

Site Inspection Report



Mr John Carlton
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**Date of issue of
Inspection Report:** 08 April 2015

Permit Register No: S0009-02

Inspection Reference No: si0pc

Date of Inspection: 25/03/2015

Inspectors: Patrick Chan
Pól O'Seasain

Announced: Yes

F.A.O: Tom Treacy

This Site Inspection Report details the Agency's findings following a meeting at the Shannon Foynes Port Company on the 25th March 2015

NOTIFICATION OF NON-COMPLIANCE

Shannon Foynes Port Company have been found to be in non-compliance with the conditions of the Dumping at Sea permit (S0009-02) as set out in this Inspection Report. You are required to undertake the corrective actions specified to close out the Non-Compliances and Observations raised in this Report or further enforcement action may be taken by the Agency.

In view of the above you are required to submit a schedule to the Agency within 10 working days of receipt of this Report detailing how the non-compliances and observations specified therein are to be rectified. Please quote the above Reference Number in any future correspondence in relation to this Report. If you have any further queries please contact Patrick Chan at 021-4875540.

1. INSPECTION AND ASSESSMENT

The site meeting commenced at 11.20 am and the following were in attendance:

Representing Shannon Foynes Port Company (SFPC):

John Carlton	Port Services Manager
Tom Treacy	Assistant Engineer

Representing the Environmental Protection Agency (EPA):

Patrick Chan	Inspector
Pól O'Seasain	Inspector



The purpose of the meeting was assess SFPC's compliance with the Dumping at Sea Permit S0009-02.

2. PERMIT REQUIREMENTS

A number of permit conditions were discussed during the site inspection and the following was noted as part of this assessment:

Condition 1.8 SFPC are required to follow all the conditions of the permit S0009-02 and that any changes or deviations from the conditions must be agreed in advance with the EPA.

Condition 2.1 Noise Sensitive Locations were discussed.

Condition 2.4 The permit holders notifications were assessed. It was noted that no notifications were issued in 2014 despite SFPC having dredged five times.

Condition 2.7 John Carlton explained the communications programme. Information on a dredging campaign is available on the SFPC website in the Marine Notices section with a specific heading for "Dredging". In addition information appears on the SFPC home page in the "News" section.

Condition 3.12 The EPA Inspectors pointed out that plough dredging is restricted during daytime hours only. Daytime is defined in the permit as 0800 hours to 2200 hours. SFPC were requested to provide log records of the Shannon1. It was noted that plough dredging occurred before 0800 on several occasions.

Condition 4.4 The EPA Inspectors requested and examined the pre-loading bathymetric surveys of the Foynes Harbour. SFPC carry out their own bathymetric surveys in-house.

Condition 5.1 The EPA requested to see the complaints log. SFPC informed the EPA that no complaints have been received in relation to dredging activities.

Conditions 5.3 and Condition 5.4 The EPA were directed to the documents available on line on the www.sfpc.ie

Condition 6.7 SFPC were informed of the requirements to submit the AER by the 31st of March 2015.

Condition 7.3 SFPC have submitted an Environmental Liabilities Risk Assessment report for the EPA to review. Some aspects of this were discussed.

3. INSPECTION FINDINGS

Non-compliances

The permit holder was found to be in non-compliance with the requirements of the permit in respect of the following on the day of the inspection (Schedule and Condition numbers refer to the Permit):

1. Notification of dredging activities: SFPC failed to notify the EPA prior to the commencement of loading and dumping activities as required by Condition 2.4 and under correspondence gc01pc (copy attached). This is a non-compliance with Condition 2.4.

Corrective Action Required

You are required to confirm in writing within 10 working days from the date of this notification that for all future dredging activities (both plough and trailer suction hopper dredging) SFPC will follow the procedure in gc01pc.

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2. Plough Dredging shall be conducted during daytime hours only. Daytime hours are defined in the glossary of the permit as between 0800 hours to 2200 hours. SFPC plough dredged before 0800 hours on the following dates:

- 09/06/2014 to the 13/06/14 inclusive,
- 10/07/2014 and the 11/07/2014,
- 23/10/2014 to the 25/10/2014 inclusive,
- 05/11/2014 to the 07/11/2014 inclusive.

This is a non-compliance with Condition 3.12

Corrective Action Required

You are required to confirm in writing within 10 working days from the date of this notification that for all future plough dredging will be during daytime hours only. Any changes to this activity can only occur after written agreement from the Agency under Condition 1.8 of the permit.

Observations:

While these observations do not constitute non-compliances with any condition of the permit, they should be addressed or where relevant noted by the permit holder in order to ensure compliance, improve environmental performance of the facility and provide clarification on certain issues. Where requested the actions taken and clarifications requested should be reported back to the Agency.

Communication programme

To better comply with Condition 2.7, the EPA requests that all dredging activities (both plough and Trailer Suction Hopper Dredging) are included in the communications programme.

4. GENERAL COMMENT

The licensee was briefed on the Agency's reporting procedures and was advised that a report would be issued.

The permit holder was thanked for the courteous and co-operative manner of the staff present at the meeting, and the assistance and co-operation extended during the Inspection.

5. FOLLOW-UP ACTIONS

The permit holder shall take the actions required to close out the non-compliances and observations raised in this inspection report.

Please submit a report to the EPA addressing the above by the **23rd April 2015**.

These actions may also be verified during subsequent site inspections.

Please quote the above Inspection Reference Number in any future correspondence in relation to this Report.

Report prepared by
Inspector:

Patrick O'Leary

Date:

8th April 2015



Mr Tom Treacy
Assistant Engineer
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02/07/2013

Our Ref: ge01pc

Dear Mr Treacy

I write in reference to your request under Condition 1.8 of Permit S0009-02 (submitted in your response on 27th June 2013 to site inspection report si01pc) to:

"...plough for about 10 days each month around Spring Tides, this will allow leeway either side of weekends to reduce costs. All ploughing will be confined to the berths and turning basin in Foynes and will be undertaken on the ebb tide. We can draft up a plan for the year with anticipated ploughing periods indicated. The requirement to give two weeks' notice is impractical".

Having reviewed your request for a change to Condition 2.4, *"The permit holder shall notify the Agency at least two weeks prior to the commencement of the loading and dumping activities, unless otherwise agreed by the Agency"*, the EPA grants this change under Condition 1.8, *"No change to the loading and dumping activities authorised by this permit shall be commence without the prior written agreement of the Agency"* subject to the following:

- Shannon Foynes Port Company (SFPC) shall submit to the EPA for our approval a plan with the anticipated ploughing periods indicated for the remainder of the year 2013 by the 9th July 2013 and shall do so for every 6 month period thereafter.
- SFPC shall notify the EPA by email (to das@epa.ie) to confirm the commencement of each plough dredging activity and at the end of each plough dredging activity in Foynes Harbour.
- The quantity of material to be plough dredged shall not exceed the amounts set for Foynes harbour in Schedule A: Limitations of Permit S0009-02.
- This exemption from Condition 2.4 only applies to plough dredging in the area specified in *Schedule A.3 Location of Plough Dredging Areas, Plough Dredging Area C: Foynes Harbour* of Permit S0009-02.
- All other conditions with respect to Plough Dredging under Permit S0009-02 still apply.

