



Environmental Information Regulations

Requirement for Bubble Curtain for explosive
detonations with a Net Explosive Quantity of
>50Kg in water <30msw

For a Link to the FOI/EIR page visit: <http://jncc.defra.gov.uk/default.aspx?page=6077>

For further information about the Joint Nature Conservation Committee visit:

<http://jncc.defra.gov.uk/>

Number of EIR 201903

Request

Can you please confirm or advise if within the UK and in the vicinity of potential encounter of marine mammals etc we will need a Bubble Curtain for all explosive detonations with a Net Explosive Quantity (NEQ) of >50Kg in water <30msw.

Reply

Thank you for your request for information received by JNCC on Monday 14th January 2019, which we have dealt with under the Environmental Information Regulations 2004.

You asked if JNCC could confirm or advise that if within the UK, and in the vicinity of potential encounter of marine mammals, *etc.*, you will need a Bubble Curtain for all explosive detonations with a Net Explosive Quantity (NEQ) of >50Kg in water <30msw.

JNCC provides nature conservation advice to the regulator, e.g. Marine Management Organisation (MMO) who, as the decision maker, then issue the licence and its conditions, such as mitigation measures. All activities are reviewed on a case-by-case basis and marine mammal mitigation plans (MMMP) agreed with the Regulator and Statutory Nature Conservation Bodies (SNCB) prior to activities commencing.

When considering mitigation requirements, we consider a number of factors including the number and size of detonations, the location and proximity to sensitive areas or species, estimated injury ranges to marine mammals and the potential for cumulative impacts with other noisy activities.

To date, two wind farm projects have included bubble curtains in their MMMPs for detonations in waters less than 40m deep and current speeds less than 1.5m/s. You would need to discuss with the regulator whether this applied to all detonations or only those above a certain charge weight (e.g. 50kg).

For all detonations, two MMOs were used for pre-detonation searches. An Acoustic Deterrent Device (ADD) shown to be effective at deterring harbour porpoise from the vicinity of the detonations, and with deterrence effects up to 7.5km, was also used; for large explosive charges/detonations, a soft start approach was employed using three minor charges (50, 100 & 150g). Both of these projects are located in the Southern North Sea Site of Community Interest. It is likely that, if risk of injury can't be sufficiently mitigated by using ADDs/MMOs due to predicted larger injury ranges of large detonations, then SNCB advice to the regulator would be that the activity should only take place if able to obtain a European Protected Species (EPS) licence, to cover risk of an injury offence and/or use of noise mitigation systems.

Please acknowledge receipt of this email (and any attachments). If you require any further detail please do not hesitate to contact us.

If you are unhappy with the service you have received in relation to your request and wish to make a complaint please contact Kirsty Meadows (kirsty.meadows@jncc.gov.uk).

If you are still not satisfied following this, you can make an appeal to the Information Commissioner who is the statutory regulator. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow

Cheshire
SK9 5AF
Telephone: 08456 30 60 60
01625 54 57 45
www.ico.gov.uk

Yours sincerely,

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<http://jncc.defra.gov.uk>



Further Request

I do however have one further point that needs clarifying. In Para.6 you state that “.....for large explosive charges/detonations a soft start approach was employed.....”

In my experience it has always been use, can you inform me at what point i.e > 25Kg NEQ etc. that the requirement for the soft start begins.

Reply

Some applications have specifically mentioned the process, for example if detonating unexploded ordnance (UXO) with NEQs of 50kg or more. It is possible that operators have been using it as a standard, but not specifically highlighting it in their applications or mitigation plans.

If you have any further questions, please do not hesitate to contact us.