

**DISCLAIMER PAGE**

This licence D0139-01 was amended on 2<sup>nd</sup> December 2021 under Regulation 33 of the European Union (Waste Water Discharge) Regulations 2007 to 2020. The details of **Amendment B** must be read in conjunction with this licence. The amendment document is entitled **“Technical Amendment B”**



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Ireland

This licence was amended by the issuing of Technical Amendment A on 22 May 2017 under Regulation 33(1)(c) of the Waste Water Discharge (Authorisation) Regulations, 2017 as amended. **This Technical Amendment A was declared ‘ultra vires’ by Order of the High Court on 15 February 2019. Licence Reg. No: D0139-01 continues in force with no changes.**



Headquarters  
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Ireland

## Waste Water Discharge Licence

<b>Licence Register Number:</b>	D0139-01
<b>Licensee:</b>	Cork County Council (Southern Division)
<b>Agglomeration:</b>	Youghal



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WASTE WATER DISCHARGE (AUTHORISATION) REGULATIONS 2007,  
AS AMENDED

**WASTE WATER DISCHARGE LICENCE**

Decision of Agency, under Regulation 28(1) of the Waste Water Discharge  
(Authorisation) Regulations 2007, as amended.

Reference number: D0139-01

The Agency in exercise of the powers conferred on it by the Waste Water Discharge (Authorisation) Regulations 2007, as amended, for the reasons hereinafter set out, hereby grants this waste water discharge licence to Cork County Council (Southern Division), in respect of the agglomeration named Youghal, subject to Conditions, as set out in the schedules attached hereto.

The licence authorises the discharge of waste water from the waste water works which services the agglomeration described below subject to conditions.

A copy of the Decision is attached.

*Licensed Discharges, in accordance with the Second Schedule  
of the Waste Water Discharge (Authorisation) Regulations 2007, as amended*

Discharges from agglomerations with a population equivalent of more than 10,000

GIVEN under the Seal of the Agency this 13<sup>th</sup> day of June 2012

PRESENT when the seal of the Agency  
was affixed hereto:

  
Marie O'Connor, Authorised Person



## ***INTRODUCTION***

This introduction is not part of the licence and does not purport to be a legal interpretation of the licence.

This licence relates to the Youghal agglomeration. Waste water is collected in a predominantly combined sewer network. There is no waste water treatment plant (WWTP) servicing the agglomeration's 12,070 population equivalent (p.e.). This licence relates to the maximum design capacity of a proposed new WWTP, i.e., 16,000 p.e., which will be located at Mudlands, immediately north of the Youghal town centre.

There are ten discharges from the waste water works: the current primary discharge at Dunn's Park (SW000), two secondary discharges (located at Paxe's Lane and Foxhole), six storm water overflows (SWOs) and one emergency overflow which may operate in the event of prolonged pump failure. The Blackwater Estuary/Youghal Harbour is the receiving water for: (i) the primary discharge; (ii) two secondary discharges; and (iii) three SWOs.

Following the development of a WWTP in Youghal and waste water network upgrade, there will be: a new primary discharge point (SW001); no secondary discharges; three SWOs; and four emergency overflows. The discharge from the Youghal WWTP will be pumped 280 metres north east of the plant to the primary discharge point (SW001) located adjacent to Ferry Point in the Blackwater Estuary Lower.

Upgrade works for the Youghal agglomeration (comprising of a WWTP and sewer network upgrade) were included within the 2010-2012 Water Services Investment Programme as "Contracts to start 2010-2012". These upgrade works are due to be completed by 31<sup>st</sup> December 2015.

The licence sets out in detail the conditions under which Cork County Council (Southern Division) will control and manage the waste water discharges from the agglomeration covered by this licence.

The licence requires appropriate remedial action, within specified timeframes, to be undertaken in order to address each of the discharge locations within the agglomeration. This remedial action will ensure that appropriate protection is afforded to the receiving water environment.

The legislation governing this licence relates specifically to, and is restricted to, the regulation and control of waste water discharges from the agglomeration. Therefore any odour or noise issue that may be associated with the waste water works including the treatment plant cannot be addressed by this licence.

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## ***Table of Contents***

	Page No.
Glossary of Terms	1
Decision & Reasons for the Decision	5
Part I            Schedule of Discharges Licensed	6
Part II           Conditions	7
Condition 1.    Scope	7
Condition 2.    Interpretation	8
Condition 3.    Discharges	9
Condition 4.    Control and Monitoring	9
Condition 5.    Programmes of Improvements	11
Condition 6.    Notifications, Records and Reports	14
Condition 7.    Financial Charges and Provisions	16
SCHEDULE A: Discharges	17
SCHEDULE B: Monitoring	20
SCHEDULE C: Specified Improvement Programme	23
SCHEDULE D: Annual Environmental Report	24

## ***GLOSSARY OF TERMS***

All terms in this licence should be interpreted in accordance with the definitions in the Waste Water Discharge (Authorisation) Regulations 2007, as amended, unless otherwise defined in this section.

<b>AER</b>	Annual Environmental Report.
<b>Agglomeration</b>	An area where the population or economic activities or both are sufficiently concentrated for a waste water works to have been put in place.
<b>Agreement</b>	Agreement in writing.
<b>Annually</b>	At least one measurement in any one year.
<b>Application</b>	The application for this licence.
<b>Attachment</b>	Any reference to Attachments in this licence refers to attachments submitted as part of the licence application.
<b>Biannually</b>	At approximately six - monthly intervals.
<b>Biennially</b>	Once every two years.
<b>BIM</b>	Bord Iascaigh Mhara.
<b>BOD</b>	5 day Biochemical Oxygen Demand (without nitrification suppression).
<b>cBOD</b>	5 day Carbonaceous Biochemical Oxygen Demand (with nitrification suppression).
<b>CEN</b>	Comité Européen De Normalisation – European Committee for Standardisation.
<b>COD</b>	Chemical Oxygen Demand.
<b>Combined approach</b>	In relation to a waste water works, means the control of discharges and emissions to waters 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 Regulations, 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.
<b>Competent Laboratory</b>	A testing facility meeting the general management and technical requirements of EN ISO/IEC-17025 standard, or other equivalent standards accepted at international level and utilising methods of analysis, including laboratory, field, and on-line methods, which are validated and documented in accordance with the above standard(s) for the specific tests.
<b>Daily</b>	During all days when discharges are taking place; with at least one measurement/observation per day.
<b>Day</b>	Any 24 hour period.

<b>Discharge Limits</b>	Those limits, specified for a particular parameter in <i>Schedule A: Discharges</i> , of this licence.
<b>Discharge Point</b>	The point from which a waste water discharge occurs.
<b>DO</b>	Dissolved oxygen.
<b>Documentation</b>	Any report, record, result, data, drawing, proposal, interpretation or other document, in written or electronic form, that is required by this licence.
<b>DoECLG</b>	Department of the Environment, Community and Local Government.
<b>Domestic Waste Water</b>	Waste water from residential settlements and services that originates predominantly from human metabolism and from household activities.
<b>Drawing</b>	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this licence.
<b>EMP</b>	Environmental Management Programme.
<b>Environmental damage</b>	As defined in Directive 2004/35/EC.
<b>Environmental Pollution</b>	Means, in relation to waste water discharges, the direct or indirect introduction, as a result of human activity, of waste water discharges, substances (including any explosive, liquid or gas) or polluting matter (including any poisonous or noxious matter) into waters which may endanger human health or harm the aquatic environment, and in particular – <ul style="list-style-type: none"><li>(a) create a risk to waters, sediment, plants or animals,</li><li>(b) deleteriously interfere with the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems including by –<ul style="list-style-type: none"><li>(i) Rendering those or any other waters poisonous or injurious to fish, shellfish, spawning grounds or the food of any fish, or</li><li>(ii) Impairing the usefulness of the bed and soil of any waters as spawning grounds or impairing their capacity to produce the food of fish or shellfish,</li></ul></li><li>(c) impair or interfere with amenities and other legitimate uses of the water, or</li><li>(d) result in water failing to meet any environmental quality standards prescribed in regulations for the purposes of giving effect to the requirements of any Directive relating to the quality or use of water for the time being in force.</li></ul>
<b>EPA</b>	Environmental Protection Agency.
<b>Fortnightly</b>	A minimum of 24 times per year, at approximately two week intervals.
<b>FSAI</b>	Food Safety Authority of Ireland.

<b>GC/MS</b>	Gas chromatography/mass spectroscopy.
<b>ICP</b>	Inductively coupled plasma spectroscopy.
<b>Incident</b>	The following shall constitute an incident for the purposes of this licence: (i) any discharge that does not comply with the requirements of this licence; (ii) any incident with the potential for environmental contamination of surface water or groundwater, or posing an environmental threat to land, or requiring an emergency response by the relevant Water Services Authority.
<b>Industrial waste water</b>	Any waste water that is discharged from premises used for carrying on any trade or industry or other non-domestic use and excludes run-off rain water.
<b>Licensee</b>	Cork County Council (Southern Division), County Hall, Carrigrohane Road, Cork, County Cork.
<b>Licensing Regulations</b>	Waste Water Discharge (Authorisation) Regulations 2007, as amended.
<b>Local Authority</b>	Cork County Council.
<b>Maintain</b>	Keep equipment, plant and infrastructure in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function.
<b>Monthly</b>	A minimum of 12 times per year, at intervals of approximately one month.
<b>National Environmental Complaints Procedure</b>	As established under the National Environmental Enforcement Network.
<b>Population Equivalent</b>	A measurement of organic biodegradable load and a population equivalent of 1 (1 p.e.) means the organic biodegradable load having a five-day biochemical oxygen demand (BOD <sub>5</sub> ) of 60g of oxygen per day; the load being calculated on the basis of the maximum average weekly load entering the waste water works during the year, excluding unusual situations such as those due to heavy rain.
<b>Priority Substances</b>	Those substances or groups of substances, identified by the Commission in accordance with Article 16(2) of the Water Framework Directive and listed in Tables 11 and 12 of Schedule 6 of the European Communities Environmental Objectives (Surface Waters) Regulations, 2009 that have been prioritised for action by the setting of environmental quality standards at Community level.
<b>Primary Discharge</b>	The discharge with the largest volume being discharged from the waste water works.



<b>Protected Areas</b>	Areas designated as requiring special protection under specific Community legislation for the protection of their surface water and groundwater or for the conservation of habitats and species of European sites directly dependant on water and listed in the register established by the Agency in accordance with Article 8 of the Water Policy Regulations.
<b>PRTR</b>	Pollutant Release and Transfer Register.
<b>Quarterly</b>	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
<b>Sample(s)</b>	Unless the context of this licence indicates to the contrary, the term sample(s) shall include measurements taken by electronic instruments.
<b>Secondary Discharge</b>	A potential, occasional or continuous discharge from the waste water works other than a primary discharge or a storm water overflow.
<b>SFPA</b>	Sea Fisheries Protection Authority.
<b>SSRS</b>	Small Streams Risk Score.
<b>Specified discharges</b>	Those discharges listed in <i>Schedule A: Discharges</i> , of this licence.
<b>Standard method</b>	A relevant CEN, ISO, National, or other internationally recognized test procedure such as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (published jointly by A.P.H.A. / A.W.W.A. / W.E.F.), a documented and validated in-house procedure based on the above sources that will ensure the provision of data of an equivalent scientific quality, or an alternative method as may be agreed with the Agency.
<b>Storm water overflow</b>	A structure or device on a sewerage system designed and constructed for the purpose of relieving the system of excess flows that arise as a result of rain water or melting snow in the sewered catchment, the excess flow being discharged to receiving waters.
<b>The Agency</b>	Environmental Protection Agency.
<b>Waste Water</b>	Domestic waste water or the mixture of domestic waste water with industrial waste water.
<b>Waste Water Works</b>	Sewers and their accessories (or any part thereof) and all associated structural devices, including waste water treatment plants, which are owned by, vested in, controlled or used by a water services authority for the collection, storage, treatment or discharge of waste water.
<b>Water Services Authority</b>	Cork County Council (Southern Division).
<b>Weekly</b>	During all weeks when discharges are taking place; with at least one measurement in any one week.
<b>WSIP</b>	Water Services Investment Programme.
<b>WWTP</b>	Waste water treatment plant.

## ***DECISION & REASONS FOR THE DECISION***

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this licence, any discharges from the agglomeration served by the waste water works will comply with and will not contravene any of the requirements of Regulation 6 of the Waste Water Discharge (Authorisation) Regulations 2007, as amended.

In reaching this decision the Environmental Protection Agency has had regard to the requirements and objectives of Regulation 6 of the Regulations and has considered the application and supporting documentation received from the applicant, all submissions received from other parties and the report of its inspector.

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## ***PART I SCHEDULE OF DISCHARGES LICENSED***

In pursuance of the powers conferred on it by the Waste Water Discharge (Authorisation) Regulations 2007, as amended, the Environmental Protection Agency (the Agency), under Regulation 28(1) of the said Regulations grants this Waste Water Discharge Licence to Cork County Council (Southern Division), County Hall, Carrigrohane Road, Cork, County Cork. The licence authorises the discharge of waste water from the waste water works servicing the **Youghal** agglomeration described below, subject to conditions listed in Part II, with the reasons therefor and the associated schedules attached thereto.

*Licensed Discharges, in accordance with the Second Schedule  
of the Waste Water Discharge (Authorisation) Regulations 2007, as amended*

**Discharges from agglomerations with a population equivalent of more than 10,000**

## ***PART II CONDITIONS***

### **Condition 1. Scope**

#### 1.1 Statutory Obligations

This licence is for the purposes of Waste Water Discharge licensing under the Waste Water Discharge (Authorisation) Regulations 2007, as amended, only and nothing in this licence shall be construed as negating the licensee's statutory obligations or requirements under any other enactments or regulations.

1.2 The agglomeration is the area outlined in red on Drawing No. 1 Rev. 1 of the application. Any reference in this licence to agglomeration shall mean the area thus outlined in red.

1.3 The discharges to waters from the waste water works shall be restricted to those listed and described in *Schedule A: Discharges*, of this licence and shall be as set out in the licence application or as modified under Condition 1.6 of this licence and subject to the conditions of this licence.

1.4 The discharges to waters from the waste water works shall be controlled and managed and shall take place as set out in this licence. All programmes required to be carried out under the terms of this licence become part of this licence.

1.5 For the purposes of this licence, the locations of the waste water discharges authorised by this licence are as presented on Drawing 3A (Rev 0), Drawing 3B (Rev 0), Drawing 4 (Rev 1), Drawing 5 (Rev 1), Drawing 6 (Rev 1), Drawing 7 (Rev 1), Drawing 8 (Rev 1), Drawing 10 (Rev 0) and Drawing 11 (Rev 0) of the application.

1.6 No alteration to the waste water works or any part thereof that would, or is likely to, result in a material change to or increase in discharges sufficient to represent a risk of causing a breach of emission standards specified in the licence shall be carried out or commenced without prior notice to, and without the agreement of, the Agency.

#### 1.7 Treatment Capacities

1.7.1 The licensee shall, on an annual basis, undertake an assessment of the remaining organic and hydraulic treatment capacities within the waste water works (design capacity of plant, less flow-load calculation for representative period).

1.7.2 The licensee shall maintain such available capacity within the waste water works as is necessary to ensure that there is no environmental risk posed to the receiving water environment as a result of the discharges.

1.7.3 Where the licensee determines, as part of those assessments undertaken in Condition 1.7.1 above, that the remaining treatment capacity will be exceeded within the ensuing three year period, the licensee shall notify the Agency and seek a licence review, as appropriate.

#### 1.8 Infrastructural Works

1.8.1 Where a treatment plant associated with the Youghal agglomeration waste water works requires infrastructural improvements to the wastewater works that are subject to the European Communities (Environmental Impact Assessment) Regulations 1989 to 2001, as amended, the licensee shall notify the Agency.

- 1.8.2 Where the licensee has received approval in accordance with the Planning and Development Act 2000, as amended, for the infrastructural improvements in Condition 1.8.1 above, the licensee shall seek a determination from the Agency as to whether a review of the Waste Water Discharge licence is required.

*Reason: To clarify the scope of this licence.*

## Condition 2. Interpretation

- 2.1 Emission limit values for discharges to waters in this licence shall be interpreted in the following way:

2.1.1 Composite Sampling

- (i) No pH value shall deviate from the specified range.
- (ii) For cBOD and COD, no more than the relevant number of samples specified in *Schedule B.3: Interpretation of Discharge Monitoring Results* – Column 2, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule B.3: Interpretation of Discharge Monitoring Results* – Column 1, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 100%.
- (iii) For Suspended Solids, no more than the relevant number of samples specified in *Schedule B.3: Interpretation of Discharge Monitoring Results* – Column 2, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule B.3: Interpretation of Discharge Monitoring Results* – Column 1, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 150%.
- (iv) For Total Nitrogen the annual mean of the samples shall not exceed the emission limit value. No individual result similarly calculated shall exceed the emission limit value by more than 20%.
- (v) For parameters other than pH, cBOD, COD, Suspended Solids, Total Nitrogen eight out of ten consecutive composite results shall not exceed the emission limit value. No individual result similarly calculated shall exceed the emission limit value by more than 20%.

2.1.2 Discrete Sampling

No cBOD, COD grab sample value shall exceed the emission limit value by more than 100% or Suspended Solids grab sample value shall exceed the 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%.

*Reason: To clarify the interpretation of limit values fixed under the licence.*

### Condition 3. Discharges

- 3.1 Where discharges from the waste water works are required to comply with Emission Limit Values by a date specified in *Schedule A: Discharges*, of this licence, the Water Services Authority shall, prior to this date, take such measures as are necessary to ensure that environmental pollution is not caused as a result of the discharges.
- 3.2 No discharges from the waste water works is permitted save under and in accordance with this licence.
- 3.3 No specified discharge from the waste water works shall exceed the emission limit values set out in *Schedule A: Discharges*, of this licence, subject to the requirements of Condition 2 above.
- 3.4 The Water Services Authority shall take such measures as are necessary to ensure that no deterioration in the quality of the receiving waters shall occur as a result of the discharge.
- 3.5 There shall be no discharge from the discharge point(s) specified in *Schedule A.3: Discharges to be Discontinued*, of this licence, from the dates specified therein.
- 3.6 Storm water overflows shall be as specified in *Schedule A.4: Storm Water Overflows*, of this licence.
- 3.7 The licensee shall ensure that all or any of the following:
- Gross solids
  - Litter
- associated with discharges from the waste water works do not result in an impairment of, or an interference with, amenities or the environment.

*Reason: To provide for the protection of the receiving environment including designated bathing waters, by way of control and limitation of discharges to the marine environment.*

### Condition 4. Control and Monitoring

- 4.1 The licensee shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and in accordance with *Schedule B: Monitoring*, of this licence.
- 4.1.1 Analyses shall be undertaken by competent staff in accordance with documented operating procedures. Analysis for compliance purposes, including any sub-contracted analysis, shall be done by a competent laboratory.
- 4.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.

4.1.3 Such procedures shall be subject to a programme of Analytical Quality Control verified by a competent third party using control standards with evaluation of test responses.

Where any analysis is sub-contracted it shall be to a competent laboratory.

4.2 The licensee shall ensure that:

- (i) Sampling and analysis for all parameters listed in the Schedules to this licence, and
- (ii) Any reference measurement methods to calibrate automated measurement system

shall be carried out by an appropriate Standard Method.

4.3 The licensee shall install on all emission points such sampling points or equipment, including any data-logging or other electronic communication equipment, as may be required by the Agency. All such equipment shall be consistent with the safe operation of all sampling and monitoring systems.

4.4 All automatic monitors and samplers shall be functioning at all times (except during maintenance and calibration) when the discharges are being made unless alternative sampling or monitoring has been agreed in writing by the Agency for a limited period. In the event of the malfunction of any continuous monitor, the licensee shall contact the Agency as soon as practicable and alternative sampling and monitoring facilities shall be put in place. Agreement for the use of alternative equipment, other than in emergency situations, shall be obtained from the Agency.

4.5 Monitoring and analysis equipment shall be operated and maintained as necessary so that monitoring accurately reflects the discharge (or ambient conditions where that is the monitoring objective).

4.6 In the case of composite sampling of discharge(s) from the waste water works, a separate composite sample or homogeneous sub-sample (of sufficient volume as advised by the Agency) shall be refrigerated immediately after collection and retained as required for Agency use.

4.7 The licensee shall clearly label and provide safe and permanent access to all on-site sampling and monitoring points and to off-site points as required by the Agency.

4.8 The licensee shall ensure that a person in charge or a nominated deputy shall be available to meet with authorised person(s) of the Agency at all reasonable times and shall allow access to the waste water works or other premises that the Agency reasonably considers may contain information pertaining to a discharge from those works or other premises.

4.9 The licensee shall establish and maintain corrective action procedures and shall take corrective action should the specified requirements of this licence not be fulfilled. The responsibility and authority for persons initiating further investigation and corrective action in the event of a reported non-conformity with this licence shall be defined by the licensee.

4.10 The licensee shall establish and maintain a programme for maintenance and operation of all plant and equipment to ensure that no unauthorised waste water discharges take place. This programme shall be based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance programme. The licensee shall clearly allocate responsibility for the planning management and execution of all aspects of this programme to appropriate personnel.

- 4.11 The location, frequency, methods and scope of monitoring, sampling and analyses, as set out in this licence, may be amended with the agreement of the Agency following evaluation of test results.
- 4.12 Storm water overflows
- 4.12.1 The licensee shall carry out an assessment of storm water overflows at least once every three years and report to the Agency on each occasion as part of the AER. The assessment shall include a determination of compliance with the criteria for storm water overflows, as set out in the DoECLG 'Procedures and Criteria in Relation to Storm Water Overflows', 1995 and any other guidance as may be specified by the Agency. The licensee shall maintain a written record of all assessments and remedial measures arising from the assessment.
- 4.13 The licensee shall prepare a PRTR report for the primary and secondary discharges. The substances to be included in the PRTR shall be as agreed by the Agency each year by reference to EC Regulation No. 166/2006 concerning the establishment of the European Pollutant Release and Transfer Register and amending Council Directives 91/689/EEC and 96/61/EC. The PRTR shall be prepared in accordance with any relevant guidelines issued by the Agency and shall be submitted electronically in specified format and as part of the AER.
- 4.14 The licensee shall, within six months of the date of grant of this licence, develop and establish a Data Management System for collation, archiving, assessing and graphically presenting the monitoring data generated as a result of this licence.
- 4.15 The licensee shall carry out monthly monitoring of the influent stream to the waste water treatment plant for cBOD, COD, Total Nitrogen and Total Phosphorus in order to measure the mass loadings and removal efficiencies within the treatment plant.
- 4.16 Ambient Monitoring
- 4.16.1 The licensee shall, report annually in the AER on the chemical and ecological status of the receiving water. The licensee shall, as a minimum, have regard to the European Communities Environmental Objectives (Surface Waters) Regulations 2009 (S.I. No. 272 of 2009) as amended in scoping the report.
- 4.16.2 Where such ambient monitoring results are available from any other statutory body, including the Agency, the licensee may submit those results in fulfilment of the requirements of Condition 4.16.1 and *Schedule B.4: Ambient Monitoring* of this licence.
- 4.16.3 Prior to submitting ambient monitoring data, the licensee must consult with the Agency with regard to the appropriate format for submittal.

*Reason: To provide for the protection of the environment by way of control and monitoring of discharges.*

## **Condition 5. Programmes of Improvements**

- 5.1 The licensee shall, as a part of the second AER (required under Condition 6.8), prepare and submit to the Agency a programme of infrastructural improvements to maximise the effectiveness and efficiency of the waste water works in order to:
- a) achieve improvements in the quality of all discharges from the works;



- b) meet the emission limit values specified in *Schedule A: Discharges*, of this licence;
  - c) give effect to Regulation 2 of the Waste Water Discharge (Authorisation) Regulations 2007, as amended;
  - d) reduce Total Phosphorus loadings in the discharge to the maximum practicable extent;
  - e) reduce Total Nitrogen loadings in the discharge to the maximum practicable extent;
  - f) meet the obligations of Condition 1.7.
- 5.2 The programme of infrastructural improvements referred to in Condition 5.1 shall include an assessment of:
- a) the waste water treatment plant, having regard to the effectiveness of the treatment provided by reference to the following:
    - (i) the existing level of treatment, capacity of treatment plant and associated equipment;
    - (ii) the emission limit values specified in *Schedule A: Discharges*, of this licence;
    - (iii) designations of the receiving water body;
    - (iv) water quality objective for the receiving water body;
    - (v) the standards and volumetric limitations applied to any industrial waste water that is licensed to discharge to the waste water works.
  - b) the integrity of the waste water works having regard to:
    - (i) capacity of the waste water works;
    - (ii) leaks from the waste water works;
    - (iii) misconnections between foul sewers and surface water drainage network;
    - (iv) infiltration by surface water;
    - (v) infiltration by groundwater;
    - (vi) such other aspects of the works as may be specified by the Agency.
  - c) all storm water overflows associated with the waste water works to determine the effectiveness of their operation and in particular to identify improvements necessary to comply with the requirements of this licence.
  - d) all emergency overflows associated with the waste water works to minimise the duration and volume of such discharges.
- 5.3 The programme of infrastructural improvements shall include a plan for implementation for each individual improvement identified. The plan for implementation shall:
- a) in the case of the assessment carried out under Conditions 5.2(a) (waste water treatment plant), and 5.2(c) (storm water overflows) and 5.2(d) (emergency overflows):
    - (i) clearly identify and describe the improvement and the timeframe for implementation;
    - (ii) specify the parametric emission(s) that will be affected by the implementation of the improvement;

- (iii) estimate the costs and sources of funding required to implement the improvement including, where appropriate, details of submissions made to the Department of the Environment, Community and Local Government and sanctions received;
  - (iv) identify the anticipated improvements in the quality of the receiving waters as a result of the implementation of the improvement.
- b) in the case of the assessment carried out under Condition 5.2(b) (waste water works):
- (i) identify, evaluate and describe the infrastructural works necessary to implement those works listed under *Schedule C: Specified Improvement Programme*, of this licence;
  - (ii) clearly identify and describe the improvement and the timeframe for its implementation;
  - (iii) estimate the costs and sources of funding required to implement the improvement including, where appropriate, details of submissions made to the Department of the Environment, Community and Local Government and sanctions received.
- 5.4 The licensee shall complete the improvements as set out in *Schedule C: Specified Improvement Programme*, of this licence, by 31<sup>st</sup> December 2015 in order to ensure compliance with the emission limit values as set out in *Schedule A: Discharges*, of this licence.
- 5.5 The licensee shall put in place a programme of measures for the gathering, recording and retention of information in relation to the infrastructural components of the waste water works. This information shall be in the form of 'As-Constructed' drawings and electronic mapping tools, or in any other format as required by the Agency.
- 5.6 Uncontrolled spillages from the waste water works in the Claycastle/ Williamstown area
- 5.6.1 The licensee shall, within six months of the date of grant of licence, carry out an assessment to: (1) determine the factors contributing to uncontrolled spillages from the waste water works in the Claycastle/Williamstown area; and, (2) identify the priority mitigation measures/improvement measures/maintenance programme measures required to eliminate these uncontrolled spillages.
- 5.6.2 The licensee shall, within nine months of the date of grant of licence, unless otherwise agreed by the Agency, implement all of the appropriate mitigation measures/improvement measures/maintenance programme measures identified in Condition 5.6.1.
- 5.6.3 The licensee shall, within twelve months of the date of grant of licence, unless otherwise agreed by the Agency, submit a report to the Agency on the effectiveness of the implemented mitigation measures/improvement measures/maintenance programme measures, in eliminating uncontrolled spillages from the waste water works.

*Reason: To provide for the improvement of the waste water works on a planned basis having regard to the need for ongoing assessment, recording and reporting of matters affecting the receiving water environment.*

## **Condition 6. Notifications, Records and Reports**

- 6.1 The licensee shall notify the Agency's headquarters in Wexford, or to such other Agency office, as soon as practicable after the occurrence of any incident (as defined in this licence). This notification shall be in such format as specified in Guidance to Licensees/COA holders on the Notification, Management and Communication of Environmental Incidents issued by the Agency and as a minimum shall include the following: the date, time, location, details, nature, cause, extent and ranking of the incident, details on any vulnerable receptors, corrective action taken and plans to prevent a reoccurrence, and the steps taken to minimise any discharges and to carry out any necessary environmental cleanup. The following shall also be notified, as soon as practicable after the occurrence of any incident:
- (i) Inland Fisheries Ireland / Department of Agriculture, Food and Marine in the case of discharges to receiving waters.
- 6.2 The licensee shall record all complaints of an environmental nature related to the discharge(s) to waters from the waste water works in accordance with the national environmental complaints procedure. Each such record shall give details of the date and time of the complaint, the name of the complainant (if provided), and the nature of the complaint. A record shall also be kept of the response made in the case of each complaint.
- 6.3 The licensee shall record all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence.
- 6.4 The licensee shall as a minimum keep the following documents at the headquarters of the licensee or such office as may be agreed by the Agency:
- (i) the licence application and all associated documentation;
  - (ii) the licence(s) relating to the discharge(s) to waters from the waste water works;
  - (iii) the previous year's AER;
  - (iv) records of all risk assessments, sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this licence and guidance produced by the Agency;
  - (v) relevant correspondence with the Agency;
  - (vi) up to date drawings/plans showing the location of key process and environmental infrastructure, including monitoring locations and discharge points;
  - (vii) up to date operational procedures for all monitoring and control equipment necessary to give effect to this licence.

This documentation shall be available to the Agency for inspection at all reasonable times and shall be submitted to the Agency, as required, in such a format as may be requested, including electronic submittal of the information or a summary of such information.

- 6.5 The licensee shall, within six months of date of grant of this licence, ensure that a documented Emergency Response Procedure is in place, that addresses any emergency situation that may originate on-site. This procedure shall include provision for minimising the effects of any emergency on the environment. This procedure shall be reviewed annually and updated as necessary.

- 6.6 The licensee shall establish and maintain a Public Awareness and Communications Programme to ensure that members of the public can obtain, at all reasonable times, environmental information relating to the discharge.
- 6.7 Unless otherwise agreed by the Agency, all reports and notifications submitted to the Agency shall:
- (i) be sent to Administration, Office of Environmental Enforcement (OEE) at the Agency's Headquarters or to such other Agency office agreed by the Agency;
  - (ii) comprise one original and two copies unless additional copies are required by Agency;
  - (iii) be formatted in accordance with any written instruction or guidance issued by the Agency;
  - (iv) include whatever information may be required by the Agency;
  - (v) be identified by a unique code, indicate any modification or amendment, and be correctly dated to reflect any such modification or amendment;
  - (vi) be accompanied by a written interpretation setting out their significance in the case of all monitoring data; and
  - (vii) be transferred electronically to the Agency's computer system if required by the Agency.
- 6.8 The licensee shall submit to the Agency, by the 28<sup>th</sup> February of each year, an AER covering the previous calendar year. This report, which shall be to the satisfaction of the Agency, shall include as a minimum the information specified in *Schedule D: Annual Environmental Report*, of this licence and shall be prepared in accordance with any relevant guidelines issued by the Agency.
- 6.9 All reports shall be certified accurate and representative by the Director of Services or a nominated, suitably qualified and experienced deputy.
- 6.10 The licensee shall notify the Agency, as soon as is practicable, where a discharge from the waste water works has ceased permanently.

*Reason: To provide for the collection and reporting of adequate information on the activity.*

## **Condition 7. Financial Charges and Provisions**

### 7.1 Agency Charges

- 7.1.1 The licensee shall pay to the Agency an annual contribution of €6,523.95, or such sum, as the Agency from time to time determines, having regard to variations in the extent of reporting, auditing, inspection, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the discharge as the Agency considers necessary for the performance of its functions under the Waste Water Discharge (Authorisation) Regulations 2007, as amended. The first payment shall be a pro-rata amount for the period from the date of this licence to the 31<sup>st</sup> day of December, and shall be paid to the Agency within one month from the date of the licence. In subsequent years the licensee shall pay to the Agency such revised annual contribution as the Agency shall from time to time consider necessary to enable performance by the Agency of its relevant functions under the Waste Water Discharge (Authorisation) Regulations 2007, as amended, and all such payments shall be made within one month of the date upon which demanded by the Agency.
- 7.1.2 In the event that the frequency or extent of monitoring, investigations or other functions carried out by the Agency needs to be increased, the licensee shall contribute such sums as determined by the Agency to defray its costs in regard to items not covered by the said annual contribution.

### 7.2 Environmental Liabilities

- 7.2.1 The licensee shall as part of the AER provide an annual statement as to the measures taken or adopted in relation to the prevention of environmental damage, and the financial provisions in place in relation to the underwriting of costs for remedial actions following anticipated events (including closure) or accidents/incidents, as may be associated with discharges or overflows from the waste water works.
- 7.2.2 The licensee shall arrange for the completion, by an independent and appropriately qualified consultant, of a comprehensive and fully costed Environmental Liabilities Risk Assessment (ELRA) to address the liabilities from present or planned discharges. A report on this assessment shall be submitted to the Agency for agreement as part of the second AER (required under Condition 6.8). The ELRA shall be reviewed as necessary to reflect any significant change to the volume or character of effluent discharged, and in any case every three years following initial agreement (the results of the review shall be notified as part of the AER).
- 7.2.3 As part of the measures identified in Condition 7.2.1 the licensee shall, to the satisfaction of the Agency, make financial provision to cover any liabilities identified in Condition 7.2.2. The amount of indemnity held shall be reviewed and revised as necessary, but at least triennially. Proof of renewal or revision of such financial indemnity shall be included in the annual 'Statement of Measures' report identified in Condition 7.2.1.
- 7.2.4 The licensee shall have regard to the Environmental Protection Agency Guidance on Environmental Liability Risk Assessment, Residuals Management Plans and Financial Provision when implementing Conditions 7.2.1, 7.2.2 and 7.2.3 above.

*Reason: To provide for adequate financing for monitoring and financial provisions for measures to protect the environment.*

## SCHEDULE A: Discharges

### A.1 Primary Waste Water Discharge

**Primary Discharge Point Code:** SW000 <sup>Note 1</sup>  
**EDEN Code:** TPEFF0500D0139SW000  
**Name of Receiving Waters:** Lower Blackwater M Estuary/Youghal Harbour  
 IE\_SW\_020\_0100  
**Discharge Location:** 210513E 078480N

Parameter	Emission Limit Value <sup>Note 1</sup>
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 until 31<sup>st</sup> December 2015 or until completion of the proposed WWTP (whichever is sooner).



**Primary Discharge Point Code:** SW001 <sup>Note 1</sup>  
**EDEN Code:** TPEFF0500D0139SW001  
**Name of Receiving Waters:** Lower Blackwater M 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 <sup>Note 1</sup>
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 from the 31<sup>st</sup> December 2015 or upon completion of the proposed WWTP (whichever is sooner).



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**A.2 Secondary Waste Water Discharges**

**Secondary Discharge Point Code:** SW002 <sup>Note 1</sup>  
**EDEN Code:** TPEFF0500D0139SW002  
**Name of Receiving Waters:** Lower Blackwater Estuary (IE\_SW\_020\_0100)  
**Location:** Discharge Location: 210996E, 077419N

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

Note 1: Discharge as secondary discharge shall cease on or before 31<sup>st</sup> December 2015.

Note 2: Emission limit values shall apply until 31<sup>st</sup> December 2015 or until completion of the proposed WWTP (whichever is sooner).



**Secondary Discharge Point Code:** SW003 <sup>Note 1</sup>  
**EDEN Code:** TPEFF0500D0139SW003  
**Name of Receiving Waters:** Lower Blackwater Estuary (IE\_SW\_020\_0100)  
**Location:** Discharge Location: 210128E, 080410N

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

Note 1: Discharge as secondary discharge shall cease on or before 31<sup>st</sup> December 2015.

Note 2: Emission limit values shall apply until 31<sup>st</sup> December 2015 or until completion of the proposed WWTP (whichever is sooner).



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**A.3 Discharges to be discontinued**

Discharge Point Code	Location & Change of Classification	Name of Receiving Waters	Discharge shall cease or change classification on or before <sup>Note 1</sup>
SW000	Dunn's Park Discharge to cease as Primary Discharge and to operate as a SWO	Lower Blackwater Estuary	31 <sup>st</sup> December 2015
SW002	Paxe's Lane Discharge as a Secondary Discharge to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	31 <sup>st</sup> December 2015
SW003	Foxhole Discharge as a Secondary Discharge to cease and discharge point to be decommissioned	Lower Blackwater Estuary	31 <sup>st</sup> December 2015
SW007	Dunn's Park Discharge as a SWO to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	31 <sup>st</sup> December 2015
SW008	Foxhole Discharge as a SWO to cease and discharge point to operate as an Emergency Overflow	Lower Blackwater Estuary	31 <sup>st</sup> December 2015
SW009	Kilcoran Discharge as a SWO to cease and discharge point to be decommissioned	Youghal Bay	31 <sup>st</sup> December 2015
SW010	Summerfield B Discharge as a SWO to cease and discharge point to be decommissioned	Youghal Bay	31 <sup>st</sup> December 2015

**Note 1:** The change of classification shall take place by the 31<sup>st</sup> December 2015 or upon completion of the proposed WWTP and sewer network upgrade (whichever is sooner).

**A.4 Storm Water Overflows**

Discharge Point Code <sup>Note 1</sup>	EDEN Code	Location	Name of Receiving Waters
SW000 <sup>Note 2</sup>	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 on or before 31<sup>st</sup> December 2015.





## SCHEDULE B: Monitoring

### B.1 Monitoring of Primary Waste Water Discharge <sup>Note 1</sup>

Primary Discharge Point Code: SW001

Parameter	Monitoring Frequency	Analysis Method/Technique
Flow	Continuous <sup>Note 2</sup>	On-line flow meter with recorder
pH <sup>Note 2</sup>	Daily	pH electrode/meter and recorder
Conductivity	Monthly <sup>Note 3</sup>	Conductivity Meter
cBOD	Monthly <sup>Note 3</sup>	Standard Method
COD	Monthly <sup>Note 3</sup>	Standard Method
Suspended Solids	Monthly <sup>Note 3</sup>	Standard Method
Total Nitrogen (as N)	Monthly <sup>Note 3</sup>	Standard Method
Total Oxidised Nitrogen (as N)	Monthly <sup>Note 3</sup>	Standard Method
Ammonia (as N)	Monthly <sup>Note 3</sup>	Standard Method
Total Phosphorus (as P)	Monthly <sup>Note 3</sup>	Standard Method
Orthophosphate (as P)	Monthly <sup>Note 3</sup>	Standard Method
Priority Substances <sup>Note 4</sup>	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 only apply after 31<sup>st</sup> December 2015 or upon completion of the proposed WWTP, whichever is the sooner.

**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.

**Note 4:** The relevant priority substances or pollutants for monitoring shall be identified by the licensee 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. Monitoring for the identified priority substances or pollutants shall be carried out at least annually, unless a case for less frequent monitoring is agreed by the Agency.

### B.2 Monitoring of Secondary Waste Water Discharge

No Secondary Waste Water Discharge monitoring is required under this Schedule.

**B.3 Interpretation of Discharge Monitoring Results**

No of samples taken in any one year <sup>Note 1</sup>	Maximum number of samples which may exceed ELV
4-7	1
8-16	2
17-28	3
29-40	4
41-53	5
54-67	6
68-81	7
82-95	8
96-110	9
111-125	10
126-140	11
141-155	12
156-171	13
172-187	14
188-203	15
204-219	16
220-235	17
236-251	18
252-268	19
269-284	20
285-300	21
301-317	22
318-334	23
335-350	24
351-365	25

**Note 1:** Where the licensee has taken samples which exceed the number specified in this Schedule, the licensee shall submit to the Agency all results of analysis.



**B.4 Ambient Monitoring****Receiving Water Monitoring****Location:**

River Blackwater M Estuary/Youghal Harbour –  
Upstream and Downstream of SW001  
Locations outside mixing zone of SW001 to be agreed  
by the Agency.

Parameter	Monitoring Frequency <sup>Note 1</sup>	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 <sup>Note 2</sup>	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.

**Note 2:** The relevant priority substances or pollutants for monitoring shall be identified by the licensee 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. Monitoring for the identified priority substances or pollutants shall be carried out at least annually, unless a case for less frequent monitoring is agreed by the Agency.



## SCHEDULE C: Specified Improvement Programme

### C.1 Improvement Programme for Primary Discharge

Specified Improvement	Completion Date
New waste water treatment plant (with denitrification) and ancillary works	31 <sup>st</sup> December 2015
Upgrade of drainage network	31 <sup>st</sup> December 2015
Upgrade of Summerfield and Strand Pumping Station, plus installation of a new pumping station at Green Park	31 <sup>st</sup> December 2015
Decommissioning of Cork Hill comminutor station	31 <sup>st</sup> December 2015
Upgrade of Front Strand storm water holding tank	31 <sup>st</sup> 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



### C.2 Improvement Programme for Secondary Discharge(s)

There shall be no secondary discharges in the agglomeration.



### C.3 Improvement Programme for Storm Water Overflows

Specified Improvement	Completion Date
Upgrade of drainage network	31 <sup>st</sup> December 2015
Upgrade of the: <ul style="list-style-type: none"> <li>■ Summerfield Pumping Station (associated with SW010), and</li> <li>■ Strand Pumping Station (associate with SW005)</li> </ul>	31 <sup>st</sup> December 2015
Upgrading of Storm Water Overflows to comply with the criteria outlined in the DoECLG "Procedures and Criteria in relation to Storm Water Overflows, 1995"	31 <sup>st</sup> December 2015
Any other overflows notified in writing by the Agency	As agreed



## SCHEDULE D: Annual Environmental Report

### Annual Environmental Report Content <sup>Note 1</sup>

Discharges from the agglomeration.  
Summary report on monthly influent monitoring.  
Data collection and reporting requirements under the Urban Waste Water Treatment Directive.  
Complaints summary.  
Pollutant Release and Transfer Register - report for previous year.  
Pollutant Release and Transfer Register - proposal for current year.  
Ambient monitoring summary.  
Storm water overflow identification and inspection report.  
Reported incidents summary.  
Report on progress made and proposals being developed to meet the improvement programme requirements. <sup>Note 2</sup>  
Development/Infrastructural works summary (completed in previous year or prepared for current year).  
Risk based assessment to identify possible presence of priority substances.  
Any other items specified by the Agency.

**Note 1:** Content may be revised subject to the agreement of the Agency.

**Note 2:** This summary report shall provide detail on all measures proposed and undertaken under the Water Services Investment Programme for the Youghal agglomeration, including progress reports on infrastructural works and a statement of compliance with timeframes set out in this licence.

Sealed by the seal of the Agency on this the 13<sup>th</sup> day of June 2012.

**PRESENT** when the seal of the Agency  
was affixed hereto:

  
\_\_\_\_\_  
Marie O'Connor Authorised Person

