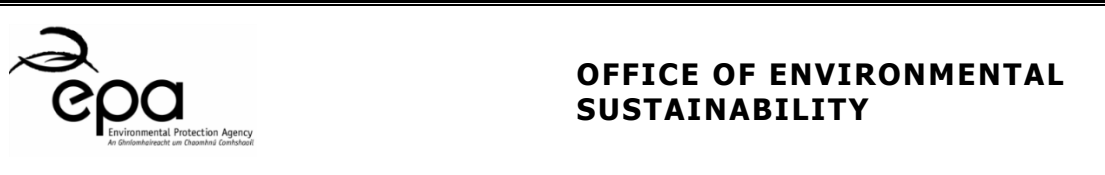


***This Report has been cleared for submission to the Director by Senior Inspector,
Niamh O'Donoghue***

Signed: 

Date: 25/09/2024



**INSPECTOR'S REPORT ON AN INDUSTRIAL EMISSIONS LICENCE
APPLICATION, LICENCE REGISTER NUMBER P1098-02**

TO: EIMEAR COTTER, DIRECTOR

FROM: Brian Coffey, ICER Inspector

DATE: 25/09/2024

Applicant:	Tru Poultry Limited
CRO number:	639020
Location/address:	Crossnacaldoo, Tydavnet, County Monaghan.
Application date:	24 April 2024
Class of activity (under EPA Act 1992 as amended):	6.1(a): The rearing of poultry in installations where the capacity exceeds 40,000 places.
Category of activity under IED (2010/75/EU):	6.6(a): Intensive rearing of poultry with more than 40,000 places for poultry.
Main CID:	CID (EU) 2017/302 (15 February 2017). Establishing (BAT) conclusions, under Directive 2010/75/EU of the European Parliament and of the Council, for the intensive rearing of poultry or pigs.
All relevant CIDs, BREF documents and legislation are listed in appendices of this report.	
Activity description/background: Proposed alteration for an activity for the rearing of poultry (broilers) in an installation with a capacity of 100,000 conventionally reared birds to include the option of 71,000 free-range birds.	
Additional information received:	Yes (7 June 2024, 5 July 2024)
No of submissions received:	1
Environmental Impact Assessment required: Yes	Stage 2 Appropriate Assessment required: Yes
Environmental Impact Assessment Report submitted (EIAR): Yes (24 April 2024)	Natura Impact Statement (NIS) submitted: Yes (24 April 2024)
Site visit: No	Site notice check: 28 May 2024

1. Introduction

This is an assessment of an application for an Industrial Emissions Directive (IED) licence to carry on an activity under Part IV of the Environmental Protection Agency Act 1992, as amended (hereafter referred to as the EPA Act).

The licensee was originally licensed in 2021 for 100,000 broiler capacity. The licensee has proposed an alternative operating scenario as a free-range poultry farm. Specifically, the installation will operate at a capacity of 100,000 conventionally raised broilers as is currently licenced or 71,000 free-range broilers as proposed, depending on market demand. These operating scenarios are henceforth referred to as Scenario A and Scenario B respectfully in this report.

Details of the current and proposed site capacity and infrastructure are provided in Table 1.1 below.

Table 1.1. Application details

	Existing (Scenario A)	Proposed (Scenario B)
Bird type	Broiler (conventional)	Broiler (free-range)
Number	100,000	71,000
No. of animal houses	2	2

A map of the site layout is included in Appendix 1 of this report.

The licensee has not commenced the licensed activity on site and is operating below the EPA Act threshold of 40,000.

2. Description of activity

The installation is located in a rural location with most development near the installation consisting of dwelling houses and farmyards.

The main activities proposed at this installation occur during normal working hours between 06:00 and 20:00. Stock inspections will be carried out every day, including weekends and bank holidays and additional essential activities may be undertaken outside of core working hours. The installation will operate in accordance with the requirements of the Department of Agriculture, Food and the Marine, and under the Bord Bia Poultry Products Quality Assurance Scheme (PPQAS).

Under licenced Scenario A (conventional), day old chicks will be delivered from the hatchery and reared indoors until they are removed from site and taken to the processing installation (at approximately 5 – 6 weeks).

Under Proposed Scenario B (free-range), day old birds will be delivered from the hatchery and held indoors for a four-week period. For the following three to four weeks they will have access to the outdoor "range" area around each house during daylight hours, but this access will be closed off at night. At the end of each rearing cycle (at approximately eight weeks of age), the houses will be destocked, and the birds will be removed from the installation to the processing installation.

For both proposals, at the end of the rearing cycle, the houses will be de-stocked and the birds will be sold for processing. Following the removal of poultry litter (also termed organic fertiliser¹), the poultry houses will be cleaned and left empty for a period of 1 – 2 weeks, to allow for complete drying after the cleaning process. The houses will then be restocked.

The type of poultry house used for this activity is a simple building of steel portal frame construction, on an impervious concrete base. The houses will be thermally insulated, with a computer-controlled ventilation system and artificial lighting. Automatic feeding and ventilation systems operate on a 24-hour basis.

As required under the existing licence, the animal houses will be fitted to meet low emission housing standards. The solid flooring of each broiler house will be bedded with wood shavings/chopped straw over its entire area immediately prior to housing each new batch brought from the hatchery. The principal inputs to the operation are bedding, feed, water, veterinary medicines and energy (electricity, diesel for back-up generator, and gas for heating). The main by-product of poultry rearing is organic fertiliser (poultry litter and wash water). These are discussed in further detail below.

3. Planning Status

On 10 May 2024, Monaghan County Council granted planning permission (Ref: 24/60047) for the construction of one poultry house (in lieu of one poultry house previously approved under planning permission Ref: 18/199) together with all ancillary structures and site works and, the incorporation of adjoining land within the site boundary to permit, where necessary, a free-range farming activity.

Schedule A of the current licence, P1098-01, limits the number of birds housed on-site to 100,000 broilers. An EIAR was submitted with the previous licence application in 2019 and the Agency carried out an assessment for the purposes of EIA.

The licensee has submitted the EIAR associated with planning permission Ref: 24/60047. Having reviewed the planner's reports for previous planning permissions, it is considered that the EIAR submitted with the licence application, along with the licence application and the further information received, contains adequate information to inform the Agency's assessment and that the EIAR relating to the previous planning permission is not required for the Agency's assessment.

The Agency has had regard to the reasoned conclusions reached by the planning authority in undertaking its environmental impact assessment of the activity.

Schedule A of the RD limits the number of birds housed on-site to 71,000 free-range broilers or 100,00 conventional broilers to reflect both the proposed free-range scenario and existing, licenced scenario.

4. Environmental Impact Assessment (EIA) Screening

In accordance with section 83(2A) of the EPA Act, the Agency must ensure that before a licence or revised licence is granted, that the application is made subject to an EIA, where the activity meets the criteria outlined in section 83(2A)(b) and 83(2A)(c).

In accordance with the EIA Screening Determination, the Agency has determined that the activity is likely to have a significant effect on the environment, and accordingly is carrying out an assessment for the purposes of EIA.

The activity exceeds the following threshold in Part 1 of Schedule 5 of the Planning and Development Regulations 2001, as amended:

- 17(a) Installations for the intensive rearing of poultry with more than 85,000 places for broilers.

An EIAR was submitted to the Agency as part of the application on 24 April 2024. This is addressed in the 'EIA' Section later in this report.

5. Best Available Techniques and CID

BAT for the installation was assessed against the BAT conclusions contained in Commission Implementing Decision of 15 February 2017 establishing BAT conclusions for the intensive rearing of poultry or pigs (2017/302/EU) and in any other relevant BREF documents specified in the appendices of this report. A detailed BAT assessment was carried out by the licensee and is included in Section 4.7 of the application form. Additional conditions have been incorporated into the RD to address BAT Conclusions where required. Any relevant BAT-AELs have been specified in the emissions sections of this report.

I consider that the applicable BAT Conclusion requirements are addressed through the technologies and techniques as described in the application, as well as the conditions and limits specified in the RD.

6. Emissions

6.1 Emissions to Air

This section addresses emissions to air from the installation and the environmental impact of those emissions.

6.1.1 Channelled Emissions to Air

There are no main emission points to air from the installation.

6.1.2 Fugitive Emissions

The only fugitive emissions from this sector are dust, odour and ammonia. These are discussed below. The nearest third-party dwellings potentially affected by fugitive emissions are detailed below (Table 6.1).

Table 6.1: Nearest third-party residential dwellings

Distance from Site	Direction from Site
100 m	Southeast
180 m	Southeast
315 m	North

6.1.3 Dust

Dust may arise from the expulsion of warm air from ventilation systems on-site, vehicle movements, removal of organic fertiliser, filling of meal storage bins and the loading

and unloading of animals during periods of dry weather. Minimal dust impact may occur locally within the installation boundary during site operations.

No complaints or submissions were received in relation to dust for this site by the Agency or by the licensee.

The licensee has stated that good housekeeping at the installation will minimise dust from the installation.

The RD specifies the following to prevent the generation and emission of dust:

- To use one or a combination of the techniques listed in BAT 11 to prevent or reduce dust emissions from the poultry houses (Condition 6).

Dust is not expected to be a significant issue beyond the installation boundary.

6.1.4 Odour

The potential impact from odour from poultry house odours is minimal as houses are stocked at optimum levels, adequately ventilated, and the litter kept as dry as possible. Odour may arise when removing the organic fertiliser from the houses and when the houses are cleaned; however, this is deemed to be minor because it is removed just once in every 6-8 week cycle (approximately seven times per annum under a conventional rearing system and five times per annum when operating as free-range) and takes 4-5 hours to completely remove the organic fertiliser from the houses. All organic fertiliser from the houses is/will be removed off-site by a registered contractor.

No complaints or submissions relating to odour have been received by the Agency or by the licensee. Therefore, odour is not expected to be a significant issue.

The RD specifies the following odour control conditions:

- That odour from the activity shall not result in an impairment of, or an interference with amenities or the environment beyond the installation boundary (Condition 5).
- To use a diet formulation and nutritional strategy to reduce the total nitrogen and phosphorus excreted, as per BAT 3 and BAT 4 (Condition 6).
- To use a combination of the techniques listed in BAT 13 to prevent/reduce odour emissions/impact from the site (Condition 6).
- That carcasses stored on-site will be stored in covered leak-proof containers and transported off-site in covered, leak proof containers at least fortnightly (Condition 8).
- That organic fertiliser shall not be stored in the open pending its collection (Condition 8).

6.1.5 Ammonia

The report "*Ireland's Informative Inventory Report 2024*¹" (EPA, 2024) identifies agriculture as the primary contributor (99.4%) of Irish ammonia emissions in 2022, emitting a total of 128.64 kilotonnes (kt) of ammonia in that year. According to that report, ammonia emissions from the poultry sector in 2021 were approximately 4.9 kt.

¹ https://www.epa.ie/publications/monitoring--assessment/climate-change/air-emissions/IIR_Ireland_2024v1.pdf

The Department of Agriculture, Food and the Marine (DAFM) has published a '*Code of Good Agricultural Practice for reducing Ammonia Emissions from Agriculture*²', as required by the National Emission Ceiling Directive (NECD).

This installation will emit approximately 1.2 tonnes (t) of ammonia per annum when operated as the existing, licensed, conventional 100,000-bird broiler production system with low emission housing and 1.1 t ammonia per annum when operated as a 71,000-bird free-range system (includes ammonia emitted from free-range areas). The quantity of ammonia emitted from the free-range system, includes a higher emission factor applied for the approximately 5% of their lifecycle, that the birds will be outside in their range areas.

The Agency screened the impact of ammonia emissions and nitrogen deposition at European sites using a screening model (SCAIL Agriculture³) which indicated potentially elevated ammonia emissions and nitrogen deposition. The model results indicate the potential for the poultry rearing process to contribute to ammonia emissions and nitrogen deposition at European sites. The SCAIL Agriculture screening model is conservative. The screening was based on standard animal housing and did not include the use of low emission housing on-site.

The Agency has issued a guidance document to assist applicants and licensees in undertaking an assessment of the impacts of ammonia and nitrogen titled "*Assessment of the impact of ammonia and nitrogen on Natura 2000 sites from intensive agriculture installations*" (EPA, March 2023⁴). The licensee calculated the emissions of ammonia from the existing and proposed activity, as part of the completion of a Natura Impact Statement (NIS). The potential impact of ammonia on Natura sites was assessed in accordance with the above procedure and concluded that ammonia emissions from the proposed changes to the activity will be less than those from the existing installation due to the lower number of birds that will be kept when operating as a free-range system.

The licensee has installed low emission housing in accordance with the requirements of the Dutch Ammonia and Livestock Farming Regulation (RAV). The RAV list of housing systems has measured and proven emission factors and are referenced in the intensive agriculture BREF document. The low emission housing system, which is required under the existing licence (P1098-01), the Dutch standard BLW 2017.01.V2, consisting of a tube heating system within the broiler houses, and which has an ammonia emission factor of 0.012 kg-NH₃/animal place/year.

Qualifying interests in European sites will not be negatively affected by the change in ammonia emissions from the installation, due to the reduction in emissions associated with the lower number of birds proposed when operating the installation as a free-range system.

² <https://www.gov.ie/en/publication/9a6c6-code-of-good-agricultural-practice-for-reducing-ammonia-emissions-from-agriculture/>

³ SCAIL Agriculture is a web-based screening tool available at <http://www.scail.ceh.ac.uk/>

⁴ <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>

The licensee has stated that the design of the buildings, adherence to good management practices, and implementation of the required mitigation measures will reduce ammonia emissions from the installation. The RD specifies the following additional ammonia minimisation conditions:

- To maintain and implement an Ammonia Management Programme and, in accordance with BAT 23, undertake an estimation/calculation of the reduction in ammonia emissions from the activity achieved by implementing BAT (Condition 5).
- To use a diet formulation and nutritional strategy to reduce the total nitrogen excreted, as per BAT 3 (Condition 6).
- To use one or a combination of the techniques listed in BAT 32 to reduce ammonia emissions to air from each house for broilers (Condition 6).
- To install and operate low emission housing in accordance with the requirements of the Dutch Ammonia and Livestock Farming Regulation (RAV), signed off by a suitably qualified engineer as being compliant with the chosen housing system (Condition 3).
- To complete a test programme for the housing system to establish the criteria for operation of the chosen low emission housing system (Condition 6).
- To complete an estimation of ammonia emissions from the low emission poultry houses in accordance with BAT 25 (Schedule B).

The emission limits in Schedule B.1 are in accordance with those set out in the CID and set out in BWL 2017.01.V2.

The potential for ammonia emissions from the landspreading of poultry litter is covered in the Organic Fertiliser section later in this report.

6.2 Emissions to Water and Ground

6.2.1 Emissions to Surface Waters

There are no direct process emissions to surface waters from this activity.

6.2.2 Emissions to ground/groundwater

Under a free-range scenario, the only emission to ground from the activity will be animal defecation during the time that the birds have access to the range areas. The Nitrates Regulations⁵ will apply to the range area and therefore organic nitrogen application must not exceed 170 kg per hectare. There will be no outdoor access during the first four weeks of the eight-week cycle, and during the second four weeks of the cycle, access is only available for an average of eight hours a day. During this period, approximately 20% of the birds are outdoors at any one time. Based on this, the licensee has calculated that approximately 5% of the total volume of organic fertiliser generated by the activity will be deposited in the range area.

⁵ S.I. No. 113 of 2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022.

This equates to an estimated nutrient loading of 80.6 kg of nitrogen and 30.2 kg of phosphorus per hectare per annum, once stocked at the proposed 71,000 broilers, which is compliant with the Nitrates Regulations for nitrogen but exceeds these regulations for phosphorus unless additional grassland cuts are undertaken.

The licensee has confirmed they will make additional grassland cuts where required under this licence. In addition, condition 6 of the RD requires a comprehensive risk assessment to determine the risk posed to ground/groundwater by the free-range aspect of the operation as a Scheduled Activity.

Under a conventional rearing scenario, there are no direct process emissions to ground/groundwater from this activity.

The RD requires the following:

- Faecal deposition is only allowed in the free-range areas where it complies with the Nitrates Regulations (condition 5).
- Carrying out of a comprehensive risk assessment to determine the risk posed to ground/groundwater by the free-range aspect of the operation (condition 6).

6.2.3 Other emissions to ground/groundwater

There are no other emissions to ground or groundwater.

6.3 Storm Water Discharges

Storm water arises on-site from rainwater collected from clean yards and from the roofs of buildings.

All clean storm water is diverted away from soiled areas of the site by a storm water collection system around each house and is diverted by gravity for discharge via a storm water attenuation swale. It is proposed to discharge the attenuated flows from the swale via a single discharge point SW1 into a field drain on the northern boundary of the site.

The table below gives details on the installation's storm water discharges to water, the type of on-site abatement, as well as details of the receiving water.

Table 6.1: Stormwater discharge point details

Discharge Reference	Monitored parameters (monitoring frequency)	Abatement	Drainage areas	Discharging to
SW-1 (proposed)	Visual (weekly); COD/BOD (as required by the Agency)	Swale	Roofs and clean yards	Swale >> Field drain >> Mountain Water River

The field drain flows to the Mountain Water River, approximately 63 m downstream of the installation. The Mountain Water River currently has a WFD status of 'High'

(waterbody code: IE_NB_03M010200). There are no identified drinking water abstraction points on the Mountain Water River.

The storm water discharged from the installation should be uncontaminated and, therefore, should have no qualitative impact on receiving waters.

The only period during which there is potential for contamination of surface waters is during removal of organic fertiliser from the poultry houses and when the houses are washed out. All wash water will be diverted to two underground wash water storage tanks, one to the north and one to the south of the poultry houses. Wash water from the yards at the front of the houses flows into the same collection drains which channel clean storm water to SW-1; however, during the wash out of houses, this wash water is diverted by a diversion chamber into the wash water tanks for storage.

The licensee has stated that the proposed infrastructure, adherence to good management practices, and implementation of the required mitigation measures will mitigate the risk of storm water contamination.

The RD requires the following in relation to storm water management:

- That all uncontaminated storm water be diverted to the storm water drainage system (Condition 6).
- That an up-to-date site drainage map be maintained on-site, and that the storm water drainage system be inspected weekly and properly maintained at all times (Condition 6).
- That a storm water system for all poultry houses on-site be provided and maintained (Condition 6).
- That an inspection chamber at the outlet of the storm water drainage system be provided and maintained, prior to commencement of the activity (Condition 3).
- That prior to commencement of licensable activity (operating above 40,000 birds), a swale be provided and maintained on the storm water discharge point. (Condition 6).
- That any new storm water discharge points shall be fitted with silt traps/swales in advance of discharge (Condition 6).
- That wash water be diverted to the wash water storage tanks prior to the commencement of poultry litter removal and washing of the houses, until such time that wash down activities are completed (Condition 6).
- That a written procedure and records are maintained for the diversion of wash water (Condition 6).
- That the storm water discharge is visually inspected weekly and monitored for Chemical Oxygen Demand (COD) or Biological Oxygen Demand (BOD) as required by the Agency, in accordance with Schedule B.5 *Monitoring of Storm Water Discharges*.
- Schedule B.5 *Monitoring of Storm Water Discharges* of the RD further requires the licensee to submit the exact location of the discharge points upon installation and prior to commencement of the activity.

The RD contains standard conditions in relation to the storage and management of materials and wastes. The RD also requires that accident and emergency response procedures are put in place. The controls pertaining to accidents and emergencies are addressed in the Prevention of Accidents section later in this report.

6.4 Noise

The main sources of noise at the installation include the operation of equipment, ventilation systems, the back-up generator, vehicle deliveries/collections, and animals. As mentioned earlier, the nearest third-party residential dwelling is approximately 100 m away.

Under Scenario A (conventional), birds will be confined to the poultry houses for the entire cycle. Under Scenario B (free-range), birds will be outside only during daylight hours and confined to the poultry houses during nighttime hours. Feeding activities will only be carried out indoors.

There has been no history of noise complaints at the installation and none have been received by the Agency, the licensee or the HSE. No submissions have been received outlining that noise is a cause for concern from the installation.

Noise emissions are and will primarily be minimised by implementing good management practices. Noise conditions and emission limit values, which apply at the noise-sensitive locations have been included in the RD.

- Noise from the installation shall not exceed the limit values set out in Schedule *B.4 Noise Emissions* of the RD at the noise sensitive locations (Condition 4).
- The use of one or a combination of the techniques listed in BAT 10 to prevent/reduce noise emissions from the site (Condition 6).
- A requirement that a noise survey be carried out of the site operations, as required by the Agency (Condition 6).

7. Waste Generation

Certain wastes are generated on-site as part of the licensable activity. Waste generated on-site will mainly comprise of fallen stock (animal carcasses), veterinary/chemical waste containers and general waste. The total quantities estimated to be generated are given in Table 7.1 below. The licensee employs a number of measures at the installation for the prevention and/or minimisation of waste.

Table 7.1: Estimated waste generation

<i>Waste Type</i>	<i>Estimated quantity (tonnes) per annum</i>
Animal Carcasses	12-15 tonnes
General Waste	3-4 tonnes
Fluorescent tubes	Minimal

In accordance with the hierarchy specified in the IED, waste generated at the site will, in order of priority, be minimised, be prepared for re-use, recycling, recovery or disposal. Conditions relating to waste management have been included in Condition 8 of the RD. Carcasses are to be stored temporarily on-site in covered skips, before being transported to an appropriately licensed installation.

A rodent control programme will be developed to cover the proposed development. The programme as implemented will be in line with Bord Bia and Department of Agriculture, Food and The Marine requirements.

Condition 3 of the RD requires the licensee to maintain and implement a pest control programme in accordance with relevant DAFM guidelines. These guidelines take account of the requirements of the Campaign for Responsible Rodenticide Use (Ireland).

8. Organic Fertiliser

Table 8.1: Organic fertiliser

	Scenario A 100,000 conventional broilers		Scenario B 71,000 free-range broilers	
	Wash water	Poultry litter	Wash water	Poultry litter
Quantity produced per annum	161 m ³	750-850 tonnes	115 m ³	500-600 tonnes
Number of storage tanks/stores on-site	2	N/A	2	N/A
Total storage capacity on-site	116 m ³	N/A	116 m ³	N/A
No. weeks storage on-site	37	N/A	52	N/A
End use off-site	Land spreading by licensee	Mushroom composting via contractor	Land spreading by licensee	Mushroom composting via contractor
Contractor Name	N/A	CLR Co-op	N/A	CLR Co-op
Contractor DAFM No.	N/A	HAC 2342	HAC 2342	HAC 2342

Condition 8 of the RD requires that the licensee maintains a record of organic fertiliser sent off-site for use on land or for compost production in accordance with the requirements of the Nitrates Regulations⁶. The licensee is required under the licence to submit to DAFM by the 31st of December annually details in relation to the quantity of organic fertiliser (poultry litter and wash water) exported (Record 3 form) off-site. The record must also be maintained at the installation for inspection by the Agency, Local Authority or DAFM. DAFM may use the record of export of organic fertiliser to identify the recipient of the organic fertiliser and the quantity received.

The application includes a letter from CLR Co-op Limited, confirming they will take poultry litter from the installation to mushroom compost production facilities. CLR Co-op Limited are a registered contractor with the DAFM for the transport of animal byproducts (poultry litter), DAFM Reference No. HAC2342.

The Animal By-product (ABP) Regulations⁷ impose legal requirements on the licensee, the 'commercial haulier' and the user of the organic fertiliser. These requirements

⁶ S.I. No. 113 of 2022 European Union (Good Agricultural Practice for Protection of Waters) Regulations 2022.

⁷ EU Animal By-Product Regulation (EC) No. 1069 of 2009 and Regulation (EU) No. 142 of 2011, given legal effect by The European Union (Animal By-Product) Regulations 2014 (SI No. 187/2014), laying down health rules as regards animal by-products and derived products not intended for human consumption and repealing Regulation (EC) No 1774/2002 (Animal By-Products Regulation) as amended.

include use of a 'commercial document' to record details required under the regulations. The licensee is required to receive a completed copy of the 'commercial document' from the transporter confirming the final destination.

Other than defecation in the range areas, there will be no landspreading of organic fertiliser conducted or permitted within the installation boundary, and consequently there will be no additional ammonia emissions from landspreading activities within the installation boundary. It is important to note that the licence relates to the site of the activity for which the licence application is made and does not extend to the lands on which organic fertiliser may be used as fertiliser. The Nitrates Regulations specify when organic fertiliser can be applied to land and the application rates, and these are enforced by the DAFM and Local Authorities.

8.1 Organic Fertiliser (Poultry Litter)

Under the ABP Regulations, poultry litter is categorised as a category 2 Animal By-product and the options for its disposal/recovery are set out in Article 13 of Regulation 1069/2009, as amended.

Poultry litter must be transported either by the applicant (or staff member) or by a haulier registered with the Department of Agriculture, Food and the Marine. Poultry litter is moved off-site by an approved and registered contractor for use in mushroom compost production, and/or by other customer farmers for use as an organic fertiliser.

The DAFM provides detailed Codes of Practice for the handling and use of poultry litter, which includes, amongst other things, disease prevention (poultry litter may cause botulism in cattle on the farm on which it is spread and neighbouring farms).

The application includes a letter from Chicken Litter Re-Cycling Co-Op, confirming they take poultry litter from the installation (details given in Table 8.1 above).

Whilst the licensee/contractor detailed above is not initially providing poultry litter to farmers directly for use as an organic fertiliser, and their intention is to send it for use in mushroom compost facilities, they may in the future send it to customer farmers for landspreading.

The Nitrates Regulations (Article poultry: 11(1)) require that a minimum of 26-weeks' storage capacity for organic fertiliser is provided. The licensee is exempt from this storage period once there is a contract in place for the removal of poultry litter by a registered contractor, as set out above. Such exemption is provided in accordance with Article 14(1) of the Nitrates Regulations. Condition 3 of the RD requires compliance with the relevant articles of the Nitrates Regulations, i.e. that either such a contract or the required storage is in place. Condition 8 of the RD prevents the storage of litter on-site, other than what is in the animal houses during a poultry rearing cycle.

The quantity of nitrogen and phosphorus generated by the activity at the proposed licence capacity is approximately:

- 17,040 kg N per year (free-range) or 24,000 kg N per year (non-free-range), and
- 6,390 kg P per year (free-range) or 9,000 kg P per year (non-free-range).

The RD contains the following additional requirements relating to the management of poultry litter:

- To monitor the total nitrogen and phosphorus excreted in manure annually, in accordance with BAT 24 (Condition 6).
- To inspect the integrity of the floors of all deep litter houses after each wash down, repair any damaged or cracked floors as necessary, and maintain a record of inspections and any necessary remedial actions taken (Condition 6).
- That any organic fertiliser spilled to ground during loading, shall be collected and returned to storage or to the vehicle into which it was being loaded (Condition 8).
- That the loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off (Condition 8).

8.2 Wash water

Wash water will be generated by the activity every 6-8 weeks for non-free-range broilers, or 8-10 weeks for free-range broilers. Prior to washing, the floors will be brushed to reduce the quantity of poultry litter that could potentially enter the wash water system. After washing, the houses are allowed to dry and then disinfectant applied. The wash water may contain insignificant quantities of disinfectant from the previous washing cycle.

Wash water details are given in Table 8.1 above. The total wash water storage capacity is sufficient to meet the 26-week storage capacity requirement in the Nitrates Regulations for both free-range and non-free-range systems.

The wash water is considered suitable for use on land as an organic fertiliser and such use is provided for by the Nitrates Regulations and Animal By-product Regulations.

The licensee has identified approximately 15.58 ha of farmland on the licensee's landholding in the vicinity of the activity, outside the boundary to which this licence relates, on which the wash water will be landspread. The licensee has demonstrated in the application that the addition of wash water from the installation will not result in a stocking rate above 170 kg organic nitrogen per hectare stocking rate, the maximum specified in the Nitrates Regulations.

The RD contains the following conditions relating to the management of wash water:

- That existing wash water storage tanks be fitted with high liquid level indicators, prior to the commencement of the licensed activity and these must be fitted before utilisation for any new tanks (Condition 3).
- That all storage tanks are integrity assessed prior to commencement of the activity for existing tanks and before utilisation for proposed tanks, and at least once every three years thereafter (Condition 6).
- That a combination of the techniques listed in BAT 6 be used to reduce the generation of wash water on-site (Condition 6).
- That one or a combination of the techniques listed in BAT 7 be used to reduce the emissions to water from wash water on-site (Condition 6).
- That a freeboard of at least 200 mm from the top of covered wash water storage tanks and 300 mm from the top of uncovered wash water storage tanks is

maintained, as a minimum, at all times and that this is clearly indicated in the tank (Condition 6).

- That the loading and unloading of materials shall be carried out in designated areas protected against spillage and leachate run-off (Condition 8).

9. Energy Efficiency and Resource Use

The operation of the installation involves the consumption of fuel, electricity and resources. The proposed quantities to be used at a capacity of 100,000 broilers non-free-range and 71,000 free-range birds are given below.

Table 9.1: Estimated resource usage

Resource	Quantity usage per annum (existing)	Quantity estimated per annum Scenario A 100,000 broilers (non-free-range)	Quantity estimated per annum Scenario B 71,000 broilers (free-range)
Electricity	40 MWH	110 MWH	71 MWH
Natural Gas	10,000 m ³	30,000 m ³	25,560 m ³
Truagh Group Water (Public Supply)	2000 m ³	5000 m ³	3,000 – 3,500 m ³
Water Abstraction registration required:	No	No	No
Feed	2,750 t	2,800 t	1,560 t
Diesel	0.1 t Back-up generator only	0.1 t Back-up generator only	0.1 t Back-up generator only

The licensee employs a variety of technologies to maximise the efficient use of energy within the installation, including regular preventative maintenance of equipment, use of energy efficient lighting systems and thermal insulation.

The main source of water for the activity is provided by the Truagh Group Water Scheme. The EIAR that accompanied this application refers to a private well as another water source.

The installation is located on the Knockatallon groundwater body IEGBNI_NB_G_014, a poorly productive bedrock, which has a WFD status of poor.

The Group Water Scheme abstraction, Truagh Group Water Scheme, is registered as Reg. No. R00268.

The RD specifies that the applicant undertake the following in relation to energy and resource efficiency:

- Annual maintenance of the animal house heating systems and the back-up generator (Condition 3).
- To install and maintain a water meter on all water supplies (Condition 3).
- To use a combination of the techniques listed in BAT 8 (efficient use of energy) and BAT 5 (efficient use of water) (Condition 7).
- To undertake an assessment of the efficient use of resources and energy in all site operations and to undertake an energy audit, repeated at intervals, as required by the Agency with the recommendations of the audit being

incorporated into the Schedule of Environmental Objectives and Targets as outlined in Condition 2 (Condition 7).

10. Prevention of Accidents

A certain amount of accident risk is associated with the licensable activity. For this installation, potential accidents and measures for prevention/limitation of consequences are given in the table below.

Table 10.1: Potential accidents and measures for prevention/limitation of consequences

<p>Potential for an accident or hazardous/emergency situation to arise from activities at the installation</p>	<ul style="list-style-type: none"> - Surface water and/or ground/groundwater contamination during poultry removal and washing. - Surface water and/or ground/groundwater contamination by spillage of organic fertiliser, fuel or other polluting materials. - Surface water and/or ground/groundwater contamination due to leaks from tanks. - Accidental diversion of wash water to storm water drainage system. - Accidental emissions of noise, dust or odour such as to cause nuisance outside the site boundary.
<p>Preventative/Mitigation measures to reduce the likelihood of accidents and mitigate the effects of the consequences of an accident at the installation</p>	<ul style="list-style-type: none"> - The provision and maintenance of adequate wash water storage facilities. - The storage of potentially polluting liquids in bunded areas. - The provision of concrete aprons around wash water areas. - The protection of gas/fuel tanks from accidental damage. - The separation of wash water and clean storm water, including diversion of the storm water collection system to wash water holding tank during cleaning.
<p>Additional measures provided for in the RD</p>	<ul style="list-style-type: none"> - Integrity assessment and maintenance of the wash water network and poultry house floors as required (Condition 6). - The regular visual examination and inspection of the storm water discharge point and storm water drainage system (Condition 6). - No storage of organic fertiliser (poultry litter) on-site, other than what is in the animal houses during the poultry rearing cycle at the installation (Condition 8) or deposited in the free-range areas. - The provision of more than 26-weeks organic fertiliser (wash water) storage capacity (Condition 3).

	<ul style="list-style-type: none"> - Accident prevention and emergency response procedures requirements (Condition 9). - A preventative maintenance programme (Condition 2).
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The risk of accidents and their consequences, and the preventative and mitigation measures listed above, have been considered in full in the assessments carried out throughout this report. It is considered that the conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of such an event should it occur.

11. Cessation of Activity

A certain amount of environmental risk is associated with the cessation of any licensable activity (site closure). The licensee has provided a list of measures to be taken in the event of site closure/cessation of activity. These measures are listed in attachment 9.1 of the application form. Condition 10 of the RD requires the proper closure of the activity with the aim of protecting the environment.

Baseline Report

Where an activity involves the use, production or release of Relevant Hazardous Substances, and having regard to the possibility of soil and groundwater contamination at the site of the installation, the IED requires operators to prepare a baseline report. A baseline screening assessment was undertaken by the licensee, in accordance with Stages 1 to 3 of European Commission Guidance⁸.

The screening assessment determined that, considering the type and quantity of substances used as part of the activity, the location of these substances on the site, in view of the soil and groundwater characteristics, and the measures to be taken to prevent accidents and incidents, the possibility of soil and groundwater contamination at the site of the installation is considered to be low. I am satisfied that a full baseline report (stages 4 to 8) is not required.

Nonetheless, upon cessation of the activity, Condition 10 of the RD requires the licensee to take certain measures to ensure that there is, to the satisfaction of the Agency, no remaining risk of environmental pollution at the site.

12. Fit and Proper Person

Technical Ability

The licensee has held a licence issued by the EPA since 2020, (P1098-01). He has many years' of experience in the management and operation of an existing family poultry farming enterprise at another site. It is considered that the licensee has demonstrated the technical knowledge required to operate this installation.

⁸ European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions.

Legal Standing

Neither the licensee nor any relevant person has relevant convictions under the EPA Act, or under any other relevant environmental legislation.

ELRA, CRAMP and Financial Provision

The licence category and proposed installation were assessed for the requirements of Environmental Liabilities Risk Assessment (ELRA), Closure, Restoration and Aftercare Management Plan (CRAMP) and Financial Provision (FP), in accordance with Agency guidance. Under this assessment it has been determined that ELRA, CRAMP and FP were not required.

Fit and Proper Conclusion

It is my view that the licensee can be deemed a Fit and Proper Person for the purpose of this review.

13. Submissions

While the main points raised in the submission are briefly summarised in the table below, the original submission should be referred to at all times for greater detail and expansion of particular points.

The issues raised in the submission are noted and addressed in this Inspector's Report and the submission was taken into consideration during the preparation of the Recommended Determination (RD).

Table 13.1: Submissions summary

1.	Name & Position: Ms. Claire O'Dwyer, Principal Environmental Health Officer	Organisation: Environmental Health Service, Health Service Executive (HSE)	Date received: 10 June 2024
Issues raised: <i>The submission makes a number of observations in relation to the licence application.</i> <i>Specific recommendations and observations highlighted by the HSE include:</i> <ul style="list-style-type: none">• <i>A summary of the planning and site history of the installation.</i>• <i>That management of the site should be to prevent significant pulse releases of odour that might be perceptible beyond the site boundary. The mitigation measures outlined in the application should be included as conditions of planning, if granted.</i>• <i>That noise levels at the existing poultry facility are low and noise sources at the operation are primarily internal with no expected changes to the external ambient noise environment.</i>• <i>That strict controls of erosion, sediment generation and other pollutants should be implemented during the demolition and construction phase of the development such that that there is no deterioration in water quality in the watercourses in the vicinity of the development.</i>			

- *Wash water will be collected in the soiled water collection tanks and will be continued to be used for land spreading. The HSE recommends that high level monitors are installed on the proposed wash water tanks to reduce the risk of accidental overflow and that the waste water storage tank is inspected annually to check for structural integrity.*
- *That the applicant monitors ground nutrients on his lands by way of a Nutrient Management Plan which should be updated annually due to the increase in the number of birds.*
- *Manure generated on site will be removed off site by an authorised contractor six to seven times per year.*
- *That containers for the storage of broiler casualties have sufficient capacity and that the containers are of steel construction and are water, pest and topple proof.*
- *That an Integrated Vector Management approach to pest/vector control be implemented to control vectors in all stages of their life cycle.*
- *That consideration be given to the use of rainwater harvesting and renewable energy onsite.*

Agency response:

- The 'Odour' section of this report contains further information in relation to odour. The RD includes condition in relation to odour from the activity.
- The 'Noise' section of this report contains further information in relation to noise. The RD includes conditions in relation to noise from the activity.
- The 'Emissions to Water and Ground' and 'Storm Water Discharges' sections of this report discuss the protection of surface water and groundwater. The RD includes a number of conditions in relation to the protection of water.
- The RD will require conditions in relation to wash water storage, tank specifications, integrity assessment, high level indicators, and leak detection. Further information on wash water can be found in the 'Organic Fertiliser' section of this report.
- Landspreading of organic fertiliser occurs outside of the licensed boundary and is/will be carried out in accordance with the Nitrates Regulations and Animal By-product Regulations. This is enforced by the DAFM and the Local Authorities.
- The impact of the free-range activity is discussed throughout this report.
- The 'Waste Generation' section of this report contains further information in relation to waste generation and management at the installation, including poultry tissue waste (carcasses).

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| <ul style="list-style-type: none">• Pest control is addressed in the 'Waste Generation' Section of this report. |
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14. Consultations

14.1 Cross Office Consultation

The Industrial & Carbon Emissions Regulation (ICER) and the Office of Environmental Enforcement (OEE) routinely liaise in relation to the licensing of the intensive agricultural sector. This in part has informed the assessment of this application.

No compliance investigations or non-compliances have been raised by OEE for the site. The last site visit by OEE in 2022 raised no issues or observations. At the time of the visit, the licensable activity had not yet commenced.

14.2 Transboundary Consultations

There were no transboundary consultations undertaken as there were no transboundary impacts identified.

15. Appropriate Assessment

Appendix 2 lists the European sites assessed, their associated qualifying interests and conservation objectives along with the assessment of the effects of the activity on the European sites.

A screening for Appropriate Assessment (AA) 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 at Slieve Beagh SPA (004167), Slieve Beagh-Mullaghfad – Lisnakea SPA (NI) (UK9020302), Kilrooskey Lough Cluster SAC (001786), Magheraveeley Marl Loughs SAC (NI) (UK0016621), and Slieve Beagh SAC (NI) (UK0016622).

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 cannot 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 required. This determination has been made in light of the following reasons:

- Air emissions of ammonia (and associated nitrogen deposition) from the installation have the potential for effects on qualifying interest habitats and species in the European Sites listed above due to their proximity to the installation.

- The closest European site, Slieve Beagh SPA (Site Code: 004167), is 0.2 km from the installation boundary.
- Regard has been had to the EPA's Licence Application Guidance (Assessment of the Impact of Ammonia and Nitrogen on Natura 2000 Sites from Intensive Agriculture Installations, Version 2, March 2023) and the online screening tool SCAIL Agriculture (www.scail.ceh.ac.uk) as part of this Appropriate Assessment Screening Determination.
- Taking all of the foregoing into account it is considered that significant effects on European Sites and their qualifying interests due to emissions to air from the installation cannot be ruled out at the screening stage and based on the precautionary principle this determination is that a Stage 2 Appropriate Assessment is required.

A Natura Impact Statement was received by the Agency on 24 April 2024.

An Inspector's Appropriate Assessment has been completed and has determined, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the activity, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Slieve Beagh SPA (004167), Slieve Beagh-Mullaghfad – Lisnakea SPA (NI) (UK9020302), Kilrooskey lough Cluster SAC (001786), Magheraveeley Marl Loughs SAC (NI) (UK0016621), and Slieve Beagh SAC (NI) (UK0016622), having regard to their conservation objectives and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this RD and the conditions attached hereto for the following reasons:

- The installation is not located within a European site.
- There is no surface water pathway connecting the installation to any European site.
- Storm water from the site will discharge, via a swale, to the Mountain Water River.
- The risk of surface water or groundwater contamination because of accidental emissions during washing activities, or from spillage from the wash water tanks, is minimal, given that there is no surface water pathway connecting the installation with a European Site.
- Waste generated on-site will be handled and stored in a manner which will ensure there is no risk to European sites and will only be sent to appropriately authorised facilities.
- The litter generated at the installation has a high dry matter content and remains within the concrete-floored, covered broiler houses until all broilers are removed at the end of each batch. Therefore, there is no pathway between the litter and surface water/groundwater while the houses are stocked. When the houses are destocked, the litter is removed from the animal houses and transported offsite.
- Calculations supplied for Scenario B (free-range), regarding the nutrient stocking rate of the free-range areas demonstrate that the range areas have capacity to accept the increased load when the birds are outside.

- Wash water will be used as a fertiliser on lands that are not within the installation boundary in accordance with the Nitrates Regulations. Poultry litter will be transported by a contractor to composting facilities or may be used as an organic fertiliser on land in accordance with the Nitrates Regulations.
- The licence, if granted, relates to the site of the activity for which the licence application is made, i.e. the rearing of poultry within the installation boundary, and does not extend to the lands on which organic fertiliser may be used as fertiliser.
- Activities which can take place within European sites are restricted by legislation. All persons must obtain the written consent from the relevant Minister before performing particular operations on, or affecting, particular habitats where they occur on lands or waters within the SACs and SPAs.
- Noise levels from poultry installations are very low and as the nearest European Site is 0.2 km west of the installation, Slieve Beagh SPA, it is considered that noise will not impact on the qualifying interests within that, or any other European Sites.
- The installation is in a rural area where the predominant farming activities involve the rearing of livestock. There are 16 other licensed intensive poultry rearing installations within a 5 km radius of the installation and no other EPA licensed installations. These installations are each required to operate in accordance with the conditions of an EPA licence. Given the reduction of emissions associated with this activity, it is considered that the activity in combination with other plans or projects will not have a significant effect on any protected sites.
- The applicant has proposed a number of measures which comply with BAT to reduce the likely impact of ammonia and nitrogen deposition on the designated sites.
- The applicant has proposed a number of mitigation measures to reduce the likely emissions of ammonia and therefore, nitrogen deposition on the designated sites. This includes low emission housing.
- Air emissions were calculated by the applicant for the existing licence scenario and the proposed scenario, as part of the completion of a Natura Impact Statement (NIS). The potential impact of ammonia on Natura sites was assessed in accordance with the above procedure and concluded that ammonia emissions from the proposed changes to the activity will be less than those from the existing installation due to the lower number of birds that will be kept when operating as a free-range system.
- The applicant calculated the emissions of ammonia from the existing and proposed activity, as part of the completion of a Natura Impact Statement (NIS). The potential impact of ammonia on Natura sites was assessed in accordance with the above procedure and concluded that ammonia emissions from the proposed changes to the activity will be less than those from the existing installation due to the lower number of birds that will be kept when operating as a free-range system.

In light of the foregoing reasons no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of those European Sites Slieve Beagh SPA (004167), Slieve Beagh-Mullaghfad – Lisnakea SPA (NI) (UK9020302), Kilrooskey

lough Cluster SAC (001786), Magheraveeley Marl Loughs SAC (NI) (UK0016621), and Slieve Beagh SAC (NI) (UK0016622).

There were no submissions on this application concerning Appropriate Assessment.

16. Environmental Impact Assessment

16.1 EIA Introduction

This assessment is being undertaken in accordance with the requirements of Directive 2014/52/EU amending Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment.

The application was accompanied by an Environmental Impact Assessment Report (EIAR).

As part of this environmental impact assessment, I have carried out an examination, analysis and evaluation of all the information provided by the licensee (including the EIAR), the existing licence, Register Number: P1098-01, information received through consultation, the documents associated with the assessments carried out by Monaghan County Council and its reasoned conclusion, and the issues that interact with the matters that were considered by that authority and which relate to the activity, written submissions, as well as considering any supplementary information where appropriate. All of the documentation received was examined and I consider that the EIAR complies with the provisions of Article 5 of the 2014 EIA Directive when considered in conjunction with the additional material submitted with the application.

I am satisfied that the information contained in the EIAR has been prepared by competent experts and that the environmental effects arising as a consequence of the activity have been satisfactorily identified, described and assessed.

Having specific regard to EIA, this Inspector's Report as a whole is intended to identify, describe and assess for the Agency the likely significant direct and indirect effects of the activity on the environment, as respects the matters that come within the functions of the Agency, for each of the following environmental factors: population and human health, biodiversity, land, soil, water, air and climate, the landscape, material assets and cultural heritage.

This Inspector's Report addresses the interaction between those effects and the related development forming part of the wider project. The cumulative effects, with other developments in the vicinity of the activities have also been considered, as regards the combined effects of emissions. In addition, the vulnerability of the activity to risks of major accidents and/or disasters has been considered. The mitigation measures proposed to address the range of predicted significant effects arising from the activity have been outlined. This Inspector's Report provides conclusions to the Agency in relation to such effects.

A summary of the submissions made by third parties has been set out above in the 'Submissions' Section of this report.

I am satisfied that the public have been given early and effective opportunity to participate in the environmental decision-making procedure.

16.2 Consultation with Planning Authorities in relation to EIA

Consultation was carried out between Monaghan County Council and the Agency under the relevant section of the EPA Act.

Monaghan County Council confirmed that planning permission ref. 24/60047 is the relevant planning permission for the activity and that an EIAR was received by them as part of the planning application assessment.

They did not provide any further observations to the Agency on the licence application and EIAR.

16.3 Consultation with other competent authorities

There was no consultation with other competent authorities in relation to this application.

16.4 Alternatives

The matter of alternatives is addressed in Chapter 3 of the EIAR. It examines several alternative layouts. Alternative sites, layout and design, size, processes, and management of by-products were considered.

The proposed site was considered the most suitable due to scale, topography, access and distance from third party dwellings. The house design is in line with BAT and scale is sufficient to cover development and operational costs. The process chosen offers the licensee the best fit between proposed and existing enterprises.

In this regard I consider that the matter of the examination of alternatives has been satisfactorily addressed.

16.5 Likely Significant Direct and Indirect Effects

The likely significant direct and indirect effects of the activity on the following factors as set out in Article 3 of the EIA Directive are considered in this section:

- (a) population and human health;*
- (b) biodiversity, with particular attention to species and habitats protected under Directive 92/43/EEC and Directive 2009/147/EC;*
- (c) land, soil, water, air and climate;*
- (d) material assets, cultural heritage and the landscape;*
- (e) the interaction between the factors referred to in points (a) to (d).*

16.5.1 Population & Human Health

Identification, Description and Assessment of Effects

Population and human health are mainly addressed in Chapters 4, section 4.3.1 of the EIAR. The potential direct and indirect effects on population and human health are associated with emissions to air, dust, odour, noise emissions, emissions to water, waste generation, and accidental emissions. Should emissions cause an exceedance of environmental quality standards, this could have implications for population and human health.

The effects identified and described above have been assessed in the following sections of the licence assessment part of this report:

- Emissions to Air;

- Emissions to Water and Ground;
- Noise;
- Waste Generation;
- Organic Fertiliser; and
- Prevention of Accidents.

There is also the potential for accidental emissions to the environment, due to human error or failure of containment infrastructure. Accidental emissions are addressed in the 'Prevention of Accidents' section of this report.

Cumulative effects of the activity in relation to population and human health have been assessed and it is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to population and human health are detailed in the following sections of this report:

- Emissions to Air;
- Emissions to Water and Ground;
- Noise;
- Waste Generation;
- Organic Fertiliser; and
- Prevention of Accidents.

Conclusions

I have examined all the information on population and human health, provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of population and human health.

16.5.2 Biodiversity

Identification, Description and Assessment of Effects

Biodiversity is mainly addressed in Chapter 4.3.2 of the EIAR. The EIAR describes the habitats and species at and in the vicinity of the installation. The site forms part of the applicant's existing bovine farming activities. These bovine farming activities will be replaced by the proposed free-range activity and no additional livestock will be farmed on these lands. The flora and fauna around the site have developed in this context. The project site is not located within the vicinity of any known breeding site for Hen Harrier *Circus cyaneus* at this European site.

There are 4 Natura 2000 designated sites within 15 km of the application site, the closest being over 0.2 km away from the installation. The site of the application is typical of the agricultural nature of the surrounding land.

The licensee also submitted a Natura Impact Statement (Refer to the Appropriate Assessment section of this report).

The potential direct and indirect effects on biodiversity are related to effects on aquatic flora and fauna and their habitats due to effects on water quality, disturbance to fauna

due to noise emissions, and effects due to air emissions (e.g. ammonia emissions and nitrogen deposition). The effects identified and described above have been assessed in the following sections of this report:

- Emissions to Air;
- Emissions to Water and Ground;
- Storm Water Discharges;
- Waste Generation;
- Noise;
- Organic Fertiliser; and
- Prevention of Accidents.

There is also the potential for accidental emissions to the environment, due to spillages or human error, which may impact on biodiversity. Accidental emissions are addressed in the Prevention of Accidents section earlier in this report. Landspreading of organic fertiliser could impact on water quality, however, this occurs outside of the licensed boundary. This must be carried out in accordance with the Nitrates Regulations and Animal By-product Regulations, which are enforced by DAFM and the Local Authorities. In addition, the Government's Food Vision 2030 was published in August 2021 and sets out four high level mission statements for the Agri-Food sector. This document proposes more targeted agri-environmental schemes under the CAP Strategic Plan to protect Ireland's habitats and species from emissions from the agricultural sector. This Agri-Food Strategy (AFS) also included an Appropriate Assessment (AA) which concluded that "the adoption of the AFS would not have significant adverse effects on the integrity of any Natura 2000 sites with the inclusion of the mitigation recommendations."

Cumulative effects of the activity in relation to biodiversity have been assessed and it is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to biodiversity are detailed in the following sections of this report:

- Emissions to Air;
- Emissions to Water and Ground;
- Storm Water Discharges;
- Waste Generation;
- Noise;
- Organic Fertiliser; and
- Prevention of Accidents

Conclusions

I have examined all the information on biodiversity, provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of biodiversity.

16.5.3 Land and Soil Identification, Description and Assessment of Effects

Land and soil are addressed in Chapter 4.3.3 of the EIAR. Land use currently in the development area is improved agricultural grassland. Any potential contamination issues are dealt with in the 'baseline report' section of this report.

The potential direct and indirect effects on land and soil are associated with emissions to air, emissions to water, and accidental emissions and access to range areas under Scenario B (free-range). Should emissions cause an exceedance of environmental quality standards, this could have implications for land and soil. The potential effects identified and described above have been assessed in the following sections of this report:

- Emissions to Air;
- Emissions to Water and Ground;
- Storm Water Discharges;
- Organic Fertiliser;
- Waste Generation;
- Prevention of Accidents; and
- Cessation of Activity.

There is also the potential for accidental emissions to the environment, due to spillages or human error, which may impact on land or soil. Accidental emissions are addressed in the 'Prevention of Accidents' section earlier in this report. Landspreading of organic fertiliser could impact on land or soil, however, this occurs outside of the licensed boundary. This must be carried out in accordance with the Nitrates Regulations and Animal By-product Regulations, which are enforced by DAFM and the Local Authorities.

Cumulative effects of the activity in relation to land and soil have been assessed and is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to land and soil are detailed in the following sections of this report:

- Emissions to Air;
- Emissions to Water and Ground;
- Storm Water Discharges;
- Organic Fertiliser;
- Waste Generation;
- Prevention of Accidents; and
- Cessation of Activity.

Conclusions

I have examined all the information on land and soil, provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects on land and soil.

16.5.4 Water (including Waste Water)

Identification, Description and Assessment of Effects

Water is mainly addressed in Chapter 4.3.5 of the EIAR. The site is within the Knockatallon groundwater body (Ref: IEGBNI_NB_G_014) which has a Water

Framework Status of 'good' and a vulnerability of low. The free-range areas classified as 'High'

The site lies within the Lough Neagh and Lower Bann Hydrometric Area and the Mountain River sub-catchment. Storm water from the roof and yard area will discharge to a field drain to towards the Mountain River which is approximately 63 m downstream of the site.

The potential direct and indirect effects on water relate to storm water discharges, and wash water and fuel. Should the discharges cause an exceedance of Water Quality Standards in the receiving water, this could have potential effects on water quality, aquatic biodiversity and human health. The effects identified and described above have been assessed in the following sections of this report:

- Emissions to Water and Ground;
- Storm Water Discharges;
- Organic Fertiliser; and
- Prevention of Accidents.

There is also the potential for accidental emissions to water or groundwater to occur. The likelihood of accidental emissions to water is considered low in light of the measures outlined in the 'Prevention of Accidents' section above and in light of the conditions in the RD. This is addressed in Prevention of Accidents section of this report.

In addition, the following effects identified and described above have been assessed: The site is in a rural area with most of the developments in the vicinity of the installation being dwelling houses and farmyards. There are 16 other intensive agriculture EPA licensed installations within 5 km of the installation. These installations are each required to operate in accordance with the conditions of an EPA licence and none have emissions to surface water. Due to the nature of those activities and the controls in place, it is considered that there will be no significant cumulative effect from emissions and storm water discharges from the activity and from other activities/developments in the area.

Landspreading of organic fertiliser, which occurs outside of the licensed boundary, could cause pollution of surface waters or groundwater. To prevent this, the application of fertilisers to land is controlled by the Nitrates Regulations. These give legal effect in Ireland to the Nitrates Directive and to our Nitrates Action Programme (NAP) and controls the management and application of livestock manure and other fertilisers. The NAP is required to be reviewed every four years. In 2022, the Department of Housing, Local Government and Heritage undertook an Appropriate Assessment of the current NAP (5th NAP 2022-2025), which included a Natura Impact Statement (February 2022) for Irelands NAP, and concluded that the NAP would not result in adverse effects on European site integrity either alone or in combination with other plans and programmes.

As mentioned earlier, the AFS sets out four high level mission statements for the sector. One of its mission statements is to become a 'Climate smart, environmentally sustainable Agri-food sector'. This target is underpinned by seven goals one of which, to "Protect High Status Sites and Contribute to Protection & Restoration of Good Water Quality and Healthy Aquatic Ecosystems". The report identified five actions under this goal including protecting water from agricultural pollution and reduce use of agricultural pesticides. Its associated AA concluded "the adoption of the AFS would not

have significant adverse effects on the integrity of any Natura 2000 sites with the inclusion of the mitigation recommendations.”

The National River Basin Management Plan (2018-2021) was published in April 2018. Over the period of this river basin planning cycle, there are measures being undertaken to meet the environmental objectives of the WFD. These include measures such as implementation of the Nitrates Action Programme (Nitrates Regulations) and associated inspection regime. Targeted monitoring as envisaged under the Plan allied with multi-party enforcement (EPA/Local Authority/DAFM) provides an early warning of potential problems/improvements and of the possible need to adapt the Plan to ensure protection of our waters.

Cumulative effects of the activity in relation to water have been assessed and is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to water are detailed in the following sections of this report:

- Emissions to Water and Ground;
- Storm Water Discharges;
- Organic Fertiliser; and
- Prevention of Accidents.

Conclusions

I have examined all the information on water (including Storm Water, Emissions to Water and Groundwater) provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects on water.

16.5.5 Noise and Vibration

Identification, Description and Assessment of Effects

Noise and vibration are mainly addressed in Chapter 4.1.3 of the EIAR. The installation is located in a rural setting typical of the Irish countryside with farmyards and dwellings. The potential direct and indirect effects of noise and vibration associated with the operation of the activity are the potential to cause nuisance for those living near the activity or to affect noise sensitive species near the site. The effects have been assessed in the 'Noise' section of this report.

There is also the potential for accidental noise emissions. This is addressed in the 'Prevention of Accidents' section of this report.

Cumulative effects of the activity in relation to noise and vibration have been assessed and is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to noise and vibration are detailed in the 'Noise' section of this report.

Conclusions

I have examined all the information on noise and vibration provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of noise and vibration.

16.5.6 Air

Identification, Description and Assessment of Effects

Air is mainly addressed in Chapter 4.3.6 of the EIAR. The potential direct and indirect effects on air are associated with emissions to air of ammonia, dust and odour from the poultry housing and dust from the installation yard. Should emissions cause an exceedance of air quality standards or critical levels/loads, this could have implications for air quality, human health and biodiversity within and beyond the site boundary. General site dust and odour emissions have the potential to impact human health and cause nuisance.

The effects identified and described above have been assessed in the following sections of this report:

- Emissions to Air;
- Organic Fertiliser; and
- Prevention of Accidents.

There is also the potential for accidental emissions to the environment. This is addressed in the 'Prevention of Accidents' section of this report.

In relation to cumulative effects, it is noted that there are sixteen EPA-licensed intensive agriculture installations, within 5 km of the installation.

Emissions to air from these activities have been considered during the EPA licensing process and they are each required to comply with the conditions of their licences. These installations should not have any significant emissions of odour, dust or ammonia under normal operations.

As stated previously, the Agency has issued a guidance document to assist applicants in undertaking an assessment of the impacts of ammonia and nitrogen, including cumulative assessments, titled "*Assessment of the impact of ammonia and nitrogen on Natura 2000 sites from intensive agriculture installations*" (EPA, March 2023).

In addition, improvements on this site (i.e. low emission housing) will reduce overall ammonia emissions from this installation, leading to a reduced overall cumulative value in the region.

According to '*Ireland's Informative Inventory Report 2024*' (EPA 2024), which contains the most recent data, ammonia emissions in 2022 from the poultry sector were 4.9 kt (or 3.8% of Ireland's National emissions). This installation will emit 1.2 tonnes per annum in existing, licensed conventional 100,000 broilers and 1.1 tonnes per annum in a free-range 71,000 broilers system. In December 2020, the Government issued '*Ag*

Climatise – A Roadmap towards Climate Neutrality. This is a roadmap of actions for agriculture to cut GHG emissions as well as ammonia emissions significantly over the next decade, and up to 2050. The road map lists actions aiming to reduce the cumulative impact of ammonia emissions from the sector as a whole.

As mentioned earlier, the AFS sets out four high level mission statements for the sector one of which is to become a 'Climate smart, environmentally sustainable Agri-food sector'. Another of its seven goals is to develop a climate neutral food system by 2050 and improve air quality. As stated, its associated AA concluded "the adoption of the AFS would not have significant adverse effects on the integrity of any Natura 2000 sites with the inclusion of the mitigation recommendations."

As detailed previously in the 'Emissions to Air' section of this report, Ireland is addressing ammonia emissions (including emissions from landspreading) in accordance with the NECD and S.I. No. 232/2018, European Union (National Emission Ceilings) Regulations 2018. The Code of Good Agricultural Practice as referred to earlier in this report contains guidelines on topics including *inter alia* low emission spreading and fertiliser management, as well as animal feed and housing.

Approximately 3.1% (poultry) of the ammonia emissions that originate from landspreading in Ireland come from the poultry sector. This equates to 0.8% of Ireland's total ammonia emissions.

The organic fertiliser generated by the activity represents a negligible quantity relative to the total quantity of organic fertiliser arising from the livestock sectors in Ireland (cattle, sheep, pigs and poultry).

Cumulative effects of the activity in relation to air have been assessed and is considered that there is not likely to be a significant cumulative effect from the activity and other activities/developments. There are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to air, including ammonia, dust and odour, are detailed in the following sections of this report:

- Emissions to Air;
- Organic Fertiliser; and
- Prevention of Accidents.

Conclusions

I have examined all the information on Air (including ammonia, dust and odour) provided by the licensee received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of Air (including ammonia, dust and odour).

16.5.7 Climate

Identification, Description and Assessment of Effects

Chapter 4.3.7 of the EIAR addresses Climate. Climate change is a significant global issue which affects weather and environmental conditions (air, water and soil) which consequently affects population and human health, material assets, cultural heritage,

the landscape and biodiversity. Climate change is caused by warming of the climate system by enhanced levels of atmospheric greenhouse gases (GHG) due to human activities. GHGs are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), nitrogen trifluoride (NF₃) and sulphur hexafluoride (SF₆).

The installation does not operate under a GHG Emissions Permit in accordance with the European Communities (Greenhouse Gas Emissions Trading) Regulations 2012, (S.I. 490 of 2012 and amendments). Therefore, this site is not subject to the European Communities (Greenhouse Gas Emissions Trading) Regulations 2012, (S.I. 490 of 2012 and amendments) (the EU ETS). It is therefore a requirement of the IED to investigate how direct emissions of CO₂ might be minimised.

Indirect emissions of CO₂ may arise due to the use of electricity from the national grid. These emissions are covered under the EU ETS at the generating plant, but the licensee is also required to address electricity usage as part of energy efficiency management.

In December 2022, the Irish Government released the '*Climate Action Plan 2023*', under the 'Climate Action and Low Carbon Development (Amendment) Act 2021', which will support Ireland's transition to Net Zero and achieve a climate neutral economy by no later than 2050.

The potential direct and indirect effects on climate are associated with storage and spreading of organic fertiliser (litter) (nitrous oxide) and usage of fossil fuels (carbon dioxide).

However, any discussion of GHG emissions must be extended to national and global climate impact.

As part of the non-ETS (Emissions Trading Scheme) sector the GHG emissions from this site are covered by Ireland's commitments under the Effort Sharing Decision (Decision No 406/2009/EC) and the Effort Sharing Regulation (Regulation (EU) 2018/842) from 2021.

Given the small quantity of climate altering substances that could be released from the activity, in a national context, I consider that the impact of any emissions from the installation on climatic considerations should be minimal.

It is considered that the likelihood of accidental emissions occurring which could affect climate is low in light of the measures outlined in the 'Prevention of Accidents' section above and the proposed conditions in the RD.

Therefore, there are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to climate are detailed in the following sections of this report:

- Emissions to Air;
- Organic Fertiliser;
- Prevention of Accidents; and
- Energy Efficiency.

Conditions 2 and 7 of the RD deal with energy efficiency matters at the installation.

Conclusions

I have examined all the information on climate provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms climatic factors.

16.5.8 Material Assets, Cultural Heritage and the Landscape

16.5.8.1 Material Assets (including resource use and waste generation)

Identification, Description and Assessment of Effects

Chapter 4.3.10 of the EIAR addresses Material Assets, and include information on traffic, transport, agricultural and non-agricultural property, and resources (both natural and others) such as energy and water. Material assets such as roads and traffic and built services are dealt with in the decision of the planning authority to grant permission for the development and are not controlled by the Agency. The planning authority has considered the effect to be acceptable.

The use of natural resources by the activity will not have significant effects in terms of material assets. There are sufficient supplies of electricity and water to serve the requirements of the development. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on-site. The production of waste by the activity is assessed in the 'Waste Generation' section of this report.

The effects identified and described above have been assessed in the following section of this report:

- Waste Generation; and
- Energy Efficiency and Resource Use.

In addition, the following effects identified and described above have been assessed: No significant cumulative effects on material assets have been identified.

Therefore, there are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

Mitigation measures and monitoring in relation to material assets are detailed in the following sections of this report:

- Waste Generation;
- Energy Efficiency and Resource Use.

Material Assets Conclusions

I have examined all the information on material assets provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of Material Assets.

The planning authority has also identified, described and assessed the likely significant direct and indirect effects of the development on material assets. Their assessment concluded that "the development will not detrimentally affect any surrounding agricultural properties/businesses, any non-agricultural properties or any natural or other resources".

The RD does not propose to include any additional mitigation measures in relation to material assets.

16.5.8.2 Cultural Heritage Identification, Description and Assessment of Effects

Chapter 4.3.9 of the EIAR addresses the potential direct and indirect effects on cultural heritage. Any loss of archaeological or architectural heritage could impact negatively on human beings. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on-site and are not controlled by the Agency. The planning authority has considered the effect to be acceptable.

There are no buildings or features of architectural significance and known archaeological features at or near the site of the installation. It is very difficult to envisage any pathway by which emissions from the operation of the activity could impact any feature which might be present.

No significant cumulative effects on the cultural heritage have been identified. Therefore, there are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

There are no specific mitigation measures or monitoring proposed in the RD.

Cultural Heritage Conclusions

The Planning Authority has identified, described and assessed the likely significant direct and indirect effects of the development on cultural heritage. Their assessment concluded that "no evidence of any archaeological features, structures of built heritage significance or sites of cultural interest on or adjacent to the site".

The RD does not propose to include any additional mitigation measures in relation to cultural heritage.

16.5.8.3 The Landscape Identification, Description and Assessment of Effects

The potential direct and indirect effects on the landscape are described in Chapter 4.3.8 of the EIAR. Any disturbance of the landscape has the potential to impact on human beings and their enjoyment of the surrounding area due to visual impacts. These matters are dealt with in the decision of the planning authority to grant planning permission for the developments on-site and are not controlled by the Agency. The planning authority has considered the effects to be acceptable.

The installation is located in a rural, predominantly agricultural area of rolling topography with scattered or isolated drumlins, tracts of peat and isolated farm and residential properties. Emissions from the operation of the activity will not affect the agricultural landscape of the area.

No significant cumulative effects on the landscape have been identified. Therefore, there are no likely significant direct, indirect or cumulative effects identified.

Mitigation and Monitoring

There are no specific mitigation measures or monitoring proposed in the RD.

The Landscape Conclusions

The Planning Authority has identified, described and assessed the likely significant direct and indirect effects of the development on the landscape. Their assessment concluded that "The development is an addition to an existing poultry farm that is already established in the locale. No negative impacts have been identified regarding the interaction between population and human health, biodiversity, Land, soil, water, climate, material assets, cultural heritage and the landscape".

The RD does not propose to include any additional mitigation measures in relation to landscape.

16.5.8.4 Overall Conclusions for Material Assets, Cultural Heritage and the Landscape

I have examined all the information on material assets, cultural heritage and the landscape provided by the licensee, received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of material assets, cultural heritage and the landscape.

16.5.9 Interactions Between Environmental Factors

Interactions of effects are considered in Chapter 4.7 of the EIAR. The most significant interactions between the factors as a result of the activity are summarised below.

Population and human health, air, and biodiversity

Potential effects from emissions to air may impact on human beings, air quality and flora and fauna as demonstrated in the 'Emissions to Air' section above. As demonstrated such effects are considered not to be likely or significant.

Water, soil, and biodiversity

Accidental discharges of wash water or other substances to ground may directly and indirectly affect soil, groundwater quality, surface water quality downstream, aquatic habitats and aquatic flora and fauna. Indirect effects on soil, groundwater quality, surface water quality, habitats and flora and fauna may arise from landspreading wash water which arises from the activity. As demonstrated in the 'Emissions to Water and Ground' section above, such effects are not considered to be likely or significant.

Conclusions

I have considered the interactions between population and human health, biodiversity, land, soil, water, air, climate, material assets, cultural heritage and landscape, and the interaction of the likely effects identified throughout this report. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of the interaction between the foregoing environmental factors.

16.5.10 Vulnerability of the Project to Risks of Major Accidents and/or Disasters

Chapter 4.4 of the EIAR describes the expected effects deriving from the vulnerability of the activity to risks of major accidents and/or disasters that are relevant to the activity.

The potential risk of effects from accidents and/or disasters is limited due to the innate nature of the production system and activities on-site. There are no significant high risk/hazardous products used, produced and/or released by the proposed development which would pose a risk outside of the site boundary as a result of any accident/disaster.

The Seveso Directive⁹ and Regulations are not applicable at the installation. The risks of accidents associated with the activity are dealt with in the 'Prevention of Accidents' and 'Cessation of Activity' sections of this report. The applicant assessed the vulnerability of the project and determined that due to the nature of the processes on-site, no significant risks occur and consequently, no specific mitigation measures have been proposed in relation to these effects.

Mitigation and Monitoring

There are no specific mitigation measures proposed in relation to major accidents and/or disasters at the installation.

Conclusions

I have examined all the information on major accidents and/or disasters provided by the licensee received through consultations, written submission, as well as considering any supplementary information, where appropriate. I am satisfied that the potential effects identified will be avoided, managed and mitigated by the measures identified and through the proposed conditions of the RD. I am, therefore, satisfied that the operation of the activity is not likely to have any unacceptable direct or indirect effects in terms of major accidents and/or disasters.

16.6 Reasoned Conclusion on the significant effects

Having regard to the examination of environmental information contained above, and in particular to the content of the EIAR and supplementary information provided by the licensee, and the submissions from the planning authority and third parties in the course of the application and when supplemented by my assessment as contained in this report, it is considered that the potential significant direct and indirect effects of the activity on the environment are as follows:

- Emissions to air;
- Noise emissions; and
- Accidental leakages or spills.

Having assessed those potential effects, I have concluded as follows:

⁹ Directive 2012/18/EU of the European Parliament and of the Council of 4 July 2012 on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC.

- Emissions to air will be mitigated through inclusion of abatement (including low emission housing); imposing emission limit values to comply with the CID; and implementing monitoring, maintenance and control measures,
- Noise emissions will be mitigated through imposing daytime, evening and nighttime noise limits at noise-sensitive locations; and implementing monitoring, maintenance and control measures, and
- Accidental leakages or spills will be mitigated through inspection and maintenance of bunds and tanks; and accident and emergency requirements specified in the RD.

Having regard to the effects (and interactions) identified, described and assessed throughout this report, I consider that the monitoring, mitigation and preventative measures proposed will enable the activity to operate without causing environmental pollution, subject to compliance with the RD. The conditions of the RD and the mitigation measures proposed will significantly reduce the likelihood of accidental emissions occurring and limit the environmental consequences of an accidental emission should one occur.

17. EPA Charges

The annual enforcement charge recommended in the RD is €2,559 which reflects the anticipated enforcement effort required and the cost of monitoring.

18. Recommendation

The Agency, in considering an application for a licence or the review of a licence, shall have regard to section 83 of the EPA Act. The Agency shall not grant a licence or revised licence unless it is satisfied that emissions comply with relevant emission limit values and standards prescribed under regulation. In setting such limits and standards, the Agency must ensure they are established based on the stricter of either, or both, the limits and controls required under BAT, and those required to comply with any relevant environmental quality standard. The Agency shall perform its functions in a manner consistent with Section 15 of the Climate Action and Low Carbon Development Act 2015 as amended.

The RD specifies the necessary measures to provide that the installation shall be operated in accordance with the requirements of Section 83(5) of the EPA Act, and has regard to the AA and the EIA. The assessment is consistent with Section 15 of the Climate Action and Low Carbon Development Act 2015 as amended. The RD gives effect to the requirements of the EPA Act and has regard to submissions made.

This report was prepared by Brian Coffey, Philip Stack and Brian Walsh.

I recommend that a Proposed Determination be issued subject to the conditions and for the reasons as drafted in the RD.

Signed



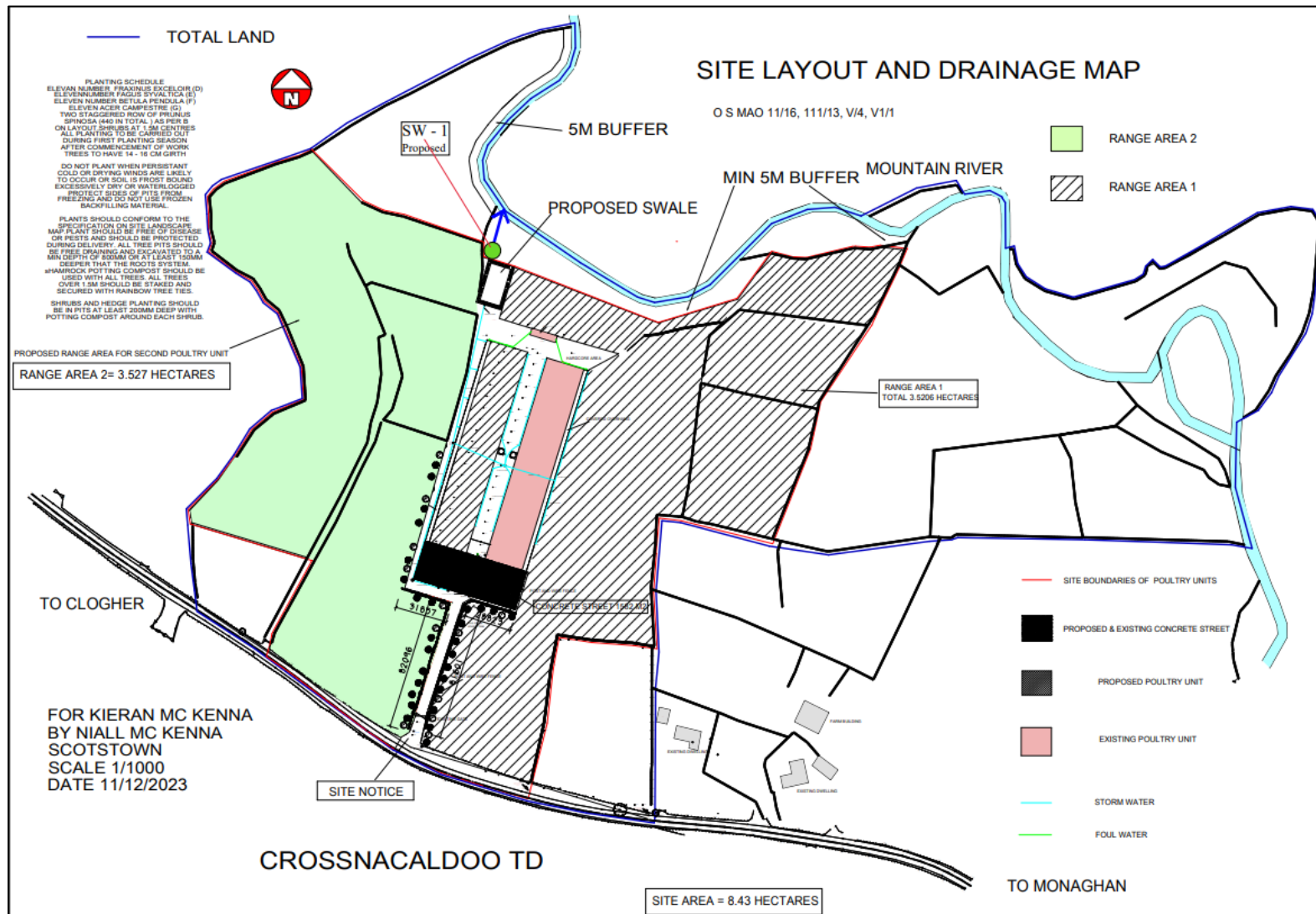
Brian Coffey, ICER Inspector

Procedural Note

In the event that no objections are received to the Proposed Determination on the application, a licence will be granted in accordance with Section 87(4) of the EPA Act, as soon as may be after the expiration of the appropriate period.

Appendices

Appendix 1: Maps



Excerpt from the drawing titled "Site Layout and Drainage Map" received by the Agency in support of the application on 5 July 2024.

Appendix 2: AA table

Table A.1: Assessment of the effects of the activity on European sites and proposed mitigation measures.

Site Code	Site Name	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives	Assessment
004167	Slieve Beagh SPA	Birds A082 Hen Harrier (<i>Circus cyaneus</i>)	<i>As per NPWS (2022) Conservation objectives for Slieve Beagh SPA 004167. Version 1.0. Department of Housing, Local Government and Heritage (dated 23/09/2022).</i>	<p>The site is located 0.2 km to the west/southwest of the installation.</p> <p>I am satisfied beyond reasonable scientific doubt that the reduced ammonia emissions associated with the changes to the activity will not cause an impact on the qualifying interest species for this European Site.</p> <p>I am satisfied beyond reasonable scientific doubt that storm water discharges will not cause an impact on this European Site due to the lack of hydrological connectivity of the project site with the European site.</p> <p>The project site is not located within the vicinity of any known breeding site for Hen Harrier (<i>Circus cyaneus</i>) at this European site.</p> <p>I am satisfied beyond reasonable scientific doubt that ammonia emissions or storm water discharges associated with the changes to the activity from the project site will not cause an impact on the conservation objectives for this European Site.</p>
UK902302	Slieve Beagh-Mullaghfad-Lisnaskea SPA	Species A082 Hen Harrier (<i>Circus cyaneus</i>)	<i>As per Slieve Beagh-Mullaghfad-Lisnaskea SPA (UK902302) Conservation Objectives. Version 3. Department of Environment Northern Ireland (dated 01/04/2015)</i>	<p>The site is located 3.2 km to the west of the installation.</p> <p>I am satisfied beyond reasonable scientific doubt that the reduced ammonia emissions associated with the changes to the activity will not cause an impact on the qualifying interest species for this European Site.</p> <p>I am satisfied beyond reasonable scientific doubt that storm water discharges will not cause an impact on this European Site due to the lack of hydrological connectivity of the project site with the European site.</p> <p>The project site is not located within the vicinity of any known breeding site for Hen Harrier (<i>Circus cyaneus</i>) at this European site.</p> <p>I am satisfied beyond reasonable scientific doubt that ammonia emissions or storm water discharges associated with the changes to the activity from the project site will not cause an impact on the conservation objectives for this European Site.</p>
UK0016622	Slieve Beagh SAC	Habitats 3160 Natural dystrophic lakes and ponds	<i>As per Slieve Beagh SAC (UK0016622) Conservation Objectives. Version</i>	<p>The site is located 4.8 km to the west of the installation.</p>

Site Code	Site Name	Qualifying Interests (* denotes a priority habitat)	Conservation Objectives	Assessment
		4030 European dry heaths 7130 Blanket bogs (* if active bog)	2.1 DAERA (dated 11/10/2017)	<p>I am satisfied beyond reasonable scientific doubt that the reduced ammonia emissions associated with the changes to the activity will not cause an impact on the qualifying interest habitats for this European Site.</p> <p>I am satisfied beyond reasonable scientific doubt that storm water discharges will not cause an impact on this European Site due to the lack of hydrological connectivity of the project site with the European site.</p> <p>I am satisfied beyond reasonable scientific doubt that ammonia emissions or storm water discharges associated with the changes to the activity from the project site will not cause an impact on the conservation objectives for this European Site.</p>
UK0016621	Magheraveely Marl Loughs SAC	<p>Habitats:</p> <p>3140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp</p> <p>7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i>*</p> <p>7230 Alkaline fens</p> <p>Species</p> <p>1092 White-clawed Crayfish (<i>Austropotamobius pallipes</i>)</p>	As per Magheraveely Marl Loughs SAC (UK0016621) Conservation Objectives. Version 2. DAERA (dated 01/04/2015)	<p>The site is located 13.2 km to the southwest of the installation.</p> <p>I am satisfied beyond reasonable scientific doubt that the reduced ammonia emissions associated with the changes to the activity will not cause an impact on the qualifying interest habitats or species for this European Site.</p> <p>I am satisfied beyond reasonable scientific doubt that storm water discharges will not cause an impact on this European Site due to the lack of hydrological connectivity of the project site with the European site.</p> <p>The project site is not located within the vicinity of any known breeding site for White-clawed Crayfish (<i>Austropotamobius pallipes</i>) at this European site.</p> <p>I am satisfied beyond reasonable scientific doubt that ammonia emissions or storm water discharges associated with the changes to the activity from the project site will not cause an impact on the conservation objectives for this European Site.</p>
001786	Kilroosky Lough Cluster SAC	<p>Habitats</p> <p>3140 Hard oligo-mesotrophic waters with benthic vegetation of Chara spp.</p> <p>7210 Calcareous fens with <i>Cladium mariscus</i> and species of the <i>Caricion davalliana</i>*</p> <p>7230 Alkaline fens</p> <p>Species</p>	As per NPWS (2021) Conservation objectives: Kilroosky Lough Cluster SAC 001786. Version 1. National parks and Wildlife Service, Department of Housing, Local Government and	<p>The site is located 19.9 km to the southwest of the installation.</p> <p>I am satisfied beyond reasonable scientific doubt that the reduced ammonia emissions associated with the changes to the activity will not cause an impact on the qualifying interest habitats or species for this European Site.</p> <p>I am satisfied beyond reasonable scientific doubt that storm water discharges will not cause an impact on this European Site due to the lack of hydrological connectivity of the project site with the European site.</p>

Site Code	Site Name	Qualifying Interests <i>(* denotes a priority habitat)</i>	Conservation Objectives	Assessment
		1092 White-clawed Crayfish <i>(Austropotamobius pallipes)</i>	<i>Heritage (dated 16/12/2021).</i>	<p>The project site is not located within the vicinity of any known breeding site for White-clawed Crayfish (<i>Austropotamobius pallipes</i>) at this European site.</p> <p>I am satisfied beyond reasonable scientific doubt that ammonia emissions or storm water discharges associated with the changes to the activity from the project site will not cause an impact on the conservation objectives for this European Site.</p>

Appendix 3: Relevant Legislation

The following European instruments which have been transposed into Irish legislation are regarded as relevant to this application assessment and have been considered in the drafting of the Recommended Determination.
National Emissions Ceilings Directive (2016/2284)
Industrial Emissions Directive (IED) (2010/75/EU)
Environmental Impact Assessment (EIA) Directive (2011/92/EU as amended by 2014/52/EU)
Habitats Directive (92/43/EEC) as amended & Birds Directive (2009/147/EC) as amended
Water Framework Directive [2000/60/EC]
Waste Framework Directive (2008/98/EC)
Air Quality Directives (2008/50/EC and 2004/107/EC)
Groundwater Directive (80/68/EEC) and 2006/118/EC
Environmental Liability Directive (2004/35/CE)
Regulation (EC) No 1069/2009, as amended (Animal By-products Regulation)
Nitrates Directive (91/676/ EEC)
Energy Efficiency Directive (2018/2002/EU)

Appendix 4: Other CIDs/BREF/BAT documents relevant to this assessment

Commission Implementing Decisions	Publication Date
COMMISSION IMPLEMENTING DECISION 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 (2017/302/EU)	February 2017
Sectoral BREF	Publication date
Reference Document on the Best Available Techniques for the Intensive Rearing of Poultry or Pigs	July 2017