



Waste Water Discharge Authorisation

Attachment B6 – Compliance with EU Directives & National Regulations

Applicant Name:*

Ballyjourney/Ballymakeera

Application I.D.:*

D0299

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SECTION B: GENERAL

B.6. Compliance with EU Directives / National Regulations

Table B.6(a) – Confirmation of relevance and compliance with EU Directives and National Regulations

The Ballyvourney/Ballymakeera WwTP has been designed to ensure that the emissions from the agglomeration will comply with, and will not result in the contravention of, EU Directives and National Regulations.

Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
Urban Waste Water Treatment Directive 91/271/EEC	Yes	Yes	<p>The ultimate design of the WwTP is greater than 2,000 p.e. and therefore in line Article 4 of the directive, “Member States shall ensure that urban waste water entering a collecting system shall before discharge be subject to secondary treatment or an equivalent treatment [...] for discharges to freshwater from agglomerations of between 2000 and 10000 pe”.</p> <p>Prior to the new WwTP, primary treatment in the form of a septic tank existed.</p> <p>The new Ballyvourney/Ballymakeera WwTP provides tertiary treatment.</p> <p>Refer to:</p> <ul style="list-style-type: none"> Section B.2.2 for details on the Waste Water Works and associated Waste Water Treatment Plant Section B.8: Improvement Programme Attachment C.1: Discharges and Monitoring Section C.2: Measures to Prevent Unintended Discharges Section D: Impact Assessment
Urban Waste Water Treatment Regulations, 2001 as amended	Yes	Yes	<p>The proposed WwTP design complies with Articles 4, 7 and 9 of, and the Second, Fourth and Fifth Schedules of emission standards and the SWOs (SW002 and SW003) will operate in compliance with the criteria as set out in the DoEHLG ‘Procedures and Criteria in</p>

Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
			<p><i>Relation to Storm Water Overflows', 1995.</i></p> <p>The Sullane River not listed as Sensitive in Parts 1 and 2 of the Urban Wastewater Treatment Regulations and consequently Nitrogen and Phosphorous reduction does not form a requirement of the Urban Waste Water Treatment Regulations, 2001 with regards to the Ballyvourney/Ballymakeera primary discharge. Nevertheless, tertiary treatment including nutrient removal is provided.</p> <p>Refer to:</p> <ul style="list-style-type: none"> • Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant • Attachment B.8: Improvement Programme • Attachment C.1: Discharges and Monitoring • Attachment C.2: Measures to Prevent Unintended Discharges • Section D: Impact Assessment
Water Framework Directive 2000/60/EC	Yes	Yes	<p>Wastewater tertiary treatment including nutrient removal is provided. The operation of the WwTP will result in an improved wastewater discharge to the receiving waterbody.</p> <p>The provision of the new WwTP with the ability to meet the ELVs as per D0299-01 will result in an overall improvement to the quality of the discharges and will aid in the waterbody maintaining its High status.</p> <p>In terms of priority substances, it was concluded in the Priority Substance Assessment Report that none of the substances listed in the Specific Pollutants, Priority and Priority Hazardous Substances as outlined in the Surface Water Regulations, are likely to be present in the effluent discharge to the Sullane River, at concentrations</p>

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Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
			<p>above the specified standards as per European Communities Environmental Objectives (Surface Waters) Regulations 2009, as amended (now S.I No. 77 of 2019).</p> <p>Refer to:</p> <ul style="list-style-type: none"> • Section B.2.2: Waste Water Works and associated Waste Water Treatment Plant • Section D: Impact Assessment • Attachment D.2.1: Impact Assessment Report • Attachment D.2.3: Waste Assimilative Capacity (WAC) • Attachment D.2.4: Priority Substance Assessment
<p>European Communities Environmental Objectives (Surface Waters) Regulations 2009 as amended</p>	<p>Yes</p>	<p>Yes</p>	<p>See above & refer to:</p> <ul style="list-style-type: none"> • Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant • Attachment B.8: Improvement Programme • Attachment D.2.4: Priority Substance Assessment
<p>European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009</p>	<p>Yes</p>	<p>Yes</p>	<p>Although the Sullane River is not designated as a Margaritifera First Order River, Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>) have been recorded, both upstream and downstream of the discharge. ELVs of 0.8 mg/l for Ortho-Phosphate, 1.5 mg/l for Ammonia and 25 mg/l for BOD have been put in place to ensure compliance with the High status standards set in European Communities Environmental Objectives (Surface Water) Regulations, 2009, as amended (now S.I. No. 77 of 2019). These ELVs were set by the EPA taking account the sensitivity of the receiving River with particular reference to the Freshwater Pearl Mussel (<i>Margaritifera margaritifera</i>).</p> <p>To inform this licence review and to ensure that the EPA's ELVs were still applicable an updated WAC calculation was completed using the actual</p>

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Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
			background concentration based on January 2019 to June 2021 ambient monitoring data and the EPA Flow Estimation of 0.26m ³ /s (EPA Estimated 95%ile Flow at Station 19055 (Up to 2018)) and the maximum WwTP design p.e. of 2,600 (rather than the projected 10-year load of 968 p.e). The WAC calculations confirmed that based on the EPA's ELVs, there would be sufficient assimilative capacity in the receiving water, the Sullane River, to receive the flows and loads associated with the new WwTP and to ensure that the discharge from the WwTP contributes towards maintaining High status of the Sullane_030 in accordance with the European Union Environmental Objectives (Surface Waters) (Amendment) Regulations 2019 (S.I. No. 77 of 2019).
Drinking Water Directive 80/778/EEC	No	No	Not applicable. No designated drinking waterbodies downstream of the discharge on the Sullane_030. No drinking water abstraction points downstream of the discharge. The closest designated drinking water river is >12.5 km downstream; the Sullane_060.
Bathing Water Directive 76/160/EEC	No	Not applicable	Not applicable. There are no designated bathing waters within the vicinity of the discharge. The nearest designated bathing waterbody is >70 km downstream.
Bathing Water Quality Regulations 2008	No	Not applicable	Not applicable. There are no designated bathing waters within the vicinity of the discharge. The nearest designated bathing waterbody is >70 km downstream.
Groundwater Directives 80/68/EEC & 2006/118/EC	No	Not applicable	Not applicable. No discharge to groundwater.
European Communities Environmental Objectives (Groundwater) Regulations 2010 as amended	No	Not applicable	Not applicable. No discharge to groundwater.

Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
Birds Directive 79/409/EEC, Habitats Directive 92/43/EEC and European Communities (Birds and Natural Habitats) Regulations 2011 as amended	Yes	Yes	<p>An AA Screening has been prepared by IW to inform this WWDL review process and it has concluded that the operational discharges from the Ballyvourney/ Ballymakeera agglomeration are not likely to have significant effects on any European sites having regard to their conservation objectives.</p> <p>Refer to:</p> <ul style="list-style-type: none"> Attachment D.2.2: AA Screening Report
Environmental Impact Assessment Directive 2011/92/EU, as amended by Directive 2014/52/EU	Yes	Yes	<p>The subject matter of this application would not be likely to have significant effects on the environment having regard to the criteria as set out in Schedule 7 of the 2001 Regulations, as amended. Accordingly, an Environmental Impact Assessment (EIA), and the production of an Environmental Impact Assessment Report (EIAR), is not required to support this application.</p> <p>Refer to:</p> <ul style="list-style-type: none"> Attachment B.5: EIA Screening Report
Marine Strategy Framework Directive 2008/56/EC	No	Not applicable	<p>Not applicable. No discharge to marine environment. The closest TRaC waterbody is >50 km downstream; Lee (Cork) Estuary Upper and coastal water is >70 km downstream; Cork Harbour.</p>

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