

Grainne Oglesby

Subject: FW: submission in relation to Liffey Meats Licence Review ref P0169-02
Attachments: Liffey Meats Licence Review Submission.doc

From: Catherine Kerins [<mailto:Catherine.Kerins@fisheriesireland.ie>]
Sent: 06 June 2012 10:35
To: Dorota Richards
Cc: tsexton@epa.ie
Subject: submission in relation to Liffey Meats Licence Review ref P0169-02

Hello Dorota
Please find attached submission in relation to the Licence Review for Liffey Meats, please do not hesitate to contact me should you have any queries on 087 2860942
Apologies for the delay in this matter.
Regards

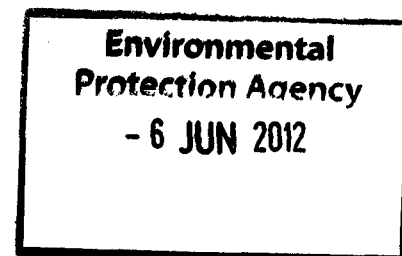
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Dorota Richards
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Environmental Protection Agency
Headquarters
PO Box 3000
Johnstown Castle Estate
Co. Wexford

Your ref: P0169-02

28th May 2012

Re: Liffey Meats (Cavan) Limited

Dear Ms Richards

Inland Fisheries Ireland understands that this review is for ensuring compliance between the IPPC licence and the EC Environmental Objectives (Surface Waters) Regulations, 2009. This Licence review was not referred to Inland Fisheries Ireland, Shannon River Basin District and came to our attention through another channel, hence the delay in making a submission to the review. IFI requests that all future correspondence concerning and referral regarding reviews and this IPPC licence be forwarded to the undersigned at the above address.

Inland Fisheries Ireland (formerly the Central and Regional Fisheries Boards) is a statutory agency with responsibility under the provisions of the Fisheries Acts for the protection, management and conservation of Ireland's inland fisheries resource. The fisheries resource is also protected under national and EU legislation.

In response to the above review of the licence Inland Fisheries Ireland (IFI) has serious concerns in relation to this operation and discharges and current background levels within the stream to which Liffey meats currently discharges and subsequently to the Kildorragh Stream (known locally as the Pound Stream).

In relation to the information provided by the applicant on the review form there are a number of issues:

Section D.1. and the map in section B.1. and the descriptions accompanying the review form describe the watercourse Liffey meats discharge to as a land drain, yet it is a natural stream, this is both incorrect and mis-leading.

**Environmental
Protection Agency
- 6 JUN 2012**

Section D.1.

For clarification in reading this response it should be noted that the Kildorragh stream is known locally as the Pound stream, i.e. there are two names for the same stream, it is not as stated on the review form that the Pound flows into the Kildorragh.

MRP data presented as the upstream level is taken from Derrlyea, which is on a separate tributary of the stream and is not upstream on the same tributary as Liffey meats discharge to, in fact it is a considerable distance away and is a separate tributary. The applicant should sample the surface water in the watercourse to which they discharge over a reasonable period of time to provide a baseline figure.

IFI are concerned about the impact of discharges and the input of excessive nutrients to Lough Sheelin via the Pound Stream. The report 'Lough Sheelin and its catchment Water Quality Status and Nutrient Loadings 1998-2005 gives more detailed background information to IFI's concerns in relation to Lough Sheelin. Lough Sheelin is important as a lake - river flux monitoring site under the Water Framework Directive.

IFI conduct monitoring on the Lough Sheelin tributary streams three times each week as part of a Nutrient Loading Calculation Programme for Lough Sheelin and also for monitoring and enforcement purposes. Initially IFI were concerned about water quality in the Mount Nugent stream, consideration of long term sample results showed that high nutrient levels present in the Mount Nugent stream were emanating from the Kildorragh or Pound Stream, upstream of Kildorragh Post Office. Long term data has shown that a number of water quality issues exist on the Pound Stream.

The samples taken at location A (EPA monitoring site) show that pollution exists. The water quality upstream in the main Kildorragh stream upstream at (location B) of the tributary to which Liffey meats discharge is excessively high. It is believed that the P values between Location B and A reduce due to the effects of dilution. Samples taken at location C, which is on the main Kildorragh stream upstream of the tributary to which Liffey Meats discharge show that P values are significantly lower and are not as issue.

Table 1. Total Phosphorus levels in the Pound Stream and its tributaries (taken 3 times weekly over a 3 week period) is used here to enable comparison with the Licence data.

| 2011 | Pound Location A | Pound 2 Location B | Pound upstream, Location C |
|----------------|------------------|--------------------|----------------------------|
| p max mg/l | 2.817 | 18.761 | 0.046 |
| p min mg/l | 0.022 | 0.111 | 0.025 |
| p average mg/l | 0.3516893 | 2.4947 | 0.035 |

These total P values (and associated MRP values) in the Pound Tributary to which Liffey Meats discharge are far in excess of the MRP at Derrylea Bridge which were used in calculations, where MRP was 0.025 mgP/l.

The MRP values in 'Liffey Meats' tributary stream and subsequently the Kildorragh Stream are failing to meet surface water regulations.

Attachment D.1. Assimilative Capacity

IFI is concerned about the lack of assimilative capacity to accept the discharge from Liffey Meats in the pound stream. If the flows provided 0.14 as 95%ile as fed into an assimilative capacity calculation using the real background data for the stream to which Liffey Meats are discharging, an assessment could be made as to whether the resulting values exceed the Surface Water Regulations or other relevant legislation.

The flow data selected is at Mount Nugent Bridge on the Mount Nugent River this would not be similar in any way to the flows on Kildorragh stream. Liffey Meats should be requested to collect flow data for the stream to which they discharge.

IPPC Licence Limits since Jan 1, 2000

BOD 15 mg/l

Suspended solids 30 mg/l

Nitrates as N 15 mg/l

Total ammonia as N 5 mg/l

Total Phosphorus as P 2 mg/l

In relation to the proposed licence limits, IFI would suggest that the following limit would be more appropriate for BOD and suspended solids (subject to available assimilative capacity):

10 mg/l BOD, 10 mg/l suspended solids

In terms of nutrient levels the levels in the Pound Stream tributary at present are so high, that an assimilative capacity calculation should be carried out to determine appropriate discharge levels, if any. The mean total P level in the Pound stream at Pound 2 as shown in table 1. above is greater than 2 mg/l. It may be more appropriate to set the discharge limits in terms of MRP.

IFI note that irrigation system to the willows area is outside the licence, as the irrigation systems to the willows has been witnessed discharging by IFI staff inspecting this area, it should be considered within the licence.

Elevated nitrite and Total Oxidised Nitrogen levels also exist in the Kildorragh stream at the pound 2 sample site and should be considered within the licence.

C2. Monitoring and Sampling points

With regard to condition 4. of the current licence, no notification of exceedances or incidences has been received by Shannon Regional Fisheries Board or Inland Fisheries Ireland, Shannon River Basin District.

Likewise when IFI personnel inspected the WWTP plant outfall and advised staff at Liffey Meats that there was a water quality issue, which was subsequently confirmed by Liffey Meats staff, the EPA do not seem to have been notified by Liffey Meats.

The information supplied by the application notes a daily visual inspection, with regard to condition 9. 1.1. and Schedule 3 (i), following on this visual inspection Liffey Meats personnel should have notified the EPA Under section 9.1.3. presence on fungus on the receiving stream, was this done?. (This was present in October 2011 through to January 2012).

Table D.1 (i) shows high values for total P, 12 samples were requested as part of the licence review at regular intervals, the 5 samples given were taken in a two week period, more results are requested by IFI, especially those of 6 week study.

Flows and assimilative capacity

The level of treatment should be clearly defined and should meet appropriate standards in the context of the 2009 surface water regulations, WFD, Fisheries Acts.

Under article 5 of the 2009 Surface Water Regulations, it is required that a public authority, in performance of its functions, shall not undertake those functions in manner that knowingly causes or allows deterioration in the chemical or ecological status of a body of surface water.

The overall proportion of assimilative capacity taken up by this discharge must be considered. No more than a quarter of the assimilative capacity should be taken up by any one discharge.

The use of notional clean water values (or values other than the best available real data) is not considered appropriate by IFI. IFI requires that calculations should utilise accurate real baseline data. Baseline data collection should be taken on a number of occasions over a time frame. It is important that calibrated flow measurement equipment is used in all baseline studies. The Pound/Kildorragh stream will never meet good status if a discharge is allowed to occur at this level, given the existing background levels. The use of notional clean water values is also not appropriate unless the source of the pollution is identified and removed.

IFI personnel would be happy to meet with you to discuss Licence should you wish to do so.

Please do not hesitate to contact me should you have any queries.

Yours sincerely

Catherine E Kerins
Fisheries Environmental Officer

cc. Mr Tom Sexton, EPA Inspectorate