



## **ATTACHMENT B.6:**

# **COMPLIANCE WITH EU DIRECTIVES & NATIONAL REGULATIONS**



## Waste Water Discharge Authorisation

### Attachment B6 – Compliance with EU Directives & National Regulations

**Applicant Name:\***

Uisce Éireann

**Application I.D.:\***

D0056-01

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<br>(National and EU)                               | Confirm<br>relevance<br>(Yes/No) | Compliant<br>with<br>requirements<br>(Yes/No) | Section of application / attachments which<br>provides relevant details of compliance  |
|--|----------------------------------|---|--|
| Urban Waste Water<br>Treatment Directive<br>91/271/EEC         | Yes                              | Yes   | <p>The design of both Midelton and Carrigtwohill WwTPs are greater than 15,000 p.e. and 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>In line with the above, Carrigtwohill WwTP provides tertiary treatment with N &amp; P removal, and Midleton WwTP provides tertiary treatment with N removal.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Section B.2.2 for details on the Waste Water Works and associated Waste Water Treatment Plant</li> <li>• Section B.8: Improvement Programme</li> <li>• Attachment C.1: Discharges and Monitoring</li> <li>• Section C.2: Measures to Prevent Unintended Discharges</li> <li>• Section D: Impact Assessment (<i>To be forwarded to the Agency</i>)</li> </ul> |
| Urban Waste Water<br>Treatment Regulations,<br>2001 as amended | Yes                              | Yes   | <p>The Owennacurra Estuary / North Channel and Lee Estuary / Lough Mahon are designated as ‘sensitive’ under the Urban Treatment Regulations 2001 (as amended). The primary discharge enters directly into the Lee Estuary / Lough Mahon Nutrient Sensitive Area. The secondary discharge enters directly into the Owennacurra Estuary / North Channel Nutrient Sensitive Area.</p>  |

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|--------------------------------------|----------------------------------|---|--|
|                                      |                                  |   | <p>For the Owennacurra Estuary / North Channel, N is the limiting nutrient and for the Lee Estuary / Lough Mahon, P is the limiting nutrient. Based on these designations, along with the fact that the p.e of the agglomeration is greater than 10,000, the existing TN ELV at Midleton WwTP of 15mg/l and the existing TP ELV of 1mg/l at Carrigtwohill WwTP are proposed to be maintained. Midleton will have two separate ELVs, ELVs applicable at the WwTP to ensure compliance with the UWWT Regulations and ELVs at the final effluent discharge point to ensure compliance with the Schedule A of the licence. Refer the Application Form for further details.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant</li> <li>• Section B.8: Improvement Programme</li> <li>• Attachment C.1: Discharges and Monitoring</li> <li>• Section C.2: Measures to Prevent Unintended Discharges</li> <li>• Section D: Impact Assessment (<i>To be forwarded to the Agency</i>)</li> <li>• Midleton Carrigtwohill WWDL Application Form</li> </ul> |
| Water Framework Directive 2000/60/EC | Yes                              | Yes   | <p>Uisce Éireann (UÉ) is 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>A WFD Screening Assessment (<b>Appendix 3</b> of EIAR) will be forwarded to the Agency upon completion of the EIAR.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant</li> </ul>  |

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|--|----------------------------------|---|---|
|  |                                  |   | <ul style="list-style-type: none"> <li>• Attachment B.5: Environmental Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> <li>• Section D: Impact Assessment</li> <li>• Attachment D.2.1: Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.2: AA Screening &amp; Natura Impact Statement Report (<i>To be forwarded to the Agency</i>)</li> <li>• Water Quality Modelling Report &amp; Water Quality Supplemental Modelling Plots (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.4: Priority Substance Assessment Report, May 2023</li> </ul>                  |
| European Communities Environmental Objectives (Surface Waters) Regulations 2009 as amended | Yes                              | Yes   | See above & refer to: <ul style="list-style-type: none"> <li>• Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant</li> <li>• Attachment B.5: Environmental Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.1: Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.2: AA Screening &amp; Natura Impact Statement (<i>To be forwarded to the Agency</i>)</li> <li>• Water Quality Modelling Report 2023 (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.4: Priority Substance Assessment Report, May 2023</li> </ul> |
| European Communities Environmental Objectives (Freshwater Pearl Mussel) Regulations 2009   | No                               | Not Applicable                                | Not applicable. There are no Designated Freshwater Pearl Mussel (FWPM) Waterbodies downstream of the primary or secondary discharge points.   |
| Drinking Water Directive 80/778/EEC  | Yes                              | Yes   | The operational discharges for the agglomeration discharge into two waterbodies that are Designated Drinking Water Rivers under Article 7 of the Water Framework Directive. This includes the Tibbotstown_010 and Owennacurra_040. However, the operational discharges (SW003, SW004, SW006, SW007, SW008, and SW014) discharge downstream of any drinking water abstraction points and   |

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|--|----------------------------|--------------------------------------|--|
|  |                            |                                      | therefore do not pose a risk to drinking water supplies.   |
| 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 proposed primary discharge is <i>ca.</i> 1.3km downstream from the Carrigtwohill WwTP (SW001) discharges directly to the Great Island Channel SAC and the Cork Harbour SPA. The proposed secondary discharge (SW009) from Midleton WwTP (SW009) does not discharge directly into an SAC or SPA. However, there are 2 no. European Sites within the immediate zone of influence of the project <i>i.e.</i>, Great Island Channel SAC <i>ca.</i> 15m u/s and Cork Harbour SPA <i>ca.</i> 70m u/s.</p> <p>The proposed primary discharge discharges directly into the Great Island Channel pNHA. There are also a number pNHA which are hydrologically connected downstream:</p> <ul style="list-style-type: none"> <li>• The Douglas River Estuary pNHA (Site Code: 001046) <i>ca.</i> 5.5km downstream;</li> <li>• Monkstown Creek pNHA (Site Code: 001979) <i>ca.</i> 8km downstream;</li> <li>• Lough Beg pNHA (Site Code: 001066) <i>ca.</i> 12km downstream;</li> <li>• Cuskinny Marsh pNHA (Site Code: 001987) <i>ca.</i> 13km downstream;</li> <li>• Whitegate Bay pNHA <i>ca.</i> 14km downstream.</li> </ul> |

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|--|----------------------------------|---|---|
|  |                                  |   | <p>The proposed secondary discharge discharges within the zone of influence of the North Great Island Channel pNHA. There are also a number of pNHAs downstream of the secondary discharge location, these include:</p> <ul style="list-style-type: none"> <li>• Rostellan Lough, Aghada Shore and Poul nabibe Inlet pNHA (Site Code: 001076) ca. 2.3km downstream;</li> <li>• Cuskinny Marsh pNHA ca. 6.2km downstream;</li> <li>• Whitegate Bay pNHA ca. 5.7km downstream;</li> <li>• Lough Beg pNHA ca. 9.9km downstream;</li> <li>• Monkstown Creek pNHA ca. 12km downstream;</li> <li>• Owenboy River pNHA (Site Code: 001990) ca. 13km downstream.</li> </ul> <p>An Environmental Impact Assessment Report and a combined AA Screening Report &amp; Natura Impact Statement are currently being prepared and will be forwarded to the Agency to inform this review application.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Attachment B.5: Environmental Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> <li>• Attachment D.2.2: AA Screening &amp; Natura Impact Statement (<i>To be forwarded to the Agency</i>)</li> </ul> |
| 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 WwTPs will be greater than 10,000 p.e.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Attachment B.5: Environmental Impact Assessment Report (<i>To be forwarded to the Agency</i>)</li> </ul>   |

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|--|----------------------------------|---|--|
| Marine Strategy Framework<br>Directive 2008/56/EC  | Yes                              | Yes   | <p>The operational discharges discharge to three transitional waterbodies, Lough Mahon (Harper's Island), North Channel Great Island, and Owennacurra Estuary. There are no coastal discharges associated with the works. There are no construction works associated with the operational discharges for the D0056-01 licence review. Therefore, it is anticipated that the amalgamation of the Midleton and Carrigtwohill agglomeration, and the regularisation of the operational discharges will not result in a contravention with this Directive.</p> <p>Refer to:</p> <ul style="list-style-type: none"> <li>• Section B.2.2 Waste Water Works and associated Waste Water Treatment Plant</li> <li>• Attachment B.8: Improvement Programme</li> <li>• Attachment D.2.1: Impact Assessment Report <i>(To be forwarded to the Agency)</i></li> <li>• Water Quality Modelling Report 2023 <i>(To be forwarded to the Agency)</i></li> </ul> |
| European Communities<br>(Quality of Salmonid Waters)<br>Regulations, 1988 (S.I. No.<br>293 of 1988). | No                               | Not applicable                                | There are also no designated Salmonid River Waterbodies upstream or downstream of the receiving waters.  |