From: David Johnson [mailto:David.Johnson@ospar.org]
Sent: 04 February 2009 09:41
To: Robert Latimer
Subject: RE: Port of Tyne Dredging Trial Final report - Appendix VII

Dear Bob

No, we are waiting a final report. The presentation given previously by UK explained the nature of the trial. We have requested information about similar projects from other Contracting Parties to OSPAR, but so far none has been forthcoming.
Best regards
David

From: Robert Latimer [mailto:robert@latimers.com]
Sent: 04 February 2009 07:45
To: David Johnson
Subject: FW: Port of Tyne Dredging Trial Final report - Appendix VII

Dear David

Can you tell me has the UK Government ever given a presentation to Ospar and provided information to show this Trial has been a success?

Bob Latimer

From: Robert Latimer [mailto:robert@latimers.com]
Sent: 02 February 2009 09:50
To: 'Meekums, Michael (MFA]'
Subject: Port of Tyne Dredging Trial Final report - Appendix VII

Dear Mr Meekums

I have now had the time to study the June 2008 Port of Tyne report and the missing pages including Appendix VII which you e-mailed to me.

You wrote in your e-mail dated 5 January 2009: - **"We have sent you a copy of the report, we do not have anything else"** – While I appreciate this is what you are telling me, after reading page 27 of the report you must agree information is still missing. I am disappointed about why Defra had not noticed this, and so would be requesting the detailed breakdown mentioned on Page 27,' I quote: - **"It would appear that the addition of some material 95,000cu m of silt and 57,000cu m of sand capping material over the disposal site in June 2006 has had an effect on the sediment types over the whole area. (A detailed breakdown of additional material deposited at the site in 2007 is provided in Appendix VII)**

The copy of Appendix VII you e-mailed me makes no mention of any additional material deposited at the site in 2007. I am sure you must agree that without this information the report is worthless.

I would like you to show me the correspondence from Defra informing the Port of Tyne of the missing information from Appendix VII?

I would also like you to show me a copy of the licence that allowed this further dumping and what it contained, without informing Defra first?

As you are aware just before Xmas I met with the Port of Tyne and their advisors who told me further dumping had taken place in both 2007 and 2008, the point is how did Defra not know this and why was this further dumping omitted from the final report?

One wonders why it is that it is me who is telling Defra that the most important information is missing from the report and not the other way around?

The omission of the facts regarding the 2007 and 2008 dumping of the additional capping material throws the assessments of the bathymetric surveys carried out in 2007 and 2008 out of the window - they are worthless. The comments made in Appendix VIII Bathymetric Surveys clearly calls into question the competence of Defra to regulate and control the licensee, I quote: -

"A bathymetric survey was undertaken by EMU in September 2007. There were a number of problems identified initially, in attempting to tie the survey into previous data. A number of discussions were held to ascertain the datum used and the instrument error. After a number of attempts the survey data was agreed upon. However, since the May 2008 bathymetric survey has been undertaken (by Port of Tyne) the two surveys have been compared and the earlier survey shown to be in error. As mentioned within the body of the report the Port of Tyne survey was undertaken during excellent weather conditions and excellent quality data was obtained. The figure below shows a profile through the disposal site – the Emu survey, September 2007 (top line), the Port of Tyne survey, May (2008) (the next line down) with the baseline survey and the post cap survey (December 2004 and May 2006) lines below. The profiles of the three Port of Tyne surveys show a good tie in between the baseline, post cap survey and the May 2008 surveys. The EMU survey is very

similar in shape to the May 2008 survey but appears to be higher by an average of 0.55m"

I have heard of the old saying 'Double Dutch' - after reading the bathymetric survey, for the first time I understand what it means - the comments above explaining the surveys are about as reliable as the Titanic. The 2007 survey shows the capping is higher in 2007 than 2008 so they adopt the 2007 survey - here we are talking about 0.55m when the conclusion of the report states: - **"Coring work provided evidence that the cap was variable in thickness even within the centre area of the cap. The average cap thickness noted from the cores is 0.37m with a maximum of 0.61m in the centre of the site"** The licence issued by Defra stated the cap thickness had to be 1.5m thick. What has taken place here is instead of Defra insisting that the cap should be increased to comply with the licence conditions – it appears Defra have decreased the licence conditions to meet the cap thickness.

On page 38 of the final report it states **"The most recent bathymetry data (May 2008) indicates that there is a significant cap present across the central portion of the site and that the cap meets the specification agreed with Defra in June 2008" –** could you please provide information as to what this specification agreed with DEFRA in 2008 is?

Yours sincerely

Bob Latimer