Rec'd 9/1/19

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

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Mr Patrick O'Neill
Department of Housing, Planning
and Local Government
Foreshore Unit
Newtown Road
Wexford

4 January 2019 Reg No S0031-01

Re: Notice of a decision on a dumping at sea permit application in accordance with the Dumping at Sea Act 1996 as amended

Dear Mr O'Neill

In accordance with the Dumping at Sea Act 1996 as amended, the Agency hereby notifies you of its decision to grant a dumping at sea permit subject to conditions to Malahide Marina Village Limited in respect of Malahide Marina.

Please find accompanying a copy of the Agency's decision.

All documentation relating to the application is available to view on the Agency's website at www.epa.ie, including information on public participation and judicial review processes.

Please use the register number of the Dumping at Sea Permit, S0031-01, in any future communication in respect of same. Please address correspondence to the *Office of Environmental Enforcement, Environmental Protection Agency, PO 3000, Johnstown Castle Estate, Co. Wexford.*

Please note that there is no requirement for you to acknowledge receipt of this letter.

Yours faithfully

Eve O'Sullivan
Programme Officer
Office of Environmental Sustainability

Encl

Rec'd 9/1/19

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

Headquarters
P.O. Box 3000
Johnstown Castle Estate
County Wexford
Ireland

DUMPING AT SEA PERMIT

Permit Register Number:	S0031-01
Permit Holder:	Malahide Marina Village Limited Malahide Marina Centre Malahide County Dublin
Location of Dumping:	Malahide Marina

Environmental Protection Agency
An Ghníomhaireacht um Chaomhnú Comhshaoil

HEADQUARTERS
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DUMPING AT SEA ACT 1996 AS AMENDED

DUMPING AT SEA PERMIT

Decision of the Agency, under Section 5(1) of the
Dumping at Sea Act 1996 as amended

Reference Number: S0031-01

The Agency in exercise of the powers conferred on it by the Dumping at Sea Act 1996 as amended, for the reasons hereinafter set out, hereby grants this dumping at sea permit to Malahide Marina Village Limited, subject to conditions, as set out in the schedule attached hereto.

The permit authorises the loading and dumping at sea of dredged material from Malahide Marina, subject to conditions.

A copy of the Decision is attached.

Loading and dumping at sea of a substance or material, in accordance with the Dumping at Sea Act 1996 as amended

GIVEN under the Seal of the Agency this 4th day of January 2019.

PRESENT when the seal of the Agency was affixed hereto:

Dr Karen Creed, Authorised Person

INTRODUCTION

This introduction is not part of the permit and does not purport to be a legal interpretation of the permit.

This dumping at sea activity relates to the proposed disposal of 99,000 tonnes of dredged material at Malahide Marina by Malahide Marina Village Limited over a period of 7 years. Maintenance dredging to restore bed levels to -1 metre Chart Datum (CD) is required for the ongoing viability of the marina. Material will be dumped, by means of water injection dredging, in an area of approximately 4.3 hectares adjacent to the sea wall in Malahide Marina, extending to a distance of approximately 180 metres into Malahide Estuary.

The permit sets out in detail the conditions under which Malahide Marina Village Limited will carry out dumping at sea.

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Glossary of Terms

All terms in this permit should be interpreted in accordance with the definitions in the Dumping at Sea Act 1996 as amended, unless otherwise defined in the section.

AER	Annual Environmental Report.
Agreement	Agreement in writing.
Annually	All or part of a period of twelve consecutive months.
Application	The application by the permit holder for this permit.
Attachment	Any reference to Attachments in this permit refers to attachments submitted as part of this permit application.
Biannually	At approximately six – monthly intervals.
Biennially	Once every two years.
Campaign	A planned period of sustained loading and/or dumping activity.
CEN	Comité Européen De Normalisation – European Committee for Standardisation.
Chart	Any reference to a chart or chart number means a chart or chart number contained in the application, unless otherwise specified in this permit.
Closed period	Period of time when loading and/or dumping at sea is prohibited in order to protect designated species or sites.
Competent laboratory	A testing facility meeting the general management and technical requirements of EN ISO/IEC-17025 standard, or other equivalent standards accepted at international level and utilising methods of analysis, including laboratory, field, and on-line methods, which are validated and documented in accordance with the above standard(s) for the specific tests.
Day	Any 24 hour period.
Daytime	0700 hrs to 1900 hrs.
DBT	Dibutyltin
Documentation	Any report, record, results, data, drawing, proposal, interpretation or other document in written or electronic form which is required by this permit.
Dumping	(a) any deliberate disposal in the maritime area (including side-cast dredging, plough dredging, water injection dredging and other such dredging techniques) of a substance or material from or in conjunction with a vessel or aircraft or offshore installation, (b) any deliberate disposal in the maritime area of vessels, aircraft or offshore installations.
Drawing	Any reference to a drawing or drawing number means a drawing or drawing number contained in the application, unless otherwise specified in this permit.

Ebbing tide	The period between high tide and low tide during which water flows away from the shore.
Evening Time	1900 hrs to 2300 hrs.
Exclusive economic zone	The outer limit of the exclusive economic zone is the line every point of which lies at a distance of 200 nautical miles from the nearest point of the baseline.
Fortnightly	A minimum of 24 times per year, at approximately two week intervals.
HCB	Hexachlorobenzene.
HCH	Hexachlorocyclohexane.
Incident	The following shall constitute as an incident for the purposes of this permit: (i) an emergency; (ii) any loading or dumping at sea activity which does not comply with the requirements of this permit; (iii) any indication that pollution has, or may have, taken place.
Inland waters	All sea areas which lie on the landward side of the baseline of the territorial seas.
Maintain	Keep in a fit state, including such regular inspection, servicing, calibration and repair as may be necessary to perform its function adequately.
Map	Any reference to a map or map number means a map or map number contained in the application, unless otherwise specified in this permit.
Master	The person having the command or charge of the vessel.
Monthly	A minimum of 12 times per year, at intervals of approximately one month.
Monitored Zone	Area which must be monitored for marine mammals by a Marine Mammal Observer.
Night-time	2300 hrs to 0700 hrs.
OSPAR	Convention for the Protection of the Marine Environment of the North-East Atlantic
PAH	Polycyclic aromatic hydrocarbons.
PCB	Polychlorinated biphenyls.
Permit Holder	Malahide Marina Village Limited, Malahide Marina Centre, Malahide, County Dublin.
Pollution	The introduction by man, directly or indirectly, of substances or energy into the maritime area which results, or is likely to result, in hazards to human health, harm to living resources and marine ecosystems, damage to amenities or interference with other legitimate uses of the sea.
Position	Latitude and longitude coordinates in degrees and decimal minutes, based on the WGS 84 datum.

Quarterly	All or part of a period of three consecutive months beginning on the first day of January, April, July or October.
SAC	Special Area of Conservation designated under the *Habitats Directive,* Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora.
Sample(s)	Unless the context of this permit indicates to the contrary, the term sample(s) shall include measurements taken by electronic instruments.
Solid Waste	Any persistent, manufactured or processed solid material or items discarded, disposed of or abandoned in the marine and coastal environment, as defined in the OSPAR Guidelines for the Management of Dredged Material at Sea.
SOP	Standard operating procedure.
SPA	Special Protection Area designated under the *Birds Directive*, Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds.
Standard Method	A National, European or internationally recognised procedure (e.g., I.S. EN, ISO, CEN, BS or equivalent); or an in-house documented procedure based on the above references; a procedure as detailed in the current edition of "Standard Methods for the Examination of Water and Wastewater" (prepared and published jointly by A.P.H.A., A.W.W.A. & W.E.F.), American Public Health Association, 1015 Fifteenth Street, N.W., Washington DC 20005, USA; or an alternative method as may be agreed by the Agency.
TBT	Tributyltin.
The Agency	Environmental Protection Agency.
The Maritime Area	Comprises (i) the inland waters and territorial seas of the State, and the seabed and subsoil beneath them, (ii) any area for the time being standing designated by order under Section 2 of the Continental Shelf Act 1968 for the purposes of that Act, and the waters above it, and (iii) the exclusive economic zone of the State.
Triennially	Once every three years.

Decision & Reasons for the Decision

The Environmental Protection Agency is satisfied, on the basis of the information available, that subject to compliance with the conditions of this permit, the dumping activities will comply with and will not contravene any of the requirements of Section 5 of the Dumping at Sea Act 1996 as amended

The Agency also considers that the activity will not adversely affect the integrity of any European Site, and has decided to impose conditions for the purposes of ensuring they do not do so. It has determined that the activity, if managed, operated and controlled in accordance with the permit, will not have any adverse effect on the integrity of any of those sites.

The Agency has accordingly decided to grant a permit to Malahide Marina Village Limited to carry on the activity listed in *Part I Schedule of Activities Permitted*, subject to the conditions set out in *Part III Conditions*.

In reaching this decision the Agency has considered the documentation relating to: the application, Register Number: S0031-01 and the supporting documentation received from the applicant; the comments and observations received; the Inspector's Report dated 12 December 2018, and has carried out an Appropriate Assessment of the likely significant effects of the permitted activity on European Sites.

A screening for Appropriate Assessment was undertaken to assess, in view of best scientific knowledge and the conservation objectives of the site, if the activity, individually or in combination with other plans or projects is likely to have a significant effect on any European Site. In this context, particular attention was paid to the European Sites at Malahide Estuary Special Area of Conservation (SAC), Site Code: 000205 and Malahide Estuary Special Protection Area (SPA), Site Code: 004025.

The activity is not directly connected with or necessary to the management of any European Site and the Agency considered, for the reasons set out below, that it cannot be excluded, on the basis of objective information, that the activity, individually or in combination with other plans or projects, will have a significant effect on any European Site and accordingly determined that an Appropriate Assessment of the activity was required.

This determination is based on the unconfined nature of the proposed activity and the potential for the spread of the invasive alien species *Didemnum vexillum* which occurs in the marina, located adjacent to Malahide Estuary SAC and Malahide Estuary SPA, which could have potential negative ecological impacts on the European Sites and their qualifying interests. It is noted that a Natura Impact Statement, dated 14 March 2018, was submitted as part of the permit application.

The Agency has completed the Appropriate Assessment of potential impacts on these sites and has made certain, based on best scientific knowledge in the field and in accordance with the European Communities (Birds and Natural Habitats) Regulations 2011 as amended, pursuant to Article 6(3) of the Habitats Directive, that the activity, individually or in combination with other plans or projects, will not adversely affect the integrity of any European Site, in particular Malahide Estuary Special Area of Conservation (SAC) and Malahide Estuary Special Protection Area (SPA), having regard to their conservation objectives and will not affect the preservation of these sites at favourable conservation status if carried out in accordance with this permit and the conditions attached hereto for the following reasons:

- The Sediment Transportation – Prediction Impact Study submitted in support of the application predicts that the material will tend to deposit under gravity in the deepest section of the navigation channel - the 'Short deeps' area – where it will settle until the natural scouring action at this location eventually disperses the material at normal background levels of siltation for the estuary.
- The mobilisation and dispersal of silt material via water injection dredging, giving rise to temporary increases in turbidity levels, is not likely to impact on habitats in this dynamic environment, where intertidal communities are tolerant of such turbidity changes.
- Dumping shall be undertaken only during the winter months December and January in accordance with Condition 3.4 and *Schedule A.3 Closed Period*, of this permit, primarily to

avoid the spread of the marine invasive alien species, *Didemnum vexillum*.

- Dumping shall be carried out on ebbing tides only (Condition 3.5).
- The dumping activity is not expected to result in any significant impairment of water quality which could impact on the food resources of waterfowl. Any water quality effects will be localised and temporary.
- Noise levels associated with water injection dredging (at deck level <81dB) will not raise noise levels in the marina above those currently arising due to recreational boat traffic and urban activities, to which birds utilising the area are habituated.
- Given the scale and short term nature of the activity, no significant cumulative or in-combination effects are envisaged.

The Agency is satisfied that no reasonable scientific doubt remains as to the absence of adverse effects on the integrity of those European Sites Malahide Estuary Special Area of Conservation (SAC) and Malahide Estuary Special Protection Area (SPA).

Part I Schedule of Activities Permitted

In pursuance of the powers conferred on it by the Dumping at Sea Act 1996 as amended, the Environmental Protection Agency (the Agency), under Section 5 of the said Act, grants this Dumping at Sea Permit to Malahide Marina Village Limited, Malahide Marina Centre, Malahide, County Dublin. The permit authorises the dumping at sea activity, subject to conditions listed in Part III, with the reasons therefor and the associated schedules attached thereto.

Part II Schedule of Activities Refused

None of the proposed activities as set out in the licence application have been refused.

Part III Conditions

Condition 1. Scope

1.1 Statutory Obligations

This permit is for the purposes of dumping at sea under the Dumping at Sea Act 1996 as amended, only and nothing in this permit shall be construed as negating the permit holder's statutory obligations or requirements under any other enactments or regulations.

1.2 The material or substance to which this permit relates shall be dredged material from that part of the maritime area specified in *Schedule A: Limitations,* of this permit.

1.3 For the purposes of this permit, the location of the dumping site authorised by this permit is in that part of the maritime area outlined in a dashed red line on Drawing No.: PH17027_D01 *Admiralty Chart Outlining Dredge Area Attachment E.2 (II)* of the application or that part of the maritime area bounded by the coordinates specified in *Schedule A: Limitations,* of this permit. Any reference in this permit to "dumping site" shall mean the areas thus outlined. The permitted dumping activity shall be carried on only within the area outlined.

1.4 The permit holder shall carry on the permitted activity in accordance with the limitations set out in *Schedule A: Limitations*, of this permit.

1.5 Dumping at sea shall be controlled and operated as set out in the permit. All programmes required to be carried out under the terms of this permit become part of this permit.

1.6 No change to the dumping activities authorised by this permit shall be carried out or commenced without the prior written agreement of the Agency.

Reason: ***To clarify the scope of this permit.***

Condition 2. Management of the Dumping at Sea Activities

2.1 The permit holder shall ensure that all or any of the following:

- litter
- man-made debris
- odour

associated with, or arising from, the permitted activities do not result in an impairment of, or an interference with, amenities or the environment.

2.2 The permit holder shall ensure that personnel performing specifically assigned tasks shall be qualified on the basis of appropriate education, training and experience as required and shall be aware of the requirements of this permit.

2.3 The permit holder shall ensure that a nominated, suitably qualified and experienced person is present at all times when activities covered by this permit are ongoing.

2.4 The permit holder shall notify the Agency at least fourteen calendar days prior to the commencement of the dumping activities, by webform or by such other means as may be specified by the Agency, unless otherwise agreed by the Agency.

2.5 Documentation

The permit holder shall issue a copy of this permit to all relevant personnel whose duties relate to any condition of this permit and provide the information, instruction, training and supervision necessary to ensure compliance with the conditions of this permit.

2.6 Corrective Action

The permit holder shall initiate an investigation and corrective action in the event of a reported non-conformity with this permit to the satisfaction of the Agency.

2.7 Communications Programme

2.7.1 The permit holder shall, within two weeks of the date of grant of this permit, establish, maintain and implement a Public Awareness and Communications Programme to ensure members of the public can obtain information at reasonable times, concerning the environmental performance of the permitted activity.

2.7.2 As part of the Communications Programme, the permit holder shall give advance notice to interested parties, including Coastwatch, of the date of commencement, and planned timeframe, of each dumping campaign.

2.8 Marine Litter

2.8.1 All reasonable and practicable efforts should be made to remove any solid waste collected during the dumping activity and returned to land.

2.8.2 All reasonable and practicable efforts should be made to remove floating material collected during the dumping activity and returned to land.

2.8.3 Disposal or recovery of solid waste shall only take place in accordance with the conditions of this permit and in accordance with the appropriate National and European legislation and protocols.

2.8.4 Solid waste sent for disposal or recovery shall be transported only by an authorised waste contractor. The solid waste shall be transported from the site of the activity to the site of the recovery/disposal only in a manner that will not adversely affect the environment and in accordance with the appropriate National and European legislation and protocols.

Reason:	***To make provision for management of the dumping at sea activities on a planned basis having regard to the desirability of ongoing assessment, recording and reporting of matters affecting the marine environment.***

Condition 3. Dumping at Sea Activities

3.1 All dumping activities shall be completed by 31 January 2025.

3.2 No material shall be dumped at sea which has been categorised as unsuitable for disposal.

3.3 Dumping shall be effected by water injection dredging.

3.4 Dumping shall be prohibited during the Closed Period specified in *Schedule A.3 Closed Permit*, of this permit.

3.5 Dumping shall be carried out on ebbing tides only.

3.6 The permit holder shall liaise with the Fingal County Council prior to the commencement of and during the dumping activity.

3.7 Information relating to the activity shall be automatically recorded during each dumping voyage and shall as a minimum contain details of the following:

(i) The name of the vessel;

(ii) The source of the substance or material;

(iii) The date, time, location and position at which the voyage for the purposes of dumping began;

(iv) The date, time and position at which dumping began;

(v) The date, time and position at which dumping ended;

(vi) The quantity, stated in metric tonnes, of the substance or material dumped;

(vii) The date, time and position at which the vessel completed the voyage for the purpose of dumping; and

(viii) Logged vessel track record data.

3.8 Prior to the commencement of the permitted activity, the permit holder shall consult with the Marine Survey Office of the Department of Transport, Tourism and Sport to ensure that all vessels used in connection with the dumping activity specified in this permit meet the requirements of the Marine Survey Office, including that they are licensed as a passenger boat. The permit holder shall ensure that the vessels used in connection with this permit are fully certified for the entire period of dumping activity specified in this permit.

3.9 The permit holder shall permit authorised officers and marine mammal observers to be on board the vessel. They shall permit and facilitate the carrying out by the authorised officer of his functions under the Dumping at Sea Act 1996 as amended, and shall comply with the provisions of those Act in relation to the authorised officer and those functions.

Reason: ***To provide for appropriate controls on dumping at sea activities to ensure the protection of the marine environment.***

Condition 4. Control and Monitoring

4.1 The permit holder shall carry out such sampling, analyses, measurements, examinations, maintenance and calibrations as set out below and in accordance with *Schedule C: Monitoring,* of this permit.

4.1.1 Analyses and measurements shall be undertaken by competent staff in accordance with documented operating procedures.

4.1.2 Such procedures shall be assessed for their suitability for the test matrix and performance characteristics shall be determined.

4.1.3 Such procedures shall be subject to a programme of Analytical Quality Control using control standards with evaluation of test responses.

4.1.4 Analysis for compliance purposes, including any sub-contracted analysis, shall be done by a competent laboratory.

4.2 The permit holder shall ensure that:

(i) sampling and analysis for all parameters listed in the schedules to this permit; and

(ii) any reference measurements for the calibration of automated measurement systems;

shall be carried out by an appropriate Standard Method.

4.3 The frequency, methods and scope of monitoring, sampling and analyses, as set out in this permit, may be amended with the agreement of the Agency following evaluation of test results.

4.4 Bathymetry

The permit holder shall carry out pre-dredge and post-dredge bathymetric surveys of the Water Injection Dredging Area in accordance with *Schedule C.1 Monitoring at Water Injection Dredging Area,* of this permit.

4.5 Sediment Dispersion Tracking

4.5.1 Using the results of latest bathymetric surveys available, the permit holder shall undertake a sediment/particle tracking study or sediment dispersion modelling exercise to validate the Sediment Transportation – Prediction Impact Study (2006) submitted as Attachment B.2 (Appendix B) of the application.

4.5.2 A report on this tracking study/modelling exercise shall be submitted to the Agency by 31 October 2019.

4.5.3 Following submission of the report of the tracking study/modelling exercise specified in Condition 4.5.2, water injection dredging may not proceed without the agreement of the Agency.

4.6 Sediment chemistry and grain size analysis

4.6.1 The permit holder shall carry out chemical and granulometric analysis of sediments within the Dumping Site in 2020 and 2023 in accordance with *Schedule C.2 Sediment Monitoring*, of this permit. A report on this analysis shall be submitted to the Agency within 1 month of completion of the analysis.

4.6.2 The permit holder shall ensure that the sediment analysing laboratory meets the quality assurance standards required, as per the Sampling and Analysis Plan agreed with the Marine Institute, dated 2 February 2017.

4.6.3 Following submission of the results of the monitoring specified in Condition 4.6.1, water injection dredging may not proceed without the agreement of the Agency.

4.7 Archaeology

The permit holder shall cease all dumping activities, and shall immediately notify the Underwater Archaeology Unit, National Monuments Service, Department of Culture, Heritage and the Gaeltacht, if any material of archaeological potential is encountered during the course of the permitted activities.

4.8 Marine Mammals

4.8.1 The permit holder shall appoint a Marine Mammal Observer who shall meet the monitoring and reporting requirements of the National Parks and Wildlife Service. Full reporting on Marine Mammal Observer operations and mitigation undertaken should be made to the Agency and offshore@chg.gov.ie within 1 month of completion of each campaign.

4.8.2 The permit holder shall implement the risk control and mitigation measures for marine mammals as specified in the application, including implementing a monitored zone of 200 metres from the dredging vessel for pre-start mitigation during dumping activities, unless otherwise agreed by the Agency.

4.8.3 The implementation of the risk control and mitigation measures for marine mammals shall be to the satisfaction of the Agency.

4.9 Invasive Alien Species

The permit holder shall implement a monitoring programme for the marine invasive alien species, Carpet Sea-squirt *Didemnum vexillum,* within Malahide Marina and the surrounding estuary. The monitoring programme shall include specific monitoring of the Blue Mussel *Mytilus edulis* community. The monitoring programme shall also include:

(i) ongoing monitoring for the invasive species for the duration of the permitted activity, and

(ii) provision for monitoring one year following the final dredging activity.

A report on the monitoring programme shall be submitted to the Agency as part of the AER.

4.10 Where relevant ambient monitoring results are available from any other statutory body, including the Agency, the permit holder may submit those results to contribute to the fulfilment of the requirements of *Schedule C: Monitoring*, of this permit.

Reason: ***To provide for the protection of the marine environment by way of monitoring of the impacts associated with the dumping at sea activities.***

Condition 5. Incident Prevention and Emergency Response

5.1 Incidents

In the event of an incident the permit holder shall immediately:

(i) identify the date, time and place of the incident;

(ii) as soon as practicable notify the Agency, in a format prescribed, and other relevant authorities;

(iii) carry out an investigation to identify the nature, source and cause of the incident and any impact arising therefrom;

(iv) isolate the source of any such impact;

(v) evaluate the pollution, if any, caused by the incident; and

(vi) identify and execute measures to minimise the impact and the effects thereof.

5.2 The permit holder shall provide a report of the investigation into the incident to the Agency for its agreement within one month of the incident occurring or as otherwise agreed by the Agency. The report shall include a proposal to:

(i) identify and put in place measures to avoid recurrence of the incident; and
(ii) identify and put in place any other appropriate remedial actions.

5.3 The permit holder shall, in advance of the commencement of the activities, ensure that a documented Accident Prevention Procedure is in place that addresses hazards, particularly in relation to the prevention of accidents with a possible impact on the environment.

5.4 The permit holder shall, in advance of the commencement of the activities, ensure that a document Emergency Response Procedure is in place that addresses any emergency situation which may arise. This procedure shall include provision for minimising the effects of any emergency on the environment.

Reason: ***To provide for the protection of the marine environment.***

Condition 6. Notification, Records and Reports

6.1 The permit holder shall notify the Agency by webform or by any other means as may be specified by the Agency as soon as practicable after the occurrence of any incident. The permit holder shall include as part of the notification, the date and time of the incident, summary details of the occurrence, and where available, the steps taken to minimise any impacts.

6.2 In the case of any incident relating to any impact on water, the permit holder shall notify the Marine Institute, Sea Fisheries Protection Authority, Inland Fisheries Ireland, Bord Iascaigh Mhara and any other relevant authorities as soon as practicable after such an incident.

6.3 In the case of any incident relating to archaeology, marine mammals or migratory fish, the permit holder shall notify the National Parks and Wildlife Service, Marine Institute, Sea Fisheries Protection Authority and Inland Fisheries Ireland and any other relevant authorities as soon as practicable after such an incident.

6.4 The permit holder shall make a record of any incident. This record shall include details of the nature, extent, and impact of, and circumstances giving rise to, the incident. The record shall include all corrective actions taken to manage the incident, and the effect on the marine environment, and avoid recurrence. The permit holder shall, as soon as practicable following incident notification, submit to the Agency the incident record.

6.5 The permit holder shall record all complaints related to the dumping activities. Each such record shall give details of the date and time of the complaint, the name of the complainant (if

provided), and give details of the nature of the complaint. A record shall be kept of the response made and any corrective action undertaken in the case of each complaint. This record shall be made available to the Agency upon request.

6.6 The permit holder shall as a minimum keep the following documents together and available for inspection by the Agency:

6.6.1 the permit relating to the dumping activity;

6.6.2 the previous years' AERs for the dumping activity;

6.6.3 records of all sampling, analyses, measurements, examinations, calibrations and maintenance carried out in accordance with the requirements of this permit and any previous permits dating back at least three years;

6.6.4 all correspondence with the Agency;

6.6.5 complaints register;

6.6.6 up to date drawings/plans showing the location of the dumping site authorised by this permit;

6.6.7 marine positional log; and

6.6.8 any elements of the permit application and associated documentation referenced in this permit.

This documentation shall be available to the Agency for inspection at all reasonable times and shall be submitted to the Agency, as required, in such a format as may be requested, including electronic submittal of the information or a summary of such information.

6.7 The permit holder shall submit electronically to the Agency, by 31 March of each year, an AER covering the previous calendar year. This report shall include as a minimum the information specified *in Schedule D: Annual Environmental Report*, of this permit, and shall be prepared in accordance with any relevant guidelines issued by the Agency or as otherwise prescribed by the Agency.

6.8 A full record, which shall be open to inspection by authorised officer of the Agency at all times, shall be kept by the permit holder on matters relating to each load of the substance or material intended to be dumped. This record shall be maintained continually and shall as a minimum contain those details specified in Condition 3.7 of this permit. This information shall be submitted as required by and as may be prescribed by the Agency as part of the Annual Environmental Report and immediately on request by an authorised officer.

6.9 All reports shall be certified accurate and representative by the permit holder, manager or a nominated, suitably qualified and experienced deputy.

6.10 The permit holder shall notify the Agency in writing upon completion of the dumping activity to which this permit relates.

6.11 The permit holder shall submit the reports, proposals and submissions required by this permit by the deadlines specified. The permit holder shall not be in compliance with the requirements of this Condition unless it has submitted every report, proposal and submission, the deadline for which has passed.

6.12 The permit holder shall carry out every action required by the Agency, and arising out of such reports, proposals or submission, by such deadline as the Agency may specify. The permit holder shall not be in compliance with the requirements of this Condition unless and until it has carried out every such action.

Reason:	***To provide for the collection and reporting of adequate information on the dumping at sea activity.***

Condition 7. Financial Charges

7.1 Agency Charges

7.1.1 The permit holder shall pay to the Agency a contribution or such sum, as the Agency from time to time determines having regard to variations in the extent of reporting, auditing, inspections, sampling and analysis or other functions carried out by the Agency, towards the cost of monitoring the activities as the Agency considers necessary for the performance of its functions under the Dumping at Sea Act 1996 as amended.

7.1.2 The cost of any other tests, sampling, analysis and monitoring which the Agency may require in relation to the loading and/or dumping of the substance or material the subject of this permit shall be borne by the permit holder. Furthermore, the cost of any tests, sampling, analysis and monitoring surveys carried out by an authorised officer or by or on behalf of the Agency in relation to the sampling of a substance or material the subject of this permit shall also be borne by the holder of the permit.

7.2 The Permit Holder shall indemnify the Agency and its authorised officers against all cost occurred by him as a result of a breach of any of the conditions of this permit.

Reason: ***To provide for adequate financing for monitoring to protect the marine environment.***

SCHEDULE A: Limitations

A.1 Quantity of Dredged Material to be Dumped at Sea

	Maximum daily rate of disposal (tonnes, wet weight per day)	Maximum quantity to be dumped per campaign (tonnes, wet weight)		Total maximum quantity (tonnes, wet weight)
Dredged material	1,100	Campaign 1	33,000	99,000
		Campaign 2	33,000	
		Campaign 3	33,000	

A.2 Location of Dumping Site

Water Injection Dredging Area:

	Latitude	Longitude
(a)	53°27.369001	6°9.222783
(b)	53°27.363204	6°9.092022
(c)	53°27.257002	6°9.059591
(d)	53°27.252584	6°9.087792
(e)	53°27.193253	6°9.121991
(f)	53°27.192153	6°9.155467
(g)	53°27.236434	6°9.194202
(h)	53°27.264254	6°9.214679
(i)	53°27.279995	6°9.221224
(j)	53°27.281843	6°9.201266
(k)	53°27.301328	6°9.205842
(l)	53°27.299480	6°9.225799
(m)	53°27.309761	6°9.228064
(n)	53°27.337799	6°9.227751

A.3 Closed Period

From	To	Applicable Areas	Reason for Closed Period
1st February	30th November	Water Injection Dredging Area	Primarily to avoid the spread of the marine invasive alien species, *Didemnum vexillum.*

SCHEDULE B: Emission Limits

There shall be no noise emissions of environmental significance.

SCHEDULE C: Monitoring

C.1 Monitoring at Water Injection Dredging Area [Note 1]

Parameters	Monitoring Frequency/Time	Monitoring Locations	Analysis Method/Technique
Bathymetry & concurrent tide observations	• Within one week prior to commencement of each campaign. • Within one week following completion of each campaign.	Extent of Water Injection Dredging Area	High resolution bathymetric survey and concurrent tidal height measurements.

Note 1: The frequency, methods and scope of monitoring, sampling and analyses may be amended in accordance with Condition 4.3.

C.2 Sediment Monitoring

Parameters	Monitoring Frequency/Time	Monitoring Locations	Analysis Method/Technique
Visual inspection (to include colour, texture, odour, presence of animals etc.)	2020 2023	Dumping Site	Grab sampling of surface sediments and analysis by Standard Method [Note 2]
Water content & sediment density	2020 2023	Dumping Site	
Sediment grain size: [Note 1] % gravel (> 2mm fraction) % sand (< 2mm fraction) % mud/silt (< 63µm fraction)	2020 2023	Dumping Site	
Total organic carbon;	2020	Dumping Site	

Carbonate; Mercury; Arsenic; Cadmium; Copper; Lead; Zinc; Chromium; Nickel; Lithium; Aluminium; TBT; DBT; HCB; γ-HCH (Lindane); Total extractable hydrocarbons; Individual congeners of PCB 28, 52, 101, 118, 138, 153, 180; Naphthalene, Acenaphthylene, Acenaphthene, Fluorene, Phenanthrene, Anthracene, Fluoranthene, Pyrene, Benzo(a)anthracene, Chrysene, Benzo(b)fluoranthene, Benzo(k)fluoranthene, Benzo(a)pyrene, Dibenzo(ah)anthracene, Benzo(ghi)perylene, Indeno(123-cd)pyrene, pp DDT, pp DDD, pp DDE.	2023		
Radionuclides	To be agreed by the Agency	Dumping Site	Grab sampling of surface sediments and analysis by gamma spectrometry

Note 1: Monitoring of granulometry shall include but not be limited to the following fractions: >2 mm, <2 mm, >63 µm and <63 µm.

Note 2: Sampling and analyses shall be conducted in accordance with the analytical and quality requirements set out in: M. Cronin et al. 2006. Guidelines for the Assessment of Dredge Material for Disposal in Irish Waters. Marine Environment & Health Series, No. 24. Marine Institute.

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C.3 Marine Mammal Monitoring

Parameters	Monitoring Frequency/Time	Monitoring Locations	Analysis Method/Technique
Marine mammals	Duration of the dumping activities	Dumping Site	Monitoring to be undertaken by an independent Marine Mammal Observer with relevant experience.

SCHEDULE D: Annual Environmental Report

Annual Environmental Report Content [Note 1]
Register/log of dumping activities.
OSPAR dumping report.
Reported incidents summary.
Complaints summary.
Monitoring Summary.
Marine Mammal Monitoring Report.
Didemnum vexillum Monitoring Report.
Accident Prevention Procedure.
Emergency Response Procedure.
Any other items specified by the Agency.

Note 1: Content may be revised subject to the agreement of the Agency.

Sealed by the seal of the Agency on this the 4th day of January 2019.

PRESENT when the seal of the Agency
Was affixed hereto:

Dr Karen Creed, Authorised Person