

This report has been cleared for submission to the Board by the Programme Manager Frank Clinton. Signed Amel Elue Date 17/11/11

**OFFICE OF CLIMATE,
LICENSING &
RESOURCE USE**



Licensing Programme Addendum

To:	Directors
FROM:	Orla Harrington
DATE:	17 th November 2011
RE:	Board Meeting 25 th October. Clarification on Fermoy Town and Environs (Reg No. D0058-01)

At the Board meeting of the 25th of October 2011, The Board requested that clarification be sought from John Lucey, Biologist on a potential discharge point in the centre of the town and the Board also requested clarification on any potential link between this problem and the 'Poor Status' of the Blackwater, as referenced in P10 of IR.

John Lucey, Biologist, conducted sampling of the River Blackwater at a point downstream of SW4. He noted in 2003 and 2006 that there was a creamy white discharge on the left hand side of the river and in 2006 that the area was heavily silted. In 2009 while the discharge from SW4 was noted the water in the river downstream of this discharge point looked clear. The biological water quality rating in 1994 was Q4, it was Q3 in 1997, 2000, 2006 and 2009 and Q2 in 2003, and in addition John Lucey has confirmed that the samples were taken in the mixing zone of the secondary discharge point (SW4).

This discharge point releases the combined trade effluent from Micro-Bio (Ireland) Ltd and cooling water discharges from the Silver Pail Dairy (Fermoy) Ltd facility, directly to the River Blackwater. The Water Services Authority (WSA) of Cork County Council under Section 99E of the *Environmental Protection Agency Acts 1992-2007* and Section 16 (Discharges to sewers) of the *Water Pollution Act 1977* have permitted both Micro-Bio (Ireland) Ltd and Silver Pail Dairy (Fermoy) Ltd to discharge to this part of the sewer network.

The creamy white discharge which was noted by John Lucey on two occasions may be a discharge from Silver Pail Dairy (Fermoy) Ltd. Silver Pail Dairy (Fermoy) Ltd is permitted under Section 16 of the *Water Pollution Act* since 1993 and its compliance history is unknown. The visual nature of the discharge would suggest contamination of the cooling water from Silver Pail Dairy (Fermoy) Ltd., as OEE (John Doheny) have confirmed that Micro-Bio (Ireland) Ltd is compliant with emission limit values (ELVs) set for emission to sewer of its IPPC licence. The plant performance constantly meets ELVs set in its IPPC licence.

In addition, sewage objects were noted by John Lucey in 2000, 2003 and 2009. As the sanitary effluent discharges from both Silver Pail Dairy (Fermoy) Ltd and Micro-Bio (Ireland) Ltd are directed to the waste water treatment plant in Fermoy it is unlikely that these objects originated from SW4. There is a farmwater overflow (SW5) upstream of SW4 and the sewage objects noted by John Lucey could have originated from this discharge point.

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It should be noted that sampling is not undertaken during periods of heavy rainfall when one would expect a discharge from SW5 so this might indicate that SW5 is not operating in accordance with the DoECLG guidance 'Procedures and Criteria in Relation to Storm Water Overflows', 1995. However, Schedule C: Specified improvement programme requires the upgrading of the storm water overflows to comply with the criteria outlined in the DoECLG guidance by the 1st January 2015.

The ELVs that are set for SW4 are aimed at providing a high degree of protection to the receiving water body and will not breach High Status standards in the *Surface Water Regulations 2009*. Also, all relevant priority substances or pollutants in SW4 shall be identified by the licensee by under taking a risk based assessment in accordance with "Guidance on the Screening for Priority Substances for Waste Water Discharge Licences" issued by the Agency. Monitoring for the identified priority substances or pollutants shall be carried out at least annually. The Water Services Authority is also required to take measures as are necessary to ensure that no deterioration in the quality of the receiving waters shall occur as a result of the discharge (Condition 3.3).

Oliver Horrobin