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Sent: Friday 12 June 2020 12:35

To: Licensing Staff <licensing@epa.ie>

Cc: Irish Water - Section 99 <section99@water.ie>; Ronan Connolly <rconnolly@water.ie>

Subject: P1103-01 (DG & Tine) Irish Water response in relation to objections related to the proposed determination EIMS:0395054

Dear Sir /Madam,

Please find attached Irish Water's response to the your letter dated 09 April 2020 regarding objections related to the proposed determination for P1103-01 - DAIRYGOLD CO-OPERATIVE SOCIETY LTD and TINE IRELAND LTD .



Kind Regards,

Ronan Connolly

Wastewater Source Control & Licensing

Uisce Éireann

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Thank you for your attention.

Tá an fhaisnéis á seachadadh dírithe ar an duine nó ar an eintiteas chuig a bhfuil sí seolta amháin

agus féadfar ábhar faoi rún, faoi phribhléid nó ábhar atá íogair ó thaobh tráchtála de a bheith mar chuid de. Tá aon athsheachadadh nó scaipeadh den fhaisnéis, aon athbhreithniú ar nó aon úsáid eile a bhaint as, nó aon ghníomh a dhéantar ag brath ar an bhfaisnéis seo ag daoine nó ag eintitis nach dóibh siúd an fhaisnéis seo, toirimisceithe agus féadfar é a bheith neamhdhleathach. Níl Uisce Éireann faoi dhliteanas maidir le seachadadh iomlán agus ceart na faisnéise sa chumarsáid seo nó maidir le haon mhoill a bhaineann léi. Ní ghlacann Uisce Éireann le haon dliteanas faoi ghnímh nó faoi iarmhairtí bunaithe ar úsáid thoirmisceithe na faisnéise seo. Níl Uisce Éireann faoi dhliteanas maidir le seachadadh ceart agus iomlán na faisnéise sa chumarsáid seo nó maidir le haon mhoill a bhaineann léi. Má fuair tú an teachtaireacht seo in earráid, más é do thoil é, déan teagmháil leis an seoltóir agus scríos an t-ábhar ó gach aon ríomhaire. Féadfar ríomhphost a bheith soghabhálach i leith truaillithe, idircheaptha agus i leith leasaithe neamhúdaraith. Ní ghlacann Uisce Éireann le haon fhreagracht as athruithe nó as idircheapadh a rinneadh ar an ríomhphost seo i ndiaidh é a sheoladh nó as aon dochar do chórais na bhfaighteoirí déanta ag an teachtaireacht seo nó ag a ceangaltáin. Más é do thoil é, tabhair faoi deara chomh maith go bhféadfar monatóireacht a dhéanamh ar theachtairreachtaí chuig nó ó Uisce Éireann chun comhlíonadh le polasaithe agus le caighdeáin Uisce Éireann a chinntiú agus chun ár ngnó a chosaint. Fochuideachta gníomhaíochta de chuid Ervia is ea Uisce Éireann atá faoi theorainn scaireanna, de bhun fhorálacha an tAcht um Sheirbhísí Uisce 2013, a bhfuil a bpríomh ionad gnó ag 24-26 Teach Colvill, Sráid na Talbóide, BÁC 1.

Go raibh maith agat as d'aird a thabhairt.

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Office of Environmental Sustainability
EPA Headquarters,
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12 June 2020

Re: Irish Water response in relation to EPA request for comments on objections related to the proposed determination for P1103-01 - Dairygold Co-Operative Society Ltd and TINE Ireland Ltd


Dear Sir / Madam,

I refer to correspondence from the Agency dated 09 April 2020 requesting comments from Irish Water on objections related to the Proposed Determination for the above referenced licence application insofar as they may relate to Irish Water's consent conditions provided in accordance with Section 99E of the EPA Act, as amended.

As requested, Irish Water reviewed the 10 objection submissions received by the EPA in respect of the Proposed Determination issued on the 19th of February 2020. Our comments are contained in Appendix 1 of this letter.

If you have any further queries please do not hesitate to contact Irish Water.

Yours Sincerely,

DocuSigned by:

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**Ronan Connolly
Licensing Manager
Wastewater Source Control & Licensing
Irish Water**

Appendix 1

Comments on ‘Objection Issues’ related to the Proposed Determination for IE application P1103-01 - Dairygold Co-Operative Society Ltd and TINE Ireland Ltd

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1. Introduction

This document has been prepared in response to a request from the Agency dated 09 April 2020 seeking comments from Irish Water on objections related to the Proposed Determination for licence application P1103-01. Irish Water comment's on objections were requested by the Agency 'insofar as they may relate to the conditions imposed by Irish Water'.

2. Overview

Dairygold Co-Operative Society Ltd and TINE Ireland Ltd (DG & Tine) engaged directly with Irish Water via a pre-connection enquiry and connection application process and indirectly via the 'trade effluent' consent process as per Section 99E of the EPA Act 1992, as amended.

The engagements related to a connection to and proposed discharge of treated process wastewater from the DG & Tine facility at Mogeely in Co. Cork to the Midleton Main Drainage network at East Ferry road (Grid No:188260E 069906N) via a 10.6 km Rising Main.

While a connection agreement has been signed by Irish Water and DG & Tine, an Industrial Emissions Licence is required by DG & Tine prior to any discharge to the Midleton Main Drainage network. The Agency sought consent from Irish Water for this discharge under Section 99E of the EPA Act (see below) and it is the Section 99E consent conditions that our assessment of objection items and related commentary is referenced to.

Subsection (1) of Section 99E of the EPA Act, as amended, states; *"Where the Agency proposes to grant a licence (including a revised licence) which involves a discharge of any trade effluent or other matter (other than domestic sewage or storm water) to a sewer, it shall obtain the consent of the sanitary authority in which the sewer is vested, or by which the sewer is controlled, to such a discharge being made."*

Subsection (3) states; *"a consent under subsection (1) may be granted subject to or without conditions and if it is granted subject to conditions the Agency shall include in the licence or revised licence concerned conditions corresponding to them or, as the Agency may think appropriate, conditions more strict than them."*

Further to a review of all 3rd party objection items, Irish Water noted that many of the objection items raised in individual objection submissions did not relate to the Section 99E consent response issued by Irish Water to the Agency on 30th April 2019. Several objections were of a procedural nature and were therefore not considered for commenting on. Accordingly, this report considers the main issues in the relevant third-party objections.

3. Irish Water's High-Level Approach

Irish Water's approach to wastewater connections and 'trade effluent' discharge consents balances a number of objectives common to both the Water Services Strategic Plan (WSSP) and the Irish Water Business Plan.

The approach to the DG & Tine application boils down to the following aims;

- ensuring effective management of wastewater;
- meeting environmental obligations;
- meeting customer service standards and expectations; and
- supporting economic development & growth.

While each of the above aims are important, some are more important than others.

Irish Water's environmental obligation associated with any authorised waste water discharge is to ensure compliance with the respective Waste Water Discharge Authorisation granted by the Agency.

In assessing the DG & Tine connection application and S99E consent request from the Agency, Irish Water's priority was ensuring the additional flows did not cause a non-compliance with the Waste Water Discharge Authorisation (WWDA) for Midleton (D0056-01). The connection agreement and S99E consent were conditioned to achieve this objective once it was determined the proposed DG & Tine treated process wastewater could be accommodated by the wastewater network infrastructure.

Irish Water is satisfied that the connection agreement provided to DG & Tine and the S99E consent provided to the EPA both align with the above mentioned aims.

4. Relevance of Objection issues

As mentioned above, many of the objection items have been disregarded as they do not relate to the Section 99E consent response. Where Objection issues have been considered, Irish Water has placed these in two groups;

- 'Directly' related to the S99E consent response; and
- 'Indirectly' related to the S99E consent response.

Irish Water considers objection issues 'Directly' related to the S99E consent response as those which query Irish Water's ability to meet its obligations set out Waste Water Discharge Authorisation (WWDA) for Midleton (D0056-01) or the decision making associated with same as a result of the additional DG & Tine treated process wastewater.

Irish Water considers objection issues ‘Indirectly’ related to our S99E consent response, as those related to assessments and conclusions which Irish Water have taken account of but are under the remit of the Agency to decide on as the competent Authority. Therefore, Irish Water does not propose to comment on these issues in this document. In our view, these ‘indirect’ issues include Applicant and Third Party submissions along with supporting documentation in relation to;

- Water Framework Directive requirements
- EIA Directive requirements
- Birds and Habitats Directives requirements; and
- Requirements of Environmental Protection Agency Act 1992 (as amended) and other relevant national legislation.

5. Objection issues ‘Directly’ related to the S99E consent response

Objection Issue 1- Flows to the Foreshore Tank and Diffuser

Raised by: David Hugh-Jones (OS006023)

It has been raised that the additional flows could not be accommodated by the receiving pipeline, foreshore tidal holding tank and Diffuser. Furthermore it has been suggested that the acceptance of the DG & Tine treated process wastewater will cause overflows.

Irish Water Comment:

Irish Water Design engineers have, as part of DG & Tine connection application, assessed the capacity of the relevant section of pipeline, Foreshore Holding Tank and Diffuser. Irish Water is satisfied there is adequate capacity for the additional DG & Tine treated process wastewater as consented to under the Section 99E process and as outlined in the Agency’s Proposed Determination. The additional DG & Tine treated process wastewater will not cause overflows.

Objection Issue 2- 300 mm Pipe at Bawnward

Raised by: David Hugh-Jones (OS006023)

It has been raised that a 300 mm pipe at Bawnward shall act as an emergency overflow pipe and discharge to the foreshore at Rathcoursey East

Irish Water Comment:

The 300 mm pipe at Bawnward is a scour intended to assist in emptying down the pressure pipe should a repair become necessary. There is also a similar scour pipe at Rathcoursey. The scour pipes have closed isolation valves which are manually opened during the scour process and they do not act as emergency overflow pipes.

6. Conclusion

Irish Water is satisfied that the proposed discharge of treated process wastewater from the DG & Tine facility at Mogeely can be accommodated at the connection point outlined in the Applicants IE application. The additional DG &Tine flow as consented to under Section 99E and as outlined in the Agency's Proposed Determination will not cause a non-compliance with D0056-01.