

This memo has been cleared for submission to the Board by the Programme Manager F. Clinton

Signed: Sergio Smith Date: 27/05/10



OFFICE OF CLIMATE,
LICENSING & RESOURCE USE.

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

To:	DIRECTORS		
From:	Ann Marie Donlon	Environmental Programme	Licensing
Date:	26 th May 2010		
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.
Submission Received:	24/02/08, 09/04/08

The Board of the Agency deferred its decision on the licence application from Cork County Council Southern Division, for the agglomeration named Cobh, Reg. No. D0054-01 at the Board meeting of 1st December 2009 pending clarification of issues raised at the meeting.

The following issues are regarded as the issues raised that required clarification from this inspector.

Issues for clarification

1. Clarify if Condition 1.4 is required. This clarification was raised in the context of a Board wish for a more focused and relevant Recommended Licence (RL).
2. A specific condition requiring a documented programme of improvement including timescales for the provision of the drainage network and the wastewater treatment plant for Cork Harbour known as the Cork Harbour Main Drainage Scheme.
3. Clarify the need for detailed infrastructure in relation to the WWTP.

In relation to the first point of clarification, every condition in the RL that was considered at the Board meeting of the 1st December 2009 was reviewed for its relevance to the current and planned situation. Table 1 below summarises the outcome of that review with recommendations and the associated rationale.

The second point of clarification is also addressed in Table 1 below where a new more focused condition is proposed to replace the existing Condition 5. This condition is specific to the Cork Harbour Main Drainage Scheme Project Plan. It should be noted that the wording of this new condition provides for the Project Plan to become part of the terms of the licence.

The third point of clarification relates to the fact that only indicative designs of the proposed WWTP at Shanbally are described in the Environmental Impact Statement (EIS). This EIS was submitted to An Bord Pleanála as part of the planning application for the proposed development (construction of a wastewater treatment plant as part of the development of Cork Lower Harbour Sewerage Scheme which includes upgrading of the existing waste water collection systems in the lower harbour area and construction of a marine pipeline crossing at Shanbally, Carrigaline, County Cork). Planning permission was granted in July 2009. Regard was had for the EIS and planning permission approval in the consideration of the application. The scope of waste water discharge licensing is limited to the discharges. The information provided in the application was sufficient to determine appropriate emission limit values based on the combined approach. It is not considered necessary that greater detail is made available to the Agency at this time.

Please note that in the course of progressing this application advice and guidance from Shane O'Boyle in the Office of Environmental Assessment was sought and taken into account.

Recommendation

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

Signed



Ann Marie Donlon

Office of Climate, Licensing and Resource Use

Table 1: Recommendation		Recommendation and Rationale
No.	Condition	
1	Glossary of terms	Delete. <i>These terms do not appear again in the RL where the following amendments are adopted.</i>
2	Decision & Reasons for the Decision	<p>Edit:</p> <p>The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any discharges from the agglomeration served by the waste water works will comply with and will not contravene any of the requirements of Regulation 6 of the Waste Water Discharge (Authorisation) Regulations, 2007.</p> <p>Having regard to the requirement in the licence for a phased and strictly monitored programme of improvements for the waste water works servicing the Cobh agglomeration and the requirement that no deterioration in the quality of the receiving waters shall occur as a result of the discharge(s), it is considered that the licence will aim to achieve the environmental objectives including environmental quality standards established under statute or prevent and reduce environmental pollution.</p> <p>In reaching this decision the Environmental Protection Agency has had regard to the requirements and objectives of Regulation 6 of the Regulations and has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.</p>

			<i>To provide further clarification as to the reason for the decision in these circumstances.</i>
3	1.4	The discharges to waters from the waste water works shall be controlled and managed and shall take place as set out in this licence. All programmes required to be carried out under the terms of this licence become part of this licence.	<p>Edit.</p> <p>The discharges to waters from the waste water works shall take place as set out in this licence. All programmes required to be carried out under the terms of this licence become part of this licence.</p> <p><i>Waste water in the agglomeration is neither controlled nor managed for the purposes of treatment.</i></p>
4	1.6	No alteration to the waste water works or any part thereof that would, or is likely to, result in a material change to or increase in discharges sufficient to represent a risk of causing a breach of <u>emission standards specified in the licence</u> shall be carried out or commenced without prior notice to, and without the agreement of, the Agency	<p>Edit:</p> <p>No alteration to the waste water works or any part thereof that would, or is likely to, result in a material change to or increase in discharges sufficient to represent a risk of causing a breach of environmental quality standards or objectives shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.</p> <p><i>The only monitoring required is of the ambient receiving waters and therefore the requirement should be directed toward the receiving environment.</i></p>
5	2	Condition 2 : INTERPRETATION	<p>Replace Condition 2.1 with the following:</p> <p>Emission limit values for discharges to waters in this licence shall be interpreted in accordance with the Fifth Schedule of the Urban Waste Water Treatment Regulations, 2001.</p> <p><i>As there is no monitoring of discharges in the licence, it is therefore not deemed necessary to have an extensive interpretation condition. This amendment takes account of the</i></p>

			<i>requirements of the Urban Waste Water Treatment Regulations, 2001 (S.I. No. 254 of 2001).</i>
6	4.4	All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the discharges are being made unless alternative sampling or monitoring has been agreed in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable and alternative sampling and monitoring facilities shall be put in place. Agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Agency.	Delete. <i>There are no automatic monitors or samples in place or being proposed.</i>
7	4.6	The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.	Delete. <i>There is no requirement in the RL to monitor discharges.</i>
8	4.7	The licensee shall establish and maintain corrective action procedures and shall take corrective action should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined by the licensee.	Delete. <i>Waste water in the agglomeration is neither controlled nor managed for the purposes of treatment.</i>
9	4.1.1	The licensee shall prepare a PRTR report for the primary and secondary discharges. The substances to be included in the PRTR shall be as agreed by the Agency each year by reference to EC Regulation No. 166/2006 concerning the establishment of the European Pollutant and Transfer	Delete

		Register and amending Council Directives 91/689/EEC and 96/61/EC. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.	<i>There is no requirement in the RL to monitor discharges.</i>
10	4.12	The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the monitoring data generated as a result of this licence	Delete <i>There is no requirement in the RL to monitor discharges. The AER is the only report required under the licence and Condition 6.10 provides for the format of the report to be submitted in accordance with any written instruction.</i>
11	5	Condition 5: PROGRAMME OF IMPROVEMENTS	Replace all of Condition 5 with the following (numbered appropriately): 5.1 The licensee shall, within three months, prepare and submit to the Agency for its agreement a Project Plan for the Cork Main Drainage Scheme that will achieve the following objectives: a) achieve improvements in the quality of all discharges from the works; b) cease discharges listed under <i>Schedule A.3: Discharges to be Discontinued</i> and c) give effect to Regulation 2 of the Waste Water Discharge (Authorisation) Regulations 2007 (S.I. No. 684 of 2007). 5.2 The Project Plan referred to in Condition 5.1 shall include: a) A work breakdown structure;

	<p>b) A schedule of resource requirements and needs;</p> <p>c) A Gantt chart or similar, identifying sequences, duration and target completion dates for the major outputs of the project;</p> <p>d) Identification of the project team and managers and their area of responsibility;</p> <p>e) Description of project risks and mitigation measures;</p> <p>f) The improvements as set out in <i>Schedule C: Specified Improvement Programme</i> and to be completed by 01/01/2015.</p> <p>5.3 The Project Plan for the Cork Main Drainage Scheme shall be a single integrated plan serving the agglomerations of Cobh (D0043-01), Passage West / Monkstown (D0129-01), and Ringaskiddy / Carrigaline/Crosshaven (D0057-01) and Ringaskiddy village (D0436-01). The Project Plan for the Cork Main Drainage Scheme required to be carried out under the terms of this licence becomes part of this licence.</p> <p>5.4 The licensee shall implement the Project Plan for the Cork Main Drainage Scheme in accordance with the agreed Plan. During the project implementation phase, the licensee shall submit to the Agency status reports biannually. The status reports shall compare actual activities with the plan elements and note any significant deviations from the Plan.</p> <p>5.5 Any significant modification to the Project Plan deemed necessary during the implementation phase shall be reported in the status reports and are subject to the</p>
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		agreement of the Agency.
12	6.7(vii)	up to date operational procedures for all monitoring and control equipment necessary to give effect to this licence
	Sch. B.3	Table
13		<p>Replace table with the following wording:</p> <p>This schedule does not apply.</p> <p><i>This amendment compliments the amendment under point 4 above.</i></p>
14	Sch. B.4	See Condition 4.13 for requirements.
15	Sch. D	<p>Table</p> <p>Pollutant Release and Transfer Register - report for previous year.</p> <p>Pollutant Release and Transfer Register - proposal for current year.</p> <p>Report on progress made and proposals being developed to meet the improvement programme requirements. ^{Note 2}</p> <p>Development/Infrastructural works summary (completed in previous year or prepared for current year).</p>
		<p>Delete.</p> <p><i>There are no monitoring and control equipment in place or being proposed.</i></p> <p>Renumber Condition 4.13 appropriately.</p> <p><i>This amendment regularises preceding amendments.</i></p> <p>Delete PRTR reference</p> <p><i>This amendment compliments the amendment under point 8 above.</i></p> <p>Replace reference to improvement programme with the following:</p> <p>Project Plan for the Cork Main Drainage Scheme</p> <p>Status reports for the Project Plan completed in the previous year.</p> <p><i>This amendment compliments the amendment under point 10 above.</i></p>