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27 May 2011

Re: Certificate of Authorisation Applications

Dear Ms Cusack

Further to your letters dated the 29th November 2010 and 4th February 2011.

You identify that Meath County Council have submitted certificate of authorisation applications in accordance with the Waste Water Discharge (Authorisation) regulations 2007-2010 in respect of five agglomerations which are of a scale of less than 50 population equivalents (p.e.). You ask for these five agglomerations, as identified below, to be withdrawn and the application fees refunded based on your understanding that the Agency's considers that certificates of authorisation are only required for agglomerations greater than a population equivalent of 50.

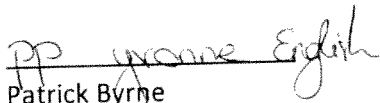
	<u>Application Ref:</u>	<u>Projected PE to year 2017</u>
Ballinabrackey	A0062-01	33
Batterstown	A0063-01	33
Bellewstown.	A0041-01	49
Bohermeen	A0028-01	28
Clonalvy	A0018-01	23

The Waste Water Discharge (Authorisation) Regulations 2007- 2010 require that a water services authority shall not cause or permit discharges from a waste water works serving an agglomeration with a population equivalent of less than 500 unless the discharges concerned have been the subject of an application made to the Agency between 6 and 12 months before the 22 June 2011 and in respect of which the Agency has granted a certificate. Regulation 5, paragraph (3) specifies that a water services authority which fails to comply with the requirements of paragraph (1) and (2) commits an offence.

It should be noted that the definition of 'agglomeration' in the regulations does not specify a lower population threshold. 'Waste water works' are defined in the regulations to mean 'sewers and their accessories (or part thereof) and all other associated structural devices, including waste water treatment plants, which are owned by, vested in, controlled or used by a water services authority for the collection, storage, treatment or discharge of waste water'. A certificate of authorisation is not considered necessary for single houses which have their own on-site waste water treatment system

Therefore the Agency cannot consider the applications for certificates of authorisation to be withdrawn on the basis that an authorisation is not necessary. You should immediately provide to the Agency any outstanding information requested by letter under Regulation 25 of the Waste Water Discharge (Authorisation) Regulations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'PP Byrne English', written over a horizontal line.

Patrick Byrne

Senior Inspector

Office of Climate, Licensing and Resource Use