OFFICE OF ENVIRONMENTAL SUSTAINABILITY

INSPECTOR'S REPORT ON AN IPC LICENCE, LICENCE REGISTER NUMBER P1741-01

TO:	David Flynn, Director
FROM:	Mick Drumm, Inspector, Industrial Control & Environment Regulation (ICER)
DATE:	1ST May 2025
APPROVAL:	This Report has been cleared for submission to Director by Senior Inspector, Seán O'Donoghue Signed: 
APPLICANT:	West Cork Distillers Limited
CRO NUMBER:	452466
LOCATION/ADDRESS:	Marsh Road, Skibbereen, County Cork
APPLICATION DATE:	11 March 2022

Classes of Activity (under EPA Act 1992 as amended):

7.3.2 Distilling in installations where the production capacity exceeds the equivalent of 1,500 tonnes per year measured as pure alcohol, not included in paragraph 7.8.

Main BREF document/CID/BAT Note:	BAT Guidance Note on Best Available Techniques for the Brewing, Malting & Distilling Sector
All other relevant CIDs, BREF documents and National BAT notes are listed in the appendix of this report.	
Activity description/background:	Production of distilled and fermented alcohol beverages with a production capacity of over 1,500 tonnes pure alcohol per annum.
Additional information received:	Yes (19/02/24), (14/11/23), (27/10/23), (12/10/22), (11/10/22), (10/10/22), (29/07/22)
No of submissions received:	6

Environmental Impact Assessment required: No	Stage 2 Appropriate Assessment required: No
Site visit: 09 August 2023	Site notice check: 14 April 2022

1 Introduction

West Cork Distillers Limited (CRO No. 452466) are an existing distillery in operation at Fastnet Industrial Estate, Marsh Road, Skibbereen, County Cork since 2018. The installation produces distilled alcohol and a fermented glucose beverage, the majority of which is sold for export. The distillery operates 24 hours a day, 7 days a week depending on operational requirements, with a full shut down over the Christmas period. During seasonal peaks in employment there are up to 110 staff at the installation

West Cork Distillers has applied to the Agency for an Integrated Pollution Control licence as the distillery has an annual production capacity of over 1,500 tonnes of Pure Alcohol for its range of products. This installation has not previously been licensed. The licensable activity is Class 7.3.2: Distilling in installations where the production capacity exceeds the equivalent of 1,500 tonnes per year measured as pure alcohol, not included in paragraph 7.8. This activity is not listed in Annex I of the Industrial Emissions Directive (2010/75/EU); it is an integrated pollution control activity.

West Cork Distillers Limited operates on a c. 4.5 hectare site which is bordered to the west by Marsh Road L4211 and to the north by Curragh Commercial Park. A tenant (fish processor/ wholesaler) operates in buildings located within the southern part of the site boundary. The eastern part of the site borders the River Ilen, the NCT test centre and the Skibbereen Mart. Surrounding land to the east and west of the site is generally agricultural in nature. Lands to the north and south are a mix of commercial, light industrial and residential, on the northern outskirts of Skibbereen Town (Figure 1).

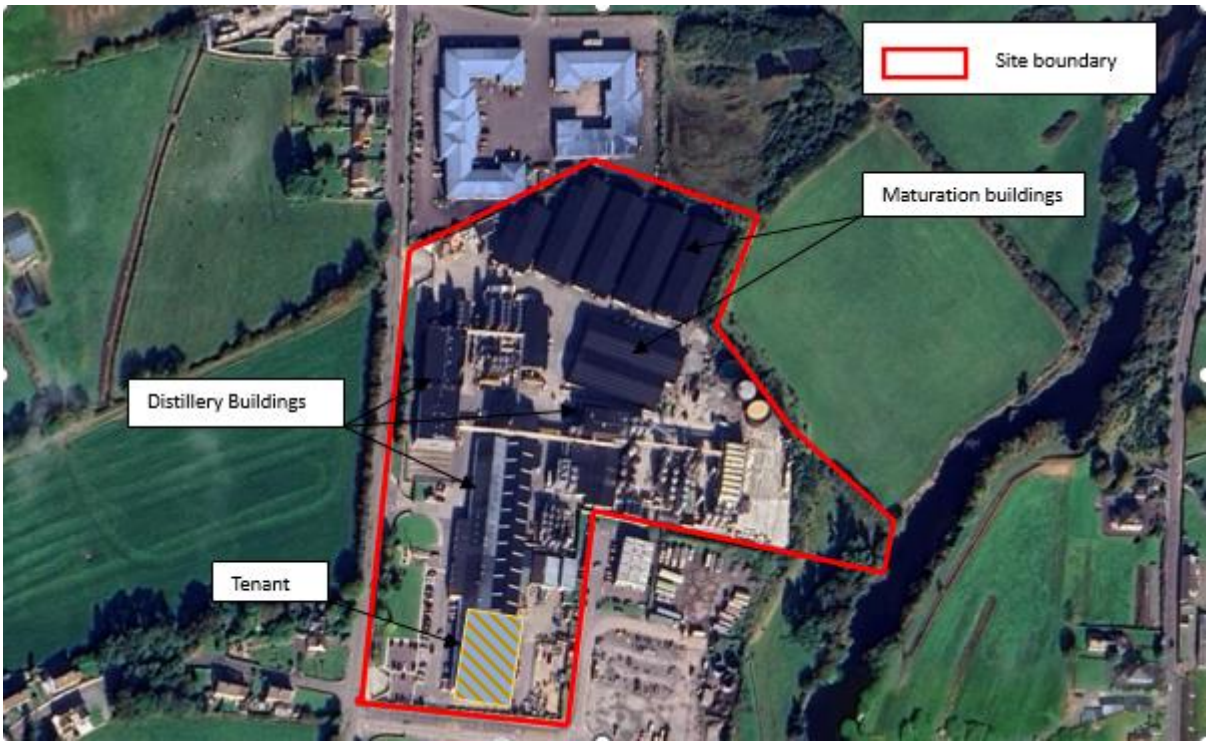


Figure 1 Location map showing P1174-01 site boundary and layout

2 Description of activity

The distillery produces spirits (whiskey, vodka, poitín, gin) and a fermented glucose beverage. The main activities associated with spirit production are raw materials intake, milling, mashing and cooking, fermentation, distillation, blending, bottling and storage/maturation. The additional activities associated with fermented glucose beverage production are batching, mixing, centrifugation, membrane filtration and transfer to silos. NO_2 and SO_2 emissions arise from the combustion of fuel from the boilers/CHPs to generate heat/steam/electricity for the process. Particulate emissions arise from the intake areas, grain cleaning and conveyancing, spent grain sheds and hammer mill areas.

All aqueous trade effluent is collected in a 450 m^3 above ground tank and then transferred by tanker off-site for treatment at municipal waste water treatment plants (Carrigtohill D0044-01 and Limerick D0013-01). The applicant is responsible for all emissions to surface water from activities, including from tenants, located within the installation boundary. The applicant is responsible for ensuring it has the appropriate consent/authorisations in place with Uisce Éireann (UÉ) including a Section 99E should this be required.

The two main production processes (spirit production and fermented glucose beverage) are supported by ancillary processes including electricity import, cleaning in place, steam generation and distribution, delivery, storage and dispatch of raw materials, products, by-products and wastes, management of surface water and process effluent drainage systems, provision of water supply, refrigeration and cooling, laboratory operations and chemical storage.

Description of spirit production

Raw materials intake:

Barley (malted and un-malted) and other grain (wheat and maize) is taken on-site at a rate of c. 1,400 tonnes/week. Two locations for grain intake will ultimately be in place. Grain is currently delivered by truck/trailers reversing into the grain acceptance structure and unloaded into a pit. The small size of this structure, located adjacent to the western site boundary, requires that the doors remain open during unloading. The applicant proposes that the current grain intake shed will reduce activity levels to c. 22% of total activity when the new grain intake area in the centrally located new distillery building becomes operational. The small size (41 m^2) of the new grain intake structure indicates that doors will remain open during unloading operations. Grains are transferred by enclosed conveyors into separate storage silos. There are three main dust emissions from grain handling.

Milling and mashing/cooking:

Grain is screened and cleaned then conveyed to hammer mills where it is crushed to separate the starchy inner grain from the outer material to produce grist. Activity levels of the existing hammer mills will reduce to c. 22% of total milling activity when the new hammer mill, located in the new distillery building, becomes operational. Grist mixed with hot water at 75^oC is transferred to the masher where the starch is dissolved and converted to fermentable sugar. The sugary aqueous solution (wort) produced is filtered from the spent cereal grains (draff) and sent to fermentation vats. The draff is sent for storage in silos from where it is loaded onto trucks in an enclosed structure prior to dispatch off-site for use as animal feed or anaerobic digestor feedstock.

Fermentation:

The wort is cooled and yeast and natural enzymes are added. Fermentation typically takes five days and produces wash, which is c. 8-15% alcohol by volume.

Distillation:

The wash is transferred to stills for distillation into spirit. Pot and column stills are used to produce malt and grain whiskey with separate column stills used for vodka, gin and poitín. During distillation the wash is heated. As alcohol evaporates at a lower temperature than water it can be collected by condensation. In the first distillation the resulting distillate, known as low wines, is collected for re-distilling to increase the concentration of alcohol. For gin distillations, botanicals such as berries or citrus, are added at this stage. After the first distillation the liquid residue remaining in the still is known as pot ale, which may be granted by-product status for off-site use as an animal feed. The low wines are then distilled again in the second still. Three spirit “fractions” are obtained from the second still distillation (foreshots, potable spirit and feints). The foreshots and feints are returned to second still with the low wines. The potable spirits are collected and sent on for blending and storage as appropriate. Approximately 20,000 litres of fusel oil, a by-product of the fermentation process, is produced each year with a maximum of 1,000 litres stored on site in a bunded area within the still hall building. The fusel oil is collected and dispatched off-site for use as feedstock in a nearby Anaerobic Digestor.

Maturation:

The whiskey produced is pumped to bunded spirit tanks, and from these it is transferred to wooden casks. The spirit is standardised to 68% Alcohol by Volume (v/v) through mixing of the new make spirit at c. 72% v/v with water. Casks are stored in the maturation warehouses in the northern part of the site or moved off-site to other bonded warehouse facilities. Gin, vodka and poitín products do not require aging and are transferred to bunded spirit farm tanks prior to bottling.

Blending:

Malt and grain whiskeys are filtered and blended with colour additives, sweeteners, and acidity regulators as required. Unblended whiskeys are also produced at the installation, using malted barley. Whiskey casks, after at least three years of storage, are brought to the blending and bottling room where these actions and labelling are carried out prior to dispatch.

Bottling and Storage:

Bottles are washed, filled with spirit, sealed, labelled, visually inspected, boxed and put into storage prior to dispatch from the site. The installation will have a production capacity of 22,000,000 litres of alcohol as whiskey and 500,000 litres of other distilled beverages.

Description of fermented glucose beverage production

Batching and Mixing:

Incoming liquids are delivered by bulk tanker and are weighed, sampled, and tested.

Fermentation:

Ingredients are placed with water and yeasts/enzymes into a series of tanks for fermenting for up to two weeks.

Centrifugation:

Gravitational force is applied to separate any impurities from the product, specifically spent yeast. The impurities are left in the concentrate which is sent off-site for anaerobic digestion.

Membrane Filtration:

The product is 'washed' under high pressure, where the membranes cause an alcohol mixture to separate from the fermented glucose residue. One membrane filtration process entails up to three washes, and the 'washes' are not re-introduced into the process. The finished product is separated from a concentrated impurities stream including filtration residues which is tankered off-site for treatment at MWWTP and/ or anaerobic digestion.

Transfer to Silos:

The fermented glucose product is filtered and conveyed to silos where is it stored prior to transport and dispatch from the site in bulk containers. The installation will have a production capacity of 9,500,000 litres of fermented glucose beverage.

Process effluent

Trade effluent from the licenced distillery activity arises from distilling and fermented beverage processes is tankered off-site for treatment in MWWTP. Trade effluent generated is stored in a 450 m^3 balance tank. An average of 45 m^3/day is dispatched to WWTP and the applicant has provided details of the agreements with UÉ. Uisce Éireann are required to comply with their Waste Water Discharge Authorisations (D0013-01 and D0044-01). The applicant utilises an onsite

wastewater treatment and recycling system to reduce mains water demand and the number of tankers of effluent leaving the site for treatment.

3 Planning Status

A number of planning applications have been made by the applicant for the area within the installation boundary. Details of planning applications and permissions (2017-2022) were provided in the application form submitted in March 2023. Further to a Request for Further Information (RFI) the applicant provided details of additional planning information not included in the initial application form. These planning matters included; details of Section 5 planning exemption requests, planning matters under consideration of an Bord Pleanála, detail of planning matters awaiting technical assessment by the local authority, details of planning retention applications and details of new planning applications. Planning permission and retention of planning for all installation elements relating to this licence application was granted in March 2025 (ref. 24/315).

It is noted that an OPW flood defence scheme abuts the east of the installation boundary. Grant of planning permission (24/315) requires the applicant to prepare a Flood Awareness Plan and a Flood Emergency Response Plan. Condition 2 and 9 of the RD require the applicant to evaluate reduction in potential impact from flood risk.

EIA Screening

An EIAR was not submitted in support of any planning applications. The Agency has had regard to the planner's reports (17/365, 19/214, 19/774, 20/283 and 24/315) and the decisions reached by the planning authority/An Bord Pleanála in undertaking its environmental impact assessment of the activity.

In accordance with Section 83(2A) of the Environmental Protection Agency Act 1992, as amended (hereafter referred to as the EPA Act, the Agency must ensure that before a licence or revised licence is granted, the application is made subject to an environmental impact assessment (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 not likely to have a significant effect on the environment, and accordingly an EIA is not required.

The activity is below the specified threshold of project type 7(d) in Part 2 of Schedule 5 of the Planning and Development Regulations 2001 as amended:

> *7(d) Installations for commercial brewing and distilling; installations for malting, where the production capacity would exceed 100,000 tonnes per annum.*

Having considered the information provided by the applicant, which satisfies the requirements of Annex II A of the EIA Directive, it has been determined that the activity is not likely to give rise to significant effects on the environment by virtue of its nature, size or location. This determination has been made having regard to the following:

- Due to the nature and scale of the activity (production capacity of approximately 45,000 tonnes/annum) compared to the threshold of 100,000 tonnes/annum in Schedule 5 of the Planning and Development Regulations.
- The activity is located in an existing industrial estate on the outskirts of Skibbereen town and is not located in a sensitive area.
- It is considered that the activity will not generate significant dust or odour emissions.
- Regarding noise emissions, the applicant has stated that cooling towers along the boundary of the installation are causing elevated noise levels. Options have been identified by the applicant to reduce noise emissions (upgrading and relocating of infrastructure and installing acoustic enclosures). A licence if granted, would include emission limits and control measures for noise.

- There are emission points to air from an existing boiler and back up boiler (both LPG fuelled) and two proposed boilers (LPG fuelled). Air dispersion modelling has shown that ground level concentrations will be within air quality standards beyond the installation boundary.
- There will be no process emissions to surface water or groundwater. Process effluent generated is proposed to be stored onsite in a balance tank and tankered off-site for treatment at Uisce Éireann Waste Water Treatment Facilities.
- The only discharge to water will be stormwater runoff from building roofs and non-process areas. Storm water discharges via an oil separator to an attenuation tank and to the Ilen River at the installation boundary. The Ilen River/Estuary ultimately discharges into Roaringwater Bay approximately 15 km downstream of the installation.
- The cumulative effect with other existing and/or approved projects will not be significant.

In accordance with the EIA Screening Determination, the Agency has determined that the activity is not likely to have a significant effect on the environment, and accordingly an EIA is not required.

4 Best Available Techniques

The BAT Guidance Note on Best Available Techniques for the Brewing, Malting and Distilling Sector is applicable for the installation. I consider that the applicable BAT requirements are addressed through the technologies and techniques as described in the application, as well as the conditions and limits specified in the Recommended Determination (RD).

A detailed BAT assessment was carried out by the applicant and is included in attachment 4.7.1 of the application form.

5 Emissions

5.1 Emissions to Air

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

5.1.1 Channelled Emissions to Air

There are nine main channelled emissions points at the installation (proposed or existing), arising from boilers, CHP and grain processing equipment (See Table 5.1 below). The two new LPG boilers will operate as duty with the existing main boiler to operate as back up. The applicant proposes to operate two new CHP plant to provide electricity during periods of grid constraint. The applicant proposes to run boiler (A1-1) on LPG, boilers (A1-2, A1-3) and CHPs (A1-4b, A1-5) on LPG. The applicant has installed bag filters on emission points A2-1, A2-2, A2-3 and A2-4 in accordance with BAT to achieve the emission limit values proposed. The applicant proposed ELVs that are in line with BAT and the MCP Regulations.

All ELVs set for the boilers and CHP plants are in accordance with *the European Union (Medium Combustion Plants) Regulations 2017 (S.I. 595 of 2017) (MCP Regulations)*. The particulate limits on the hammer mill and grain conveyancing/cleaning equipment exhausts are in accordance with National BAT.

As the total rated onsite thermal input capacity (27.5 MW) exceeds 20 MW, the installation requires a GHG permit[1] in order to operate.

Table 5.1 below gives details of the ELVs proposed by the applicant and set in the RD, compared with the relevant emissions standard as set in BAT/the MCP Regulations for the main air emissions points.

Full details are specified in attachment 7.4.1 of the application form.

Table 5.1: Main Channelled Emissions to Air

Main channelled emission points				
Emission Reference	**Process Description and location**	**Parameter**	**BAT compliance** Note 1	
			ELV in RD	**BAT-AEL**
A1-1 (3.4 MW)	Existing LPG Main Boiler Existing boiler house	*NOx*	*200*	*200*
		SO2	*250*	*250*
A1-2 (9.25 MW)	New Boiler No. 2 (LPG) new boiler house	*NOx*	250	250
		SO2	35	35
A1-3 (9.25 MW)	New Boiler No. 3 (LPG) new boiler house	*NOx*	250	250
		SO2	35	35
A1-4b Note 2 (2.8 MW)	New LPG fuelled CHP No. 1 in container at east of fish processor/wholesaler tenant	*NOx*	190	190
		SO2	*15*	*15*
A1-5 (2.8 MW)		*NOx*	190	190

[1] Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC.

Main channelled emission points				
Emission Reference	**Process Description and location**	**Parameter**	**BAT compliance** [Note 1]	
			ELV in RD	**BAT-AEL**
	New LPG fuelled CHP No. 2 in container at east of fish processor/wholesaler tenant	*SO2*	*15*	*15*
A2-1	Hammer Mill 1	Particulate Matter	10	10
A2-2	Hammer Mill 2	Particulate Matter	10	10
A2-3	Hammer Mill 3	Particulate Matter	10	10
A2-4	New grain cleaning/conveyancing equipment	Particulate Matter	10	10

Note 1: In some cases, emission standards other than those specified in BAT may be considered to represent BAT, e.g. ELVs for Medium Combustion Plant (MCP) as set in the MCP Regulations, 2017.

Assessment

As part of the application, air dispersion modelling (AERMOD Model-Version 21112)) was carried out to predict ambient pollutant concentrations resulting from the main emissions to air. The modelling used was in accordance with the *EPA Air Dispersion Modelling from Industrial Installations Guidance Note (AG4)* and was considered sufficiently detailed and conservative to assess the impact of the main emissions to air.

The model incorporated hourly meteorological data (5 years, Cork Airport Met. Station, 2016-2020), building wake effects, surface roughness, topography and design details for all emission points on-site. For background (ambient) air quality, the maximum annual average concentrations for Zone D from the Agency's publication "Air Quality Monitoring Annual Report 2019" (EPA, 2020) were used for the parameters Particulates, Carbon Monoxide (CO), Nitrogen Dioxide (NO_2) and Sulphur Dioxide (SO_2).

The modelling approach is based on adoption of the following scenario:

- Maximum flows and concentrations for Particulates, CO, NO_2, SO_2 were assumed.
- Ambient background levels are included and the values are conservative.
- While different combinations of emissions were modelled in different scenarios, the relevant main emission points in each modelling scenario are operating 24 hours a day, 7 days a week, 365 days a year.

The applicant may not operate all plant simultaneously. Installed plant may only operate in accordance with the limitations specified in Schedule A of the RD as based on the modelled scenarios. As part of this assessment regard was had to the EPA Guidance Note AG4 which requires that the process contribution (PC) from industrial installations is added to the background concentration (BC) to obtain the predicted environmental concentration (PEC). To assess the impact, each PEC is compared with the relevant air quality standards.

Table 5.2 below gives details of the predicted impact of the existing and proposed main channelled emissions to air.

Table 5.2:

Main channelled emissions impact						
Parameter	**Averaging Period**	**Background concentration (µg/m³)**	**Process contribution to PEC (µg/m³)**	**Predicted Environmental Concentration (PEC) (µg/m³)**	**PEC as % of Air Quality Standard**	**Air Quality Standards/ Guidelines (µg/m³)** Note 1
Nitrogen oxides (as NO_2)	99.8 %ile hourly	15	102.43	117.43	58.71	200
	Annual	7.5	22.64	30.14	75	40 (Human Health)
SO_2	1-hour (99.73 %ile)	10.08	22.19	32.27	9.22	350
	24-hour (99.18 %ile)	5.04	12.33	17.37	13.89	125
	Annual	5.04	2.5	7.54	37.69	20
Carbon monoxide (CO)	Maximum 8-hour	800	123.3	923.3	9.23	10,000
PM_{10}	Daily (90.4 %ile)	12.7	2.0	14.7	29.41	50
	Annual	12.7	0.54	13.24	33.1	40
$PM_{2.5}$	Annual	8.7	0.54	9.24	36.96	25

Note 1: Air Quality Standards Regulations, SI 58/2009 and 180/2011, unless otherwise stated.

Table 6.1.2 above demonstrates that under worst-case operation scenarios the predicted maximum Ground Level Concentrations (GLC) (including background) beyond the installation boundary are below the relevant Air Quality Standard (AQS).

The model shows the predicted maximum Ground Level Concentration (GLC) impact occurs just outside the installation boundary over relatively small areas. No sensitive habitats or residences are located in these areas of predicted maximum GLC.

The applicant proposes that the temporary diesel generator (1.8 MW) will be decommissioned once the CHP plants are installed and will not operate simultaneously. Schedule A of the RD prohibits simultaneous operation of the temporary diesel generator and either or both of the CHP plant. The RD requires, in accordance with the MCP Regulations, that the hours of operation of the temporary diesel generator must not exceed 500 hours annually, as a rolling average over a 3 year period. Schedule A of the RD also requires that the applicant not operate the backup boiler (A1-1) when both the duty boilers (A1-2 and A1-3) and both CHP (A1-4b and A1-5) are operational. The RD further requires that when both duty boilers (A1-2 and A1-3) and the backup boiler are in operation only one of the two CHP (A1-4b and A1-5) is permitted to operate.

The applicant noted that the 2 x new LPG boilers can run on Bioethanol. However, as the applicant has provided an Air Dispersion Model (ADM) demonstrating the off-site impacts of emissions only while burning LPG, the use of bioethanol is not considered further in this report and is not provided for in the RD.

In light of the above, the Recommended Determination/Decision (RD) specifies ELVs in accordance with BAT, the MCP Regulations and as assessed in the air dispersion model. The monitoring frequencies for emissions from the boilers and CHP are set in accordance with the MCP Regulations.

5.1.2 Diffuse Emissions

Diffuse emissions to air at the installation mainly arise from the maturation of whiskey stored in wooden casks. There is a maximum maturation capacity of 56,000 casks on site. Each cask is initially filled with up to 200 litres of Whiskey (composed of c. 65% alcohol v/v with the remainder water). The maximum capacity for alcohol/ ethanol storage onsite under maturation is 7,280,000 Litres of Pure Alcohol (LPA). Evaporative losses average at 2% p/annum per cask indicate maximum annual diffuse losses of 145,000 LPA p/annum from maturation. The vapours (as Total NMVOC) from evaporative losses exit to atmosphere from the casks through building fabric and door openings. The rate of diffuse emissions exhibits diurnal and seasonal variation relating to ambient temperature and cask locations within the maturation warehouses.

Diffuse emissions also arise from vents on production vessels and refrigeration equipment (tanks, receiving vessels, fermentation vessels, stills) and may arise from leaks from valves, seals and flanges, cleaning operations and loading/unloading and bottling operations.

Condition 6 of the RD requires the applicant to prepare and maintain a programme for the identification, quantification and reduction of any diffuse emissions using an appropriate combination of best available techniques. Condition 6 also specifically requires the applicant to quantify the diffuse emissions of NMVOC from onsite maturation by compiling a mass balance inventory annually.

5.1.3 Dust

The applicant is involved in the intake, storage, milling, mashing, cooking, fermentation and distilling of grains to produce spirits. The existing grain intake building is not large enough to allow unloading of vehicles indoors. Vehicles/trailers reverse into the current structure where they tip their contents into a below ground silo. Once the load has been emptied and the vehicle/trailer has exited the door is closed and loose grains are manually swept into the silo. The new grain unloading area will also be partly enclosed and at 42 m^2 will not allow fully indoor unloading of grain deliveries. The use of the existing grain unloading structure will comprise c. 22% of total activity when the new grain unloading building centrally located within the installation is fully operational. The existing grain unloading structure was not fitted with a fast action door at time of the site visit in August 2023. Grain deliveries are due to increase in line with production increases from 300 tonnes per week to 1,400 tonnes per week.

Due to the nature of activities, ambient dust could be generated, which can blow off-site and cause nuisance to nearby residents. While there is no evidence that ambient dust is an issue, diffuse dust emissions on site could arise from unloading, conveyancing and storage of raw materials. I did not notice dust to be an issue during the site visit in August 2023. The systems for handling grain/cereal during intake, transfer to the storage silos, and transfer to the hoppers at the production areas are fitted with filters to minimise emissions to atmosphere. The existing hammer mill exhausts, new fully enclosed hammer mill and the grain cleaning equipment vent situated within the new distillery building, are fitted with bag filters. The conveying systems are operated under a slight negative pressure (vacuum) to prevent releases of cereals/dust in the event of a leak. The material drawn from the conveyors under this vacuum is collected and returned to the production process. Larger material that is collected within the filters (cereal dressings) will be sent off-site for use as a compost and/or animal feed material. Grain receptance structures are fitted with fast action doors.

Control measures for diffuse dust in the RD:

- Ambient dust monitoring will be required at four locations at the installation boundary (DP1, DP2, DP3 and DP4).
- Schedule B.5 specifies an ambient dust deposition limit of 350 mg/m^2/day in accordance with TA Luft standard[2] and monitoring as required by the Agency.
- Condition 6.7 requires the applicant to prepare a programme for the identification, quantification and reduction of diffuse emissions using an appropriate combination of best available techniques.
- Condition 5.3 requires the applicant to ensure that dust associated with the activity does not result in the impairment of, or an interference with, amenities or the environment at the installation or beyond the installation boundary or any other legitimate uses of the environment beyond the installation boundary.

5.1.4 Odour

There are odours associated with the distillery operations such as from spent grain, spent yeast, grain intake shed, hammer mill areas, cooking, mashing, fermentation, distillation, maturation, blending, bottling and from the effluent tank. The EPA Odour Emissions Guidance Note (AG9)[3] does not describe the relative offensiveness of odour from distilleries but brewery odours derived from similar processes are described as 'Less Offensive'**.** The EPA Air Dispersion Modelling Guidance Note AG4 considers that less offensive odours such as from Brewery activities have an indicative criteria value of 6 Ou_E/m^3.

There are sensitive receptors nearby the installation with dwellings located c. 20 m to northwest and c. 20 m to the west of the installation boundary, with some commercial activities located adjacent to the northern boundary of the site.

A submission to this licence application has raised concerns regarding odour emanating from the site (Refer to Section 11: Submissions). In its submission to the Agency regarding the licence application, the HSE noted odour is "*likely to be minor and are unlikely to have an impact outside the site boundary*". I noted during a site visit conducted in August 2023, that odour was not an issue at any location within the installation boundary at that time. There have been no further submissions or complaints to the Agency since 2022 to indicate that odour nuisance is an ongoing problem.

The applicant has carried out odour dispersion modelling in accordance with Agency Guidance which demonstrates that odours from the installation will not exceed indicative criteria values at any sensitive receptors.

Given the submission on odour nuisance, the proximity of nearby residences, the additional raw material usage, by-products and waste generated due to the significant increase in production, the presence of a passively vented effluent storage tank (with a capacity of 10 days typical effluent production), the establishment of onsite reverse osmosis and carbon filtration system for water recycling, the RD requires the following regarding odour:

Control measures for odour in the RD

- The RD requires the applicant to prepare, maintain and implement an odour management plan
- The RD requires a weekly odour survey

[2] German TA Luft Air Quality Standards (TA Luft 1986).

[3] Environmental Protection Agency, Office of Environmental Enforcement (OEE, Odour Emissions Guidance Note (Air Guidance Note AG9), 2019.

5.2 Emissions to Water/Ground/Sewer

5.2.1 Emissions to Surface Waters

There are no process emissions to surface water from the installation.

5.2.2 Emissions to ground/groundwater

There are no process emissions to ground/groundwater at the installation.

The bedrock geology underlying the site is Pig's Cove Member (Kinsale Formation) along the eastern section and Narrow Cove Member (Kinsale Formation) along the western section. The bedrock is classified as a Locally Important Aquifer (LI) with bedrock which is Moderately Productive only in Local Zones. The groundwater vulnerability classification ranges from Low along the eastern section to High along the northwestern section. The site is underlain with Acid Brown Earths, Brown Podzolics (AminDW) and Mineral alluvium (AlluvMIN). There are no source protection zones in the vicinity of the site.

5.2.3 Emissions to Sewer

There are no trade effluent discharges to sewer from the licensed activity within the licensed site boundary. The tenant (fish processing/wholesaling business) that jointly occupies a building with the applicant within the licenced site boundary has an agreement for discharge to sewer for trade effluent with Uisce Éireann (UÉ) (ref. WP (S) 02/12), but the applicant has not applied for any trade effluent discharge to sewer. The RD requires this discharge to cease from the date of grant of the licence.

5.3 Storm water discharges

The table below gives details on the installation's storm water discharges to water; the sources of potential contamination of these discharges, the type of onsite abatement, as well as details of the receiving water.

Table 5.3.1 Storm water discharges details

Storm water discharge point details					
Emission Reference	**Monitored parameters (monitoring frequency)**	**Abatement**	**Drainage areas**	**Discharging to**	**Trigger levels established (Y/N)**
SW1	*TOC (continuous), Visual and odour (daily), pH, suspended solids, conductivity, COD, (weekly)*	*Class I full retention interceptor (required by RD), Attenuation tank, one-way non-return valve on bank of River Ilen (river is tidal at this location).*	*Buildings, site roads and walkways, car parks*	*River Ilen*	*N – RD requires trigger levels to be established*

Storm water discharge point details					
Emission Reference	**Monitored parameters (monitoring frequency)**	**Abatement**	**Drainage areas**	**Discharging to**	**Trigger levels established (Y/N)**
Automatic diversion in place:	*No – automated shutoff and retention in stormwater attenuation tank required by RD.*				

The RD requires the applicant to maintain the storm water drainage system. The RD also requires that the storm water discharge is visually inspected daily and monitored in accordance with *Schedule B.6 Storm Water Discharge Monitoring*.

Control measures

- The RD requires the applicant to maintain the storm water/rainwater collection system. It also requires that the discharge is visually inspected daily and monitored in accordance with Schedule C.2.3 *Monitoring of Storm Water Emissions*.
- Condition 6 requires the applicant to establish suitable trigger levels for pH, suspended solids, conductivity and TOC in storm water discharges.
- The applicant is required in the RD to establish and maintain a response programme to address any exceedances of the trigger levels.
- Condition 3 requires the applicant, within six months of the date of grant of licence, to install and maintain appropriate silt traps and oil separators at the installation.
- Condition 3 requires the applicant to install and maintain a one-way non-return valve on SW1 within six months of date of grant of this licence.
- The RD requires the applicant to install and maintain an automated shut off valve on SW1 within six months of the date of grant of this licence.
- The RD contains standard conditions in relation to the storage, movement 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 Section 8 of this report. These measures will help to control any impacts which could occur should any controls fail.
- The RD specifies that the applicant shall complete integrity testing of all bunds, buildings, storage tanks and pipework underground (including storm water drainage systems) and overground within six months of the date of grant of licence and implement corrective actions as soon as practicable.

The applicant has been prosecuted for a fish kill in 2021 relating to deleterious discharges to the River Ilen from storm water from the installation. Continuous TOC and flow monitoring of storm water discharges is necessary so as to reduce the risk of a recurrence, and the RD requires this within six months of date of grant of licence.

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 of this report.

5.4 Noise

The main sources of noise at the installation include boilers, CHPs, hammer mills, grain conveyancing equipment, compressors, cooling systems and on-site vehicle movements. The site is bounded by sections of both the public road (Marsh Road) and residential housing. The Marsh Road runs along the western boundary of the site. The

nearest Noise Sensitive Locations (NSL's) are domestic dwellings c. 20 m northwest and c. 20 west from the installation boundary.

Assessment

The applicant carried out noise monitoring report in 2020 in accordance with the *Guidance Note for Noise: Licence Applications, Surveys and Assessments in Relation to Scheduled Activities, 2016 (NG4)* to determine the impact of the installation on nearby NSLs, and to identify any actions necessary to reduce impacts. A monitoring survey was subsequently carried out by the applicant in 2022 in order to identify further necessary actions.

A number of concerns were raised by a submitter (See section 11 of this report) in relation to noise on site. The submitter completed a noise survey in May/June 2022 and they concluded that the installation was clearly audible at a nearby NSL at all times during the day, evening and night time periods.

The applicant also carried out noise modelling in 2022 to identify noise impacts from the existing operation, and to predict the impact of corrective actions proposed onsite to ensure compliance with noise limits likely to be set in the licence. On foot of this the applicant has completed a number of corrective actions including relocation of cooling towers, attenuation of hammer mills and decommissioning of the old cooling tower.

A noise monitoring report was completed by the applicant on the 28 and 29 July 2022 and submitted to the Agency on the 12 October 2022. 4 no. noise monitoring locations were selected (NM1, NM2, NM3 and NM4)(Refer to Figure 5.1).

Figure 5.1 Noise Monitoring Locations, 2022 (ref. Acoustic Compliance report WCD, 2022)

With control measures in place the predicted cumulative noise emissions modelled at sensitive receptors are compliant with the emission limit values applied in the RD. Mitigation measures are required at the installation to ensure the noise emissions meet the specified criteria (Refer to Control Measures).

Control Measures

- The RD imposes the standard daytime/evening/night-time limits of 55 L_{Ar},T /50 L_{Ar},T /45 L_{Aeq},T dB(A) at the NSLs;

- Condition 6 of the RD requires the applicant to undertake a noise survey at NSL 1, NSL 2, BD 1 and BD 2 annually from the date of grant of the licence with the first survey to take place within three months of date of grant of the licence;
- Condition 6 of the RD requires the applicant to prepare, maintain and implement a noise management plan;
- Condition 2 of the RD requires the applicant to include noise management as part of their environmental management system;
- Condition 2 of the RD requires the applicant to address noise in the public awareness and communications programme.

6 Waste generation

Certain wastes are generated on site as part of the licensable activity. Waste generated onsite mainly comprises wastes from distillation, fermentation, onsite water recycling system and general office/site waste. These wastes include draff and pot ale from distillation as well as spent yeast from fermented glucose beverage production and retentate. These materials may be used locally as animal feed and/or feedstock for anaerobic digestion. The total projected quantity of these by-products generated will be 34,900 tonnes per annum. It is the applicant's responsibility to ensure that an Article 27 By-product notification is sought for each recipient of this material.

Recyclable wastes are segregated and collected for recycling by permitted waste contractors. These wastes include cardboard, metal, glass, wood, food waste and dry mixed recyclables. Municipal waste is removed by licensed waste contractor and sent to landfill. The total quantity generated in 12 months prior to October 2022 was 150 tonnes.

Hazardous wastes generated onsite include waste oil, fluorescent tubes, and waste laboratory materials. All hazardous waste will be labelled appropriately and stored in a contained bunded area before being collected by a permitted waste contractor and brought to a licenced facility for disposal, recovery or recycling.

The applicant employs a number of measures at the installation for the prevention and/or minimisation of waste. The full list of wastes and waste measures are listed in application form (Attachment 8.1 and 8.2). While the volume of waste and by-product generated on site will increase in line with the proposed expansion of the installation, the nature of the waste will remain the same.

The RD requires that disposal or recovery of waste generated onsite shall only take place in accordance with the conditions of the licence and in accordance with the appropriate national and European Legislation and protocols. The RD also requires 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 as part of the Environmental Management System.

7 Energy Efficiency and Resource Use

The operation of the installation involves the consumption of fuel, electricity and water. The estimated quantities used in 2021 are specified in the application (Attachment 4.6.1) and are detailed below. While consumption of energy and natural resources will increase in line with the proposed increase in production, the type and nature of the resources utilised will not alter.

Table 7.1: Resource Use Details

Resource	Quantity per annum
Electricity	200,000 kWh
Gas Oil	52 m^3

Resource	Quantity per annum
Liquid Petroleum Gas (LPG)	4,015 m^3
Water (public supply)	135,000 m^3

Water: The distillery will consume water in the production of spirits and fermented glucose beverage. No water on site is obtained through groundwater or surface water abstraction. The water is supplied by Uisce Éireann from public supply and undergoes carbon filtration and pH stabilisation prior to distribution into the production process. Water will be reused on site and the applicant utilises 2 x containerised systems located in the eastern part of the site for water treatment (reverse osmosis and carbon filtration) and recycling processes.

Energy: The majority of electricity used onsite is purchased from the national grid. The applicant proposes to install 2 x LPG fuelled CHP to provide onsite electricity generation. The applicant has installed a temporary diesel generator to provide electricity during periods of grid constraint. This will be permanently removed once the two CHP plants are installed and operational.

The applicant employs a variety of technology to maximise the efficient use of energy within the installation, including regular preventative maintenance on equipment.

In the application of BAT, Condition 7 of the licence provides for the efficient use of resources and energy in all site operations. It requires an energy audit to be carried out and repeated at intervals as required by the Agency and the recommendations of the audit to be incorporated into the Schedule of Environmental Objectives and Targets as outlined in Condition 2 of the licence.

8 Prevention of Accidents

A certain amount of accident risk is associated with the licensable activity. For this installation there are risks of fire/explosion from alcohol in production or storage/transfer. The installation is categorised as Lower Tier SEVESO.

Table 8.1: **Potential accidents and measures for prevention/limitation of consequences**

Potential accidents & measures for prevention/limitation of consequences	
Potential for an accident or hazardous/emergency situation to arise from activities at the installation	• Fire/explosion/malfunction of plant leading to emissions to air, water and/or soil. • Grain spills from overloading silos, storage and processing. • Spills, leaks from tank farms/tanks, stills, casks and other vessels containing strong and weak ethanol solutions. • Explosion in distillation plant. • Gas leaks from LPG tank and lines within licensed site boundary. • Spillages/leaks of chemicals, raw materials and/or diesel/ LPG due to accidents, delivery and unloading operations. • Risk of preventative measures/controls failing.

Potential accidents & measures for prevention/limitation of consequences	
Preventative/Mitigation measures to reduce the likelihood of accidents and mitigate the effects of the consequences of an accident at the installation.	• An Emergency Response Plan will be developed for the installation and staff trained. • Routine walkdowns and good housekeeping will be in place which include a preventative maintenance regime and monitoring of the equipment to minimise potential for any leaks. • Fuel tanks undergo annual pressure testing and are fitted with Pressure relief valves. The LPG tank is also fitted with fire walls to protect from thermal radiation and a deluge system to apply water to tank in the event of an emergency. • All tanks are bunded with the exception of the below ground attenuation tank and process effluent balance tank and above ground and subject to maintenance and integrity testing. • The below ground tanks are to be fitted with high level alarms, visually inspected daily and cleared out as required. • Distillation vessels (stills) are fitted with pressure relief valves and operated at ambient pressure. • All tanks and transfer systems are designed to prevent mishaps associated with overfilling, misdirected flow and blockages. Tanks are fitted with overfill protection and high level switches. • The storm water discharge point SW-1 shall have continuous monitoring for TOC, an automatic shut-off valve and trigger levels established for TOC, pH, Suspended solids and conductivity. • A storm water attenuation tank (830 m^3) is in place should trigger levels be exceeded. • Hard standing, adequate bunding, spill management procedures are in place to ensure risk of a contamination event resulting in soil or groundwater contamination is low. • A fire risk assessment has been undertaken and measures implemented for detection and control of potential fire event. • A firefighting water retention tank (712 m^3) is provided along with a sump for fire water diversion.
Additional measures provided for in the RD	• Accident prevention and emergency response requirements (Condition 9). • Integrity of tanks, bunks containers and pipes to be assessed every 3 years and maintenance carried out as required (Condition 6). • Requirement for bunding and containment (Condition 3). • Loading and unloading to be carried out in designated areas (Condition 8); • Firewater retention risk assessment (Condition 3). • Emission limit values (Schedule B); and • Storm water discharge points to be monitored (Schedule B).

The installation is classified as a 'Lower Tier Establishment' under the Chemical Act (Control of Major Accident Hazards Involving Dangerous Substances) Regulations 2015 (S.I No. 209 of 2015). These regulations transpose the Seveso III Directive (2012/18/EU) into Irish legislation. The quantities of liquids and materials (flammable liquids, petroleum products, flammable gases, liquified petroleum gas and substances hazardous to the aquatic

environment) used or stored onsite are such that the installation falls above thresholds specified in the Directive. The Health and Safety Authority is the competent authority responsible for enforcement of the above regulations.

Condition 9 of the RD requires procedures to be put in place to prevent accidents with a possible impact on the environment and to respond to emergencies so as to minimise the impact on the environment. In accordance with Condition 12 of the RD requires the applicant to prepare an Environmental Liabilities Risk Assessment (ELRA) and make environmental provision to cover any liabilities with respect to the ELRA. The applicant shall have regard to *Agency's Guidance on Financial Provision and Environmental Liabilities (2015*) and *Guidance on Assessing and Costing Environmental Liabilities (2014*) when implementing this condition.

9 Cessation of Activity

A certain amount of environmental risk is associated with the cessation of any licensable activity (site closure). For this installation. The applicant 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 c of the application form. Condition 10 of the RD requires the proper closure of the activity with the aim of protecting the environment.

In accordance with Agency Environmental Liabilities guidance, a costed Closure, Restoration and Aftercare Management Plan (CRAMP) was submitted with the application (see Fit and Proper Person Assessment section for further details).

10 Fit & Proper Person

Technical Ability

The applicant has provided details of the qualifications, technical knowledge and experience of key personnel. The licence application also includes information on the onsite management structure. It is considered that the applicant has demonstrated the technical knowledge required.

Legal Standing

Neither the applicant nor any relevant person has relevant convictions under the relevant environmental legislation. The applicant pleaded guilty to three charges, under Sections 3 and 4 of the Local Government (Water Protection) Act 1977, arising from an incident on 21 July 2021 where deleterious matter entered the River Ilen from the applicant's site and a fish kill occurred in the stretch of water downstream.

ELRA, CRAMP and Financial Provision

The site was 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 that an ELRA, CRAMP and FP are required.

The applicant submitted an ELRA and CRAMP as part of the licence application. The costs were estimated at €306,696 and €375,870 respectively. A review of both the CRAMP (annually) and ELRA (every three years), as well as approval of Financial Provision (within six months of date of grant of licence), is required under the RD.

Fit & Proper Conclusion

It is my view that the applicant can be deemed a Fit & Proper Person for the purpose of this application.

11 Submissions

There were six valid submissions made on this application. While the main points raised in the submissions 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 submissions are noted and addressed in this Inspector's Report and the submissions were taken into consideration during the preparation of the Recommended Determination/ Decision (RD).

Table 11.1: Submissions

Submissions			
1.	**Name & Position** **Mr Declan Waugh**	**Organisation:** **Local resident**	**Date received:** **11/05/2022, 19/06/2022, 19/06/22 and 29/06/22**
	Issues raised: 1. The applicant's non-compliance with noise planning conditions. 2. Noise Disturbance from the cooling towers and distillery boiler exhaust. 3. The continuous exceedance of emissions levels for noise, and its impact on local residents. The effect of this noise disturbance inside the home required that windows remained closed almost permanently. This noise leads also to significant sleep disturbance including difficulty both initiating sleep and difficulty maintaining sleep. 4. The submitter completed noise monitoring over a five-day period between the 28 May and 02 June 2022 inclusive including day, evening and night time periods, as well as weekend and weekdays. This noise monitoring was submitted to the Agency (S010412). The industrial noise emanating from the installation was clearly audible at NSL2 at all times during the day, evening and night time periods and environmental noise levels at NSL2 exceeded the permitted noise emissions levels for the installation. 5. Noise from the installation including the new cooling towers and the distillery boiler exhaust	**Agency response:** Issues No. 1, 2, 3, 4, 5, 11 Noise surveys for 2022 submitted to the Agency on the 12 October 2022, 19 June 2022 and 16 March 2022 detected noise levels in excess of what was conditioned in planning and the limit values proposed in Schedule B.4. The applicant has, through implementing mitigation measures (relocation, decommissioning and acoustic screening) on noise sources, addressed the factors leading to noise exceedances recorded in 2022. A noise model submitted by the applicant demonstrated that once these control measures are implemented the limit values proposed by the Agency will be met. *Section 5* of the IR comprehensively addresses noise emissions from the installation and the requirements of the RD. Issues No. 6 and 13. The impact of odour emissions was addressed in the Odour Impact Assessment report submitted 12 October 2023. The odour dispersion model (submitted 12 October 2022) for the proposed scenario indicates once the control measures are applied that an odour standard at the nearest receptor is below the relevant indicative criteria value of 6 Ou_E/m^3 (odour unit) for this type of activity. I am satisfied that there are sufficient monitoring and control requirements in the RD to monitor and respond to any potential odour issues, e.g. the maintenance of an odour management plan, weekly odour survey, comprehensive monitoring and control requirements. Please refer to *Section 5* for more comprehensive discussion on emissions modelling and the odour controls in place. Issues No. 7, 8 and 14 Issues in relation to traffic, light pollution and landscaping were assessed by the relevant Planning Authority when considering the planning applications for the development. Any traffic issues

Submissions		
	was clearly audible 24 hrs a day at the resident's home, in bedrooms, the hallway and living room. 6. Total volatile organic compounds (TVOC) malodours from the cooking, mashing, fermentation and distillation process permeate throughout the house when windows are left open for ventilation. 7. In addition, at night, white light pollution from the installation only enhanced the visual intrusion and awareness of the aerosol mist emitted from the new cooling towers. 8. Increase in traffic. 9. There was a fish kill due to the unauthorised release of industrial wastewater (investigated and prosecuted by Inland Fisheries Ireland). 10. Operating an unauthorised activity in the absence of a valid licence from the Environmental Protection Agency (EPA). 11. A noise survey conducted in September 2020 identified that heat exchangers located along the north-western boundary of the Site was the primary source of noise. 12. The lack of planning consent for the development of the wet cooling system at this location. 13. The emission of a continuous mist aerosol along with very distinct odour emissions associated with fermentation. 14. Lack of landscaping to screen the development from neighbouring residential dwellings in accordance with the planning permission i.e. directly opposite Mr Waugh's home. 15. There is a line of sight between the submitters dwelling and the heat	outside of the installation boundary are not within the remit of the Agency. Issue No. 9 The applicant has been prosecuted for the fish kill that took place in 2021. The matter of this prosecution is addressed in the Fit & Proper Persons section of this report. I am satisfied that the controls required by the RD including full retention hydrocarbon interceptors, bunding and storage conditions, effluent storage and tankered wastewater arrangements, as well as conditions relating to materials storage and handling, mitigate against the likelihood of future reoccurrence of an uncontrolled discharge of wastewater. Issue No. 10 The applicant has applied to the Agency for an IPC licence. I consider that granting an IPC Licence to the applicant would improve the compliance/enforcement on site by including conditions/schedules relating to the identification of odour/noise sources on site, regulating emissions to air/water by way of setting emission limit values and the development and implementation of an odour/noise management plan. Issue No. 12 The applicant has provided evidence from the planning authority of retention of planning permission for the wet cooling system (Planning ref 24/315). Issue No. 15. The applicant has submitted additional information since September 2020 including updated noise modelling and noise monitoring reports that addresses tonal noise and demonstrates infrastructural changes at the installation will result in no exceedances of the Noise Limits stipulated in the RD at nearby Noise Sensitive Locations. Issue No. 16 The Inspector has had regard to the location of the cooling tower and the implications on pollutant emission dispersion in the assessment of this licence application. Section 5 of this report addresses pollutant emissions from the installation. The conditions and limits required by the RD require there will be no off-site impact from any emission from the operation of the installation. Issue No. 13 and 17

Submissions		
	exchangers, so there is no shielding by the façade of the adjacent commercial buildings, which was stipulated in the noise survey submitted in September 2020. Also, this survey did not account for tonal noise associated with the noise source. 16. Emission point of the new cooling tower location is below the height of the adjoining buildings, which ultimately affects the dispersion of pollution. 17. The disregard that the applicant has for the wellbeing, welfare, and quality of life of individuals living adjacent to the installation. 18. That the HSE inspector stated there was no obvious noise detected at the boundary of the site. The submitter stated that the boiler and mechanical plant equipment (sources of noise) were not in operation at the time. The submitter stated also that the HSE inspector did not measure noise levels form the boiler and associated mechanical plant machinery at the northern boundary of the installation adjacent to the nearest occupied sensitive residential houses, including NSL2. The submitter wants the following information: a) The exact boundary location where Ms Amanda Fitzgerald assessed noise levels emanating the WCD installation. b) The measured noise levels at the site boundary location at the time of the site visit. c) The operational status of the industrial boiler house and associated mechanical plant machinery at the time of her visit. 19. It was highlighted by the submitter that it stated in the HSE submission that the nearest residential receptor is 116 m east of the installation boundary of the River Ilen and 152 m north of the	The RD imposes limits on emissions (including noise and odour) from the operations at the installation that protect nearby sensitive receptors. The conditions and ELVs in the RD protect nearby receptors from exceedances of AQS, noise and odour levels that exceed those determined to cause nuisance. The RD specifies ELVs for main emissions to air from the installation. No other significant emissions from the installation are permitted. The Agency takes a very proactive role in ensuring that all licensed installations are compliant with permits issued under its remit. Enforcement and monitoring will continue, in line with the Office of Environmental Enforcement's (OEE) priority listing, to ensure compliance with the terms of the RD. The public can access the complaints and compliance history of the installation via the Licence and Enforcement Access Portal (LEAP) system on the EPA website. All members of the public can submit a complaint via the EPA website, in writing, to EPA offices or by phone. All complaints are assessed, investigated and appropriate corrective actions are put in place. Condition 11 of the RD requires the applicant to record all complaints of an environmental nature related to the operation of the activity. The record shall include the date and time of the complaint and give details of the nature of the complaint. A record of the response to the complaint must also be maintained. A summary of the complaints received in a given year and other compliance information is provided in the Annual Environmental Reports (AER) for the installation, which is available on the EPA website. Issues No. 18 and 19 I have reviewed the HSE submission on the licence application and taken into consideration the points raised in this objection in the assessment of noise emissions from the applicant. *Section 5* of the IR comprehensively addresses noise emissions from the installation and the noise limits applied in the RD. The submitter should contact the HSE regarding their query on the methodology employed during their inspection.

Submissions			
	installation on the Marsh Road, this is not accurate.		
	Name & Position John and Phil Minihane	**Organisation:** Local Residents	**Date received:** 28 April 2022
	Issues raised: 1. Noise disturbance from the installation		**Agency response:** *Section 5* of the IR comprehensively addresses noise emissions from the installation and the noise limits applied in the RD.
3.	**Name & Position** Ger Faughnan, Principal Environmental Health Officer.	**Organisation:** HSE	**Date received:** 24 June 2022
	Issues raised: 1. The HSE notes that there will no direct or indirect emissions to ground or groundwater or List 1 or II substances from the installation. 2. Awareness was raised of the unauthorised discharge of effluent to the Ilen River in July 2021. 3. The applicant currently has a trade effluent discharge licence (s) 02/12. Process effluent is currently stored in a balance tank and is tankered off site for treatment. The HSE notes that the applicant intends to apply for planning permission to construct an on-site wastewater treatment plant. 4. HSE personnel consider that odour emissions associated with the distillery operations are considered to be minor and are unlikely to have an impact outside of the site boundary. 5. The HSE recommends that mitigation measures be put in place should noise exceedances be noted at the site boundary and/ or noise related complaints be received from members of the		**Agency response:** 1. There are no discharges to groundwater. Refer to section 5.2.2 of this IR. 2. With regards the unauthorised discharge to the Ilen River, Inland Fisheries Ireland prosecuted the applicant. The matter is addressed in the Fit and Proper persons section of this Inspectors report. 3. It is noted that the applicant has been granted planning permission to construct an onsite water treatment and recycling plant not an onsite Waste Water Treatment Plant (WWTP) (Planning ref No. 24/315). The applicant is not proposing to treat process effluent onsite. The inspector notes that the onsite water treatment plant will not have a direct discharge to surface water. The purpose of the water treatment is to minimise the current use of mains water by treatment (reverse osmosis and carbon filtration) and recycling of greywater. 4. Odour at the proposed installation is addressed in Section 5 of this report. 5. The RD imposes the standard daytime/evening/night-time limits of 55 L_{Ar},T /50 L_{Ar},T /45 $L_{Aeq,}$T dB(A) at the NSLs. *Section 5* of the IR comprehensively addresses

Submissions		
	public. The HSE further recommends that measures to mitigate noise from the cooling towers are implemented immediately. 6. It is recommended that the inspection and maintenance of the oil interceptor is included as a condition of the IE licence. 7. The HSE is satisfied with the proposed monitoring regime for discharges to stormwater.	noise emissions from the installation and the noise limits applied in the RD. 6. The RD specifies that the applicant shall, within six months of date of grant of this licence, install and maintain silt traps and oil separators at the installation. The Class I bypass interceptor currently installed onsite will be replaced with a Class I full retention interceptor within six months of the date of grant of this licence. 7. The RD specifies that the licensee shall, within 12 months of the commencement of the activity, establish suitable trigger levels for TOC, pH, suspended solids in storm water discharges.

12 Consultations

12.1 Cross Office Consultation

I consulted OEE Inspectors Peter Cunningham and Pól Ó'Seasnain in relation to this site and Ann Lyng in relation to financial provision.

12.2 Transboundary Consultations

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

13 Appropriate Assessment

Appendix 1 lists the European Sites assessed, their associated qualifying interests and conservation objectives

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 Lough Hyne Nature Reserve and Environs SAC (Site code 000097), Castletownshend SAC (Site code 001547) Myross Wood SAC (Site code 001070), Roaringwater Bay and Islands SAC (Site code 000101), and Sheep's Head to Toe Head SPA (Site code 004156).

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required.

This determination has been made in light of the following reasons:

- The installation is located in an existing industrial estate and is not located in a European Site.
- Due to the nature of noise emissions from the activity and the distance to European Sites and their qualifying interests. The nearest European Sites with species that may be noise sensitive are Sheep's Head to Toe Head SPA and Roaringwater Bay and Islands SAC, which are >5.5 km and >8.5 km respectively south and southwest of the installation. Due to their distance, these sites are considered to be beyond the zone of influence of noise emissions from the installation.

- Due to the nature of air emissions from the activity (from existing and proposed boilers), and the distance to European Sites and their qualifying interest habitats and species. The nearest European Site is Lough Hyne Nature Reserve and Environs SAC >5 km from the installation. The other sites listed above are also considered to be beyond the zone of influence of air emissions from the installation.
- There will be no process emissions to surface water or groundwater. Process effluent generated is proposed to be stored onsite in a balance tank and tankered off-site for treatment at Uisce Éireann Waste Water Treatment facilities.
- The only discharge to water from the installation will be stormwater runoff from building roofs and non-process hardstanding areas. Storm water is discharged to the Ilen River at the installation boundary. The Ilen River/Ilen Estuary flows to Roaringwater Bay, and Roaringwater Bay and Islands SAC boundary is approximately 13 km downstream of the installation. As there is only a storm water discharge from the installation and due to the separation distance, it is considered that significant effects on European Sites and their water dependant qualifying interests (habitats and species) can be ruled out.
- Given the nature and scale of emissions, it is considered that the activity in combination with other plans or projects will not have a significant effect on European Sites.

14 EPA Charges

The annual enforcement charge recommended in the RD is €15,417 in 2025, which reflects the anticipated enforcement effort required and the cost of monitoring.

15 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 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 Screening and EIA Screening. 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.

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

Signed

_____

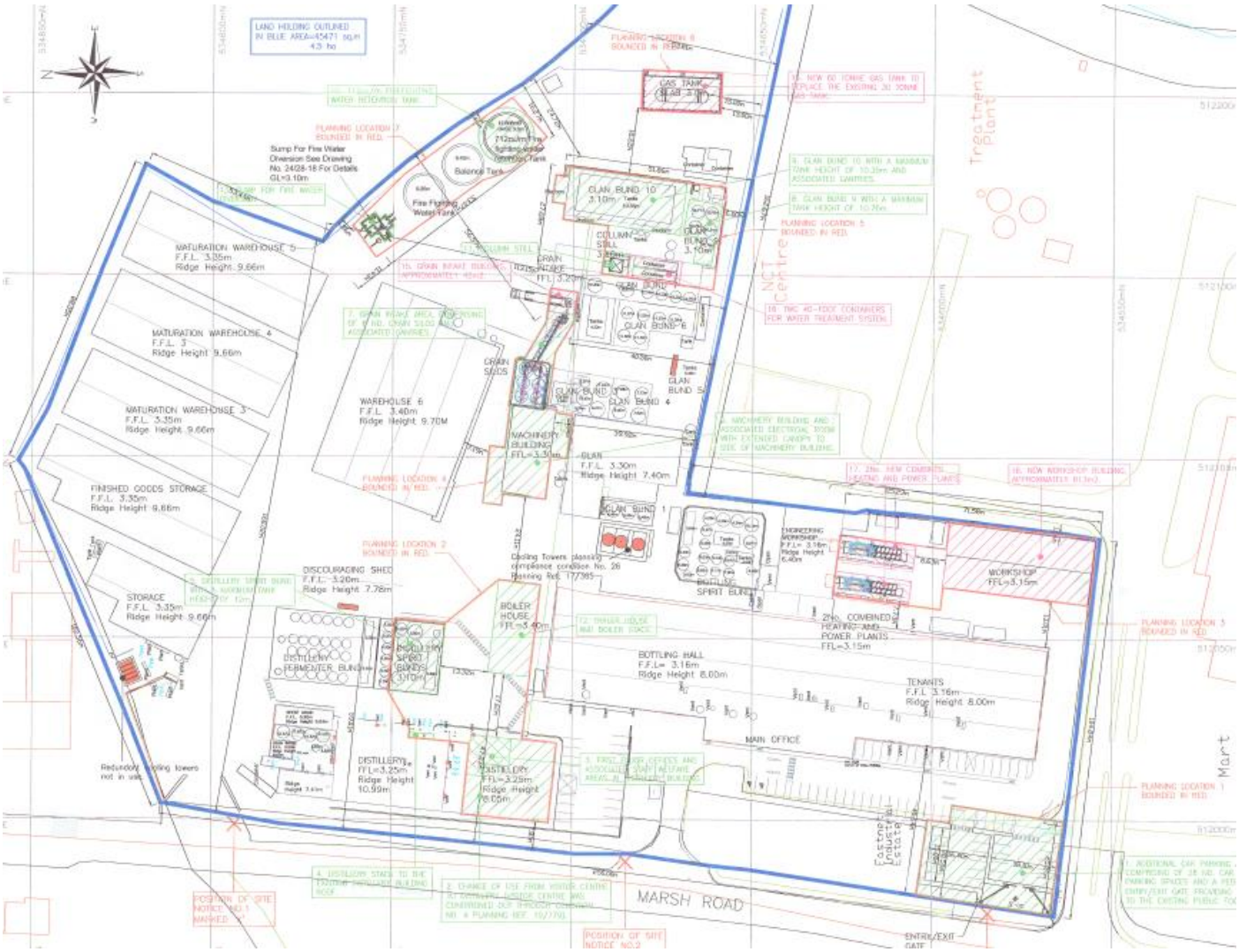
Mick Drumm

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 Site Layout



Appendix 2 Appropriate Assessment

Site Name	Distance to	Qualifying Interests (* denotes priority habitat)	Conservation Objectives
Lough Hyne Nature Reserve and Environs SAC (Site code 000097)	5.3 km south	**Habitats** 1160 Large shallow inlets and bays 1170 Reefs 4030 European dry heaths 8330 Submerged or partially submerged sea caves 91E0 Alluvial forests with *Alnus glutinosa* and *Fraxinus excelsior (Alno-Padion, Alnion incanae, Salicion albae*)*	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000097.pdf NPWS (2014) Conservation Objectives: Lough Hyne Nature Reserve and Environs SAC 000097. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. (dated 19/04/2014)
Castletownshend SAC (Site code 001547)	6.7 km east	**Species** 1421 Killarney Fern *(Trichomanes speciosum)*	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001547.pdf NPWS (2020) Conservation Objectives: Castletownshend SAC 001547. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage. (dated 10/12/2020)
Myross Wood SAC (Site code 001070)	8.2 km east	**Species** 1421 Killarney Fern *(Trichomanes speciosum)*	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO001070.pdf NPWS (2020) Conservation Objectives: Myross Wood SAC 001070. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage. (dated 10/12/2020)
Roaringwater Bay and Islands SAC (Site code 000101)	8.7 km west and southwest	**Habitats** 1160 Large shallow inlets and bays 1170 Reefs 1230 Vegetated sea cliffs of the Atlantic and Baltic coasts 4030 European dry heaths 8330 Submerged or partially submerged sea caves **Species** 1364 Grey Seal *(Halichoerus grypus)* 1355 Otter *(Lutra lutra)* 1351 Harbour Porpoise *(Phocoena*	http://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO000101.pdf NPWS (2011) Conservation Objectives: Roaringwater Bay and Islands SAC 000101. Version 1.0. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht. (dated 19/07/2011)

Site Name	Distance to	Qualifying Interests (* denotes priority habitat)	Conservation Objectives
		phocoena)	
Sheep's Head to Toe Head SPA (Site code 004156	5.9 km south	**Birds** A346 Chough *(Pyrrhocorax pyrrhocorax)* A103 Peregrine *(Falco peregrinus)*	https://www.npws.ie/sites/default/files/protected-sites/conservation_objectives/CO004156.pdf NPWS (2025) Conservation Objectives: Sheep's Head to Toe Head SPA 004156. Version 1. National Parks and Wildlife Service, Department of Housing, Local Government and Heritage. (dated 21/03/2025)

Appendix 3 Relevant Legislation

The following European instruments are regarded as relevant to this application assessment and have been considered in the drafting of the Recommended Determination.
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)
Medium Combustion Plant Directive (EU) 2015/2193
Nitrates Directive (91/676/EEC)
Air Quality Directives (2008/50/EC and 2004/107/EC)
Control of Major Accident Hazards Involving Dangerous Substances Regulations 2015 (S.I No. 209 of 2015)

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

Horizontal BREF	**Publication date**
Reference Document on the Best Available Techniques on Emissions from Storage	July 2006
Reference Document on the Best Available Techniques for Energy Efficiency	February 2009
Reference Document on the application of Best Available Techniques to Industrial Cooling Systems	December 2001
National BAT notes	**Publication date**
BAT Guidance Note for Brewing, Malting and Distilling Sector	2008

Appendix 5 Acknowledgement and Attribution:

This report uses maps submitted as part of the application and map imagery as set out in **Table 1** below.

Table 1: Acknowledgement and attribution of the imagery used from (for e.g.) Google and Geohive in **Appendix X** of this report.

Map Source	Link to Source	Data Provider	Usage Licence	Attribution Statement	Location in Report
Google Earth	Figure 1: https://earth.google.com/web/search/Skibbereen/@51.55801536,-9.26809975,5.16207996a,896.75578205d,35y,0h,0t,0r/data	Airbus	Google Terms of Service: http://www.google.com/help/terms_maps/	Map Data: Figure1 Google, Airbus imagery from 24/5/23 to 10/10/24	Introduction