

Draft updated Consent conditions (without prejudice): TC 80/20 (Discharge into Curraghinalt Burn)

1. General

- 1.1. No water discharge shall take place except in accordance with the conditions of this consent and with the approved Water Management, Monitoring and Action Plan (**WMMAP**). A single WMMAP may be submitted for approval for this consent and consent TC 81/20 and Abstraction Licences AIL 2024/0008 and AIL 2024/0009.
- 1.2. The WMMAP shall be submitted and approved in writing by NIEA before the commencement of any development in connection with the authorised discharge. The WMMAP should include, but not be limited to the following:
 - (a) Details of the discharge point and all associated infrastructure including the water treatment plant;
 - (b) The maximum discharge rate and volumes authorised under this consent and the anticipated frequency of discharge;
 - (c) The source and nature of the discharge effluent and the constituents within it, including both natural (geochemical) and those derived from any chemicals or fuels used in flotation, flocculation or other processing or water management action;
 - (d) A site water balance identifying water sources, storage, treatment, discharge and losses;
 - (e) Baseline and background monitoring data collected over a period of at least 12 months, which shows water chemistry in the receiving water upstream and downstream of the proposed discharge;
 - (f) An up-to-date detailed site phasing plan and programme of works identifying all activities with the potential to affect groundwater, surface water and associated water management infrastructure, including activities associated with the commencement, operation, modification and cessation of discharges, insofar as they are relevant to the management and protection of the water environment;

- (g) The detailed design for the diversion, collection, storage, treatment and discharge of water;
 - (h) Details of all water monitoring and responsive actions including but not limited to:
 - (1) Details of all the monitoring locations, monitored parameters, monitoring methodologies and frequencies for water quality and flow;
 - (2) Actions and mitigations to be put in place in the event of breach of consent limits (detailed in condition 2) or a pollution incident;
 - (3) Contingency measures in event of a failure of the treatment system or associated infrastructure;
 - (4) Details of the proposed maintenance and monitoring arrangements for the site, including specifically those applicable to the water treatment plant, together with arrangements for the recording and retention of maintenance, inspection, servicing and repair records;
 - (5) Incident reporting and notification procedures, including reporting timescales;
 - (6) Arrangements for maintaining monitoring records and reporting results to NIEA.
- 1.3 The consent holder shall implement and maintain the WMMAP approved by the NIEA for the duration of operations on site.
- 1.4 The Licence Holder shall submit to the NIEA a monthly report on the implementation of the approved WMMAP. The report shall include, as a minimum, monitoring data, an assessment of the monitoring results against applicable consent limits, details of exceedances, and details of all measures undertaken to maintain compliance with the WMMMP.
- 1.5 The Licence Holder shall undertake an annual review of the approved WMMAP and submit an annual report to the NIEA detailing the implementation and effectiveness of the Plan, any consent limit exceedances, corrective actions undertaken, and any proposed amendments. No amendment to the WMMAP shall be implemented without the prior written approval of NIEA.

- 1.6 Where monitoring identifies that an exceedance of the consent limits specified in condition 2 has been reached or exceeded, the consent holder shall implement the relevant corrective actions specified within the WMMAP and notify NIEA within 24 hours of identifying the exceedance.
- 1.7 The NIEA may require the consent holder to review and amend the approved WMMAP where monitoring results or other information indicate that the Plan is no longer adequate to protect the water environment.

2. Discharge quality

- 2.1. The effluent discharged to the waterway shall **not** exceed the following standards:

[TBC]

- 2.2. The effluent discharges shall also:

- (a) not have a pH value less than 6 nor greater than 9;
- (b) not exceed a temperature of 20 °C
- (c) not exceed [xx] cubic metres per day;
- (d) have a maximum rate of discharge of [xx] litres per second;
- (e) not contain any visible oil or grease;

- 2.3. The discharge must not contain any substance that would render underground or surface waters, or any waters of which the receiving waters are a tributary, to be toxic, poisonous, or injurious to fish, their spawning grounds, spawn, food sources, or otherwise harm aquatic organisms or the wider ecology

3. Sampling, monitoring and maintenance

- 3.1. Facilities shall be made available to ensure that authorized officers of the NIEA can readily and safely obtain:
 - (a) a representative sample of the effluent;
 - (b) a measurement of flow;
 - (c) images of the effluent;

(d) other data relative to the effluent at all times.

- 3.2. NIEA authorised officers will undertake monthly sampling and testing of the effluent discharge quality or other frequency as determined to be appropriate.
- 3.3. The sampling point shall be at a purpose-built chamber labelled and maintained immediately after the treatment work(s), the sampling point shall be located at [insert grid reference].
- 3.4. Sampling of the discharge and surrounding water quality shall be undertaken by the consent holder in accordance with the details provided in the WMMAP under condition 1.2.

4. Pollution prevention and response

- 4.1. Measures to prevent pollution from oil and chemicals stored on site shall be in place and maintained in accordance with the details provided in Construction Environmental Management Plan (CEMP) and WMMAP.
- 4.2. In the event of a pollution incident the mitigation and remediation measures outlined in the Environmental Emergency response plan in the CEMP and WMMAP shall be put in place and NIEA shall be notified as soon as possible.
- 4.3. The NIEA shall be notified immediately of the storage of any chemicals or dangerous substances not listed on the original consent application.

5. Changes and transfers

- 5.1. Should the consent holder change their registered contact address, it is the responsibility of the consent holder to notify the NIEA of the new address, in writing, within 21 days of the change taking place.
- 5.2. Should the consent holder wish to transfer and/or share responsibility for this consent they must submit an application for transfer of ownership within 21 days of the transfer taking place. The consent holder shall remain liable for compliance with all conditions of the consent and payment of all annual charges until the consent has been updated.

6. Review arrangements

- 6.1. A consent issued under the terms of the Water (NI) Order 1999 may be reviewed by the NIEA at intervals of not less than 4 years or if matters under schedule 1 Paragraph 5 (4) are triggered.
- 6.2. The NIEA must be notified when a discharge is no longer being made, the consent holder must include a request for the consent to be revoked. The consent holder shall remain liable for payment of any annual charges until the NIEA has been notified and the consent has been revoked.

7. Restoration Phase

- 7.1. The Consent Holder, no later than 36 months / 3 years prior to the anticipated date of mine closure, shall apply to NIEA for a variation of this consent to regulate discharges associated with mine closure, restoration and the post-closure period.
- 7.2. The Consent Holder shall not commence any mine restoration activity, or any post-closure water management or discharge activity, unless and until a variation of this consent has been approved by NIEA, and such activities shall thereafter be undertaken only in accordance with the varied consent and the requirements of the approved Mine Restoration Plan.

Informatives

This Discharge Consent may be reviewed at any time, if the area discharge location is hydrologically connected to an area which has been, or becomes, designated under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 as amended by The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 or the consent conditions do not meet the requirements of any other retained EU law.

Updated Consent conditions (without prejudice): TC 81/20 (Discharge into Pollenroe Burn)

1. General

- 1.1. No water discharge shall take place except in accordance with the conditions of this consent and with the approved Water Management, Monitoring and Action Plan (**WMMAP**). A single WMMAP may be submitted for approval for this consent and consent TC 80/20 and Abstraction Licences AIL 2024/0008 and AIL 2024/0009.
- 1.2. The WMMAP shall be submitted and approved in writing by NIEA before the commencement of any development in connection with the authorised discharge. The WMMAP should include, but not be limited to the following:
 - (a) Details of the discharge point and all associated infrastructure including the water treatment plants and their specification and certification;
 - (b) The maximum discharge rate and volumes authorised under this consent and the anticipated frequency of discharge;
 - (c) The source and nature of the discharge effluent and the constituents within it, including both natural (geochemical) and those derived from any chemicals or fuels used in flotation, flocculation or other processing or water management action;
 - (d) A site water balance identifying water sources, storage, treatment, discharge and losses;
 - (e) Baseline and background monitoring data collected over a period of at least 12 months, which shows water chemistry in the receiving water upstream and downstream of the proposed discharge;
 - (f) An up-to-date detailed site phasing plan and programme of works identifying all activities with the potential to affect groundwater, surface water and associated water management infrastructure, including activities associated with the commencement, operation, modification and cessation of discharges, insofar as they are relevant to the management and protection of the water environment;

- (g) The detailed design for the diversion, collection, storage, treatment and discharge of water;
 - (h) Details of all water monitoring and responsive actions including but not limited to:
 - (7) Details of all the monitoring locations, monitored parameters, monitoring methodologies and frequencies for water quality and flow;
 - (8) Actions and mitigations to be put in place in the event of breach of consent limits (detailed in condition 2) or a pollution incident;
 - (9) Contingency measures in event of a failure of the treatment system or associated infrastructure;
 - (10) Details of the proposed maintenance and monitoring arrangements for the site, including specifically those applicable to the water treatment plant, together with arrangements for the recording and retention of maintenance, inspection, servicing and repair records;
 - (11) Incident reporting and notification procedures, including reporting timescales;
 - (12) Arrangements for maintaining monitoring records and reporting results to NIEA.
- 1.8 The consent holder shall implement and maintain the WMMAP approved by the NIEA for the duration of operations on site.
- 1.9 The Licence Holder shall submit to the NIEA a monthly report on the implementation of the approved WMMAP. The report shall include, as a minimum, monitoring data, an assessment of the monitoring results against applicable consent limits, details of exceedances, and details of all measures undertaken to maintain compliance with the WMMMP.
- 1.10 The Licence Holder shall undertake an annual review of the approved WMMAP and submit an annual report to the NIEA detailing the implementation and effectiveness of the Plan, any consent limit exceedances, corrective actions undertaken, and any proposed amendments. No amendment to the WMMAP shall be implemented without the prior written approval of NIEA.

1.11 Where monitoring identifies that an exceedance of the consent limits specified in condition 2 has been reached or exceeded, the consent holder shall implement the relevant corrective actions specified within the WMMAP and notify NIEA within 24 hours of identifying the exceedance.

1.12 The NIEA may require the consent holder to review and amend the approved WMMAP where monitoring results or other information indicate that the Plan is no longer adequate to protect the water environment.

2. Discharge quality

2.1. The effluent discharged to the waterway shall **not** exceed the following standards:

[TBC]

2.2. The effluent discharges shall also:

- (a) not have a pH value less than 6 nor greater than 9;
- (b) not exceed a temperature of 20 °C
- (a) not exceed [xx] cubic metres per day;
- (b) have a maximum rate of discharge of [xx] litres per second;
- (c) not contain any visible oil or grease;

2.3. The discharge must not contain any substance that would render underground or surface waters, or any waters of which the receiving waters are a tributary, to be toxic, poisonous, or injurious to fish, their spawning grounds, spawn, food sources, or otherwise harm aquatic organisms or the wider ecology

3. Sampling, monitoring and maintenance

3.1. Facilities shall be made available to ensure that authorized officers of the NIEA can readily and safely obtain:

- (a) a representative sample of the effluent;
- (b) a measurement of flow;
- (c) images of the effluent;
- (d) other data relative to the effluent at all times.

- 3.2. NIEA authorised officers will undertake monthly sampling and testing of the effluent discharge quality or other frequency as determined to be appropriate.
- 3.3. The sampling point shall be at a purpose-built chamber labelled and maintained immediately after the treatment work(s), the sampling point shall be located at [insert grid reference].
- 3.4. Sampling of the discharge and surrounding water quality shall be undertaken by the consent holder in accordance with the details provided in the WMMAP under condition 1.2.

4. Pollution prevention and response

- 4.1. Measures to prevent pollution from oil and chemicals stored on site shall be in place and maintained in accordance with the details provided in Construction Environmental Management Plan (CEMP) and WMMAP.
- 4.2. In the event of a pollution incident the mitigation and remediation measures outlined in the Environmental Emergency response plan in the CEMP and WMMAP shall be put in place and NIEA shall be notified as soon as possible.
- 4.3. The NIEA shall be notified immediately of the storage of any chemicals or dangerous substances not listed on the original consent application.

5. Changes and transfers

- 5.1. Should the consent holder change their registered contact address, it is the responsibility of the consent holder to notify the NIEA of the new address, in writing, within 21 days of the change taking place.
- 5.2. Should the consent holder wish to transfer and/or share responsibility for this consent they must submit an application for transfer of ownership within 21 days of the transfer taking place. The consent holder shall remain liable for compliance with all conditions of the consent and payment of all annual charges until the consent has been updated.

6. Review arrangements

- 6.1. A consent issued under the terms of the Water (NI) Order 1999 may be reviewed by the NIEA at intervals of not less than 4 years or if matters under schedule 1 Paragraph 5 (4) are triggered.
- 6.2. The NIEA must be notified when a discharge is no longer being made, the consent holder must include a request for the consent to be revoked. The consent holder shall remain liable for payment of any annual charges until the NIEA has been notified and the consent has been revoked.

7. Restoration Phase

- 7.1. The Consent Holder, no later than 36 months / 3 years prior to the anticipated date of mine closure, shall apply to NIEA for a variation of this consent to regulate discharges associated with mine closure, restoration and the post-closure period.
- 7.2. The Consent Holder shall not commence any mine restoration activity, or any post-closure water management or discharge activity, unless and until a variation of this consent has been approved by NIEA, and such activities shall thereafter be undertaken only in accordance with the varied consent and the requirements of the approved Mine Restoration Plan.

Informatives

This Discharge Consent may be reviewed at any time, if the area discharge location is hydrologically connected to an area which has been, or becomes, designated under The Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 as amended by The Conservation (Natural Habitats, etc.) (Amendment) (Northern Ireland) (EU Exit) Regulations 2019 or the consent conditions do not meet the requirements of any other retained EU law.