



# Atlantic Shellfish Ltd.

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Environmental  
Protection Agency  
09 APR 2008

Environmental Licensing Programme,  
Office of Climate, Licensing and Resource Use,  
Environmental Protection Agency,  
P.O. Box 3000,  
Johnstown Castle Estate,  
Co. Wexford,  
Ireland.

4<sup>th</sup> April 2008

Dear Sirs,

## Waste Water Discharge Licence Application D0057-01 Ringaskiddy/Carrigaline sewage discharges.

We wish to object to the licensing of the discharges of raw sewage from Ringaskiddy and Carrigaline. The total discharge has been greater than 10,000PE for a long time and the discharges should have been treated by 31<sup>st</sup> December 2005.

The present discharges are therefore in contravention of the Urban Waste Water Treatment Directive (91/271/EEC) and the Urban Waste Water Treatment Regulations, 2001 (S.I. No.254 of 2001) and in danger of infraction proceedings and, as such, cannot be licensed until they comply with the Directive and the Regulations.

We are sorry that we are unable to comment on the EIS for the Lower Harbour Sewage Scheme, which will take and treat the effluent from Cobh, Ringaskiddy, Passage West, Monkstown, Crosshaven and Carrigaline as it is not yet available. We note that the size of the discharge was calculated at 97,556 PE in 2006: 14,864 PE for Crosshaven, Carrigaline and Shanabally and 82,692 PE for non-domestic loadings. It is not particularly clear whether the 80,000 PE in the Cobh application is just for the Cobh effluent. In any event this is a huge BOD load to be discharged without treatment into Cork Harbour and we would trust that it cannot be licensed by yourselves until it complies with the UWWT Directive and Regulations.

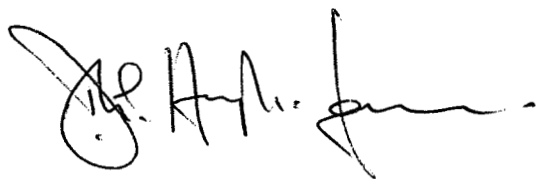
We must advise you that we are the holders of the Oyster Fishery (Cork Harbour) Order, 1963, which covers all those waters of the Lower Harbour to the east of a line drawn from Long Point (ESB Power Station) to Cuskinny House, Cuskinny Bay and that we have 13 km of oyster trestles on the foreshore at Rostellan and also extensive sub-tidal layings.

We understand that the area is shortly to be designated a Shellfish Water under the Shellfish Waters Directive (79/923/EEC) following the European Court of Justice finding in Case C-148/05 of 14<sup>th</sup> June 2007 and we trust that, in setting the consent for the future treated discharge at Dognose, you will ensure that the requirements for the receiving waters under this Directive will be met in line with Article 5 of the UWWT Regulations.

In his hydrodynamic survey, "*Modelling the norovirus contamination of an oyster farm in Cork Harbour*", submitted to you as supporting information for the County Council's Application for a WWDL for the Midleton WWTP discharges (D0056-01), Prof. O'Kane devotes Chapter 6 to looking at the effect of the Carrigaline and Crosshaven sewage discharges on the oyster beds covered by this Oyster Fishery Order in the Lower Harbour and concludes that, at present, their discharge of sewage contributes approximately a third of the contribution of Cobh and Ringaskiddy, under summer conditions, to these beds and about half in the winter.

Thus, until the sewage from the towns of Carrigaline, Crosshaven and Ringaskiddy and, indeed, all these Lower Harbour and Passage West towns, is fully treated, we trust that you will not see fit to license their numerous discharges of untreated sewage into Cork Harbour.

Yours sincerely,



D.L.I. Hugh-Jones

copy to Legal Unit, DG Environment, Brussels

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