

Killinure House Lower,
Tullow,
Co. Carlow

8th March 2010

Mr Pat Byrne,
EPA Regional Inspectorate Dublin,
McCumiskey House,
Richview,
Clonskeagh Road,
Dublin 14.

**Re: D0034-01
Application for Urban Waste Water Discharge License**

Dear Mr Byrne,

Further to Dublin City Council supplying additional information as requested to the Dublin office of the EPA I wish to make the following observations:-

1. The proposals put forward by Dublin City Council as described in their additional information will require an EIS.
2. By extension and Urban Waste Water Discharge License cannot be granted until the EIS procedure has been completed satisfactory and approved.
3. Dublin City Council has not included a description of the waste created by the Ringsend Waste Water treatment facility nor has it dealt with how this waste is to be disposed of.
4. Dublin City Council's Waste Management Plan does not contain a sludge Management Plan therefore the Waste Management Plan is defective and therefore is an arguable case that Dublin City Council does not have a Waste Management Plan and by implication this calls into question the existence of Dublin City Council's Five Year Development Plan.
5. At present the waste that (treated sludge) that is being produced is being stored in an unauthorised storage facility and this facility does not have the required planning permission.
6. The lands on which this treated sludge has been spread in the past has been the subject of comment in the Environmental Protection Agency bi-annual

Urban Waste Water Discharges in Ireland reports and there are some 850 cases of where the maximum concentration of heavy metals in soils where Ringsend sludge was used in agriculture exceeded the permitted levels. (see tables 5.11 2000/2001, 2002/2003 and 2006/2007)

7. The Ringsend Waste Water Treatment facility and the associated Waste Water Discharge License should be the subject of an IPPC license.
8. Dublin City Council's proposal is that no additional treatment takes place at the Ringsend facility and that the waste water is discharged at a non compliance standard.
9. No reference has been made of the EDC's (endocrine disrupting chemicals) that are known to occur in urban waste water discharges.
10. The affects of endocrine disrupting chemicals on fish are well known and no reference or account has been made as to the affect of a concentrated discharge of waste water from a fixed point over a long period of time.
11. The original catchment area to be serviced by the Ringsend Waste Water Treatment Plant was scheduled to include Dublin City Council, Dun Laoghaire/Rathdown, Dublin South and parts of Fingal Council, in Dublin City Council's latest additional information states that all of Fingal is to be included in the catchment area as well as significant portions of County Meath. Therefore the catchment area of this plant that is already working beyond its design capacity has been increased without the necessary additional capacity being installed and the necessary approvals and EIS's being sought and obtained.
12. The state, design and capacity of the Ringsend Waste Water Treatment plant is PE 1.64million yet no information or explanation has been provided as to the reason why the PE dropped from 2.34 in 2002 down to 2.187 in 2003 and then increased to 2.47 in 2004. (see attached)
13. Dublin City Council have not given any information as to any material that has been transported by road tanker to the site for treatment. No source or composition of tanker material has been disclosed.

Tanker waste has been observed being transported and introduced into the sewage system of the Dublin Waste Water catchment area. The date, time, location and registration numbers of the vehicles concerned have been recorded.

14. Dublin City Council's application for a waste water discharge license and the EPA's processing of this application must take into account the decision and ruling of the European Court of Justice case number C-188/08.

15. All waste water treatment facilities are now obliged to comply with **BEST AVAILABLE TECHNOLOGY (BAT)**, the old standard of **BEST AVAILABLE TECHNOLOGY NOT EXCEEDING EXCESSIVE COST (BATNEC)** is now an obsolete standard.

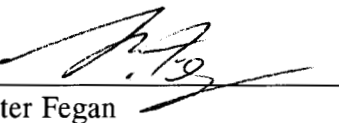
16. All waste water treatment facilities and all effluent and sludge disposal procedures are required to act on the **PRECAUTIONARY PRINCIPLE**.

The precautionary principle should also apply to locating, identifying withdrawing from agricultural use either permanently or temporarily the 850 cases identified in the Urban Waste Water Discharge reports as mentioned in point 6.

It should be noted that a complaint about the operation of the Ringsend Waste Water Treatment Plant has been brought to the European Commission.

Finally, I would be much obliged if you could send me a receipt of this observation by post.

Yours sincerely,


Peter Fegan

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Encl.

Requirement 2.

B.9 (i) Population Equivalent of Agglomeration

TABLE B.9.1 POPULATION EQUIVALENT OF AGGLOMERATION

The population equivalent (p.e.) of the agglomeration to be, or being, served by the waste water works should be provided and the period in which the population equivalent data was compiled should be indicated.

Population Equivalent (measured)	2.54 million
Data Compiled (Year)	2006 EPA Return
Method	Maximum weekly average (UWW Regulations, 2001 Methodology)

Historical Trends

Measured Population Equivalent values reported to the EPA since 1998 were as follows :

Year	Population Equivalent Ringsend million (measured)	Population Equivalent North Dublin million (estimated)
1998	1.398	0.5
1999	1.819	0.5
2000	1.903	0.5
2001	2.01	0.4
2002	2.34	0.4
2003	2.187	0.4
2004	2.47	0.1
2005	2.38	N/A
2006	2.54	

Historical trends show a fairly consistent growth in the Dublin PE (which was the sum of the Ringsend and North Dublin Agglomerations until 2003) when the Sutton Pumping Station was connected to Ringsend. The 9 year period to the end of 2006 covered the domestic, industrial and commercial growth and development period of the celtic tiger.

Future Predictions

Year	Population Equivalent Ringsend million (measured)
2007	2.87
2008	>3.00 (incomplete)

Section 3 Loading Analysis

3.1 Current Loading

In this section the characteristics of the wastewater received at the Ringsend Waste Water Treatment Works (WwTW), in the Period 2003 to December 2008, is assessed. Analytical data was collected from the contractor, Celtic Anglian Water (CAW) and their subcontracted analytical Laboratory City Analysts as well as from the Dublin City Council's Central Laboratory.

3.1.1 Flow Analysis

3.1.1.1 Background & Design

Flows are received to the WwTW from the following catchment areas:

- Main Lift Pumping Station (MLPS);
- West Pier Dun Laoghaire Pumping station;
- Sutton Pumping Station; and
- Dodder Valley Siphon.

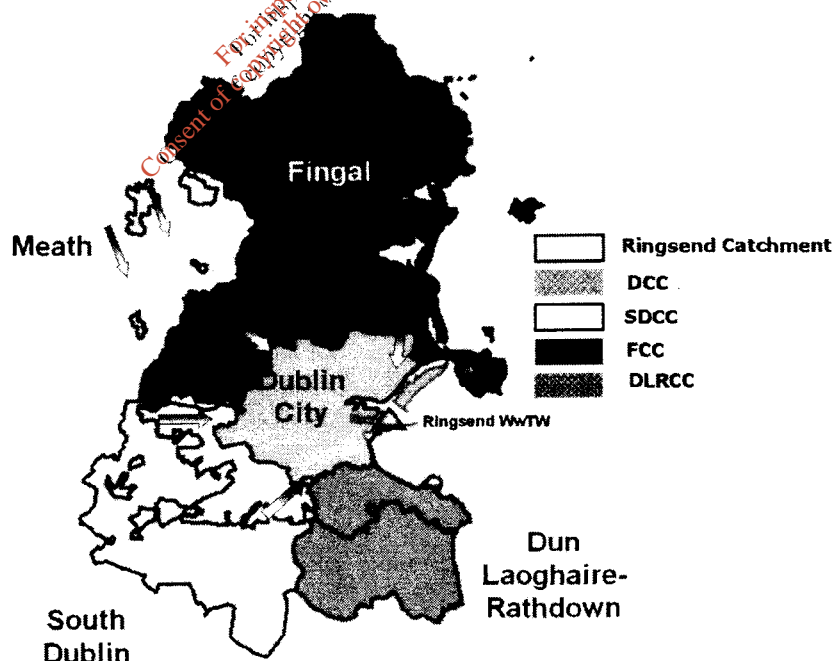


Figure 3.1 Catchments to Ringsend (Source: GSDSDS 2008)

The peak storm flow to Ringsend is 22.6 m³/s and storm holding tanks cater for flows in excess of full flow to treatment (FFT), which is 11.1 m³/s. Storm holding