

Office of Licensing, Climate and Resource Use,
Environmental Protection Agency,
P.O. Box 3000,
Johnstown Castle Estate,
Co. Wexford

30th April 2024

Re: James & Mark Wright T/A (JMW Farms) ~ Licence Application P0696-03

Dear Sir/Madam,

I refer to previous Agency correspondence of 15th November 2023. Please find the response to the issues raised outlined below;

1. **Appropriate Assessment:** A screening for Appropriate Assessment was undertaken on 15 November 2023 and the Agency determined that an Appropriate Assessment of the activity is required. You are thereby required to submit a Natura Impact Statement (NIS), as defined in Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, for the entire installation.
 - a. Provide SCAIL / site specific modelling to demonstrate that there will be no impact on European sites. Where no impact on European sites cannot be demonstrated through SCAIL, site specific modelling may be more appropriate.
 - b. Only stock onsite prior to 31 December 2018 can be considered to have been part of the background ammonia levels, as used in SCAIL. Provide evidence that the finishing house was fully stocked prior to this date if it is intended to consider these emissions as part of the background levels.
 - c. Have reference to the EPA's guidance document "Assessment of the impact of ammonia and nitrogen on Natura 2000 sites from Intensive Agriculture Installations": <https://www.epa.ie/publications/licensing--permitting/industrial/ied/Assessment-of-Impact-of--Ammonia-and-Nitrogen-on-Natura-sites-from-Intensive-Agriculture-Installations-2023.pdf>

A screening for the proposed development has been completed. Out of an abundance of caution at this time, and as requested, the additional production pig numbers have been included, and have not been detailed as part of the background data.

2. **Odour Assessment:** The EPA's odour screening tool has indicated that odour levels may exceed $5 \text{ OU}_E/\text{m}^3$ at nearby sensitive receptors. This is the odour limit that an existing installation licensed by the EPA between 2001 and 15th February 2017 must comply with.

- a. Have reference to the EPA's guidance document "Instruction note for the assessment of odour emissions from intensive agriculture pig installations" and the associated odour screening tool. Both can be found on the Agency's website at the following link: <https://www.epa.ie/publications/licensing--permitting/industrial/ied/instruction-note-and-screening-tool-for-the-assessment-of-odour-emissions-from-i.php>.
- b. Provide an assessment of the odour emissions from the activity and the impact on local residents. The required odour impact assessment should be undertaken in line with the approach outlined in the above-mentioned document and tool.

Please see below the screenshots from the odour Modeling Tool. Note. Stock numbers included have been revised to provide the 30% reduction due to low protein diets.

- c. Provide a map showing the location and distance from the installation boundary to the closest sensitive receptors. The map should also highlight which sensitive receptors are owned by the applicant or his family and which are third party dwellings.

Please refer to enclosed Map detailing closest residential locations;

1= Dwelling previously owned by previous owner of pig farm (Mr. John Erskine)

2 = Pig Farm office.

3 = Dwelling owned by daughter of Mr. David Erskine (owner of the pig house that is to be incorporated into the licensed site, and which is the subject of this review.)

4= Third party dwelling

5= Family member of adjacent licensed poultry farm.

- d. The assessment should be supported by use of a model to predict odour concentrations at the sensitive receptors in the vicinity of the installation. The assessment should, as appropriate, identify odour reduction/mitigation measures.

It should be noted that the proposed licence review is to accommodate an existing permitted and operational pig house that is being assumed under the control of the existing licensed activity. In this regard the developments are already existing and operating without complaint, and there is no proposed change to the cumulative capacity of the existing pig farming activities.



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The proposed licence amendment/review will;

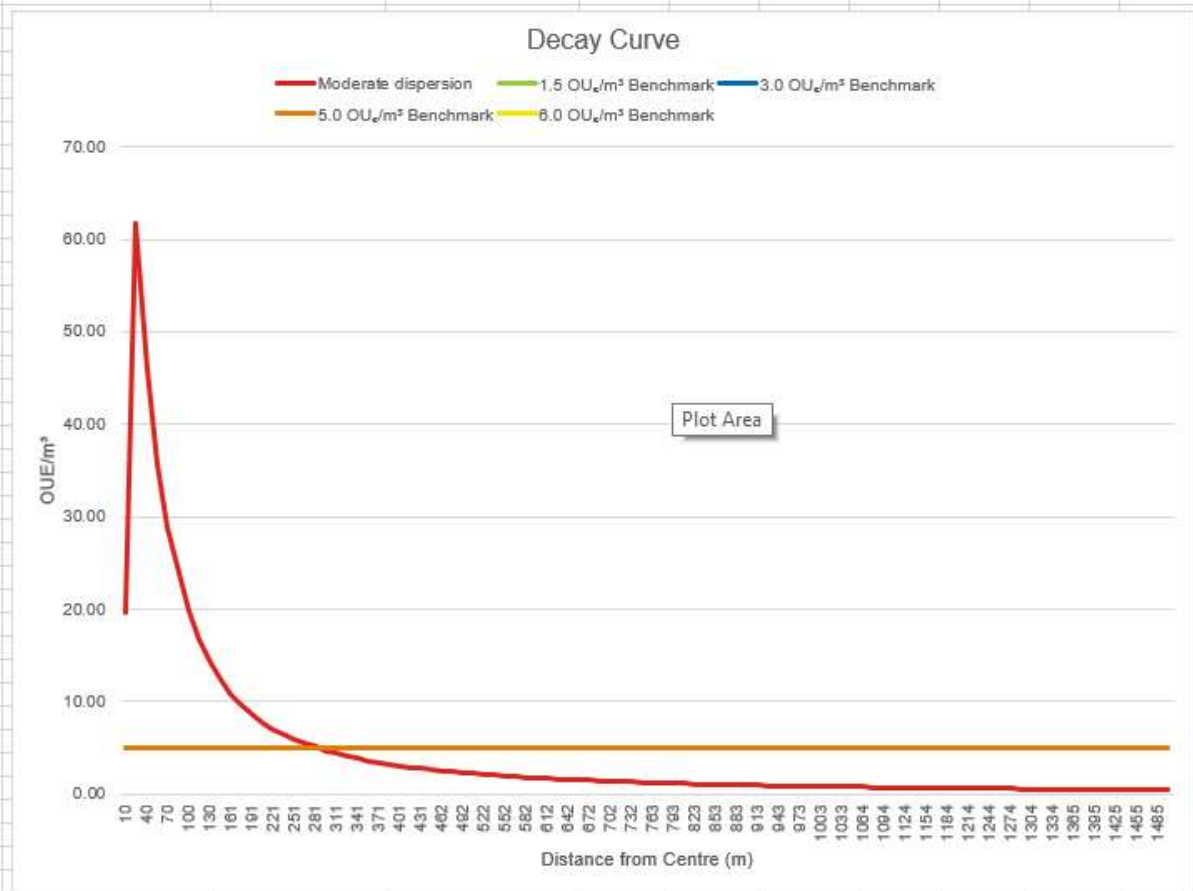
- not result in any cumulative increase in odour and/or other emissions, and,
- due to the measures to be implemented to comply with BAT (and in particular low protein diets), result in a significant reduction in current emission levels,

therefore, even if the cumulative development is not achieving a pre-determined threshold, granting a revised licence to the cover both existing activities will ensure positive improvements in the cumulative impacts in the local area, (notwithstanding that both activities are already permitted, operating and operating without complaint, and, the licence review is only required due to a change in management structures, with no change to the operating activities).

Building Emissions							Check-box	Last User	L
							OK	AP	02
Sheet explanation									
For each building used to rear pigs:									
a) [Optional] enter a name for the building in Column C.									
b) Specify the main type of pig reared within the building in Column D (drop-down list).									
c) Specify the number of pigs reared within the building in Column F.									
d) Specify the dispersion characteristics of the building in Column H (drop-down list).									
e) If a building is not used, please select 'Not used' in columns D and I.									
	Text entry	Drop-down	Lookup	Integer entry	Calculation	Drop-down			
			Recommended Emission Factor (ou _e /s/animal)	Quantity (no. of animals)	Total (OU _e /s)	Dispersion			Flag
Building	Predominant Animal Type								
	Farrowing		20	280	5,600	Moderate dispersion			
	Dry sows		21	560	11,760	Moderate dispersion			
	Gilts		20	220.5	4,410	Moderate dispersion			
	Weaners		6	6800	40,800	Moderate dispersion			
	Maiden Gilts		20	164.5	3,290	Moderate dispersion			
	Growers		12	280	3,360	Moderate dispersion			
	Finishers		20	420	8,400	Moderate dispersion			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
	Not used		0		0	Not used			
			Total	8,725	77,620				
					Worst case dispersion:	Moderate dispersion			

The intersection indicates the closest distance from centre point in metres.

Benchmark	Intersection
1.5 OUE/m ²	672.2
3 OUE/m ²	416.4
5 OUE/m ²	296.0
6 OUE/m ²	250.8

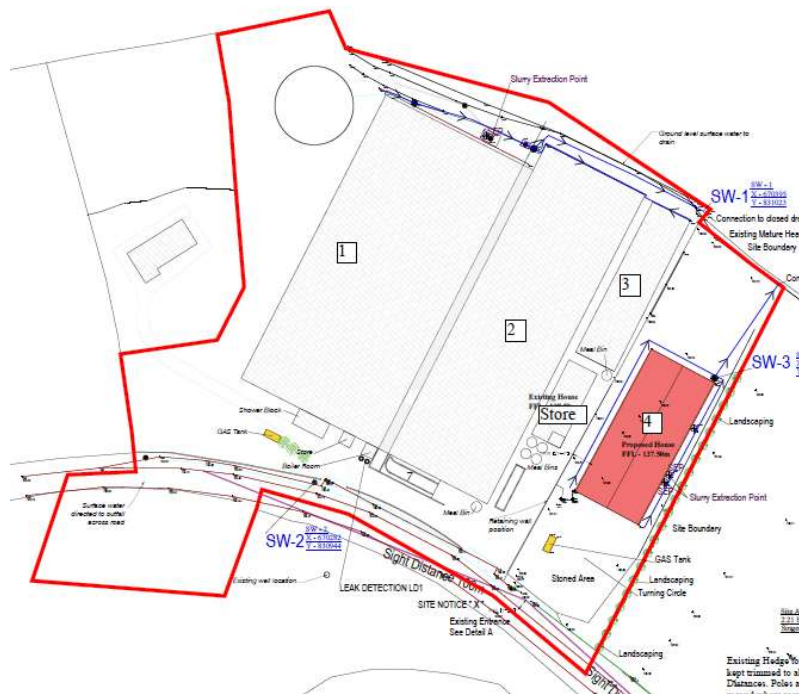


- CRO number:** It was noted in the application form that the organisation name is a body corporate (JMW Farms), however a company CRO reference number was not supplied in the application form. Provide the company's CRO reference number.

CRO Number = 473152 (JMW Farms (Irl) Ltd.)

4. **Pig numbers:** Provide a breakdown of the proposed stocking numbers by animal category and by building, to include as a minimum, the numbers of dry sows, farrowing sows, weaners, and gilts/production pigs. Label each of these building on a site layout drawing.

Building	Predominant Animal Type	Quantity (no. of animals)
1	Farrowing	400
2	Dry sows	800
2	Gilts	315
1	Weaners	6800
3	Maiden Gilts	235
4	Growers	400
4	Finishers	600



5. BAT compliance:

- a. Insufficient detail was provided for BAT 13. A combination of the techniques outlined for BAT 13 is required for compliance. Specifically reference the combination of techniques which will be utilised on-site and provide sufficient detail to clarify how the measures that will be implemented on-site will comply with the specific BAT techniques referenced.

A number of the measures identified in BAT 13, are deemed to not be generally applicable to existing activities, such as that which is the subject of this license review. Measures that are to implemented included include;

- BAT 13 (c) Apply ridge ventilation (Already in situ)
- BAT 13 (e) 3 – Minimise stirring of slurry (No or minimal agitation on site)

- b. Insufficient detail was provided for BAT 16. Specifically reference the combination of techniques which will be utilised on-site and provide sufficient detail to clarify how the measures that will be implemented on-site will comply with the specific BAT techniques referenced.

A number of the measures identified in BAT 16, are deemed to not be generally applicable to existing activities, such as that which is the subject of this license review. Measures that are to implemented included include;

- BAT 16 (a) 3 – Minimise stirring of slurry (No or minimal agitation on site)
- BAT 16 (b) Cover the slurry store – No external uncovered slurry stores are to be used.

- c. Planning permission for the additional house to be incorporated within the licensed installation was granted in 2018. All pig houses built since 2017 are required to be BAT compliant, with deep pit and nutritional techniques not acceptable as a means of complying with BAT 30. Provide a revised proposal to clearly demonstrate how the proposed house will comply with BAT 30 including the specific techniques and technologies to be used along with the controls and monitoring proposed to ensure compliance.

BAT CONCLUSIONS FOR THE INTENSIVE REARING OF POULTRY OR PIGS
SCOPE

These BAT conclusions concern the following activities specified in Section 6.6 of Annex I to Directive 2010/75/EU, namely '6.6. Intensive rearing of poultry or pigs':

- (a) with more than 40 000 places for poultry
- (b) with more than 2 000 places for production pigs (over 30 kg), or
- (c) with more than 750 places for sows.

This proposed license review relates to the integration of an existing , operating pig house (Ref: House 4) into the existing licensable activity operated by the existing licensee, to ease management of the farm(s).

House No. 4 which is existing and operational, was completed in line with the planning permission granted. This development was not licensable at the time of construction and was (and is in its own right) sub-licensable threshold. Furthermore BAT was not, and is not, applicable to this development, as same fell/falls outside of the scope of the BAT document, as detailed in the extract above. Therefore the position proposed above that “All pig houses built since 2017 are required to be BAT compliant” appears incorrect.

This development has only become licensable as it is being leased by the operators of the adjacent farm, thus incorporating this existing activity into the existing larger licensable activity. In essence this licence review is to amalgamate two “existing” farms and house 4 should be treated as existing farm/plant for the purposes of BAT (notwithstanding that it was completed after 2017, but for the fact that that this development was outside of the scope of BAT at the time of construction/operation, and currently remains outside of the scope of BAT until a revised license is granted).

While it is appreciated that all **licensable houses** built since 2017, had to comply with BAT, it has been detailed that this development did, and does not, fall within the scope of BAT therefore it is felt that that it is overly onerous and punitive to seek to apply this infrastructural requirement (as prescribed by BAT 30, and in excess of a deep pit with nutritional measures) to a development retrospectively, purely because it has been leased by a licensed operator. Same would only serve to discourage the amalgamation of the farms, thus the operation of the activity (and local environment) would forgo the benefit of implementing the additional remaining (mainly operational) BAT requirements, such as low protein diets etc., which are proposed by the licensee.

Given the proposed reduction in license thresholds over the coming years, this issue is likely to arise on similar, sub-threshold sites which may become licensable in the future, and a pragmatic approach will need to be adopted.

6. Organic fertiliser:

- a. Complete Attachment 7.6.2(a), including a summary table of lands that slurry will be exported and their total available import capacity (m³).

Please see attached 7.6.2 (a), a copy of the 2023 record 3 Summary is the most up to date summary table available.

- b. 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).

Please see attached a copy of the 2023 record 3 Summary.

2023 Record 3

Exporter ID	Importer ID	Quantity	Unit
ZR034	R1581698	909.09	Cubic Meters
ZR034	R1520605	568.18	Cubic Meters
ZR034	R1530767	654.55	Cubic Meters
ZR034	R1650924	136.36	Cubic Meters
ZR034	O1190950	4545	Cubic Meters
ZR034	R1291118	350	Cubic Meters
ZR034	R1293366	350	Cubic Meters
ZR034	R1471710	927	Cubic Meters
ZR034	R1461463	1009.09	Cubic Meters
ZR034	O1370362	2318.18	Cubic Meters
ZR034	Q1330234	150000	Gallons

7. **Water usage:** Conflicting information has been given on the water sources for the proposed activity and the estimated volume that will be used. Confirm the proposed water sources and the estimated volume from each source.

Water will be supplied from the public supply (Stranooden Group Scheme) and/or surface water/rainwater harvesting from an earth banked reservoir. Water usage as per revised Table 4.6.1 submitted.

8. **Stormwater:** Clarify what controls (i.e. silt traps) it is intended to install on the stormwater discharge points.

No additional controls are currently proposed.

9. Environmental Impact Assessment (EIA):

- a. Update the Environmental Impact Statement (EIS) submitted with the application (dated January 2007), in accordance with the requirements of the 2014 EIA Directive.
- b. The Environmental Impact Assessment Report (EIAR) submitted with the application (dated December 2017) related to the development associated with planning permission 17/587 with a capacity of 1,000 production pigs. Update the EIAR to reflect the activity proposed by this licence review.

It appears from the Agency request that two separate revised E.I.A.R.'s are required. Can the Agency please confirm that a revised EIAR in respect of Point B is satisfactory to also address the issues raised as per point A, (as in effect the revised EIAR necessary to address point A will be assumed into the EIAR addressing Point B)

10. With regards to **planning permissions** granted for the site, confirm whether all development works were completed for planning permission references 07/993, 12/372, and 17/587.

07/993, Completed

12/372, Not Commenced

and 17/587 Completed

11. Proposed incorporation of the finishing house to the installation:

- a. Confirm whether or not the finishing house proposed for incorporation within the site boundary is currently in the ownership of the licensee, and if not, the timeline for the transfer of ownership.

The site is leased/to be leased and there is no current timeline for and/or agreement on the transfer of ownership.

- b. Confirm whether the finishing house is currently stocked.

The finishing house is stocked and operational.

12. Update the site plan to include the following:

- a. Individual labelling of all buildings and structures onsite, in line with labels given in the application and/or any future supporting documents, and which clearly identify the purpose of the structure.
- b. Any further clarifications included in this request (outlined above) which affects the site plan.

Please refer to enclosed site plan.

If you require any additional information please contact this office.

Yours Sincerely,

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Paraic Fay B.Agr.Sc.