

Site Visit Report

The site visit process is a sample on a particular day of an installation's compliance with some of its licence conditions. Where non-compliance against a particular condition has not been reported, this should not be construed to mean that there is full compliance with that condition of the licence.

Instructions and actions arising from the visit shall be addressed, or where applicable noted, by the licensee in order to ensure compliance, to improve the environmental performance of the installation and to provide clarification on certain issues.

The licensee shall take the actions specified to close out the non-compliances and observations raised in this Site Visit Report.

The licensee may also be requested to provide a response to the Environmental Protection Agency (hereafter referred to as the Agency) in relation to the site visit report findings.

Licensee	
Name of Installation	Mr Martin O'Donovan
Licensee	Mr Martin O'Donovan
Licence Register No.	P0621-02
CRO Number	
Site Address	Cooligboy, Timoleague, Bandon, Cork
Site Visit Reference No.	SV24378

Report Detail	
Issue Date	14/03/2022
Prepared By	Cyril Tynan

Site Visit Detail			
Date Of Inspection	15/02/2022		
Time In	11:25	Time Out	14:25
EPA Inspector(s)	Adrian Farrell Cyril Tynan Paul Buckley		
Additional Visitors			
Licensee Personnel and Role	None.		

> Summary

The Agency undertook this site visit following confirmation in writing by the licensee, in a letter dated 9th February 2022, that he was the owner of unauthorised facilities and lands adjacent to the above-named licensed piggery installation. The site visit was undertaken to determine if the licensee had complied with a second EPA instruction, issued via a warning letter dated 27/01/2022, to cease and desist from operating outside the licensed site boundary. The licensee was found to be continuing to operate and store pigs in houses that were outside the licensed site boundary and are not authorised by the EPA.

The licensee is further instructed to confirm that you have complied with the Agency's instruction and notice to cease and desist from operating outside the licensed site boundary via Compliance Investigation ref. CI001994. The licensee was found to be non-compliant with the EPA licence at the time of the site visit.

Non-compliances were raised for:

- Operations outside the licensed site boundary;
- Exceedance of the licensed limits for farrowing sows;
- The licensee or site manager not been present during the site visit;
- Failure to cover a carcass skip;
- Maintenance of the rainwater collection system;
- Surface water management, and,
- Failure to re-submit the 2020 Annual Environment Report and 2021 Annual Environment Report.

Observations were raised for:

- Licence transfer;
- Measurement of freeboard in covered and uncovered tanks, and,
- Integrity assessment of all tanks, pipelines and other containment structures.

The licensee is required to submit a response to the non-compliances raised in this site visit report within 30 days of the date of issue of this report (using the "make a response" link on the site visits page in EDEN), as outlined in the follow-up actions section of this report.

> Site Areas Inspected

The facility yard was inspected during this site visit.

> Documents Inspected

No documentation was reviewed during this site visit.

> 1. Site Specific Issues

	Answer	Condition Number	Non Compliance	Observation	
1.1	Licence transfer	Checked	1.1	No	Yes
Comment / Action Required					
During the most recent site visit on 09/06/2021 (Site visit ref; SV22457) the licensee was instructed to complete a licence transfer application forthwith.					
Action Required					
The licensee shall provide an update on the licence transfer application, via licensee returns on EDEN, by 22/03/2022.					

1.2

	Answer	Condition Number	Non Compliance	Observation
Operating outwith the licensed site boundary	Checked	1.4	Yes	No

Comment / Action Required

During the site visit the licensee was found to be operating pig houses outwith the licensed site boundary (Photos 1 to 3 refer). The EPA first noticed these pig houses in operation during a site visit on 09/06/2021 (Site visit ref; SV22457 refers). A follow-up site visit was undertaken on 05/11/2021 which found that all 4 pig houses were stocked with pigs. Following this site visit the EPA issued a warning letter on 27/01/2022 serving notice under Section 82(2) of the EPA Act 1992, as amended to cease and desist the unauthorised operations, for activities falling under Class 6.2 of the First Schedule, unless and until the licensee has been granted a licence which authorises the operation of these unauthorised facilities.

The licensee responded to this letter and indicated the following:

- The facilities are under the control of the licensee;
- The facilities are been used for the overflow for stock to facilitate upgrade works on some older houses within the licensed site boundary;
- A licence review application is been prepared to incorporate the new facilities, and,
- No commitment or indication by the licensee to cease using these facilities.

During the site visit the Inspectors did not observe any infrastructure works been undertaken on the houses in the licensed site.

Following the site visit the licensee clarified that the stock register refers to 11,793 pigs been kept by the licensee at the end of January 2020. 4,141 or 35%, of these pigs were being kept at the unauthorised installation.

The Agency has opened a Compliance Investigation requiring the licensee to cease operations outwith the licensed site boundary (Compliance Investigation (CI) ref; CI001994).

Action required

The licensee is required to cease and desist from operating outwith the licensed site boundary forthwith, and revert via CI ref; CI001994 indicating that operations have ceased.

1.3

	Answer	Condition Number	Non Compliance	Observation
Stock register	Checked	1.5	No	Yes

Comment / Action Required

Following the site visit, the licensee indicated that the number of pigs on site for the end of January 2022 was as follows:

- Farrowing Sows - 937 versus a licence limit of 220;
- Dry Sows - 219 versus a licence limit of 940;
- Gilts - 165 versus a licence limit of 170;
- Boars - 4 versus a licence limit of 20;
- Weaners- 4596 versus a licence limit of 4600, and,
- Fatteners - 5872 versus a licence limit of 5900.

This is non-compliant with condition 1.5 of the EPA licence.

In addition to the above the licensee indicated that the following pig classes and numbers were present at the facilities outwith the licensed site boundary:

- 2285 weaners;
- 1672 production pigs, and,
- 184 "cull sows".

Action required

The licensee shall:

- In accordance with condition 1.5 of the licence ensure that the licence limits for the relevant pig classes are not exceeded, and,
- As per section 1.2 of this site visit report cease all operations outwith the licensed site boundary.

1.4

	Answer	Condition Number	Non Compliance	Observation
Site Management	Checked	2.3.1	Yes	No

Comment / Action Required

During the site visit neither the licensee or the designated site manager were present during the site visit.

This is non-compliant with condition 2.3.1 of the EPA licence.

Action required

In accordance with condition 2.3.1 of the EPA licence, the licensee shall ensure that designated person(s) in charge are available on site to meet with authorised persons of the Agency.

1.5

	Answer	Condition Number	Non Compliance	Observation
Uncovered carcass skip	Checked	5.2	Yes	No

Comment / Action Required

The animal carcass skip in the facility yard was uncovered (Photo 4 refers). The skip was near full with animal carcass waste (Photo 6 refers).

This is non-compliant with condition 5.2.

Action required

The licensee shall ensure that animal waste stored on site pending disposal shall be placed in covered, leak proof containers.

	Answer	Condition Number	Non Compliance	Observation	
1.6	Rainwater collection and drainage system	Checked	7.1	Yes	No
Comment / Action Required					
<p>The licensee was found not to be maintaining a rainwater collection and drainage system for all pig houses on site (Photos 5 and 6 refer).</p> <p>This is non-compliant with condition 7.1 of the EPA licence.</p> <p>Action required</p> <p>The licensee shall ensure that the rainwater collection and drainage system for all pig housing on site is being maintained.</p>					

	Answer	Condition Number	Non Compliance	Observation	
1.7	Surface water management	Checked	7.2 - Technical Amendment B, 7.3	Yes	No
Comment / Action Required					
<p>Silt laden water was found discharging to monitoring point ref; SW1 (Photos 7 and 8 refer). In addition an inspection chamber was not found to be present.</p> <p>This is non-complaint with condition 7.2 of the EPA licence.</p> <p>The Inspectors were unable to locate monitoring point ref; SW2.</p> <p>Action required</p> <p>The licensee shall:</p> <ul style="list-style-type: none"> • Ensure that there is no discharge of polluting matter to water; • Verify that an inspection chamber has been established for monitoring point ref; SW1, and, • Clarify if monitoring point ref; SW2 has been established and that there is a monitoring chamber in place. <p>The licensee shall revert to the EPA on this matter by 22/03/2022.</p>					

	Answer	Condition Number	Non Compliance	Observation	
1.8	Freeboard	Checked	7.7	No	Yes
Comment / Action Required					
<p>There was no method available on the uncovered tanks to determine if the level of freeboard required to be maintained is being kept (Photo 9 refers).</p> <p>Action required</p> <p>The licensee shall in accordance with condition 7.7 of the EPA licence ensure that a freeboard of at least 100mm from the top of covered slurry tanks and 500mm from the top of uncovered slurry storage tanks is maintained, as a minimum, at all times.</p> <p>The licensee shall provide photographic evidence showing that freeboard is measured on all slurry storage tanks on site and, show that the levels are in compliance with the EPA licence. This shall be submitted by 22/03/2022 via licensee return.</p>					

	Answer	Condition Number	Non Compliance	Observation
1.9 Annual Environment Report	Checked	11.5	Yes	No
Comment / Action Required				
<p>The licensee submitted the 2020 Annual Environment Report (AER) via licensee returns on EDEN however this AER was rejected and the licensee was required to revert with an amended AER by 09/02/2022. In addition the 2021 AER was required to be submitted by 01/02/2022 however this was not submitted.</p> <p>This is non-complaint with condition 11.5 of the EPA licence.</p> <p>Action required</p> <p>The licensee shall re-submit the 2020 AER and submit the 2021 AER forthwith.</p>				

	Answer	Condition Number	Non Compliance	Observation
1.10 Integrity assessment	Checked	7.12	No	Yes
Comment / Action Required				
<p>The licensee submitted a tank and pipeline integrity assessment report via licensee returns on EDEN (Licensee return ref; LR064395). The report however did not refer to a proposal/ programme for agreement on the assessment of underground and over ground effluent storage infrastructure.</p> <p>The Agency submitted a further information request via Licensee Return ref; LR064395 requesting that a proposal be submitted by 10/02/2022 however, no further correspondence has been received from the licensee on this matter.</p> <p>Action required</p> <p>The licensee shall respond to the Agency's further information request issued via licensee return ref; LR064395 forthwith.</p>				



Photographs



Photo 1; Photograph of facilities outwith licensed site boundary.



Photo 2; Photograph of pigs at facility outwith licensed site boundary.



Photo 3; Photograph of pigs at facility outwith licensed site boundary.



Photo 4; Photograph of carcass skip on site.



Photo 5; Photograph of disconnected downfall pipe on site.



Photo 6; Photograph of disconnected downfall pipe on site.



Photo 7; Photograph of access road adjacent to monitoring point ref; SW1.



Photo 8; Photograph of monitoring point ref; SW1.



Photo 9; Photograph of uncovered tank.

FOLLOW-UP ACTIONS

The licensee is required to complete the actions outlined in this site visit report within the specified timeframes. Where required, the licensee shall also respond to actions specified in Compliance Investigations and/or submit a response to this site visit report via the EDEN system. The licensee shall maintain a documentary evidence, for review by the Agency, that the prescribed actions were completed within the required timeframe.

(i) Compliance Investigations

The Agency may generate a Compliance Investigation through the EDEN system and issue instructions and actions to the licensee. The licensee will receive notification when an instruction or action is issued and the licensee must respond to the actions within the Compliance Investigation within the specified timeframe.

(ii) Response to Site Visit Report

Where the licensee is requested to (or wishes to) respond to the Agency in relation to this site visit report, the licensee may select the 'Make a Response' link on the actions taken by the licensee to address the issues raised in this site visit report and the target completion dates. This Licensee Public Response provides the licensee with an opportunity to inform both the Agency and the public about the implementing of actions set out in the Agency site visit report. The response must be submitted **within 30 calendar days** of the issue date of this site visit report.

(iii) Publication of Reports

The site visit report will be made available for public viewing via the Agency's Licence Enforcement Access Portal (LEAP), within one day of the issue date. The Site Visit Report and the Licensee Public Response will also be published on the Agency's website, www.epa.ie, 60 calendar days after the site visit report issue date (on the Licence Details Page for the relevant licence).

Please note that licensees are required to comply with the conditions of the licence at all times, and where non-compliance occurs, compliance must be restored within the shortest possible time. These actions will be verified during subsequent Agency visits. Please quote the above Inspection Reference Number in any correspondence in relation this Report.