

**T05/597**

**AQUACULTURE LICENCE**

**AQUACULTURE LAND BASED FINFISH**  
**(FRESHWATER)**

**Douglas Valley Hatchery Ltd**

**Kilclough**

**Kikworth**

**Co. Cork**

## **TABLE OF CONTENTS**

- 1. LICENSED AREA**
  - 2. SPECIES, CULTIVATION AND METHOD LICENSED**
  - 3. INFRASTRUCTURE AND SITE MANAGEMENT**
    - INDEMNITY
    - DESIGN, ARRANGEMENT AND MAINTENANCE OF STRUCTURES
    - OPERATIONAL CONDUCT
    - WASTE MANAGEMENT
    - INSPECTION
  - 4. CONTAINMENT OF STOCK**
  - 5. ENVIRONMENTAL MONITORING**
    - MONITORING
  - 6. FISH HEALTH / MORTALITY MANAGEMENT / MOVEMENT OF FISH**
    - FISH HEALTH REGULATIONS
    - DISPOSAL OF MORTALITIES
    - MOVEMENT OF FISH
  - 7. ANIMAL REMEDIES AND DANGEROUS SUBSTANCES**
    - AUTHORISED REMEDIES
    - AUTHORISED SUBSTANCES
    - RECORDS OF USE AND WITHDRAWAL PERIODS
    - STORAGE REQUIREMENTS
  - 8. EMERGENCY PLANS**
  - 9. DURATION, CESSATION, REVIEW, REVOCATION, AMENDMENT, ASSIGNMENT**
    - DURATION, CESSATION
    - REVIEW
    - REVOCATION, AMENDMENT
    - ASSIGNMENT
  - 10. FEES**
  - 11. GENERAL TERMS AND CONDITIONS**
    - NOTIFICATION
    - TAX CLEARANCE CERTIFICATE
    - COMPANIES AND CO-OPERATIVES
- SCHEDULE 1*  
*SCHEDULE 2*

**AQUACULTURE LICENCE NO.592**

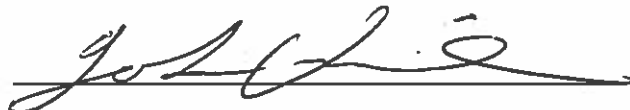
**GRANTED UNDER THE FISHERIES (AMENDMENT) ACT, 1997 (NO. 23 of 1997)**

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 Atlantic Salmon (*Salmo Salar*) on a site at Macronev Lower, 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 24<sup>th</sup> October 2016, and only so long as the fish farm complies with the planning permission granted by Cork County Council on 8<sup>th</sup> July 2013 (ref 12/06427) as specified in Schedule 1 attached, the Local Government (Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 5<sup>th</sup> December 2014 (ref WP(W)05/14) (or a further such licence granted by the said Council or by the Environmental Protection Agency).



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: Atlantic Salmon (*Salmo Salar*) and no fish other than Atlantic Salmon (*Salmo Salar*) 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.
- 3.7. The Licensee shall ensure that best practice is employed to keep structures and netting clean at all times and any biofouling by alien invasive species shall be removed and disposed of in a responsible manner. In particular, in 'Natura 2000' sites care must be taken to ensure that any biofouling by alien invasive species will not pose a risk to the conservation features of the site. Measures to be undertaken are set out in the draft Marine Code of Practice prepared by Invasive Species Ireland and can be found on the web site at: <http://invasivespeciesireland.com/>.

#### Waste Management

- 3.8. 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.

#### Inspection

- 3.9. 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.
- 3.10. 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.
- 3.11. 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.

3.12. 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 site at Macrone Lower, Kilworth, Co. Cork 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.

**Disposal of Mortalities**

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

**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.

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.

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

**Duration, Cessation**

9.1. This Aquaculture Licence shall remain in force until 23<sup>rd</sup> October 2026, and only so long as the fish farm complies with the planning permission granted by Cork County Council on 8<sup>th</sup> July 2013 (ref 12/06427) as specified in Schedule 1 attached, the Local Government (Water Pollution) Acts licence to discharge effluent granted by Cork County Council on 5<sup>th</sup> December 2014 (ref WP(W)05/14) (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**

- **a copy of planning permission granted for the premises**
- **copies of associated site maps**
- **a copy of the Effluent Discharge Licence**

## **SCHEDULE 2**

**Schedule 2 contains:**

### **Additional conditions:**

- The site shall have a maximum production level of 300,000 smolts per annum.
- Prior to the commencement of any work on the site, the licensee shall ensure that no works are carried out and that no heavy machinery operates within 30 meters of the archaeological monument described as a “Mill” in the townland of Macrone Lower. The location of the “Mill” is described by An Taisce as being “c. 100m E. of Douglas River and a similar distance N of Araglin River”.
- The design of the holding tanks shall be approved by the Marine Engineering Division of the Department of Agriculture, Food and the Marine prior to construction and installation.
- To prevent the potential spread of alien terrestrial invasive plant species, prior to commencement of construction an appropriate alien invasive species action plan shall be put in place.
- Due to the threat of sedimentation and eutrophication during the construction phase, all construction works shall be carried out outside of dates when salmonid spawn or juveniles may be impacted by sedimentation.

**CORK COUNTY COUNCIL**  
**PLANNING & DEVELOPMENT ACTS 2000 - 2010**  
**NOTIFICATION OF DECISION TO GRANT Permission**  
**(with conditions)**

Reference No. in Planning Register 12/06427

Michael Walsh  
C O Mescal & Associates  
Enterprise House  
Centre Park Rd  
Cork  
E.A.O. Michael Mescal

In pursuance of the powers conferred upon them by the above mentioned Act and for the reason set out in the First Schedule hereto, the Council of the County of Cork has by Order dated 08/07/2013 decided to GRANT Permission for the development of land namely:

Construction on existing farmland of a fish farm comprising of 20no. shallow tanks of 7m diameter each in an area of 0.5 hectares; river water lift station at the River Araglin; raised feed channel & return channel; inlet & outlet screens; fencing around tanks & protective netting over the tanks; gateway access to existing entry from L1422 with internal access way to fish farm & to the river water lift station

At Macronee Lower, Kilworth, Co.Cork

In accordance with the plans and particulars submitted by the applicant

On: 27/11/2012, as amended on 26/04/2013

And subject to the conditions (28no.) set out in Column 1 of the Second Schedule attached hereto. The reasons for the imposition of the said conditions are set out in Column 2 of the schedule.

An appeal against a decision of the Planning Authority may be made to An Bord Pleanála by any authorised person before the EXPIRATION of the period of FOUR WEEKS beginning on the day of the giving (i.e. Date of Order) of the decision of the Planning Authority. (SEE NOTES ATTACHED)

If there is no appeal against the said decision, a grant of Permission in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanála. It should be noted that until a grant of Permission has been issued the development in question is NOT AUTHORISED.

Signed on behalf of the said Council

*Caitriona Ni Mhainin*

Caitriona Ni Mhainin  
Administrative Officer  
Date: 08/07/2013

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**SEE NOTES ATTACHED**

Please note that pursuant to S.34(3) of the Act, the Planning Authority has had regard to submissions or observations received in accordance with these Regulations.

In accordance with Article 20, site notice shall be removed on receipt of this notification.

## **FIRST SCHEDULE**

**Planning Ref. No. 12/06427**

Having regard to the development plan objectives for the area and nature of the development and the submitted flood risk assessment and Natura Impact Statement, it is considered that subject to compliance with conditions attached in the Second Schedule, the proposed development would not seriously injure the amenities of the area and would not be prejudicial to public health and, therefore, would be in accordance with the proper planning and sustainable development of the area.

## SECOND SCHEDULE

No.	Condition	Reason
1	The proposed development shall be carried out in accordance with plans and particulars lodged with the Planning Authority on 27 November 2012 and 26 April 2013 save where amended by the terms and conditions herein.	In the interests of clarity.
2	A buffer zone of 20m shall be established around CO028-019 Mill. The buffer zone shall be delimited using appropriate temporary boundary fencing and signage. No construction works, stockpiling of topsoil etc, or any development, shall take place within the designated buffer zone. No trees, plants, etc. shall be removed from this buffer zone. Subsequent to the completion of the development the buffer zone shall remain around the Archaeological Monument. Planting within this buffer zone shall be limited to shallow-rooted plants and/or grass.	To preserve items of archaeological importance
3	Invasive alien plant species shall be treated and removed from the site in accordance with best practice guidelines (see <a href="http://www.invasivespeciesireland.com">www.invasivespeciesireland.com</a> ) and in accordance with a plan which shall be agreed with the Planning Authority prior to the commencement of work at this site.	To control the spread of invasive alien species within the SAC.
4	Best practise methods shall be implemented during construction to deal with storage and use of polluting substances as well as emergency situations (CIRIA Guidance No C584);	To protect water quality in the marine environment
5	The developer shall consult with the Planning Authority in regard to any proposed off site or on site disposal of excavated soil or other construction and demolition waste generated by the development and shall submit details of proposed disposal sites prior to removal from site.	To safeguard the amenity of the area
6	Any external lighting shall be cowled & directed away from any light sensitive point, so as not to cause light glare. Any external lighting shall be designed, installed & positioned to the satisfaction of the planning authority.	To protect the amenity of the area
7	All uncontaminated surface water run off from the site shall be	To minimise the generation of soiled water & prevent water pollution

	<p>discharged to soakways or to watercourses. An inspection chamber and sump shall be provided on all storm water drains immediately before entry to soakaway. The sump shall be a minimum size of 500mm by 500mm and 400mm deep and shall be of watertight construction. No material shall be carried onto the public road by wheels of vehicles exiting the site during construction of the proposed structures. No surface water from the site shall be allowed flow onto the public road.</p>	
8	<p>Noise emissions from site operations shall not exceed the background noise level by more than 5dB, when measured at any external position at an occupied dwelling. Noise from the site shall be measured as LAeq, 15min. The background level shall be measured in the absence of any noise from the site on days and at times when operations would normally be carried out on the site. There shall be no discrete tones or impulses from the proposed development. If the noise contains a discrete, continuous note (whine, hiss, screech, hum, etc.) or if there are distinct impulses in the noise (bangs, clicks, clatters, thumps, etc.), or if the noise is irregular enough to attract attention, a penalty of +5dB shall be applied to the measured noise level and this increased level shall be used in assessing compliance with the levels specified above. Noise measurements shall be made in accordance with I.S.O. Recommendations R.1996 "Assessment of Noise with respect to Community Response".</p>	<p>In the interest of public health &amp; to reduce nuisance</p>
9	<p>The spraying of insecticides, pesticides, fungicides, herbicides and any other dangerous substances stored on the site shall be carried out, or arranged, by the applicant so as to prevent the discharge to waters of such substances or any damage to adjoining property.</p>	<p>To prevent water pollution and for the protection of public health &amp; environment</p>
10	<p>All Dangerous substances shall be stored within a securely locked Hazardous Chemicals Cabinet in a locked 'Chemical Store'. The cabinet shall be bunded to a volume equal to 110% of the sum of the largest five drums likely to be stored therein. A register of all dangerous substances with current Material Safety Data</p>	<p>To prevent water pollution; protection of health &amp; environment</p>



	Sheets shall be maintained within the chemical store. Spill trays, absorbents and appropriate spillage kits shall be maintained in the Chemical Store to prevent the emission of dangerous substances to waters.	
11	No materials shall be stored uncovered in open, which are liable to attract scavengers or rodents. A systematic and continuous rodent control programme with approved bait points shall be put in place on the site. The proposed structure shall not be used for the storage of waste materials as defined in the Waste Management Act 1996, without the permission of planning authority. No burning of waste material shall take place on site.	Protection of health & environment
12	All operations on site shall be carried out in such a manner as to ensure that no odour or dust nuisance occurs beyond the boundary of adjoining properties because of such operations. All solid wastes arising on the site shall be recycled as far as possible. Materials exported from the site for recovery, recycling or disposal shall be managed at an approved facility and in such a manner as is agreed with the Planning Authority. Adequate on site arrangements shall be made to the satisfaction of the Planning Authority for the storage of recyclable materials prior to collection.	Protection of health & environment
13	All over ground tanks and drums containing liquids other than clean uncontaminated water shall be contained in a 'sealed impermeable bunded area'. These bunded areas shall be of sufficient volume to hold 110% of the volume of the largest tank within the bund. All valves on the tanks shall be contained within the bunded area. Drum storage areas shall be bunded to a volume equal to 110% of the sum of the largest five drums likely to be stored therein. The bunded area shall be fitted with a locking penstock valve that shall be opened only to discharge storm water. The developer shall ensure that this valve is locked at all times.	To prevent water pollution & protect environment
14	All water contaminated with Hydrocarbons including storm water from bunded areas shall be discharged via grit traps and oil interceptor to watercourse. An Inspection Chamber with a sump	To prevent water pollution & protect environment

	shall be provided between the oil interceptor and watercourse. The sump shall be of a minimum size of 500mm by 500mm and 400mm deep and shall be of watertight construction. The interceptor and sump shall be installed and operated to the satisfaction of the Planning Authority.	
15	A standby power system shall be available in the event of power failure.	To maintain the proper operation of the unit & to prevent animal mortalities
16	A standby water lift pump shall be installed with suitable alarm system to indicate low water flow level through the fish farm	To ensure constant water supply to fish farm to prevent fish mortalities.
17	The applicant shall install silt traps, berms and any other mitigating measures necessary to prevent the discharge of silt or other materials liable to cause water pollution or damage to the bed or water quality of adjoining drains or streams during the construction of the proposed development.	To prevent water pollution or damage to the bed of stream
18	All construction works shall be supervised by an on-site clerk of works, in accordance with a schedule which shall be agreed with the Planning Department prior to the commencement of development. The clerk of works shall report on compliance with the relevant mitigation measures. The clerk of works shall be empowered to halt works where he/she considers that the continuation of the works would be likely to result in a significant pollution or siltation incident. In the event of a water pollution incident, or of damage to the adjacent river, these reports shall be made available to the relevant statutory authorities, and on site works shall cease until authorised to continue by the planning authority. A compliance monitoring report, prepared by the clerk of works shall be submitted to the planning authority at the end of the main construction period.	To protect the qualifying interests of the adjacent Natura 2000 sites.
19	In order to prevent damage to habitats of biodiversity value within the SAC, a temporary line of fencing shall be erected around the immediate footprint of the development site. This shall be before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus	To prevent damage to the Special Area of Conservation.

	materials have been removed from the site. Nothing shall be stored or placed within the SAC outside the development site in accordance with this condition, and the ground levels within this area shall not be altered, nor shall any excavations be made outside this area.	
20	Watercourse banks shall be left intact where possible. If they must be disturbed, all practicable measures shall be taken to prevent soil or silt from entering the water. The natural riparian woodland and bank side vegetation which is adjacent to the river shall be retained where ever possible on the site and retained during the operational period of the fish farm to provide a natural buffer to run off of silt & fines from the site	To prevent damage to river banks and water quality
21	All drainage and sediment/silt traps shall be in place before any works are undertaken on the site. All work shall be carried out in favourable weather condition to minimise the generation of silt & fines.	To prevent water pollution
22	The use of chemicals/pesticides at the fish farm shall be notified annually to the Planning Authority and to the Department of Arts, Heritage, Gaeltacht and the Islands prior to application or use.	To ensure the protection water quality within the Blackwater River Special Area of Conservation.
23	All discharges from the fish farm shall meet water quality standards sufficient to ensure that the discharge will not interfere with the achievement of the ecological quality objectives set out in the Freshwater Pearl Mussel Regulations SI 296 2009.	In order to protect water quality in the Blackwater River Special Area of Conservation.
24	All construction vehicles or staff cars shall be contained within the subject site and shall not be allowed to park up on the public road edge.	In the interests of traffic safety
25	Sight distances of 90 metres, shall be provided in the centre of the vehicular entrance to the satisfaction of the Planning Authority prior to the commencement of any other development on site. Details in this regard, including the proposed entrance setback, shall be agreed on site prior to any other work on foot of the permission	In the interests of road safety.
26	Existing roadside drainage arrangements shall be preserved to the satisfaction of the Planning Authority.	To preserve proper roadside drainage and to prevent the flooding of the public road.
27	The adjoining public road shall be kept in a tidy condition from impacts	In the interests of road safety

	of the propsoal during construction and operation of the site to the satisfaction of the Area Engineer.	
28	Any imported material shall be fully licensed by the environmental department in advance of construction.	To protect the adjoining SAC.

## **Commencement Notice Form**

A person who intends to carry out any works, or to make a material change of use as regards a building to which Part II of the Building Control Regulations applies, shall give to the Building Control Authority notice in writing of such intention. Notice shall be not less than 14 days and not more than 28 days before the commencement of the works or the making of the material change of use.

**A person in breach of the Building Control Regulations is guilty of an offence.**

**Summary proceedings may be taken for failure to comply with the Building Control Regulations**

## Notes for the completion of a Commencement Notice Form

### 1. Commencement Date.

A Notice must be rejected as invalid if it is received by the Building Control Authority:

- a) less than 14 days before the commencement date, or
- b) more than 28 days before the commencement date.

--- Please allow for delivery time when entering a commencement date. ---

### 2. Developments Provision of site layout plans:

Where a Notice involves more than 1 building, a site layout plan must be provided.

- All buildings to which the Notice relates must be identified.
- House numbers must be provided in the case of dwellings.

### 3. Fees

Single building	€ 30
Buildings which do not require a fire safety certificate. (e.g. - dwelling houses)	€ 30 per building
Minimum fee	€ 30
Maximum fee	€ 3,800

Note: Terraced and semi-detached dwellings are counted as separate buildings.

### 4. Examples of works which do NOT require a commencement notice

- Works to which the Building Regulations do not apply.
- Extension to a dwelling house where planning permission is not required.
- Demolition of a building.
- A single storey domestic garage which has a floor area of 25m<sup>2</sup> or less
- Works for which both planning permission and a fire safety certificate are not required.  
(with the exception of a material alteration to a shop, office or industrial building to which Part III of the Building Control Regulations do not apply)

### 5. Where to Submit a Commencement Notice

Commencement Notices should be submitted to the offices of the Building Control Department. This address is given at the head of the Commencement Notice form.

Where the works to which the commencement notice refers are located in North, East or West Cork the notice may be submitted to the relevant local building control office.

Notices may be sent to Cork County Fire & Building Control Department

#### (West Cork)

Bantry Fire Station,  
Wolfe Tone Square,  
Bantry,  
County Cork  
Tel : 027 - 50505

#### (North Cork)

Mallow Fire Station,  
Mallow,  
County Cork  
Tel: 022 - 52700

#### (East Cork)

Midleton Fire Station,  
Market Green  
Midleton,  
County Cork.  
Tel: 021 - 4635500

# Commencement Notice

Notice to Building Control Authority pursuant to Part II of the Building Control Regulations, 1997 to 2009

Cork County Fire & Building Control Department



Westpoint Business Campus,  
Link Road, Ballincollig,  
Co. Cork

Tel: 021 - 430 40 77 Fax: 021 - 466 68 38

Official Use

Fee Received: \_\_\_\_\_

Entered by \_\_\_\_\_

1. I \_\_\_\_\_ hereby give notice to Cork County Building Control Authority (in accordance with Part II of the Building Control Regulations) that I /the person(s) named below \* intend to carry out the development as described below. (\*Cross out whichever is inappropriate)

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Correspondence address: \_\_\_\_\_

Tel: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Name of Developer(s) \_\_\_\_\_

Address: \_\_\_\_\_

Tel: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

2. Commencement Date (of work or making of material change of use): \_\_\_\_\_ (dd/mm/yyyy)

(This date must be between 14 & 28 days from the date that the Notice is received by the Building Control Authority)

Specify number of buildings: \_\_\_\_\_ (See Note 2)

Fee Payable

€ \_\_\_\_\_

(Fee is generally € 30 per building. See Note 3)

[ cheque / Cash / Postal order ]

## 3. Project Particulars

Development Description: \_\_\_\_\_

Specify number of new buildings: \_\_\_\_\_ (exclude alterations, extensions & changes of use)

Development Location: \_\_\_\_\_

Planning Permission No. \_\_\_\_\_

Grant Date: \_\_\_\_\_

Expiry Date: \_\_\_\_\_

Fire Safety Certificate No. \_\_\_\_\_

(if applicable)

Disability Access Certificate No. \_\_\_\_\_

(if applicable)

**4. Residential Development Information** *Information on the number of new dwelling units. (Houses & Apartments)*

Number of new dwelling units covered by this Notice/phase \_\_\_\_\_ *(For single houses enter 1)*

Total No. of new dwelling units (all phases of the development) \_\_\_\_\_ *(For single houses enter 1)*

Total No. of phases \_\_\_\_\_ *(For single houses enter 1)*

Phase Number to which this Notice relates \_\_\_\_\_ *(For single houses enter 1)*

Proposed end date for this phase \_\_\_\_\_ *(Enter best estimate)*

**5. Owner: (of the building or works)**

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**6. Builder: (of the building or works)**

*(you may enter 'direct labour' in the case of self built dwellings)*

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**7. Designer: (of the building or works)**

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**8. Information:** *Person(s) from whom such plans, documents or any other information as are necessary to show that the building or works will, if built in accordance with the design, comply with the requirements of the Building Regulations, may be obtained.*

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_

**9. Foundations and Drainage**

*Persons from whom notification of the pouring of any foundations and/or the covering up of any drainage systems may be obtained.*

Name(s) \_\_\_\_\_

Address \_\_\_\_\_

Tel: \_\_\_\_\_ Fax \_\_\_\_\_ Email \_\_\_\_\_



### Building Control Act and Regulations

It should be clearly understood that the granting of Planning Permission under the Planning Act does not relieve the developer of the responsibility of complying with the Building Control Act, The Building Control Regulations or the Building Regulations.

The Building Control Regulations make provision for the following:

A completed 'Commencement Notice' must be submitted to the Building Control Authority not less than 14 days and not more than 28 days before commencement of the works or the material change of use. A copy of a commencement notice form is attached with these documents.

'Fire Safety Certificates' and 'Disability Access Certificates' are required for most developments (other than single private dwelling houses and most agricultural buildings).

- It is an offence to carry out works in the absence of Fire Safety Certificate where one is required.
- Where a building requires a Fire Safety Certificate or a Disability Access Certificate, it is an offence to open, operate or occupy, or to permit the opening, operation or occupation of the building in the absence of a certificate.

Copies of the Commencement Notice, Fire Safety Certificate and Disability Access Certificate forms may be downloaded from the Building Control pages of Cork County Council's website [www.corkcoco.ie](http://www.corkcoco.ie)

Copies of the Building Control Act, the Building Control Regulations, the Building Regulations and the Technical Guidance documents are available to download from the Department of the Environment website [www.environ.ie](http://www.environ.ie)

### Fire Services Act

#### (Developments other than single private dwelling houses)

It should be clearly understood that the granting of Permission under the Planning Act does not relieve the developer of the responsibility of complying with obligations under the Fire Services Act.

An Bord Pleanála



## PLANNING APPEAL PACK

1. Planning Appeal Form/Check List
2. A Guide to Making a Planning Appeal
3. Guide to Fees payable to the Board

Comhairle Contae Chorcaí  
Cork County Council

M/s Mescal & Associates,  
Consulting Environmental  
& Pollution Control Engineers,  
Enterprise House,  
Centre Park Road,  
Cork.

14<sup>th</sup> May 2014

**RE: PLANNING REF: 12/06427 – FISH FARM AT MACRONEY LOWER,  
KILWORTH, CO. CORK**

---

A Chara,

I refer to your letter of 7<sup>th</sup> April 2014.

I wish to advise that the Planning Authority considers that the revised changes are acceptable as a non-material change to the proposal.

Kind regards,



SHARON CULLEN,  
ASSISTANT STAFF OFFICER  
Oifigeach Foirme  
PLANNING DEPARTMENT,  
FLOOR 2,  
CORK COUNTY COUNCIL,  
COUNTY HALL,  
CORK.  
Office: (021) 4285862  
Email: [sharon.cullen@corkcoco.ie](mailto:sharon.cullen@corkcoco.ie)

An Rannóg Pleanála,  
Halla an Chontae,  
Bóthar Charraig Ruacháin, Corcaigh.  
Fón: (021) 4276891 • Fais: (021) 4867007  
R-phost: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)  
Suíomh Gréasáin: [www.corkcoco.ie](http://www.corkcoco.ie)  
Planning Department,  
County Hall,  
Carrigrohane Road, Cork.  
Tel (021) 4276891 • Fax (021) 4867007  
Email: [planninginfo@corkcoco.ie](mailto:planninginfo@corkcoco.ie)  
Web: [www.corkcoco.ie](http://www.corkcoco.ie)



Planning Department

Cork Co Council

Co Hall

Carrigrohane Road

Cork

07/04/2014

Dear Sirs

**Re: Planning Ref 12/06427 – Fish Farm at Macronev Lower, Kilworth**

We ask you to review the following considered deviation from the permission as exempt development :

The intake station at the river will use submersible pumps instead of archimedean screws and the discharge line to the fish farm will be a buried 300 diam main instead of a raised open channel.

We have already spoken with Brendan O'Gorman , Area Engineer.

Faithfully Yours

---

Michael Mescal

C

Surveyed	1841
Revised	1923-1931
Levelled	1922-1932

ITM CENTRE PT COORDS  
584865,602139

DESCRIPTION

## MAP SHEETS

6 Inch  
WD019+01 CK028+02

Produced by National Map Services,  
Unit 7, South Ring Business Park,  
Kinsale Road.

Co. Cork

On behalf of Ordnance Survey Ireland,  
Phoenix Park, Dublin 8.

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Scale:- 1:10,560  
Scale:- 1:10,560Plot Ref. No. 25133322\_1  
Plot Date 16-AUG-2012

Year	2000	2001
2000	2000	2000
2001	2001	2001
2002	2002	2002

ITM CENTRE PT COORDS  
584665 802139

DESCRIPTION

## MAP SHEETS

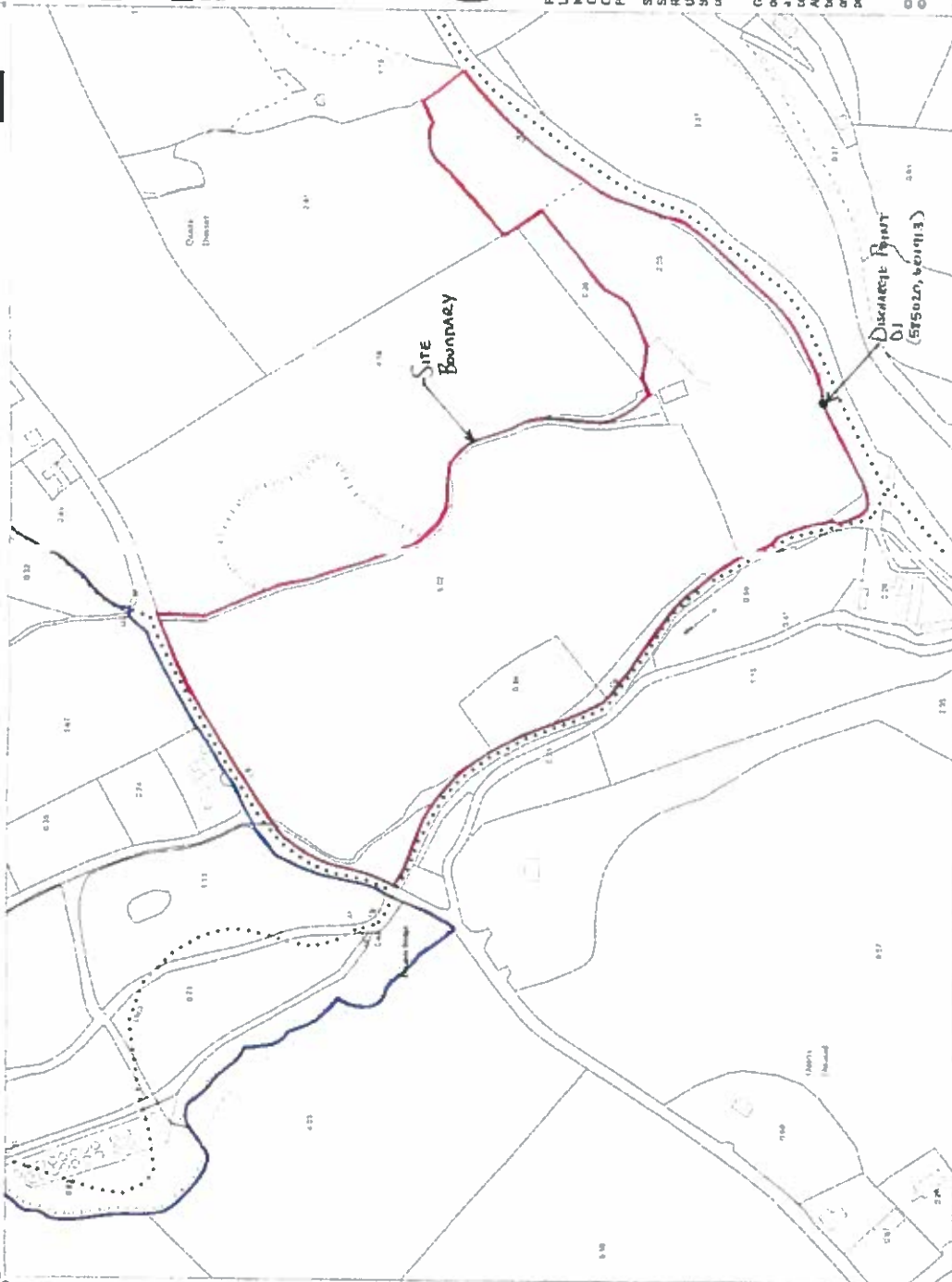
## Digital Map



Produced by National Map Services,  
Unit 7, South Ring Business Park,  
Kersale Road,  
Co. Cork  
On behalf of Ordnance Survey Ireland,  
Phoenix Park, Dublin 8.  
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Shreathachais Oribheideil f'eachdraidh  
Riatha na hÈireann  
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☐ Surtidharn J (Ordinance Fennell, 2012)  
☐ Ordinance Survey Ireland, 2012



Plot Ref. No. 25133322\_1\_?  
Plot Date 16-AUG-2012

Scale - 1.2,500  
Scale - 1.2,500



## **CORK COUNTY COUNCIL**

### **LOCAL GOVERNMENT ( WATER POLLUTION ) ACTS 1977 AND 1990**

Licence to discharge Trade Effluent or Sewage Effluent to Waters

Reference	TO / Douglas Valley Hatchery Ltd
No. In	Macrone Lower
WP(W)05/14	Kilworth
	County Cork

The Council of the County of Cork, in exercise of the powers conferred on it by the Local Government ( Water Pollution ) Acts, 1977 and 1990, as amended, hereby GRANTS

a Licence, Reference Number WP(W)05/14

To	<b>Douglas Valley Hatchery Ltd</b>
	<b>Macrone Lower</b>
	<b>Kilworth</b>
	<b>County Cork</b>
To Discharge	<b><u>Discharge of trade effluent arising from</u></b>
	<b><u>operation of fish farm</u></b>
To (River)	<b><u>Araglin River, Kilworth</u></b>
Located at	<b><u>Macrone Lower, Kilworth, Co.Cork</u></b>

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 a discharge to a sewer

ENVIRONMENT  
DEPARTMENT,  
ROOM GF22,  
CORK COUNTY COUNCIL,  
INNISCARRA,  
CO CORK.

Signed on behalf of the said Council,



STAFF OFFICER

Dated this 05 day of DECEMBER 2014

#### **NOTE:**

An appeal against a decision made by a Sanitary Authority under Section 16 and Section 17 of the Act of 1977, may be made to An Bord Pleanala under Section 20 of the Act, as inserted by Section 15 of the Local Government (Water Pollution) (Amendment) Act, 1990 within one month of the date of the Licence

Appeals should be addressed to THE SECRETARY, AN BORD PLEANALA,

64 Marlborough Street, Dublin 1, and will be invalid unless accompanied by an additional fee of €126.00.

A request for an oral hearing shall be accompanied by an additional fee of €63.00.

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



**CORK COUNTY COUNCIL**  
Environment Directorate,  
Inniscarra,  
Co. Cork

**W.P. (W) 05/14**

Licence to Discharge a Sewage Effluent to Waters.  
Issued under Section 4 of the Local Government (Water Pollution) Acts  
1977 to 2007

**Douglas Valley Hatchery Ltd.,  
Macronev Lower,  
Kilworth,  
Co. Cork.**



### Schedule

Wastewater discharges shall take place only as specified in the licence application WP (W) 05/14 as modified and/or controlled by this licence and subject to the requirements of law. Any changes in the nature or quantity of any emission shall require the Licensee to notify the Licensing Authority and, in the case of any material change, for the Licensee to request a review or obtain a new licence as may be determined by the Licensing Authority prior to any such change being made. The Licensing Authority shall interpret whether any change is material or not.

This licence supersedes all previous licences and correspondence issued in respect of the facility under the terms of the Local Government Water Pollution Act 1977 to 2007.

In the event of the licence being transferred to another party or company, the Applicant shall notify the Licensing Authority of this fact and shall also provide the details of the new licence holder prior to the transfer of the licence.

#### **1 WASTEWATER MANAGEMENT**

- 1.1 The Licensee shall employ the best available techniques in the avoidance, minimisation, treatment and disposal of wastewaters produced on site.
- 1.2 Standard operating procedures shall be prepared in respect of wastewater control and treatment systems to assist personnel with responsibilities for the operations of such systems and plant. These procedures shall be retained on site for inspection and submitted to the Licensing Authority on request.
- 1.3 Employees with responsibilities in wastewater control and treatment shall receive training adequate to enable them to execute their tasks in relation to pollution control. These records shall be retained on site for auditing by the Licensing Authority.
- 1.4 Licensed contractors shall be used for the removal of all waste materials to licensed facilities for disposal/recovery.

*Reason For the management of wastewaters on the site*

## 2 CONTAMINATED WASTE WATERS

- 2.1 All contaminated wastewater arising from the operation of the fish farm at Douglas Valley Hatchery Ltd., Macronee Lower, Kilworth, Co. Cork shall be discharged to the Araglin River as indicated on drawings and maps which accompanied this licence application.
- 2.2 Contaminated wastewater arising from the above named development only, shall include the following:
- Contaminated wastewater arising from the farming of fish
  - Any activity approved by the Licensing Authority
- 2.3 The wastewater flow shall not exceed 7,200 m<sup>3</sup>/day or 300 m<sup>3</sup>/hr. The discharge pipeline shall be fitted with a suitable flow monitoring system approved by the Licensing Authority.
- 2.4 Samples obtained in accordance with condition 2.3 above, from emission point D1, shall be tested by the Licensee for the parameters indicated in the following table and no such sample taken at the point of sampling in the discharge line shall exceed the following condition limits.

pH	7.0 - 8.0 pH units
Biochemical Oxygen Demand	Not more than 1 mg l <sup>-1</sup> more than B.O.D. at intake
Total Suspended Solids	Not more than 1 mg l <sup>-1</sup> more than Total Suspended Solids at intake
Ammonia as N	Not more than 0.1 mg l <sup>-1</sup> more than ammonia at intake
Orthophosphate as P	Not more than 0.01 mg l <sup>-1</sup> more than orthophosphate as P at intake
Formalin	0.5 mg l <sup>-1</sup>

The frequency of testing for the above parameters shall be as follows:

Four times a year or every three months while production is taking place, for pH, Biochemical Oxygen Demand, Total Suspended Solids, Ammonia as N and Orthophosphate as P. Formalin shall be analysed after dosing.

The Licensing Authority reserves the right to alter the frequency of testing.

- 2.5 All test methods used by the Licensee for the monitoring of the nature of the discharge shall be agreed with the Licensing Authority. All laboratory equipment used for wastewaters monitoring shall be calibrated in accordance with the manufacturers' recommendations and records of such calibrations shall be held by the Licensee for inspection by the Licensing Authority on request.
- 2.6 In the event of malfunction or breakdown of the pollution abatement equipment or any other incident on site which may give rise to water pollution, the Licensee shall immediately report the incident to the Licensing Authority by telephone or email and shall confirm the communication in writing within twenty four hours.
- 2.7 The Licensee shall carry out and document a visual inspection of the treatment facilities and discharge point weekly, and any abnormalities shall be noted. If it appears that abnormalities may be occurring then the Licensee shall immediately notify the Licensing Authority and initiate an investigation into the possible cause of the abnormalities.
- 2.8 The Licensee shall take all steps necessary to minimize the discharge of biocides, pesticides, anti-bacterial agents and antibiotics in 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 on the effluent for these occasions.

- 2.9 The Licensing Authority shall be notified immediately of any disease outbreak and reports shall be submitted as soon as possible after the outbreak.
- 2.10 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.

*Reason: To control the emissions prior to discharge*

### 3 SURFACE WATER/GROUNDWATER

- 3.1 The Licensee shall, on request of the Licensing Authority, implement a programme of groundwater monitoring agreed in advance with the Licensing Authority. This monitoring shall include the monitoring of a minimum of three wells, one of which shall be located above and one below the site's hydraulic gradient. The location of the wells is to be agreed with the Licensing Authority.

The programme shall include the monitoring of each well for the following parameters: Conductivity, pH, Total Organic Carbon, Heavy Metals, Hydrocarbons and Mineral Oils and such other parameters as may be indicated by the Licensing Authority on a frequency decided by the Licensing Authority. The Licensing Authority reserves the right to alter the frequency of testing.

*Reason: To protect surface and groundwaters from polluting matter*

### 4 STORAGE FACILITIES

- 4.1 All storage tank 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 volumes 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 millimeters.
- 4.2 The integrity and water tightness of all the bunded structures, storage tank and their resistance to penetration by water or other materials stored therein shall be tested and demonstrated by the Licensee to the satisfaction of the Licensing Authority. The results of these tests shall be certified by a Chartered Engineer.

*Reason: To protect surface and groundwaters from polluting matter*

### 5 SOLID WASTES

- 5.1 All wastes shall be recycled, recovered or reused in as far as is practical. All waste management options utilized shall be agreed in advance with the Licensing Authority. The volume of all wastes generated on site shall be recorded by the Licensee. All such wastes shall be detailed as to source, route and type of recycling or disposal and classification under the European Waste Catalogue. This information shall be included in the annual summary report which must be returned to the Licensing Authority under the terms of this licence.

- 5.2 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).

*Reason: To provide for the safe disposal of solid waste which through leakage give rise to surface or groundwater pollution*

## 6 MONITORING

- 6.1 The Licensee shall grant immediate and unhindered access to the site and any portion of the pollution abatement equipment to any authorized 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.

The Licensing Authority reserve the right to carry out monitoring works on the Licensee's site in relation to the nature or quantity of discharges from the Licensee's premises. The Licensing Authority may install such equipment as may be necessary to collect this information at the Licensee's premises. The cost of this work will be borne by the Licensee.

- 6.2 The Licensee shall keep records of all monitoring carried out and shall retain such records for a minimum period of five years. These records shall be available for inspection by authorized personnel representing any statutory body involved in water pollution at all reasonable times. The Licensee shall submit to the Licensing Authority at quarterly intervals the result of all monitoring relating to the previous quarter, 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.

- 6.3 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 of the non-compliance 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 (i.e. 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.

- 6.4 Before January 31<sup>st</sup> of each calendar year, the Licensee shall submit a summary report of all monitoring carried out in the previous year. This report shall evaluate the operation of the facilities available on site to treat the wastewaters produced in the light of the results achieved in the previous year. All submitted reports shall be signed by the Licensee's plant manager or approved agent designated by the Licensee.

The Licensee shall include in the annual report a list of all chemicals (biocides, antibiotics, prophylactic, therapeutic and disinfecting/sanitizing agents etc.) and their respective volumes used on site during the previous year. Material safety data sheets shall be submitted for all chemicals used on site. No chemical shall be used which bioaccumulates or poses a risk to other aquatic species of commercial or ecological value.

*Reason: To provide for adequate monitoring*

## **7 RESPONSIBLE PERSON**

- 7.1 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 and confirm in writing the contact details of such persons.

*Reason: To provide for information*

## **8 CONTRIBUTIONS**

- 8.1 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) In 2015 the Licensee shall, on demand, pay to the Licensing Authority a contribution of not less than €650.
- b) In subsequent years the Licensee shall, on demand, pay to the Licensing Authority an annual amount of not less than €650 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 that year.

*Reason: To provide for the sampling and implementation of licence*

