E,6N) and labelled on an appropriately scaled map) to be submitted to the Agency upon installation and prior to commencement of the activity.



### 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 (poultry litter and wash water)	Monthly	Available storage capacity as of the 1 <sup>st</sup> of the month

**C.4.2 Organic Fertiliser Process Monitoring**

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

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

**C.5 Noise Monitoring**

No additional noise monitoring is required in this schedule.

**C.6 Ambient Monitoring**

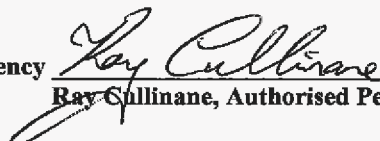
No ambient monitoring is required in this licence.

**SCHEDULE D: Annual Environmental Report**

<b>Annual Environmental Report Content</b> <sup>Note 1</sup>
<p>Waste management record.</p> <p>Monitoring of emissions to air including estimation of the reduction of ammonia emissions from the whole production process using BAT implemented.</p> <p>Report on dust emissions from animal houses (where applicable).</p> <p>Report on total nitrogen and phosphorus in manure.</p> <p>Report on technique(s) used at the installation for each BAT referenced in the applicable CIDs.</p> <p>Resource consumption summary.</p> <p>Tank and pipeline assessment report.</p> <p>Bund integrity test.</p> <p>Reported incidents/complaints summary.</p> <p>Energy efficiency audit report summary.</p> <p>Report on ammonia management programme.</p> <p>Report on the assessment of the efficiency of use of raw materials in processes and the reduction in waste generated.</p> <p>Report on progress made and proposals being developed to minimise water demand.</p> <p>Schedule of Environmental Objectives and Targets.</p> <p>Development/Infrastructural works summary (completed in previous year and/or prepared for current year).</p> <p>Statement of measures in relation to prevention of environmental damage and remedial actions (Environmental Liabilities).</p> <p>Quantity of organic fertiliser generated during the AER reporting year.</p> <p>Quantity of organic fertiliser moved off-site and recorded during the AER reporting year.</p> <p>Opening and closing quantity of organic fertiliser at the installation.</p> <p>Organic fertiliser monthly monitoring.</p> <p>Monitoring of storm water discharges.</p> <p>Ammonia monitoring.</p> <p>Any other items specified in the licence conditions or by the Agency.</p>

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

Signed on behalf of the said Agency  
On the 2<sup>nd</sup> day of March 2023

  
Ray Cullinane, Authorised Person