Background
Bord na Mona Energy Limited (hereafter referred to as BNM), located at Cuil na Mona Group, c/o Boora Works, Boora, Offaly was licensed by the Agency on the 29 February 2000, Reg. No. P0507-01. The BNM licence was technically amended on the 27 September 2012 to bring the licence into compliance with the relevant provisions of the following legislation:
- Waste Management (Management of Waste from the Extractive Industries) Regulations, 2009
- European Communities Environmental Objectives (Surface Water) Regulations, 2009
- European Communities Environmental Objectives (Groundwater) Regulations, 2009

BNM, licence Reg. No. P0507-01 provides for Class 1.4 of the First Schedule of the EPA Acts, the extraction of peat in the course of business which involves an area exceeding 50 hectares. BNM extracts peat within the Cuil na Mona bog group, which is made up of a cluster of four bog sites, namely, the Coolnamona, Coolnacartan, Cashel and Abbeyleix bog.

The Abbeyleix bog was originally drained to facilitate peat extraction operations in the early 1980s but the site was never fully developed or brought into industrial peat production. Following restoration works of the Abbeyleix bog in 2009, it was leased in a 50 year agreement to a local community group (Abbeyleix Bog Project) to be managed for nature conservation and amenity/education.

Technical Amendment Request
The Agency received a request on the 06 January 2017 to remove Abbeyleix Bog from the licensed site boundary, defined in condition 1.4 of P0507-01. The licensee wishes to hand over the bog to the Abbeyleix Bog Project in a 50 year lease agreement. This project aims to maximise the ecological benefits of Abbeyleix bog for the community in terms of education, employment, income and recreation. BNM have never extracted peat from this portion of land and do not have any infrastructure in place that requires decommissioning.
The licensee also confirmed in the request that there are no soils, subsoils, buildings, plant or equipment, or any waste, materials, or substances or other matter contained therein or thereon, that may result in environmental pollution present at Abbeyleix Bog. The new site boundary is clearly defined in red on the revised map, submitted as part of this request, labelled as Coolnamona, Coolnacartan and Cashel Bogs on Drawing 2.2 'Cuil na Mona Group, Location Map' date 27/11/2015.

Consultation with the Office of Environmental Enforcement (OEE)
I have consulted with OEE Inspector, Irene Doyle, in relation to this TA request. The OEE confirmed that the change could not be accommodated under the conditions of the existing licence.

The OEE completed a site visit (ref no SV12305) of BNM on the 28 June 2017. The purpose of the visit was to conduct an exit audit of the area within the licensed boundary called Abbeyleix Bog. This audit determined that there are no outstanding decommissioning works required. The site was found to be in very good condition with continued restoration of the active raised bog. Land drains that were blocked in 2009 are retaining wet conditions and showing signs of filling in naturally and returning to a more natural profile. The OEE site visit also noted the walkway through the centre of the bog that was once a rail line, work done to enhance the amenity of the site with information boards and the installation of a board walk that loops around the bog.

Technical Assessment
The total extent of the Abbeyleix Bog is 190 ha and the licensee has requested that it be divested from the licensed site boundary. Even though peat extraction was never carried out on this bog, the requirements under condition 10 (cutaway bog rehabilitation) were completed in 2009 by BNM (co funded by the National Parks and Wildlife Services). Inspections carried out by the OEE have verified satisfactory rehabilitation of the Abbeyleix bog.

On the basis that OEE have completed the necessary exit audit and are satisfied that the area proposed by the licensee can be removed from the licensed site, a TA of the installation boundary under Section 96(1) (c) is considered appropriate. Furthermore, the Abbeyleix bog is now being managed (since 2010) to maximise the ecological benefits to the community in terms of education, employment, income and recreation.

The site boundary change has been addressed in the technical amendment through amending condition 1.4. The new site boundary is clearly defined in red and labelled as Coolnamona, Coolnacartan and Cashel Bogs on Drawing 2.2 'Cuil na Mona Group, Location Map' date 27/11/2015.

Appropriate Assessment
A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activities, individually or in combination with other plans or projects are likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at the River Barrow and River Nore SAC (002162), Lisbigney Bog SAC (000869), Slieve Bloom Mountains SAC (000412) and Knockacoller Bog SAC (002332), River Nore SPA (004233), Slieve Bloom Mountains SPA (004160)

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

It has been determined that this installation is not likely to have a significant effect on the European Sites as the change proposed is to facilitate the reduction of the existing site boundary and will reduce the extent of the operations permitted in the existing licence.

**Recommendation:**
I am satisfied that the requested change to condition 1.4 of IPC licence Reg. No. PO507-01 is reasonable and acceptable, and would not result in the relevant requirements of Section 83(5) of the EPA Acts, as amended, ceasing to be satisfied. Condition 1.4 shall be amended to read as:

Any reference in this licence to ‘site’ shall mean the plan area outlined in red and labelled as Coolnamona, Coolnacartan and Cashel Bogs on Drawing 2.2 ‘Cuil na Mona Group, Location Map’ date 27/11/2015.

Signed

Orla Harrington

Orla Harrington
Inspector