

This Report has been cleared
for submission to the Board by
the Programme Manager F Clinton
Signed: N. Kealey Date: 26/11/09



OFFICE OF CLIMATE,
LICENSING & RESOURCE USE.

MEMO TO THE INSPECTORS REPORT ON A WASTE WATER DISCHARGE LICENCE APPLICATION

To:	DIRECTORS	
From:	Ann Marie Donlon	Environmental Licensing Programme
Date:	25 th November 2009	
RE:	Application for a Waste Water Discharge Licence from Cork County Council Southern Division, for the agglomeration named Cobh, Reg. No. D0054-01	

Application Details

Schedule of discharge licensed:	Discharges from agglomerations with a population equivalent of more than 10,000
Licence application received:	14/12/2007
Notices under Regulation 18(3)(b) issued:	04/04/2008.
Information under Regulation 18(3)(b) received:	30/06/2008, 07/10/08.
Notices under Regulation 20(1) issued:	23/04/09
Information under Regulation 20(1) received:	26/05/09
Submissions Received:	24/02/08, 09/04/08

Since the completion of the inspectors report dated 14/10/08 for the waste water discharge licence application in relation to the Cobh agglomeration, further information was received under Article 20(1) of the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007).

This memo intends to update the inspectors report in relation to matters that have significantly changed over the intervening period. The Recommended Licence (RL) is also updated to reflect the assessment (see Table 1).

In relation to the Cork Harbour Main Drainage Scheme, An Bord Pleanála granted planning permission in July 2009 for the proposed wastewater treatment plant at Shanbally (within the agglomeration of D0057-01). The timeframe for the completion of the works is now given as mid to late 2014. The scheme is listed on the Water Services Investment Programme 2007-2009. The specifics of the improvement works are not yet finalised.

Urban Waste Water Treatment Directive [91/271/EEC]

As stated previously in the inspectors report, the Cobh agglomeration is non-compliant with the Urban Waste Water Treatment Regulations, 2001 (S.I. No. 254 of 2001) (UWW Regulations) having not provided secondary treatment by the end of 2005. In accordance with Agency policy and the combined approach, the RL specifies emission limit values on the basis of the limits specified in the UWW Regulations. The applicant is unlikely to meet the emission limit values specified in the licence prior to the completion of the proposed WWTP and associated works.

The implementation of the Cork Harbour Main Drainage Scheme will meet the requirements of the UWW Regulations with respect to Cobh. Having regard to the grant of planning permission for Shanbally WWTP and the requirements of the UWW Regulations, the Recommended Licence (RL) requires all discharges from Cobh agglomeration into Cork harbour to cease by the 1st January 2015 including storm water overflows. Given that there will no longer be a primary discharge from the Cobh agglomeration from 2015, the licence will cease to have effect as the agglomeration will be integrated into a larger agglomeration (Cobh/ Passage West / Monkstown/ Ringaskiddy /Carrigaline/Crosshaven). Any storm water overflows associated with Cobh will be considered under an application for the larger agglomeration (Cobh/ Passage West / Monkstown/ Ringaskiddy /Carrigaline/Crosshaven). Any licence granted to the agglomeration of Crosshaven-Carrigaline-Ringaskiddy agglomeration (D0057-01) may require a review or technical amendment to take within its scope the Cobh agglomeration. It should be noted that there is no mechanism in the Waste Water Discharge (Authorisation) Regulations, 2007 (S.I. No. 684 of 2007) by which a licence can be surrendered.

The RL does not require monitoring of untreated and uncontrolled discharges and the UWW Regulations only requires monitoring of treatment plant discharges. Untreated discharges will have the typical characteristics of raw urban waste water. The receiving water is not designated sensitive.

Water Framework Directive [2000/60/EC]

The draft River Basin Management Plan for the South Western River Basin District was published in December 2008. The following summarises the relevant information from the plan. Cork harbour has a 'moderate' status. The elements that contribute to this description and in so far as they may relate to the UWW discharges are DIN and conservation status. The 1a risk is attributed to the UWWTPs and dangerous substances. The overall objective is to restore protected areas and reduce chemical pollution by 2015. Measures identified in the Action Plan include appropriate assessment (Birds Directive), licence UWW discharges, ensure shellfish waters meet the quality standard, reduce priority pollutants and increase WWTP capacity.

In addition to the cessation of discharges, the RL requires a report on the quality of the receiving water having regard to the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009) and the Quality of Shellfish Water Regulations, 2006 (S.I. 268 of 2006) and amendments. If a deterioration in the status of the receiving waters is noted, and is attributed to the discharges from this waste water works, Condition 3.2 requires that the Water Services Authority take 'such measures as are necessary' to prevent such deterioration.

Since the RL requires all discharges from the Cobh agglomeration to cease by the 1st January 2015, no requirements are specified in relation to the assessment and remediation of storm water overflows, monitoring of influent or discharges, screening for priority pollutants, assessment of treatment capacities, and with regard to the condition on the Programmes of Improvements requirements are limited to the waste water works (collecting system). With regard to dangerous substances, the RL requires an investigation of sources and appropriate measures and included within the Programmes of Improvements is a requirement to assess limitations applied to any industrial discharges.

Shellfish Waters Directive [2006/113/EC]

The shellfish areas of Rostellan North, Rostellan South and the North Channel were designated 'shellfish waters' in 2009 (European Communities (Quality of Shellfish Waters)(Amendment) Regulations 2009). Designated shellfish areas are on the list of protected areas under WFD.

Untreated discharges are exerting pressure on the microbiological quality of the shellfish waters. The RL requires discharges from the Cobh agglomeration to cease by 1st January 2015.

Birds Directive [79/409/EEC] & Habitats Directive [92/43/EEC]

The discharge of untreated municipal sewage effluent from Cobh into Cork Harbour is currently taking place and this has been the historic practice. The primary discharge is approximately 1km from the SPA. There is no evidence of an on-going impact on the SPA and the site synopsis to the SPA states '*polluted conditions may not be having significant impacts on the bird populations*'. So long as there is no further deterioration in water quality the untreated discharges are not considered to have a likely significant effect on the current conservation status of the SPA. The impact of secondary treatment of waste water is discussed in more detail in the inspectors report to Crosshaven-Carrigaline-Ringaskiddy agglomeration (D0057-01) but in summary the proposal will benefit the SPA.

Table 1 summarises the new or amended conditions proposed to the RL from the previous RL that accompanied the inspectors report and was considered by the Board on 04/11/08.

Table 1 List of new or amended conditions proposed to the RL

Condition or Schedule number	Replacing an existing condition?	New condition?	Description
Definitions or Interpretation		✓	Includes new definitions.
1.6	✓		Reverted to template condition (refers to emission standards).
2		✓	Includes template condition on Interpretation (deleted in first RL).
3.1 (2.1 in original RL)	✓		Reverted to template condition (refers to emission standards).
4.6		✓	Template condition on safe access to sampling locations
4.10		✓	New condition to investigate sources of dangerous substances
4.13 (3.11 in original RL)	✓		Updated to have regard to new Regulations.
5 (4 on original RL)	✓		Now limited to the waste water works (collecting system)
6.3		✓	Notifying additional bodies in the case of incidents to shellfish waters
6.7		✓	Emergency response procedure
7.1 (6.1 in original RL)	✓		Updated charges.
Schedule A		✓	ELVs specified and date of cessation of discharges extended to 01/01/2015.
Schedule C		✓	Improvements to waste water works specified.

The Charges have been revised to €2,152 and is reflective of the monitoring and enforcement regime being proposed for the agglomeration.

Recommendation

I recommend that a Final Licence be issued subject to the conditions and for the reasons as set out in the attached Recommended Licence.

Signed



Ann Marie Donlon

Office of Climate, Licensing and Resource Use

Figure 1: Cobh discharges and Cork Harbour designations

