

## SCHEDULE 13

### Deemed licence under Marine and Coastal Access Act 2009 – array

## PART 2

### Conditions

#### Chemicals, drilling and debris

9.—(1) Unless otherwise agreed in writing by the MMO all chemicals used in the construction of the authorised scheme, including any chemical agents placed within any monopile void, shall be selected from the List of Notified Chemicals approved for use by the offshore oil and gas industry under the Offshore Chemicals Regulations 2002<sup>(1)</sup>.

(2) The undertaker shall ensure that any coatings/treatments are suitable for use in the marine environment and are used in accordance with guidelines approved by Health and Safety Executive and the Environment Agency Pollution Prevention Control Guidelines.

(3) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances shall be undertaken so as to prevent releases into the marine environment, including bunding of 110% of the total volume of all reservoirs and containers.

(4) Where foundation drilling works are proposed, in the event that any system other than water-based mud is proposed the MMO's written approval in relation to the proposed disposal of any arisings shall be obtained before the drilling commences, which may also require a marine licence.

(5) The undertaker shall ensure that any debris arising from the construction of the authorised scheme or temporary works placed below MHWS are removed on completion of the authorised scheme.

(6) At least two months prior to the commencement of the licensed activities the undertaker shall submit to the MMO an audit sheet covering all aspects of the construction of the licensed activities or any part of them, which shall include details of—

- (a) loading facilities;
- (b) vessels;
- (c) equipment;
- (d) shipment routes;
- (e) working schedules; and
- (f) all components and materials to be used in the construction of the authorised scheme.

(7) The audit sheet shall be maintained throughout the construction of the authorised scheme (or relevant part) and any changes notified immediately in writing to the MMO which must give written approval prior to any change being implemented.

(8) In the event that the MMO becomes aware that any of the materials on the audit sheet cannot be accounted for it shall—

- (a) require the undertaker to carry out a side scan sonar survey to plot all obstructions across the relevant area(s) within the Order limits seaward of MHWS where construction works and related activities related to those materials have been carried out and, if the initial survey does not locate the missing materials, over such wider area as the MMO may reasonably request; and

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(1) (S.I. 2002/1355. There are amendments to that instrument not relevant to this Order.

*Status: This is the original version (as it was originally made).*

(b) invite local fishermen to send a representative to be present during the survey, and any new obstructions that the MMO believes to be associated with the authorised scheme shall be removed at the undertaker's expense.

(9) The undertaker shall inform the MMO of the location and quantities of material disposed of each month under the Order, by submission of a disposal return by 31 January each year for the months August to January inclusive, and by 31 July each year for the months February to July inclusive.

(10) The undertaker shall ensure that only inert material of natural origin, produced during the drilling installation of or seabed preparation for foundations and drilling mud shall be disposed of within the offshore Order limits (disposal site reference WI117 Rampion OWF), and that any other materials are screened out before disposal at this site.

(11) The undertaker shall ensure that any rock material used in the construction of the authorised scheme is from a recognised source, free from contaminants and containing minimal fines.

(12) In the event that any rock material used in the construction of the authorised scheme is misplaced or lost below MHWS, the undertaker shall report the loss to the MMO's District Marine Office within 48 hours and if the MMO shall reasonably consider such material to constitute a navigation or environmental hazard (dependent on the size and nature of the material) the undertaker shall endeavour to locate the material and recover it.

(13) The undertaker shall undertake the methods agreed under condition 11(1)(g)(iii) following the high resolution swath bathymetric survey referred to in condition 17(3)(f), and if any such obstructions resulting from burial of cables be identified which, in the reasonable opinion of the MMO, may be considered to interfere with fishing, the undertaker shall take such steps to remove them as the MMO in its reasonable opinion shall require.

(14) The undertaker shall ensure that no waste concrete slurry or wash water from concrete or cement works are discharged into the marine environment, and that concrete and cement mixing and washing areas are contained to prevent run off entering the water through the freeing ports.

(15) The undertaker shall ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team.