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|  <p>Environmental Protection Agency An Ghníomhaireacht um Chaomhú Comhshaoil</p> | OFFICE OF ENVIRONMENTAL SUSTAINABILITY |
| ENVIRONMENTAL LICENSING PROGRAMME | |
| TO: | Sharon Finegan, Director |
| FROM: | Siobhán Egan, Inspector, Environmental Licensing Programme |
| DATE: | 21 December 2021 |
| RE: | Agency-initiated Technical Amendment to WWDL for the Millstreet and Environs agglomeration (D0332-02) issued on 8th November 2021. |

The Agency, in accordance with Regulation 33(1)(c) of the *European Union (Waste Water Discharge) Regulations 2007 to 2020*, proposes to amend licence Reg No. D0332-02 relating to the Millstreet and Environs agglomeration issued to Irish Water on 8th November 2021.

1. Background

The proposed amendment to Condition 2.1 brings consistency to the licence in-keeping with standard conditions for waste water licences and provides clarity to the licensee and EPA. Specifically, the amendment corrects the errors in the issued licence and expressly provides for the clearer interpretation of monitoring results. The amendment facilitates the operation of the licence and does not result in the relevant environmental requirements ceasing to be satisfied.

2. Technical Amendment

Condition 2.1 of the licence provides for the interpretation of discharge monitoring results.

An interpretation condition for Orthophosphate was included in error and is proposed to be deleted. The list of specified parameters in the existing Condition 2.1.1.6 should have included reference to Ammonia.

The amendment will allow the correct interpretation of monitoring results for the purposes of demonstrating compliance with ELVs. In accordance with Regulation 33(1)(c), the proposed amendment to Condition 2.1 allows for a clearer interpretation for the purpose of the waste water licences and therefore facilitates the operation of the licence. The amendment does not result in the relevant environmental requirements ceasing to be satisfied.

3. Consultation with Office of Environmental Enforcement (OEE)

OEE has confirmed that there are no legal proceedings in train in respect of this licence.

4. Assessment

Existing Condition 2.1

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

2.1.1 Composite Sampling

2.1.1.1 No pH value shall deviate from the specified range.

2.1.1.2 For cBOD and COD, no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 100%.

2.1.1.3 For Suspended Solids, no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 150%.

2.1.1.4 For Orthophosphate no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the emission limit value. No individual result similarly calculated shall exceed the emission limit value by more than 100%.

2.1.1.5 For Ammonia no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the emission limit value. No individual result similarly calculated shall exceed the emission limit value by more than 100%.

2.1.1.6 For parameters other than pH, cBOD, COD, Suspended Solids, no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* - Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results* - Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 20%.

2.1.2 Discrete Sampling

No cBOD or COD grab sample value shall exceed the emission limit value by more than 100% and no 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%.

Replace with the following Condition 2.1:

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

2.1.1 Composite Sampling

2.1.1.1 No pH value shall deviate from the specified range.

2.1.1.2 For cBOD and COD, no more than the relevant number of samples specified in Schedule A.4: Interpretation of Discharge Monitoring Results– Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results*– Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 100%.

2.1.1.3 For Suspended Solids, no more than the relevant number of samples specified in Schedule A.4: Interpretation of Discharge Monitoring Results– Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results*– Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 150%.

2.1.1.4 For **Ammonia** no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the emission limit value. No individual result similarly calculated shall exceed the emission limit value by more than 100%.

2.1.1.6 For parameters other than pH, cBOD, COD, Suspended Solids **and Ammonia**, no more than the relevant number of samples specified in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 2 or Column 4, of this licence, shall exceed the concentration Emission Limit Value based on the number of samples taken as listed in *Schedule A.4: Interpretation of Discharge Monitoring Results* – Column 1 or Column 3, of this licence. No individual result similarly calculated shall exceed the emission limit value by more than 20%.

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%.

5. Appropriate Assessment

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.

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 the proposed amendment will not result in a change to the protection provided to the environment or the nature/volume of the discharges from the agglomeration.

6. Recommendation

This memo recommends that the requested changes be accommodated by a Technical Amendment of Licence Reg. No. D0332-02 (held by **Irish Water**), in accordance with Regulation 33(1)(c) of the European Union (Waste Water Discharge) Regulations 2007 to 2020.

I recommend that the licence amendment be approved as set out in the attached recommended Technical Amendment. The amendment does not result in the relevant requirements of Regulation 6(3) of the *European Union (Waste Water Discharge) Regulations 2007 to 2020*, ceasing to be satisfied.

Signed

A handwritten signature in black ink, appearing to read 'Siobhán Egan', is written over a light grey rectangular background.

Siobhán Egan

Environmental Licensing Programme