



Attn: Muirín Gowen  
An Coimisiún Pleanála  
64 Marlborough Street  
Dublin 1  
D01 V902

**OUR REFERENCE:**  
5161805-21-CO-00953

**YOUR REFERENCE:**  
ACP-324447-26

**Dear Muirín**

20 October 2026

**Subject : Proposed Upgrades to Mortarstown Wastewater Treatment Plant and Kilkenny Road Pumping Station, Carlow, County Carlow**

We refer to the Commission's correspondence inviting a submission on the eight observations received in respect of the above application. This response is confined to the issues raised in those observations and relies on the application documentation already submitted. No additional or supplementary report accompanies this response.

For ease of assessment, the response is arranged by submitter and addresses the principal matters raised.

**AtkinsRéalis**

150-155 Airside Business  
Park  
Swords  
Co. Dublin  
K67 K5W4

Tel: +353 1 810 8000

[atkinsrealis.com](https://atkinsrealis.com)

| No. | Submitter                                         | Principal Issue                                                                                                                                                                              |
|-----|---------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1   | Carlow-Kilkenny Environmental Health Service, HSE | Public and environmental health mitigation                                                                                                                                                   |
| 2   | Damian Wilkinson                                  | <b>Odour &amp; Sludge Related Matters:</b><br>Odour, sludge handling location & sludge management<br><br>Odour, noise and sludge handling location<br><br>Odour and sludge handling location |
| 5   | Jeff Deering                                      |                                                                                                                                                                                              |
| 7   | The Glen Residents Association                    |                                                                                                                                                                                              |
| 3   | Development Applications Unit                     | Appropriate Assessment, CEMP, biosecurity, SAC protection, water quality and archaeology                                                                                                     |
| 4   | Environmental Protection Agency                   | Waste Water Discharge Licence review                                                                                                                                                         |
| 6   | Kevin and Eileen Kelly                            | Property boundary and proposed pipeline alignment                                                                                                                                            |
| 8   | Transport Infrastructure Ireland                  | No observations                                                                                                                                                                              |

## Observation No 1. Carlow-Kilkenny Environmental Health Service, HSE

The observations and recommendations by the HSE are noted.

In order to sustainably support future residential, commercial and industrial development, and to ensure continued compliance with environmental legislation, an upgrade and expansion of the WwTP to a capacity of 58,500 PE is required. The proposed development will be subject to compliance with all relevant conditions attached by the EPA to the proposed / amended wastewater discharge licence, including specific monitoring requirements. Uisce Eireann will ensure that all standard operational requirements, including the submission of Annual Environmental Reports for the WwTP facility, and addressing any potential complaints, are provided to the relevant regulator, the EPA.

*As stated in section 1.3, Volume 2 of the EIAR 'The Proposed Development is necessary to address current and future hydraulic and organic loading constraints at the plant, to alleviate overloading issues, and to bring the facility into full compliance with the requirements of the Urban Waste Water Treatment Directive, the EPA Wastewater Discharge Licence (D002801), and other relevant European and national environmental legislation. Importantly, the upgrade will ensure enhanced protection of the River Barrow, which is designated as a Special Area of Conservation (SAC) under the Habitats Regulations, 2011. By improving treatment performance and effluent quality, the Proposed Development will contribute to safeguarding the ecological integrity of this sensitive receiving environment.'*

A complaints register will be kept on site detailing all telephone calls and letters of complaint received in connection with dust nuisance or air quality concerns, together with details of any remedial actions carried out, during the operational phase (as set out in Chapter 7, Volume 2 of the EIAR, pg 349).

The following mitigation measures will be fully implemented, as detailed in Chapter 7 (Volume 2 of the EIAR, pg 351) *'Service and maintain regularly to minimise air emissions associated with the equipment. Performed regular air monitoring of performance of air pollution control plant in accordance with Planning conditions.'*

All routine monitoring, maintenance and repair of plant, equipment and pipework will be fully implemented by Uisce Eireann. Waste management and pest control measures will be implemented as outlined in the submitted CEMP (Section 6.1). All mitigation measures as included in Chapter 18, Volume 2 of the EIAR (including but not limited to noise, odour, air quality, traffic, surface water and groundwater mitigation measures), will be fully implemented, during the construction and operational phases, as well as all relevant conditions attached to the future grant of planning, should this application be successfully granted.

## **Odour & Sludge Related Matters - Observation No. 2 (Damian Wilkinson); No. 5 (Jeff Deering) and No. 7 (The Glen Residents Association)**

The concerns regarding the location of the sludge-handling facilities and potential effects on nearby residential properties are acknowledged.

A robust assessment of air quality effects, including air dispersion modelling and potential odour nuisance issues, has been carried out as part of the preparation of the EIAR to assess both the existing operation of Mortarstown WwTP and the proposed upgraded facility. This technical assessment, carried out by the relevant air quality Subject Matter Expert, comprised the determination of calculated odour emissions based on the proposed site layout.

The assessment demonstrates that the proposed development will result in a significant improvement in odour conditions compared with the existing WwTP.

The overall odour emission rate from the existing facility is calculated to be 26,944 OUÉ/s. The overall odour emission rate from the proposed facility is calculated to be 7,754 OUÉ/s. The existing and proposed emission point characteristics and odour emission rates were input into a dispersion modelling odour air quality assessment.

The modelling identified a maximum predicted 98th percentile ground-level odour concentration of 29.5 OUÉ/m<sup>3</sup> at identified receptors in the vicinity of the existing facility. This compares with a maximum ground-level odour concentration of 2.3 OUÉ/m<sup>3</sup> at identified receptors in the vicinity of the proposed upgraded facility, based on the modelling results.

The predicted concentration for the proposed development is therefore below the assessment criterion of 3.0 OUÉ/m<sup>3</sup>, and all identified sensitive receptors are predicted to experience concentrations below this criterion. The EIAR consequently identifies a net overall improvement in odour air quality in the vicinity of the facility as a result of the development.

The assessment therefore does not identify a requirement to relocate the sludge treatment building on odour grounds. As stated in Section 4.4.4, Chapter 4 (Population and Human Health), Volume 2 of the EIAR (Pg 157), *'An Odour air quality Impact Assessment was completed as part of the air quality assessment considered in Chapter 7 – Air Quality and Odour of this EIAR. This concluded that with regards to the Proposed WwTP design, the maximum predicted ground level concentrations (GLCs) of Odour is well below the guideline odour air quality limit values.'*

A key component of the proposed upgrade is the incorporation of dedicated odour control units (OCUs) and the covering and abatement of a number of potentially odorous processes. The proposed design identifies up to six odour control units, serving facilities including the new wastewater pumping station, inlet works, primary settlement tank,

sludge dewatering/sludge treatment infrastructure, local pumping station and anoxic/anaerobic and flow distribution chambers.

The findings of the odour air quality impact assessment are as follows: *'There will be a net overall improvement in odour air quality in the vicinity of the facility as a result of the development and the impact associated with the proposed development is considered Positive and imperceptible'* (Chapter 7, Volume 2 of the EIAR, pg 341).

Regarding sludge handling, sludge will be produced at a maximum rate of ca. 4,095 kgDS/day (ie. 2,086 kgDS/day (Primary sludge), 1,859 kgDS/day (secondary sludge) and 150 kgDS/day (precipitant sludge)). Uisce Éireann will ensure that the sludge will be removed in sealed tankers by licenced hauliers and will be treated at a licenced waste facility. The sealed tankers will prevent release of odour emissions at any significant rate. The operation and disposal of the sludge will be in accordance with Urban Wastewater Treatment Directive 91/271/EEC and Waste Management Act 1996 as amended. The sludge cake will meet the Class A Bio Solids standards. These requirements are set out in Chapter 14 - Material Assets, Volume 2 of the EIAR (Pg 569).

### **Conclusion**

While the concerns regarding odour from the existing WwTP are acknowledged, the odour dispersion assessment demonstrates that the proposed upgrade is not predicted to exacerbate existing odour impacts. Rather, through the proposed process improvements, covering of odour-generating infrastructure and provision of dedicated odour control units, the development upgrade is predicted to deliver a substantial improvement in odour conditions at surrounding receptors, including residential receptors in the vicinity of the WwTP. On the basis of the odour assessment and the mitigation incorporated into the proposed design, relocation of the sludge treatment building is not considered necessary to avoid significant odour effects at surrounding sensitive receptors.

### **Observation No.3. Development Applications Unit**

The observations are noted.

### **Construction Environmental Management Plan (CEMP)**

At this preliminary stage, and prior to the procurement phase and appointment of a preferred contractor, the preparation of an Outline Construction Environmental Management Plan (CEMP) is standard practice. As stated in Chapter 18, Volume 2 of the EIAR (page 642), *'All of the mitigation and monitoring commitments have been incorporated into the Outline Construction Environmental Management Plan (CEMP), presented in Appendix 2-2, Volume 3 of the EIAR. This is a live document which will be updated to the Detailed CEMP, prepared by the Contractor and will include any future additional mitigation measures.'*

The term "*Outline CEMP*" should not be interpreted as indicating that the document is preliminary, draft in nature, or that the mitigation measures proposed are subject to further development. As such, the Outline CEMP sets the parameters within which the Contractor will be required to elaborate the Detailed CEMP. As demonstrated within the Outline CEMP itself, these parameters are defined by the mitigation measures prescribed in the NIS and recommended in the EIAR, which were developed to eliminate the possibility of adverse effects on the integrity of the River Barrow and River Nore SAC (and any other European sites) and minimise other negative effects on the environment. Thus, the Outline CEMP ensures that the Contractor, in elaborating their Detailed CEMP in line with their preferred construction methods, must implement all of the measures that the NIS has identified as necessary to avoid adverse effects on European sites and minimise other negative effects on the environment. Any subsequent Detailed CEMP prepared by the appointed contractor will not revisit or dilute these commitments but will instead provide additional detail on how the committed measures will be implemented on site.

With regard to the duration and sequencing of the overall construction, outfall/cofferdam works, micro-tunnelling, dewatering, shaft construction and WwTP expansion works, the NIS strictly applied the precautionary principle. The description of the proposed development (Section 2 of the NIS; Chapter 2 of the EIAR) states that the expected total duration of construction is c. 20 months with works anticipated to commence in Quarter 4 2027 and be completed in Quarter 2 2029

With regard to the duration of works within the River Barrow and River Nore SAC, it should be noted that the identification of works with potential to adversely affect the integrity of this site considered the connectivity, whether direct or indirect, between all construction activities and the qualifying interests of the SAC, regardless of whether the works concerned were physically within or outside the site. Specific construction activities the durations of which were considered to be a material consideration in the assessment of potential adverse effects on the integrity of the River Barrow and River Nore SAC were limited to those associated with the installation of the new primary outfall to the River Barrow, i.e. erection of the temporary cofferdam, dewatering of the in-stream works area, and installation of the new headwall. As stated in the NIS and acknowledged in the DAU submission, the total duration of these works (from erection of the cofferdam at the start, through to its removal on completion of headwall installation) will be no more than 3 weeks and is restricted to the period July-September. As also stated in the NIS, it will take c. 10 days in total to both erect and remove the temporary cofferdam. The installation of the headwall was assumed to take up the remaining 5 days, with the dewatering limited to a matter of hours (<0.5 day) on the first day of installation and ongoing pumping out of seepage during active works for headwall installation. In elaborating the Detailed CEMP, the Contractor will be required to incorporate the mitigation measures prescribed in the NIS in relation to these elements of the works.

The remaining construction activities, including micro-tunnelling, shaft construction, and WWTP expansion works, are not directly connected to the River Barrow and, following the precautionary principle, their impacts were assessed on the basis that they could take place concurrently and overlap for their full durations. Accordingly, the evaluation of the

significance of their effects, and the development of mitigation measures, followed the same assumptions regarding their durations and sequencing. In elaborating the Detailed CEMP, the Contractor will be required to incorporate these mitigation measures.

The Detailed CEMP will contain full details of the construction programme, including the duration of each phase (including works within the River Barrow and duration of dewatering), and any potential timing overlap between micro-tunnelling, outfall construction and WWTP works.

### **Biosecurity and invasive alien plant species**

Pages 64 to 66, inclusive of the Outline CEMP, transpose the requirements of the EIAR Biodiversity chapter in relation to Biosecurity into the Outline CEMP and also includes the mitigation from the NIS by way of a reference on page 67. The Outline CEMP also includes references to the 'Invasive Alien Plant Species Management & Biosecurity Plan' (INVAS, 2026), which is appended to both the NIS (as Appendix D.2) and the EIAR (as Appendix 5-12). As noted in Section 9.2.1.8 of the NIS (Page 135), all works between the Kilkenny Road and the River Barrow are assumed to interact with Japanese Knotweed and Himalayan Balsam, with two distinct works areas identified, i.e. the outfall area and the area south of the existing pumping station. As the extents of these areas has been already been limited to what is necessary to facilitate the works, the use of exclusion zones is not practicable and all works in these areas are treated as occurring in one or other of the two contaminated zones.

Section 9.2.1.8 of the NIS prescribes dedicated wash-down/disinfection facilities for use on entry to/exit from the two contaminated works areas, where all personnel, visitors, materials and equipment shall be thoroughly cleaned and checked before being allowed to leave the area. This section also describes the requirements in terms of IAPS awareness and the treatment of arisings from excavations and washing down/cleaning. Given the presumption of contamination in these areas and strict isolation and control measures already prescribed, as well as the requirement for ecological supervision (see Section 9.2.1.2 on page 124 of the NIS), there is no necessity for additional triggers or reporting procedures in these areas. Details of the requirements for stockpiling of IAPS material on site are given in Section 9.2.1.8 of the NIS and, as per Section 5.2 of INVAS (2026), the movement of IAPS material off the site will require a licence under Regulation 49(7) of the European Communities (Birds and Natural Habitats) Regulations 2011 (SI No. 477/2011, as amended).

Areas east of the Kilkenny Road are considered to be free of legally restricted IAPS, unless the pre-construction surveys identify any IAPS that may become established in the period since the surveys undertaken to inform the NIS. Should the pre-construction surveys identify any legally restricted IAPS east of the Kilkenny Road, the Contractor's ecologist shall advise on how these are to be dealt with in line with the provisions in INVAS (2026) and the NIS. The isolation measures already prescribed for the areas west of the Kilkenny Road will ensure that there is no possibility that the works could cause the spread of IAPS

from east of the road into these areas, thereby eliminating any possibility that IAPS from east of the Kilkenny Road could interact with the River Barrow and River Nore SAC.

The only activity that will move material from west of the Kilkenny Road to the east is the micro-tunnelling for the proposed gravity sewer and the new outfall pipe (section upstream of the outfall chamber), which will be done from the eastern side, so material taken at depth from the western side will arise back at the launch pits on the eastern side. As shown in the design drawings, the depths of cover above both tunnels are at least 5m and 3m, respectively, which are well below the maximum expected depths of any IAPS-contaminated strata, including in the disturbed ground in the outfall works area. Therefore, arisings from the tunnelling of either of these will not be contaminated with IAPS material.

### **SAC Qualifying Interest Protection Measures**

On page 67, the Outline CEMP states '*All specific mitigation required to address potential adverse effects on the integrity of the River Barrow and River Nore SAC is prescribed in the NIS*'. Section 9 of the NIS demonstrates the protection of the qualifying interests of the River Barrow and River Nore SAC throughout the construction and operational phases. The detailed CEMP to be produced by the appointed Contractor, building upon the minimum standards imposed by the Outline CEMP submitted with the planning application, must be consistent with the mitigation measures for the construction phase. As the NIS details a comprehensive suite of mitigation measures for each of the potential adverse effects identified on the qualifying interests of the River Barrow and River Nore SAC and includes an assessment of residual effects, it is considered that the NIS demonstrates that the potential for such effects on any of those qualifying interests has been eliminated; therefore, there is no requirement for the CEMP to also demonstrate this.

The NIS prescribes mitigation measures for the pre-construction, construction, post-construction, and operational phases of the proposed development. As the CEMP is only concerned with the construction phase and the initial part of the post-construction phase covered by the construction defects period, the mitigation in relation to the pre-construction, remainder of post-construction, and operational phases does not fall within the remit of the CEMP. Rather it is binding on Uisce Éireann, as the Applicant and operator of the proposed development. An Coimisiún Pleanála may find it appropriate to state this explicitly in a Condition.

### **Water Quality Protection and Monitoring**

As per 'Conservation Objectives: River Barrow and River Nore SAC (002162) - Version 2' (NPWS, June 2025), which was the basis of the assessment in the NIS, the relevant site-specific conservation objective (SSCO) is '*To restore the Favourable conservation condition of the Freshwater pearl mussel (*Margaritifera margaritifera*) in River Barrow and River Nore SAC, which is defined by the following list of attributes and targets*'. As explained in their corresponding notes and illustrated in Map 8 of the Conservation Objectives document, those attributes and targets relate explicitly to the Ballymurphy, Mountain, and Nore Rivers and their catchments. As the relevant SSCO is targeted at

these rivers and their catchments and does not extend to the main channel of the River Barrow, and there are no pathways for water quality or other negative impacts to the areas concerned, it is considered that additional water quality protection measures specifically relating to Freshwater Pearl Mussel are not required in respect of the proposed WwTP upgrade.

Section 9.2.1.3 of the NIS prescribes a comprehensive suite of construction-phase water quality protection measures, covering surface water run-off, dewatering of excavations, hydrocarbons, cement-based products, construction of the new outfall, micro-tunnelling, and construction wastewater disposal. This includes fixed measures, as well as reactive (condition-based) measures associated with monitoring. In line with the explanation above in relation to the scope and purpose of the Outline CEMP, the measures and monitoring prescribed in the NIS are detailed to the level necessary to avoid potential adverse effects on the River Barrow and River Nore SAC, while allowing for more detailed establishment of baseline conditions through pre-construction monitoring and ongoing monitoring during construction (as described in the NIS), as well as appropriate scope for the Contractor implement them in line with their own requirements (within the parameters set by the NIS and Outline CEMP).

### **Conclusion**

The Applicant respectfully submits that the evidence provided in the NIS and Outline CEMP, as submitted with the SID Application, includes sufficient information to enable An Coimisiún Pleanála to ascertain that the proposed WwTP upgrade, individually or in combination with other plans and projects, will not adversely affect the integrity of the River Barrow and River Nore SAC, and that the Detailed CEMP to be elaborated by the Contractor will ensure such during the construction phase and defects period.

### **Archaeology**

The Department's broad agreement with the archaeological assessment is noted.

## **Observation No.4. Environmental Protection Agency**

### **Waste Water Discharge Licence**

The EPA's observation is noted. Uisce Éireann acknowledges that the proposed development requires a review of Waste Water Discharge Licence D0028-01. The applicant has no objection to an appropriately worded planning condition requiring an application for review of that licence to be submitted to the EPA. The upgraded plant will not be operated at the increased capacity unless and until the necessary statutory authorisations are in place.

## **Observation No.5. Jeff Deering**

Please see Odour & Sludge Response above.

### **Observation No.6. Kevin and Eileen Kelly**

The concern regarding private property is acknowledged. During the public consultation, the property owners raised similar concerns regarding the encroachment of the proposed tunnel alignment within the property boundary at Eircode R93 T3Y2. In response to the feedback received during the public consultation, the tunnel alignment was reviewed and subsequently adjusted to ensure that the tunnel and all associated infrastructure are located wholly outside the boundary of this property.

Drawings 5161805/EWE/DR/MOR/5103 and 5161805/EWE/DR/MOR/5122 demonstrate that the tunnel alignment is located wholly outside the property boundary, with the nearest intermediate shaft ('Manhole E') located within the northbound lane of the R448 Kilkenny Road, opposite the property.

The pipeline will be constructed using trenchless techniques. No temporary or permanent works are proposed within the referenced private property, and the development does not rely on acquiring rights over that property.

### **Observation No.7. The Glen Residents Association**

Please see Odour & Sludge Response above.

### **Observation No.8. Observation No.8. Transport Infrastructure Ireland**

Transport Infrastructure Ireland's confirmation that it has no observations to make is noted.

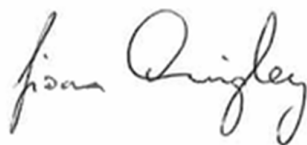
### **Overall Conclusion**

The applicant has considered each of the observations received. The principal concerns relate to odour and sludge handling, construction environmental management, protection of the River Barrow and River Nore SAC, water quality, wastewater discharge licensing and the relationship of the proposed pipeline to adjoining private property.

The applicant respectfully submits that these matters have been adequately assessed and addressed in the EIAR, NIS, Outline CEMP and associated application documentation. The proposed development will improve wastewater treatment performance and environmental compliance, and the mitigation and monitoring commitments already submitted will be implemented.

The applicant therefore requests that An Coimisiún Pleanála proceed to determine the application, subject to such appropriate conditions as the Commission considers necessary.

Yours faithfully

A handwritten signature in black ink, reading "Fiona Quigley". The signature is written in a cursive style with a large, prominent 'Q'.

Fiona Quigley