

 <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhnú Comhshaoil</p>	OFFICE OF ENVIRONMENTAL SUSTAINABILITY
ENVIRONMENTAL LICENSING PROGRAMME	
TO:	David Flynn, Director
FROM:	Philip Stack, Inspector, Industrial Carbon Emissions Regulations
DATE:	13 March 2024
RE:	Technical Amendment to Industrial Emissions Licence Register Number: P0811-02, held by Dawn Meats Ireland Unlimited Company, for an installation located at Greenhills, Beuparc, Navan, County Meath.

The Agency received a request on 29 December 2023 from Dawn Meats Ireland Unlimited Company, Licence Reg. No. P0811-02 to technically amend its Licence. The request relates to the disposal of treated effluent from the on-site waste water treatment plant (WWTP) via a subsurface drip irrigation system on an adjoining area of grassland.

This memo recommends that the change cannot be accommodated by a Technical Amendment, in accordance with Section 96(1) of Environmental Protection Agency Act 1992 as amended (hereafter referred to as the EPA Act).

1. Background

Dunbia (Slane) was granted a licence, Reg. No. P0811-01, on 05 March 2010 for an installation located at Greenhills, Beuparc, Navan, County Meath. The installation is licenced under Class 7.4.1¹ of the First Schedule to the EPA Act.

A revised licence, Licence Reg. No. P0811-02 was issued to Dunbia (Slane) on 27 June 2017. This licence was transferred to Dawn Meats Ireland Unlimited Company on 29 January 2019.

The installation is a cattle slaughtering installation located approximately 4.5 km south of Slane, County Meath.

2. Technical Amendment Request

On 29 December 2023, the Agency received a request for a Technical Amendment of Licence Reg. No. P0811-02, in order to allow the utilisation of lands at the site within company ownership for subsurface irrigation of treated wastewater. The licensee currently treats waste water with a Dissolved Air Flotation (DAF) system, before tankering the DAF effluent off-site for treatment and disposal at an Uisce Éireann WWTP. DAF sludge is removed off-site for landspreading. A new WWTP is under construction on-site and due to be commissioned in Q1 2024. The licensee proposes to dispose of the effluent from this WWTP via a subsurface irrigation system, which will consist of a network of pipes laid approximately 40 cm below the soil surface. The licensee proposes to discharge a maximum of 250 m³ of effluent per day and

¹ Food and Drink: the operation of slaughterhouses with a carcass production capacity greater than 50 tonnes per day

a maximum of 15 m³ per hour. This proposal represents a new discharge to ground. No change to the licensed site boundary has been requested.

The licensee has submitted a hydrological and hydrogeological qualitative risk assessment for the proposal.

The subsurface irrigation system does not at present have planning permission. Meath County Council has referred a case to An Bord Pleanála to confirm whether the proposed system is considered a development and, if so, whether or not it should be considered exempted development (ref. no. RL17.318864). This will inform whether the licensee would need to apply for planning permission.

3. Consultation with the Office of Environmental Enforcement (OEE)

I have consulted with the OEE Inspector, Oliver Gray, in relation to this technical amendment request. The OEE confirmed that the proposal cannot be accommodated under the existing licence. OEE has confirmed that there are no legal proceedings in train in respect of this licence.

4. Assessment

The proposed development represents a significant new main emission and cannot therefore be authorised by TA.

Additionally, the planning permission obtained for the new WWTP plant (ref. no. 21/424) included permission to build a 7.2 km underground treated effluent main to discharge the effluent into the River Boyne, at Ardmulchan, County Meath, not disposal via a subsurface irrigation system. The proposed discharge to ground via a subsurface irrigation system may require planning permission and can therefore not be authorised until evidence is providing confirming a grant of planning permission or confirmation that it is not needed.

Section 96(1) of the EPA Act:

Section 96(1) of the EPA Act states that

“The Agency may amend a licence or revised licence for the purposes of -

- (a) correcting any clerical error therein,
- (b) facilitating the doing of anything pursuant to a condition attached to the licence where the doing of that thing may reasonably be regarded as having been contemplated by the terms of the condition or the terms of the licence taken as a whole but which was not expressly provided for in the condition, or
- (c) otherwise facilitating the operation of the licence and the making of the amendment does not result in the relevant requirements of section 83(5) ceasing to be satisfied”.

The amendment request to the discharge of effluent to ground via a subsurface irrigation system cannot be considered to be (a) correcting any clerical error or (b) facilitating the doing of anything pursuant to a condition attached to a licence where the doing of that thing may reasonably be regarded as having been contemplated by the terms of the condition or terms of the licence when taken as a whole.

It is also considered that the amendment cannot be accommodated by way of Section 96(1)(c). For an amendment to be accommodated under Section 96(1)(c) it must satisfy both

criteria Part (i) otherwise facilitating the operation of the licence and Part (ii) does not result in Section 83(5) failing to be satisfied.

In relation to Part (i) the the discharge of effluent to ground via a subsurface irrigation system cannot be interpreted as otherwise facilitating the operation of the licence, as to allow this discharge would represent authorisation of an entirely new emission point from the installation. In relation to Part (ii) the licensee has failed to provide sufficient supporting information to demonstrate that Section 83(5) will continue to be satisfied.

It is therefore considered that the proposed amendment cannot be accommodated by way of a technical amendment and a licence review would be required in order to consider the proposed changes as requested.

5. Recommendation

This memo recommends that the requested changes cannot be accommodated by a Technical Amendment of Licence P0811-02 (held by Dawn Meats Ireland Unlimited Company), in accordance with Section 96(1) of the EPA Act 1992 as amended.

Signed,



Philip Stack
Inspector
Environmental Licensing Programme