



Mr Colin Harrison,  
Able UK Ltd.

Your reference:  
L/2017/00012/9

**By email only**

09 May 2023

Dear Mr Harrison,

## MID-LICENCE SAMPLE ANALYSIS RESULTS

Thank you for your submission of the following documents on 5 April 2023 via Return 6.5:

- ASC-002-00004 A Seaton Channel Sampling Locations 2022.pdf
- MAR01671 MMO\_Results\_Template Rev 1.xlsm
- MAR01671.pdf
- Ocean Ecology PSA confirmation.msg

These documents were submitted to fulfil conditions 5.2.13 and 5.2.14 on the Marine Licence L/2017/00012/9:

### Condition 5.2.13:

*'A relevant sediment sampling plan request must be submitted at least 6 months prior to the end of years 3 and 6 from the date of issue. The relevant sediment sampling and analysis must be completed by a laboratory validated by the MMO at least 6 weeks prior to the end of years 3 and 6 from the date of issue.'*

*The licensed activities must not recommence until written approval is provided by the MMO.*

*Reason: To ensure only suitable material is dredged and disposed of at sea.'*

### Condition 5.2.14:

*'The relevant sampling during years 3 and 6 of the licence must include sampling for Brominated Diethyl Ethers (BDEs).'*

*Reason: Due to the local historic industrial source of these contaminants in the Tees Estuary.'*

The MMO, in consultation with our technical advisors at Cefas, have reviewed the submitted documents listed above and have the following comments:

1. **Action required:** Please review and correct as necessary the latitude and longitude for each 2022 sampling point in the results template. For the coordinates provided, the '-' for the longitude has been omitted, causing the points to show up in the North Sea.



When '-' is added to the longitude and the samples are at the right site, however the positions do not align with (and coordinates do not match with) those presented in the 'ASC-002-00004 A Seaton Channel Sampling Locations 2022.pdf'. This is particularly noticeable for the ASP samples. Some samples even show up on land. It seems like the positions are shifted in relation to what is presented in the sampling locations document 'ASC-002-00004 A Seaton Channel Sampling Locations 2022.pdf.'

To close out this action, please supply an updated copy of the Results Template (titled 'MAR01671 MMO\_Results\_Template Rev 1.2') with the correct coordinates.

2. **Action required:** The samples show exceedances of the effects-range median (ERM) for low molecular weight (LMW) polycyclic aromatic hydrocarbons (PAHs) and exceedances within multiple samples of the proposed Action Level 2 (AL2s) for more than one Polybrominated diphenyl ethers (PBDEs) congener. This has been taken into consideration against previous data for the site and for the wider Tees. Based on these results the MMO require the following management measures to be implemented:

- yearly monitoring of PAHs from sample locations SC1, SC2, and SC3 to be undertaken for a minimum of two years due to high exceedances of the ERM for LMW PAHs, which were higher than the previous mid-licence sampling values and the values for the wider River Tees; and
- yearly monitoring of PBDEs from all 14 locations, sampled under SAM/2022/00052, to be undertaken for a minimum of two years due to samples showing multiple congeners that exceeded the concentrations that have been observed over time, and that the PBDEs are generally higher compared to the broader Tees maintenance 2019 data.

The MMO will vary the marine licence under section 72 (3) of the Marine and Coastal Access Act. If possible, the updated sampling requirements will be done via the existing variation request that is being processed, otherwise a new variation will be opened and a new estimate created to cover fees.

Once the updated Results Template is received and the annual monitoring condition has been added to the marine licence, the MMO will write to confirm that, for year 6, conditions 5.2.13 and 5.2.14 have been completed and that dredging and disposal activities can recommence.

If you have any queries, please do not hesitate to contact us.

Yours sincerely,



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