



### Objection

Objector:	Pat Moran
Objector Address:	Waterford
Objection Title:	Delivered to Reception
Objection Reference No.:	OS011374
Objection Received:	02 November 2023
Objector Type:	3rd Party
Oral Hearing Requested?	No

### Application

Applicant:	Kilkenny Cheese Limited
Reg. No.:	P1180-01

See below for Objection details.

Attachments are displayed on the following page(s).

Environmental Protection Agency

02 NOV 2023

Pat Moran

02/11/23

**Re: Appeal of Proposed Determination of Licence P1180 - 01**

Dear Sir/ Madam

I wish to appeal the proposed decision of the EPA to grant Licence P1180 – 01 for to connect to Uisce Eireann's discharge pipe, a 99E connection to Sewer agreement with Uisce Eireann the result being the Kilkenny Cheese discharge becomes part of and its assessment is combined with and is part of Licence D0022 – 01 discharge which is subject to the emission limit values set in the waste water discharge Licence D0022 – 01.

I wish to appeal that proposed decision along with appealing to the EPA board to request the EPA to carry out a licence review of Licence D0022 – 01 in view of the previous 99E connection to Sewer agreement with Licence P0963 - 02 The EPA site visit reports for D0022 – 01 and the fact that potentially the emission limit values set out in the wastewater discharge Licence D0022 – 01 have been exceeded, due to the PE of the UWWTP plant having potentially reached and exceeded its design capacity 190,600 – present 194,000 (at least) along with potentially having an excess of at least 20% – 30% unaccounted for within the Urban WWTP and its discharge.

In such circumstances potentially Uisce Eireann should not have conceded /agreed to the request for a 99E connection to Sewer agreement as the sewer and discharge did not have the capacity within the system to deal with such a request.

***“As the applicant's discharge will be part of the Uisce Eireann discharge an assessment of the cumulative impact of the UWWTP discharge and the Kilkenny Cheese discharge is not required for the purposes of this assessment as it has been addressed under reg No D0022 – 01”***

In this regard the IR assessment on page 17 (as above) cannot be applied and only an individual assessment of both licences separately can be applied to the Licences for discharge to the Waterford estuary with the discharges depending on their cumulative impact at the primary discharge point. In this regard the Kilkenny Cheese does constitute a material change to the nature or volume of the discharges from the agglomeration.

In these circumstances also the EPA cannot draw the conclusion or conclusively say the Kilkenny Cheese Licensed discharge will not have an effect or consequences for the Water Framework Directive (WFD), Habitats Directive (AA) and Environmental Impact Assessment (EIA).

Previous 99E connection to Sewer Agreement. 31/10/2018- Glanbia (now Tirlan), no assurance on the likely complication of the works.

"This is of grave concern to Glanbia corporately as it is a very significant investment and more importantly increases the national processing capacity of the expanding Milk volumes for which other outlets will not exist. Therefore, as it has been flagged to all parties for over two years the Belview expansion must complete commissioning in March 2019 to meet the Milk production requirements".

Inspector's report as regards the EPA Licence P0963 – 02, "The majority of the new emission limit values are dependent on the completion of the required capital upgrade works as set out in connect agreement – Cust14006 Major Wastewater Connection Agreement between Irish Water and Glanbia Ireland DAC.

Cust14006 Major Wastewater Connection Agreement – **Inspectors report 7-9-2023 for Kilkenny Cheese.** "However, the Technical Committee report for the P0963-02 application notes that Irish Water removed this requirement in the objection phase and revised ELV were provided which are not dependent on capital works being completed at Waterford City WWTP. The office of the Environmental Enforcement has confirmed that no capital works have taken place at the Water City WWTP".

I also draw the board's attention to page14 of the IR report – It is Uisce Eireann's responsibility to ensure that it meets the limits and satisfies the conditions set out in their WWDA Licence. A Licence amendment request for WWDL D0022 – 01 was received by the agency on the 24/10/2023 compliance is subject to enforcement by the office of the Environmental Enforcement. Irrespective of the additional loading (PE, 1750, 30Kg/DayN) **Monitoring** data indicates that Uisce Eireann can **continue** to comply with the emission limit values specified in WWDL reg no D0022 – 01.

Monitoring in the estuary and Shellfish Dieback in the SAC, Shellfish Designated Waters, with the cause recorded as **unknown**? The value and relevance of monitoring needs to be looked at as it has not picked up the cause or potential causes of Shellfish Dieback. It should be seen as alarming and of grave concern to the EPA on account of its effect (the loss of thousands of tonnes of filter feeders) on all habitats and species. Any Licence that could potentially result in a negative effect on Shellfish should not be issued until there is a definite answer to the problem and a restoration plan in place. Monitoring appears to be failing as regards the protection of the Waterford estuary.

IR report – Page 33, Para 13 Consultation - lack of consultations? No consultations are recorded as having taken place with Uisce Eireann the body with responsibility

Please find the attached –

A 2021 EPA letter – referring to Shellfish Dieback

A copy of my complaint to the EPA – Sustainable 2023 that the condition continues to be relevant up to the present day without an answer or response.

Plus the fee for/with a €226 postal order

Yours sincerely

Pat Moran

A handwritten signature in black ink that reads "Pat Moran" with a stylized flourish at the end.



Ms. Gina Long  
Clerk to the Committee  
Joint Committee on Climate Action  
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Dublin 2  
D02 XR20

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**Your Ref: CCA-I-2021-124**

**EPA Ref: 37'21**

9 July 2021

Dear Ms. Long

Thank you for your correspondence dated 4 June 2021 addressed to Laura Burke in relation to pollution in the Waterford Estuary and EPA licence register **P0606-03**.

The EPA has, since May 2020, maintained a webpage on the issues around Waterford Estuary's water quality issues and the EPA-licensed power station operated by **SSE Generation Ireland Limited**. The EPA licence register is P0606-03. The webpage for public information is at [Waterford Estuary and SSE Generation Ireland Limited P0606-03 | Environmental Protection Agency \(epa.ie\)](#). More detailed information on the licence and some correspondence with the licensee is available at [Environmental Protection Agency \(epa.ie\)](#).

It should be noted that SSE Generation are currently compliant with their EPA licence (P0606-03). The use of estuary water for cooling, and its subsequent discharge back into the natural environment, is authorised by the EPA and is the norm for water-cooled power stations. The licensee abstracts large quantities of water from the estuary. When water temperature exceeds 12 degrees celsius (from around April-May each year until autumn) the licensee adds sodium hypochlorite to the water at the intake. Sodium hypochlorite is a chlorine based biocide and is the same chemical commonly used in household bleach. The purpose of dosing cooling water is to prevent the build-up of shellfish and biological fouling within the plant itself, in its pipes and heat exchangers, where the cooling water flows. The dosing is not needed when water temperatures are cooler because it is too cold to support the biological growth and pipe fouling that takes place when warmer. After use, the cooling water is discharged and exits the facility over a weir and flows back into the estuary. The licence (P0606-03) controls for flow, temperature, thermal load and chlorine. The licensee is compliant with the limits set out in the licence.

In 2019 during a routine site inspection at the installation, EPA inspectors noted that sodium hypochlorite usage was some 1,300 tonnes annually. This seemed at odds with the statement in SSE Generation's original licence application which stated that hypochlorite use was



around 5 tonnes per year. The source of the error is not known but, in any event, the EPA has not and does not seek to regulate the quantity of sodium hypochlorite used at the power station. Rather, the EPA regulates the quantity of chlorine that is allowed in the cooling station discharge and, in this way, protects water quality. The limit value for chlorine in discharged cooling water is 0.3mg/l. The Committee should note that this is the same concentration of chlorine that is contained in drinking water supplied to domestic taps. In other words, the discharged cooling water contains no more chlorine residual than drinking water.

We have said above that the EPA does not regulate the use (input) of sodium hypochlorite. We do however advocate for less chemical usage at licensed installations - this in our role in the minimisation of resource use and the prevention of waste (National Waste Prevention Programme) and pollution. To that end, SSE Generation has undertaken initiatives to reduce their use of sodium hypochlorite. As reported on the EPA website on 14 April 2021, hypochlorite usage in 2020 was 525 tonnes (compared to 1,128 tonnes in 2019) as a result of tighter operational controls on the use of hypochlorite. In 2021, the dosing temperature was increased from 10 to 12 degrees celsius (as reported on the EPA website on 20 May 2021), meaning that dosing was put off for several weeks until the ambient water temperature increased to 12 degrees. It should also cease earlier next winter (as the ambient water cools) and result in an overall reduction in chemical use.

Water quality in Waterford Estuary continues to be the subject of considerable complaints by the local fishing community and is a concern to them as well as NGOs and the EPA. The EPA regulates several activities that discharge effluent and stormwater into the estuary and we monitor these discharges to ensure that all remain compliant with licence conditions, and this is currently the case. Pollutants make their way to the estuary from a very large catchment encompassing the main rivers Barrow, Suir and Nore and their tributaries. The evidence of shellfish dieback is known to the EPA and other statutory bodies with whom we've discussed the matter, but the cause is not known. The nature and extent of shellfish dieback in Waterford Estuary is not known and it is not possible therefore to conclude which of the many pressures on water quality (including EPA-licensed activities, urban waste water discharges, local authority-regulated effluent discharges and agricultural run-off), if any, are contributing to the impacts on marine life in the estuary. Waterford Estuary is currently at 'moderate' ecological status and has been categorised as 'at risk' of not reaching its environmental objective, which is 'Good Status'. It has been included in the 'Areas for Action' for the 3rd RBMP (River Basin Management Plan) cycle which means it will be prioritised for action by LAWPRO (Local Authority Waters Programme).

In September 2020, SEE Generation applied to the EPA for a review of licence register P0606-03. On the EPA website, documents relating to the review are available under the new register number P0606-04 - [Environmental Protection Agency \(epa.ie\)](https://www.epa.ie). The licensee's reasons for the licence review application are described on page 2 of the [non-technical summary](#) provided with the application. The issues mentioned above, namely chemical usage and the potential impact of cooling water discharges on estuary water quality, will be addressed in



this licence review. The licence review application remains open for third party and public submissions, each of which will be taken into consideration by the EPA before making its decision on the review. Please also note that Mr Moran's letters of 11/5/21 and 7/7/20 to the Committee have been put forward as submissions on the licence review application.

Yours sincerely,

A handwritten signature in black ink, which appears to read "Tom Ryan", is positioned above a horizontal line.

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Dr. Tom Ryan  
Director, Office of Environmental Enforcement  
Environmental Protection Agency



Pat Moran

## Sustainable 2023

2 messages

Pat Moran  
To: Licensing Staff <licensing@epa.ie>

Fri, Mar 24, 2023 at 6:41 PM

*For the attention of EPA Licensing and Enforcement Departments*

Dear Sir or Madam

Sustainable A word being banded about with no meaning when it comes to Water in Ireland's rivers, estuaries and the seas.

Attached are photos taken on the 19,20,21 and 22 March 2023 in the Waterford Estuary, from Duncannon to Cheekpoint.

Another major unnatural, unknown, unstoppable Foaming event in the Waterford Estuary, SAC, Natura Site and Shellfish Designated Area.

Unnatural constant Foaming followed by massive Foaming such as what has just occurred. Cause and consequence Unknown for the Estuary catchment and Sea's beyond.

Waterford Estuary is Sustainable ? IT IS NOT  
Regards

Pat Moran  
Oyster Farmer

4 attachments



Foam2023.jpg  
146K

Can I please ask you whether I have your permission to forward this to Uisce Éireann with your contact details?

Please also feel free to log your correspondence / complaint at this link: <https://lema.epa.ie/complaints> and attach the relevant photographs/documents.

**I trust that this information is useful to you and please do not hesitate to contact me.**

**Regards and thanks,**

**John Feehan**

087-6172528

[Quoted text hidden]

## 4 attachments



Foam2023.jpg  
146K



Foam20232.jpg  
2186K



Foam20233.jpg  
1598K



Foam20234.jpg  
1214K

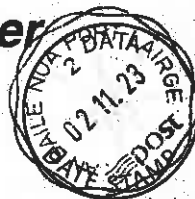
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