



Submission

Submitter:	Mr Allan J. Navratil
Submission Title:	Submission
Submission Reference No.:	S005935
Submission Received:	07 January 2020

Application

Applicant:	Dairygold Co-Operative Society Ltd and TINE Ireland Ltd
Reg. No.:	P1103-01

See below for Submission details.

Attachments are displayed on the following page(s).

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Ms. Laura Burke,
Director,
EPA Johnstown Castle
Wexford.
info@epa.ie

3-1-2020

Dear Ms. Burke,

1 Attached herewith are copies of two submissions objecting to licensing discharge of Cheese Waste into Cork harbour as proposed by Dairygold/Tine. One is from East Cork harbour for a Safe Environment dated 10-7-2019 and the other from FH Wetland Systems Ltd., dated 19-12-2019.

This e-mail is in support of both the above submissions.

2 The attention of the EPA is respectfully drawn to the Propaganda Sheet published by Dairygold in 2016 and widely circulated at the time which clearly stated that;

a) **"There will be no adverse impact on water quality at Rathcoursey as a result of the proposed new discharge from Dairygold's expanded cheese production facility at Mogeely"** Please refer to those words on the top of page two of Dairygold's propaganda sheet dated December 2016 which is attached.

b) Given their statement above, Dairygold should have no difficulty in providing that **a legally enforceable Guarantee Bond of sufficient monetary magnitude to cover all costs of damage remediation and/or claims that might emerge would first be in place to include a safe period beyond the expiry date of any license application before the EPA would be expected to consider same.**

3 The attention of the EPA is also respectfully drawn to the Judgement of the European Court who determined that the Midleton sewage outfall was in breach of EU law. (qv)

Adding further material notwithstanding that it is of different character but nonetheless with both BOD and possible COD loads is more likely to exacerbate that legal breach than to reduce it.

Please consider the above as my submission in respect of Dairygold/Tine's proposals.

Yours faithfully,

AJ Navratil.



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East Cork Harbour for a Safe Environment

Dr. Darina Allen, Martin Edwardes BSc. Roma Fulton BSc., Natasha Harty BSc. Joan Hayes MA, Allan J Navratil BSc., Anna O'Connor, Anne Marie Russell, William Russell & Others

Please reply to;
AJ Navratil,
Ballinacurra House,
Midleton,
Co. Cork.

Dr. Laura Burke,
Director,
Environmental Protection Agency,
Johnstown Castle,
County Wexford.

10-7-2019

Ref: Cork County Council Planning reference 16/07031
in respect of Cheese Plant for Dairygold Co-Operative Society at
Mogeely with **outfall to East Ferry**

Dear Dr. Burke,

Introduction

This letter is with most particular reference to the Planning requirement that the EPA licence the discharge of circa 4000 tons of aqueous effluent daily at East Ferry. In our considered judgment, that would result in the inevitable degradation of the Harbour receiving waters to an unacceptable and perhaps even unlawful level and should accordingly be denied.

Planning Objections to Cork County Council

It is a matter of record that several objections to the outfall proposals were made to the Planning Authority by concerned groups and persons which included economically viable alternatives. It is disturbing and unsatisfactory that we have seen no evidence that any of these proposals have received due consideration notwithstanding which Planning Consent was issued. In synopsis, it appears that virtually all objections were ignored or dealt with superficially or perfunctorily.

Submissions to the EPA

It is noted that the EPA have received a number of submissions in respect of the above which are against the issuance of an EPA licence as proposed which, we believe, would further damage the estuarine waters. As these submissions can be 'downloaded' and are a matter of EPA and public record there is accordingly no need to repeat them in this letter. Please note, however, that we herewith confirm our opposition to granting such licence as it would amount to the wholly avoidable further degradation of the Harbour.

Particular

We would however draw your particular attention to paragraphs 7.9 to 7.11 inclusive of the submission of Mr. David Hugh-Jones of Atlantic Shell Fish. From these references alone it can be noted that;

- (i) the European Courts of Justice [ECJ] judged the Midleton Waste Water Treatment Plant [WWTP] to have failed under Articles 3,4 & 5 of the Urban Waste Water Treatment Directive.
- (ii) It appears curious to us how Irish Water could conspire to make such a proven bad situation worse.
- (iii) The Planning Appeals Board [ABP] refused further housing development in Midleton owing to infrastructural deficits which included the limitations to waste water treatment and the prejudicing of public health.
- (iv) Discharges made at Rathcoursey are subject to accumulation because of unusually high residence times in and of the estuarine waters. It should be noted that this point has also been made in a number of the earlier objections to the CCC.

Summary

A long expensive pipe to-gether with pumping costs has clearly been considered a somewhat cheaper alternative to proper on-site treatment or internalised disposal methodologies. In other words saving money was achieved by dispersing the problem to Cork Harbour. By definition that is a **negative externality** (*many paying while more profit*). It is not sustainable and is environmentally and ethically quite un-acceptable.

Conclusion

For the avoidance of doubt, please note that we are opposed to the EPA granting any licence to Dairygold for their current unclean and unsustainable discharge proposals

Yours truly,

Allan J Navratil



Encl/ Our submission to CCC of 17-1-2017

FH WETLAND SYSTEMS Ltd.

30 Woodlawn, Lahinch Rd., Ennis, Co. Clare, V95 A8D3. Tel: 065 6797355
www.wetlandsystems.ie e-mail: reeds@wetlandsystems.ie

19 December 2019

Noleen Keevy,
Licence Officer,
EPA,
Johnstown Castle Estate,
Co. Wexford.
info@epa.ie

Re:Dairygold Cooperative Society Ltd and Tine Ireland Ltd Application for EPA Industrial Waste Discharge Licence no. P1103-01

Dear Ms. Keevy,

In view of the disappointing water quality results in the recent *Water Quality in Ireland 2013-2018* report, particularly the net drop in ecological status for rivers and transitional water bodies, and also in light of the current biodiversity emergency in Ireland and globally, it is surely now essential to reduce existing flows of nutrients and other pollutants into our inland and coastal waterways and to stop addition of new sources of pollution.

Cork Harbour is shown in the new report to have poor to moderate ecological status, so further additions of nutrients are clearly not acceptable. Moreover the Dairygold EIS acknowledges that close to the immediate area of the outfall point and in the wider harbour area there are a Special Area of Conservation, National Heritage Area, Designated Shellfish Area, and Nutrient Sensitive Area. Under such circumstances it would be counter to our current national and international biodiversity and water quality objectives to permit the new Dairygold/Tine discharge licence into this area.

As a suitable alternative to the existing proposal, constructed wetlands or a willow filter could be used at the factory site in Mogeely as an effective way to filter large quantities of water to background environmental quality prior to discharge. They are also generally more cost effective to build and to run than standard mechanical treatment. In addition, they can create diverse wildlife habitats and contribute to Ireland's GHG emission reduction targets by providing sequestration of atmospheric carbon as the peat layers of plant biomass accumulate naturally in the system (wetland option) or as woody biomass (willow option).

Before granting a discharge licence for the new Dairygold/Tine cheese factory I would strongly suggest that you require treatment of all effluent to background environmental levels of nutrients and other parameters using a wetland, willow system or equivalent nature based solution. I have been offering these systems as part of my work over the past 23 years, so to avoid a conflict of interest and to emphasise the need for environmental protection rather than economic gain may I suggest that you approach VESI Environmental in Little Island for constructed wetland advice/designs and Laurence Gill, head of the school of engineering in TCD for willow system advice or designs.

Please do not hesitate to call or email with any questions on any of the above information. I look forward to your response.

Yours sincerely,

Féidhlim Harty



Directors: F. Harty, Dr. E Hitching
Co. Reg. No. 383998 VAT No. IE 6403998I

INFORMATION ON MOGEELY DEVELOPMENT



DECEMBER 2016

Mogeely development will see the creation of a new international centre of excellence for cheese production

Dairygold Co-operative Society has submitted a planning application to Cork County Council for a €60+ million expansion of its existing operations which operate under an EPA Industrial Emissions Licence P0817-01, to create a world class centre of excellence for cheese production in Mogeely, Co. Cork. (Planning File: Cork Co. Council – Ref: 16/7031).

The project which Dairygold is developing in partnership with TINE, Norway's largest farmer-owned dairy co-operative, will create 67 new jobs at the Mogeely facility as well as up to 200 jobs during construction.

TINE's flagship product is Jarlsberg Cheese, which Dairygold has produced at Mogeely on TINE's behalf since 2004. Under WTO rules, export refunds are being phased out by 2020, making cheese exports from Norway uncompetitive, leaving TINE to find a suitable location outside Norway to produce Jarlsberg for export.

Due to the unique and exact formula for the process of making Jarlsberg cheese and the difficulties experienced in replicating the production of this high quality brand outside Norway, a specialist committee was set up by TINE to undertake an evaluation of the possible strategic options to solve this problem. This involved the evaluation of a number of locations in the U.S and Europe including Dairygold Mogeely in Ireland.

Following detailed qualitative and quantitative assessment of milk supply, technical knowledge and application of the production techniques, it was determined that the best option would be to co-locate Jarlsberg's European production with Dairygold in Mogeely.

The main reasons for selecting Mogeely were:

- ▶ The strong positive relationship between both parties developed over the last 12 years
- ▶ The long established and innovative cheese production culture and expertise in Mogeely since 1975
- ▶ 12 years successful Jarlsberg production in Mogeely using Irish milk to manufacture Jarlsberg block cheese to the same quality as product produced in Norway



Artist's impression

- ▶ The opportunity to co-invest and enhance the existing facilities and infrastructure in Mogeely to ensure a competitively produced product.

The proposed Mogeely investment will see the creation of a new international centre of excellence for cheese production and packaging alongside the existing facilities. This will also involve the integration and utilisation of infrastructure, facilities and resources already invested and available on the Mogeely site.

The proposed development has been designed to include the most modern processing technology and capability, and house a new product development, innovation and customer presentation centre to showcase the Jarlsberg brand to existing and new global customers.

There will be no change to the types of activities currently undertaken at Mogeely, where the operations and manufacturing processes will continue to be regulated by the Environmental Protection Agency under the existing Dairygold Industrial Emissions Licence.

With the expansion the planned state-of-the-art facility at Mogeely will be cleaner, quieter and more efficient incorporating environmental best practice throughout

Subject to planning approval, it is envisaged that construction work will begin in 2017 and that the new Mogeely facility will be commissioned by late 2018.

The proposed redevelopment of the Mogeely facility is positive news for Dairygold and dairy farming in the Middleton catchment area. It will:

- ▶ Secure sustainable jobs in the region and locality
- ▶ Create up to 200 construction jobs
- ▶ Create 67 new operating jobs directly on the Mogeely site
- ▶ Provide an outlet for Irish milk through the export from Ireland of an established premium Norwegian cheese brand across the globe
- ▶ Enable significant upgrade of infrastructure and environmental technology on the site
- ▶ Improve the commercial viability of the site and strengthen the cheese production business in Mogeely, sustaining and adding jobs while building economic confidence in rural Ireland
- ▶ Enhance the international reputation of Mogeely in producing premium speciality

World class project will protect water quality

There will be no adverse impact on water quality at Rathcoursey and Cork Harbour as a result of the proposed new discharge from Dairygold's expanded cheese production facility at Mogeely.

The same world class standards which are being incorporated into the upgraded Mogeely facility will also be utilised in all aspects of its environmental performance. This has been confirmed by the Environmental Impact Study carried out for the proposed development.

The increase in cheese production at Mogeely will see a consequent increase in process water output from the plant. As a result, the project includes a significant investment in the upgrade and expansion of the existing Wastewater Treatment Plant on the site. This will ensure that the highest standards of environmental regulations are met by the proposed facility and that it will be fully compliant with all licencing requirements posing no risk to human, animal, plant or marine life.

The increased volumes of treated process water produced by the expanded facility poses no viral or bacterial risk as no domestic wastewater will be discharged from the Mogeely operation into the pipeline. It is also noted that the only reason that the treated process water cannot be released into the Kiltha river as is currently the case, is because the River Kiltha does not have the assimilative capacity to accept the larger volume of discharged process water which the planned expansion involves. Following discussions with Irish Water it has been agreed that the treated process water should be discharged into Cork Harbour at Rathcoursey.

The proposed 13.61km pipeline from Mogeely to the existing Midleton Main Drainage Outfall at Rathcoursey will only carry treated process water effluent which complies with the Environmental Protection Agency and Irish Water approved Midleton Municipal Wastewater Discharge Authorisation (WWDA) Standards Ref: D0058-01. In fact, the effluent is classified as "grey" water and is therefore of sufficient quality to be ideal for use in horticulture and irrigation.

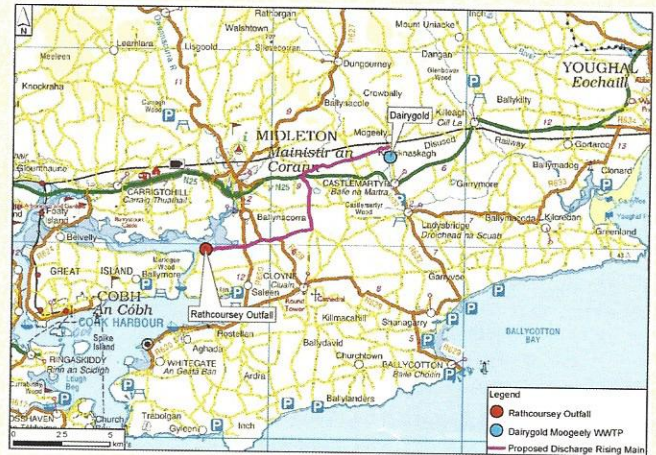
The treated Mogeely process water discharge will be pumped into the outlet of the existing Tidal Holding Tank at Rathcoursey, downstream of the tank control valve so that it will not change, or affect in any way, the current operation of that existing holding tank. The treated effluent will be stored in tidal tanks at Mogeely and pumping through the pipeline to the outfall to sea will be timed to coincide with the ebb tide thereby ensuring compliance with the Midleton WWDA.

The treated water will be continuously monitored in the Final Effluent Tidal Holding Tanks at Mogeely to ensure that if the water goes out of specification in quality terms, discharge will cease and the water will be returned to the treatment plant. Water which does not meet the limits specified by the EPA will not be discharged. If necessary, production at the Mogeely facility will cease until any problems are rectified.

The Environmental Impact Study for the new development has found that the additional discharge from Mogeely would only result in a minimal localised increase of the current background BOD of 0.0039 mg/l. To put this in context, that is less than four-thousandths of the accepted descriptive level for a "clean" river. The natural processes in the sea waters at the Rathcoursey point of discharge to sea will assimilate (neutralise) the treated process water discharge. The additional discharge will have a negligible and imperceptible impact on water quality at Rathcoursey.

Discharges will be monitored on an ongoing basis in compliance with the EPA Licence and it is anticipated that Irish Water will also undertake regular monitoring to ensure that its own operating licence is not compromised.

Residents living near Rathcoursey and Cork Harbour users can therefore be confident that the quality and amenity of the coastal resource will not be adversely affected in any way as a result of this important development.



Dairygold Mogeely to Rathcoursey - Planned expansion and pipeline development

If you seek information in relation to the planned connection to the existing Midleton Main Drainage Outfall at Rathcoursey, feel welcome to visit the Midleton Park Hotel on Tuesday 20th or Wednesday 21st next – (7.00pm to 9.30pm each evening) – where members of Dairygold's planning team will be happy to assist with your enquiry.

Alternatively, you are also welcome to call KMPC who has been appointed to represent Dairygold and TINE in the planning management phase of the proposed development.

KMPC, Ballinora, Waterfall, Co. Cork

Tel: 021 421 43 49

Mobile: 087 247 74 03

Email: KMCCOY@KMPC.IE

