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27 July 2011

D0058-01

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

Dear Mr. Cotter

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:

### **REGULATION 16 COMPLIANCE REQUIREMENTS**

Please update the Appropriate Assessment (i.e., *Appendix 15 – Fermoy Screening & Assessment (Ref: D0058-01)*) to include an assessment of the secondary discharge point (SW4) on the Blackwater River (Cork/Waterford) SAC and the Blackwater Callows SPA. This assessment should include, as a minimum, details of the following:

- Description of the effluent currently discharging at SW4.
- Impact assessment of the discharge at SW4 on the receiving water, both at a localised level and on the water catchment as a whole, having due regard to cumulative impacts from other point source and diffuse discharges to the catchment.
- Comment on the likely direct, indirect or secondary impacts of the primary and secondary discharges from the agglomeration (either alone or in combination with other point source and diffuse discharges) on

the qualifying interests (species/habitats) of the SPA and SAC, in light of the conservation objectives of the designated sites.

- Where significant adverse effects are identified, there should be a clear link with relevant and appropriate mitigation measures. Outline all mitigation measures proposed for both primary and secondary discharges from the agglomeration.
- Demonstrate that the mitigation measures proposed will avoid any significant impacts, in terms of maintaining favourable conservation status, on the qualifying interests of the SPA and SAC.

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 within **4 weeks** of the date of this notice. In addition please submit one copy of the requested information in electronic searchable PDF format on a CD-ROM (no file to exceed 10MB) 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,



**Orla Harrington**

**Inspector**

**Office of Climate, Licensing & Resource Use**