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28/09/16



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Re: Proposed Technical Amendments

Dear Ms. Flanagan,

The Agency, in accordance with Regulation 33(1)(c) of the Wastewater Discharge (Authorisation) Regulations 2007 as amended, proposes to amend the licences granted to Irish Water, as referenced in Appendix 1 attached. Appendix 1 also details the particular amendment(s) being proposed for each licence or revised licence.

These amendments are arising from changes to legislation, the occurrence of clerical errors and to provide further legal clarity to conditions attached to waste water discharge licences.

The Agency is minded to insert the conditions detailed in Appendix 2, in order to bring the licence into line with the Agency's current *modus operandi* for waste water discharge authorisations.

Article 33(2) of the Waste Water Discharge (Authorisation) Regulations 2007 as amended allows for the Agency to consult with licensees before amending a licence or revised licence.

Please find attached, in Appendix 1 & 2 of this letter, details of the proposed changes to be included in this technical amendment.

Please note that where there is an existing request for a wastewater discharge licence to be technically amended before the Agency, these proposed changes and the changes requested by the licensee will be assessed and addressed, where possible, as one single technical amendment.

If you require clarification please contact the undersigned at 053-9160600. If you wish to comment on the proposal, please make a written submission to Yvonne English, Licensing Inspector, by 14/10/2016

Yvonne English
Licensing Inspector
Office of Environmental Sustainability

Appendix 1

Table 1: Agglomerations and amendments to be made

| Reg No | Agglomeration | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
|----------|-----------------------|---|---|---|---|---|---|---|---|---|----|----|
| D0002-01 | Upper Liffey Valley | √ | | | √ | √ | | | | | √ | |
| D0003-01 | Athy | √ | | | √ | √ | | | | | √ | |
| D0007-01 | Athlone | √ | | | | √ | | √ | | | | |
| D0012-01 | Wicklow | √ | √ | | | √ | √ | | | | | |
| D0013-01 | Limerick | √ | | | √ | √ | | | | | √ | |
| D0014-01 | Sligo | √ | | | √ | √ | | | | | √ | |
| D0015-01 | Tramore | √ | | | √ | √ | | | | | √ | |
| D0019-01 | Castleroy | √ | | | √ | √ | | | | | √ | |
| D0028-01 | Carlow | √ | | | √ | √ | | | | | √ | |
| D0031-01 | Tuam | √ | √ | | | √ | | | | | | √ |
| D0034-01 | Ringsend | √ | | | √ | √ | | | | | √ | |
| D0046-01 | Courtown/ Gorey | √ | √ | | | √ | | | | | | √ |
| D0048-01 | Ennis North | √ | | | √ | √ | | | | | √ | |
| D0050-01 | Galway | √ | √ | | | √ | | √ | | | | |
| D0055-01 | Westport | √ | | | √ | √ | | | | | √ | |
| D0056-01 | Midleton | √ | | | √ | √ | | | | | √ | |
| D0106-01 | Kilmallock | √ | | | √ | √ | | | | | √ | |
| D0120-01 | Ballybofey/Stranorlar | √ | √ | | | √ | | √ | | | | |
| D0123-01 | Ballaghaderreen | | | | | √ | | | √ | | | |
| D0126-01 | Macroom | √ | | | | √ | | | | √ | | |
| D0143-01 | Environs | √ | √ | | | √ | | | | | | |
| D0163-01 | Bunclody | √ | | | √ | √ | | | | | √ | |
| D0166-01 | Skibbereen | | | √ | √ | √ | | | | | | |
| D0168-01 | Bantry | | | √ | √ | √ | | | | | | |
| D0172-01 | Roscarberry | | | √ | | √ | | | | | | |
| D0181-01 | Cahirciveen | | | √ | √ | √ | | | | | | |
| D0182-01 | Killorglin | | | √ | | √ | | | | | | |
| D0186-01 | Ballyheigue | | | √ | √ | √ | | | | | | |
| D0188-01 | Blackrock | | | √ | √ | √ | | | | | | |
| D0202-01 | Mitchelstown | √ | | | √ | √ | | | | | √ | |
| D0211-01 | agh | | | √ | | √ | | | | | | |
| D0218-01 | Mallaranny | √ | | | √ | √ | | | | | √ | |
| D0224-01 | Newport | | | √ | | √ | | | | | | |
| D0239-01 | Mullaghmore | | | √ | | √ | | | | | | |
| D0265-01 | Clogherhead | | | √ | | √ | | | | | | |
| D0266-01 | Tullyallen | | | √ | | √ | | | | | | |
| D0280-01 | Kinlough | | | | | √ | | | √ | | | |
| D0281-01 | Ballinamore | √ | √ | | | √ | | | | | | √ |
| D0283-01 | Tarbert | | | √ | √ | √ | | | | | | |
| D0284-01 | Fenit | | | √ | √ | √ | | | | | | |
| D0287-01 | Waterville | | | √ | | √ | | | | | | |
| D0292-01 | Stradbally | | | | | √ | | | √ | | | |
| D0296-01 | Baltimore | √ | | | √ | √ | | | | | √ | |
| D0305-01 | Kilfinnane | √ | √ | | √ | √ | | | | | √ | |

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|----------|--------------------|---|---|---|---|---|---|---|--|---|---|--|
| D0307-01 | Croom | √ | | | √ | √ | | | | | √ | |
| D0313-01 | Bruff | √ | | | √ | √ | | | | | √ | |
| D0331-01 | Milltown | | | √ | | √ | | | | | | |
| D0342-01 | Milford | √ | √ | | | √ | | √ | | | | |
| D0343-01 | Falcarragh | | | √ | | √ | | | | | | |
| D0345-01 | Rathmullan | | | √ | √ | √ | | | | | | |
| D0348-01 | Inniskeen | √ | | | √ | √ | | | | | √ | |
| D0367-01 | Doogort | | | √ | | √ | | | | | | |
| D0423-01 | Whitegate / Aghada | | | √ | | √ | | | | | | |
| D0441-01 | Ballyclough | √ | | | | √ | | | | √ | | |
| D0455-01 | Ballyclerahan | √ | | | √ | √ | | | | | √ | |
| D0459-01 | Ballylongford | | | √ | | √ | | | | | | |
| D0461-01 | Castlegregory | | | √ | | √ | | | | | | |
| D0480-01 | Littleton | | | | | √ | √ | | | | | |
| D0512-01 | Ardara | | | √ | | √ | | | | | | |
| D0519-01 | Manorcunningham | | | √ | | √ | | | | | | |
| D0523-01 | Carrigart | | | √ | | √ | | | | | | |
| D0531-01 | Burnfoot | | | | √ | √ | | | | | | |
| D0535-01 | Fahan | | | √ | | √ | | | | | | |
| D0538-01 | St. Johnston | | | √ | | √ | | | | | | |
| D0539-01 | Rossnowlagh | | | √ | | √ | | | | | | |

Appendix 2

Read Table 2 below in conjunction with the Table 1 provide in Appendix 1. Table 2 below explains the amendments to be made in each licence. For any given agglomeration, if there is a tick in a column (1 – 11) in Table 1 refer to the equivalent number in Table 2 below for further information on the amendment to be made.

Table 2: Amendments to be made

| Column Number in Table 1 | |
|--------------------------|---|
| 1 | <div data-bbox="336 835 1417 891" style="border: 1px solid black; background-color: #e0f7fa; padding: 5px;"> <p><i>To be inserted into the Glossary of the existing licence</i></p> </div> <div data-bbox="363 920 1362 1485" style="padding: 10px;"> <p>Unusual Weather Conditions In relation to waste water discharges unusual weather conditions, means any one or combination of the following:</p> <ul style="list-style-type: none"> (i) heavy rainfall >50 mm in 24 hrs, >40 mm in 12 hrs, >30 mm in 6 hrs (i.e. Met Eireann Orange Alert criteria or greater); (ii) low ambient temperatures as evidenced by effluent temperature of 5° C or less or by the freezing of mechanical equipment in the works; (iii) significant snow deposits; (iv) tidal or fluvial flooding; <p>weather conditions causing unforeseen loss of power supply to the waste water treatment plant which could not be ameliorated by the reasonable provision and operation of standby generation facilities.</p> </div> <div data-bbox="400 1603 1417 1659" style="border: 1px solid black; background-color: #e0f7fa; padding: 5px; margin-top: 20px;"> <p><i>Insert New Condition 2.2 & 2.3, to read as follows</i></p> </div> <div data-bbox="336 1715 1417 2004" style="padding: 10px; margin-top: 10px;"> <p>2.2 No sample of the discharge taken at a time when unusual weather conditions are adversely affecting the operation of the waste water treatment plant, shall be taken into account in determining compliance with Conditions 2.1 of this licence. A replacement sample shall be taken within 72 hours of cessation of the unusual weather conditions. The licensee shall report the sample result including any justification of the basis for excluding the sample in the Annual Environmental Report.</p> </div> |

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| | <p>2.3 On any occasion where unusual weather conditions affect the operation of the waste water works the licensee shall use its best endeavours to mitigate the effect of the unusual weather conditions.</p> |
| <p>2</p> | <div data-bbox="333 463 1414 517" style="border: 1px solid black; background-color: #e0f7fa; padding: 2px;"><i>To be inserted into the Glossary of the existing licence</i></div> <p>Priority Substances Those substances, or groups of substances, identified in accordance with Article 16(2) of the Water Framework Directive and listed in Annex I of Priority Substances Directive 2013/39/EU, for which measures have to be taken in accordance with Article 16(1) and 16(8) of the Water Framework Directive.</p> <div data-bbox="397 907 1414 960" style="border: 1px solid black; background-color: #e0f7fa; padding: 2px;"><i>Insert New Condition 4.XX, to read as follows</i></div> <p>4.1 Priority Substances</p> <p>4.1.1 The licensee shall undertake a risk based assessment of the discharge(s) in order to identify the relevant priority substances for monitoring. This assessment shall be undertaken 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 shall be carried out at least annually.</p> <p>4.1.2 The licensee shall take such measures as are necessary to reduce or eliminate priority substances in the discharge(s). Implementation of the measures identified shall be reported on in the Programme of Improvements (required under Condition 5.1).</p> <div data-bbox="397 1518 1414 1615" style="border: 1px solid black; background-color: #e0f7fa; padding: 2px;"><i>Delete footnotes in relation to priority substances from Schedule B 'Ambient Monitoring'</i></div> |

| <p>3</p> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>Amend Schedule B.X Receiving Water Monitoring to include the following requirement:</i></p> </div> <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <thead> <tr style="background-color: #d9e1f2;"> <th style="padding: 5px;">Parameter</th> <th style="padding: 5px;">Units</th> <th style="padding: 5px;">Monitoring Frequency</th> <th style="padding: 5px;">Analysis Method / Technique</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Salinity</td> <td style="padding: 5px;">PSU</td> <td style="padding: 5px;">XX samples/year</td> <td style="padding: 5px;">Standard Method</td> </tr> </tbody> </table> | Parameter | Units | Monitoring Frequency | Analysis Method / Technique | Salinity | PSU | XX samples/year | Standard Method |
|-----------------|---|----------------------|-----------------------------|----------------------|-----------------------------|----------|-----|-----------------|-----------------|
| Parameter | Units | Monitoring Frequency | Analysis Method / Technique | | | | | | |
| Salinity | PSU | XX samples/year | Standard Method | | | | | | |
| <p>4</p> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>Delete Condition 2.1.1 (v) of the licence and replace with the following:</i></p> </div> <p>Condition 2 Interpretation</p> <p>2.1.1(v) For parameters other than pH, cBOD, COD, Suspended Solids, XXXX & XXXX no more than the relevant number of samples specified in <i>Schedule B.3: Interpretation of Discharge Monitoring Results – Column 2</i>, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in <i>Schedule B.3: Interpretation of Discharge Monitoring Results – Column 1</i>, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 20%.</p> | | | | | | | | |
| <p>5</p> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>Amend Condition 2.X of the licence, to read as follows:</i></p> </div> <p>2.X Discrete Sampling No cBOD or COD grab sample value shall exceed the concentration emission limit value by more than 100% and no Suspended Solids grab sample value shall exceed the concentration emission limit value by more than 150%. For all other parameters, except pH, no grab sample value shall exceed the emission limit value by more than 20%.</p> | | | | | | | | |
| <p>6</p> | <p>Primary Discharge locations are to be corrected.</p> | | | | | | | | |
| <p>7</p> | <div style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p><i>Amend Condition 5.4 of the licence, to read as follows:</i></p> </div> <p>5.4 The licensee shall complete the improvements as set out in Schedule C: Specified Improvement Programme, of this licence, in order to ensure compliance with the emission limit values as set out in Schedule A: Discharges and Discharge Monitoring, of this licence.</p> | | | | | | | | |

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| 8 | <p>Due to a technical error Schedule B.2 ‘Receiving Water Monitoring’ was erroneously omitted from the licence at the time of issue. Receiving water monitoring requirements are to be added to the licence.</p> |
| 9 | <p style="text-align: center;"><i>Amend Condition 2.1.1.4 of the licence, to read as follows:</i></p> <p>2.1.1.4 For parameters other than pH, cBOD, COD and Suspended Solids no more than the relevant number of samples specified in <i>Schedule A.4: Interpretation of Discharge Monitoring Results – Column 2 or Column 4</i>, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in <i>Schedule A.4: Interpretation of Discharge Monitoring Results – Column 1 or Column 3</i>, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 20%.</p> |
| 10 | <p style="text-align: center;"><i>Insert New Condition 3.X, to read as follows</i></p> <p>3.X No discharges from the waste water works is/are permitted save under and in accordance with this licence.</p> |
| 11 | <p>cBOD has been erroneously specified for ambient monitoring rather than Total BOD.</p> <p>cBOD will be deleted from ambient monitoring schedules and replaced with a BOD monitoring requirement.</p> |

Note: Condition number may vary from those above, depending on the particular licence being technically amended.