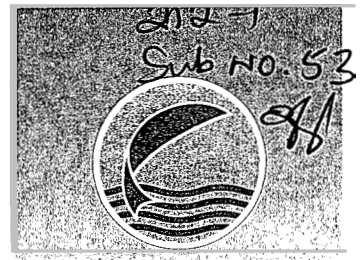




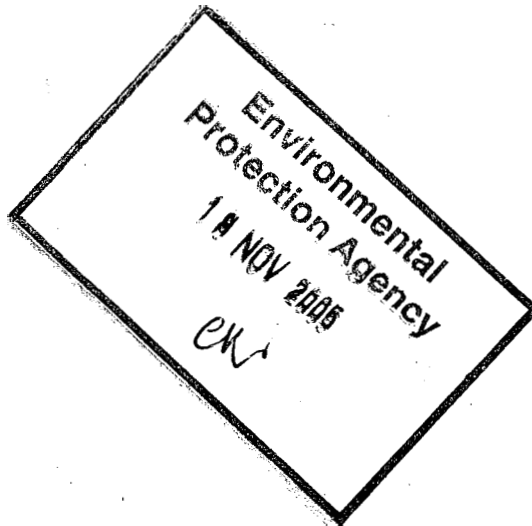
# Southern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Deiscirt



**Fisheries Ireland**

Our Natural Heritage



**By Registered Post**

17 November 2005

Ms. Eve O'Sullivan,  
Programme Officer,  
Office of Licensing and Guidance,  
EPA,  
P. O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford.

**Application for a Waste Licence by Advanced Environmental Solutions (Irl.) Ltd,**  
**Your Ref: Resister No. 212/1**

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Dear Ms. O'Sullivan,

I wish to refer to the letter dated 28<sup>th</sup> October 2005 submitted by Bedminster to the Agency concerning the above application, specifically to the additional information relevant to the EIS as submitted therewith.

In the final paragraph on page 2 of the additional information, it is stated:

***'Therefore it is considered that the effluent is suitable to discharge to sensitive waters and should not give rise to an additional impact on the river Suir.'***

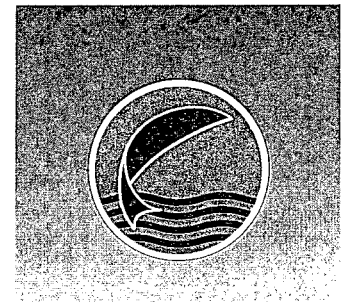
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While it may well be that effluent from the proposed treatment plant will meet the requirements of the Urban Waste Water Treatment Regulations, the fact of the matter is that it is already independently established, by your Agency colleagues based in the Regional Water Laboratory at Kilkenny, that, despite relatively recent improvements in water quality, the reach to which the proposed discharge is to be made is currently deemed as of unsatisfactory quality. In the circumstances, there appears to be no available assimilative capacity in the reach in question for further discharges.

On page 3 of the additional information, in the final paragraph, it is specifically stated:

***'The wastewater to be treated will typically be from the following industries - brewery and food processing.'***

The additional information then continues in the opening paragraph on page 4 where it is stated:

***'Given commercial sensitivities the names of the organisation, which produces suitable effluent for the wastewater treatment plant in Portlaw, cannot be divulged'***

**Given that the licensing process is one which should be open to public scrutiny, such comment from the applicants is of concern.**

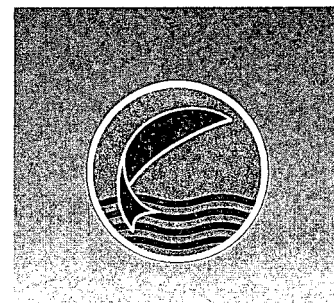
■ must inform the Agency that undersigned had a telephone communication on the morning of 27<sup>th</sup> October 2005 with a representative of the applicant company. The company representative explained he was enquiring as to whether this Board could provide to him information on industries in the region which were in non-compliance with the terms and conditions of licences held by them in respect of discharges to waters and sewers, but had between his first leaving a message for me and our actually speaking, established that information of the type in question was available from the SERBD. ■ advised the caller that the seeking of information on alleged non compliance apparently for commercial purposes was of concern, and further advised that information is generally publicly available detailing the terms and conditions imposed on licensees and the locations at which discharges are permitted. In





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fairness to the caller, it may be that in putting his request to me he did not choose a form of wording that properly reflected his request, and he did clarify after my response and expression of concern to him regarding the nature of his call, that it was information on the location of discharges which he primarily was seeking. While the nature of the enquiry is itself is of concern, one of the conclusions that might reasonably be drawn therefrom is that the applicant company, far from having established definitively relationships with individuals and organisations from which effluent is proposed to be taken for treatment, are attempting only to draw such information together at this late stage. Indeed, it might be further concluded that rather than having definitively established a need for further treatment, the applicant company is putting itself forward as one which may be able to provide treatment, at its Portlaw site as opposed to at the premises of the various industries to which approaches are being made.

While it is accepted that water quality generally throughout the Suir catchment is of concern, page 4 of the additional information is, we respectfully suggest, no more than subjective comment apparently with the intention of supporting the application. In particular, your attention is drawn to the paragraph on page 4 entitled **Discharges to the River Suir Section 4 Discharges** particularly to the use of the expression "watercourses". It would appear that the use of this term is intended to lead one to conclude that the discharges from the 29 un-named industries are being made to some very minute or minor rivers and streams, in terms of the volumes and **assimilative capacity therein. This as a matter of fact is incorrect, and we would ask** that the applicants be requested to submit clarification by providing a table showing precisely the locations of the discharges in question. It is of course a matter of fact that there are discharges of trade and sewage effluent made to waters and sewers, under and in accordance with the licensing provisions of the Local Government (Water Pollution) Acts, 1977 and 1990, and while it is not our contention that all is well and there is 100% compliance with such licences, it is we submit a fact that in the case of discharges to waters, the size, assimilative capacity and beneficial use of the water in question has been taken account of in the granting of such licences.

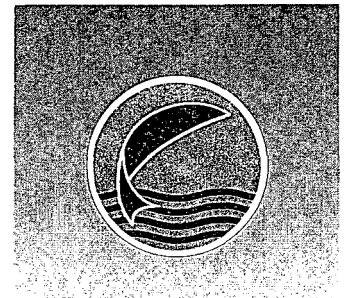
Similarly, in the paragraph on page 4 of the Additional Information under the heading **IPPC Discharges**, the term 'watercourses' is again used, suggesting that discharges from potentially significantly polluting industries are permitted to be





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made to minor waters. As the licensing authority, the Agency will of course be aware that this is not in fact the situation.

Under the paragraph on page 4 headed **Section 16 Discharges/WWTPs**, references made to discharges to sewers, and it is stated that

***'Of the 12 Urban Waste Water Treatment Plants, which are going to discharge to the Suir River Basin District it appears that only 5 have the capacity to process waste waters to a "secondary" level of treatment.'***

Undersigned is particularly familiar with discharges to waters in the Suir catchment, and I submit, assuming the grammatical error in the sentence to be such, that the statement made by the applicants is factually incorrect. For example, currently, there are local authority treatment plants located at Thurles, Cashel, Cahir, Clonmel, Carrick-on-Suir, Tipperary, Bansha, Fethard, Killenaule, Mullinahone and Holycross, to name locations that immediately come to mind, all of which are providing, at minimum, secondary treatment. It is therefore totally inaccurate and misleading to suggest that only 5 such plants have the capacity to process waste water to a secondary level. I fail to understand why it is considered appropriate to submit such apparently misleading information, and advise, should you require independent confirmation of the position, that you make direct contact with the local authorities concerned.

On page 6 of the Additional Information is contained Table 1 showing the typical characteristics of the waste waters proposed to be imported and treated at the Portlaw site. The quality of the information presented in the Table is such as to create very great doubt as to the general validity of the Additional Information as submitted. For example, the Table suggests that the COD range of effluent to be treated is 2000-6000 mg/l whereas the maximum COD is given as 2500 mg/l. Similarly, the BOD range is given as 1200-3600 mg/l, and yet the maximum given is 2100 mg/l. In the case of TSS, the range to be treated is from 200-1000 mg/l, yet the maximum value given in the Table is 900 mg/l. Which, if any, of the values are to be relied on?

The paragraph preceding Table 1 states that the values given in the Table are typical of those to be expected from the brewery and food-processing sectors. In the case of BOD, I have examined a small number of licences as granted by the EPA, and by

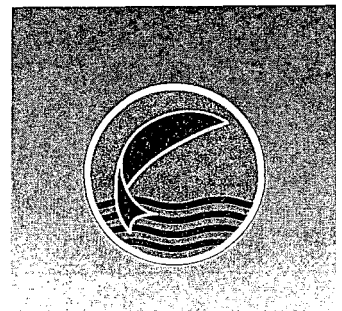






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way of example, Register **No. 444** sets out the standards to be complied with by Showerings (Ireland) Ltd., Dowd's Lane, Clonmel, a company engaged in commercial brewing. The permitted BOD set out in Schedule 2 (i) is in the case of BOD, 10,000 mg/l for a grab sample. Register **No. 443** deals with discharges also from Showerings, but from a separate premises located at Annerville, Clonmel. In the case of BOD, at emission reference point CS-1 a maximum concentration of 6000 mg/l is permitted in one set of circumstances, and a maximum of 10,000 mg/l, in a second separate set of circumstances. By way of further illustration, Register 448 sets out the standards applicable to E. Smithwick & Sons Ltd., in respect of discharges from their brewery at St. Francis Abbey, Kilkenny. The COD emission limit value on discharges from the premises to the Local Authority foul sewer is 10,000 mg/l, again dramatically higher than that indicated by the applicants as typical of COD for such discharges. These we respectfully submit are typical of the range of values that might be expected in untreated wastes from the brewing sector, and are dramatically in excess of those put forward by the applicants as typical of such values for wastes the propose to import and successfully treat at their Portlaw premises.

In the case of dairy processing, which we assume falls into the category of food processing as referred to by the applicants, the scientific literature gives a typical value of raw milk as having the BOD of 100,000 mg/l i.e. raw milk prior to treatment. Again this is orders of magnitude higher than that suggested by the applicants as typical of the type of effluent they might be dealing with.

It is our respectful submission that little reliance can be placed on the data set out in Table 1 on page 6 as submitted by the applicants by way of additional information.

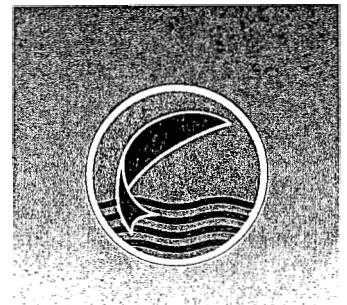
This Board regrettably has considerable experience down through the years in dealing with performance problems at various treatment facilities throughout the fisheries region. It is a well established fact, that the most efficient and best run treatment plants are those dealing with effluent of relatively stable characteristics. The bacterial and associated microbial life upon which treatment processes depend become as it were acclimatised to the nature of raw influent. Treatment systems where influent nature and quality alter dramatically over relatively short time scales do not perform well in terms of treatment efficiency. Indeed, where within manufacturing processes effluent nature and quality is anticipated as altering because of e.g., a new manufacturing process or alterations in the composition of raw





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materials and intermediates, it is often necessary for the industries concerned to developed pilot scale treatment plants, in order to allow the necessary bacterial and associated micro-organisms to develop and become acclimatised to the changed nature of the wastewater. This appears to contrast sharply with the applicants proposals where it appears they do not have reliable information on, or an understanding of the nature and polluting strength of the wastewater they propose importing.

As already set out in our letter of objection dated 17<sup>th</sup> December 2004 to the Agency, from our perspective as the statutory fisheries authority, we are faced with a waste licence application involving importation of unspecified liquid waste of unspecified origin to the Suir catchment, with disposal of same following treatment, the efficiency of which surely is doubtful based on the further information supplied, to a tidal reach of the River currently, despite relatively recent improvements in water quality, deemed as of unsatisfactory quality. Accordingly, the Board wishes to re-state its objection to the granting of a waste licence for that element of the proposal entailing the importation of waste water to the applicants' Portlaw.

Yours sincerely,

Patrick Kilfeather,  
Senior Environmental Fisheries Officer.

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