



# OFFICE OF ENVIRONMENTAL SUSTAINABILITY

## INSPECTOR'S REPORT ON A WASTE WATER DISCHARGE LICENCE REVIEW APPLICATION

To: David Flynn, Director

From: Aimie Cranch, Inspector      Environmental Licensing Programme

Date: 22 January 2024

RE: Application for a review of a Waste Water Discharge Licence from Uisce Éireann, for the agglomeration Ballycotton, Reg. No. D0516-02.

### Application under the European Union (Waste Water Discharge) Regulations 2007 to 2020

#### Summary Details

Agglomeration Name:	Ballycotton
Location:	Townlands of Ballycotton, Co. Cork
Number and type of waste water discharges from the waste water works:	1 primary discharge, 3 discharges from storm water overflows (Appendix 1)
Location of waste water treatment plant (WWTP)	Ballycotton, Co. Cork
Schedule of discharge licensed:	Discharges from agglomerations with a population equivalent of 1,001 to 2,000
Population equivalent to which the application relates:	1,082
Design Population Equivalent of WWTP:	1,082
Reported current Population Equivalent:	799
Licence application received:	09/11/2022
Additional information received:	Yes (12/04/2023, 01/06/2023, 07/07/2023, 06/09/2023)
Regulation 18(2) Compliance Acknowledgement:	27/09/2023
Site notice check:	24/11/2022

Submission(s) Received:	Health Service Executive (HSE) (08/12/2022), Geological Survey Ireland (15/12/2022)
Environmental Impact Assessment (EIA) Required:	No
Stage 2 Appropriate Assessment required:	Yes
Natura Impact Statement (NIS) submitted:	07/07/2023

## 1. Introduction to application

Uisce Éireann was granted a Waste Water Discharge Licence (WWDL) on 30/10/2014 for the Ballycotton agglomeration, Reg. No. D0516-01. The WWDL was technically amended in 2021. An application for a review of the Ballycotton WWDL D0516-01 was received on 09/11/2022 from Uisce Éireann for the following reasons:

- Increase on licensed population equivalent (p.e.), threshold change from 500 – 1,000 to 1,001 to 2,000 p.e;
- The agglomeration boundary has been revised to account for recent development in Ballycotton; and
- The discharges which are described in the existing licence are being repurposed.

The Ballycotton agglomeration is listed on the EPA's Wastewater Priority Areas List and did not meet the requirement of the Council Directive 91/271/EEC on Urban Wastewater Treatment for the provision of wastewater treatment in 2022. Untreated wastewater is currently being discharged directly into the Ballycotton Bay coastal waterbody from the agglomeration. This is one of the 26 urban areas still discharging raw sewage which have been identified as an EPA priority in the recent report on *Urban Waste Water Treatment in 2022*.

The existing situation is that waste water is currently collected in two combined collection systems. The west of the agglomeration is served by a sewer network draining to a septic tank, located along the foreshore and discharges into Ballycotton Bay via a sea outfall. The septic tank dates from the 1950s, is overloaded and is providing little to no treatment. The east of the agglomeration is served by a collection network, which discharges untreated wastewater from an outfall by the pier into Ballycotton Bay.

The proposal by Uisce Éireann for this application includes a new wastewater treatment plant (WWTP) providing primary treatment (as required under *Schedule C.1 Specified Improvement Programme* in the current licence), gravity sewer to convey treated effluent from the WWTP to the existing outfall, 2 proposed wastewater pumping stations (PSs) with stormwater storage, new wastewater rising mains, new gravity sewers and associated and ancillary infrastructure. The existing septic tank will be decommissioned. The proposed Ballycotton WWTP will cater for a 10-year predicted p.e of 1,082. Wastewater will be treated to the discharge standards of a 20% reduction in cBOD and a 50% reduction in Suspended Solids as required by *Schedule A: Discharges & Discharge Monitoring* of the current licence D0516-01.

Uisce Éireann have confirmed that the existing secondary discharge (SW002) will be discontinued, and the outfall will serve as the dual function stormwater/emergency overflow for the Pier pumping station (SW006).

The Waste Water Discharge Licence for the Ballycotton agglomeration (Reg. No. D0516-01) specified 'Construct a new primary waste water treatment plant to include inlet screens and appropriately sized primary settlement capacity'. *Schedule C.2: Discharges to be Discontinued* includes the secondary discharge point SW002.

Works are underway at the moment and Uisce Éireann's expected timeframe for completing the upgrade works is Q4 2024. The previous licence (D0516-01) specified the date for the completion of upgrade works as 31/12/2019. The upgrade was included in Appendix 1 of the River Basin Management Plan (RBMP) 2018-2021 with an extended completion date of 2021 which is a prescribed timeframe.

## **2. Planning Status**

Planning permission for the Ballycotton Sewerage Scheme was granted on 24/11/2021 (ref No. 21/04483) by Cork County Council. Subsequently, three third party appeals were lodged with An Bord Pleanála in relation to the Ballycotton Sewerage Scheme (Ref ABP-312229-21). Planning permission was granted by An Bord Pleanála subject to certain conditions on 09/05/2022. A copy of the grant of planning permission and planners report was submitted with the application.

The licensee has provided confirmation in writing from An Bord Pleanála that an environmental impact assessment was not required by or under the Planning and Development Act, 2000.

### Foreshore licence

A foreshore licence (1953) was granted by the Minister for Industry and Commerce in respect of the existing outfall.

## **3. EIA Screening**

The Agency made an EIA Screening Determination on 30/01/2023 and determined that an EIA is not required as there is no real likelihood of significant effects on the environment arising from the proposed development.

The main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 to the Planning and Development Regulations 2001, on which this determination is based are as follows:

1. The limited scale of the waste water discharges from the proposed wastewater treatment plant. The wastewater treatment plant serves an agglomeration with a population equivalent (p.e) of 1,082 which is below the 10,000 p.e mandatory threshold for EIA.
2. Domestic wastewater is the only contributor to the waste water treatment plant and is readily biodegradable.
3. It is proposed to treat waste water by primary treatment prior to discharge to Ballycotton Bay. The proposed development will eliminate untreated urban waste water being discharged directly into Ballycotton Bay.

4. The discharges are into Ballycotton Bay (WFD Code: IE\_SW\_040\_0000) receiving waterbody which has significant absorptive capacity due to the immediate available dilutions.
5. The potential effects of waste water discharges will be assessed and should a revised waste water discharge licence be granted, the controls and emission limit values set in the licence will be established according to the combined approach and will not compromise the achievement of the environmental objectives and environmental quality standards for the receiving waterbody.
6. The location of waste water discharges is remote from designated bathing waters and shellfish areas.
7. The cumulative effects with other existing discharges are not likely to give rise to significant effects on the environment.

#### 4. Discharges to Waters

The following table outlines the proposed waste water discharges to waters from the waste water works serving this agglomeration.

**Table 1: Waste Water Discharges**

<b>Primary discharge point (SW004)</b>	
Type of treatment:	Preliminary and primary treatment
Wastewater treatment plant (WWTP) description:	The plant consists of inlet screening, primary settlement tanks, sludge tank, treated effluent balance tank and site control facilities.
Receiving water name	Ballycotton Bay (Water Framework Directive (WFD) Code: IE_SW_040_0000) coastal waterbody
Dry weather flow	A DWF of 244 m <sup>3</sup> /day is based on the design capacity of the WWTP of 1,082 p.e. and on 225 litres per head per day
Maximum flow	1,565m <sup>3</sup> /day for preliminary treatment. 622m <sup>3</sup> /day for primary treatment. The WWTP is designed to treat a maximum of 2.5 DWF.
<b>Storm water overflows</b>	
Storm water overflow(s)	Yes, 3. The WWTP has a storm water storage tank which can store 127m <sup>3</sup> , Cow Lane PS has 105m <sup>3</sup> storage and 65m <sup>3</sup> at the Pier PS.
Receiving water name(s)	Ballycotton Bay (Water Framework Directive (WFD) Code: IE_SW_040_0000) coastal waterbody
<b>Emergency overflows</b>	
Emergency overflow(s)	Yes, 3

The Agency considered primary treatment as 'appropriate treatment' in the granting of the existing licence (D0516-01) and Emission Limit Values (ELVs) were set accordingly.

The population equivalent to which the application relates is below the 2,000 p.e. threshold at which the emission standards specified in Part 1 of the second schedule of the Urban Waste Water Treatment Regulations, 2001, as amended, apply.

For agglomerations under this threshold, 'appropriate treatment' is required.

The term 'appropriate treatment' is defined in the Urban Waste Water Treatment Directive and Regulations as *'treatment of urban waste water by any process and/or disposal system which after discharge allows the receiving waters to meet the relevant quality objectives and the relevant provisions of the Directive and of other Community Directives'*. Appropriate treatment is considered in more detail under section 5 of this report.

The sources of waste water to the WWTP are entirely from domestic waste water. There are no industrial inputs or leachate into the waste water works.

The Ballycotton sewerage scheme will help to improve the water quality in Ballycotton Bay and the surrounding waters through the provision of a primary waste water treatment plant achieving a 20% reduction in the level of cBOD and a 50% reduction in the level of suspended solids being discharged from the agglomeration. The requested ELVs are in line with those in the existing WWDL (D0516-01).

There will be no secondary discharge point associated with the wastewater works. Uisce Éireann have confirmed that the existing secondary discharge (SW002) to Ballycotton Bay is to be decommissioned by the end of 2024.

No effluent monitoring results are available as there is currently no treatment in place.

There is one open Compliance Investigation (CI) against the existing licence. There is one open incident against the existing licence which is linked to the CI. Both the CI and incident are due to recurring ELV breaches for Suspended Solids and cBOD percentage reduction as a result of no treatment.

## 5. Impact of Waste Water Discharges

The following table summarises the main considerations in relation to the receiving water in the vicinity of the primary discharge and discharges from storm water overflows.

**Table 2: Receiving waters**

Characteristic	Classification	Comment
Receiving water name	Ballycotton Bay	(WFD Code: Code: IE_SW_040_0000)
WFD status (2016-2021)	Good	Not at risk of achieving its environmental objective
WFD environmental objective	Good	To be maintained
WFD Protected areas	Ballymacoda Bay Shellfish Waters (Appendix 2: Location of Ballymacoda	Approx. 9km from primary discharge. This is not considered further due to

Characteristic	Classification	Comment
	Bay Shellfish Waters and Garryvoe Bathing Waters )	objectives being met and extensive dilution available.
	Garryvoe Bathing Waters (Appendix 2: Location of Ballymacoda Bay Shellfish Waters and Garryvoe Bathing Waters ) Ballycotton Bay SPA	Approx. 2.5km from discharges; classed 'Good'.  Site code: 004022. Approx. 70m from the discharges.
WFD Significant pressure	No	
Designations	Ballycotton Bay SPA	Site code: 004022. Approx. 70m from the discharges.
Receiving water monitoring stations	Code: CW05003148BT1001	Approx. 800m from primary discharge point
Trophic status	Unpolluted	2018-2020

As indicated by the details in Table 2, untreated discharges from the agglomeration do not appear to be impacting on water quality in the area. This application is for an increase in waste water discharges from an agglomeration of 1,082 p.e.

As part of the proposed Ballycotton Sewerage Scheme, the two existing wastewater networks will be rerouted to the proposed WWTP which will provide primary treatment before discharging treated effluent via a single marine outfall (SW004). Therefore, once the proposed sewerage scheme is operational, the quantity of Biochemical Oxygen Demand (BOD) and Suspended Solids (SS) being discharged to Ballycotton Bay from the agglomeration will be reduced even though it is serving a larger agglomeration, as shown in Table 3 below.

**Table 3: Current and Future BOD and Suspended Solids Loadings to Ballycotton Bay**

	<b>BOD (kg/day)<sup>Note 1</sup></b>	<b>SS (kg/day)<sup>Note 2</sup></b>
Total Agglomeration		
<b>2016 loading @ 1014 p.e. without treatment</b>	60.84	70.98
<b>Future loading @ 1082 p.e. with primary treatment</b>	51.94	37.87

Note 1: A BOD loading of 60g/person/day in accordance with the Urban Waste Water Treatment Regulations 2001 as amended

Note 2: A SS loading of 163mg/l (mean domestic loading) in accordance with EPA Wastewater Treatment Manuals – Treatment Systems for Small Communities, Business, Leisure Centres and Hotels and a

consumption rate of 175l/person/day in accordance with Uisce Éireann technical guidance document IW-TEC-700-99-02 Inlet Works and stormwater treatment (wastewater).

The future loading calculation above considers a reduction in BOD of 20% and a reduction in SS of 50%.

The reduction in Suspended Solids will result in a decrease in pathogens in the discharge and will therefore not have any negative effects on the bathing water quality at Garryvoe designated bathing water.

In coastal waters, the main physico-chemical elements assessed are dissolved oxygen (DO) and dissolved inorganic nitrogen (DIN). Recent ambient monitoring data (2019-2022) for Ballycotton Bay indicates that the waters of Ballycotton Bay met the 'High status' environmental quality standards (EQSs) set out in the Environmental Objectives (Surface Water) Regulations 2009, as amended, for DO and DIN in the period 2019-2022, as shown in Table 4 below.

**Table 4: Ambient Monitoring Data<sup>1</sup> for Ballycotton Bay (2019-2022)**

<b>Parameter</b>	<b>Dissolved Oxygen (% saturated)</b>	<b>Dissolved Inorganic Nitrogen (mg/l)</b>
<b>No. of samples</b>	6	6
<b>Min. result</b>	97.3	0.018
<b>Max. result</b>	107.7	1.6
<b>Median result</b>	-	0.083
<b>EQS High Status as per S.I. No. 77/2019</b>	95 <sup>o</sup> ile Lower limit >80-85% Upper limit <115-120%	≤0.585 <sup>2</sup>
<b>EQS Good Status as per S.I. No. 77/2019</b>	95 <sup>o</sup> ile Lower limit >70-80% Upper limit <120-130%	≤1.425 <sup>2</sup>
<b>Overall compliance with relevant EQS High Status</b>	Yes	Yes

The licensee calculated the number of dilutions which will be achieved over a distance of 100m from the primary discharge point. This results in a dilution value of 283. Uisce Éireann Technical Standards for Marine Modelling requires a minimum of 100 initial dilutions for new primary treated effluent discharges.

<sup>1</sup> Data is based on chemistry monitoring data for Ballycotton Bay (Station CW05003148BT1001). Data was downloaded from Catchments.ie on 31/05/2022

<sup>2</sup> In the absence of salinity level data, the DIN EQS has been taken as the median value in accordance with S.I. No 77 of 2019

The primary discharge point is submerged, the effluent has a small volumetric rate, is buoyant relative to the receiving coastal waterbody and the effective volume flux is less than 5.0m<sup>3</sup>; all of which indicate that the discharges are not considered significant<sup>3</sup>.

The assessment indicates the discharge effluent will not impact on the ability of the receiving water to maintain its current 'good' status.

Based on the foregoing assessment, primary treatment is considered 'appropriate treatment'.

The RL as drafted gives effect to the principle of the Combined Approach as defined in European Union (Waste Water Discharge) Regulations, 2007 to 2020 by setting ELVs for primary treatment (20% reduction in cBOD and 50% reduction in SS) in accordance with the requirements of the Urban Waste Water Treatment Directive. Given that the discharges are not significant in the context of the receiving water, Ballycotton Bay, the RL does not specify a mass flow limit for DIN. Condition 2 interpretation of the ELVs in the RL are in accordance with the requirements of the UWWTD.

Although the planned completion of the proposed WWTP upgrade is Q4 2024, the date specified in the River Basin Management Plan 2018-2021 (RBMP) was 2021. Further, the requirements of the Urban Wastewater Treatment Directive (UWWTD) have not been met. In accordance with prescribed dates in the RBMP and the UWWTD, the specified ELVs and monitoring of the discharges will take effect from the date of grant of licence.

The licensee carried out a Priority Substances Assessment which concluded that no priority substances were likely to be present in the effluent at significant concentrations. Given the size and nature of discharges and the conclusion of the assessment, priority substance monitoring is not required in the RL.

### Storm Water Overflows

Uisce Éireann have reported the 3 SWOs (SW005, SW006 and SW007) to be in compliance with criteria as set out in the DoECLG 'Procedures and Criteria in Relation to Storm Water Overflows', 1995. All three SWO's are reported by the licensee as dual function emergency/stormwater overflows. These overflows are located at the WWTP (SW005) and the two new pumping stations (Pier PS SW006 and Cow PS SW007). Both SW005 (WWTP overflow) and SW007 (Cow PS) discharge through the primary discharge outfall also. Uisce Éireann confirmed to the Agency on 06/09/2023 that all 3 SWOs will have flow monitoring in place and the data will be recorded on SCADA. The RL specifies the location of the discharges from SWOs, requires flow monitoring and compliance with the DoECLG 'Procedures and Criteria in Relation to Storm Water Overflows', 1995.

### Population equivalent

The mass load of waste water entering a waste water works can be expressed in population equivalent (p.e.). The design p.e. of the plant once constructed and to which this application relates is 1,082. The assessment of the impact of waste water discharges from the waste water works corresponds to this p.e. The RL specifies a limit for the p.e.

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<sup>3</sup> EC 2010 Technical Guidelines for the identification of Mixing Zones pursuant to Art. 4(4) of the Directive 2008/105/EC



and the method to be used in its determination. P.E is to be determined annually and reported as part of the AER.

#### Unintended or accidental discharges

The licensee has detailed the following measures to prevent unintended discharges discharging into the water environment and the surveillance of such measures:

- Provision of 127m<sup>3</sup> of storm storage at the WWTP and additional 65m<sup>3</sup> at the Pier PS and 105m<sup>3</sup> at the Cow PS.
- A Supervisory Control and Data Acquisition (SCADA) and telemetry system will be provided for external monitoring of WwTP and pumping stations processes/operations which will provide text alert alarms to the relevant maintenance and operations personnel in the event of an emergency.
- Connection for a temporary generator at the WWTP and pumping stations.
- Provision of Uninterruptible Power Supply (UPS) backup for telemetry/plant controllers.
- Pumps at the WWTP and pumping stations will be in a duty/standby arrangement in case of malfunction/maintenance operations.
- Ultrasonic level sensors will be provided in the holding tanks and pump sumps at the pumping stations. These will be the main level controllers for the associated equipment. Back-up floats will provide secondary control.

In order to minimise accidents associated with the waste water works and their consequences, the RL as drafted requires the licensee to:

- Maintain an operation and maintenance programme for all plant and equipment to ensure that no unauthorised waste water discharges take place (Condition 4.9).
- Provide a statement of measures to minimise any environmental damage associated with discharges or overflows from the waste water works following anticipated events or accidents/incidents (Condition 4.17).
- Maintain an Emergency Response Procedure to minimise the effects of any emergency on the environment (Condition 6.5).

## **6. Appropriate Assessment**

Table 6 lists the European Sites assessed, their associated qualifying interests and conservation objectives along with the assessment of the effects of the waste water discharges on the European Site.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the waste water discharges, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at Ballycotton Bay SPA.

The waste water discharges are 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 cannot be excluded, on the basis of objective information, that the waste water discharges, 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 waste water discharges was required, and for this reason determined to require the licensee to submit a Natura Impact Statement.

This determination has been made in light of the following reasons:

- The qualifying interests of Ballycotton Bay SPA include water dependent habitats/species.
- Due to the potential for impacts from waste water discharges on the water dependent qualifying habitats and species of Ballycotton Bay SPA as a result of proximity (approx. 100m distance) and they are hydrologically connected.

A Natura Impact Statement was received by the Agency on 07/07/2023.

An Inspector's Appropriate Assessment has been completed and has determined, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the waste water discharges, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Ballycotton Bay SPA, having regard to its conservation objectives and will not affect the preservation of the site at favourable conservation status if carried out in accordance with this recommended licence and the conditions attached hereto for the following reasons:

- The level of treatment and controls in the licence including ELVs will ensure that discharges will not negatively impact on water quality and will ensure the protection of the water-dependent qualifying interests of the European Site.
- Condition 3.3 requires the licensee to take such measures as necessary to ensure that no deterioration in the quality of the receiving water shall occur as a result of the discharge.
- Condition 3.5.2 requires that all storm water overflows shall be in compliance with the criteria for storm water overflows, as set out in the DoECLG 'Procedures and Criteria in Relation to Storm Water Overflows', 1995 and any other guidance as may be specified by the Agency.
- Condition 4.17 requires the licensee to provide a statement of measures to minimise any environmental damage associated with discharges or overflows from the waste water works following anticipated events or accidents/incidents.

In light of the foregoing reasons no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of the Ballycotton Bay SPA European Site.

There were no submissions on this application concerning Appropriate Assessment.

## **7. Ambient Monitoring**

The ambient monitoring requirements in the existing licence (D0516-01) are carried forward into *Schedule B: Ambient Monitoring* of the RL. *Schedule B: Ambient Monitoring* specifies the locations of ambient monitoring points, parameters, analysis method and frequency for which ambient monitoring of the primary discharge shall be carried out. The requirements for ambient monitoring in *Schedule B: Ambient Monitoring* are sufficient to monitor for potential impacts on the status of the receiving water as a result of the discharge.

## 8. Programme of Improvements

*Schedule C.1* of the RL requires the construction of the wastewater treatment to comply with the conditions of the licence and to reflect the assessment of this application. Condition 5.1 of the RL requires the licensee to maintain a programme of improvements to maximise the effectiveness and efficiency of the waste water works.

## 9. EU Directives and National Regulations

In considering the application and the drafting of the recommended licence, regard was had to the requirements of Regulation 6(2) (a) to (g) of the European Union (Waste Water Discharge) Regulations 2007 to 2020 notably the EU Directives, Act and Regulations set out in Table 5.

**Table 5: EU Directives/Act/Regulations**

<b>Directives/Regulations</b>
Urban Waste Water Treatment Directive [91/271/EEC]
Urban Waste Water Regulations 2001 as amended
Water Framework Directive [2000/60/EC]
European Communities Environmental Objectives (Surface Water) Regulations 2009 (S.I. No. 272 of 2009), as amended
Bathing Water Directive [2006/7/EC]
Bathing Water Quality Regulations 2008, as amended.
Birds Directive [79/409/EEC & 2009/147/EC], Habitats Directive 92/43/EEC and European Communities (Birds and Natural Habitats) Regulations 2011 as amended
Environmental Impact Assessment Directive (2011/92/EU as amended by 2014/52/EU)
Section 15 of the Climate Action and Low Carbon Development Act 2015, as amended, and the Department of Housing, Planning and Local Government <i>Water Quality and Water Services Infrastructure – Climate Change Sectoral Adaptation Plan</i>

## 10. Submissions

There were two submissions made on this application. While the main points raised in the submissions are briefly summarised in the table below, the original submissions should be referred to at all times for greater detail and expansion of particular points.

Submission 1: The submission received from Geological Survey Ireland (GSI) recommends the use of their data sets related to groundwater, geoheritage, geochemistry of soils, surface waters and sediments, which may assist in the environmental assessment stage.

Response 1: In relation to this application, the GSI datasets were not directly relevant or used in the environmental assessment of the application.

Submission 2: The submission received from the HSE South Emergency Management states that they do not have any specific observations to make with respect to this application but make a number of recommendations as follows:

- Should an incident occur at the site and emergency services assistance is required, the incident information should be provided in the 'ETHANE' format (Exact location, Type of incident, Hazards, Access and egress, Number of casualties, Emergency services present and required);
- Emergency services access to the site should be clearly identified;
- That a mechanism should be in place to account for personnel during an evacuation;
- That vulnerable facilities in the area should be identified and that the site operator should determine the impact on the local community where a vulnerable population is affected by an incident; and
- That the site operator should plan for severe weather.

Response 2: The Agency acknowledges receipt of this submission. It is important to note that the scope of a waste water discharge licence with respect to incidents is primarily concerned with measures to prevent and limit the consequences of unintended discharges. The RL as drafted contains a number of measures in this regard including:

- Condition 4.9 of the RL requires that the licensee shall maintain a programme for maintenance and operation of all plant and equipment to ensure that unintended waste water discharges and potential impacts on the environment are kept to a minimum;
- Condition 6.5 of the RL requires an Emergency Response Procedure to be maintained to minimise the effects of any emergency on the environment.

The licensee states that storm water storage, an alarm system, a connection for a backup generator and standby pumps will be provided to prevent unintended discharges.

### **11. Cross Office Liaison**

I consulted with EPA Office of Environmental Enforcement (OEE) Wastewater Inspector Michael McDonagh in relation to this agglomeration. In general, the OEE has no significant concerns regarding the proposed changes to the discharges. I consulted with EPA Office of Environmental Assessment (OEA) Scientific Officers in relation to coastal monitoring data and WFD status.

### **12. Charges**

The RL requires that the licensee shall pay to the Agency, such sum as the Agency from time to time determines is reflective of the monitoring and enforcement regime being proposed for the agglomeration.

### **13. Recommendation**

In considering an application for the review of a licence, the Agency shall have regard to:

- the requirements of Regulation 6(2) of the European Union (Waste Water Discharge) Regulations 2007 to 2020; and

In deciding on an application, the Agency shall:

- set emission limit values and timeframe(s) in which these are to be achieved with the aim of achieving environmental objectives for the surface water body into which the discharges are or will be made including any objectives and standards established for associated protected areas;

- have regard to the conclusions of the Appropriate Assessment and findings of the EIA Screening; and
- has regard to submissions received in accordance with these Regulations.

The Agency shall not grant a revised licence which in the opinion of the Agency will cause a deterioration in the status of the receiving surface water body or compromise the achievement of objectives or environmental quality standards.

In setting emission limit values for the discharge, the Agency shall ensure that the discharge is controlled according to the combined approach where the limits are established on the basis of the stricter of either or both, the limits and controls required under the Urban Waste Water Regulations, and the limits determined under statute or Directive for the purpose of achieving the environmental objectives established for surface waters, groundwater or protected areas for the water body into which the discharge is made.

I am satisfied, on the basis of the information available, that the conditions of the Recommended Licence (RL) give effect to the requirements set out above. Subject to compliance with the conditions of this RL, any discharges from the agglomeration served by the waste water works will comply with and will not contravene any of these requirements.

I recommend that a Final Licence be granted subject to the conditions and for the reasons as set out in the attached Recommended Licence.

Signed

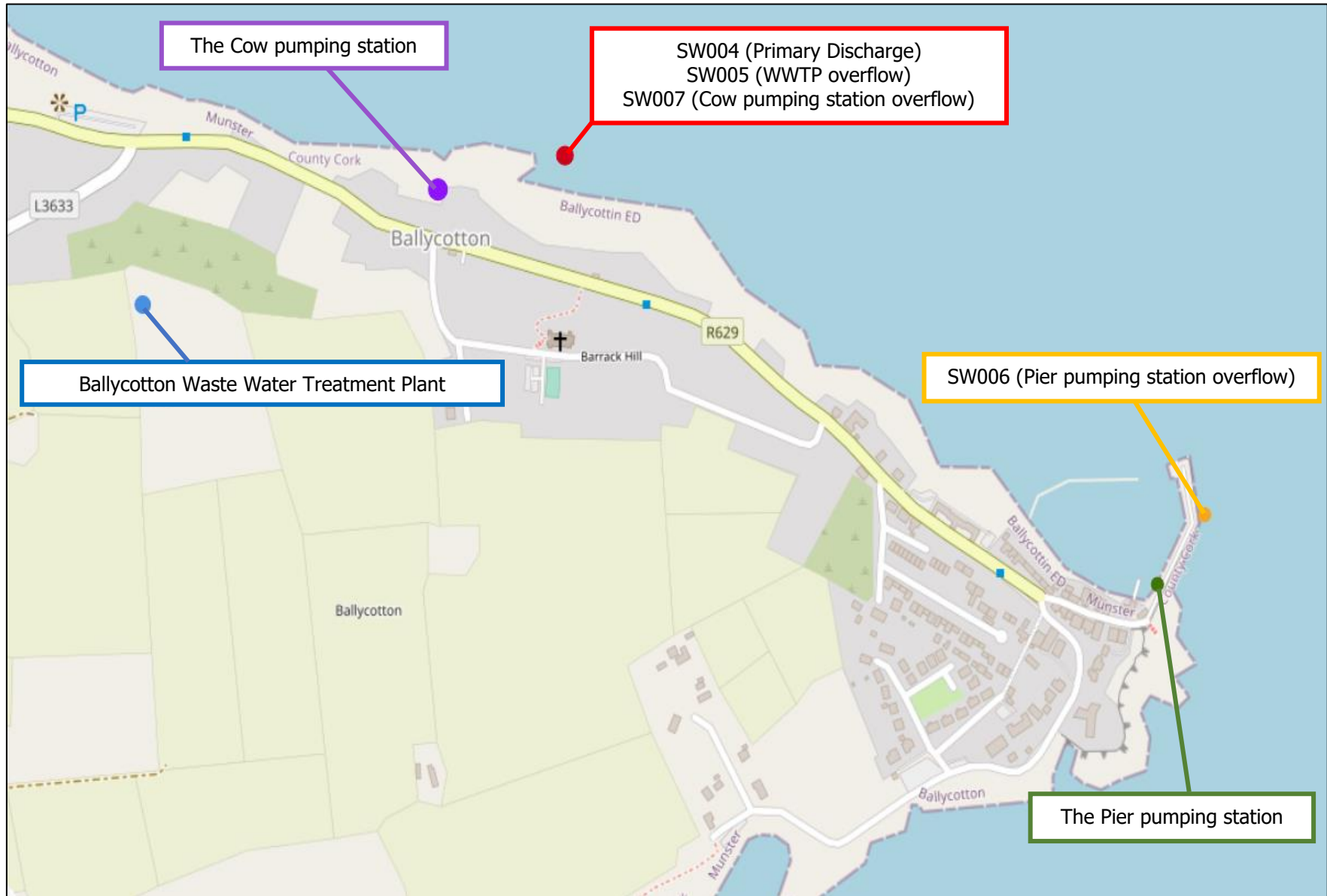


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Aimie Cranch

Environmental Licensing Programme

**Appendix 1: Map showing location of Ballycotton WWTP and associated discharge points**



**Appendix 2: Location of Ballycamoda Bay Shellfish Waters and Garryvoe Bathing Waters**



### Appendix 3: Appropriate Assessment

**Table 6: Assessment of the effects of discharges on a European sites and proposed mitigation measures.**

	<b>European Site (site code)</b>	<b>Distance/ Direction from primary discharge</b>	<b>Qualifying interests</b> (* denotes a priority habitat)	<b>Conservation objectives</b>
1	Ballycotton Bay SPA (004022)	Approx. 70m from the primary discharge point.	<p><b>Birds</b>  A169 Turnstone (<i>Arenaria interpres</i>)  A182 Common Gull (<i>Larus canus</i>)  A183 Lesser Black-backed Gull (<i>Larus fuscus</i>)  A156 Black-tailed Godwit (<i>Limosa limosa</i>)  A140 Golden Plover (<i>Pluvialis apricaria</i>)  A052 Teal (<i>Anas crecca</i>)  A142 Lapwing (<i>Vanellus vanellus</i>)  A160 Curlew (<i>Numenius arquata</i>)  A141 Grey Plover (<i>Pluvialis squatarola</i>)  A137 Ringed Plover (<i>Charadrius hiaticula</i>)  A157 Bar-tailed Godwit (<i>Limosa lapponica</i>)</p> <p><b>Habitats</b>  A999 Wetlands</p>	<p><a href="#">NPWS (2014) Conservation Objectives: Ballycotton Bay SPA.004022. Version 1. National Parks and Wildlife Service, Department of Arts, Heritage and the Gaeltacht.</a></p>



**Assessment****Emissions to water**

Discharge of effluent to water systems can lead to an altered nutrient balance, potential threat of toxicity, reduction in biological status and effects on water dependant habitats and species. Water quality is an important factor for achieving the conservation objectives established for protected species and natural habitats of this European Site. Maintaining 'good' status water quality will contribute to the achievement of its conservation objectives. The proposal is to treat the waste water with preliminary and primary treatment which includes inlet screening, primary settlement tanks, and a treated effluent balance tank.

The RL specifies ELVs which were established to ensure that the quality of the receiving water will not compromise the achievement of the objective to maintain the good status of the receiving water including the EQSs established under European Communities Environmental Objectives (Surface Water) Regulations 2009 (S.I. No. 272 of 2009) as amended. The RL requires all storm water overflows comply with criteria set out in the DoECLG 'Procedures and Criteria in Relation to Storm Water Overflows', 1995. Condition 3.3 of the RL requires the licensee to take such measures as necessary to ensure that no deterioration in the quality of the receiving waters shall occur as a result of the discharge.

**Potential for Accidents to Arise**

There is the potential for accidents and emergency situations arising at a waste water works resulting in partially treated or untreated waste waters discharging to the receiving waters. Such incidents or events could lead to the breach of ELVs and the discharge of elevated levels of polluting organic matter, which would have the potential to impact on the receiving water environment. The licensee detailed measures to prevent unintended discharges in their application. Condition 5.1 of the RL requires a programme of improvement that, *inter alia*, will identify measures to minimise any environmental damage associated with discharges or overflows from the waste water works following anticipated events or accidents/incidents. Condition 4.17 of the RL requires the licensee to provide an annual statement as to the measures taken or adopted to minimise environmental damage associated with discharges or overflows from the waste water works following anticipated events or accidents/incidents. Condition 4.9 of the RL requires the licensee shall maintain a program for the maintenance and operation for all plant and equipment to ensure that no unauthorised waste water discharge take place. This program shall be based on the instructions issued by the manufacturer/supplier or installer of the equipment. Appropriate record keeping and diagnostic testing shall support this maintenance program. The licensee shall clearly allocate responsibility for the planning, management and execution of all aspects of this programme to appropriate personnel.

Ballymacoda Bay SPA (004023), Ballymacoda Bay SAC (000077), Cork Harbour SPA (004030) and Great Island Channel SAC (001058) were deemed to be outside the potential zone of influence (ZOI) and not considered in the Appropriate Assessment.

#### **Appendix 4: Acknowledgement and Attribution:**

This report uses maps submitted as part of the application and map imagery as set out in Table 7 below.

**Table 7: Acknowledgement and attribution of the imagery used from EPA Maps Appendix 1 of this report.**

<b>Map Source</b>	<b>Link to Source</b>	<b>Data Provider</b>	<b>Usage Licence</b>	<b>Attribution Statement</b>	<b>Location in Report</b>
EPA Maps	<a href="https://gis.epa.ie/EPAMaps/">https://gis.epa.ie/EPAMaps/</a>	OpenStreetMap ®	ShareAlike 2.0 Generic (CC BY-SA 2.0)	Data is available under the Open Database License	Appendix 1 & 2