

Application by Able Humber Ports Ltd for Able Marine Energy Park Material Change 2

The Examining Body's written questions and requests for information (ExQ2)

Issued on Thursday 13 January 2022

Please find below answers to the Examining Body's written questions from the Environment Agency (EA) [ref no. ABMC2-R19029].

Ref No.	Question	EA response
6	Water Framework Directive (WFD)	
Q6.0.1	Regarding the EA's response to ExQ1: 6.0.7, is the EA satisfied with the Applicant's response to ExQ1: 13.0.3 with respect to cumulative assessment, in particular, but not exclusively, the cumulative effects of the Proposed Changes in conjunction with AMEP? (The Applicant points to the residual effects of AMEP as having been assessed in the original ES and therefore included in the UES baseline, summarises them by topic chapter, and sets out statements about the continued reliability of the ES assessment).	The EA is now satisfied that the revised WFD assessment (HR Wallingford Ref: DER6453-RT004-R06-00, dated January 2022 [to be submitted by the Applicant in connection with its answer to Q6.0.3]) has addressed the issues raised in terms of the inadequacy of its previous cumulative assessment.
Q6.0.2	The Applicant has now submitted a Dredge disposal benthic invertebrate monitoring scheme [REP1-025]. How would this be secured? Would the EA like to comment on the scheme?	Thank you for inviting the EA to comment on this scheme. The Applicant provided the EA with a copy of this scheme in November 2021 (Thomson Environmental Consultants Project no. NABL115/002, Revision no. 002, dated 29/9/21) pursuant to Objective M6 of the Marine Environmental Management and Monitoring Plan (MEMMP). Having

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		<p>undertaken a review of the scheme at that time, we confirmed it was satisfactory. However, the MC2 application proposes to change the dredging strategy and obtain authority to dispose of non-erodible material at HU081 (as well as the currently authorised disposal at HU082). Accordingly, the previously agreed benthic scheme will need to be amended to include the proposed disposal at HU081 and consider if the current monitoring proposal remains appropriate.</p>
Q6.0.4	<p>Is the EA satisfied with the SediChem details submitted by the Applicant [REP1-021] and the discussion set out at page 28 in the revised WFD [REP1-004]?</p>	<p>Details of the SeDiChem tool have been provided. The updated WFD report (HR Wallingford Ref: DER6453-RT004-R06-00, dated January 2022 [to be submitted by the Applicant in connection with its answer to Q6.0.3]) has provided a more viable explanation of the EQS exceedances of Benzo(a)Pyrene and Fluoranthene (explaining there being no headroom between measured values and annual average EQS, i.e. values are exceeding EQS values in the data analysed for these PAHs). The EA is now in agreement with the discussions, explanations, and conclusions of this WFD assessment.</p>