

This memo has been cleared for submission to the Director by the Senior Inspector Karen Creed.

Signed: M. Buckley Date: 23/11/12

Máire Buckley

The Environmental Protection Agency
30 NOV 2012
CORK



OFFICE OF CLIMATE,
LICENSING & RESOURCE USE.

INSPECTORS REPORT ON A WASTE WATER DISCHARGE LICENCE APPLICATION

To: DIRECTORS

From: SEÁN O DONOGHUE Environmental Licensing Programme

Date: 23rd November 2012

RE: Application for a Waste Water Discharge Licence from Cork County Council Northern Division for the Mallow Town and Environs Agglomeration, Reg. No. D0052-01.

Application Details	
Schedule of discharge licensed:	Discharges from agglomerations with a population equivalent (p.e.) of more than 10,000.
Licence application received:	14/12/2007
Notices under Regulation 18(3)(b) issued:	04/04/2008, 28/10/2008, 30/04/2010, 15/07/2010,
Information under Regulation 18(3)(b) received:	30/06/2008, 01/06/2010, 04/07/2011
Site notice check:	07/01/2008
Site visit:	16/10/2008
Submission Received:	One, 25 th September 2009.

1. Agglomeration

This application relates to the Mallow Town and Environs agglomeration. Mallow town is situated on the River Blackwater in North Cork. The Mallow waste water treatment plant (WWTP) is situated on the south bank of the River Blackwater to the south east of the town. Northumbrian Water International, were awarded the contract to operate the WWTP on a 20 year operational and maintenance contract in May 2011.

The wastewater from both domestic and non-domestic sources in Mallow is collected in a partially combined sewage drainage network. The wastewater drains from both sides of the river to a pumping station at Mallow Bridge, and is then pumped to the WWTP. The primary discharge is via a 450mm outfall pipe to the River Blackwater.

There are no secondary discharges in the installation. There is one pumping station on the sewer network and eight storm water overflows (SWOs) located within the agglomeration which all discharge to the River Blackwater.

The Mallow WWTP is designed for a population equivalent (p.e) of 18,000 with a biochemical oxygen demand (BOD) of 1,080kg/day.

The WWTP is currently operating at 75% of its design capacity (approx. 14,000 p.e.). This is estimated to comprise of 90% domestic and 10%, commercial and industrial waste waters. It was initially proposed to accept leachate from the Bottlehill landfill (Waste Licence No. W0161-01) upon its commissioning, however the applicant has clarified in September 2012 that this is no longer proposed.

Within Mallow town there are a number of IPPC licenced installations. Micam (P0247-01), are licensed for the manufacture of printed circuit boards and are permitted under the licence to discharge 103m³ per day of treated effluent to the sewer. However, the manufacture of these boards has ceased since March 2001 and as a result there is no longer any process effluent being discharged to sewer. In addition two other IPPC licenced installations discharge directly to the River Blackwater. They include Dairygold (P0403-01), a milk processing facility which discharges treated effluent directly to the River Blackwater. This licence is currently under review to ensure it complies with the *European Communities Environmental Objectives (Surface Waters) Regulations (S.I. No. 272 of 2009)* (Surface Waters Regulations 2009). Road Binders (P0084-01) manufacture emulsions for use in road construction. No process effluent is generated and no emission of trade effluent to waters or to the public sewer is permitted. Storm water from the installation drains to the mill stream which feeds into the River Blackwater.

The WWTP was upgraded in 2007. This upgrade involved the introduction of a flow splitting arrangement. Once the wastewater passes through the inlet works, 50% of the flow is diverted to the existing wastewater treatment stream and the remaining 50% is directed to a new treatment system. Each stream has an aeration phase, secondary settlement phase and return activated sludge. The new additional stream goes through an anaerobic/anoxic process. Planning permission granted for the upgrade required that the total phosphorus in the final effluent should not exceed 2mg/l. To achieve this both streams are treated with ferric sulphate for the removal of phosphorus.

Sludge is separated from each waste stream and sent to a common sludge storage blend tank, common picket fence thickener and common dewatering plant. Standby pumps, generators and fans are available at the WWTP to ensure continuation of the works.

An enhanced level of treatment is required in Mallow as the primary discharge point (SW1) is located within the following European site: Blackwater River (Cork/Waterford) cSAC (site code: 2170). The River Blackwater is a designated sensitive area under the *Urban Waste Water Treatment Regulations (S.I No. 254 of 2001 as amended)* (UWWT Regulations) and a designated Freshwater Pearl Mussel (*Margaritifera margaritifera*) site listed in the first Schedule of the *European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations S.I No. 296 of 2009* (Pearl Mussel Regulations).

Schedule A: Discharges and discharge monitoring of the recommended licence (RL) specifies the emission limit values (ELVs) to which the discharge must conform. The

ELVs are aimed at providing a high degree of protection to this sensitive receiving water body and these limits will assist in the water body achieving a high status as defined in the Water Framework Directive. Monitoring of the discharge will take place as detailed in *Schedule A*.

Site Visit

As part of the assessment of this application, a site visit was conducted on the 16th October 2008 by Úna O Callaghan. The inspection focused on the treatment plant, pumping station and the primary discharge. No significant issues were noted during the visit.

2. Discharges to Waters

The primary discharge (SW1) from the WWTP is to the River Blackwater, the design dry weather flow capacity of the plant as stated in the EIS is 4,050 m³ per day. The maximum hydraulic capacity of the WWTP is 556m³ per hour which is 2.5 Dry Weather Flow (DWF). In order to cope with flows above 2.5 DWF, storm storage has been provided at the WWTP for approximately 1,012m³. In the event that the tanks are full, the storm water tanks are operated as a pre-clarification tank without sludge removal. The overflow from the storm water storage tank is connected to the final effluent outlet pipe (SW1).

The River Blackwater is the receiving water for all eight SWOs. These are located at Bearforest lower (SW2) Summerhill (SW3), Ballylough Cross (SW4), Quartertown Railway Bridge (SW5), Lower Beecher Street (SW6), Davis Street/Shambles Lane (SW7) and West End (SW8), which are all within the Mallow agglomeration. There is one emergency overflow associated with the pumping station located at Bearforest. Emergency overflows come into operation in rare circumstances such as power failure and are not considered further here or in the RL. It is proposed to install a storm water storage tank at the main pumping station and eliminate the other storm water overflows from the collection network within three years. The Mallow sewerage scheme is listed on the Water Services Investment Programme for 2010-2012 as a scheme under 'contracts to start' within this timeframe. In correspondence with the waste water liaison officer with Cork County Council, the network up-grade is not expected to commence with the above timeframe and is most likely to commence in 2013.

It is not known whether the storm water overflows currently meet the Department of Environment, Community and Local Government (DoECLG) criteria, outlined in the DoECLG publication "*Procedures and Criteria in relation to storm water overflows*", 1995. Condition 4 of the RL requires an assessment of the remaining SWOs to determine compliance with these criteria.

It is reported in the application that the plant operates to a 25:125:35 (BOD, Chemical Oxygen Demand (COD), Suspended Solids (SS)) specification, however, discharge monitoring data submitted to the Agency as part of the application process indicates that the average BOD and SS readings for 2007 were 3.9mg/l and 16.7 mg/l respectively, which indicates a performance better than the design specifications. The EPA's report on *Urban Waste Water Discharges in Ireland for Population Equivalents Greater than 500 persons-A report for the years 2008 and 2009* indicates that Mallow WWTP was in compliance with the UWWT regulations in 2008 and 2009.

3. Receiving waters and Impact

The Blackwater is one of the largest rivers in Ireland and is approximately 168 kilometres long. It rises in the Mullaghareirk Mountains in County Kerry and flows in an easterly direction through County Cork, passing through Mallow and Fermoy. It flows through Lismore and Cappoquin in County Waterford before it finally drains into the sea at Youghal Harbour. The following table summarises the main considerations in relation to the River Blackwater downstream of the primary discharge (SW1).

Table 1.0 Receiving waters

Characteristic	Classification	Comment
Receiving water name and type	Blackwater Freshwater River	River Code: IE_SW_18_2292_4
Resource use	None	No drinking water abstraction points d/s of Mallow WWTP
Amenity value	Angling, General amenity	Salmonid River
Applicable Regulations	Surface Water Regulations 2009 ^{Note 1}	Discussed below
	Pearl Mussel Regulations 2009 ^{Note 2}	Discussed below
	UWWT Regulations ^{Note 3}	Nutrient Sensitive River
	Quality of Salmonid Waters Regulations, 1998 ^{Note 4}	Discussed below
Designations	Blackwater River SAC	Site Code 002170
	Munster Blackwater (main channel) containing <i>Margaritifera margaritifera</i>	Munster Blackwater Catchment
	Salmonid River	
EPA monitoring stations	18B021500 (LHS) 18B021510 (RHS)	Located at Railway bridge c. 2.5 km u/s of WWTP
	18B021800	Located NE of Ballymagooly c.2.2 km d/s of WWTP
Biological quality rating (Q value)	18B021500 (LHS) } 18B021510 (RHS) } up-stream	Q3-4 (2006, 2009) Q3-4 (2006, 2009)
	18B021800 down-stream	Q4 (2006, 2009)
WFD status	Moderate	Restore by 2021 to high status
WFD risk category	1a at risk	Restore by 2021 to allow recovery to Freshwater Pearl Mussel (FPM) standards ^{Note 5}

Note 1: European Communities Environmental Objectives (Surface Water) Regulations 2009, S.I. No. 272 of 2009.

Note 2: The European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009, S.I. No.296 of 2009.

Note 3: Urban Waste Water Treatment Regulations (S.I No. 254 of 2001) (S.I No. 440 of 2004) (S.I No. 48 of 2010)

Note 4: European Communities (Quality of Salmonid Waters) Regulations 1988, S.I. No. 293 of 1988

Note 5: Blackwater Water Management Unit Action Plan

The River Blackwater at river segment IE_SW_18_2292_4 has a water quality status rating of moderate due to macroinvertebrate and ecological status. The South Western River Basin District (SWRBD) has set the water quality objective as 'restore

to high status by 2021'. The Blackwater is a large river with high assimilative capacity to accept pollutant load but its ability to assimilate has been significantly reduced due to increased pressures acting on the waterbody. Sources of diffuse pollution include agriculture, forestry and urban land uses. These pressures are identified in the SWRBD plan and the objectives report states that the extended timescale was provided to allow recovery to Freshwater Pearl Mussel (FPM) standards.

The River Blackwater is a designated sensitive area under the Urban Waste Water Treatment Regulations as amended. This designation applies to the section downstream of Mallow Railway Bridge, to Ballyduff Bridge Co. Waterford. Biological monitoring undertaken by the Agency in recent years has indicated that the quality of the Blackwater River is rated as being Q3-4 (slightly polluted) at EPA monitoring stations 18B021500 & 18B021510, located both sides of Railway Bridge, ~2.5km up stream (u/s) of the WWTP and pumping station discharge point SW02. *The Phosphorus measures and implementation Report 2004* for County Cork identified both industry and R. Clyda tributary inflow u/s of the monitoring station as the principal source of pollution. The downstream (d/s) EPA monitoring point 18B021800 is located ~ 2.2km from WWTP and the Q rating is 4 (unpolluted).

The Munster Blackwater catchment is the largest pearl mussel catchment in the south western river basin district, however, information from surveys outlined in the Freshwater Pearl Mussel Munster Blackwater Sub Basin Management Plan suggests that the current populations are composed entirely of aged adults with no evidence of recruitment for at least 20 years. The Mallow WWTP is listed among the 18 WWTPs deemed to have a significant adverse effect on the Pearl Mussel or its habitat in the Freshwater Pearl Mussel Munster Blackwater Sub Basin Management Plan. The plan seeks to reduce the overall nutrient, organic and sediment loads in the Munster Blackwater catchment, in order to support the Freshwater Pearl Mussel (*Margaritifera margaritifera*). The proposed ELVs are based on the high status standards required to achieve this objective, as laid down in the Surface Waters Regulations 2009.

Impact of Discharge:

Primary Discharge (SW1)

The assessment of the impact of the wastewater discharge, as described below, considered the design specification of the WWTP, wastewater composition and quality, and assimilative capacity calculations.

The dilution factor at the point of discharge is approximately 97 on the basis of WWTP discharge volume (Dry weather flow of 0.047m³/sec) and the verified 95%ile flow in the River Blackwater, which is 4.57m³/sec at the point of discharge. Ambient monitoring results for total phosphorous and ammonia submitted were not sufficiently low to indicate compliance with the *Surface Waters Regulations 2009*, therefore assimilative capacity calculations for the primary discharge (SW1) in Table 2.0 are presented using, for the purpose of this assessment, the 'notional clean river' approach (as formulated by the Office of Environmental Assessment). This is where the discharge is mass balanced into a hypothetically (notionally) clean stretch of river in order to gauge the impact of the discharge, and excludes all other sources of pollution impacting the river, which are outside the control of this licence, and which

will need to be addressed by other means, such as Water Management Unit Action Plans.

Table 2.0 Assimilative Capacity Primary Discharge (SW1)

Parameter	Notional Clean River Values for A/C	Proposed ELVs for discharge from SW-1 (mg/l)	Contribution from primary discharge (mg/l)	Predicted downstream concentration (mg/l) ^{Note 1}	Relevant standard (mg/l)
BOD	0.26	25	0.25	0.51	≤2.2 ^{Note 2}
Ortho-P	0.005	1.5	0.015	0.02	≤0.045 ^{Note 2}
Total Ammonia - N	0.008	3	0.036	0.04	≤0.090 ^{Note 2}

Note 1: Based on proposed emission limit values and notional clean river values.

Note 2: 'High Status' (95%ile values) as per European Communities Environmental Objectives (Surface Waters) Regulations, S.I. No. 272 of 2009

Note 3: European Communities (Quality of Salmonid Waters) Regulations 1988, S.I. No. 293 of 1988

The assimilative capacity calculations, based on the predicted volumetric discharges (at 18,000 p.e) ELVs as set in the RL for a range of substances (BOD, orthophosphate, ammonia), suggest that the receiving waterbody is capable of accommodating the proposed discharge without causing a breach in the relevant standards as outlined in National and European legislation. The plant is designed to achieve 25mg/l BOD, 2mg/l total phosphorus (TP) and 3mg/l ammonia in the discharge at full design capacity. Table 2.0 above shows the contribution from the discharge compares favourably with the high status values in the Surface Waters Regulations 2009.

The River Blackwater is designated a sensitive area under the UWWT Regulations, 2001 as amended. The UWWT Regulations limits for nutrients in discharges into nutrient sensitive areas (for agglomerations of 10,000 to 100,000 p.e) are 2mg/l for TP and 15mg/l for total nitrogen (TN). The RL specifies ELVs of 2mg/l for TP, 15mg/l for TN accordingly, along with 1.5mg/l for orthophosphate, 3mg/l for ammonia and 25mg/l for suspended solids. The proposed ELV for suspended solids is stricter than the limit set out in the UWWT Regulations in order to reduce the SS loading on the river. Heavy siltation has been observed as a problem both upstream and downstream of Mallow WWTP, and while the primary discharge is unlikely to be the main cause of the siltation, the proposed ELV will ensure a minimal contribution from the agglomeration. Data supplied with the application would indicate that the WWTP is capable of meeting the proposed ELVs.

The ELVs are aimed at providing a high degree of protection to the receiving water body, and are based on data supplied in the application concerning the performance and specification of the WWTP. The plant is designed to serve 18,000 p.e. but the agglomeration currently has a p.e. of only 14,000 approximately. Therefore, the plant is operating at only 75% of its capacity. It is unlikely that the plant will reach maximum capacity in the medium term. However, as the ELVs are based mainly on design levels, the plant should be able to meet these ELVs when full capacity is reached.

The South Western River Basin Management Plan (2009-2015) included a proposed extended timeframe to 2021 for the River Blackwater to achieve high status. The ELVs proposed in the RL will contribute to achieving high status by 2021.

4. Ambient Monitoring

Schedule B: Ambient Monitoring of the RL specifies the parameters, analysis method and frequency for which ambient monitoring upstream and downstream of the primary discharge point (SW1) must be carried out. The requirements for ambient monitoring in *Schedule B* are sufficient to verify that there is no deterioration of the receiving water quality due to the discharge. A footnote to *Schedule B* allows monitoring locations to be agreed by the Agency.

5. Combined Approach

The *Waste Water Discharge Authorisation Regulations, 2007 (S.I. No. 684 of 2007)* specify that a 'combined approach' in relation to licensing of waste water works must be taken, whereby the emission limits for the discharge are established on the basis of the stricter of either or both, the limits and controls required under the Urban Waste Water Treatment Regulations (S.I. No. 254 of 2001) as amended and the limits determined under statute or Directive for the purpose of achieving the environmental objectives established for surface waters, groundwater or protected areas for the water body into which the discharge is made. The RL as drafted gives effect to the principle of the Combined Approach as defined in S.I. No. 684 of 2007(as amended).

6. Programme of Improvements

The Mallow sewerage scheme is listed on the Water Services Investment Programme for 2010-2012. A preliminary report on the upgrade needs has been submitted to the Water Services Investment Programme. This is for the upgrade of the sewer network, which includes the elimination of Storm Water Overflows and the installation of a Storm Water Tank at the facility. The scheme is listed under 'contracts to start' within 2010-2012. Condition 5.4 and Schedule C of the RL require completion of these improvements by June 1st 2016, this deadline has been set on the basis of discussions with the relevant Water Services inspector in DoECLG.

7. Compliance with EU Directives

In considering the application, regard was had to the requirements of Regulation 6(2) of the *Waste Water (Discharge) Authorisation, Regulations, 2007 (S.I. No. 684 of 2007)* notably:

Drinking Water Abstraction Regulation

There is no drinking water abstraction downstream of the primary discharge from the Mallow agglomeration.

Sensitive Waters

The River Blackwater downstream of Mallow Railway Bridge, to Ballyduff Bridge is designated as sensitive water under the UWWT Regulations 2001 as amended. The primary discharge point (SW1) discharges directly into this stretch of the River Blackwater. As described above, ELVs for Total Nitrogen and Total Phosphorus have been set in the RD to ensure compliance with these regulations.

Water Framework Directive [2000/60/EC]

The RL, as drafted, transposes the requirements of the Water Framework Directive. In particular, *Condition 3 Discharges* provides conditions regulating discharges to waters while *Schedule A: Discharges and discharge monitoring* specifies limit values for those substances contained with the wastewater discharge. The limits specified in the RL are determined with the aim of achieving high status by 2021.

European Communities Environmental Objectives (Surface Water) Regulations 2009, S.I. No. 272 of 2009

The River Blackwater at river segment IE_SW_18_2292_4 has a water quality status rating of moderate due to macroinvertebrate and ecological status. The RL as drafted has regard to the requirements of the Surface Water Regulations 2009. In particular, *Condition 3: Discharges* provides conditions regulating discharges to waters while *Schedule A: Discharges and discharge monitoring* specifies limit values for those substances contained in the waste water discharge.

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

The agglomeration of Mallow complies with the requirements of the Urban Waste Water Treatment Regulations in terms of the level of treatment provided and compliance with emission limit values. The RL, as drafted, has regard to the requirements of the Urban Waste Water Treatment Directive.

Bathing Water Directive [2006/7/EC]

There are no bathing waters in the vicinity of the receiving water.

EC Freshwater Fish Directive [2006/44/EC]

The Munster Blackwater is a designated salmonid river both upstream and downstream of the discharges. Discharges permitted under the RL will not cause any breach of salmonid standards in the receiving water.

The European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations S.I. No. 296 of 2009.

The Blackwater is required to support the Freshwater Pearl Mussel (*Margaritifera margaritifera*). The ELVs specified in the RL are determined with the aim of not causing a breach in the standards. The Mallow WWTP is listed among the 18 WWTP's deemed to have a significant adverse effect on the Pearl Mussel or its habitat in the Freshwater Pearl Mussel (*Second Draft March 2010*) Munster Blackwater Sub Basin Management Plan. This plan has been prepared to act alongside the wider SWRBD to provide a programme of measures required to improve the habitat of the Freshwater Pearl Mussel so that it can attain favourable conservation status.

The Pearl Mussel population is at unfavourable conservation status in the Munster Blackwater. The catchment fails all of the five Environmental Quality Objectives (EQOs)¹ as specified in Schedule 4 of the *Pearl Mussel Regulations 2009*. Heavy siltation has been observed at all locations investigated to date (both upstream and downstream of Mallow), indicating that conditions are unsuitable for the survival of juvenile mussels in the Munster Blackwater system.

Discharges as permitted in the RL will not cause any breach of the 'high status' water quality standards specified in the Surface Water Regulations 2009. Condition 4 of

¹ Freshwater Pearl Munster Blackwater Sub Basin Management Plan

the licence requires the licensee to review the finalised version of the Freshwater Pearl Mussel Munster Blackwater Sub Basin Management Plan for the Munster Blackwater Catchment on an annual basis and incorporate measures for agreement with the Agency as part of the Annual Environmental Report (AER).

Dangerous Substances Directive [2006/11/EC]

The applicant has provided once off sampling results, for the primary discharge (SW1), for 18 of the 19 dangerous substances for the purposes of the licence application. The analysis results for these 18 parameters are not considered significant when compared to the Surface Waters Regulations 2009. The 19th parameter, tributyltin, was not analysed, however it is unlikely there are significant concentrations in the discharge based on the lack of potential sources in the agglomeration. Schedule A of the RL requires biennial monitoring for this parameter in the discharge on a once off basis.

Given the industrial nature of companies located in Mallow town and environs, the RL requires the licensee to identify relevant priority substances or pollutants for monitoring by undertaking a risk based assessment in accordance with 'Guidance on the screening for priority substances for waste water discharge licences' issued by the Agency. The monitoring identified shall be carried out at least annually, unless a case for less frequent monitoring is agreed by the Agency.

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

Mallow discharges directly to the River Blackwater, which is designated a Special Area of Conservation (Blackwater River (Cork/Waterford)): site code: 2170). The Blackwater is also a designated salmonid river.

A screening (Stage 1) for Appropriate Assessment of the discharges from the agglomeration was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the discharges, individually or in combination with other plans or projects, are likely to have a significant effect on the European Site. The screening assessment undertaken demonstrates that the discharges are likely to have significant effects, in terms of maintaining favourable conservation status of the qualifying interests, on the European Site, having regard to its conservation objectives.

The screening process identified that the discharges may be likely to have a significant impact on the European sites and therefore it was necessary to complete an appropriate assessment (AA). The contribution of the discharge from the WWTP, in combination with other activities within the catchment, to nutrient enrichment of the Munster Blackwater catchment may have implications for the qualifying species: River Lamprey (*Lampetra fluviatilis*), Brook Lamprey (*Lampetra planeri*), Atlantic salmon (*Salmo salar*), Freshwater Pearl Mussel (*Margaritifera margaritifera*). The Munster Blackwater is the largest freshwater pearl mussel catchment in Ireland and numerous pearl mussel colonies have been identified in the environs of Mallow Town. There may be a potential significant impact upon the Fresh Pearl Mussel populations occurring in the Blackwater downstream of the Mallow WWTP discharge (in combination with other pressures located in the environs of Mallow Town).

Mallow Town is a highly urbanised centre with an industrial aspect; river quality is recorded as decreasing up-stream of the WWTP, thus reducing the assimilative capacity of river in the vicinity of the WWTP discharge. The dilution factors in the Blackwater are high at this location, but the presence of Pearl Mussels in the immediate vicinity of Mallow Town effectively raises the overall net ecological sensitivity of the river at this location.

The applicant determined that an Appropriate Assessment was required and submitted a Natura Impact Statement, as defined in Regulation 2(1) of the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011). The Appropriate Assessment demonstrates that the discharges will not adversely affect the integrity of the European Site(s) subject to the mitigation measures proposed. Mallow WWTP is operating within design capacity and provides nutrient removal. The WFD status of the Blackwater is 'moderate' at this location due to macroinvertebrate and ecological status. EPA monitoring of the Blackwater shows consistent 'Good' ecological quality (Q4) at monitoring location Killavullen ~8km downstream of the discharge point in 2009. As outlined in Table 2 above, discharges from the agglomeration as permitted in the RL will not prevent the receiving waterbody from achieving high status.

In accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 (S.I. No. 477 of 2011), pursuant to Article 6(3) of the Habitats Directive, the discharge will not adversely affect the integrity, in terms of maintaining favourable conservation status of the qualifying interests of the European Site(s), having regard to its conservation objectives.

It is considered that the RL as drafted will provide a high level of protection to the River Blackwater, as it will ensure that the primary discharge from the agglomeration will be provided with an appropriate level of treatment, as per Condition 3: *Discharges*. By ensuring that all waste water is treated to a high standard the RL will act to ensure no deterioration of the receiving water quality and contribute to the Directive's objective of safeguarding protected areas.

Environment Impact Assessment Directive [85/337/EEC]

An Environmental Impact Statement (EIS) and a copy of the planning approval was submitted in accordance with the Wastewater Discharge (Authorisation) Regulations 2007. In assessing the application regard was had to the matters mentioned therein in so far as they related to the risk of environmental pollution of the River Blackwater from the waste water discharge associated with the agglomeration. Should any further EIS be required as part of any programme of improvements, it will be dealt with as per Condition 1 of the RL.

Cross Office Liaison

Advice and guidance issued by the Technical Working Group (TWG) was followed in my assessment of this application.

Advice and guidance issued by the TWG is prepared through a detailed cross-office co-operative process, with the concerns of all sides taken into account. The Board of the Agency has endorsed the advice and guidance issued by the TWG for use by licensing Inspectors in the assessment of wastewater discharge licence applications.

Submissions

A submission was received in relation to this application in September 2009. This submission originated as a complaint to the OEE Public Authority Enforcement team within the Agency, concerning a blocked sewer serving housing estates in the agglomeration. The complaint has since been addressed satisfactorily by the Water Services Authority, and the OEE complaint file has been closed.

Charges

The RL sets an annual charge for the agglomeration at € 2,966 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



Seán O Donoghue

Office of Climate, Licensing and Resource Use

Figure 1: Mallow agglomeration D0052-01

