



MARINE AND COASTAL ACCESS ACT (2009). APPLICATION BY PD TEESPORT FOR THE DREDGE AND DISPOSAL OF MAINTENANCE MATERIAL FROM THE RIVER TEES AND HARTELPOOL.

Reference Number: MLA/2015/00088

From: Ruth Edwards
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Date: 18th November 2015
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- **To: Greg Thomlinson/Tim Dixon (by e-mail)**

1. With reference to the above application which was validated on MCMS on 1st October 2015.

Description of the proposed works

Dredging requirement

2. This a renewal application by PD Teesport for the disposal of 2 889 700 tonnes (approximately 1 850 553 cubic metres) of sand and silt maintenance dredge material from the areas previously listed for disposal under this ongoing licence comprising the River Tees (channel, berths and frontages), Hartlepool (entrance channel docks and water area) and Seaton channel (basin and berths). The current requested licensed quantity is in line with that previously licensed under the present marine consent for this operation (L/2012/00366) which covers the licence period from 1st October 2012 to 31st May 2015, but I presume has now been varied to extend to the indicated current licence expiry date of 31st December 2015. This quantity anticipated to arise is comparable with annual quantities of material licensed previously over the duration of this long standing maintenance licence held by PD Teesport.

Dredge material quality:

3. Sampling was undertaken at the site in June 2015 under pre-application MLP/2015/00094 and the analyses of these samples submitted to support the current renewal application.
4. Historically, licensing and associated sampling was carried out annually throughout the various dredge areas by means of a rolling sampling campaign in order to spread sampling



effort for the Port. This appears to have been discontinued in 2012 at the last licence renewal when a 3 year licence for this operation was issued. This resulted in the requirement of a larger number of samples under this latest pre application than previously undertaken under the annual sampling regime. As sampling effort in 2012 was centered on the Tees Channel, Approaches and Hartlepool, the sampling campaign in June 2015 concentrated on berths in the River Tees where samples were taken less recently. It was recommended that the Tees Channel, Approaches and Hartlepool be revisited at next licence renewal or next point in the monitoring sampling schedule in 3 years' time, dependent upon whichever is the earliest.

5. Samples from 25 sites were all collected at surface only and analysed individually. On this occasion, due to the large number of samples requested, analyses was conducted for metals, organotins and polyaromatic hydrocarbons (PAH's) only. As a gradual decline has been observed in previous years in maintenance material levels of polychlorinated biphenyls (PCB's) and BDE's, it was considered that these would be omitted until the next sampling regime in 3 years' time when further sediment quality monitoring is recommended.
6. Observed metal and organotin levels within the samples analysed this year were generally within those ranges which we would consider acceptable for disposal at sea. However, analyses of the samples submitted from Bamletts Wharf and Britannia Enterprise Zone, both currently licensed for disposal, revealed levels of lead slightly in excess of the corresponding Cefas AL2 figure of 500 ppm (Bamletts 505 ppm and Britannia 543 ppm). This is comparable with the situation observed for samples taken from the Teesport Commerce wharf (TPC) Dry Dock in 2012 where lead levels were again slightly in excess of the corresponding AL2 figure. The elevation of lead observed in the current samples from these wharves is in contrast to levels observed in the 2010 samples from these sites which were both comfortably within the Cefas AL2 (Bamletts 299 ppm and Britannia 388ppm). The corresponding 2007 sample analyses from these sites however both indicated levels of lead approaching the corresponding Cefas AL2 (Bamletts 485 ppm and Britannia 482 ppm), suggesting some sporadic source of contaminant input into these sites. On the basis of these analyses, I would recommend that these wharves are excluded from the renewal licence in the interim pending further information and if a current dredging requirement exists at these locations, further investigative samples are taken to determine the scale of this issue. You may also wish to consider your position with respect to the current licence which permits the dredging and disposal of material from these wharves in the interim as to ensure consistency I recommend that a variation to this licence to exclude these wharves at the present time should also be implemented.
7. Samples from the sites analysed for PAH's demonstrate some areas of elevation, particularly with respect to those PAH's associated with redundancy from the petro chemical industry but generally levels observed were consistent with those anticipated in sediments from the Tees estuary and within those ranges previously disposed of to the Tees Bay site. I recommend continuing the monitoring of sediment quality through regular future sampling campaigns.
8. I suggest that use of the 2015 sample analyses to support the current renewal application is adequate, but recommend that monitoring sampling of the site is undertaken in a timely fashion, at least at three yearly intervals, throughout the proposed 10 year licence period.

Alternatives to sea disposal:

9. I am content that PD Teesport are actively looking for alternative uses for this material, but that no suitable options are available at this time.

Disposal site considerations:

10. The disposal site remains Tees Bay A (TY160) as per the previous licence. I understand that the applicants intend to continue with the grid managed placement scheme, to prevent the accretion of disposed material on the south west edge of the site and avoid the potential for shoaling.

Disposal contractor and vessels:

11. PD Teesport intend to utilise their own vessels for this operation: Trailer Suction Hopper Dredger's 'Heortnesse' and Cleveland County'. I have no objection to these arrangements.

Dredging method:

12. The maintenance dredging will be undertaken using either of the Trailer Suction Hopper dredgers identified above, selection will be dependent upon the nature of the material arising. Dredging is undertaken on a nominal production time of 8-10 hours per day for 6 days per week, this can be increased dependent upon demand in the case of sudden increases in deposition, primarily following adverse storm conditions. Plough dredging will be conducted to remove isolated 'high spots' in confined areas.

13. An assessment under the Water Framework Directive has been carried out in conjunction with this proposed dredging operation with the conclusion that the operation is compliant. I will leave the EA to comment on the sufficiency of this justification.

14. The method of dredging proposed appears suitable at this site for the material anticipated to arise. Best practices should always be adopted and this may be an area on which the EA may wish to provide further comment.

GENERAL**Conservation designations**

15. I note that potential impact of the dredging activities at the site with respect to local nature conservation objectives has been assessed within the accompanying maintenance dredge protocol (MDP) baseline document, with the conclusion that the ongoing maintenance operations have no likely significant effect on any designated sites and interest features.

16. I believe that the nature and scale of the works do not warrant an Appropriate Assessment under The Conservation of Habitats and Species Regulations 2010, but defer to Natural England on the adequacy of these assessments and the conclusions reached.

Requirement for EIA

17. It is my view that these works will fall outside the scope of a relevant project as defined by the Marine Works (EIA) Regulations 2007.

Summary

18. Based on my assessment of this application I consider that 2,889,700 tonnes (per annum) from the proposed dredged areas is suitable for disposal at sea to the licensed disposal site TY 160 (Tees Bay A).

19. I would suggest however that due to the elevation in contaminant levels observed from sample analyses in both previous and this year in sediments at specific sites. Those locations as listed below should be excluded from inclusion in the maintenance renewal licence at the present time.

20. Against the backdrop of ongoing contamination of dredge material identified within the Tees I suggest that the continued policy of issue of shorter term licences would be desirable. This is however a policy decision and if a 10 year licence is granted I would stress the necessity to re-sample on a regular basis within a strategic rolling sampling monitoring program. I recommend the following licence conditions;

The Licence Holder must ensure that;

Pre-works

- The District Marine Office must be notified of the timetable of works/operations at least 10 days prior to any activities commencing.
Reason: To ensure that the MMO officer is aware of the operations at sea occurring within its jurisdiction in order to notify other sea users and can arrange enforcement visits as appropriate.
- A complete list of any contractors and vessels to be used are submitted to the MMO prior to the commencement of the works.
Reason: To ensure that the MMO has the most up to date information to ensure the Licence is correct.

During works

- Any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team.
Reason: To ensure that any spills are appropriately recorded and managed to minimise impact to sensitive receptors and general marine environment.
- Any man-made material must be separated from the dredged material and disposed of to land.
Reason: To exclude the disposal at sea of man-made material such as shopping trolleys, masonry, paint cans etc.
- A regime of future sediment sampling is undertaken by PD Teesport, of at least three yearly intervals, which must be agreed in advance with the MMO. Samples must be collected, analysed and the report of their notification signed off prior to dredging in the fourth and subsequently the seventh and tenth year of this licence.
Reason: To ensure the dredge material disposed continues to be acceptable for sea disposal.
- During the course of each disposal, material is distributed as evenly as possible over the disposal site TY160.
Reason: To ensure material is deposited evenly within the appropriate disposal area to avoid potential shoaling effects etc.
- No more than 2,889,700 tonnes wet weight is disposed of at Tees Bay A (TY160) per annum.
Reason: To ensure that acceptable volumes of material can be accommodated within the capacity of the disposal site.

- They inform the MMO of the location and quantities of material disposed of each month under this Licence by 31 January each year for the months August to January inclusive, and by 31 July each year for the months February to July inclusive.

Reason: To ensure that accurate data is collected for the reporting of disposal at sea to meet UK OSPAR requirements

- Material should be excluded from disposal at sea from the following wharfs/frontages, named on the previous licence and designated as:

**Cochrane's/Tees wharf,
Normanby Wharf Graving Dock
Tees Offshore Base
Teesport Commerce Wharf (TPC) Dry Dock**

And in the interim as advised above also from

**Bamletts Wharf
Britannia Enterprise Zone**

Reason: To ensure that only material which has contaminant levels within those ranges which are considered acceptable for disposal at sea are disposed via this route.

Post-works

- The District Marine Office must be notified within 10 days of completion of the works.
Reason: To ensure that the MMO officer is aware of the operations at the site occurring within its jurisdiction in order to notify other sea users and can arrange enforcement visits as appropriate.

Please contact me should you wish to discuss any aspect of this minute.

Ruth Edwards

Senior Marine Advisor

<i>Quality Check</i>	<i>Date</i>
A.Birchenough	18/11/2015

