



ATTACHMENT B.6:

**COMPLIANCE WITH EU DIRECTIVES &
NATIONAL REGULATIONS**



Waste Water Discharge Authorisation

Attachment B6 – Compliance with EU Directives & National Regulations

Applicant Name:*

Irish Water

Application I.D.:*

D0052-01

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

| 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 design of the WwTP is greater than 15,000 p.e. and is therefore in line with 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 all discharges from agglomerations of more than 15,000 p.e”.</p> <p>The Blackwater (Munster)_140 is designated as a nutrient sensitive area in accordance with the Urban Waste Water Treatment (UWWT) Directive 91/271/EEC on Urban Waste Water Treatment and S.I. No. 254 of 2001, S.I. No. 440 of 2004 and S.I. No. 48 of 2010, with P being the limiting nutrient in this waterbody.</p> <p>Once completed the upgraded Mallow WwTP will be compliant with the Urban Wastewater Treatment Directive.</p> <p>The WwTP will provide for secondary treatment, with P, and also N removal.</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 • Section C.2: Measures to Prevent Unintended Discharges • Section D: Impact Assessment |

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| Urban Waste Water Treatment Regulations, 2001 as amended | Yes | Yes | <p>The Blackwater River is listed as Sensitive in Parts 2 of the Urban Wastewater Treatment Regulations, secondary treatment with phosphorous and nitrogen removal will be provided for at the upgraded WwTP, as required by Article 4 of the Urban Waste Water Treatment Regulations, 2001.</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 B.8: Improvement Programme • Attachment C.1.1: Discharges and Monitoring • Section C.2: Measures to Prevent Unintended Discharges • Section D: Impact Assessment |
| Water Framework Directive 2000/60/EC | Yes | Yes | <p>Irish Water are committed to ensuring that water services infrastructure operates in a manner that supports the achievement of the water body objectives under the Water Framework Directive.</p> <p>The effluent discharge standards and the removal of 8 no. existing SWOs as per D0052-01, and 1 no. unlicensed SWO at Quarterstown, along with the operational design of the Dual Function Overflow from the new Bridge Street Pumping Station will ensure that the operational discharges from the upgraded Mallow WwTW contributes towards maintaining the Good WFD status of the Blackwater (Munster)_140 and the High WFD status of Ammonium and Ortho-P in accordance with S.I. No. 77 of 2019. Thereby ensuring compatibility with achievement of the WFD objectives of the receiving water.</p> <p>In terms of priority substances, an assessment of the potential for impacts on receiving waters from priority substances in the primary discharge has</p> |

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| | | | <p>been carried out to inform this WWDL review application. The assessment considered the primary discharge relevant to Environmental Quality Standards (EQS) for priority substances in surface waters, as set out in the Surface Waters Regulations (S.I No. 77 of 2019). It was concluded that, after dilution, none of the substances listed in the Specific Pollutants, Priority and Priority Hazardous Substances, are likely to be present in the effluent discharge to the Blackwater River, at concentrations above the standards in S.I No. 77 of 2019. Refer to:</p> <ul style="list-style-type: none"> • Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant • Attachment B.5: Environmental Impact Assessment Report, November 2022 • Section D: Impact Assessment • Attachment D.2.1: Impact Assessment Report, November 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement, November 2022 • Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022 • Attachment D.2.4: Priority Substance Assessment Report, November 2022 |
| European Communities Environmental Objectives (Surface Waters) Regulations 2009 as amended | Yes | Yes | <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.5: Environmental Impact Assessment Report, November 2022 • Attachment D.2.1: Impact Assessment Report, November 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement, November 2022 |

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| | | | <ul style="list-style-type: none"> Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022 Attachment D.2.4: Priority Substance Assessment Report, November 2022 |
| European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009 | Yes | Yes | <p>The River Blackwater (Munster) is a designated Freshwater Pearl Mussel (<i>Margaritifera Margaritifera</i>) site list under the first Schedule of the European Communities Environmental Objectives (Fresh Water Pearl Mussel) Regulations (S.I. No. 296 of 2009).</p> <p>The assimilative capacity calculations indicate that, under low flow conditions (worst case scenario), that High status water chemistry conditions can be achieved by the primary discharge in the receiving waterbody even in the context of background/upstream pressures. Given the proposed stringent ELV's and the network upgrades, the operational discharges will support appropriate water chemistry conditions and will therefore not hinder the restoration of the conservation objectives (and FPM Regulation standards) for macroinvertebrates, filamentous algae, phytobenthos, macrophytes and siltation. Thereby ensuring that the Ecological Quality Objectives as set out in the fourth schedule of the European Communities Environmental Objectives (Fresh Water Pearl Mussel) Regulations (S.I. No. 296 of 2009) can be maintained.</p> <p>Refer to:</p> <ul style="list-style-type: none"> Attachment B.5: Environmental Impact Assessment Report, November 2022 Section D: Impact Assessment Attachment D.2.1: Impact Assessment Report, November 2022 Attachment D.2.2: AA Screening & Natura Impact Statement, November 2022 |

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| | | | <ul style="list-style-type: none"> Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022 |
| Drinking Water Directive 80/778/EEC | No | No | Not applicable. No designated drinking waterbodies within the vicinity of the discharge. |
| Bathing Water Directive 76/160/EEC | No | Not applicable | Not applicable. There are no designated bathing waters within the vicinity of the discharge. |
| Bathing Water Quality Regulations 2008 | No | Not applicable | Not applicable. There are no designated bathing waters within the vicinity of the discharge. |
| 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. |
| Birds Directive 79/409/EEC, Habitats Directive 92/43/EEC and European Communities (Birds and Natural Habitats) Regulations 2011 as amended | Yes | Yes | <p>The operational discharges are direct into the Blackwater River (Cork/Waterford) SAC. Further downstream of the operational discharges (ca. 27km), the next closest European site is the Blackwater Callows SPA (Site code: 004094) and then the Blackwater Estuary SPA (Site code: 004028) which is located > 50km downstream. The Kilcoman Bog SPA is located ca. 11km north of the agglomeration, and although not hydrologically connected there is the potential pathway for ex-situ bird species.</p> <p>The Blackwater Valley (Killavullien) pNHA is located ca. 9km downstream of Mallow primary discharge point and the Blackwater Valley (Ballinvurrig Wood) pNHA location ca. 12km downstream of the primary discharge point along the River Blackwater.</p> <p>An Environmental Impact Assessment Report and a combined AA Screening Report & Natura Impact Statement have been prepared to inform this review application.</p> |

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| | | | Refer to: <ul style="list-style-type: none"> Attachment B.5: Environmental Impact Assessment Report, November 2022 Attachment D.2.2: AA Screening & Natura Impact Statement, November 2022 |
| Environmental Impact Assessment Directive 2011/92/EU, as amended by Directive 2014/52/EU | Yes | Yes | Regulation 17 of the relevant Waste Water Discharge Regulations (2007-2020) requires a mandatory Environmental Impact Assessment Report (EIAR), as the capacity of the Mallow WwTP will be greater than 10,000 p.e. Refer to: <ul style="list-style-type: none"> Attachment B.5: Environmental Impact Assessment Report, November 2022 |
| Marine Strategy Framework Directive 2008/56/EC | Yes | Yes | Not applicable |
| European Communities (Quality of Salmonid Waters) Regulations, 1988 (S.I. No. 293 of 1988). | Yes | Yes | The Blackwater River is designated as a Salmonid River (Blackwater [Munster]) under the Salmonid River Regulations (S.I. No. 293 of 1988). The River is also designated as a SAC, of which Atlantic Salmon are a water dependent Qualifying Interest. The completion of the upgrade works at the WwTP to meet the ELVs as per D0052-01 including a more onerous Ortho-P ELV, and the completion of the proposed Networks Projects will contribute towards compliance with the European Communities Environmental Objectives (Surface Water) Regulations, 2009, as amended (now S.I. No. 77 of 2019), and will assist in the efforts to maintain the Good WFD Status of the waterbody, and also in maintaining the current High status for both Ammonium and Ortho-P. This will provide a high level of protection to the Blackwater (Munster)_140 and the Atlantic Salmon contained therein; thereby ensuring that the operational discharges do not cause a |

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|----------------------------------|----------------------------------|---|--|
| | | | <p>breach of the European Communities (Quality of Salmonid Waters) Regulations, 1988 (S.I No. 203 of 1988) in the River.</p> <p>Refer to:</p> <ul style="list-style-type: none"> • Attachment B.5: Environmental Impact Assessment Report, November 2022 • Section D: Impact Assessment • Attachment D.2.1: Impact Assessment Report, November 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement, November 2022 • Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022 |