

Headquarters
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County Wexford
Ireland

Industrial Emissions Licence

Licence Register Number:	P1157-01
Company Register Number:	694891
Applicant:	Mullan Poultry Products Limited
Location of installation:	Drumturk Emyvale County Monaghan



ENVIRONMENTAL PROTECTION AGENCY ACT 1992 AS AMENDED

INDUSTRIAL EMISSIONS LICENCE

Decision of Agency, under Section 83(1) of the EPA Act 1992 as amended in respect of licence

Reference number in Register of licences: P1157-01.

Further to notice dated 29 August 2024, the Agency in exercise of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, for the reasons hereinafter set out, hereby refuses the application to grant an Industrial Emissions licence to Mullan Poultry Products Ltd., Emyvale, County Monaghan, CRO number 694891,

to carry on the following activity: -

- 6.1 (a) The rearing of poultry in installations where the capacity exceeds 40,000 places,

at Drumturk, Emyvale, County Monaghan, for the following reason:

At Slieve Beagh Special Protection Area the background ammonia deposition levels are already higher than the critical level for this site. Similarly, nitrogen deposition levels exceed critical loads at the protected site. The applicant did not provide sufficient data, particularly detailed modelling and cumulative impact assessment, to show that the proposed emissions, in combination with others, would not cause significant environmental impact to the receiving environment.

GIVEN under the Seal of the Agency on this the 20th day of November 2024.

PRESENT when the seal of the Agency was affixed hereto:



Kathleen Byrne, Authorised Person



INTRODUCTION

This introduction is not part of this licence and does not purport to be a legal interpretation of this licence.

Mullan Poultry Products Limited has applied to operate a poultry (broiler) unit located at Drumturk, Emyvale, County Monaghan.

The proposed installation is on an existing, recently constructed poultry farm in a rural location. The proposed installation will accommodate 90,000 broilers within two poultry houses. The installation is currently operating below licence threshold at a capacity of 39,400 conventional broiler places within a single poultry house.

The process involves the rearing of stock specifically bred for lean poultry meat production, from day old chicks delivered from the hatchery, until they are removed from site and taken to the processing installation at approximately five to seven weeks. At the end of each rearing cycle the houses are destocked, and the birds are sold for processing. Following the removal of poultry litter (also termed organic fertiliser), the poultry houses are cleaned and left empty for a period of one to two weeks, to allow for complete drying after the cleaning process. The houses are then restocked.

The proposed activity is above the IE licensing threshold of 40,000 places specified under Annex 1 of the Industrial Emissions Directive and the First Schedule of the EPA Act 1992 as amended.

Decision and Reasons for the Decision

The Environmental Protection Agency is not satisfied, on the basis of the information available, that emissions from the activity will comply with and will not contravene any of the requirements of section 83(5) of the Environmental Protection Agency Act 1992 as amended.

The Environmental Protection Agency considers that the activity may adversely affect the integrity of European Sites. It has determined that it is not possible to ascertain that the activity, if managed, operated and controlled as proposed in the licence application will not adversely affect the integrity of a European Site, Slieve Beagh SPA.

The Agency accordingly refuses to grant a licence to Mullan Poultry Products Limited to carry on the activity listed in *Part I, Schedule of Activities Refused*.

In reaching this decision the Agency has considered: the application, Register Number: P1157-01 and the supporting documentation received from the applicant, the submissions received, the Inspector's Report dated 08 August 2024, the proposed determination dated 29 August 2024, the objection received from the Applicant, the Technical Committee Report dated 24 October 2024 and has carried out an Appropriate Assessment of the likely significant effects of the activity on European Sites.

It is considered that the Inspector's Report and the Technical Committee Report contain a fair and reasonable examination, evaluation and analysis of the likely significant effects of the activity on the environment, and adequately and accurately identify, describe and assess those effects. The assessment as reported in these documents is adopted as the assessment of the Agency.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at Slieve Beagh SPA, Slieve Beagh-Mullaghfad-Lisnaskea SPA (NI), Slieve Beagh SAC (NI), Magheraveely Marl Loughs SAC (NI) and Kilroosky Lough Cluster SAC.

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, and for this reason determined to require the applicant to submit a Natura Impact Statement.

- Air emissions were modelled by the Agency using a screen model (SCAIL Agriculture). The model results indicated that the potential for significant adverse impact of emissions to air and their consequential potential impact on sensitive receptors cannot be ruled out due to elevated ammonia levels and nitrogen deposition at European sites.

The Agency has completed the Appropriate Assessment of potential impacts on these sites and it is not possible to ascertain, 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 having regard to its conservation objectives and may affect the preservation of the site at favourable conservation status if carried out in accordance with the proposed application for the following reasons:

- Slieve Beagh SPA is approximately 9 km away from the applicant's installation site. Ammonia can disperse over long distances, especially in areas with multiple emission sources such as numerous pig and poultry farms within 10 km of Slieve Beagh SPA. The atmospheric transport of ammonia means that even sources 9 km away can contribute to local nitrogen deposition levels in this sensitive habitat.
- The area around Slieve Beagh has a high density of pig and poultry IE licensed farms and sub-IE threshold farms. The in-combination impact of ammonia emissions from these multiple sources will exacerbate the

negative environmental effects on the SPA as the critical levels for both ammonia and nitrogen are already exceeded at the SPA.

- Background nitrogen deposition is 11.06 kg N/ha/yr and background ammonia is 4.39 $\mu\text{g}/\text{m}^3$, both above their respective critical load and level of 10 kg N/ha/yr and 3 $\mu\text{g}/\text{m}^3$. As such, Slieve Beagh SPA is already experiencing ammonia and nitrogen levels beyond what it can tolerate without adverse effects. Additional ammonia emissions from a new source, such as the emissions proposed in this application, would further exacerbate these conditions, having an adverse effect on the habitat that the Qualifying Interest, the Hen Harrier, is dependent on in Slieve Beagh SPA.
- Process emissions from the proposed bird numbers at the installation, in combination with other plans and projects, will contribute to ammonia levels and nitrogen deposition loads that exceed the critical level and critical limit respectively at Slieve Beagh SPA.

The Agency is not satisfied beyond reasonable scientific doubt as to the absence of adverse effects on the integrity of European Site Slieve Beagh SPA.

Part I, Schedule of Activities Refused

In pursuance of the powers conferred on it by the Environmental Protection Agency Act 1992 as amended, the Agency hereby refuses to grant this Industrial Emissions licence (P1157-01) to:

Mullan Poultry Products Limited, Emyvale, County Monaghan, CRO Number: 694891,

under Section 81(1) of the said Act to carry on the following activity:

- 6.1 (a) The rearing of poultry in installations where the capacity exceeds 40,000 places,

at Drumturk, Emyvale, County Monaghan, for the following reason:

At Slieve Beagh Special Protection Area the background ammonia deposition levels are already higher than the critical level for this site. Similarly, nitrogen deposition levels exceed critical loads at the protected site. The applicant did not provide sufficient data, particularly detailed modelling and cumulative impact assessment, to show that the proposed emissions, in combination with others, would not cause significant environmental impact to the receiving environment.

Sealed by the seal of the Agency on this the 20th day of November 2024.

PRESENT when the seal of the Agency

Was affixed hereto:



Kathleen Byrne, Authorised Person

