



Llywodraeth Cymru
Welsh Government

Management of Marine Disposal Sites

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Cover Image: Harbourmaster, Aberaeron, Ceredigion

Purpose

This document sets out the roles and responsibilities of those involved in the management of marine disposal sites in Welsh waters, designated to receive marine sediment dredged from the seabed.

Marine Disposal Sites

The disposal of marine sediment into designated disposal sites at sea has been regulated in the UK since the early 1960's. Generally, the use of a marine disposal site requires a marine licence under Part 4 of the Marine and Coastal Access Act 2009 (MCAA).

Alongside the regulatory process under MCAA, the UK is a contracting party to the [OSPAR Convention for the Protection of the Marine Environment of the North-East Atlantic 1992](#) (OSPAR) and [London Protocol](#).

These international obligations are concerned with the management of the marine environment and are a consideration in marine licence decisions, specifying the types of waste permitted to be deposited at sea and guiding the sustainable management of dredge and disposal operations.

The [Welsh National Marine Plan](#) (WNMP) considers dredge and disposal operations to be an essential activity for the ports and shipping sector, helping to ensure the safe passage of vessels to and from ports, harbours and marinas. Dredge and disposal activities are recognised as ongoing operations, with demand for disposal sites expected to increase in response to future sustainable marine developments.

There are a number of areas in Welsh waters designated for the purpose of receiving dredged marine sediment. The number of sites varies year on year and mostly reflects marine sediment from maintenance and capital dredge activities undertaken by ports and marinas. A disposal site is generally classified as 'open' if a site is currently available for use, 'disused' refers to a site that has not been used for a period of five years, while a site is considered 'closed' following an inactive 10-year period. Natural Resources Wales (NRW) may also close a site if new evidence suggests the deposit of marine sediment is having an impact on the marine environment, human health or interfering with other legitimate uses of the sea.

Roles and Responsibilities

Welsh Ministers

The Welsh Ministers are the marine licensing authority for Welsh waters, NRW acts on their behalf when determining and issuing marine licences. Ministers are responsible for setting overall policy direction for marine licensing, appeals against a marine licensing decision and enforcement. Recognising the importance of dredge and disposal operations to a wide range of sectors the WNMP includes policies relevant to, and in support of the dredged and disposal sector.

Strategic Review of Disposal Sites

Working in partnership with NRW, the Welsh Government periodically undertakes strategic reviews of all open marine disposal sites. These strategic reviews provide up to date evidence on how sites are functioning, ensuing compliance with [OSPAR requirements](#). Review reports can be found on the [Welsh Government website](#), while 'open' 'closed' and 'disused' disposal sites can be located using the [Marine Planning Portal](#).

Action Levels

Before NRW issues a marine licence for disposal activities, dredged sediment must be tested. Revised OSPAR [Guidelines for Assessment of Dredged Material \(International Maritime Organisation, 2014\)](#) that supplement [Annex 2 of the 1996 Protocol \(London Protocol\) \(IMO, 2003\)](#), are used by the Centre for Environment, Fisheries and Aquaculture Science (Cefas) as Government scientists, to set Action Levels. Action Levels are used to assess marine sediment to determine whether it is safe and suitable to be disposed of back at sea. The Welsh Government works with NRW and Cefas to keep Action Levels under review for dredge and disposal operations in Welsh waters.

Natural Resources Wales

The marine licensing team in NRW assesses the suitability of an application for the disposal of marine sediment in line with the relevant [legislation](#) and international obligations. To inform the assessment of an application to dredge and/or dispose of marine sediment, sampling, analysis and assessment of trace metals, organic compounds and radioactive substance is undertaken in line with [NRW Guidelines](#). Where necessary NRW will seek advice from appropriate technical experts.

NRW ensures sites are managed and monitored, as appropriate, through conditions on a marine licence. Through licence conditions all licence holders are required to submit annual returns to NRW on the type and amount of marine sediment deposited during the year. NRW provides this information to inform a UK report to [OSPAR](#).

Applicant

Identifying disposal sites

Applicants applying for a marine licence are responsible for identifying potential disposal sites in their application which may be either an existing open site or a potential new site. Using the evidence provided by the applicant, which may include independent modelling, NRW will determine whether the disposal site identified is appropriate as part of its assessment of the marine licence application. NRW will advise on modelling requirements on a case-by-case basis in line with [Marine Physical Process and Environmental Impact Assessment \(EIA\) guidance](#). If necessary, assessment will include consultation with technical experts.

If an appropriate disposal site cannot be identified a new disposal site could be characterised and designated. The responsibility for characterising a new disposal site lies with marine licence applicants. The key factors considered when selecting a new proposal for a disposal site are listed in OSPAR 2014 Guidelines. As general good practice, a proposed disposal site should be identified during the marine licence pre-application phase. Reasons a new site may be identified include:

- there are no existing disposal sites that the project can logistically use,
- existing disposal sites cannot take the type of marine sediment that will be dredged; and/or
- capacity at an existing disposal site has been reached.

External Scientific Advisors

Before applying for a marine licence to dispose of dredged marine sediment at sea, applicants must undertake sediment analysis in line with an agreed sediment sampling plan. Applicants must apply to NRW for a sediment sampling plan, which is produced by independent external scientific advisors. The plan will advise applicants on the location, method, number of samples and the types of chemical and physical analysis required to ensure the marine sediment is safe and suitable for disposal back at sea. A list of accredited laboratories, that are suitable to undertake sediment analysis to support marine licence applications can be found on the [NRW website](#).

Applicants are required to submit the results of the marine sediment analysis with their marine licence application. In assessing the application, NRW will consult external scientific advisors, as necessary, who undertake a detailed technical evaluation of the potential impacts of the proposed disposal activity on the marine environment, human health and other legitimate uses of the seas.

The Centre for Environment, Fisheries and Aquaculture Science

In its capacity as scientific advisor to UK Governments, Cefas represents the UK at regional and international conventions for marine dredge and disposal operations including;

- The Convention for the Protection of the Marine Environment of the North-East Atlantic (OSPAR Convention)
- The London Protocol.

As part of its UK role within OSPAR, Cefas leads on reporting disposal returns, co-ordinates updates to guidance and maintains an active list of all open, closed or disused sites in UK waters, allocating a unique reference number for each site.

Dredged Marine Sediment Management Options

Marine sediment is an important component of ecosystem functioning and therefore, ecosystem resilience. In line with OSPAR guidelines, which specify best environmental practice for managing dredged marine sediment, the WNMP and NRW's [Position on the Sustainable Management of Marine and Coastal Sediment](#) support the general preference of retaining sediment in the same sediment regime it was dredged from.

However, having regard to the Waste (England and Wales) Regulations 2011, sediment can also be used to support the economy through use in coastal developments and can be used beneficially to enhance the marine environment. The beneficial use of marine sediment may include, but is not limited to, retaining sediment within the natural sediment system to support sediment-based habitats, shorelines, and infrastructure, as well as habitat restoration, beach nourishment, shoreline stabilisation/protection and engineering uses if suitable.

There are known consenting challenges to using marine sediment for beneficial use projects. These are identified in the handbook [Restoring Estuarine and Coastal Habitats with Dredged Sediment](#). The Welsh Government is committed to working in partnership with stakeholders to address key consenting challenges enabling the beneficial use of marine sediment as a management option to become more technically, socially and economically feasible.