

T5/100/1

AQUACULTURE LICENCE

AQUACULTURE LAND BASED FINFISH
(FRESHWATER)

Douglas Valley Hatchery Ltd

Kilclough

Kilworth

Co Cork

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SCHEDULE 1
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AQUACULTURE LICENCE NO. 950

GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23 of 1997)

The Minister for Agriculture, Food and the Marine (hereinafter referred to as the "Minister"), in exercise of the powers conferred on him by the Fisheries (Amendment) Act, 1997 (No. 23 of 1997) (hereinafter referred to as the "Act"), grants an Aquaculture Licence to:

Douglas Valley Hatchery Ltd

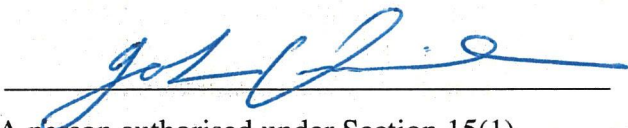
Kilclough

Kilworth

Co Cork

(hereinafter referred to as the "Licensee") for the cultivation of Salmon on a site at Kilclough, Kilworth, Co. Cork as specified in Schedule 1 attached, subject to the Act and Regulations made under the Act and to the terms and conditions set out in the attached pages.

This Aquaculture Licence shall remain in force for a maximum period of ten years commencing on 12 September 2016, and only so long as the fish farm complies with the planning permission granted by Cork County Council on 28th August 1980 (ref 811/80) as specified in Schedule 1 attached, the Local Government (Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 26th August 1994 (ref W.P.(W)/1/94) (or a further such licence granted by the said Council or by the Environmental Protection Agency) as specified in Schedule 1 attached.


A horizontal line is drawn below the signature.

A person authorised under Section 15(1)
of the Ministers and Secretaries Act 1924 to
authenticate the Seal of the Minister for
Agriculture, Food and the Marine.

TERMS AND CONDITIONS APPLYING TO THIS AQUACULTURE LICENCE

1. Licensed Area

- 1.1. The area specified in *Schedule 1* attached.

2. Species, Cultivation and Method Licensed

- 2.1. Species to be farmed: Salmon and no fish other than Salmon shall be bred and handled at this site.
- 2.2. Method: Land Based subject to the stocking limits as specified in *Schedule 2* attached and in accordance with all other consents issued.
- 2.3. The introduction of fish/ova/fry to the site shall comply with the legislation relating to fish health.

3. Infrastructure and Site Management

Indemnity

- 3.1. The Licensee shall indemnify and keep indemnified the State, the Minister, his officers, servants or agents against all actions, loss, damage, costs, expenses and any demands or claims howsoever arising in connection with the construction, maintenance or use of any structures, apparatus, equipment or any other thing used in connection with the licensed operation in the licensed area or in the exercise of the rights granted under the licence and the Licensee shall take such steps as the Minister may specify in order to ensure compliance with this condition.
- 3.2. The duty of maintenance and responsibility for the upkeep and safety of the site rests with the Licensee.

Design, Arrangement and Maintenance of Structures

- 3.3. The Licensee shall ensure that the equipment is placed within the licensed area only. Storage or placement of equipment or stock outside the licensed area is not permitted under any circumstances.
- 3.4. The Licensee shall at all times for the duration of the licence keep all equipment used for the purposes of the licensed operations in a good and proper state of repair and condition to the satisfaction of the Minister or other competent State authority.

Operational Conduct

- 3.5. The Licensee shall conduct its operations in a safe manner and with regard for other persons in the area and the environment and shall ensure that the operations are not injurious to adjacent lands or the public interest (including the environment) and do not interfere with lawful activity in the vicinity of the licensed area, and shall comply with any lawful directions issued by the Minister and any other competent State authority in that regard.

- 3.6. The Licensee shall ensure that any aquaculture or other activity conducted under this licence does not adversely affect the integrity of the Natura 2000 network (if applicable) through the deterioration of natural habitats and the habitats of species and/or through disturbance of the species for which the area has been designated in so far as such a disturbance may be significant in relation to the stated conservation objectives of the site concerned.

Waste Management

- 3.7. The Licensee shall ensure that the licensed and adjoining area shall be kept clear of all redundant structures (including apparatus, equipment), waste products and operational litter or debris and shall make provision for the prompt removal and proper disposal of such material. If the Licensee refuses or fails to do so, the Minister may cause the said structures, apparatus, equipment or other thing to be removed and the licensed area restored and shall be entitled to recover from the Licensee as a simple contract debt in any court of competent jurisdiction all costs and expenses incurred by him in connection with the removal and restoration.

There shall be no discharge of any wastes to the adjacent river or any watercourse.

All waste materials awaiting disposal shall be stored in a specified waste disposal area. The applicant shall supply the local authority with a waste disposal plan for this material within 6 months of the date of grant if permission is successful. The applicant shall maintain a register of waste material disposed from the site and such records shall be available for inspection at all reasonable times by personnel involved in pollution control.

Inspection

- 3.8. The licensed area and any equipment, structure, thing, or premises wherever situated used in connection with operations carried out in the licensed area shall be open for inspection at any time by an authorised person (within the meaning of Section 292 of the Fisheries (Consolidation) Act 1959) (No. 14 of 1959) (as amended by Fisheries Act 1980) (No. 1 of 1980), a Sea Fisheries Protection Officer (within the meaning of Sea Fisheries and Maritime Jurisdiction Act 2006) (No. 8 of 2006) or any other person appointed in that regard by the Minister or other competent State authority.
- 3.9. The Licensee shall give all reasonable assistance to an authorised officer or a Sea Fisheries Protection Officer or any person duly appointed by any competent State authority to enable the person or officer enter, inspect, examine, measure and test the licensed area and any equipment, structure, thing or premises used in connection with the operations carried out in the licensed area and to take whatever samples may be deemed appropriate by that person or officer.
- 3.10. The Licensee shall keep and maintain in the State for inspection on demand by the Minister or a competent State authority, at all times, records of all

operations including compliance monitoring and any required follow up action. These records shall be produced by the Licensee on demand by the Minister or other competent State authority and in any event not later than 24 hours from the making of that demand.

- 3.11. The Licensee shall furnish to the Minister or other competent State authority in the form and at the intervals determined by the Minister or other competent State authority, such information relating to the licensed area as may be required to determine compliance by the Licensee with the terms of this licence and applicable legislation.

4. **Containment of Stock**

- 4.1. The Licensee shall take all steps necessary to prevent the escape of fish from its land based site and shall notify the Department of Agriculture, Food and the Marine, Clogheen, Clonakilty, Co. Cork, the Department's Regional Engineering Division, the Marine Institute (Salmon Management Services Division), Oranmore, Co. Galway, and Inland Fisheries Ireland within twenty four hours of any escapes of fish from the licensed area and shall keep records of the fish escaped, including numbers, types, origin and year classes and shall make these records available to the Department, the Marine Institute and Inland Fisheries Ireland.

- 4.2. The Licensee shall provide and maintain such gratings or other devices at the point of water abstraction from the river into the fish farm, and also at a point as near as possible to the discharge of water, as will prevent the admission of wild fish into the fish farm, and shall make all necessary provisions to prevent the escape of fish from the fish farm.

5. **Environmental Monitoring**

Monitoring

- 5.1. The Licensee shall undertake and/or partake in monitoring, in particular environmental monitoring, as directed by the Minister or other competent State authority.

6. **Fish Health / Mortality Management / Movement of Fish**

Fish Health Regulations

- 6.1. Before the site is stocked the Licensee shall ensure that a Fish Health Authorisation under statutory provisions giving effect to Council Directive No. 2006/88/EC, as amended, or any other legislative act that replaces that Directive on animal health requirements for aquaculture animals and their products, and on the prevention and control of certain diseases in aquatic animals, is in place.

The applicant shall notify the local authority if there are any major outbreaks of fish disease on the site.

Disposal of Mortalities

- 6.2. The Licensee shall dispose of dead fish in accordance with the applicable statutory provisions and requirements.

Regarding the disposal of mortalities, the applicant shall use a facility and carrier with an appropriate waste collection permit and waste permit. All conditions in these permits shall be complied with at all times. With regard to the disposal of dead fish from the above farm, it is recommended that all dead fish be stored in closed containers on the site prior to the disposal to a licensed rendering facility.

Movement of Fish

- 6.3. The Licensee shall comply with any regulations in force governing the movement of fish.

7. Animal Remedies and Dangerous Substances

Authorised Remedies

- 7.1. The Licensee shall only use those animal remedies approved by the Department or other competent State authority for the purpose of maintaining the health of the fish stocked. The Licensee shall only use those chemicals and animal remedies in the licensed area in accordance with instructions issued by the Minister, the Marine Institute or other competent State authority from time to time and in accordance with the prescribing instructions set by the veterinarian.

Authorised Substances

- 7.2. The Licensee shall not use a "Priority Hazardous Substance" as may be defined from time to time in legislation concerning water quality.
- 7.3. The Licensee shall not use any substance or thing or do anything, which has a deleterious effect on the environment of the licensed area and shall make adequate arrangements for the hygienic and disease free operation of the licensed area and shall comply with any directions issued by the Minister, the Marine Institute or other competent State authority from time to time in that regard.

Records of Use and Withdrawal Periods

- 7.4. The Licensee shall keep full records, at the place of business, of all chemicals and animal remedies with which the fish have been treated, including quantities and times of use. All chemical and animal remedies used in the licensed area shall be used in accordance with instructions issued by the Minister, the Marine Institute or other competent State authority from time to time.

The applicant shall supply an annual report detailing a complete usage of all chemicals and antibiotics (if used) on sites including quantities and periods of use.

The applicant shall inform the local authority if there are any changes in the nature of the business on the site from a salmon hatchery facility.

7.5. The Licensee shall maintain the following:-

- 7.5.1. Records of a receipt of a dangerous substance.
- 7.5.2. Each prescription issued in respect of an animal remedy which consists of or contains a dangerous substance.
- 7.5.3. Records of storage of a dangerous substance,
- 7.5.4. Records of use of a dangerous substance, and
- 7.5.5. Such other record as the Minister may specify.

Storage Requirements

7.6. The Licensee shall ensure that all dangerous substances within the meaning of List II of Annex I to Directive 2006/11/EC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community are stored in a manner so as to prevent any discharge, accidental or otherwise.

8. **Emergency Plans**

8.1 The Licensee shall regularly maintain and update its Comprehensive Emergency Plan, providing in particular for an appropriate response to, unexplained mortalities significantly above the level of what is considered to be normal for the farm area in question under prevailing conditions, fish escapes, fish disease, chemical spills and other significant matters arising in the course of its aquaculture operations.

8.2 In the event of any incident at the site location including damage or impairment of the tanks or any incident which may give rise to potential water pollution the applicant shall immediately report the incident to the Local Authority by telephone or telefax and shall confirm the communication in writing within twenty four hours.

9. **Duration, Cessation, Review, Revocation, Amendment, Assignment**

Duration, Cessation

9.1. This Licence shall remain in force until 11 September 2026 and only so long as the fish farm complies with the planning permission granted by Cork County Council on 28th August 1980 (ref 811/80), the Local Government

(Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 26th August 1994(ref W.P.(W)/1/94) or a further such licence granted by the said Council or by the Environmental Protection Agency).

Review

- 9.2. The Licensee may apply for a review of the licence at any time after the expiration of three years since the granting of the licence or its last renewal in accordance with section 70 of the Act.

Revocation, Amendment

- 9.3. Subject to the Act, the Minister may revoke or amend the licence if:-
- (a) he considers that it is in the public interest to do so,
 - (b) he is satisfied that there has been a breach of any condition specified in the licence,
 - (c) the licensed area to which the licence relates is not being properly maintained,
 - (d) water quality results or general performance in the licensed area do not meet the standards set by the Minister or the competent State authority.

Assignment

- 9.4. This Licence shall not be assigned without the prior written consent of the Minister and may not be assigned during the period of three years, dating from the commencement or renewal of this licence, unless the Minister determines that it may be assigned under condition 9(5) or the condition set out in 9(6) applies.
- 9.5. A Licensee, who considers that there are exceptional reasons for the assignment of the Licence during the first three years, may apply to the Minister, giving those reasons, for a determination that the Licence may be assigned. The Minister may, at his discretion, having considered the reasons given by the Licensee, determine whether or not the Licence may be assigned. The determination of the Minister in this regard is final.
- 9.6. Where the Licensee is a company (within the meaning of the Companies Acts) and goes into Liquidation (within the meaning of the Companies Acts) in the first three years dating from the commencement of the licence, the Liquidator shall, with the consent of the Minister, be entitled to assign the licence to enable him to discharge any debts of the liquidated company.
- 9.7. This licence is issued subject to any order that the High Court may make under section 218 of the Companies Act 1963 or otherwise with regard to the assignment of this licence.

10. **Fees**

10.1. The Licensee shall pay to the Minister an annual aquaculture licence fee in accordance with the Aquaculture (Licence Application and Licence Fees) Regulations 1998 (S.I. No. 270 of 1998) as amended by the Aquaculture (Licence Fees) Regulations 2000 (S.I. No. 282 of 2000) or an amount payable under Regulations made under section 64 of the Act. .

10.2. The Minister may revoke the licence where the Licensee fails to pay the aquaculture licence fees on demand.

11. **General Terms and Conditions**

11.1. The Licensee shall at all times comply with all laws and Departmental Protocols applicable to aquaculture operations.

11.2. Any reference to a statute or an act of an institution of the European Union (whether specifically named or not) includes any amendments or re-enactments in force and all statutory instruments, orders, notices, regulations, directions, bye-laws, certificates, permissions and plans made, issued or given effect under such legislation shall remain valid.

11.3. If any condition or part of a condition in this licence is held to be illegal or unenforceable in whole or in part, such condition shall be deemed not to form part of this licence but the enforceability of the remainder of this licence is not affected.

11.4. The Licensee shall at all times hold all necessary licences, consents, permissions, permits or authorisations associated with any activities of the Licensee in connection with the licensed area.

Notification

11.5. Without prejudice to any other remedy under the licence or in law, if the Minister is of the view that the Licensee is in breach of any obligation under this licence, the Minister may, by notice in writing, require that the Licensee rectifies such breach, within such time as is specified by the Minister. The Licensee shall comply with any direction of the Minister within the time specified in the notice.

11.6. Any notice to be given by the Minister may be transmitted through the Post Office addressed to the Licensee at the last known address of the Licensee.

11.7. The Licensee shall notify the Minister within 7 days of any change in the Licensee's address, telephone, e-mail or facsimile number.

Tax Clearance Certificate

11.8. During the term of this licence the Licensee shall provide to the Minister on demand a current tax clearance certificate.

Companies and Co-operatives

- 11.9. In the event of the licence being granted to a company (within the meaning of the Companies Acts), control of the licensee company shall not change in any respect from the control of the company as existed on the date that the licence was granted so long as this licence shall remain in force save with the prior written permission of the Minister.
- 11.10. In the event of a licence being granted to a company that has been incorporated outside this State, the licensee company shall register with the Companies Registration Office within one month of the establishment of a place of business in the State or alternatively, within one month of the establishment of a branch of the said company in the State and the licensee company shall submit proof to the Department within 14 days of the end of that month that it has been so registered.
- 11.11. Where the licensee is a company within the meaning of the Companies Acts, the licensee company shall ensure that it does not become dissolved within the meaning of the Companies Acts for so long as this licence shall remain in force.
- 11.12. In the event of the licence being granted to a society (within the meaning of section 2 of the Industrial and Provident Societies (Amendment) Act 1978 (No.23 of 1978) the following conditions shall apply:-
 - 11.12.1. The rules relating to membership of the society shall enable any resident of the State to become a member of it where the resident fulfils all the conditions laid down by the society for membership of it and the rules shall not lay down different conditions for different classes of people;
 - 11.12.2. The rules relating to the society as submitted to the Minister before the grant of this licence shall not be amended subsequently other than with the written permission of the Minister; and
 - 11.12.3. The Minister may, if he considers it necessary in the interests of good management of the licensed area, direct that an amendment may be made to the rules of the society, and the Licensee shall amend the rules in accordance with that direction.

SCHEDULE 1

Schedule 1 contains:

- **a copy of planning permission granted for the premises**
- **a copy of the effluent discharge licence granted for the premises**
- **a map of the licensed site**

CORK COUNTY COUNCIL

LOCAL GOVERNMENT (PLANNING AND DEVELOPMENT) ACTS 1963 - 1976.

To: Mr. Michael Walsh,
37, Halidena Drive,
Bishopscourt,
Cork.

PLANNING OF GRANT
APPROVED BY ORDER NO.
G. 2427/80

Register No. 811/80

APPLICATION BY Michael Walsh

OF 37 Halidena Drive, Bishopscourt, Cork.

ON 4/3/1980 as amended
on 29/5/1980.

FOR PERMISSION ~~APPROVAL~~

FOR Fish Farm

AT Kilclough, Kilworth.

Further to notice dated 25/7/1980

the Cork County Council

hereby conveys a grant of Permission ~~APPROVAL~~ for the development ~~APPROVAL~~ described

above ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ subject to the conditions set out in the

schedule (if any) attached to the said Notice dated 25/7/1980 of

its intention to grant Permission ~~APPROVAL~~

Room 1001
County Hall
CORK

Signed on behalf of the Cork County Council:

K. COSTELLO

DATE 28 AUG 1980

NOTE for guidance of Developers

A grant of Planning Permission or Approval does not of itself empower a person to carry out a development unless that person is otherwise legally entitled to do so

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SCHEDULE

Reference Number in
Planning Register: 211/80

Column 1 - Condition	Column 2 - Reason
<p>Provided that:</p> <p>(1) Entrances shall be recessed a minimum of 16' from front boundary fence and side walls shall be splayed to an angle of 45 degs. and walls shall not exceed a maximum height of 3' over the level of the adjoining public road.</p> <p>(2) the minimum flow in the River Douglas immediately downstream of the proposed intake point shall, at all times, be not less than half of the flow in the river immediately upstream of the intake point.</p> <p>The quality of water returned to the River Douglas shall, before admixture with the main river flow comply with the following standards:-</p> <p>(i) Dissolved Oxygen Content - not less than 6 mg/litre.</p> <p>(ii) Ammonia and Ammonium Compounds (as Nitrogen) not exceeding 0.2 mg/litre.</p> <p>(iii) Phosphates (as P) - not exceeding 0.1 mg./litre.</p> <p>(iv) Nitrates (as N) - not exceeding 10 mg/litre.</p> <p>(v) Chlorides - Not exceeding 100mg/litre.</p> <p>(vi) Suspended Solids - not exceeding 30 mg/litre.</p> <p>(vii) Biochemical oxygen demand - not to exceed by more than 1 p.p.m. the Biochemical Oxygen Demand of the abstracted water.</p>	<p>To provide proper sight distance for emerging traffic in the interests of road safety.</p> <p>To maintain continuity of flow in the River Douglas.</p> <p>To minimise pollution of the River Douglas</p>

LOCAL GOVERNMENT (WATER POLLUTION) ACTS 1977 AND 1990

Licence to discharge Trade or Sewage Effluent to Waters

Reference No.
in Register
W.P.(W)
1/94

TO/ Mary Walsh,
t/a Douglas Valley Hatchery,
Kilclough,
Kilworth
Co. Cork.

The Council of the County of Cork, in exercise of the powers conferred on it by the Local Government (Water Pollution) Act, 1977, hereby
GRANTS a Licence

To discharge	Effluent arising from Salmon Smolt Production
From	Mary Walsh, t/a Douglas Valley Hatchery
Located at	Kilclough, Kilworth.
To	Douglas River
At	Kilclough, Kilworth.

subject to the Conditions set out in the schedule attached hereto. It should be noted that a person shall not be entitled solely by reason of a licence to make, cause or permit the discharge of Trade or Sewage Effluent to Waters.

ENVIRONMENT SECTION,
COUNTY HALL,
CORK.

Signed on behalf of the said Council.

Deputy
County Manager

Date

Order No.

26th August '94

WP/12/94

NOTE:

An appeal against a decision made by a Local Authority under Section 4 and Section 7 of the Act of 1977 may be made to An Bord Pleanála under Section 8 of the Act. Any person may appeal to An Bord Pleanála within ONE MONTH beginning on the date of the Local Authority's decision.

Appeals should be addressed to THE SECRETARY, AN BORD PLEANALA, Floor 3, Irish Life Centre, Lower Abbey Street, Dublin 1, and will be invalid unless accompanied by a fee of £100.00. A request for an oral hearing shall be accompanied by an additional fee of £50.00.

Submissions or observations made to the Board by or on behalf of a person (other than the applicant) in relation to an appeal made by another person must be accompanied by a fee of £30.00.

A Party to an appeal shall give to An Bord Pleanála any document, information or evidence in his possession or procurement which An Bord Pleanála consider necessary for the purpose of determining the appeal.

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Licensing Authority:

DORK COUNTY COUNCIL
ENVIRONMENT SECTION

Licensee

Douglas Valley Hatchery Ltd.
Kilclough.
Kilworth.
Co. Cork.

Local Government (WATER POLLUTION) Act 1977
Section 4 Licence
WP(W)1/94 .

for discharge of effluent from land based fish hatchery at
Kilclough to the Douglas River, tributary of the Araglin River.
collection and hatching of salmon eggs, rearing of
fry to smolt stage Planning Permission N/811/80

Schedule

Effluent Discharges shall take place only as specified in the application W.P.(W)1/94 as modified and/or controlled by this licence and subject to the requirements of law . Any changes in the nature or quantity of any discharge shall require the Licensee to notify the Licensing Authority and in the case of any material change for the Licensee to request a review prior to any such change being made. The Licensing Authority shall interpret whether any change is material or not.

This licence supercedes all previous licences and correspondence issued in respect of this plant under the terms of the Local Government (Water Pollution) Act 1977.

This licence does not exempt any development from compliance with the requirements of the Planning Acts .

CONTAMINATED WASTE WATERS.

1.1 All contaminated waste waters shall be discharged to the Douglas river.

1.2 Contaminated waste waters shall comprise those arising from the farming of fish only .

1.3 There shall be no use of organotin or organochlorine compounds in operations on the premises which would give rise to any of these materials being present in the effluent .

1.4 The discharge pipeline shall be fitted with a suitable flow monitoring system approved by the Licensing Authority .

If composite samplers are not fitted to both the inlet and the outlet grab samples shall be taken. If composite samplers are fitted, they shall be located and operated in accordance with the requirement of the Licensing Authority .

1.5 The total volume of effluent shall not exceed 5 cubic metres/min

1.6 Samples obtained in accordance with condition 1.4 above shall be tested by the Licensee for the parameters indicated in the following table and no such sample taken shall exceed the following condition limits :-

pH	7.0 - 8.0
B.O.D.	5 mg/l and not more than 1 mg/l more than B.O.D. at intake
Suspended Solids	5 mg/l and not more than 1 mg/l more than Suspended Solids at intake
Ammonia	1 mg/l and not more than 0.1 mg/l more than Ammonia at intake
Ortho-phosphate	0.1 mg/l and not more than 0.01 mg/l more than Ortho-phosphate at intake
Actomar B 100	1.0 mg/l
Chloramine T	1.0 mg/l
Formalin	1.0 mg/l
Malachite Green	0.01 mg/l

Composite samples shall also be tested by the Licensee for any other parameters which may be required by the Licensing Authority .

The frequency of testing shall be once per week for all of the parameters listed above . The frequency of testing will be re-assessed by the Licensing Authority in March/April each year and may be altered at the request of the Licensing Authority .

In the event that satisfactory correlation can be established between C.O.D. and B.O.D. levels, then with the agreement of the Licensing Authority the C.O.D. test results may be used to estimate the B.O.D. loading, subject to the following :-

- (i) Quarterly B.O.D. (5 day) tests being carried out .
- (ii) Yearly re-evaluation of the C.O.D. / B.O.D. ratio .

Any future licence issued in respect of this plant or an expanded plant shall be supported with a methodology statement showing effluent minimisation. The Applicant shall monitor the river in three locations in the vicinity of the discharge monthly. The results of this monitoring shall be submitted to the Licensing Authority. The information thus collected will be used in the assessment of any future licence application. The extent and location of this monitoring shall be agreed with the Licensing Authority within two months of the granting of this licence.

1.7 The Phosphorus content of the fish food shall not exceed 1.0 %. Tests shall be undertaken, as requested by the Licensing Authority, to monitor Phosphorus content. Records of quantities and P analysis of foodstuffs shall be retained by the Licensee and shall be available for inspection by authorised personnel representing any statutory body involved in water pollution control at all reasonable times.

The Licensee shall take all steps necessary to minimise the discharge of biocides, pesticides, anti-bacterial agents and antibiotics with the effluent. Any antibiotics dosed to the tanks shall be prescribed by a Veterinary Surgeon and applied in accordance with his instructions. The Licensee shall maintain a record of all chemicals applied to the tanks in respect of time, date, type and quantity, principal active ingredients and shall agree a programme of increased monitoring with the Licensing Authority in respect of frequency and the residual concentrations of these chemicals in the effluent for these occasions .

The Licensing Authority shall be notified immediately of any disease outbreak and reports shall be submitted as soon as possible after the outbreak .

Dry chemicals and antibiotics shall be stored in a secure place . Liquid chemicals shall be stored in a bunded area as specified at clause 3.1 .

1.8 The Licensee shall provide a sampling point on the effluent discharge line for the use of any body having statutory responsibility for water pollution control. The Licensee shall also ensure that direct access to the sampling point is available at all times .

1.9 The Licensee shall arrange to have studies undertaken to show that the proposed outfall location provides for adequate dilution and dispersion of the effluent. These studies shall be carried out by a competent independent body approved by the Licensing Authority. The results and conclusions of these studies shall be submitted to the Licensing Authority before 30th June 1995 .

1.10 The Licensee shall take all possible steps to ensure that discharges not in accordance with the provisions of this licence do not occur and shall consult with the Licensing Authority on the best practicable means of restoring the treatment process to its full operational capacity.

1.11 The Licensee shall carry out a visual inspection of the effluent and surface water discharge points daily and any abnormalities in water quality shall be noted. If it appears that the abnormalities may be occurring as a result of the Licensee's discharges then the Licensee shall immediately notify the Licensing Authority and initiate an investigation into the possible cause of the abnormalities.

2 STORM WATER

2.1 All uncontaminated storm water shall be directed to the Douglas River. If any grab sample shall exceed the condition limits hereunder, the Licensing Authority shall be immediately informed and an investigation shall be undertaken to ascertain the reason :-

pH 6 - 9

T.O.C./C.O.D./B.O.D. >150% average base level .

3 STORAGE FACILITIES

3.1 All storage tanks areas and drum storage areas shall be rendered impervious to the materials stored therein. In addition, storage tank areas shall be bunded, either locally or remotely, to a volume of 110% of the largest tank within each individual bunded area. Drum storage areas shall be bunded to a volume equal to 110% of the sum of the volume of the largest ten drums likely to be stored therein. The height of the bund for any drum storage area shall be not less than 300 millimetres.

3.2 The integrity and watertightness of all the bunded structures and their resistance to penetration by water or other materials stored there shall be tested and demonstrated by the Licensee to the satisfaction of the Licensing Authority (eg. in the case of concrete structures, testing in accordance with B.S. 5337 or B.S. 8007). The results of these tests shall be certified by a Chartered Engineer.

4 SOLID WASTES

4.1 All sludges shall be mechanically dewatered to not less than 15% solids and stabilised prior to disposal off-site (or as otherwise determined by the Licensing Authority).

4.2 All solid waste which can be regarded as neither toxic nor dangerous including general refuse shall be disposed to landfill or by other means as may be agreed with the Licensing Authority . Dead fish shall be disposed of in a manner to be agreed with the Licensing Authority.

4.3 All empty chemical containers shall be returned to the supplier or disposed of by other means as agreed with the Licensing Authority.

4.4 While awaiting disposal, all wastes and by-products shall be collected and stored in designated areas protected against spillage and leachate run-off. Waste management shall be carried out in such a manner as not to cause an odour nuisance.

4.5 The Licensee shall keep records of all wastes disposed of off-site (including dead fish) and shall retain such records for at least ten years. Copies of these records shall be submitted to the Licensing Authority annually with the report required in clause 5.3.

5 MONITORING

5.1 The Licensee shall grant immediate and unhindered access to the site to any authorised personnel representing any body having statutory responsibility for water pollution control, at all times to carry out such inspections, monitoring and investigations as the body deems necessary.

5.2 The Licensee shall keep records of all monitoring carried out and shall retain such records for a minimum period of ten years. These records shall be available for inspection by authorised personnel representing any body involved in water pollution control at all reasonable times. The Licensee shall submit to the Licensing Authority before the tenth day of each calendar month the results of all monitoring relating to the previous month, together with any other records relating to pollution control which may be required by the Licensing Authority. The format of these results shall include minimum, maximum and average values for each of the parameters tested. Any non-compliance with the terms of the licence shall be highlighted and the reason why this occurred shall be stated. The measures taken to ensure non-recurrence shall also be outlined. The percentage compliance with licence values for each parameter shall also be indicated.

These records shall also include details of the following :-

- (a) Use and method of disposal of chemicals ,
- (b) Disposal of sludge ,
- (c) Quantities of fish (ie. fish crop on site , dead fish),
- (d) Flow records , (effluent and receiving water)
- (e) Sampling and analysis records ,
- (f) Type and quantity of fish food used .

5.3 Before January 15th. of each calendar year, the Licensee shall submit a summary report of all monitoring carried out in the previous year. This report shall include annual totals for all parameters emitted. This report shall evaluate the operation of the facilities available on site to treat the effluent produced in the light of the results achieved in the previous year. The report shall also outline the intentions of the Licensee with regard to the upgrading of treatment plant or operations should these results not fully comply with the terms of this licence. This report shall include copies of the registers kept in compliance with clauses 1.6, 1.7, 1.12, 3.2 and 4.5. All monthly and annual reports shall be certified accurate and representative by the Licensee's plant manager or other senior officer designated by him.

6 RESPONSIBLE PERSON

6.1 The Licensee shall ensure that a person or persons is/are available at all times to give relevant information on emissions to the Licensing Authority. The Licensee shall identify to the Licensing Authority each such person.

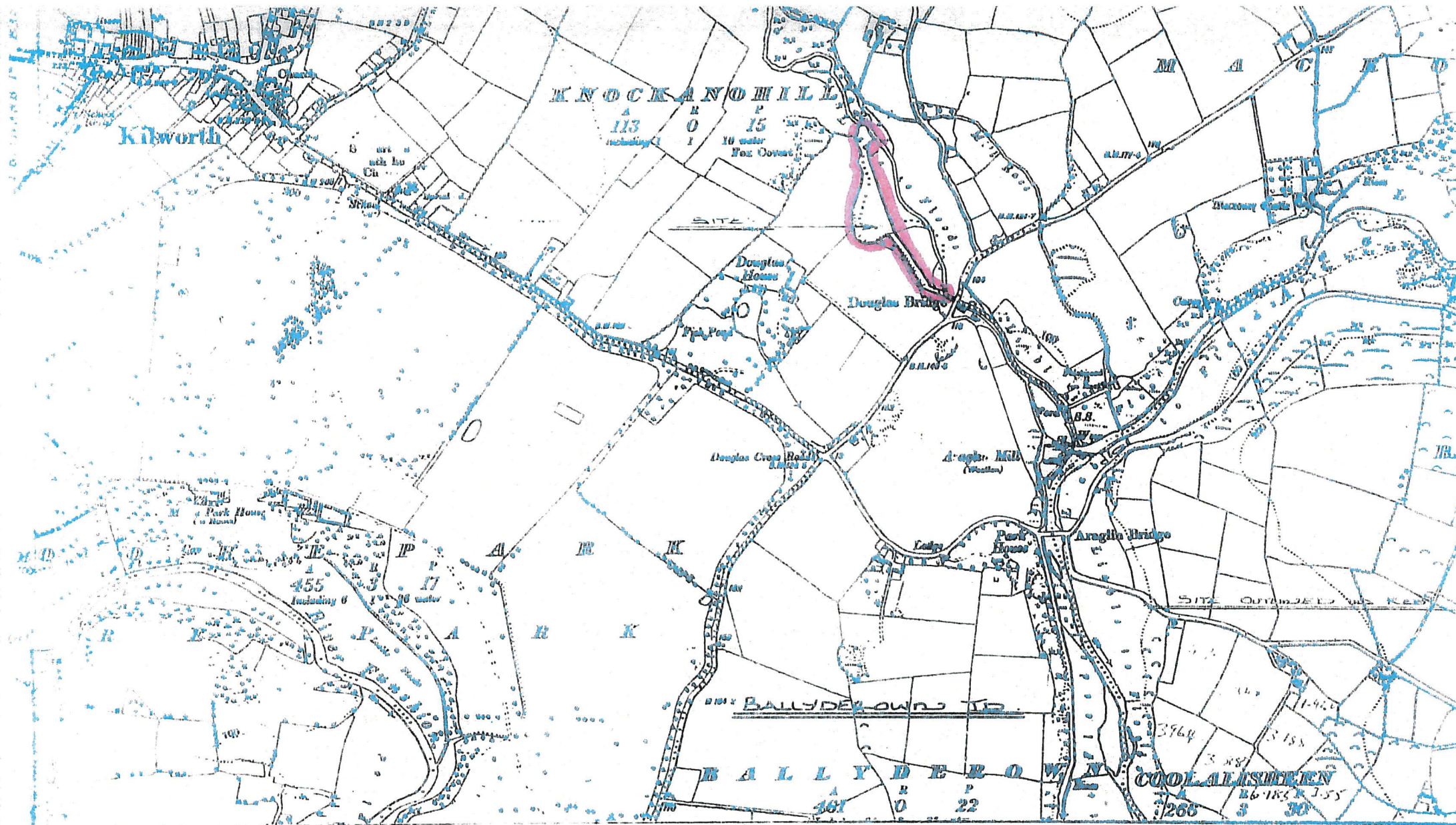
7 CONTRIBUTIONS

7.1 The Licensee shall pay to the Licensing Authority such annual contributions towards the cost of monitoring the discharge as the Licensing Authority considers necessary for the performance of its duties under this Act as follows :-

(a) Not later than 30th September 1994 the Licensee shall pay to the Licensing Authority a contribution of not less than £ 100.00.

(b) In subsequent years the Licensee shall pay to the Licensing Authority an annual amount of not less than £ 100.00 updated in accordance with the Consumer Price Index from the date of the grant of this licence to the value pertaining at the time of payment of each annual contribution.

(c) Notwithstanding the foregoing, the rate of contribution each year shall take account of the actual costs of monitoring as incurred by the Licensing Authority in the previous year and as estimated for the next year.



Client

MARY WALSH

Scale 1:10,560

Area 5.00 ACRES

O.S. Sheet 28 4

Date JUNE 1995

Job No. W-66

Drawn by

Surveyed by

Drawing No. W-66-1

J.R. McCarthy B.E.

"The Orchard"

Cord Rdn.

CONSULTING ENGINEER

Kerry Co. Cork. Tel. (023) 81340



SCHEDULE 2 – Stocking Biomass

The annual production of salmon shall not exceed 180,000 smolts

