Subject: [marinet] lattimer letter 4.doc
From: "Latimers" <robert@latimers.com>
Date: Thu, 17 Aug 2006 19:53:00 +0100
To: <marinet@yahoogroups.com>

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Robert Latimer
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Tyne and Wear
SR6 7NT

Date: 17 August 2006

Dear Robert

FOOD AND ENVIRONMENT PROTECTION ACT 1985 – PORT OF TYNE CAPPING TRIAL.

Thank you for your emails of 1st and 16th of August to Mr Anderson and myself, I hope this letter will answer the concerns that you have raised.

Recent Disposals.

I note that you have concerns over recent dredging activity carried out by the Port of Tyne. Let me assure you that whilst Defra do not control dredging operations within the Tyne (the Port have their own local powers) the disposal to sea of that material is tightly controlled. You should be aware that Defra would not know the exact dates of dredging activity as the Port are not required to inform us.

I can confirm however, that no disposal of dredged material has been carried out under the licence for the confined disposal of the contaminated dredged material (31995/04/1). No contaminated material has to our knowledge been dredged or disposed of since the original placement.

The Port do have an existing licence (32610/05/02) which allows them to dispose of dredged sediments that our marine scientists at Cefas consider are suitable for sea disposal. Any operations that you have observed would have been under that licence and would not allow the disposal of any contaminated material.

Trial Status.

On the trial itself I appreciate that you are still extremely concerned. However, I can confirm that following concerns raised at the meeting with the Regulator held in May 2006, the Port instigated Tier 2 monitoring which was required by their licence and as a result of this more intensive monitoring the Port placed a further 95,000 cu m of clean river silt followed by some 57,000 cu m of clean sand on the trial site in June/July 2006 . This was all placed over the centre of the trial disposal site using a conventional trailer suction hopper dredger and opening the multiple hopper doors to get a good column of sand in the water.

Monitoring during the second week of July showed that 64,000 cu m of this new capping material had been retained in the optimum capping area giving a cap thickness at the centre of the cap of 1.5 m with an average thickness of 0.65 m over the entire area. The results of the surveys carried out following the augmentation of the cap are currently being compiled. A stakeholder meeting is to be held in early October.

On your concern regarding the controls put in place to protect salmon and sea trout during the dredging of the contaminated sediments as I have explained Defra do not control the actual dredging within the Tyne. The disposal licence did have stringent conditions on it to control suspended sediments which could have impacted on Migratory fish during the disposal operation. Also section 6 of the work plan for the confined disposal (Report 1613) which was signed up to by the Port and the Regulators deals with the dredging of the contaminated sediments in detail. You were sent a copy of this on 7 July 2006.

I also note you mention that Defra's
fishery department is buying up all the salmon caught within the estuary to test them for contamination but we and my colleagues in the MFA have no knowledge of this.

Westoe Colliery.

On the issue of mine waste disposed of from Westoe Colliery the disposal of colliery spoil (minestone
and mine tailings [liquid waste]) to sea ended in 1995 and in the case of the Tyne the majority was disposed of at North Tyne, Sunderland and Souter point inner. Whilst it is likely that coastal processes have affected this waste since its deposition over 10 Years ago the minestone is largely still located at the site.

New Tyne Tunnel.

On the new Tyne Tunnel we have yet to receive any application regarding the disposal of material at sea but any application would be assessed on its own merits and as it is a capital dredge would require the EIA to be advertised at which point you would be able to express your concerns. You should note that dredged material would only be allowed to be disposed of to sea if the applicant showed that there was no alternative use for that material and after our marine scientists at Cefas had assessed the materials suitability for sea disposal. You should note that we have received a construction application for marine works related to the construction of the tunnel and a copy is attached for information.

Further Information.

As to your other requests under EIR, I attach the minutes of the meeting held on 23 July which followed up the meeting held on the 10 May which you already have the minutes for. A copy of the

report mentioned in the minutes will be forwarded to you when it is finalised. The reports that you requested that were referred to in licence 31995/04 were sent to you in my letter of 11 May 2006. If you wish to see all of the reports related to the trial, the offer made in my letter of 11 May 2006 to arrange for you to visit the Port and be shown all the relevant documentation is still open.

If you require any further information do not hesitate to contact me.

Yours sincerely

Andy Dixon

Marine Consent and Environment Unit

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