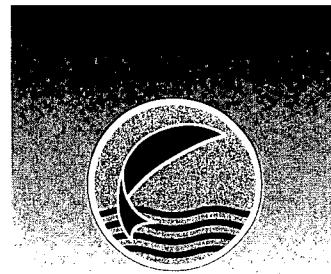




# Southern Regional Fisheries Board

Bord Iascaigh Réigiúnach an Deiscirt



**Fisheries Ireland**

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Sub (1)

17 December 2004

Ms. Eve O Sullivan,  
Programme Officer,  
EPA,  
Office of Licensing & Guidance,  
Johnstown Castle Estate,  
Co. Wexford.

Application for a Waste Licence by  
Advanced Environmental Solutions (Ireland) Ltd  
Your Reference: Register No. 212-1

Dear Ms. O Sullivan,

As the statutory fisheries authority, we wish to submit the following observations and comments on the waste licence application in relation to a premises located at Killowen, Portlaw, Co, Waterford.

While the Board is not in principle opposed to the composting element of the licence application, the general lack of detail in the EIS is of concern. References to the IPC licence which existed in respect of the previous site owners/operators are not in our considered view relevant, as the application before you is for an entirely different operation and process to that previously carried out at the Killowen site.

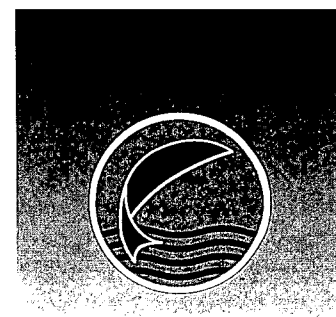
Insofar as the EIS attempts to describe the existing environment, and presumably establish baseline or reference conditions, data from the early 1990's is used. Never

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before have we encountered a licence application and EIS based on such dated information. In terms of the receiving aquatic environment, the applicants appear not to have attempted to describe the current state of the River Suir, in particular the fisheries resource, and how it might be impacted by the proposed activities.

The EIS contains largely subjective statements to the effect the previous IPC controlled facility, the tannery operated by Michell, did not adversely impact on the receiving waters. Apparently because Michell in the applicants view did not adversely impact the Suir, neither will the development proposed by AES. Factually, this is incorrect, and in this regard you are referred to the EPA Report entitled - RIVER WATER QUALITY IN SOUTH-EAST IRELAND, 2002. In the case of the River Suir, under the heading 'Assessment', the Report *inter alia* states.

'Overall quality is also reduced in the lower reaches of the river-at Twomile Br (d/s Clonmel), at Carrick-on-Suir, near Portlaw (Michelle tannery) and at Waterford City.'

'High DOs in the lower reaches of the River Suir (stations 2700 to 3030) are indicative of eutrophication.'

'Ammonia is also elevated at stations 3000 and 3030 - tidal stretch in the vicinity of the Michelle tannery near Portlaw.'

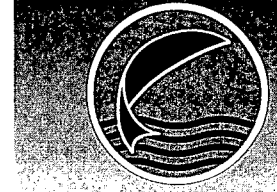
It is apparent from the EPA 2002 report referred to above, that the EIS as submitted is both inaccurate and seriously misleading. Far from having no effect, the Michell tannery is specifically identified by the EPA as the source of elevated ammonia concentrations. As you are aware, ammonia in its unionised form is highly toxic to salmonids at extremely low concentrations.

There has been an improvement in water quality following the closure of the Michell tannery, and in this specific latter regard you are referred to the EPA Report entitled - RIVER WATER QUALITY IN SOUTH-EAST IRELAND, 2003 In the case of the River Suir under the heading 'Change from 2002' the Report states.



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'The closure of two tanneries in 2003 led to significant improvements in water quality at these areas: Significant improvement was observed d/s Clonmel-following the closure of Ronan's tannery. Ammonia levels also improved in the tidal reach d/s Fiddown-following the closure of the Michelle tannery near Portlaw.'

The applicant's appear to take the view that insofar as discharges to waters are concerned, standards relating to previous (tannery) operations at the Killowen site are appropriate to them. We reject this contention, and submit that each and every proposed discharge to waters must be assessed on its own merits, and in the context of the standards and legislative framework applicable at the time. From the earlier referred to EPA Reports, it can only be concluded that the IPC licence to which AES refer failed to provide satisfactory protection for the River Suir, and accordingly such licence conditions if applied by the Agency to AES would also provide insufficient safeguard for the receiving environment.

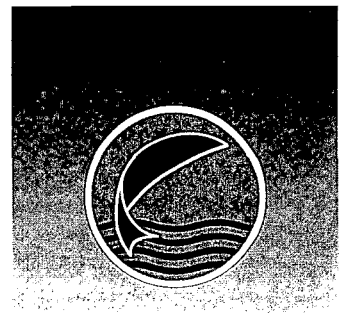
Within the EIS, no evidence whatsoever has been presented as to the treatability of the various effluents proposed to be imported into the Killowen site, nor apparently has any assessment been carried out on the former Michell treatment plant which was designed specifically in the context of treating tannery effluent, as to whether the plant in question is capable of providing adequate treatment.

As the Agency is aware, the quality of the Suir in the reach to which discharge is proposed to be made is less than satisfactory, and the EPA in their report entitled "AN ASSESSMENT OF TROPHIC STATUS OF ESTUARIES AND BAYS IN IRELAND" have assessed the upper Suir estuary between Coolnamuck Weir and Mount Congreve as being eutrophic, based primarily on the level of nitrate nitrogen therein. In addition, under the provisions of S.I. No. 254 of 2001 - The Urban Wastewater Treatment Regulations, 2001, the Suir Estuary (Upper) from Coolnamuck Weir to Mount Congreve has in Part 2 of the Third Schedule to the forementioned Regulations, been accorded the status of a "Sensitive Area". Against this background, the waste licence application before the Agency has to be viewed as one which seems contrary to the principal of sustainable development. The composting proposal may have merit, as it seeks in effect to transform waste into a soil conditioner/fertiliser, but a proposal which involves importation of ca 60,000



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tonnes/p.a. wastewater from unspecified premises and locations to the Killowen site, albeit apparently for further treatment, seems to this Board not to constitute sustainable development.

From our perspective as the statutory fisheries authority, we are faced with a waste licence application involving importation of liquid waste to the Suir catchment, with disposal of same to a tidal reach of the river currently, despite relatively recent improvements in water quality, deemed as of unsatisfactory quality. In the circumstances, the Board objects to the granting of a waste licence for that element of the proposal entailing the importation of wastewater.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Kilfeather'.

Patrick Kilfeather,  
Senior Fisheries Environmental Officer.

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