

Mr Frank Cronin
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04 April 2008

D0058-01

re: Notice in accordance with Regulation 18(3)(b) of the Waste Water Discharge (Authorisation) Regulations 2007

Dear Mr Cronin

I am to refer to the above referenced application for a waste water discharge licence relating to agglomeration named Fermoy. Having examined the documentation submitted, I am to advise that the Agency is of the view that the documentation does not comply with Regulation 16 of the Waste Water Discharge (Authorisation) Regulations 2007.

You are therefore requested, in accordance with Regulation 18(3)(b) of the regulations, to take the steps to supply the information detailed below:

ARTICLE 16 COMPLIANCE REQUIREMENTS

Name of the Agglomeration

Provide the name of the agglomeration to which this Waste Water Discharge Licence application relates.

Discharge Outfalls

- (c) (i) Provide the location of the discharge points, in particular, the secondary discharge points, and a description of the outfall design and construction as specified in Sections B and C.2 of the application form.
- (ii) Provide an estimation of the existing and the maximum proposed p.e. contribution from (1) domestic, (2) commercial and (3) trade effluent sources.
- (iii) Clarify whether leachate and/or industrial sludges are treated at the wastewater treatment plant. If so provide details of (1) the transfer and storage arrangements, (2) the location in the WWTP that the leachate/industrial sludge residues are introduced and (3) the quantity (volume and p.e.), frequency and rate of the addition to the WWTP.



- (iv) Provide details of any additional wastewaters or wastes accepted for treatment at the WWTP.
- (v) Having regard to the definition of 'waste water works' in the regulations reassess the designation of 'piped surface water including trade discharge from Microbio', referred to in your application, as a secondary discharge point. Submit revised application information as appropriate.
- (vi) Confirm the details of the flow rate in the receiving waters.

Population Equivalent

- (d) Reassess the information submitted in relation to the current size of the agglomeration in terms of population equivalent, and the capacity of the waste water works having regard to the definition of agglomeration provided in the regulations. Submit a revised drawing if necessary. Where planning permission has been granted for development(s), but said development has not been commenced or completed to date, within the boundary of the agglomeration and this development is being, or is to be, served by the waste water works provide the following:
 - (i) information on the calculated population equivalent (p.e.) to be contributed to the waste water works as a result of those planning permissions granted,
 - (i) the percentage of the projected p.e. to be contributed by the non-domestic activities, and
 - (ii) the ability of the waste water works to accommodate this extra hydraulic and organic loading without posing an environmental risk to the receiving water habitat.

Discharges to the Aquatic Environment

- (f) Reassess the data in the application in relation to the content and extent of the wastewater discharge and in particular the tables related to the emissions to surface water, for example provide the information required in the application form (Attachment D) regarding the volume of the flow from all secondary discharge points. Submit additional or revised tables where applicable.

Existing Environment

- (g) Provide a further description of the existing environment in terms of water quality with particular reference to environmental quality standards or other legislative standards. The response should include:
 - (i) A copy of the most recent water quality management plan or catchment management plan in place for the receiving water body.
 - (ii) Details of any designation under any Council Directive or Regulations that apply in relation to the receiving water.
 - (iii) Details of the receiving water body, including its protected area status, if any, and details of any sensitive areas or protected areas, or both in the vicinity of the discharge points likely to be affected by the discharge concerned.

- (iv) For all sites/areas identified under (iii) above, provide:
 - (1) A copy of the site synopsis report.
 - (2) Details of any relevant consultation with the National Parks and Wildlife Service.
 - (3) Details of any likely significant impact of the discharge on the site/area(s) identified.
 - (4) Details of the proposed mitigation measures, where impacts or potential impacts on the site/area(s) are identified.

It should be noted that whether or not Regulation 17 applies, the application form should be completed in full. In the case of references made to the attached Environmental Impact Statement a table should be provided correlating the application form sections to the corresponding sections in the EIS. Given the date of the EIS the response should also include an assessment of whether the EIS information is still valid/ up-to-date for example with regard to downstream uses/receptors and the matters listed under (f) above.

Discharge

- (j) Reassess the details submitted in the application to ensure that it fully addresses the likely consequences of discharges from the waste water works. Given the date of the EIS the response should also include an assessment of whether the EIS information is still valid/ up-to-date for example with regard to legislative requirements. Provide details of the monitoring and sampling points as specified in Attachment B.3 and Section E of the application form. Where provision of treatment or connection to Primary Discharge of secondary discharges is not proposed provide details for a monitoring programme to demonstrate compliance with the requirements of the regulations.

Sampling Data

- (k)
 - (i) Complete table E.1(i)
 - (ii) Provide a drawing showing the location of all monitoring and sampling points.

Operational Information

- (i) Reassess the details submitted in the application to ensure that it fully describes the existing or proposed measures, including emergency procedures, to prevent unintended waste water discharges and to minimise the impact on the environment of any such discharges. The response should include:
 - (i) Details of any existing, or proposed, storm water storage tanks located at the primary or secondary discharge points and details of the storage capacity and the storage time in hours.
 - (ii) Details of any existing or proposed storm water storage tanks associated with the storm water overflows, including details of the storage capacity and the storage time in hours.
 - (iii) An assessment of the identified storm water overflows having regard to the requirements of the DEHLG guidance and confirmation that the identified storm water overflows discharge in response to rainfall only.
 - (iv) Clarification as to whether there is a standby or mobile generator at any of the identified pumping stations.

- (v) Details of the storage capacity, and time in hours, which is available at each of the pumping stations (for example in the event of pump malfunction).
 - (vi) Details of the pump configuration (e.g. duty, assist, standby) at all identified pumping stations.
 - (vii) Clarification as to whether the emergency overflow from any pumping station has activated in the last 12 months. If so, provide the reason for the activation and details of the frequency, duration and discharge volume.
- (j) Reassess the information in the application with regard to the location of the nearest downstream drinking water abstraction point or points to the discharge point or points associated with the waste water works. Provide information on the provision of drinking water supplies to communities situated along the Blackwater downstream of the discharge point or points associated with the waste water works.

Assessment of Impacts of Waste Water Discharges on Receiving Waters

- (k) Provide further details and an assessment of the effects of any existing or proposed discharge on the environment, including any environmental medium other than that into which the discharge take place or are to take place, and of proposed measures to prevent or eliminate, or where that is not practicable, to limit or abate any pollution caused by such discharges. The response should include:
- (i) Confirmation that, where applicable, assessments of the impact of discharges from waste water treatment works are based on the maximum p.e. of the agglomeration to which the application relates. Submit revised assessments where applicable.
 - (ii) Assimilative capacity calculations of the receiving water body and calculations of the resultant downstream concentration in relation to the various substances being discharged and monitored as part of the monitoring programme being undertaken.
 - (iii) Provide details of any correspondence engaged in with the National Parks and Wildlife Service in relation to a determination as to the likelihood of discharges from the waste water works having a significant effect on a European site. If the discharges are deemed likely to have a significant effect an appropriate assessment of the implications for the designated site in view of the sites conservation objectives must be carried out. Any assessment, should it be deemed necessary, shall be submitted as part of the reasoned response to this notice.

Compliance

- (l) Review Section G of the application form to address compliance with Council Directives and other statutory regulations and submit additional information as necessary.

Further Works

- (m) Provide further details of any work necessary to meet relevant effluent discharge standards and a timeframe and schedule for such work. The response should include:
- (i) Details on the programme of improvements to ensure that discharges other than the primary and secondary discharges comply with the DEHLG guidance on storm water overflows.
 - (ii) The timeframe by which the discharges other than the primary and secondary discharges will comply with the definition of a 'storm water overflow' or alternatively will be diverted to the treatment plant for treatment.
 - (iii) A copy of any approved funding for the programme of improvements.

Your reply to this notice should include a revised non-technical summary which reflects the information you supply in compliance with the notice, insofar as that information impinges on the non-technical summary.

In the case where any drawings already submitted are subject to revision consequent on this request, a revised drawing should be prepared in each case. It is not sufficient to annotate the original drawing with a textual correction. Where such revised drawings are submitted, provide a list of drawing titles, drawing numbers and revision status, which correlates the revised drawings with the superseded versions.

Please supply the information in the form of a one original plus one copy by the **6th of May 2008**. In addition please submit one copy of the requested information in electronic searchable PDF format on a CD-ROM to the Agency. Please note that all maps/drawings should not exceed A3 in size.

Please note that the application's register number is **D0058-01**. Please direct all correspondence in relation to this matter to *Administration, Environmental Licensing Programme, Office of Climate, Licensing & Resource Use, Environmental Protection Agency, Headquarters, PO Box 3000, Johnstown Castle Estate, County Wexford* quoting the register number.

Yours sincerely,



BY

Maeve McHugh
Inspector
Office of Climate, Licensing & Resource Use