

Atlantic Shellfish Ltd.

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

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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.

18th March 2010

Dear Sirs,

required for 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 8th March.

As I have much more information a 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

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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 3,500m3/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 glose 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.

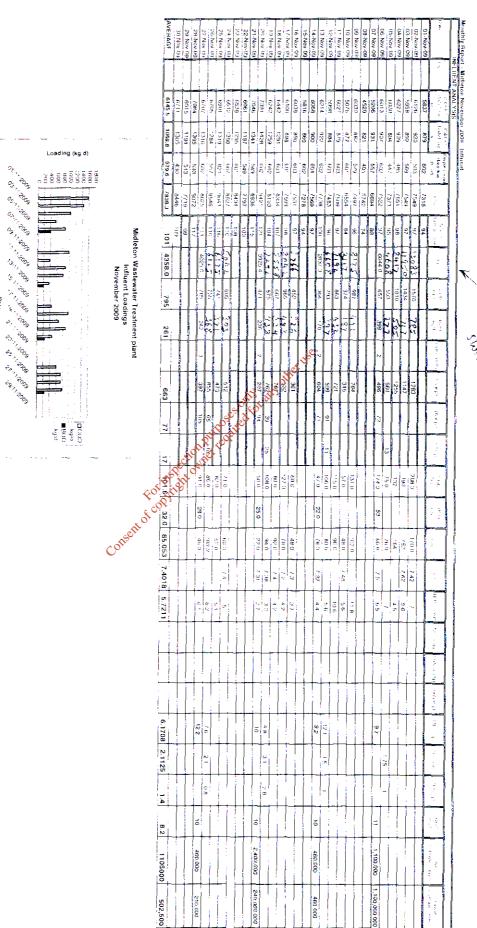
I do hope also that you will continue to press the questions in your Inspector's letter of 18th August 2009 to J.B. Barry and Partners, on behalf of the County Council, to which you do not appear to have been given satisfactory replies. They were searching questions and need replies.

With best wishes,

Yours sincerely,

D. Ll. Hugh-Jones





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6,4465,558 334 767 $13,747$ 825 71% nd 6 9,0637,29243876212,013 721 62% nd 6 21,7733,92523620715,380923 80% 16^{2} $12,013$ 721 62% $12,013$ 721 62% $12,013$ 721 62% $12,013$ 721 62% $12,013$ 721 62% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ 721 62% 12% $12,013$ $12,013$ $12,013$ $12,013$ $12,013$ $12,013$ 12% $12,013$ 12% $12,013$ 12% $12,013$ 12% $12,013$ 12% $12,013$ 12% 12% 12% 12% $12,013$ 12% <td< td=""><td>17.11.09</td><td>6,880</td><td>8,042</td><td>483</td><td>532</td><td>11,263</td><td>6780</td><td>58%</td><td></td></td<>	17.11.09	6,880	8,042	483	532	11,263	6780	58%	
9,0637,2924,3876212,013721 $21,773$ $3,925$ 236 207 $15,380$ 923 $14,447$ $1.13,316$ 1.12 1.12 $1.13,316$ 1.12 $1.13,316$ 1.12 $13,316$ 1.12 1.12 1.12 1.12 1.12 1.12 923 $8,710$ 1.12 1.12 1.12 1.12 1.12 1.12 $7,187$ $5,042$ 303 512 $1.1,263$ 856 $7,187$ $5,042$ 303 512 $14,263$ 856 $5,038$ $6,125$ 368 855 $13,130$ 788 $5,038$ $6,125$ 242 397 $15,280$ 917 $4,228$ $4,025$ 242 397 $15,280$ 917 $3,699$ 1.12 1.12 1.12 1.12 1.12	18.11.09	6,446	5,558	334	767	13,747	825 🗸	71%	語名
21,7733,92523620715,38092314,447	19.11.09	9,063	7,292	438	762	12,013	721	62%	
14,447 Image: constraint of the state	20.11.09	21,773	3,925	236	207	15,380	923	80%	
13,316	21.11.09	14,447							
8,710 5,042 303 512 14,263 856 7,187 5,042 303 512 14,263 856 7,609 6,175 371 470 13,130 788 5,038 6,125 368 855 13,180 791 4,442 4,025 242 397 15,280 917 4,228 3,699 917 15,280 917 15,280	22.11.09	13,316							
7,187 5,042 303 512 14,263 856 7,609 6,175 371 470 13,130 788 5,038 6,125 368 855 13,180 791 4,442 4,025 242 397 15,280 917 4,228 3,699 917 1 1 1	23.11.09	8,710							
7,609 6,175 371 470 13,130 788 5,038 6,125 368 855 13,180 791 4,442 4,025 242 397 15,280 917 4,228 399 0 0 0 0 0	24.11.09	7,187	5,042	303	512	14,263	856	74%	
5,038 6,125 368 855 13,180 791 4,442 4,025 242 397 15,280 917 4,228 4,025 242 397 15,280 917 3,699 9 9 9 9 9 9	25.11.09	7,609	6,175	371	470	13,130	788	68%	
4,442 4,025 242 397 15,280 917 7 4,228 3,699 3,699 1	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							

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

KEY

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

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

Design load of WWTP 10,000 PE (1993)

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

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

is now 19,305 PE

Thus expected daily load

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								3,263	03.01.10
								3,620	02.01.10
								5,092	01.01.10
					1,060	877	14,606		Jan-10 av.
								17,386	31.12.09
		%06	1,042	17,363	415	117	1,942	3,524	30.12.09
								2,108	29.12.09
copies/g)		23%	262	4,363	768	1,544	14,942	572	23.12.09
(detectable virus genome					3,434	2,950	45,825	216	22.12.09
is above 1,000 dvgc/g					1,136	1,911	31,850	214	21.12.09
High level of contamination		41%	474	7,900	1,018	684	11,405	484	18.12.09
		49%	565 🗸	9,422	692	593	9,883	650	17.12.09
Norovirus contamination	Pos <loq 2,000<="" td=""><td>51%</td><td>5876</td><td>9,788</td><td>427</td><td>571</td><td>9,517</td><td>641</td><td>16.12.09</td></loq>	51%	5876	9,788	427	571	9,517	641	16.12.09
		15%	<u> 324</u> 🔪	2,930	1,375	586	16,375	1,037	15.12.09
whole year.			or or		8,094	5,985	99,742	1,525	14.12.09
estimated for the			Vile	R.				2,138	13.12.09
more than originally				ilos x				2,396	12.12.09
storm overflows at		78%	901	15,02,102	381	257	4,284	2,396	11.12.09
		63%	724	<u><u></u>%2,07,2</u>	634	434	7,233	3,240	10.12.09
of daily load is treated		80%	928	16 15,463	383	231	3,842	4,293	09.12.09
less than two thirds		61%	802	797,11,797	685	451	7,508	3,573	08.12.09
		64%	745	9 ₇₆ , 12,422	341 ~	413	6,883	9,769	07.12.09
daily load is treated					her			7,902	06.12.09
less than half the					on.			5,119	05.12.09
		59%	689	11,476	385	470	7,829	3,064	04.12.09
daily load is treated								4,424	03.12.09
less than a third of								7,317	02.12.09
								2,252	01.12.09
Colour code:					1,347	1,173	18,604		Dec-09 av.
								2,567	30.11.09
	GI GII	the WWTP	BOD (kg)	PE		from COD's	(design 10,000)		
EPA E	detectable virus genome copies	passed through	the quantity WWTP	treated in the WWTP	(Kg/day)	rigs in italics calculated 2:1	equivalent (PE)	5allick 1 & 2 (m3)	
xport	by Marine Inst. in	has not	d after	left untreated after	SS	BOD	Population	from	
26-07	in oysters/g	To of utily load which	iy waste ol I,158kg BOD	19,305 PE or 1,158kg BOD	ports p. results	using external and on-site lab. results	using extern	overflows	Date
-20	Norminic found	0/ 04 45:10	www.php.of	Entimate of dai	222			Ctorm	

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Date	Storm overflows	Influent BOD & using externa	Influent BOD & SS from EPS Reports using external and on-site lab. results	ports . results	Estimate of daily waste of 19,305 PE or 1,158kg BOD	ly waste of I,158kg BOD	% of daily toad which	Norovirus found in oysters/g
	from	Population	BOD	SS	left untreated a	d after	has not	by Marine Inst. in
	Bailick	equivalent	Figs in italics	(kg/day)	subtraction of the quantity	the quantity	passed	detectable virus
	1 & 2 (m3)	(PE)	calculated 2:1		treated in the W	WWTP	through	genome copies
		(design 10,000)	from COD's		ΡE	BOD (kg)	the WWTP	GI GI
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			ů,				
13.01.10	ini ini 14,935 🔅 🖗			NY NY				
14.01.10	4,889	5,274	317	382 😽	o <u>14,031</u>	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				only			
17.01.10	8,078				QUIT OUT			
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	e Soloris	18th		
21.01.10	5,276	11,358	682	816	7,947	4 78 477	41%	
22.01.10	14,555	4,147	249	319	15,158	ତ୍ରେକ୍ତ୍	79%	
23.01.10	6,282					Asen		
24.01.10	5,072					Č		
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	666	2,901	174	580	16,404	984	85%	

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

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

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

	Average d through th	Average daily loading treated through the WWTP (EPS figs.)	y treated PS figs.)						Norovirus found in oysters/g	found rs/g
Month	PE	BOD	SS	Expected	Shortfall - lost	Equivalent	% town	Total volume	by the Marine Inst. in	ine Inst. in
				daily BOD Ioad	overflows etc. waste water	PE of lost waste water	waste lost in overflows	of storm overflows	detectable virus genome copies	e virus copies
		(kg)	(kg)	(kg)	(kg)	3113	(untreated)	(m3)	Ğ	GII
Feb-09	9,304	558	703	1,158	600	000 08 14	52%	66,294	High	High
Mar-09	15,195	912	1,084	1,158	246	Qol Bo	21%	6,032	High	High
Apr-09	11,239	674	944	1,158	484	8,06,7%	42%	13,086	High	High
May-09	10,647	639	953	1,158	519	8,6506,9	45%	4,489	Low	Medium
90-unf	10,811	649	1,902	1,158	509	8,483 .22	18 44%	3,274	nd	nd
90-Inf	15,604	936	1,456	1,158	222	3,700	%60 Lin	13,338	nd	Low
Aug-09	9,390	563	1,440	1,158	595	9,917	<u>%15</u> %	12,155	nd	117 dvgc
Sep-09	10,960	658	888	1,158	500	8,333	43%6%	12,384	pu	578 dvgc
Oct-09	10,286	617	1,901	1,158	541	9,017	47% %	9,313	3,830 dvgc	2,210 dvgc
60-AoN	4,358	261	663	1,158	897	14,950	77%	176,528	bu	6,010 dvgc
Dec-09	8,080	485	1,333	1,158	673	11,217	58%	89,584	Pos <loq< td=""><td>2,000 dvgc</td></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

Medium level 100-1,000 dvgc (detectable virus

Norovirus contamination

gh level >1,000 dvgc genome copies)

hepatopancreas.

dvgc are expressed as per gm of oyster

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