AQUACULTURE AND FORESHORE LICENCE APPLICATION FORM, for purposes of FISHERIES (AMENDMENT) ACT, 1997 and FORESHORE ACT, 1933

NB: The accompanying Guidance Notes should be read before completing this form.

Note: Details provided in Parts 1 and 2 will be made available for public inspection. Details provided in Parts 3 and 4 and any other information supplied will not be released except as may be required by law, including the Freedom of Information Act 1997 as amended.

USE BLOCK CAPITALS IN BLACK INK PLEASE

For Office Use

Application Ref. No. T29/9

Date of Receipt (Dept. Stamp):

Aquaculture & Foreshore Management Division
11 OCT 2016
Dept. of Agriculture, Food & the Marine

Type of Applicant (tick one)	
Sole Trader	
Partnership	✓
Company	
Co-Operative	
Other Please specify-	

PART 1: PRELIMINARY DETAILS

Applicant's Name(s) DENIS HARDING
1.
Address: 2 BALLINACARRIG HOUSE APTS. BALLINACARRIG CARLOW
2. PATRICK FOLEY
Address: STEPAN GARRYHILL Co. CARLOW
3.
Address:
4.
Address:

Contact in case of enquiries (if different from above)	
Contact Name	DENIS HARDING.
Organisation Name (if applicable)	
Address	APT 2. BALLINACARRIG HOUSE BALLINACARRIG CARLOW

PART 1: PRELIMINARY DETAILS

TYPE OF APPLICATION – please indicate relevant type of application
This Application Form is valid for each type of application - ***See Guidance Note 3.1***

(i) Aquaculture Licence	✓
(ii) Trial Licence	
(iii) Foreshore Licence, if Marine Based	
(iv) Review of Aquaculture Licence	
(v) Renewal of Aquaculture Licence	

TYPE OF AQUACULTURE *See Guidance Note 3.2*

Indicate the relevant type of application with a tick.

(i) **MARINE-BASED**

Finfish		☐	Go to Parts 2.1 and 2.1A
Shellfish	*Subtidal*	☐	Go to Parts 2.2 and 2.2A
	Intertidal	☐	Go to Parts 2.2 and 2.2A
Seaweed/Aquatic Plants/Aquatic Fish Food		☐	Go to Parts 2.3 and 2.3A

(ii) **LAND-BASED**

Finfish ☑ **Shellfish** ☐ Go to Parts 2.4 and 2.4A

Aquatic Plants ☐ **Aquatic Fish Food** ☐ Go to Parts 2.4 and 2.4A

(iii) **TRIAL LICENCE** ☐ Go to appropriate Parts as above **and** to Part 2.5

2.4 LAND-BASED AQUACULTURE – FINFISH, SHELLFISH, AQUATIC PLANTS & AQUATIC FISH FOOD

When filling out this section refer to 2.4A and Guidance Note 3.3 for information on Conditions and Documents required with this application type

Proposed Site Location

(i) Full address of Townland: SHERAN, MULTOWN
GARRYHILL

(ii) County: CARLOW

(iii) OS Map No: OS Survey SHEET 19 CARLOW-WEXFORD.

(iv) Co-ordinates of Site: (please specify coordinate reference system used e.g. Irish Grid (IG) or Irish Transverse Mercator (ITM) or Latitude/Longitude [in which case specify whether ETRS89 or WG84 etc.]

ITM 678587, 658736

(v) Size of Site (hectares): 0.5

(vi) Species (common and scientific name): SALMON: SALMO SALAR / R.B TROUT ONCORHYNCHUS

(vii) Proposed source of stock for use in the operation? IRELAND / N. IRELAND / SCOTLAND.

NB Importation of ova/fry/parr/smolts or seed into the State or movement of ova/fry/parr/smolts or seed within the State requires notification to the Marine Institute as per the Fish Health Authorisation Regulations. (Refer to Guidance Notes Section 6 – Fish Health Authorisation)

(viii) State proposed system of culture e.g. pond, raceway, circular tank, cage or other method:
CIRCULAR TANKS

Please state the number and cubic capacity of holding facility
22 X 5M DIAM X 1M DEPTH = 431.8 M3 } Total 485.8 M3
8 X 6M X 0.75M DEPTH = 54 M3 }

(ix) Proposed Annual Production: < 150,000 ATLANTIC SALMON SMOLTS (60-80 grams ea.)
AND < 12,000 TROUT @ < 200 grams ea.

(x) Reasons for site selection: THE SITE HAS BEEN OPERATIONAL AS A SMOLT AND TROUT PRODUCTION UNIT SINCE 1988 WITHOUT ANY DETRIMENTAL AFFECT ON THE ENVIRONMENT.

(xi) Is the site located in or adjacent to a sensitive area e.g. SPA (Special Protection Area) or SAC (Special Area of Conservation) i.e. a Natura 2000 site? *(Refer to Guidance Note 3.3.1 - Natura 2000 sites)* No.

If yes give details

(xii) Source of water supply: UPPER RIVER BARROW + SEVERAL SPRINGS.

(xiii) Estimate dry weather flow (if applicable) of water source in litres/second:

300 Litres/second to 500 litres/second.

(xiv) Is recirculation of water proposed within the development? ~~YES~~/NO No.

If YES provide details of the proposed recirculation system (including water treatment and waste stream components) and describe the % recirculation of source water involved and the target quality criteria thresholds proposed for recirculation of water in the proposed system.

(xv) Are there any possible sources of pollution upstream of the site e.g. discharge from sewage plant, storm water runoff, farmyard, sheep dip facility, silage effluent, quarry, sandpit or factory? YES/NO No

If YES please identify:

See Part 2.4A for details of documentation to be included with this application type

2.4A DOCUMENTATION REQUIRED FOR LAND-BASED AQUACULTURE

(to be included separately with a Licence Application for a new site or for a renewal or review of an existing Licence)

1. **Environmental Impact Statement (EIS), if required**
   Regulation 5 of the Aquaculture (Licence Application) Regulations provides that is mandatory to submit an EIS with certain aquaculture licence applications. The Guidance Note, Section 3.3.1 gives information on the requirement to submit an Environmental Impact Statement.

✓ 2. **Water Quality Analysis Report.**
   The Guidance Note, Section 3.3.3 gives information on Water Quality Analysis Report. The Water Quality Analysis Report must contain information as specified in Annex A of Guidance Note.

✓ 3. **Decision of Planning Authority under the Planning Acts**
   (See Guidance Note 3.3.3)

✓ 4. **Copy of Licence under Section 4 of the Local Government (Water Pollution) Act, 1977 – Effluent Discharge Licence**
   (See Guidance Note 3.3.3)

✓ 5. **An appropriate Ordnance Survey Map (recommendation is a map to the Scale of 1:10,000 /1:10,560, i.e, the equivalent of a six inch map) showing the location of the site marked in red on which the project will be located**

✓ 6. **A sketch of the layout of the site in relation to the river(s), road(s) and building(s)**

✓ 7. **Scale drawing of the structures to be used and the layout of the farm in relation to river(s), road(s), and building(s).** (recommended scales normally 1:100 for structures and 1:200 for layout)

✓ 8. **The prescribed application fee (See Guidance Note Section 4)**

9. **If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, the Certificate of Incorporation and Memorandum and Articles of Association**

10. **If the applicant is a Co-operative, the Certificate of Incorporation and Rules of the Co-operative Society**

11. **Alien Species dossier (where required) – See Guidance Notes 3.3.1**

Please note that the following conditions must be met in order to allow for consideration of licensing of land-based aquaculture:

- The buildings and equipment must be put in place to the Department's satisfaction
- The operation must comply with Local Authority requirements

(See Guidance Note 3.3.3)

NOW COMPLETE PARTS 2.6, 3, 4 AND 5 PLEASE

2.6 Employment, Qualifications, Experience, etc
TO BE FILLED IN BY ALL AQUACULTURE APPLICANTS

(i) Please provide details of experience/qualifications of the applicant and any key personnel which are relevant to the aquaculture now proposed:

DENIS HARDING.	PATRICK FOLEY
INLAND FISHERIES TRUST 1967-1979	DESIGN AND CONSTRUCTION OF HATCHERY
ESB FISHERIES 1979-1986	REARING AND STOCKING OF RAINBOW AND BROWN
SALMON FARM CORRAROE 1986-2000	TROUT. 20 YRS.
SEAMO NOVA LTD LETTERMORE GALWAY	DEVELOPMENT OF "PUT AND TAKE" FISHERY
AND GARRYHILL PARLOW 2000-2014	
REARING SALMON SMOLTS AND TROUT.	

(ii) If a new application please provide details of projected employment creation during first four years of the proposed aquaculture project:

(iii) In the case of a renewal please provide current and future details:

FULLTIME JOBS

Year 1:	2	Year 2:	2	Year 3:	3	Year 4:	3

PART TIME JOBS

Year 1:	1	Year 2:	1	Year 3:	1	Year 4:	1

PART 3 B. PARTNERSHIP

Partnership Name: GARRYHILL SPAWNING HATCHERY

Please list names, addresses, and Personal Public Service No.'s of partners:

Partner 1: Name and Address DEREK HARDING

PDT 2. BALLINAFERRIG HOUSE. BALLINAFERRIG.

CARLOW

Personal Public Service No. _____

Date of Birth: _____

Partner 2: Name and Address PATRICK FOLEY

SHEAN, GARRYHILL

CO. CARLOW.

Personal Public Service No. _____

Date of Birth: _____

Partner 3: Name and Address _____

Personal Public Service No. _____

Date of Birth: _____

Partner nominated for contact purposes: _____

Full Name: _____

Address: _____

Phone No. _____

Mobile No. _____

E-mail Address: _____

PART 5: APPLICATION DOCUMENTATION

The following documents are enclosed with this application:
NB: Refer to Guidance Note Section 3.3 – Guidance on Application Documentation

No.	DOCUMENTATION	YES	NO	N/A
1	**An appropriate Ordnance Survey Map (recommendation is a map to the scale of 1:10,000/10:10,560, i.e., equivalent to a six inch map)**	✓		
2	**Scale drawing of the structures to be used and the layout of the farm (recommended scales normally 1:100 for structures and 1:200 for layout)**	✓		
3	**The prescribed application fee**	✓		
4	**Environmental Impact Statement (EIS), if required**		X	N/A
4a	**Natura Impact Statement (NIS), if required**		X	N/A
5	**Water Quality Analysis Report, if appropriate**	✓		
6	**Decision of Planning Authority under the Planning Acts, if required**	✓		
7	**Copy of Licence under Section 4 of the Local Government (Water Pollution) Act, 1977 – Effluent Discharge, if required**	✓		
8	**If the applicant is a limited Company within the meaning of the Companies Act 1963, as amended, a copy of the Certificate of Incorporation and Memorandum and Articles of Association.**		X	N/A
9	**If the applicant is a Co-operative, a copy of the Certificate of Incorporation and Rules of the Co-operative Society**		X	N/A
10	**Integrated Pest Management Plan, if required**		X	N/A
11	**Alien Species documentation, if required.**		X	N/A

PART 5: DECLARATION AND SIGNING

NB: Refer to Guidance Note Section 3.5 and Section 4 - Guidance on Declaration and Signing and Annual Aquaculture and Foreshore Licence Fees

If this is a renewal/review have you met all licence conditions of the existing aquaculture licence? If applicable, explain why you have not complied with all conditions:

I/We hereby declare the information provided in Parts 1, 2, 3 and 4 above to be true to the best of my/our knowledge. I/We enclose an application fee* of € €126.97 with this application.

Signature(s) of Applicant(s):
(Please state capacity of persons signing on behalf of a Company/Co-op)

Managing Manager / Partner.

Pat Foley Owner / Partner

Date: 04 Nov 2016.

NB All persons named on this licence application must sign and date this application form.
Only the existing licence holder(s) can apply for the renewal/review of an Aquaculture Licence.

*Preferred method of payment is by cheque or bank draft. The fee should be made payable to the Department of Agriculture, Food and the Marine.

Refer to Guidance Note Section 4 - Guidance on Aquaculture and Foreshore Licence Fees

The application form should be forwarded, with the required documents and application fee, to:

Aquaculture Licensing
Aquaculture & Foreshore Management Division
Department of Agriculture, Food and the Marine
National Seafood Centre
Clonakilty
Co. Cork

Garryhill Salmon & Trout Hatchery Ltd.,

FACTORY CROSS,
BORRIS,
CO. CARLOW.
Telephone: 0503/73201

DATE 27TH SEPTEMBER 1991

DEPARTMENT OF MARINE,
LEESON LANE,
DUBLIN 2.

ATTENTION OF: MS MARGARET McCARTHY,
AQUACULTURE SECTION

A CHARA,

ENCLOSED PLEASE FIND COPY OF PLANNING PERMISSON AS REQUESTED.

YOURS FAITHFULLY,

Hugh Doyle

DIRECTORS: R.L. LONG, ML. LONG, I. REA, D. HARDING,

REGISTERED POST.

COUNCIL OF THE COUNTY OF CARLOW
LOCAL GOVERNMENT (PLANNING & DEVELOPMENT) ACT 1963 TO 1990

Notification of Decision to grant a Permission/~~Approval~~ (Subject to Conditions) under Section 26/27 of the Principal Act.

TO: Mr. Richard L. Long,
Factory Cross,
Borris,
Co. Carlow.

REFERENCE NO. IN PLANNING REGISTER: PL. 9793.

APPLICATION RECEIVED ON: 31st July, 1991.

In pursuance of the powers conferred upon them by the above-mentioned Acts, the Council of the County of Carlow have by order Dated 25th September, 1991, decided to grant a permission/~~approval~~ for the retention of an unauthorised structure namely,

Retention of Fish Rearing Hatchery at Milltown, Garryhill, Co. Carlow.

For: Garryhill Salmon & Trout Hatchery Ltd.

Subject to the Conditions Numbered 1 to 18 (inclusive), set out in Column 1 of the Schedule, (Pages Numbered 1 to 4 (inclusive), hereto. The reasons for the imposition of the said Conditions are set in Column 2 of the Schedule.

If there is no appeal against the said decision, a grant of permission/~~approval~~ in accordance with the decision will be issued after the expiration of the period within which an appeal may be made to An Bord Pleanala. (See footnote)

It should be noted that until a grant of permission/~~approval~~ has been issued the ~~development~~/retention in question is NOT AUTHORISED.

Signed on behalf of the said Council _____ Date: 26th September, 1991
County Secretary.

SCHEDULE

Column 1 - Conditions	Column 2 - Reasons for Conditions
SEE ATTACHED SCHEDULE	SEE ATTACHED SCHEDULE

NOTE: An appeal against a decision of a Planning Authority may be made to An Bord Pleanala by the applicant for permission within one month beginning on the day of receipt by him of the decision. Any other person may appeal to the Bord Within Three Weeks beginning on the date of decision.

Appeals should be addressed to An Bord Pleanana, Floor 3, Blocks 6 and 7, Irish Life Centre, Lower Abbey Street, Dublin 1. An appeal by the applicant for permission should be accompanied by this form. In the case of an appeal by any other person, the name of the applicant, particulars of the proposed development or of the structure proposed to be retained and the date of decision of the Planning Authority should be stated.

S C H E D U L E

 PL. 9793/Retention of Fish Rearing Hatchery at Milltown, Garryhill for Garryhill Salmon & Trout Hatchery Ltd.

C O N D I T I O N S	REASON FOR CONDITIONS
1. The entire production of the development permitted by this Grant of Permission shall not exceed ten tonnes of salmon and trout per annum. Any increase in the quantity of fish being produced above ten tonnes shall be the subject of a separate application for permission to the Planning Authority.	1. To ensure that the development is carried out in accordance with the likely minimum flow available in the Burren River after allowing for present and proposed water abstraction volumes for human consumption and in the interests of orderly development.
2. The maximum water abstraction from the Mountain River shall be 3,400 cubic metres per day. Any increase in the abstraction rate shall be the subject of a separate planning application for permission to the Planning Authority. The applicant shall provide a v-notch weir to measure the abstracted flows.	2. To ensure that the flow of water in the Burren River is not excessively reduced during periods of dry weather.
3. There shall be a single discharge outlet from the fish farm and provision shall be made, to the satisfaction of the Planning Authority, for the automatic measurement and recording of the amount of water discharge.	3. In the interests of public health and orderly development.
4. The composition and properties of the receiving water after admixture with the effluent shall be within the following limits:-	4. In the interests of public health.

Parameter	Recommended Level
(a) PH	Variation between inflow/ outflow shall not exceed 0.5 PH units.
(b) DO	Not less than 7 ppm
(c) Ammonia (N)	0.5 mg/L
(d) Phosphates (As P)	0.1 mg/L
(e) Nitrates (As N)	10mg/L
(f) Chlorides	150 mg/L
(g) B.O.D.	3 PPM
(h) Suspended Solids	30 PPM

CONTD/

CONDITIONS	REASON FOR CONDITIONS
4. Contd/... The effluent shall not contain more than:- 0.4 PPM of Biocide 0.005 PPM of Phenol. The applicant shall submit to the Planning Authority a regular analysis of the effluent from the fish farm under the following headings taken by the Department of the Fisheries during periods of drought or out-breaks of fish disease:- PH, DO, Ammonia, Ammonium Compounds, Phosphates(P), Nitrates(N), Chlorides, B.O.D. and S.S.	
5. The applicant shall apply to Carlow County Council for a Licence to Discharge Effluent to waters under the Local Government (Water Pollution Act, 1977 and 1990 within one month of the date of Grant of Permission.	5. In order to prevent pollution and in the interests of public health.
6. Chemicals or pesticides used for prophylactic and therapeutic reasons shall be administered to the fish in a special pond which shall be isolated from the river and the rest of the works. After dosing, the effluent from the pond shall be pumped to a separate containment tank until such time as the Treatment Pond is free of chemicals or pesticides. The contents of the containment tank shall not be discharged to the river but must be treated or disposed of in a manner to be approved in writing by the Planning Authority.	6. In the interests of public health.
7. The applicant shall notify the Planning Authority prior to the discharge of effluent to which chemicals have been added for prophylactic and therapeutic reasons. The discharge shall only be carried out under the supervision of the Planning Authority.	7. In the interests of public health.

CONTD/

CONDITIONS	REASON FOR CONDITIONS
8. The applicant shall notify Carlow County Council and the South Eastern Health Board within 24 hours of any incidence of disease in fish stock which could involve treatment with antibiotics.	8. In the interests of public health.
9. The applicant shall submit to the Planning Authority a list of chemicals and disinfectants in routine use at the farm. The types of antibiotics to be used shall be subject to the approval of the Planning Authority. Any changes or developments in the chemicals used shall be notified to the Planning Authority.	9. In the interests of public health.
10. Dead or diseased fish shall be disposed of in a lime bed in a manner which shall be to the satisfaction of the Planning Authority.	10. In the interests of public health.
11. The works shall include a stand-by storage area for discharge of water from the plant with a capacity of not less than two individual fish ponds. Drainage systems shall be so arranged that the contents of an individual fish pond can be diverted to this area in the event of accidental over-dosage with chemicals or other agents.	11. In the interests of public health.
12. Intake and discharge points shall be so designed that the fish farm can be isolated from the Burren River, if necessary.	12. In the interests of public health.
13. The developer shall permit access to the fish farm at all reasonable times to authorised officers of Carlow County Council or South Eastern Health Board to facilitate monitoring of effluent from the farm.	13. In the interests of public health.

CONTD/

CONDITIONS	REASON FOR CONDITIONS
14. Full details of any structures required to be constructed, installed or altered, and of any other works required to be carried out in order to comply with the terms of any licences issued by the Department of the Marine/Fisheries, or by The Sanitary Authority under the Local Government (Water Pollution) Act, 1977 and 1990 shall be agreed in advance between the developer and the Planning Authority.	14. In the interests of orderly development.
15. The developer shall prepare and submit to the Planning Authority within one month of the date of commencement of construction of the development an emergency plan detailing actions to be taken and personnel to be contacted in the event of any emergency within the fish farm. The plan shall cover major disease outbreaks, chemical spillages and steps to be taken in low flow or drought conditions.	15. In the interests of public health.
16. The entrance shall be recessed 5.0m from the roadside boundary and splayed to give an opening to the edge of the carriageway of 10.0m. The entrance area shall be permanently surfaced to the written satisfaction of the Planning Authority.	16. In the interests of orderly development.
17. The entrance shall be properly drained.	17. To ensure that flooding of the public road by surface water from the site does not occur.
18. The applicant shall provide a fish pass on the weir and keep it maintained and clear of obstruction at all times.	18. To ensure that the upstream passage of fish is not obstructed.

Burgess & Associates

Architectural Consultants & Project Managers

Raheen, Kildavin,
Bunclody,
Co. Wexford.
Ireland.

Mob: +353-(0)87-2718855

E-mail: burgessandassociates@gmail.com

Certificate of Compliance

Planning Permission Ref. PL 9793

SALMA NOVA PARTNERSHIP,
MILLTOWN,
GARRYHILL,
CO. CARLOW.

I,John Burgess ,of Burgess & Associates, Architectural Consultants and Project Managers, having been in independent private practise for more than ten years, aged 18 years and upwards CERTIFY as follows:

1. My said firm has been retained by Salma Nova Partnership, to certify compliance with planning permission for the development of a Fish Rearing Hatchery and all associated site works,at Milltown , Garryhill, Co.Carlow, these works being herein after referred to as "the relevant works".

2. The plans and other particulars on foot of which there were granted, or issued, the permissions mentioned in paragraph 3 hereunder, were prepared by others.

3. The Grant of Permission reference number PL 9793, granted 26/9/1991, relate to the relevant works.

4. The relevant works and the services thereof have been designed in substantial conformity with the Building Regulations made pursuant to the **Building Control Act, 1990.**

5. I have made inspections of the relevant works thereof AND in my opinion the construction of the same, complies substantially with the **Grant of Permission** mentioned in paragraph 3 hereof.

6. In the event that the relevant works and the site works pertaining thereto have not been built and/or laid out exactly in accordance with the said Planning Permission, any disparity is unlikely to affect the planning and development of the areas as envisaged by the Planning Authority and expressed through such Permission.

7. TAKE NOTE that this Certificate is issued solely with a view to providing evidence for title purposes of the compliance of the Relevant Works with the requirements of the Planning Legislation and of the Building Control Act, 1990 and the Regulations thereunder. Except insofar as it relates to compliance with the said requirements and regulations, it is not a report or survey on the physical condition or on the structure of the relevant works NOR does it warrant, represent or take into account any of the following matters:-

    a) The accuracy of dimensions in general save where arising out of the conditions of the permissions or the Building Regulations aforesaid.
    b) Matters in respect of private rights or obligations.
    c) Matters of financial contributions and bonds.
    d) Development of the Relevant Works, which may occur after the date of issue of this Certificate.

)ated the 4-11-2016

igned: John Burgess

ohn Burgess
urgess &Associates.

(Professional Indemnity Insurance Attached)

Private & Confidential

02nd August 2016

To whom it may concern

Dear Sirs

CONFIRMATION OF INSURANCE – **Burgess & Associates**

As requested by the above client, we are writing to confirm that we act as Insurance Brokers to the client and that we have arranged insurance(s) on its behalf as detailed below:

TYPE OF INSURANCE	**Professional Indemnity**
INSURER:	**Liberty Mutual Insurance Europe Ltd.**
POLICY NUMBER:	**DUAAE3V1006**
PERIOD OF INSURANCE:	**13th July 2016 – 12th July 2017** *(both days inclusive)*
SUM INSURED:	**EUR1,000,000 any one claim**
DEDUCTIBLES:	**EUR2,500 each & every claim**

We have placed the insurance which is the subject of this letter after consultation with the client and based upon the client's instructions only. Terms of coverage, including limits and deductibles, are based upon information furnished to us by the client, which information we have not independently verified.

This letter is issued as a matter of information only and confers no right upon you other than those provided by the policy. This letter does not amend, extend or alter the coverage afforded by the policies described herein. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this letter may be issued or pertain, the insurance afforded by the policy (policies) described herein is subject to all terms, conditions, limitations, exclusions and cancellation provisions and may also be subject to warranties. Limits shown may have been reduced by paid claims.

We express no view and assume no liability with respect to the solvency or future ability to pay of any of the insurance companies which have issued the insurance(s).

We assume no obligation to advise yourselves of any developments regarding the insurance(s) subsequent to the date hereof. This letter is given on the condition that you forever waive any liability against us based upon the placement of the insurance(s) and/or the statements made herein with the exception only of wilful default, recklessness or fraud.

This letter may not be reproduced by you or used for any other purpose without our prior written consent.

This letter shall be governed by and shall be construed in accordance with Irish law.

Yours faithfully,

On behalf of RIAIIS

CARLOW COUNTY COUNCIL

Carlow County Council

Local Government (Water Pollution) Acts, 1977-2007

Section 4

Licence to Discharge Trade Effluent to Waters

Name of licence holder: Salma Nova

Location of discharge: Garryhill, Carlow.

Licence number: DL/S4/2011/04

The Carlow County Council in exercise of the powers conferred on it by the Local Government (Water Pollution) Acts, 1977-2007, hereby grants a licence to discharge trade effluent to waters

Subject to the conditions specified hereunder.

Dated: 16/12/2011

Signed:

Mary J. Mulholland
Senior Executive Officer.

Note: The decision of the Local Authority may be appealed within one month beginning on the date of the grant of the licence. Appeals should be addressed to The Secretary, An Bord Pleanala, Floor 3, Block 7, Irish Life Centre, Lower Abbey Street, Dublin 1 and must be forwarded by prepaid post or by leaving the appeal with an employee of the Board at the office of the Board during office hours.
An appeal to the Board will be invalid unless at the outset it:

- **Is made in writing**
- **States the name and address of the appellant**
- **State the subject matter of the appeal,**
- **States in full the grounds of appeal and the reasons, considerations and arguments on which they are based**
- **Is accompanied by the fee of €127 euros, or in the case of bodies prescribed under Article 14 of the Local Government (Water Pollution) Regulations, 1992.**

A person other than a party to an appeal may make submissions or observations in writing to the Board. Any such submissions or observations must be made within the appeal period and be accompanied by a fee of €38.10 euros otherwise they will not be considered by the Board. Any request for an oral hearing must be made in writing before the expiration of the appeal period and must be accompanied by a fee of €63.50 euros (in addition to the appeal fee).

Condition 1: Scope

- This discharge licence relates to the operation of a salmon farming activity at Garryhill, Carlow which discharges to the Burren River. The licence has been granted on the understanding that there shall be no chemical use with the exception of sodium chloride treatment and Formalin. Any proposed use of other chemical treatments shall require the prior agreement of Carlow County Council.

- The operator shall obtain a current aquaculture licence, as required by the Department of Agriculture, Food and Marine in accordance with the requirements of the Fisheries (Amendment) Act, 1997, within 12 months of the discharge licence grant.

- The licence is issued for fish farm activities, including internal by-passes, only and do not regulate activities in the adjacent sports lakes.

- The facility shall operate in accordance with a current aquaculture licence, except where the conditions of this discharge licence place more stringent conditions on its operation.

- The activity shall be controlled, operated and maintained such that the conditions attached to this licence are complied with.

- No alterations to, or reconstruction in respect of the activity or any part thereof which would or is likely to result in material change or increase in the nature or quantity of the effluent or the treatment or recovery systems, shall take place without prior notification to Carlow County council.

- This licence is for the purpose of licensing discharges to waters as defined in the Local Government (Water Pollution) Acts, 1977-2007 only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.

- Section 4(1) of the Act requires that a person shall not discharge or cause or permit the discharge of any trade effluent to waters except under and in accordance with a licence under this section.

- A person who contravenes section 4(1) shall be guilty of an offence and shall be liable to fines detailed in section 4(8) of the Act.

Condition 2: Notification and Record Keeping of Incidents

- The licensee shall notify Carlow County Council by both telephone and facsimile, if available, as soon as practicable after the occurrence of any of the following and within 24 hours of the occurrence of:

    - Any unscheduled emissions or any emission which does not comply with requirements of this licence.
    - Any incident with the potential for environmental contamination of surface or groundwater or requiring an emergency response from Carlow County Council.

- The licensee shall include as part of the notification, the date and time of the incident, details of the occurrence and the steps taken to minimise the emissions and avoid recurrence. The licensee shall make a record of any incident as set out above.

- The licensee shall ensure that an Emergency Response Procedure can and will be implemented at any time to respond to any emergency situation which may arise on site. This procedure shall include an emergency testing regime and shall be capable of minimising the effects of any emergency on the environment. A copy of the procedure shall be submitted to Carlow County Council for approval within three months of the licence grant.

Condition 3: Site Design and Management

- There shall be a single discharge outlet from the fish farm before the lower lake.

- A sampling chamber shall be provided in order to sample the final effluent prior to discharge. The chamber shall be designed in order to facilitate access for the above purpose and shall be of minimum dimensions 900mm x 900mm.

- No overflow or bypass system shall be installed which can allow untreated or partially treated effluent to discharge to waters.

- A suitably designed settlement chamber shall be installed prior to the final discharge in order to achieve the suspended solids discharge limit. All flows shall pass through this settlement tank.

- Proposals for flow measurement at the facility intake and Burren River shall be submitted, for agreement, within 12 months of the licence grant.

- The flow intake for the fish farm, at any time, shall be restricted to 50 % of the river flow, subject to a compensation flow of 12.5 % of annual long-term mean river flow at any one time.

- The licensee shall designate a senior member of staff with responsibility for effluent disposal. The name of this person shall be submitted to Carlow County Council within one month of the date of this licence.

- The licensee shall establish and maintain a training programme for providing appropriate training for all personnel whose work can have a significant effect upon the environment. Appropriate records of training shall be maintained.

- The above procedures and infrastructure shall be put in place within three months of the licence issue.

- The licensee shall keep an up to date register of all chemicals which are used in connection with the operation of the fish farm and which are later released as part of the

effluent discharge. A copy of register to be submitted with monitoring returns. This register shall include, inter alia, the following details:-

- The quantity of each chemical stored on site.
- The method and date of administration of each chemical used.
- The rate of dosage and duration of treatment of each chemical used.
- The total quantity of each chemical used per application of dosage.

- The operator shall maintain documented procedures for monitoring and maintaining suspended solids removal tanks and for removing accumulated solids as necessary. Solids shall be removed before loss of settlement capacity significantly affects the efficency of the settlement tanks. The operator shall ensure that excess flow caused by storm events does not result in exceedances of the suspended solids ELV.

- Suspended solids removed from the settlement tanks shall be disposed of at a suitable waste site.

Condition 4: Emissions to Waters

- No specified emissions to waters shall exceed the emission limit values set out in Schedule 3.

- The licensee will install the Best Available Technology (BAT) to ensure that the trade effluent meets the emission limit values set out in Schedule 3.

- Sampling and analysis of emissions to water and inlet water quality shall be carried out as specified in Schedules 2 and 3.

- The results of all effluent analysis shall be submitted to Carlow County Council in accordance with Schedule 3

- All sampling and analysis specified in Schedules 2 and 3_shall be carried out for the licensee by a laboratory approved by Carlow County Council. The name and address of this laboratory shall be provided by the licensee to Carlow County Council within one month of the date of this licence.

- Sampling and analysis of upstream river water quality shall be carried out as specified in Schedule 2.

- The licensee shall maintain historic records of all effluent analysis for a minimum period of three years. These shall be available for inspection upon request by authorised officers of Carlow County Council or its agents, and persons authorised under Section 28 of the Local Government (Water Pollution) Acts, 1977-2007.

- The licensee shall permit authorised officers of Carlow County Council or its agents, and persons authorised under Section 28 of the Local Government (Water Pollution) Acts, 1977-2007 to inspect, examine and test at all reasonable times, unannounced, any plant and equipment installed in connection with the effluent discharge and to take samples as required.

- The licensee shall make provisions to facilitate sample taking from the final effluent before discharge. This sampling point shall be accessible at all times to authorised officers of Carlow County Council or its agents, and persons authorised under Section 28 of the

- Material Safety Data Sheets for any hazardous materials in use at the facility in use shall be maintained by the licensee and submitted annually with the Annual Environmental Report to Carlow County Council.

- Extraordinary site inspections and additional laboratory tests or otherwise as a result of any environmental incident referred or non-compliance shall be subject to additional charges.

Condition 5: Waste Management

- Disposal or recovery of waste shall take place only as specified in accordance with the appropriate National and European legislation and protocols. No waste shall be recovered on-site or disposed or recovered of off-site without prior notice to, and the prior written agreement of Carlow County Council.

- Wastes removed from the settlement tanks shall be removed off-site.

Condition 6: Fees

- A payment will be made annually to Carlow County Council in respect of costs incurred in regulating the discharge licence for the preceding year. This fee will be notified at the end of each calendar year and will include for:

  Annual audit inspection €150 (includes for one site visit)
  Laboratory costs as incurred by Carlow County Council
  Administration charge = €150-00 per annum

- Where non-compliances with the licence conditions occur, additional follow-up visits will be required. These will be charged at a rate of €150 per visit.

Condition 7: Reporting Requirements

- The licensee shall submit an **Annual Environmental Report** (AER) to the Director of Services, Water and Environment Section, Carlow County Council for the preceding calendar year by no later than 28th of February of each year. The first AER shall be submitted by 28th February 2013 in respect of the period from the date of grant this licence to 31/12/2012. The AER shall include details as outlined in Schedule 2.

- A Natura Impact Statement shall be submitted within 12 months of the licence grant. This shall consist of an Appropriate Assessment Screening Report which will examine the impact of the facility on the River Barrow and River Nore SAC. If required, this licence will be reviewed to take account of the Natura Impact Statement findings.

- Proposals for flow measurement, in order to demonstrate licence compliance, shall be submitted for approval within 12 months of the licence grant.

Schedule 1: AER Requirements

- Any changes or alteration to the facility which may impact on the emissions from the facility;
- Records of fish stocks during the reporting period
- Records of feed amounts and analysis during the reporting period.
- Records of chemical usage during the reporting period.
- Maintenance arrangements for the solids retention unit.
- Monitoring and analysis undertaken in accordance with Schedule 2 and 3 of this licence and a technical evaluation of these results.
- Details of any unscheduled emissions or non-compliant emissions;
- Reportable incidents.
- Waste disposal arrangements for other wastes
- A copy of the Emergency Response Procedure
- In addition, the licensee shall include in the report, a written summary of compliance with all of the conditions attached to this licence

Schedule 2: Sampling at Intake Weir

Parameter	Frequency of Sampling *
BOD mg/l O_2	Every month
COD mg/l O_2	Every month
Suspended Solids mg/l	Every month
PH	Every month
Total Phosphorus mg/l P	Every month
Orthophosphates mg/l P	Every month
Ammonia mg/l N	Every month
Nitrates	Every month
Chlorides	Every month
Temperature	Every month
Flow	Continuous
Iron	Quarterly
Iodine	Quarterly
Copper	Quarterly
Manganese	Quarterly
Zinc	Quarterly

*24 hour composite samples
Sampling as detailed in "Standard Methods for the Examination of Water and Wastewater", 19th Edition.
Results shall be submitted to Carlow County Council within one month of samples being taken and annually with the AER

Schedule 3: Sampling at Fish Farm Outlet

Parameter	Emission Limit Standard	Frequency of Sampling *
BOD mg/l O_2	0.8 incremental increase over inlet sample	Monthly
COD mg/l O_2	10	Monthly
Suspended Solids mg/l	5 incremental increase over inlet sample	Monthly
PH	6-9	Monthly
Total Phosphorus mg/l P	0.1 incremental increase over inlet sample	Monthly
Orthophosphates mg/l P	0.040 incremental increase over inlet sample	Monthly
Ammonia mg/l N	0.075 incremental increase over inlet sample	Monthly
Nitrates	4.0 incremental increase over inlet sample.	Monthly
Chlorides		Monthly
Dissolved Oxygen	70% saturation	Monthly
Temperature		Monthly
Iron		Quarterly
Iodine		Quarterly
Copper		Quarterly
Manganese		Quarterly
Zinc		Quarterly
Formaldhyde		During chemical dosing operations, at least quarterly
Flow	50% of river flow subject to a compensation flow of 12.5% of long-term annual mean river flow.	Continuous

*24 hour composite samples
Sampling as detailed in "Standard Methods for the Examination of Water and Wastewater", 19th Edition.
Results shall be submitted to Carlow County Council within one month of samples being taken and annually with the AER

HENSEY GLAN-UISCE TEO.
Coismeigmore, Furbo, Co. Galway.

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Garryhill Hatchery

30th Jul[illegible]2016

Mr. Denis Harding,
Apt #2 Ballinacarrig House,
Ballinacarrig,
Co. Carlow

Table 1.

Date	Sample	Temperature*	pH	Suspended Solids	Dissolved Oxygen	BOD	Carbon Dioxide*
		°C		mg/l	mg/l	mg/l	mg/l
30.07.16	inflow	14.3	7.75	1.2	9.98	<2.0	3.9

Table 2.

Date	Sample	Ammonia	Nitrate	Nitrite	Phosphate	Alkalinity*	hardness†
		mg/l	mg/l	mg/l	mg/l	mgCaCO3/l	mgCaCO3/l
30.07.16	inflow	0.027	1.58	0.005	0.013	34	44

Test methods. The following methods were used for sample analysis:

pH: Method No. 12 Revision No. 5
Dissolved oxygen: Method No. 17 Revision No. 0
Total ammonia : Method No. 2 Revision No. 12
BOD: Method No. 4 Revision No. 11
Phosphate : in Method No. 5 Revision No. 9
Nitrite : Method No. 10 Revision No. 4
Nitrate : Method No. 11 Revision No. 3
Suspended Solids: Method No. 7 Revision No. 3

*not accredited
†sub-contracted

SIGNED. Mary Hensey
Mary Hensey M.Sc.
MANAGER

DATE : 05.08.16

This report relates only to the samples tested.
This report must not be reproduced, except in full, without the approval of Hensey Glan-Uisce Teo.

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