



Electronic Copy

Mr. Paraic Fay

Mr. Pat O'Connell

On behalf of O'Connell Poultry Farms Limited

30 November 2023

Reg. No.: P1183-01

Regulation 10(2)(b)(ii) of the EPA (Industrial Emissions) (Licensing) Regulations 2013, in respect of a licence application from O'Connell Poultry Farms Limited for an installation located at Ahawilk, Feohanagh, Castlemahon, County Limerick.

Dear Sirs,

I refer to the application for a licence received by the EPA on 04 May 2022.

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. Conflicting information has been provided in the application on the number of proposed bird places and whether the installation will be operated as a free-range broiler installation or not:
 - a) Confirm if the installation is to be operated as a free-range broiler installation, a conventional broiler installation or both;
 - b) Confirm whether the existing farm is currently operated as a free-range broiler installation or a conventional broiler installation;
 - c) Confirm the maximum number of birds currently housed on-site;
 - d) Confirm the maximum number of birds that will be housed on-site if operated as a free-range broiler installation;
 - e) Confirm the maximum number of birds that will be housed on-site if operated as a conventional broiler installation; and
 - f) Very little detail has been provided in the application on the free-range aspect of the installation. If the installation is to be operated as a free-range broiler installation:
 - i. Update all relevant sections of the application including the Environmental Impact Assessment Report; and

- ii. Conflicting information has been provided on the size of the range area. Confirm the size of the proposed range area and update the site plan accordingly.
2. With regards to the planning status for the proposed installation:
 - a) The most recent planning permission granted (planning permission ref. 21/469) permits a maximum number of 76,000 free-range bird places only and does not include permission for the installation to be operated as a non-free range farm at 76,000 or at a higher number of bird places. Planning permission ref. 18/25 permitted 112,000 non-free-range bird places but was superseded by planning permission ref. 21/469. You are advised that the Agency cannot agree to anything other than 76,000 free-range bird places unless the planning authority provides supporting written confirmation;
 - b) Conflicting information has been provided with regards to the number of existing and proposed poultry houses and the corresponding planning permissions. Planning permission references 18/25 and 21/469 appear to relate to poultry houses no. 3 and no.4. Details of the planning permissions for poultry houses no. 1 and no. 2 were not submitted with the application. Provide a copy of Limerick City and County Council's final grant of planning permission(s) for poultry houses no. 1 and no. 2;
 - c) With regards to all planning permissions relating to the proposed installation:
 - i. Confirm the current status of the development works (for each poultry house);
 - ii. In each case where construction has been completed for a poultry house, confirm whether the poultry house is operational and if operational the associated maximum animal numbers per poultry house; and
 - iii. Where the development works have not yet been completed, provide a proposed development schedule for construction works on site.

In order to assist you in compiling this information, a table has been provided. Complete Table A in full.

Table A

Poultry House Reference:	No. 1	No. 2	No. 3	No. 4
Maximum Poultry numbers (free-range)	Existing: Proposed:	Existing: Proposed:	Existing: Proposed:	Existing: Proposed:
Maximum Poultry numbers (conventional)	Existing: Proposed:	Existing: Proposed:	Existing: Proposed:	Existing: Proposed:
Built (Yes/No)				
Operational (Yes/No)				
Planning Permission Reference				

- d) It is noted that planning permission ref. 21/469 expired on the 17 October 2023. Confirm whether an extension of duration was applied for and granted and if so, provide a copy; and
- e) With regards to planning permission ref. 21/469 and the planning permission(s) for poultry houses no. 1 and no. 2, provide written confirmation from the planning authority as to whether or not an EIA was required, by or under the Planning and Development Act 2000, as amended.
3. Organic Fertiliser:
- a) In relation to poultry litter produced by the activity, provide a copy of the Record 3 form (as required under Article 23 of the European Union (Good Agricultural Practice for Protection of Waters) Regulations 2017 as amended, for the previous year (2022);
- b) Provide a letter from the contractor who will remove the litter from the installation confirming their agreement with the applicant. This letter should include the following:
- i. The contractor's DAFM registration details;
 - ii. The destination/use of the poultry litter having regard to a) above;
 - iii. The quantity of poultry litter to be removed from the installation by the contractor per annum;

- iv. Confirmation that the contractor will remove all poultry litter from the installation at maximum capacity; and
- v. Assurance that the transport of poultry litter will be in accordance with the Animal By-product Regulations.

4. Wash water:

- a) Confirm the number and capacity of wash water tanks (total capacity minus the freeboard);
- b) Clarify how the 26 weeks' storage capacity requirement will be met;
- c) If the storage capacity is to be supplemented by off-site storage, identify the type, capacity and location of the off-site storage; and

In order to assist you in compiling this information, a table has been provided. Complete Table B appropriately.

Table B:

Wash water	Existing Farm	Proposed Activity
Number of wash water tanks		
Capacity of <u>each</u> wash water tank (m ³) (total capacity minus the freeboard)		
Total capacity of wash water storage (m ³) (total capacity minus the freeboard)		
Number of weeks of wash water storage available		

- d) With regards to the landspreading of wash water:
 - i) Confirm the owner of the spreadlands;
 - ii) Confirm the total area of land (in hectares) available for the receipt of wash water (excluding the site of the proposed activity and any other unsuitable lands); and
 - iii) Demonstrate that the lands identified have the capacity to accept the wash water generated.

5. Update the Environmental Impact Assessment Report (EIAR), in accordance with the requirements of the 2014 Directive, to include the following:

- a) The impacts of the installation on climate; and
- b) An assessment of the installation operated as a free-range broiler farm. The current EIAR only addresses the impacts from a conventional broiler farm.

6. Storm water:
 - a) Confirm the mitigation measures proposed for each stormwater discharge point, e.g. silt traps; and
 - b) Confirm the number of stormwater discharge points and update the application form and map as required.

7. Waste:
 - a) In relation to waste types to be produced by the activity, update section 8.1 of the application form completing all columns for all waste types, including but not limited to the following: List of Wastes (LoW) code (including hazardous waste), estimated quantities to be generated and a description of storage / disposal (for example spent fluorescent bulbs, veterinary waste); and
 - b) In relation to vermin/pest control at the installation, provide the following:
 - i. Confirm if the pest/rodent control programme onsite is and will be in line with Bord Bia and Department of Agriculture, Food and The Marine requirements;
 - ii. Provide details regarding storage of waste associated with vermin/pest control; and
 - iii. Provide details of any proposed transporter of vermin/pest control waste.

8. Water Supply:

Conflicting information has been provided in relation to water supply for the installation:

 - a) Clarify the proposed source(s) of water to be used for the activity and the quantity of water usage expected per annum from each source;
 - b) Provide the name of the public water supply, if applicable; and
 - c) If applicable, update Attachment 4.6.1 and Section 4.6 of the application form.

9. Update the site plan taking account of points 1 to 8 above.

In addition to the above, please also provide an updated non-technical summary (Application Form, and EIAR 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 *8 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 [IE Licence application guidance | Environmental Protection Agency \(epa.ie\)](#).

Please direct any queries to licensing@epa.ie.

Yours faithfully,

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