

26 October 2023

Attn: Eimear Reilly
Executive Officer
An Bord Pleanála
64 Marlborough St
Rotunda
Dublin 1
D01 V902
By hand

ABP Reference: ABP - 312131-21

Subject: Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility.

Dear Ms Reilly

We refer to your letter in relation to the above application, dated 26 August 2022. Your letter arose from the Order of the High Court remitting the said application to An Bord Pleanála (the Board,) and invited the submission of further information pursuant to s. 37F(1)(a) and (c) of the Planning & Development Act 2000 as amended (the PDA).

1. Further information

Further to your letter dated 28 February 2023 granting an extension of time until 5:30pm on 30 November 2023 to respond to the Board's Request for Further Information, on behalf of, Uisce Éireann (the Applicant) we hereby submit can now confirm that the requested Further Information which is enclosed with this letter. As requested, we have provided 2 hard copies and 1 electronic copy of that Further Information.

The Further Information comprises an updated Planning Report, an Addendum to the 2018 EIAR, and updated NIS as well as updated drawings. All of these address any changes to the baseline since the original 2018 application and together ensure the following:

- (i) That all surveys requiring to be updated have been incorporated and the results assessed, such that both the EIAR and the NIS are complete as required by law;
- (ii) That any changes to the planning context have been fully considered, in particular the Fingal County Development Plan 2023-2026 which is now adopted;
- (iii) That the Board has the information necessary to allow it to comply with its legal obligations under s.15 of the Climate Action and Low Carbon Development Act 2015, as amended.

2. Combined Approach

As requested, the Further Information also addresses the query raised i.e., *"whether the discharge of waste water from the proposed development, in conjunction with existing discharge to the receiving waters, would cause or exacerbate breaches of the combined approach (as described in the Waste Water Discharge (Authorisation) Regulations 2007 as amended)."*

Date: 26 October 2023

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In short, the answer is no. The more detailed answer is as follows: the EIAR for the Proposed Project (including the current EIAR Addendum) and the environmental assessments completed within have taken full account of all relevant statutory and non-statutory requirements, including the Waste Water Discharge (Authorisation) Regulations 2007 (as amended), the Urban Waste Water Treatment Regulations 2001 (as amended), the Water Framework Directive, European Union Environmental Quality Objectives (Surface Waters) Regulations 2009 (as amended) and the Bathing Water Quality Regulations 2008. These assessments considered the impact of the Proposed Project in combination with the existing baseline on established environmental objectives, as described in all relevant legislation, including discharges and emissions to waters.

Compliance with the “combined approach” is demonstrated as follows:

- a) **Urban Waste Water Treatment Directive:** As the proposed discharge is not to a designated sensitive area under Article 6 of the Urban Wastewater Treatment Regulations 2001 (as amended), the only concentration limits that apply to the treated effluent discharge are as set out in Schedule 1 of these Regulations. The proposed discharge complies with these limits. This is as set out in Section 4.4.4 of Chapter 4 (Description of the Proposed Project) in Volume 2 Part A, and further described in the Key Wastewater Treatment Standards Report which is appended as Appendix A4.1 in Volume 3 Part B of the EIAR in the 2018 planning application.
- b) **Environmental Quality Objectives:** The water quality modelling carried out demonstrates that the limits proposed for the discharge, having regard to the proposed discharge volumes and background concentrations, are sufficient to ensure that the receiving water will meet the requirements of the European Union Environmental Quality Objectives (Surface Waters) Regulations 2009 (as amended), as documented in Chapter 8 (Marine Water Quality) in Volume 3 Part A of the EIAR in the 2018 planning application, and as stated in Section 8.6 which specifically states that 'The extensive modelling undertaken as part of this EIAR demonstrates that the receiving water will meet good status criteria and will meet the environmental quality objectives for coastal water nutrients levels.' Chapter 8 (Marine Water Quality) in Volume 3 Part A of the EIAR in the 2018 planning application, as supplemented by Chapter 8A (Marine Water Quality) in Volume 3A Part A of the EIAR Addendum also considers the environmental objectives for relevant areas associated with the Bathing Water Regulations and the Shellfish Waters Regulations.

As a result, under expected operating conditions, the discharge of waste water from the Proposed Project, in conjunction with existing discharge to the receiving waters, will not cause or exacerbate breaches of the “combined approach” as set out in the Waste Water Discharge (Authorisation) Regulations 2007.

3. Waste Water Discharge Licence Application

We confirm, as required by section 173(C)(9) of the Planning and Development Act 2000 (as amended), that Uisce Éireann proposes to make an application to the Environmental Protection Agency (the Agency) for a licence under the Waste Water Discharge Regulations 2007 (as amended) in respect of the waste water discharges from the Proposed Project.

4. Regional Biosolids Storage Facility

The Board might note that the original 2018 application included the Regional Biosolids Storage Facility (RBSF) project element. The RBSF also formed part of the Ringsend waste water treatment plant upgrade SID application. Subsequent to the GDD oral hearing held in March and April 2019, and prior to the Inspector's Report being published on 10 October 2019, permission was granted by the Board for the Ringsend upgrade on 24 April 2019 (Reg.Ref. ABP-301798-18). This permission included permission for the RBSF the construction of which is due to commence in Q1 2024.

Planning permission was subsequently granted for the GDD project (Reg. Ref: PA06F.301908) on 11 November 2019, which also included permission for the RBSF element, which permission was subsequently quashed by the High Court.

Date: 26 October 2023

Jacobs

Subject: Greater Dublin Drainage Project consisting of a new wastewater treatment plant, sludge hub centre, orbital sewer, outfall pipeline and regional biosolids storage facility.

In circumstances where the RBSF has already been granted permission, planning permission for the RBSF itself is no longer required as part of the GDD application as remitted. However, in order to ensure that the remitted application is comprehensive, it includes updated planning, environmental, and habitats assessments such that the Board is fully informed when making its decision. The updated Planning Report, EIAR and NIS all consider the direct impact of the RBSF in the same manner as before, and in combination with the other elements of the Proposed Project. As such, while the RBSF should be included as part of the Board's EIA and AA on the Proposed Project, any planning permission granted by the Board should be for the Proposed Project excluding the RBSF element.

5. Consultation and publication

We would be grateful if you could please provide further directions in relation to publication and circulation of the Further Information provided as soon as possible. For instance, please confirm when Uisce Éireann should upload the Further Information documentation to the project website, and to what prescribed bodies hard and/or copies of the Further Information should be sent.

Yours sincerely,



Jillian Bolton
Director of Operations

For and on behalf of Jacobs Engineering Ireland Ltd (Agent)

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