



Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

TECHNICAL AMENDMENT B
To
INDUSTRIAL EMISSIONS LICENCE

Licence Register Number:	P0710-03
Licensee:	Mr. Paul Tully
Location of Installation:	Moate Pig Unit Ballinakill Portlaoise County Laois

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 Licence Reg. No. P0710-03 granted on 22/12/2011, Amendment A granted on 22/04/2013 and Section 82A(11) Amendment granted on 18/12/2013, as well as any amendments noted herein, any emissions from the activity will comply with and not contravene any of the requirements of Section 83(5) of the Environmental Protection Agency Act 1992 as amended.

The Agency has applied the Commission Implementing Decision of 15/02/2017 establishing Best Available Techniques (BAT) Conclusions, under Directive 2010/75/EU of the European Parliament and of the Council on industrial emissions, for the intensive rearing of poultry and pigs (EU/2017/302) as a reference when setting licence conditions and schedules.

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 Sites: River Barrow and River Nore SAC (002162), Lisbigney Bog SAC (000869), Ballyprior Grassland SAC (002256) and River Nore SPA (004233).

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 is based on the following reasons:

- the installation is not located within any European site;
- this amendment is for the purposes of updating the licence to ensure compliance with the Commission Implementing Decision for the Intensive Rearing of Poultry or Pigs (2017/302/EU). This amendment updates the licence conditions and maintains or tightens the emission limit values to ensure the operation of the installation is in line with the latest developments in best available techniques (BAT) and to achieve a high level of protection of the environment; and
- the proposed changes do not substantially change the nature or extent of the operations at the installation.

Technical Amendment

In pursuance of the powers conferred on it by Section 96(1)(c) of the Environmental Protection Agency Act 1992 as amended, the Agency amends the licence, granted to Mr. Paul Tully, for an installation located at Moate Pig Unit, Ballinakill, Portlaoise, County Laois.

Henceforth, the licence shall be read in conjunction with Amendment A issued on 22/04/2013 and Section 82A(11) Amendment issued on 18/12/2013, and the amendments set out below.

This technical amendment is limited to the following: Glossary of Terms, Conditions and Schedules:

Amendments

Amended Glossary of Terms

Insert the following into the Glossary of Terms, of the existing licence or where relevant replace the existing term:

Accident	For the purpose of this licence an accident means an unplanned event that may result in pollution.
Animal By-product Regulations	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.
Appropriate Facility	A waste management facility or installation duly authorised under relevant law and technically suitable.
Approval	Approval in writing/electronically.
BAT	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.
CID	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.
Daytime	07:00hrs to 19:00hrs.
Diffuse Emissions	Non-channelled emissions which can result from ‘area’ sources (e.g. tanks) or ‘point’ sources (e.g. pipe flanges).
EIAR	Environmental Impact Assessment Report.
EMS	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.
Evening Time	19:00hrs to 23:00hrs.

Farm	An installation as defined in Article 3(3) of Directive 2010/75/EU where pigs or poultry are reared.
Farrowing Sows	Sows between the perinatal period and the weaning of the piglets.
Fattener	A production pig of a weight greater than 60 kg.
Fattening pigs	Production pigs typically reared from a live weight of 30 kg to slaughter or first service. This category includes growers, finishers and gilts that have not been serviced.
Gestating sows	Pregnant sows, including gilts.
Groundwater	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.
Grower	A production pig in the weight range of 30 to 60 kg.
Hazardous Substances	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.
IE	Industrial Emissions.
IFI	Inland Fisheries Ireland.
Incident	<p>The following shall constitute an incident for the purposes of this licence:</p> <ul style="list-style-type: none">(i) an emergency;(ii) any emission which does not comply with the requirements of this licence;(iii) any malfunction or breakdown of key environmental abatement, control or monitoring equipment;(iv) any trigger level specified in this licence which is attained or exceeded;(v) any indication that environmental pollution has, or may have, taken place.
Installation	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.

Installation Manager	The licensee or an authorised representative of the licensee with the appropriate seniority and authority to ensure compliance with the licence.
Intensive Pig and/or Poultry Unit	Activities which are required to hold an IE licence.
L_{Aeq,T}	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).
L_{Ar,T}	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.
List of Wastes (LOW)	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.
Livestock	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).
Maiden Gilt	A young female pig which has not yet gone through the rearing periods of mating, gestating and farrowing.
Manure	Animal faeces, urine, wash water and any associated feed or bedding.
Mating sows	Sows ready for service and before gestation.
Night-time	23:00hrs to 07:00hrs.
Owner/operator	IE licensee.
Potential emissions	Emissions which take place only under abnormal operating conditions. Examples include emissions from overpressure valves, bursting discs, and back-up generators.
Pig	An animal of the porcine species of any age, kept for breeding or fattening.
Piglets	Pigs from birth to weaning.

Places for Sows	Places for female pigs after their first farrowing and places for gilts, (i.e. female pigs which have already been serviced, but have not yet farrowed).
Relevant Hazardous Substances	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.
SAC	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.
Soil	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.
Sows	Female pigs during the rearing periods of mating, gestating and farrowing.
SPA	Special Protection Area designated under the Birds Directive, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.
Uisce Éireann	Uisce Éireann, Colvill House, 24/26 Talbot Street, Dublin 1.
Wash Water	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.
Weaners	Young pigs reared from weaning until fattening, typically reared from a live weight of around 8 kg to 30 kg.

Amended Conditions

Replace Condition 1.1, of the existing licence with the following:

- 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.

Replace Condition 1.6, of the existing licence with the following:

- 1.6 This licence is for the purpose of IE 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.

Replace Conditions 2.2, 2.3, 2.4 and 2.5, of the existing licence with the following:

- 2.2 Environmental Management System (EMS)
- 2.2.1 The licensee shall **prepare and implement** an Environmental Management System (EMS) and any updates required by the conditions below shall be completed within six months of date of grant of this technical amendment. The EMS shall be reviewed for suitability, adequacy and effectiveness and updated on an annual basis.
- 2.2.2 The EMS shall be updated to 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 Effective process control.

2.2.2.8 Maintenance of records.

2.2.2.9 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.

2.2.2.10 Environmental Management Programme (EMP)

The licensee shall **prepare, maintain and implement** an EMP, including a time schedule, for achieving the Environmental Objectives and Targets prepared under Condition 2.2.2.9 above. The EMP shall include:

- designation of responsibility for targets;
- the means by which they may be achieved; and
- the time within which they may be achieved.

The EMP shall be reviewed annually.

A report on the programme, including the success in meeting agreed targets and an evaluation of non-conformities and associated corrective actions and the potential for further non-conformities to occur shall be prepared and submitted to the Agency as part of the AER. Such reports shall be retained on-site for a period of not less than seven years and shall be available for inspection by authorised persons of the Agency.

2.2.2.11 Documentation

- (i) The licensee shall **update, 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 **update, 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 **update, 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 **update, 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). 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.

New Conditions

Append the following to Condition 3, of the existing licence:

- 3.9 The licensee shall ensure 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.
- 3.10 Where any Condition/Schedule of this licence specifies any later deadline for installation of any piece of infrastructure or equipment, Condition 3.9 shall apply as and from the deadline specified.
- 3.11 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, within six months of date of grant of this Technical Amendment.
- 3.12 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.

Amended Conditions

Replace Condition 5.1, of the existing licence with the following:

- 5.1 Emissions, including emissions giving rise to odours, from the activities carried on at the site shall not 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.

Replace Condition 5.3, of the existing licence with the following:

- 5.3 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.

New Conditions

Append the following to Condition 5, of the existing licence:

- 5.5 The licensee shall use one or a combination of the techniques listed in each of the BAT 10, BAT 11 and BAT 13 in order to prevent, or where that is not practicable, to reduce noise, dust and odour emissions, within six months of date of grant of this Technical Amendment.
- 5.6 Nutritional Management
- 5.6.1 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, within six months of date of grant of this Technical Amendment.
- 5.6.2 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, within six months of date of grant of this Technical Amendment.
- 5.7 Ammonia Control
- 5.7.1 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 Technical Amendment.

- 5.7.2 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.
- 5.7.3 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, within six months of date of grant of this Technical Amendment. The estimated or calculated reductions shall be submitted to the Agency as part of the Annual Environmental Report (AER).
- 5.8 The licensee shall use one or a combination of the applicable techniques listed in BAT 30 (Ammonia emissions from pig houses), in order to reduce ammonia emissions to air from each pig house, within six months of date of grant of this Technical Amendment.

Append the following to Condition 7, of the existing licence:

- 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, within six months of date of grant of this Technical Amendment.
- 7.6 The licensee shall implement a combination of the techniques listed in BAT 8 (energy efficiency) to increase energy efficiency, within six months of date of grant of this Technical Amendment.

Append the following to Condition 8, of the existing licence:

- 8.2 Slurry Storage /Wash Water Tank
- 8.2.1 The licensee shall use a combination of the applicable techniques listed in BAT 16 (Emissions from slurry storage) in order to reduce ammonia emissions to air from a slurry store/wash water tank, within six months of date of grant of this Technical Amendment.
- 8.2.2 The licensee shall use a combination of the applicable techniques listed in BAT 18 (Emissions to soil and water from slurry collection, piping, and storage) in order to reduce ammonia emissions to air from slurry collection, piping and storage.
- 8.2.3 If on-farm processing of manure is used, the licensee shall use one or a combination of the applicable techniques listed in BAT 19 (On farm processing of Manure) in order to reduce emissions of nitrogen, phosphorus, odour and microbial pathogens to air and water and facilitate manure storage and/or landspreading, within six months of date of grant of this Technical Amendment.
- 8.12 Wash Water

- 8.12.1 The licensee shall use a combination of the techniques listed in BAT 6 in order to reduce the generation of wash water on site, within six months of date of grant of this Technical Amendment.
- 8.12.2 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, within six months of date of grant of this Technical Amendment.
- 8.13 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 emission from each house, within six months of date of grant of this Technical Amendment.
- 8.14 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).

Append the following to Condition 11, of the existing licence:

- 11.9 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.
- 11.13 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.
- 11.14 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.

Amended Schedules

SCHEDULE B: Emission Limits

Replace Schedule B.1 Emissions to Air, of the existing licence with the following:

B.1 Emissions Limits for Ammonia Emissions to Air from each Animal House

Emission Point Reference No.: Pig House(s)

Source of Emissions	Parameter	Emission Limit
Mating and gestating sows	Ammonia	4.0 kg NH ₃ /animal place/year
Farrowing sows (including piglets) in crates	Ammonia	7.5 kg NH ₃ /animal place/year
Weaners	Ammonia	0.7 kg NH ₃ /animal place/year
Fattening pigs	Ammonia	3.6 kg NH ₃ /animal place/year

Amended Schedule

SCHEDULE C: Control and Monitoring

Replace Schedules C.1.1. Control of Emissions to Air and C.1.2. Monitoring of Emissions to Air, of the existing licence with the following:

C.1.1. Monitoring of Emissions to Air

Emission Point Reference No.: Pig House(s)

Parameter	Monitoring Frequency	Monitoring/Analysis Method/ Technique
Ammonia ^{Note 1}	Annually ^{Note 2}	Refer to BAT 25
Dust	Annually	Refer to BAT 27

Note 1: Monitoring to be undertaken for each animal category except where BAT 25(b) is applied.

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.

New Schedule

SCHEDULE C: Control and Monitoring

Append the following to Schedule C Control and Monitoring, of the existing licence:

C.1.2. Control and Analysis of Crude Protein Content of Animal Feed

Description of point of measurement: Animal Feed

Parameter	Analysis Frequency	Analysis Technique ^{Note 1}
Crude Protein (as % of feed)	Each consignment of feed received	Data to be attained from feed manufacturer/supplier
Other	As approved by the Agency	As approved by the Agency

Note 1: Analysis to be provided for each animal category.

Rename Schedule C.4 Waste and Slurry/Manure Monitoring with Schedule C.4.1. Waste and Slurry/Manure Monitoring and append Schedule C.4.2. Organic Fertiliser Process Monitoring to the existing licence:

C.4.2. Organic Fertiliser Process Monitoring

Description of point of measurement: Animal House

Source of measurement	Parameter	BAT-associated total nutrient excreted levels	Monitoring frequency	Monitoring standard or method
Mating and gestating sows	Nitrogen	30 Kg Nitrogen (N) excreted/animal place/year	Annually	Refer to BAT 24
	Phosphorus	15 Kg Phosphorus (P ₂ O ₅) excreted /animal place/year		
Farrowing sows (including piglets) in crates	Nitrogen	30 Kg Nitrogen (N) excreted/animal place/year	Annually	Refer to BAT 24
	Phosphorus	15 Kg Phosphorus (P ₂ O ₅) excreted /animal place/year		
Weaners	Nitrogen	4 Kg Nitrogen (N) excreted/animal place/year		

	Phosphorus	2.2 Kg Phosphorus (P ₂ O ₅) excreted /animal place/year	Annually	Refer to BAT 24
Fattening Pigs	Nitrogen	13 Kg Nitrogen (N) excreted/animal place/year	Annually	Refer to BAT 24
	Phosphorus	5.4 Kg Phosphorus (P ₂ O ₅) excreted /animal place/year		

This technical amendment shall be cited as Amendment B, to the licence.

Sealed by the Seal of the Agency on this the XX day of MMMM, YYYY

PRESENT when the seal of the Agency was affixed hereto:

xxxxxxx, Director/Authorised Person