

MS Marine Renewables

From: Anne-Marie Gauld <AMGauld@aberdeencity.gov.uk>
Sent: 15 May 2017 16:25
To: MS Marine Renewables
Subject: EOWDC - Consultation on Marine Pollution Contingency Plan ("MPCP"), Request for comments by 16th May 2017

Dear Sophie,

I passed your consultation to the relevant teams and have not received any comments back. It is therefore assumed that no one has any points to raise with your plan.

Regards,

Anne-Marie.

Anne-Marie Gauld
Environmental Planner
Protecting the irreplaceable, promoting the sustainable.

Award Winner for the EAST TULLOS BURN ENVIRONMENT IMPROVEMENTS PROJECT



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Planning and Sustainable Development
Communities, Housing & Infrastructure
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Humphries S (Sophie)

From: Ann Ramsay <ann.ramsay@aberdeenshire.gov.uk>
Sent: 09 May 2017 17:18
To: Humphries S (Sophie)
Cc: Aires C (Catarina); Drew J (Jessica)
Subject: RE: EXTENSION REQUEST - EOWDC - Consultation on Marine Pollution Contingency Plan ("MPCP") - Aberdeenshire Council

Good afternoon,

Thank you for consulting Aberdeenshire Council on the Marine Pollution Contingency Plan ("MPCP").

Following consultation with my Contaminated Land Colleague, we have no comments to make on this Plan.

However I would note section 11.1.2 refers to "...the oil spill contingency plan administered by the relevant Local Authority (in this case co-ordinated by the Grampian Emergency Planning Unit on behalf of Aberdeenshire Council)..." Maybe the Grampian Emergency Planning Unit should be consulted, or at least made aware of the document.

I hope this is of assistance.

Kind regards

Ann Ramsay
Senior Planner
Infrastructure Services
Aberdeenshire Council
45 Bridge Street
Ellon AB41 9AA

Telephone – 01358 726459

From: Sophie.Humphries@gov.scot [<mailto:Sophie.Humphries@gov.scot>]
Sent: 09 May 2017 10:09
To: navigation@nlb.org.uk; ArchieJ@nlb.org.uk; Nick.Salter@mcga.gov.uk; navigationsafety@mcga.gov.uk; pi@aberdeencity.gov.uk; Planning <planning@aberdeenshire.gov.uk>
Cc: Jessica.Drew@gov.scot; Catarina.Aires@gov.scot; Nicola.Bain@gov.scot
Subject: ONE WEEK REMINDER - EOWDC - Consultation on Marine Pollution Contingency Plan ("MPCP"), Request for comments by 16th May 2017

Dear Sir/Madam,

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

European Offshore Wind Deployment Centre ("EOWDC") Section 36 Consent Condition 13(f) and Marine Licence 04309/16/1 Condition 3.1.11.; Marine Pollution Contingency Plan ("MPCP")

Further to our email of 18th April 2017, requesting your comments on the MPCP for EOWDC.

Our ref: PCS/152420
PCS/152518
PCS/152621
Your ref: ABE-ENV-DB-0003

If telephoning ask for:
Zoe Griffin

5 May 2017

Marine Scotland
Marine Laboratory
PO Box 101
375 Victoria Road
Aberdeen
AB11 9DB

By email only to: MS.MarineRenewables@gov.scot

Dear Ms Humfries

ELECTRICITY ACT 1989
The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000
MARINE (SCOTLAND) ACT 2010 & MARINE AND COASTAL ACCESS ACT 2009, PART 4
MARINE LICENSING
The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)
European Offshore Wind Deployment Centre (“EOWDC”) Section 36 Consent
Condition 13 ; Construction Method Statement and Marine Licence 04309/16/1
Condition 3.1.11.; Marine Pollution Contingency Plan (“MPCP”)

Thank you for your consultation emails of 4 April 2017, 7 April 2017 and 18 April 2017 in relation to the discharge of conditions 13 and 25 for the above Section 36 consent and conditions 3.1.11, 3.2.1.2 and 3.2.1.7 of the above Marine Licence.

We have prepared one response to these three consultations as the three documents submitted are strongly interlinked.

Advice for the Marine Scotland

In summary, we **advise against the discharge** of Conditions 13, or any part of, and 25 in relation to the Section 36 and Conditions 3.1.11, 3.2.1.2 and 3.2.1.7 in relation to the Marine Licence **due to lack of information** contained within the submitted Construction Method Statement (ABE-ENV-DB-0014, dated 20/03/2017), Marine Pollution Contingency Plan (ABE-ENV-DB-0004, dated 06/04/2017) and the Cable Laying Strategy (ABE-ENV-DB-0003, dated 27/01/2017)

We give advice below on what further information will be required in order for us to advise discharge of this condition.



Chairman
Bob Downes
Chief Executive
Terry A'Hearn

SEPA Aberdeen Office
Inverdee House, Baxter Street
Torry, Aberdeen AB11 9QA
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1. Background

- 1.1 Under the Town and Country Planning (Scotland) Acts we have been consulted on the onshore elements of the project including the two landfall options via two planning applications APP/2012/4219 and APP/2017/0091. Both these applications include cable works down to mean low water spring tides (MLW).
- 1.2 In relation to APP/2012/4219 Condition 5 requires submission of construction methods for the landfall cables taking into account coastal processes and other environmental considerations. Although we have not had sight of a final decision document for APP/2017/0091 we have requested by way of condition the submission of a revised CEMP and Site Investigation Report including a CMS for the proposed Horizontal Directional Drilling (HDD) and associated cabling.
- 1.3 We note that the Cable Laying Strategy (CLS) submitted to yourselves covers the two landfall options for the cables from MLW to the transition pits above mean high water level and therefore there is overlap with the Section 36 and Marine Licence works and those covered by the two planning applications. In addition, Condition 13 of the Section 36 specifically requires pollution measures associated with the landfall cabling to be included within the CMS. All three documents (CMS, CLS and Marine Pollution Contingency Plan (MPCP) refer to the landfall works and imply that they are seeking approval for this element of the works through the Section 36 and Marine Licence.
- 1.4 As such, we are concerned that if the CLS and CMS are approved as submitted they would contradict the information we will require to be submitted to satisfy our requirements for the planning application conditions.
- 1.5 Therefore, in order avoid this scenario and any confusion we wish to ensure the documents submitted to satisfy the conditions for the Section 36 and Marine Licence will meet our requirements and be compatible with those to be submitted by the applicant for planning applications APP/2017/0091 and APP/2012/4219

2. Construction Method Statement (CMS)

- 2.1 We note Condition 13 of the Section 36 consent states the CMS must include, information on the following matters:
 - (a) Commencement dates;
 - (b) Working methods including the scope, frequency and hours of operations;
 - (c) Duration and Phasing Information of key elements of construction, for example turbine structures, foundations, turbine locations, inter-array cabling and land fall cabling;
 - (d) Method of installation including techniques and equipment and depth of cable laying and cable landing sites;
 - (e) The use of Dynamic Positioning vessels and safety/guard vessels;
 - (f) Pollution prevention measures including contingency plans; and
 - (g) Design Statement

And that the CMS must be cross referenced with the Project Environmental Management Plan, the Vessel Management Plan and the Navigational Safety Plan.

- 2.2 After reviewing the CMS and in particular Section 9, there appears to be no information regarding pollution prevention measures required in (f) above with regards to the landfall works. The CMS states "...greater detail on the installation of the cables is contained within Section 9.3 of the Cable Laying Strategy" but again this does not appear to cover any mitigation measures for the two landfall options either. We have also been consulted separately on the MPCP but note that this too is also aimed solely at the offshore works.
- 2.3 In order to meet the requirements of part f of Condition 13, we request either: a separate document covering the landfall elements of the works in comprehensive detail is provided; an enhanced section 9 of the CMS document; or the information is added to the MPCP. We are not particularly concerned where the information is included, but each document will then need to be revised to make reference to it.
- 2.4 The additional information required in the CMS in relation to the landfall works should include:
- a) full details of construction methods and pollution mitigation proposals,
 - b) including timing of the works and detailed plans,
 - c) baseline surveys,
 - d) risk assessments,
 - e) any works undertaken to identify sensitive receptors.
- 2.5 We wish to highlight the Blackdog landfill has an ongoing problem of causing pollution through the leakage of hydrocarbons, particularly to groundwater. The potential impact of the construction and cable laying on the landfill in terms of either further direct release of pollutants into controlled waters (the North Sea) or indirect via groundwater, needs to be addressed either in the CMS or the other two documents. There is also no indication of whether or not the existing pilot remediation proposals for Blackdog landfill have been considered.

3. Cable Laying Strategy

- 3.1 The CLS outlines the two landfall options being considered. However, after reviewing the document it is not clear which methodologies are being considered for which landfall option. We request the methodology for each option is made clearer.
- 3.2 We also request the following information is included before we can assess the proposal in relation to our interests:
- Proposed depth of any HDD (protection of groundwater)
 - If/where the HDD will intersect with groundwater (protection of groundwater)
 - Pollution prevention (protection of controlled waters)
 - Risk assessments for potential pollution sources including the Blackdog landfill (protection of controlled waters)
 - Source-receptor-pathway hazard assessments (protection of controlled waters)
 - Construction timetable (timescales for regulatory input and resource)
 - Disposal/reuse options for spoil (waste management licensing/duty of care/zero waste)
 - Mitigation for silt pollution arising from cable laying (protection of controlled waters)

- 3.3 The key constraints in section 5.2 of the CLS do not mention the Blackdog landfill or the need to ensure that any future remediation plans for the landfill site are not impeded, hampered or otherwise rendered ineffective by this proposal. We would wish to see confirmation that this has been considered.
- 3.4 On page 44 the document states: "...will pass beneath the Burn and dunes and as such will have limited ecological impact". However, this may be the case if the drilling intersects Blackdog landfill and leads to additional pollutant release, or prevents/hinders the current remediation works. Therefore this potential pollution source needs to be assessed and mitigation proposals included in the CLS or other appropriate documentation.
- 3.5 We note that the Cable Protection Plan has been incorporated into the CLS (Chapter 10). However, there appears to also be no indication in the CLS of whether dune stabilisation will be required in the long term to prevent exposure/damage to underlying cables in the landfall sections. We request this is also included in the document as part of the Cable Protection Plan for the landfall element.

4. Marine Pollution Contingency Plan (MPCP)

- 4.1 We require a more robust pollution prevention plan for undertaking all landfall works, as currently the pollution contingency plan is mainly focused on prevention of spills from ships at sea, and less concerned with prevention of direct pollution from the undertakings themselves.

Advice to applicant

5 Blackdog Landfill

- 5.1 We have made reference to the pilot remediation project for the Blackdog Landfill. For further information on this we recommend you contact Adam Ritchie, Contaminated Land Officer at Aberdeenshire Council.

Regulatory advice for the applicant

6. Regulatory requirements

- 6.1 Proposed engineering works within the water environment will require authorisation under The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (as amended). Any engineering works impacting the Blackdog Burn are likely to require authorisation. However, there is insufficient information in the documentation to date to determine what level of authorisation would be required. Please note any proposed cabling under a watercourse also needs to be carried out in accordance with The Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR). Useful guidance on the best crossing types can be found in the [CAR Practical Guide](#) and General Binding Rule 7 would have to be adhered to if boring under a watercourse such as the Blackdog Burn.
- 6.2 Further details of regulatory requirements and good practice advice for the applicant can be found on the [Regulations section](#) of our website. If you are unable to find the advice you need for a specific regulatory matter, please contact a member of the regulatory team in your local SEPA office at: Inverdee House, Baxter Street, Aberdeen AB11 9QA. [Tel:01224 266600](tel:01224266600).

If you have any queries relating to this letter, please contact me by telephone on 01224 266636 or e-mail at planning.se@sepa.org.uk

Conclusion

Yours faithfully

Zoe Griffin
Senior Planning Officer
Planning Service

Copy: Vattenfall, Ester Villoria, Environment and Consents Manager, Vattenfall, Aberdeen Offshore Wind Farm Ltd., 3rd Floor, The Tun Building, 4 Jackson's Entry, Holyrood Road, Edinburgh EH8 8PJ

Disclaimer

This advice is given without prejudice to any decision made on elements of the proposal regulated by us, as such a decision may take into account factors not considered at the planning stage. We prefer all the technical information required for any SEPA consents to be submitted at the same time as the planning application. However, we consider it to be at the applicant's commercial risk if any significant changes required during the regulatory stage necessitate a further planning application and/or neighbour notification or advertising. We have relied on the accuracy and completeness of the information supplied to us in providing the above advice and can take no responsibility for incorrect data or interpretation, or omissions, in such information. If we have not referred to a particular issue in our response, it should not be assumed that there is no impact associated with that issue. Further information on our consultation arrangements generally can be found in [How and when to consult SEPA](#), and on flood risk specifically in the [SEPA-Planning Authority Protocol](#).

Humphries S (Sophie)

From: Catriona Gall <Catriona.Gall@snh.gov.uk>
Sent: 20 April 2017 17:09
To: Drew J (Jessica)
Cc: Aires C (Catarina); Bain N (Nicola) (MARLAB); Humphries S (Sophie); Erica Knott
Subject: Aberdeen Bay EOWDC - SNH comments on construction plans

Dear Jessica,

Thank you for the recent consultations on the vessel management plan (VMP), construction method statement (CMS) and marine pollution contingency plan (MPCP) for Aberdeen Bay offshore wind farm. Taken together, these plans provide a helpful summary of the intended work and time lines for construction of this wind farm.

Construction is due to commence in July 2017 and anticipated to be completed during May – September 2018 (Table 6, p41 of the CMS).

For construction activity, the marine co-ordination centre will be based in Aberdeen Harbour, and crew transfers will be made from here. The suction bucket foundations are to be assembled at River Tyne and delivered to Peterhead. They will then be transferred from Peterhead to the wind farm for installation. The wind turbines will be delivered direct to site from Denmark and the cables are coming direct to site from Hartlepool (see section 5.2, p22 of the VMP).

We do not have major comments on these plans, however, we note that it would have been helpful to have received the offshore environmental management plan (OEMP) in advance or at least alongside these subsidiary plans. We advise that the OEMP should provide an overview of project management structures, staff roles, responsibilities and project communications. In particular, SNH would welcome confirmation of the appointment of an environmental clerk of works (ECOW) and some further detail on their anticipated role and responsibilities (marine licence condition 3.2.1.4).

In this regard (as already agreed for Hywind), we have no strong concerns if an 'in-house' ECoW is used at Aberdeen Bay EOWDC. This is because it is a small-scale demonstration project using suction bucket foundations and we do not identify any major pathways to impact during construction for natural heritage interests of concern (marine mammals, seabirds, fish or benthic interests).

We had a useful presentation from Vattenfall on suction bucket technology during a pre-commencement meeting held earlier this year (7 February 2017). The CMS gives an overview of this type of foundation and its installation and we do not require any further detail here. Similarly, the cable-laying strategy addresses the export cable and intra-array cabling and we have already commented on this (SNH emails, 7 and 9 March 2017).

Our main comments on the current plans are in relation to the VMP, where we advise that the following matters should be addressed:

- Reference should be made to the **Scottish wildlife watching code** and further detail should be provided on staff training in this regard:
<http://www.marinecode.org/>
- We require further detail on prevention measures to avoid the introduction of **invasive non-native species** especially in relation to the delivery of turbines from continental ports. Please refer to our website for further information and relevant links:
<http://www.snh.gov.uk/land-and-sea/managing-coasts-and-sea/marine-nonnatives/>

Finally, we note that it is not a requirement for Vattenfall to submit an operations and maintenance programme prior to the commencement of development, rather this will be provided three months prior to wind farm completion / commissioning (marine licence condition 3.2.3.5).

We welcome consultation at the appropriate time, as well as on the OEMP, due shortly.

Please be aware that I am on leave w/c 24 April, so that if you have any queries in relation to this advice please direct them to: MARINEENERGY@snh.gov.uk

Yours sincerely,

Catriona Gall

Marine Renewables Casework Adviser - Offshore Wind

SNH
Battleby
Redgorton
Perthshire
PH1 3EW

direct dial: 01738 - 458665

From: Jessica.Drew@gov.scot [mailto:Jessica.Drew@gov.scot]

Sent: 30 March 2017 08:03

To: navigation@nlb.org.uk; ArchieJ@nlb.org.uk; navigationsafety@mcga.gov.uk; nick.salter@mcga.gov.uk; fiona.read@whales.org; sarah.dolman@whales.org; j-gaskin@aberdeen-harbour.co.uk; a-mcintosh@aberdeen-harbour.co.uk; info@aberdeen-harbour.co.uk; MARINEENERGY; amundin@ukchamberofshipping.com; katrina.ross@broa.org; aziou@ukchamberofshipping.com; rmerrylees@ukchamberofshipping.com

Cc: Catarina.Aires@gov.scot; Nicola.Bain@gov.scot; Sophie.Humphries@gov.scot

Subject: Consultation on Vessel Management Plan ("VMP") for EOWDC

ELECTRICITY ACT 1989

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

European Offshore Wind Deployment Centre ("EOWDC") Section 36 Consent Condition 24; Vessel Management Plan ("VMP").

Dear Sir/Madam,

Please find attached EOWDC's Vessel Management Plan ("VMP") (Revision 0.0, issued on 06/03/2017), together with a cover letter. The intention of this VMP is to satisfy Section 36 Consent Condition 24.

The condition states that the plan must be submitted to the Scottish Ministers for their written approval. MS-LOT, on behalf of the Scottish Ministers, would like to invite comments on the VMP from Scottish Natural Heritage ("SNH"), Whale and Dolphin Conservation ("WDC"), Maritime and Coastguard Agency ("MCA") Northern Lighthouse Board ("NLB"), Aberdeen Harbour Board and the Chamber of Shipping ("CoS").

Please note that we do not seek comments on the section 36 Consent, which will not be amended.

We would appreciate any comments you may have on the attached document. If you wish to submit any comments, please do so to MS.MarineRenewables@gov.scot before the **27th April 2017**.

Humphries S (Sophie)

From: Lisa McAuliffe <Lisa.McAuliffe@mcga.gov.uk>
Sent: 22 May 2017 08:03
To: Humphries S (Sophie)
Cc: Heloise Warner; Nick Salter; Neil Chapman; Stan Woznicki; Peter Lowson
Subject: EWODC Consultation - Pollution Prevention Plan`
Attachments: ABE-ENV-DB-0004 Marine Pollution Contingency Plan_Cover Letter_Redacted.pdf; ABE-ENV-QB-0004_Rev 00_Marine Pollution Contingency Plan_Redacted.pdf

Good morning Sophie,

Due to the short notice request for consultation on this document I have been unable to review the attached document in detail however some high level feedback is provided below:

- There appears to be too much information contained within this document to consider it to be a useful and purposeful response plan
- There are a number of out of date references for example: M1663, MRCC etc.
- There is reference made to a specialist response contractor – this must be an accredited contractor.
- The MCA and / or SOSREP will not take charge of an incident as pg. 40 and section 11.1.3 indicates. Please refer to the NCP for more information
- There is a lot of information regarding the use of dispersants however you advise that the most likely scenario would be a Tier 1 spill with a non-persistent oil and that dispersants are not likely to be a viable option?
- Some of the contact details you have are incorrect, for example: SNH pager no longer used and Aberdeen coastguard email address is zone3@hmcg.gov.uk
- Remove MCA contact details from the contact directory. For simplicity contact should be made via the CG in the first instance who will then advise the CP team if requested / required.
- Why do you have the RNLI contact details? It's not felt this is necessary for this Plan.

If you have any further questions Sophie, please don't hesitate to ask.

Kind Regards,

Lisa M^cAuliffe
Counter Pollution & Salvage Officer (Wales and West & SCOTNI)

Email: lisa.mcauliffe@mcga.gov.uk
Direct Line: +44 (0) 2038 172480
Mobile: [REDACTED]

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