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Mr. Paraic Fay
On behalf of Messrs Jim and Mark Wright T/A JMW Farms

19 June 2024

Reg. No.: P0696-03

Further Notice under the EPA (Industrial Emissions) (Licensing) Regulations 2013, in respect of a licence review from Messrs Jim and Mark Wright T/A JMW Farms for an installation located at Crosses, Monaghan, County Monaghan.

Dear Mr. Fay,

I refer to the EPA's notice of 15 November 2023 requesting information in respect of your licence review application.

You are advised that there remains outstanding information, as required under the EPA (Industrial Emissions) (Licensing) Regulations 2013, as amended. You are therefore required to submit the outstanding information detailed below:

- 1. Site boundary:** The licensed site boundary, as shown on the recently submitted site plan, encompasses part of a public road. Provide an updated site plan, wherein the site boundary encompasses only those areas that are within the control of the licensee. Note that the areas within the licensed site boundary do not have to be contiguous.
- 2. Gilts:** There is reference to both gilts and maiden gilts in the RFI response. Clarify whether the pigs referred to as gilts refer to maiden gilts or dry sows, i.e. animals pre- or post-first service respectively. Update any assessments as needed.
- 3. Odour Assessment:** As stated in the notice of 15 November 2023, 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. It is clear from your response that there are several third-party dwellings likely to be affected by odour exceeding this level.

- 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. Note that the Agency considers dwellings 1 and 5 to be third party dwellings for the purposes of odour emissions. The required odour impact assessment should be undertaken in line with the approach outlined in the above-mentioned document and tool. Note that distances between the installation and sensitive receptors should be calculated from the edges of buildings, slurry stores or other infrastructure which may be a source of malodour, and not from the centre of the installation.
 - c. 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.
4. **BAT Compliance:** It remains the Agency's view that all pig houses which have been built after publication of the Commission Implementing Decision (CID) document for the Intensive Rearing of Poultry or Pigs (2010/75/EU, Feb 2017), and which it is proposed to operate under an Industrial Emissions licence, are considered to be "new plant", as defined by the CID.

Use of a deep pit and nutritional techniques is not acceptable as a means of complying with BAT 30 for new plant/farms. 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.

5. **Appropriate Assessment:** The Agency notes the NIS received on 30/4/2024, states it is for 1,200 sows and 1,500 production pigs which conflicts with 1,550 production pigs proposed in the application form. Please clarify that the NIS covers the 1,200 sows and 1,550 production pigs and that the SCAIL modelling reflects 1,200 sows and 1,550 production pigs.
6. **Environmental Impact Assessment (EIAR):**
In your response received on 30/04/2024 regarding EIAR, a single revised EIAR is sufficient provided that it addresses point A in accordance with the requirements of

the 2014 EIA Directive. In regard to point B, the updated EIAR should reflect the activity proposed of 1,200 sows and 1,550 production pigs (including maiden gilts) by this licence review.

With a view to advancing this application for determination, the above-mentioned information should be submitted to the EPA within **8 weeks** of the date of this notice.

It should be noted that failure to comply with this request may result in the EPA activating Regulation 19 of the EPA (Industrial Emissions) (Licensing) Regulation 2013 which pertains to Withdrawal or Abandonment of application for a licence. Have regard in particular to:

(2) Where the Agency is of the opinion that an application for a licence or review of a licence has been abandoned it may give to the applicant a notice stating that fact and requiring that person, within a period specified in the notice (being a period of not less than 14 or not more than 28 days beginning on the date of the giving of the notice), to make to the Agency a submission in writing as to why the application should not be regarded as having been abandoned.

(3) Where a notice has been given under paragraph (2), the Agency may, at any time after the expiration of the period specified in the notice, and after considering the submission (if any) made to the Agency pursuant to the notice, declare that the application to which the notice relates shall be regarded as having been abandoned.

Your prompt attention to this matter is requested.

Yours faithfully,
Brian Walsh
Environmental Licensing Programme
Office of Environmental Sustainability
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