



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.:*

D0136-01

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

The Bandon WwTW 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 design of the WwTP is greater than 10,000 p.e. and is 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 between 10,000 and 15,000 p.e”.</p> <p>The WwTP provides for secondary treatment, with P 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 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 Bandon Estuary Upper which lies ca. 5km downstream of the primary discharge point is designated as nutrient sensitive area (P limited) 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. The River Bandon is not listed as Sensitive in Parts 1 and 2 of the Urban Wastewater Treatment Regulations. However, based on the distance of this estuary waterbody downstream of the agglomeration, along with the fact that the p.e. of the agglomeration is greater than 10,000, a TP ELV of 2mg/l is proposed. It should be noted however that this downstream waterbody is not TN limiting as per the EPA’s Urban Waste Water Treatment</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>Directive (UWWTD) (91/271/EEC) Article 5 Report and therefore a TN ELV is not required.</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: 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 proposed effluent discharge standards, the removal of 10 no. existing SWOs, along with the operation of the agglomeration overflows as detailed in this review application will ensure that the operational discharges from the Bandon agglomeration (i) contribute towards maintaining the Good status of the Bandon_090 and Bandon_080 by 2027, 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 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, as amended. It was concluded that, with 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 River Bandon, at concentrations above the standards in the Surface Water Regulations.</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.5: Environmental Impact Assessment Report, December 2022 • Section D: Impact Assessment

Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
			<ul style="list-style-type: none"> • Attachment D.2.1: Impact Assessment Report, December 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement Report, December 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, December 2022 • Attachment D.2.1: Impact Assessment Report, December 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement Report, December 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 (Freshwater Pearl Mussel) Regulations 2009	Yes	Yes	<p>The River Bandon downstream of the agglomeration is not a designated Freshwater Pearl Mussel catchment under the European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations (2009), as amended. Emission Limit Values (ELVs) were set in Schedule A of D0136-01 to meet 'Good' status in the Surface Water Regulations (2009), as amended, for BOD, Ortho-phosphate and Ammonia. These ELVs were set by the EPA following consultation with the National Parks & Wildlife Service (NPWS), on the basis that this part of the River Bandon is not a suitable habitat for the FWPM.</p> <p>It should be noted however that FWPM are known from the Bandon River SAC further upstream of the agglomeration and there may be <i>ex-situ</i> populations downstream of the SAC, but upstream of Bandon. Connectivity to the operational discharges is indirectly established to the Bandon River SAC FWPM population due to the role salmonid species play in the FWPM life cycle.</p> <p>While there is no potential direct connection to FWPM habitat, which lies beyond the direct zone of influence of the Bandon</p>

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			<p>agglomeration discharges, the potential for water quality impacts to host salmonid species and consequent indirect effects on FWPM was required to be considered in the NIS which supports this WWDA review application.</p> <p>The NIS prepared to inform this application has concluded that <i>“The maintenance of Good status conditions is sufficient to ensure that the most pollution-sensitive aquatic species using the Bandon river (i.e. salmonids which require Q4 biological water quality conditions) are not affected by the discharges. Consequently, any less sensitive species will also remain unaffected. The conservation objective target for Freshwater Pearl Mussel, relating to host fish (‘maintain sufficient juvenile salmonids to host glochidial larvae’) will be met, as Good water quality conditions support the upstream migration of salmonid fish crucial to the Freshwater Pearl Mussel life cycle. The ongoing discharges will not affect the movement of salmonid species through Bandon and will not prevent them reaching spawning grounds or affect recruitment of juvenile fish”</i>.</p> <p>Refer to:</p> <ul style="list-style-type: none"> • Attachment B.5: Environmental Impact Assessment Report, December 2022 • Section D: Impact Assessment • Attachment D.2.1: Impact Assessment Report, December 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement, December 2022 • Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022
Drinking Water Directive 80/778/EEC	Yes	Yes	There is a drinking water abstraction point at Innishannon located ca. 4.5km downstream of the primary abstraction point. A Drinking Water Risk Assessment was carried out by Irish Water in 2015 and it was determined that the overall risk of the WwTP on the Drinking Abstraction was Low Risk.
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.

Legislation (National and EU)	Confirm relevance (Yes/No)	Compliant with requirements (Yes/No)	Section of application / attachments which provides relevant details of compliance
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>There are 4 no. European sites considered to be within the zone of influence of the operational discharges These are Bandon River SAC (ca. 29km upstream of primary discharge), Courtmacsherry Bay SPA (ca. 10km south of primary discharge), Clonakilty Bay SPA (ca. 18km southwest of primary discharge) and Sovereign Islands SPA (ca. 29km downstream of primary discharge).</p> <p>There are no pNHAs in the immediate vicinity of the operational discharges. The nearest pNHAs in the vicinity of the operational discharges are the Bandon Valley above Inishannon which extends from ca. 1.3km downstream of the primary discharge point for ca. 5km and Bandon Valley West of Bandon pNHA which extends from ca. 3km upstream of the primary discharge point for ca. 3km.</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> <p>Refer to:</p> <ul style="list-style-type: none"> • Attachment B.5: Environmental Impact Assessment Report, December 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement Report, December 2022
Environmental Impact Assessment Directive 2011/92/EU, as amended by Directive 2014/52/EU	Yes	Yes	<p>Regulation 17 of the relevant Waste water Discharge Regulations (2007-2020) requires a mandatory Environmental Impact Assessment Report (EIAR) as the capacity of the Bandon WwTP is greater than 10,000p.e.</p> <p>Refer to:</p> <ul style="list-style-type: none"> • Attachment B.5: Environmental Impact Assessment Report, December 2022
Marine Strategy Framework Directive 2008/56/EC	No	Not applicable	The WwTP does not discharge to a marine waterbody, the closest TraC waterbody is >5km downstream. Nevertheless, the upgraded WwTW will ensure that the

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			emissions from the Bandon agglomeration will comply with and not result in a contravention of this Directive.
European Communities (Quality of Salmonid Waters) Regulations, 1988 (S.I. No. 293 of 1988).	Yes	Yes	<p>The River Bandon is a not a designated salmonid waterbody. However, it is important for fishing and is primarily a salmon and sea trout river but also has resident brown trout and there are a number of angling associations in the area.</p> <p>The completion of the upgrade works at the WwTP to meet the ELVs as per D0136-01 including a more onerous Ortho-P ELV, and the completion of the ongoing <i>Bandon Watermain & Sewer Network Project</i> will contribute towards compliance with the European Communities Environmental Objectives (Surface Water) Regulations, 2009, as amended, and will assist in the efforts to maintain the Good WFD Status of the waterbody. This will provide a high level of protection to the River Bandon and the salmon contained therein; thereby ensuring that the operational discharges do not cause a 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, December 2022 • Section D: Impact Assessment • Attachment D.2.1: Impact Assessment Report, December 2022 • Attachment D.2.2: AA Screening & Natura Impact Statement Report, December 2022 • Attachment D.2.3: Waste Assimilative Capacity (WAC), October 2022