

## SCHEDULE 9

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

## PART 2

### Conditions

#### Chemicals, drilling and debris

5.—(1) Unless otherwise agreed in writing by the MMO, all chemicals used in the construction of the authorised scheme must 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) Unless otherwise agreed in writing by the MMO, the undertaker must ensure that any coatings and any treatments are suitable for use in the marine environment and are used in accordance with Pollution Prevention Guidelines or guidelines approved by the Health and Safety Executive.

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

(4) The undertaker must ensure that no waste concrete slurry or wash water from concrete or cement works is discharged into the marine environment. Concrete and cement mixing and washing areas must be contained to prevent run off entering the water through the freeing ports.

(5) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO Marine Pollution Response Team within 24 hours.

(6) The undertaker must ensure that any debris arising from the construction of the authorised scheme or from equipment or temporary works placed seaward of MHWS is removed within 4 weeks of completion of the authorised scheme unless otherwise agreed with the MMO.

(7) Subject to paragraph (10), at least 10 days before the commencement of licensed marine activities, the undertaker must submit to the MMO an audit sheet covering all aspects of the construction of the authorised scheme or any phase of it. The audit sheet must include details of—

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

(8) The audit sheet must be maintained throughout the construction of the authorised scheme (or relevant phase) and must be submitted to the MMO for review at fortnightly intervals during periods of active offshore construction.

(9) If the undertaker discovers that any materials on the audit sheet are unaccounted for, the undertaker must inform the MMO within 6 hours of the discovery. The notification must include a description of the materials unaccounted for and, where known, provide the co-ordinates where they may be located. Where the MMO thinks it is appropriate to do so, the MMO may require the undertaker to carry out a side-scan survey to plot all the potential obstructions within the relevant

---

(1) [S.I. 2002/1355](#), amended by [S.I. 2011/982](#).

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

area of the offshore Order limits (and this area may be extended at the reasonable discretion of the MMO). Where practicable, the undertaker must remove any obstruction that the MMO believes to be associated with the licensed marine activities at the undertaker's expense.

(10) As an alternative to the completion of an audit sheet, with written approval from the MMO, the undertaker may introduce a dropped object procedure. If a dropped object procedure is introduced, any dropped objects must be reported to the MMO using the dropped object procedure form within 6 hours of the undertaker becoming aware of an incident. On receipt of the dropped object procedure form, the MMO may require relevant surveys to be carried out by the undertaker (such as side-scan sonar) and may require obstructions to be removed from the seabed at the undertaker's expense.

(11) The undertaker must agree with the MMO, before commencement of works, whether the dropped object procedure or audit sheet is to be used.

(12) The undertaker must 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.

(13) If any rock material used in the construction of the authorised scheme is misplaced or lost seaward of MHWS, the undertaker must report the loss to the MMO, Trinity House, the MCA and the UKHO as soon as possible and in any event within 6 hours and, if the MMO reasonably considers such material to constitute a navigation or environmental hazard (dependent on the size and nature of the material), the undertaker must endeavour to locate the material and recover it.