



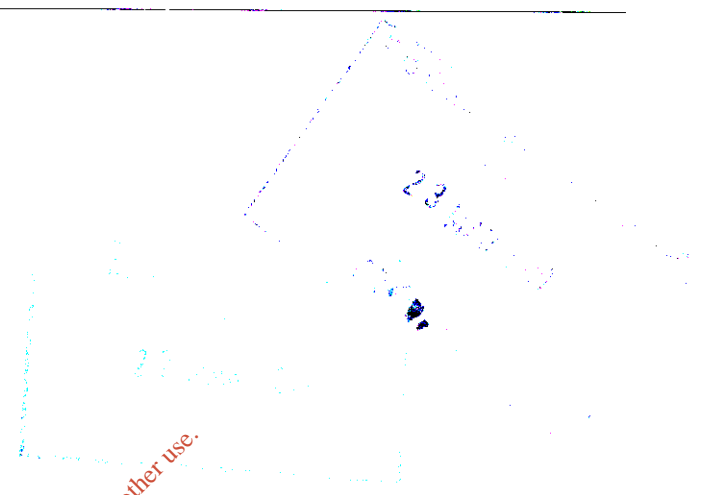
# Atlantic Shellfish Ltd.

The Thatched Cottage, Penberth, St. Buryan,  
Penzance, Cornwall TR19 6HJ.

Tel: + 44 1736 810659  
e-mail: david@oysters.co.uk

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

18<sup>th</sup> March 2010



Dear Sirs,

## Midleton WWTP Waste Water Discharge Licence Application D0056-01

Thank you for posting on the web the Inspector's further question for Cork County Council together with their reply of 8<sup>th</sup> March.

As I have much more information at my disposal on Midleton WWTP than she may have time to collect for herself, I hope I may be allowed to comment on the reply the County Council has given to her.

It seems to me that even if they are not taking chemical analyses of the storm overflows (which might not be readily expected of them), it must be quite easy to reach the figure she has asked for by simply subtracting what is measured as arriving to be treated in the WWTP, from the expected daily load arising in the town.

The daily load given to yourselves in the latest County Council estimate, based on planning permissions, as had been asked for, was 16,642 PE. To this, the DOEHLG NUWS Vol. 2 Part A entitled Methodology, No. 4 Flow and Load Assessment, Section 5 (2004) suggests 16% should be added to the domestic/residential loading as the normal increase due to the commercial loading of the town. This takes the daily waste load to 19,305 PE or 1,158kg BOD, without adding anything for any industrial load.

I enclose the influent results for November and December 2009 and January 2010, converting the COD figures in the ratio COD:BOD given in the reports of 2:1 and entering the resulting BOD estimates and their PE equivalents in a table for these 3 months alongside the storm overflow

figures that I am given monthly. You will see that the waste loads being treated in the WWTP decline to just a fraction of the town's current loading, as the daily storm overflows increase in size, and I have added a column to give you what the Inspector was looking for - an estimate of the daily PE and mass load (kg BOD) of the untreated waste water lost from the agglomeration. I have added a further column showing this loss of mass load, expressed as a percentage of the town's expected mass load or PE.

I have also used the County Council's own published figures of the monthly average daily loadings, which are calculated by the Plant Operator, EPS, and published in the Monthly Reports. You will see that the same broad correlation exists between the shortfall in loadings which could be expected at the plant and the volume lost in storm overflows and that the mass load lost has generally been over 40% of the load that would be expected from the town. With the quite enormous overflows of this last November and January, the average daily loss of untreated sewage has been as much as three quarters of all the sewage that the town produces.

As I have advised you in the past, on top of the storm overflows, about 3,500m<sup>3</sup>/day more than would be expected from the sum of the treated effluent from the WWTP and the industrial flow (the only two recognised flows to the p/s), are pumped out from the final pumphouse at Ballinacurra 1 to Rathcoursey Point – and these daily volumes are quite clearly, also, untreated and they may contain much of the lost sewage load. They are also discharged very close to both the North Channel and Rostellan oyster areas.

I have included in both tables the contemporaneous contamination by norovirus of the oysters in the North Channel receiving waters. As you know, the oyster fishery was closed down in October 2002 because of continual reports of illness by customers, due to norovirus, which comes only from human sewage. The virus can survive for up to 6 weeks in the oyster tissue and is very difficult to remove by UV depuration. Levels from May to September 2009 are mainly low to medium, as is often found in summer due to lower levels of gastro-intestinal infections in the population and the high levels of virucidal, natural UV, but the winter levels, during the principal oyster-selling season, are extremely high and are preventing the fishery from re-opening. As you can see from the tables, this is also the time when storm overflows in Midleton are at their highest and the mass load of sewage escaping untreated, has reached monthly average daily levels of over 70% of what would be hoped would go through the plant and on 8 days between November 2009 and January 2010, that percentage had reached 80% and above, with the plant to all intents and purposes by-passed.

The Shellfish Industry is taking heart from the great scientific leaps forward in the estimation of norovirus contamination and in the fact that norovirus is now a recognised factor to be taken into account in establishing Shellfish Water Pollution Reduction Programmes and that the requirements of the European Communities (Quality of Shellfish Waters) Regulations, 2006 (as amended) have been fully integrated into the licensing programme you are at present undertaking for waste water discharges.

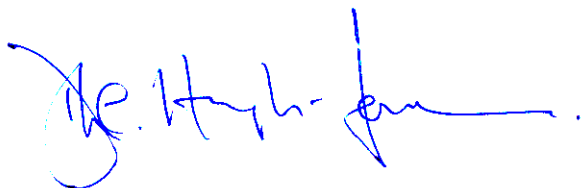
Further, we understand that, in accordance with the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007), "*the EPA is not allowed to grant an authorisation for a waste water discharge, which, in the opinion of the EPA, would.... exclude or compromise.... the achievement of environmental quality standards established under national Regulations in relation to designated.... shellfish waters*" – such as those now designated in the North Channel and at Rostellan.

I hope very much that you will agree with the above methodology of arriving at the answers to the questions you were seeking and that these very high figures for untreated waste in the water lost in storm overflows and at Rathcoursey, on an almost continuous basis over the winter, will prevent the Midleton discharges from being granted any authorisation by you.

I do hope also that you will continue to press the questions in your Inspector's letter of 18<sup>th</sup> August 2009 to J.B. Barry and Partners, on behalf of the County Council, to which you do not appear to have been given satisfactory replies. They were searching questions and need replies.

With best wishes,

Yours sincerely,



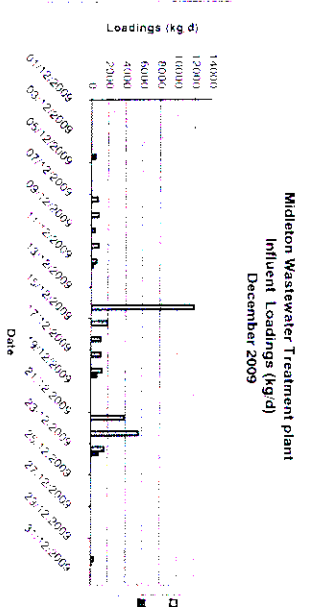
D. Ll. Hugh-Jones

For inspection purposes only.  
Consent of copyright owner required for any other use.



Monthly Report: Middleton December 2009 - Effluent

INFLUENT ANALYSIS													
Date	Time	Flow (m³/s)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)	Flow (ML/d)
01-Dec-09	06:00	6550	1299	513.39	8358	107							
02-Dec-09	06:00	6941	1345	499.91	8716	112							
03-Dec-09	06:00	6663	1302	600.85	8271	110							
04-Dec-09	06:00	7157	1377	860.31	9394	121	7820						
05-Dec-09	06:00	6734	1302	868.06	8904	115							
06-Dec-09	06:00	1343	1216	860.89	3420	44	1277						
07-Dec-09	06:00	6866	1281	829.85	8976	115							
08-Dec-09	06:00	6866	1281	729.30	8025	112	7502						
09-Dec-09	06:00	6813	1172	577.09	8899	112	7514						
10-Dec-09	06:00	6813	1172	443.73	8142	107	7575						
11-Dec-09	06:00	6446	1350	456.11	8292	107	4764						
12-Dec-09	06:00	6855	1388	435.10	8678	112							
13-Dec-09	06:00	5721	1179	422.67	7923	94							
14-Dec-09	06:00	6934	1411	411.03	8226	100	7772						
15-Dec-09	06:00	6858	1411	358.34	8087	104	7575						
16-Dec-09	06:00	6906	1408	405.73	8254	106	7575						
17-Dec-09	06:00	6942	1415	377.11	8254	106	7575						
18-Dec-09	06:00	7062	1402	386.03	8345	107	11409						
19-Dec-09	06:00	7206	1419	354.37	8619	111							
20-Dec-09	06:00	6603	1419	282.05	7704	93							
21-Dec-09	06:00	6822	1419	352.80	7764	100	7575						
22-Dec-09	06:00	6922	1411	341.41	7724	94	7575						
23-Dec-09	06:00	6402	1309	480.70	7796	100	13942						
24-Dec-09	06:00	6402	1309	316.57	7637	98							
25-Dec-09	06:00	6334	1216	514.34	7624	101							
26-Dec-09	06:00	6124	1152	600.89	7577	97							
27-Dec-09	06:00	8820	1416	389.56	8136	105							
28-Dec-09	06:00	8018	1416	475.34	7911	94							
29-Dec-09	06:00	6421	1302	650.44	7932	102							
30-Dec-09	06:00	3506	872	687.85	5086	65	1942						
31-Dec-09	06:00	7050	1343	459.92	8553	114							
Average		6383	1059	532	7375	103	8080	2316	485	2	1333	121	16



For inspection purposes only - not for any other use  
Consent of copyright owner required for any other use

Middletown January 2010 - Influent

Date	INFLUENT ANALYSIS													Total Cylinder Turns	Last Cylinder Read						
	BOD 5 mg/L	SS 300 mg/L	DWV 500 mg/L	1 mg/L	2 mg/L	3 mg/L	4 mg/L	5 mg/L	6 mg/L	7 mg/L	8 mg/L	9 mg/L	10 mg/L								
01-Jan-10	7560	843	858.94	661.64	114			681	2.21	596		70	7.6	7.3							
02-Jan-10	6319	839	581.43	7839.48	88																
03-Jan-10	6704	859	584.19	6257.18	108																
04-Jan-10	8301	815	412.95	7083.86	91			681	2.21	596		70	7.6	7.3							
05-Jan-10	6411	858	418.58	7681.58	98																
06-Jan-10	6553	869	418.10	7858.1	101																
07-Jan-10	6560	869	418.80	7858.1	101			682	2.16	251		32	7.5	8.1							
08-Jan-10	6660	872	414.82	7948.62	102			1006.0	1484	604	2	68	7.5	12.1							
09-Jan-10	6771	876	400.40	8047.4	103																
10-Jan-10	6279	874	545.87	7698.87	99			0													
11-Jan-10	5804	889	555.83	7080.83	91																
12-Jan-10	5904	889	708.09	7507.09	96																
13-Jan-10	6512	967	642.27	8121.27	104																
14-Jan-10	5643	850	822.16	7355.16	95			633	1.77	382		52	7.5	0.4							
15-Jan-10	6418	936	865.64	8214.64	106			534	1.68	312		38	7.5	3							
16-Jan-10	6787	972	860.74	8919.74	111																
17-Jan-10	7084	1019	744.94	8847.94	114																
18-Jan-10	5915	994	481.27	6780.27	87			278	1.37	108		20	7.3	1.0							
19-Jan-10	6546	951	730.57	8287.57	107			978	1.61	497		60	7.45	6.6							
20-Jan-10	5921	927	750.19	7509.19	98			381.3	1.72	266		117	7.4	6.4							
21-Jan-10	6353	946	669.83	8198.83	105			138.3	1.72	816		100	7.5	5.1							
22-Jan-10	2895	941	869.89	4695.89	60			4147.3	408	249	2	319	7.5	5.1							
23-Jan-10	6317	918	543.85	7778.85	100																
24-Jan-10	6964	1024	484.35	8482.35	108																
25-Jan-10	6630	973	418.35	8011.35	103			769	1.71	144		18	7.4	6.7							
26-Jan-10	7249	934	426.84	8668.84	111			732	2.17	172		20	7.47	8.3							
27-Jan-10	7560	964	414.97	8328.97	103			634	2.17	116		107	7.5	1.5							
28-Jan-10	6821	0	431.66	7252.66	83			358	1.74	580		24	7.5	5.0							
30-Jan-10	7402	0	427.61	7854.61	101							80	7.5	5.0							
Average	6446.839	764.813	593.82	7814.819	100.4892			1301.44	2.038805	2.5044928	1080.174	88.57418	15.72843	22.2926	42.81	133.4375	7.5	6.475		460000	240,000
Average			593.82	7814.819	100.4892			1301.44	2.038805	2.5044928	1080.174	88.57418	15.72843	22.2926	42.81	133.4375	7.5	6.475		460000	240,000

Middletown WWTF  
Operational Report - EPS  
9

Consent of copyright in the report by the EPA is hereby granted for the purpose of making a copy of this report available to the public through the Internet. This consent does not extend to the reproduction of the report in any other form or for any other purpose. All rights reserved.

Middleton WWTP influent load and storm overflows in November and December 2009

Date	Storm overflows from Bailick 1 & 2 (m3)	Influent BOD & SS from EPS Reports using external and on-site lab. results			Estimate of daily waste of 19,305 PE or 1,158kg BOD left untreated after subtraction of the quantity treated in the WWTP		% of daily load which has not passed through the WWTP	Norovirus found in oysters/g by Marine Inst. in detectable virus genome copies	
		Population equivalent (PE) (design 10,000)	BOD Figs in italics calculated 2:1 from COD's	SS (kg/day)	PE	BOD (kg)		G I	G II
Nov-09 av.		6,451	387	664					
01.11.09	5,558								
02.11.09	3,308	13,083	785	1,283	6,222	373	32%		
03.11.09	2,783	11,950	717	1,147	7,355	441	38%		
04.11.09	2,142	8,417	505	1,255	10,888	653	56%		
05.11.09	1,829	4,608	277	560	14,697	882	76%		
06.11.09	1,998	6,640	399	496	12,665	760	66%		
09.11.09	1,584	8,175	491	764	11,130	668	58%		
10.11.09	3,967	3,117	187	315	16,188	971	84%		
11.11.09	2,138	7,192	432	721	12,413	727	63%		
12.11.09	6,620	6,608	397	599	12,697	762	66%		
13.11.09	4,603	2,837	170	604	16,468	988	85%		
14.11.09	7,299								
15.11.09	4,304								
16.11.09	8,843	3,766	226	361	15,539	932	80%		
17.11.09	6,880	8,042	483	532	11,263	676	58%		
18.11.09	6,446	5,558	334	767	13,747	825	71%	nd	6,010
19.11.09	9,063	7,292	438	762	12,013	721	62%		
20.11.09	21,773	3,925	236	207	15,380	923	80%		
21.11.09	14,447								
22.11.09	13,316								
23.11.09	8,710								
24.11.09	7,187	5,042	303	512	14,263	856	74%		
25.11.09	7,609	6,175	371	470	13,130	788	68%		
26.11.09	5,038	6,125	368	855	13,180	791	68%		
27.11.09	4,442	4,025	242	397	15,280	917	79%		
28.11.09	4,228								
29.11.09	3,699								

KEY

Figures in blue are not shown in EPS Monthly Report but are calculated at 60g BOD/head/day

Figures in italics are BOD converted from COD at the ratio 2:1

Design load of WWTP 10,000 PE (1993)

Cork CC present estimate of PE based on planning permissions 16,642 PE (not incl. commercial or industrial)

DoEHLG average estimate for commercial load is 16% of population load.

Thus expected daily load is now 19,305 PE

Date	Storm overflows from Baillick 1 & 2 (m3)	Influent BOD & SS from EPS Reports using external and on-site lab. results			Estimate of daily waste of 19,305 PE or 1,158kg BOD left untreated after subtraction of the quantity treated in the WWTP		% of daily load which has not passed through the WWTP	Norovirus found in oysters/g by Marine Inst. in detectable virus genome copies
		Population equivalent (PE) (design 10,000)	BOD Figs in italics calculated 2:1 from COD's	SS (kg/day)	PE	BOD (kg)		
30.11.09	2,567							
Dec-09 av.		18,604	1,173	1,347				
01.12.09	2,252							
02.12.09	7,317							
03.12.09	4,424							
04.12.09	3,064	7,829	470	385	11,476	689	59%	
05.12.09	5,119							
06.12.09	7,902							
07.12.09	9,769	6,883	413	341	12,422	745	64%	
08.12.09	3,573	7,508	451	589	11,797	708	61%	
09.12.09	4,293	3,842	231	383	15,463	928	80%	
10.12.09	3,240	7,233	434	634	12,072	724	63%	
11.12.09	2,396	4,284	257	381	15,021	901	78%	
12.12.09	2,396							
13.12.09	2,138							
14.12.09	1,525	99,742	5,985	8,094				
15.12.09	1,037	16,375	983	1,375	2,930	116	15%	
16.12.09	641	9,517	571	427	9,788	587	51%	Pos<LOQ
17.12.09	650	9,883	593	692	9,422	565	49%	
18.12.09	484	11,405	684	1,018	7,900	474	41%	
21.12.09	214	31,850	1,917	1,136				
22.12.09	216	45,825	2,950	3,434				
23.12.09	572	14,942	1,544	897	4,363	262	23%	
29.12.09	2,108							
30.12.09	3,524	1,942	117	415	17,363	1,042	90%	
31.12.09	17,386							
Jan-10 av.		14,606	877	1,060				
01.01.10	5,092							
02.01.10	3,620							
03.01.10	3,263							

Colour code:

less than a third of daily load is treated

less than half the daily load is treated

less than two thirds of daily load is treated

storm overflows at more than originally estimated for the whole year.

Norovirus contamination

High level of contamination is above 1,000 dv/gc/g (detectable virus genome copies/g)



Date	Storm overflows from Ballick 1 & 2 (m3)	Influent BOD & SS from EPS Reports using external and on-site lab. results			Estimate of daily waste of 19,305 PE or 1,158kg BOD left untreated after subtraction of the quantity treated in the WWTP		% of daily load which has not passed through the WWTP	Norovirus found in oysters/g by Marine Inst. in detectable virus genome copies	
		Population equivalent (PE) (design 10,000)	BOD Figs in italics calculated 2:1 from COD's	SS (kg/day)	PE	BOD (kg)		G I	G II
04.01.10	2,925								
05.01.10	2,167	5,508	331	538	13,797	828	71%		
06.01.10	1,386	5,767	346	251	13,538	812	70%		
07.01.10	1,357	11,233	674	298	8,072	484	42%		
08.01.10	648	10,066	604	540	9,239	554	48%		
11.01.10	1,598								
12.01.10	2,398								
13.01.10	14,935								
14.01.10	4,889	5,274	317	382	14,031	842	73%	5,790	4,210
15.01.10	7,040	2,464	148	312	16,841	1,010	87%		
16.01.10	11,446								
17.01.10	8,078								
18.01.10	4,324	2,317	139	136	16,988	1,019	88%		
19.01.10	4,833	7,733	464	497	11,572	694	60%		
20.01.10	8,161	32,608	1,957	2,781					
21.01.10	5,276	11,358	682	816	7,947	477	41%		
22.01.10	14,555	4,147	249	319	15,158	909	79%		
23.01.10	6,282								
24.01.10	5,072								
25.01.10	3,690	6,408	385	144	12,897	774	67%		
26.01.10	2,351	6,100	366	172	13,205	792	68%		
27.01.10	1,267	114,525	6,872	8,970					
28.01.10	851	5,283	317	225	14,022	841	73%		
29.01.10	999	2,901	174	580	16,404	984	85%		

## Estimates of average daily mass load and PE lost in storm overflows etc. from Middleton WWTP each month during the last 12 months.

The average daily loadings received by the plant are taken from the calculations in the Monthly Reports produced by the Plant Operator, EPS.

The expected BOD loading is taken from the latest estimate of population provided to the EPA for the WWDL application for Middleton (D0056-01), increased by 16% as suggested in the NUWS Vol.2 Part A entitled Methodology, No. 4 Flow and Load Assessment, Sec.5 issued by DOEHLG (2004)

Month	Average daily loading treated through the WWTP (EPS figs.)			Expected daily BOD load (kg)	Shortfall - lost in storm water overflows etc. (kg)	Equivalent PE of lost waste water	% town waste lost in overflows (untreated)	Total volume of storm overflows (m <sup>3</sup> )	Norovirus found in oysters/g by the Marine Inst. in detectable virus genome copies	
	PE	BOD (kg)	SS (kg)						G I	G II
Feb-09	9,304	558	703	1,158	600	10,000	52%	66,294	High	High
Mar-09	15,195	912	1,084	1,158	246	4,100	21%	6,032	High	High
Apr-09	11,239	674	944	1,158	484	8,067	42%	13,086	High	High
May-09	10,647	639	953	1,158	519	8,650	45%	4,489	Low	Medium
Jun-09	10,811	649	1,902	1,158	509	8,483	44%	3,274	nd	nd
Jul-09	15,604	936	1,456	1,158	222	3,700	49%	13,338	nd	Low
Aug-09	9,390	563	1,440	1,158	595	9,917	51%	12,155	nd	117 dvgc
Sep-09	10,960	658	888	1,158	500	8,333	43%	12,384	nd	578 dvgc
Oct-09	10,286	617	1,901	1,158	541	9,017	47%	9,313	3,830 dvgc	2,210 dvgc
Nov-09	4,358	261	663	1,158	897	14,950	77%	176,528	nd	6,010 dvgc
Dec-09	8,080	485	1,333	1,158	673	11,217	58%	89,584	Pos<LOQ	2,000 dvgc
Jan-10	4,895	294	1,060	1,158	864	14,400	75%	132,419	5,790 dvgc	4,210 dvgc

### Norovirus contamination

Medium level 100-1,000 dvgc (detectable virus genome copies)

High level >1,000 dvgc

dvgc are expressed as per gm of oyster hepatopancreas.