



Mrs L Royle  
BOWL Offshore Consents Manager  
SSE Renewables Limited  
1 Waterloo Street  
Glasgow  
G2 6AY

Our Ref: 003/OW/BOWL - 8

9<sup>th</sup> November 2017

Dear Mrs Royle,

**MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009,  
PART 4 MARINE LICENSING**

**Offshore Windfarm Marine Licence Condition 3.1.7 – Chemical Usage  
Offshore Transmission Works Marine Licence Condition 3.1.7 – Chemical Usage**

Thank you for your correspondence dated 18<sup>th</sup> October 2017 regarding the above conditions for the Marine Licenses.

In your correspondence, you have confirmed that Beatrice Offshore Windfarm Limited (“BOWL”) and BOWL’s contractors are concerned that the current approval process for chemicals utilised in closed systems (which will not, under normal working conditions, be released in to the marine environment) and also for chemicals which are on the Offshore Chemical Notification Scheme (“OCNS”) list, (the List of Notified Chemicals; also know as the List of Registered Products’) has the potential to unduly delay and disrupt wind farm construction.

You have questioned the need for the approval of chemicals which are contained in closed systems and have requested that the requirement for approval of the chemicals used in closed systems be excluded and no longer required.

The OCNS [list of chemicals] uses the OSPAR Harmonised Mandatory Control Scheme (“HMCS”), which was developed through the OSPAR Decision 2000/2, on a harmonised mandatory control system for the use and discharge of offshore chemicals (as amended by OSPAR Decision 2005/1) and its supporting recommendations. This ranks chemical products according to a hazard quotient, which is calculated using the Chemical Hazard and Risk Management (“CHARM”) model.

Chemicals which are used in closed systems, where periodic refill is not needed, are not covered by the HMCS under OSPAR Decision 2000/2, and as under normal operating conditions are not expected to be released in to the marine environment, Marine Scotland

Licensing Operations Team (“MS-LOT”), on behalf of the Scottish Ministers can confirm agreement with BOWL’s proposal, that written approval of these chemicals is not required.

With regard to the chemicals listed on the OCNS list, BOWL are seeking to exclude the requirement for approval of these chemicals as the *‘OCNS list was established as a means of registering those chemicals which can be utilised in the marine environment without the need for additional regulatory approval’*.

MS-LOT have considered BOWL’s request and can confirm on behalf of the Scottish Ministers, that MS-LOT are content to accept BOWL’s request and chemicals already listed on the OCNS list will not require written approval.

You have stated, that BOWL’s contractors *‘make their best efforts to choose chemicals from the list. However at times they have found it challenging to find listed chemicals suitable for their equipment. The OCNS [list] applies to the oil and gas industry which often uses different equipment and installation methods to those required to construct offshore wind farms. As such it is not always possible to use chemicals from the List.’*, MS-LOT do acknowledge and understand this constraint and take this into account when assessing chemicals submitted.

In summary, BOWL will not be required to obtain written approval from MS-LOT on behalf of the Scottish Ministers for chemicals used in either closed systems nor for chemicals which are present on the OCNS list. BOWL will still be required to obtain approval for chemicals not used in closed systems and which are not on the OCNS list.

However; please let me confirm that BOWL are still required to provide written notification of all the chemicals to be utilised in the Works which will still include those chemicals utilised in closed systems and those which are present on the OCNS list.

Yours sincerely,

Nicola Bain  
Marine Scotland Licensing Operations Team