

This Technical Amendment was declared 'ultra vires' by Order of the High Court on 15th February 2019. Licence Reg. No: D0139-01 continues in force with no changes



Headquarters
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Ireland

WASTE WATER DISCHARGE LICENCE TECHNICAL AMENDMENT A

Licence Register Number:	D0139-01
Licensee:	Irish Water
Company Register No:	530363
Agglomeration:	Youghal

Reasons for the Decision

The Environmental Protection Agency (the Agency) is satisfied, on the basis of the information available, that subject to compliance with the conditions of Licence Reg. No. D0139-01 granted on the 13 June 2012, as well as any amendments noted herein any discharge from the activity will comply with and not contravene any of the requirements of Regulation 6(3) of the Waste Water Discharge (Authorisation) Regulations, 2007, as amended.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Site(s) at Blackwater River (Cork/Waterford) SAC and Blackwater Estuary SPA.

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it can be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was not required.

This determination is based on the fact that updated water quality modelling confirms that the relocation of the discharge point to SW000 will not result in deterioration of water quality in the estuary.

Technical Amendment

In pursuance of the powers conferred on it by Regulation 33(1)(c) of the Waste Water Discharge (Authorisation) Regulations, 2007, as amended, the Agency amends Licence Reg. No. D0139-01, granted to Irish Water, Colvill House, 24/26 Talbot Street, Dublin 1.

Henceforth, the licence shall be read in conjunction with the amendment set out below.

This technical amendment is limited to the following Glossary of Terms, Conditions and Schedules of Licence Reg. No. D0139-01.

Amendments

Amend the Glossary of Terms as follows:

Amend the Glossary of the existing licence as follows:

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.

To be inserted into the Glossary of the existing licence

Unusual Weather Conditions In relation to waste water discharges unusual weather conditions, means any one or combination of the following:

- (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; and
- (iv) tidal or fluvial flooding.

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.

New Conditions or Amended Conditions

Amend Condition 2.1.2 of the licence, to read as follows:

2.1.2 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%.

Insert New Conditions 2.2 & 2.3, to read as follows:

- 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.
- 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.

Insert New Condition 4.17, to read as follows:

4.17 Priority Substances

- 4.17.1 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.
- 4.17.2 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).

Amend Condition 5.4 of the licence, to read as follows:

- 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.

Amended Schedules of the Licence

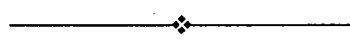
Amend Schedule A.1 'Primary Waste Water Discharge' of the licence, to read as follows:

A.1 Primary Waste Water Discharge

Primary Discharge Point Code: SW000 ^{Note 1}
EDEN Code: TPEFF0500D0139SW000
Name of Receiving Waters: Lower Blackwater Estuary/Youghal Harbour
IE_SW_020_0100
Discharge Location: 210513E 078480N

Parameter	Emission Limit Value ^{Note 1}
pH	6.0 - 9.0
	mg/l
cBOD	25
COD	125
Suspended Solids	35
Total Nitrogen (as N)	15

Note 1: Emission limit values shall apply at the location specified above until construction and commissioning of the proposed primary discharge point, SW001 (210852E, 078125N), or an alternative location as may be agreed by the Agency.



Primary Discharge Point Code: SW001 ^{Note 1}

EDEN Code: TPEFF0500D0139SW001

Name of Receiving Waters: Lower Blackwater Estuary/Youghal Harbour
IE_SW_020_0100

Discharge Location: 210852E 078125N (or an alternative location as may be agreed by the Agency)

Monitoring Location: WWTP Final Effluent Chamber

Parameter	Emission Limit Value ^{Note 1}
pH	6.0 - 9.0
	mg/l
cBOD	25
COD	125
Suspended Solids	35
Total Nitrogen (as N)	15

Note 1: Emission limit values shall apply upon construction and commissioning of the proposed primary discharge point SW001 (210852E, 078125N), or an alternative location as may be agreed by the Agency.

Amend Schedule A.2 'Secondary Waste Water Discharge' of the licence, to read as follows:

A.2 Secondary Waste Water Discharges

Secondary Discharge Point Code: SW002 ^{Note 1}

EDEN Code: TPEFF0500D0139SW002

Name of Receiving Waters: Lower Blackwater Estuary (IE_SW_020_0100)

Location: Discharge Location: 210996E, 077419N

Parameter	Emission Limit Value ^{Note 2}
pH	6.0 - 9.0
	mg/l
cBOD	25
COD	125
Suspended Solids	35
Total Nitrogen (as N)	15

Note 1: Secondary discharge shall cease on or before 30 November 2017.

Note 2: Emission limit values shall apply until completion and operation of the proposed WWTP.

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Secondary Discharge Point Code: SW003 ^{Note 1}

EDEN Code: TPEFF0500D0139SW003

Name of Receiving Waters: Lower Blackwater Estuary (IE_SW_020_0100)

Location: Discharge Location: 210128E, 080410N

Parameter	Emission Limit Value ^{Note 2}
pH	6.0 - 9.0
	mg/l
cBOD	25
COD	125
Suspended Solids	35
Total Nitrogen (as N)	15

Note 1: Secondary discharge shall cease on or before 30 November 2017.

Note 2: Emission limit values shall apply until completion and operation of the proposed WWTP.

Amend Schedule A.3 'Discharges to be discontinued' of the licence, to read as follows:

Discharge Point Code	Location & Change of Classification	Name of Receiving Waters	Discharge shall cease or change classification on or before ^{Note 1}
SW000	Dunn's Park Discharge to cease as Primary Discharge and to operate as a SWO	Lower Blackwater Estuary	Upon construction and commissioning of the proposed primary discharge point, SW001
SW002	Paxe's Lane Secondary Discharge to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	30 November 2017
SW003	Foxhole Secondary Discharge to cease and discharge point to be decommissioned	Lower Blackwater Estuary	30 November 2017
SW007	Dunn's Park SWO to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	31 December 2019
SW008	Foxhole SWO to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	30 November 2017
SW009	Kilcoran SWO to cease and discharge point to operate as an Emergency Overflow	Youghal Bay	30 November 2017
SW010	Summerfield B SWO to cease and discharge point to be decommissioned	Youghal Bay	30 November 2017

Note 1: The change of classification shall take place by the 31st December 2019 or upon completion of the proposed WWTP and sewer network upgrade (whichever is sooner).

Amend Schedule A.4 'Storm Water Overflows' of the licence, to read as follows:

A.4 Storm Water Overflows

Discharge Point Code ^{Note 1}	EDEN Code	Location	Name of Receiving Waters
SW000 ^{Note 2}	TPEFF0500D0139SW000	Dunn's Park	Lower Blackwater Estuary
SW005	TPEFF0500D0139SW005	Front Strand	Youghal Bay
SW006	TPEFF0500D0139SW006	Green Park	Lower Blackwater Estuary

Note 1: Each discharge shall comply with the definition of a storm water overflow as set out in "Procedures and Criteria in relation to Storm Water Overflows".

Note 2: To operate as a SWO upon construction and commissioning of the proposed primary discharge point SW001.

Amend Schedule B.1 'Monitoring of Primary Waste Water Discharge' of the licence, to read as follows:

B.1 Monitoring of Primary Waste Water Discharge

Primary Discharge Point Code: SW001 ^{Note 1}

Parameter	Monitoring Frequency	Analysis Method/Technique
Flow	Continuous ^{Note 2}	On-line flow meter with recorder
pH ^{Note 2}	Daily	pH electrode/meter and recorder
Conductivity	Monthly ^{Note 3}	Conductivity Meter
cBOD	Monthly ^{Note 3}	Standard Method
COD	Monthly ^{Note 3}	Standard Method
Suspended Solids	Monthly ^{Note 3}	Standard Method
Total Nitrogen (as N)	Monthly ^{Note 3}	Standard Method
Total Oxidised Nitrogen (as N)	Monthly ^{Note 3}	Standard Method
Ammonia (as N)	Monthly ^{Note 3}	Standard Method
Total Phosphorus (as P)	Monthly ^{Note 3}	Standard Method
Orthophosphate (as P)	Monthly ^{Note 3}	Standard Method
Priority Substances	As required	Standard Method
Faecal coliforms	Biannual	Standard Method
<i>Escherichia coli</i>	Biannual	Standard Method
<i>Intestinal enterococci</i>	Biannual	Standard Method
Visual Inspection	Daily	Sample and examine for colour and oils, fats and greases

Note 1: The monitoring requirements of this schedule shall apply to discharge point SW000 until the proposed primary discharge point SW001 is operational. Upon operation of SW001 the monitoring requirements of this schedule shall apply solely to discharge point SW001.

Note 2: Total effluent volume discharged over the 24-hour period in which the composite sample is collected shall be recorded.

Note 3: All samples thereafter shall be collected on a 24-hour flow proportional or time based composite sampling basis.

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Amend Schedule B.4 'Ambient Monitoring' of the licence, to read as follows:

B.4 Ambient Monitoring

Receiving Water Monitoring

Location: River Blackwater Estuary/Youghal Harbour –
Upstream and Downstream of SW001

Locations outside mixing zone of SW001 to be agreed
by the Agency.

Parameter	Monitoring Frequency ^{Note.1}	Analysis Method/Technique
pH	Four samples/year	pH electrode/meter
DO (% saturation)	Four samples/year	DO probe
BOD	Four samples/year	Standard Method
Orthophosphate (as P)	Four samples/year	Standard Method
Total Nitrogen (as N)	Four samples/year	Standard Method
Ammonia	Four samples/year	Standard Method
Priority Substances	As required	Standard Method
Faecal coliforms	As required	Standard Method
<i>Escherichia coli</i>	As required	Standard Method
<i>Intestinal enterococci</i>	As required	Standard Method
Visual inspection	Four samples/year	Sample and examine for colour

Note 1: Ambient monitoring data is to be submitted to the Agency in accordance with Condition 4.16 of this licence.

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Amend Schedule C.1 'Improvement Programme for Primary Discharge' of the licence, to read as follows:

C.1 Improvement Programme for Primary Discharge

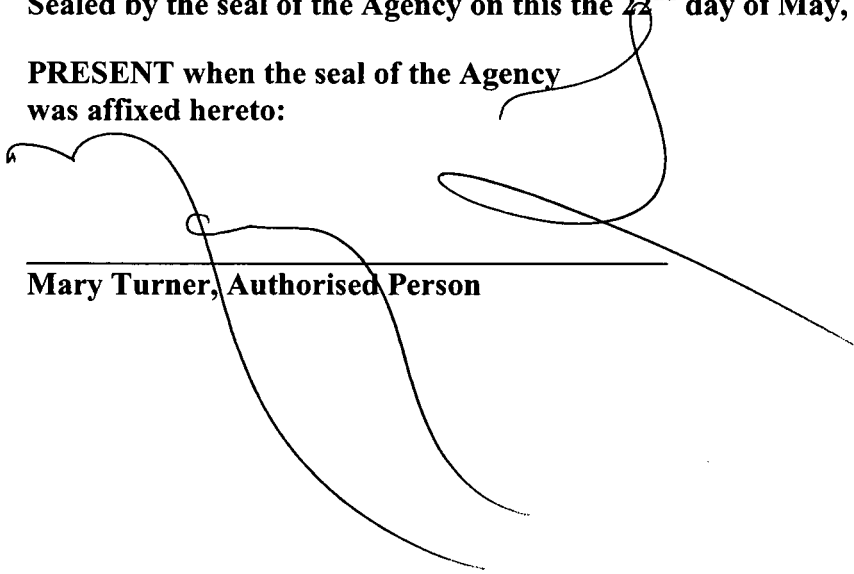
Specified Improvement	Completion Date
New waste water treatment plant (with denitrification) and ancillary works	30 November 2017
Upgrade of drainage network	31 December 2017
Upgrade of Summerfield and Strand Pumping Station, plus installation of a new pumping station at Green Park	30 November 2017
Decommissioning of Cork Hill comminutor station	31 December 2015
Upgrade of Front Strand storm water holding tank	31 December 2015
Work to be completed as per Condition 5.6	Within 9 months from date of grant of licence unless otherwise agreed by the Agency
Any other works notified in writing by the Agency	As agreed



This technical amendment shall be cited as Amendment A to Waste Water Discharge Licence Register No. D0139-01 dated 13 June 2012 and is to be read in conjunction with that licence.

Sealed by the seal of the Agency on this the 22nd day of May, 2017

PRESENT when the seal of the Agency was affixed hereto:



Mary Turner, Authorised Person

