

# **NEIGHBOURHOOD SERVICES SCRUTINY FORUM AGENDA**



**Tuesday, 16 March 2010**

**at 4.00 pm**

**in Committee Room B, Civic Centre, Hartlepool**

**MEMBERS: NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

Councillors S Akers-Belcher, Barker, R W Cook, Coward, Fleming, J Marshall, Rogan, Worthy and Wright

Resident Representatives: John Cambridge and Brenda Loynes

Also invited to attend:

The Mayor, Stuart Drummond

Councillors Aiken, C Akers-Belcher, Allison, Atkinson, Brash, S Cook, Cranney, Fenwick, Fleet, Flintoff, Gibbon, Griffin, Hall, Hargreaves, Hill, Jackson, James, Laffey, Lauderdale, A E Lilley, G Lilley, London, A Marshall, McKenna, Dr Morris, Payne, Plant, Preece, Richardson, Shaw, Simmons, Sutheran, Thompson, Tumilty, Turner, Wallace, Wistow, Young

Resident Representatives: Christine Blakey, Ronald Breward, Liz Carroll, Bob Farrow, Mary Green, Ray Harriman, Ted Jackson, Jean Kennedy, Rose Kennedy, Evelyn Leck, Alan Lloyd, John Lynch, Brian McBean, Mary Power, Julie Rudge, Iris Ryder, Linda Shields, Bob Steel, Joan Steel, Sally Vokes and Maureen Waller

## **1. APOLOGIES FOR ABSENCE**

## **2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**

## **3. MINUTES**

3.1 To confirm the minutes of the meeting held on 1 March 2010 (*to follow*)

**4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM**

No items

**5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE**

No items

**6. CONSIDERATION OF PROGRESS REPORTS/BUDGET AND POLICY FRAMEWORK DOCUMENTS**

No items

**7. ITEMS FOR DISCUSSION**

**Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas**

**7.1 Evidence from key groups:-**

- (a) Covering Report – *Scrutiny Support Officer*; and
- (b) Evidence from:-
  - (i) Van Dalen;
  - (ii) PD Ports;
  - (iii) Heerema; and
  - (iv) the Regeneration and Neighbourhoods Department

**7.2 Feedback from the site visit held on 19<sup>th</sup> February 2010, the observations of ships from the Town Wall, the visits to properties on the Headland and the Focus Group held on 23<sup>rd</sup> February 2010:-**

- (a) Covering Report – *Scrutiny Support Officer*

(b) Verbal Feedback from the:-

- (i) site visit held on 19<sup>th</sup> February 2010;
- (ii) observations of ships from the Town Wall;
- (iii) visits to properties on the Headland; and
- (iv) Focus Group held on 23<sup>rd</sup> February 2010

**8. ISSUES IDENTIFIED FROM FORWARD PLAN**

**9. ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT  
ITEMS FOR INFORMATION**

**Date of Next Meeting:- Tuesday, 23 March 2010 at 2.00 pm in the Council  
Chamber, Civic Centre, Hartlepool**

# **NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

## **MINUTES**

1 March 2010

The meeting commenced at 4.00 pm in the Civic Centre, Hartlepool

### **Present:**

Councillor: Stephen Akers-Belcher (In the Chair)

Councillors: Caroline Barker, Rob W Cook, Tim Fleming, John Marshall,  
Trevor Rogan and Edna Wright.

Resident representatives:

John Cambridge and Brenda Loynes

Also present: Councillors Martyn Aiken, Geoff Lilley and David Young  
Resident representatives: Christine Blakey, Ted Jackson, Jean  
Kennedy, John Lynch and Iris Ryder.  
Graeme Hull, Environment Agency

Officers: Dave Stubbs, Director of Regeneration and Neighbourhoods  
Sylvia Tempest, Environmental Standards Officer  
Adrian Hurst, Principal Environmental Health Officer  
Joan Wilkins, Scrutiny Manager  
Laura Starrs, Scrutiny Support Officer  
Angela Hunter, Principal Democratic Services Officer

## **84. Agenda Items**

Members were informed that in view of the amount of information and evidence to be gathered as part of the investigation into the possible environmental impacts of dust deposits on the Headland and surrounding areas, a number of agenda items would be deferred to the next meeting of the Forum scheduled for 16 March 2010. Representatives from PD Ports, Van Dalen and Heerema would be invited to attend that meeting and feedback from the Focus Group held on 23 February 2010 would also be given.

## **85. Apologies for Absence**

Apologies for absence were received from Councillors John Coward and Gladys Worthy and Reuben Atkinson and Steve Gibbon. Apologies for absence were also received from Councillor Pamela Hargreaves, Portfolio Holder for Regeneration and Economic Development.

## **86. Declarations of interest by Members**

Councillor Trevor Rogan declared a prejudicial interest in minute 91 and indicated he would leave the room during the consideration of this item.

## **87. Minutes of the meeting held on 16 February 2010**

Confirmed.

## **88. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum**

None.

## **89. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee**

None.

## **90. Consideration of progress reports/budget and policy framework documents**

None.

## **91. Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas** *(Scrutiny Support Officer)*

Members were informed that representatives from the Regeneration and Neighbourhoods Department and the Environment Agency were in attendance to provide evidence in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

The Director of Regeneration and Neighbourhoods presented a detailed and comprehensive report which provided the background and highlighted the regulatory powers covering pollution issues in and around the port. The report also detailed the recent progress and activity around the dock including the implementation of dock side hoppers cleaning etc.

A Member referred to a section in the report which highlighted a telephone call made to an officer from the local authority and questioned the accuracy of this. The Chair indicated that if a Member had a particular grievance with the contents of the report he should seek advice from the Chief Solicitor.

A discussion ensued which included the following issues.

- (i) A Member sought clarification on the reference in the report to cross-contamination on the PD Port site. The Director of Regeneration and Neighbourhoods confirmed that the cross-contamination referred to Van Dalen's own operations and the cross-contamination among their own products and not environmental cross-contamination.
- (ii) A member of the public questioned the availability of monitoring reports undertaken by the Council and minutes of liaison meetings. The Principal Environmental Health Officer confirmed that the minutes of all meetings were all in the background papers and the review and assessment reports were available on the Council's website and could be made available in paper form should that be requested. The Chair added that if the residents could identify the dates of any liaison meetings for which the minutes did not appear to be available, officers will endeavour to have the minutes made available.
- (iii) Clarification was sought on the definition of a statutory nuisance. The Director of Regeneration and Neighbourhoods indicated that although it was acknowledged that residents did feel that their lives were affected by the operations in the dock area, their concerns did not fall within the definition of statutory nuisance. The Chair requested that a definition of a statutory nuisance be produced by the legal department and provided at the next meeting of this Forum.
- (iv) A Member questioned the purchasing of new monitoring equipment and what monitoring was currently being undertaken. The Principal Environmental Health Officer confirmed that new monitoring equipment was to be purchased and housed permanently in the Headland area. Members were informed that the activities within the port area had been assessed in 2000 and as no major changes had been implemented since then no further assessment had been made.
- (v) A Member brought to Members' attention the fact that new European legislation had been agreed recently which may change the way environmental issues were assessed and inspected. The Principal Environmental Health Officer confirmed that he was aware of this new legislation and would ensure compliance once it was implemented. The Director of Regeneration and Neighbourhoods confirmed that the local authority's role was to monitor and enforce compliance with the legislation but it was the responsibility of individual companies to ensure their operations complied with the legislation.
- (vi) In response to a Member's question, the Director of Regeneration and Neighbourhoods confirmed that when a complaint was received about the operations within the port area, an inspection would be undertaken wherever practical.
- (vii) A Member questioned the height of the scarp heaps within the Van Dalen site? The representative from the Environment Agency confirmed that the operation of the scrap yard was monitored by the Environment Agency through a permit which limited pollution although did not limit the height of the mounds. However, residents were asked to report any concerns direct to the Environment Agency who would look to work with the operator to adapt and minimise those concerns. Copies of the

permit were distributed for Members information.

- (viii) A number of issues around the possible health implications resulting from the operation of the site were raised by residents and the Chair reminded everyone that health implications did not form part of the remit of the Neighbourhood Services Scrutiny Forum and would be dealt with separately.
- (ix) A Member suggested that the possibility of reducing council tax for residents in the area affected by the dust issue should be considered but residents did not support this view and would rather see the problem of dust dealt with.
- (x) A resident representative questioned the process for the 3-year assessment and screening that was undertaken. The Principal Environmental Health Officer confirmed that every 3 years a screening assessment of the air quality issues across the town would be undertaken. In addition to this, annual inspections and risk assessment were also carried out. It was noted that should any issues be highlighted as part of the above process, the rate that risk assessments were undertaken would be increased. Unannounced inspections were also carried out on ships and notices were served should problems be identified.
- (xi) In response to a question from a resident representative, the Principal Environmental Health Officer confirmed that there were two sections of legislation covering the permitted operations within the site.
- (xii) A Member raised the issue of the possible impact on the carbon footprint through residents being unable to hang washing out to dry naturally. The Director of Regeneration and Neighbourhoods accepted the point of the increase in the carbon footprint but added that this was a small element as far as the residents were concerned. It was confirmed that the Council had direct responsibility to reduce the carbon footprint of the local authority but not for industrial properties.
- (xiii) A Member questioned whether the Principal Environmental Health Officer had witnessed any plumes of dust emanating from the site. The Principal Environmental Health Officer confirmed that he had witnessed dust emissions from the hoppers and grabbers but was unable to link this to any of the dust found off the site. The representative from the Environment Agency added that any evidence identifying the source of the dust would need to be proven beyond all reasonable doubt in a court of law.
- (xiv) A Member noted that he had been appointed to the Tees Valley Environment Protection Group as a local authority representative and that this Group had not been informed of about any of the complaints from residents in this area. It was acknowledged that as the current local authority representative on this Group, the Member was best placed to raise these issues directly with other members of the Group.
- (xv) It was noted that these issues had been raised with the Health and Safety Executive (HSE) but that no response had been received. The Director of Regeneration and Neighbourhoods confirmed that should the HSE feel that there was a problem for people working or visiting the site, they would investigate.
- (xvi) A member of the public raised a concern about rust dust going straight

into the dock and questioned whether this would increase due to the closure of the steelworks at Redcar and possible increase in scrap metal to be disposed of via Hartlepool docks? The Chair indicated that this would be explored further.

- (xvii) The Portfolio Holder for Neighbourhoods and Communities highlighted that £30,000 had recently been allocated from the SCRAPT budget to provide equipment to monitor and gather evidence to identify the problems and source of those problems. The Chair added that it would be useful to gain feedback from the residents on possible sites for the location of the new equipment.

The representative from the Environment Agency gave a detailed and comprehensive presentation to Members which provided details on the permitting and monitoring of operations within the site.

- (xviii) A member of the public referred to the plume of dust which arose from the operations within the site. The representative from the Environment Agency commented that they had evidence of this but would be grateful for any incidents of this nature to be reported immediately to enable an inspection to be undertaken.
- (xix) The Chair questioned if there was anything available to assist in the gathering of evidence of this nature? The representative from the Environment Agency reassured residents that any reports would be dealt with based on a judgement through available resources and that where possible inspections would be undertaken either through Environment Agency or local authority representatives. The telephone hotline number was included within the documentation circulated and it was noted that this was in operation 24 hours a day.
- (xx) A member of the public questioned what happened to the run off water from the site. The representative from the Environment Agency confirmed that run off water from the site was diverted to a foul sewer at Seaton Carew sewage treatment works and then on to long sea outfall after treatment.
- (xxi) A member of the public noted that marine life was affected by the scrap deposits as lobsters taken from the area surrounding the dock appeared ginger in colour. The representative from the Environment Agency indicated he would be interested to see evidence of this.
- (xxii) A Member questioned how the company responsible for the dust issues on the Headland could be identified and referred to a previous instance of a company paying out compensation to residents on the Headland for damage to upvc windows through dust emissions. The Chair indicated that representatives from the three companies involved would be in attendance at the next meeting of the Forum and would answer questions then. However, the representative from the Environment Agency commented that there was an element of background dust all around and acknowledged that it would be difficult to pin-point exactly what the source was.
- (xxiii) In response to a question from a resident representative, the representative from the Environment Agency confirmed that the dock floor was dredged regularly with all dock based habitat completely



removed.

- (xxiv) A resident representative questioned whether there was any evidence of metallic residue found in the water. The representative from the Environment Agency confirmed that a curb had been requested to stop the run off and added that in terms of wider dock operations, there was no immediate information to suggest there was a significant problem.
- (xxv) It was questioned whether removing contaminated water by tankers may be better than using the foul sewage system. The representative from the Environment Agency confirmed that the preferred way to deal with effluent was through the discharge to a foul sewer and professional treatment works and that this represented no conceivable risk. In response to a further question, the representative from the Environment Agency commented that any sludge formed at the treatment works would be tankered to an effluent treatment plant and either incinerated or composted and added that iron oxide in its suspended form did not have a particularly high pollutant effect.
- (xxvi) A resident representative questioned the definition of scrap metal and waste and whether this impacted on the legislation covering the disposal. The representative from the Environment Agency confirmed that if the waste from this site was not defined as 'waste' a whole raft of legislation governing the disposal of that waste would not apply.
- (xxvii) It was noted that the operation of the Van Dalen site was undertaken without a permit prior to 2008 and a member of the public questioned why the site had not been closed down. The representative from the Environment Agency commented that prior to 2008 there were a number of sites operating nationally with materials that were not classed as waste at the time. In addition, he confirmed that evidence needed to be provided of a link to the issue of dust from the site which could be proved beyond reasonable doubt in order to take action.
- (xxviii) A member of the public referred to a number of incidents of fires on the site. The representative from the Environment Agency confirmed that there had been a number of incidents of fires related to a particular tyre wire product and the Environment Agency had been heavily involved to minimise pollution in the north sea and air quality monitoring in the future.
- (xxix) In response to a question from a member of the public, the representative from the Environment Agency confirmed that dust particles were capable of travelling hundreds of metres.
- (xxx) A resident representative suggested a monitoring activity on a property after a professional clean up to enable fresh dust samples to be taken. The representative from the Environment Agency indicated that there were many different types of monitoring that could be undertaken but there was still the issue of background dust. It was suggested that the best way forward was to minimise emissions from the site as opposed to elaborate monitoring programmes and added that the information received from residents would be invaluable in identifying particular characteristics of dust.
- (xxxi) A Member questioned whether the companies operating in the area could be asked for a financial contribution to the monitoring and assessment to be undertaken in the area. The representative confirmed

that there were a number of operators in the area and it was still difficult to identify the source of a particular problem due to the background dust.

(xxxii) A number of suggestions were made with regard to the location of the new monitoring equipment and it was noted that they would be passed onto the Portfolio Holder for Neighbourhoods and Communities.

Everyone in attendance was thanked for their contribution to the meeting.

### **Recommended**

That the presentations and comments would be used to inform the Forum's investigation.

## **92. Issues identified from the Forward Plan**

None.

## **93. Remaining Agenda Items**

The remaining agenda items were deferred to the next meeting of the Forum.

The meeting concluded at 8.01 pm

CHAIRMAN

## NEIGHBOURHOOD SERVICES SCRUTINY FORUM REPORT

16 March 2010



**Report of:** Scrutiny Support Officer

**Subject:** POSSIBLE ENVIRONMENTAL IMPACTS OF DUST  
DEPOSITS ON THE HEADLAND AND  
SURROUNDING AREAS – EVIDENCE FROM KEY  
GROUPS - COVERING REPORT

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### 1. PURPOSE OF REPORT

- 1.1 To inform Members of the Forum that Officers from the Council's Regeneration and Neighbourhoods Department and representatives from key companies (PD Ports, Van Dalen, Heerema) will be in attendance at this meeting to give evidence in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

### 2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 16 February 2010, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence for this scrutiny investigation were approved by the Forum.
- 2.2 Subsequently, Officers from the Council's Regeneration and Neighbourhoods Department will be in attendance to provide evidence to the Forum in relation to the key economic benefits to Hartlepool of the Port and its occupiers.
- 2.3 A representative from PD Ports, Van Dalen and Heerema will be in attendance to provide evidence in relation to how the companies operate to ensure that their activities have minimal environmental impact.

### 3. RECOMMENDATION

- 3.1 That Members of the Forum consider the views of the officers and representatives in attendance and seek clarification on any relevant issues where felt appropriate

**CONTACT OFFICER**

Laura Starrs – Scrutiny Support Officer  
Chief Executive's Department - Corporate Strategy  
Hartlepool Borough Council  
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Email: [laura.starrs@hartlepool.gov.uk](mailto:laura.starrs@hartlepool.gov.uk)

**BACKGROUND PAPERS**

The following background paper was used in preparation of this report:-

- (a) Scrutiny Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Scoping Report – 16 February 2010

Neighbourhood Services Scrutiny Forum – 16<sup>th</sup> March 2010  
Written Evidence from Van Dalen

Van Dalen UK Limited operate to the waste management licence and site plan as issued and agreed with the Environment Agency. In addition to the controls and methods described within these legal documents we have also gone further and arranged improved working practices with PD Ports and voluntarily placed restrictions onto our working hours.

The key points are as follows:

**Noise**

Normal working hours Mon – Fri 7.00 – 17.00 hrs / Sat 7.00 – 12.00 noon  
(essential maintenance only)

Ship loading (No1&2) Mon – Fri 6.00 – 22.00 hrs

Ship loading (Pellets) Mon – Fri 6.00 – 22.00 hrs

Ship loading (P&G) Mon – Fri 8.00 – 20.00 hrs

In order to minimise any potential effect that our operations may have on our neighbours on the Headland we don't work 24 hours although we could, technically, do so on the case of the Pellets as it is classed as Shredded material. Regarding Plate & Girder (P&G) again we have cut back our hours because it is noisier material to load. In all cases we do not operate any machinery / heavy plant before 8.00pm. We have also stopped routinely working on Saturdays and weekends except for essential maintenance or possible delays with ship loading.

**Loading**

During the loading of ships the dock crane operatives are under strict instruction to lower their grabs as far down into the hold as possible and not drop the material from a great height onto the stowed cargo. If there is a possibility of any prevailing winds or any risk of dust becoming airborne in the surrounding area we have an operator spraying water intermittently onto the stockpile. It is not doused so that the cargo does not become flooded in order to prevent any runoffs into the dock.

**Environment**

As a further precaution, working on conjunction with the Environment Agency, we have removed all the sleepers from the bund wall and replaced the bottom sleepers with a sealed concrete base, which has been protected (on our side) with steel plates to prevent any damage. This will ensure that there is no possibility of any water entering the dock during heavy rainfall.

**Appendix 2.3****Dust Control Procedures**

This relates to Licence condition 3.3.1

Metal recycling sites have the potential to generate dust by the nature of processing, stockpiling and handling of metals. Due to the nature of the operations at the site, predominantly that of stockpiling prior to export, it is not envisaged that this will give rise to the generation of any significant level of dust. This is inline with the chemical analysis of collected samples which did not highlight the site operations as point sources of dust emissions.

Hartlepool docks do handle a wide variety of materials, some of which are unloaded from boats by cranes and grabs. Some of this material has the potential to generate dust by means of its handling. It is not envisaged that the site will add any significant level to dust generation to that of existing dock activities

It is understood that potentially suppliers may attempt to dispose of dirt amongst scrap metal. In order to negate this potential source of dust the site management and operational staff inspect incoming material and if necessary are able to rejection loads that may give rise to a dust issue.

Typical examples of the type of operation that maybe associated with the potential for dust generation include:

- Vehicle movements
- Plant operation
- Building and construction work
- Dusty / contaminated loads
- Loading of boats for export

All of the above potential point sources of dust generation will be reduced through proactive site management, the use of necessary equipment and waste rejection if necessary. The Site Manager and all other employees must be vigilant and react to any new or unacceptably high dust levels at the site to prevent off site reaction and/or non-compliance with the licence.

**If a dust problem is noticed it must be immediately reported to the Site Manager or the technically competent person responsible for the site at the time.**

**The details of the time, date, weather conditions will be recorded in the Site Diary. The Site Manager will investigate the source of the problem and take appropriate corrective action.**

Methods used to minimise / suppress dust will include the following where necessary:

- The training of PD Teesport Crane Drivers and Hose Operators by PD Teesport in methods of operation to minimize airborne dust during boat loading activities.
- Rejection of unsuitable loads
- Use of stock rotation when exporting material to prevent aged materials remaining on stock as managed by the site manager
- Use of suitable spray systems in particular problem areas, particularly when materials are being loaded into boats. The exact method of system used may vary from time to time in order to allow the trial and development of new systems.
- Use of road sweepers to remove any ground source of dust.

# PD Ports Hartlepool

Minimising Environmental Impact



# Cargoes Handled

- **Bulks**
  - ☐ Rutile Sand
  - ☐ Scrap
  - ☐ Talc
  - ☐ Coke
- **Steel Pipes and Plate**
- **Timber**
- **Offshore Projects**





# Environmental Considerations

## ➤ **Noise from Steel Pipes**

- ❑ Stockyard Work carried out only on weekdays nearest to residences, 24/7 away from residences.

## ➤ **Dust from Bulk Cargoes**

- ❑ Use of Best Available Techniques
  - Sealed grabs
  - Hopper design
- ❑ Comply with licensing conditions for Coke
  - Use of selected berth – inner end DWB and IQ.
  - Minimal stockpiles on quay



# Investment in Equipment

## ➤ Cranes



# Investment in Equipment

## ➤ Hoppers



Old Hoppers



New Hoppers

# Investment in Equipment

## ➤ Grabs



Old Grabs

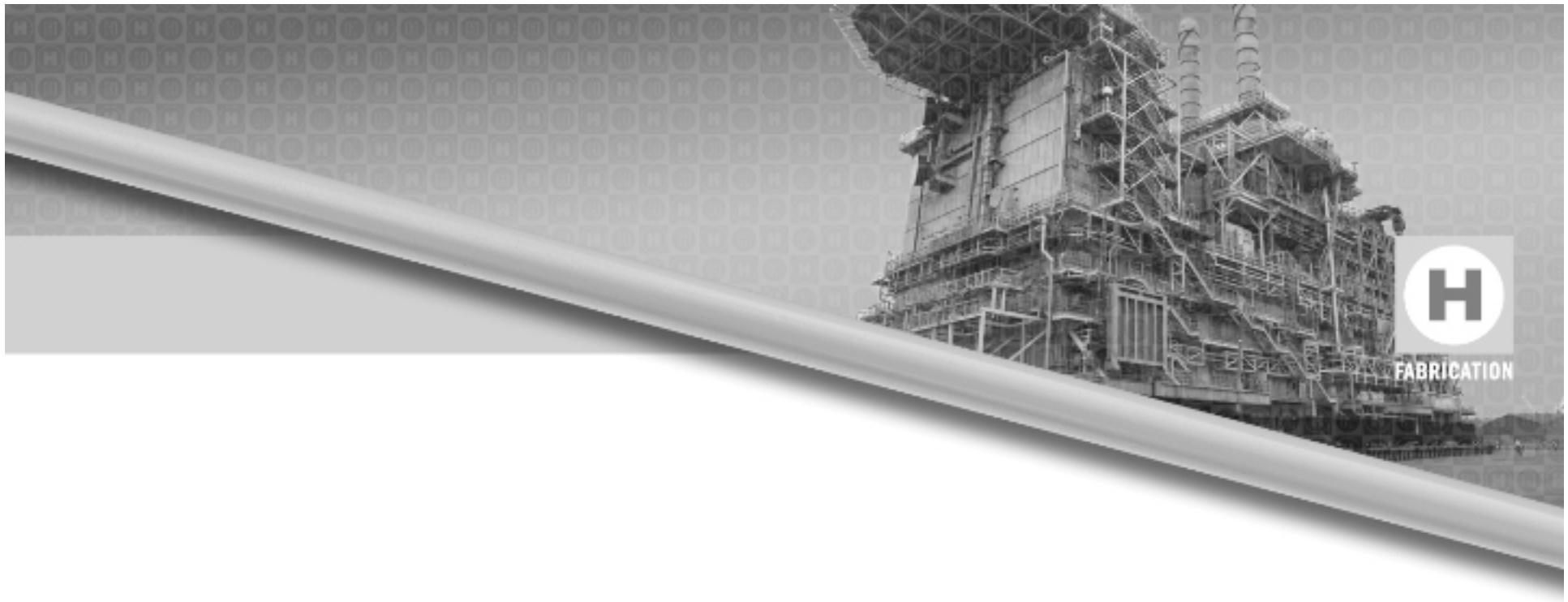


New Grabs

# Investment in Staff

- **Crane Driver Training**
- **Supervisor Training**



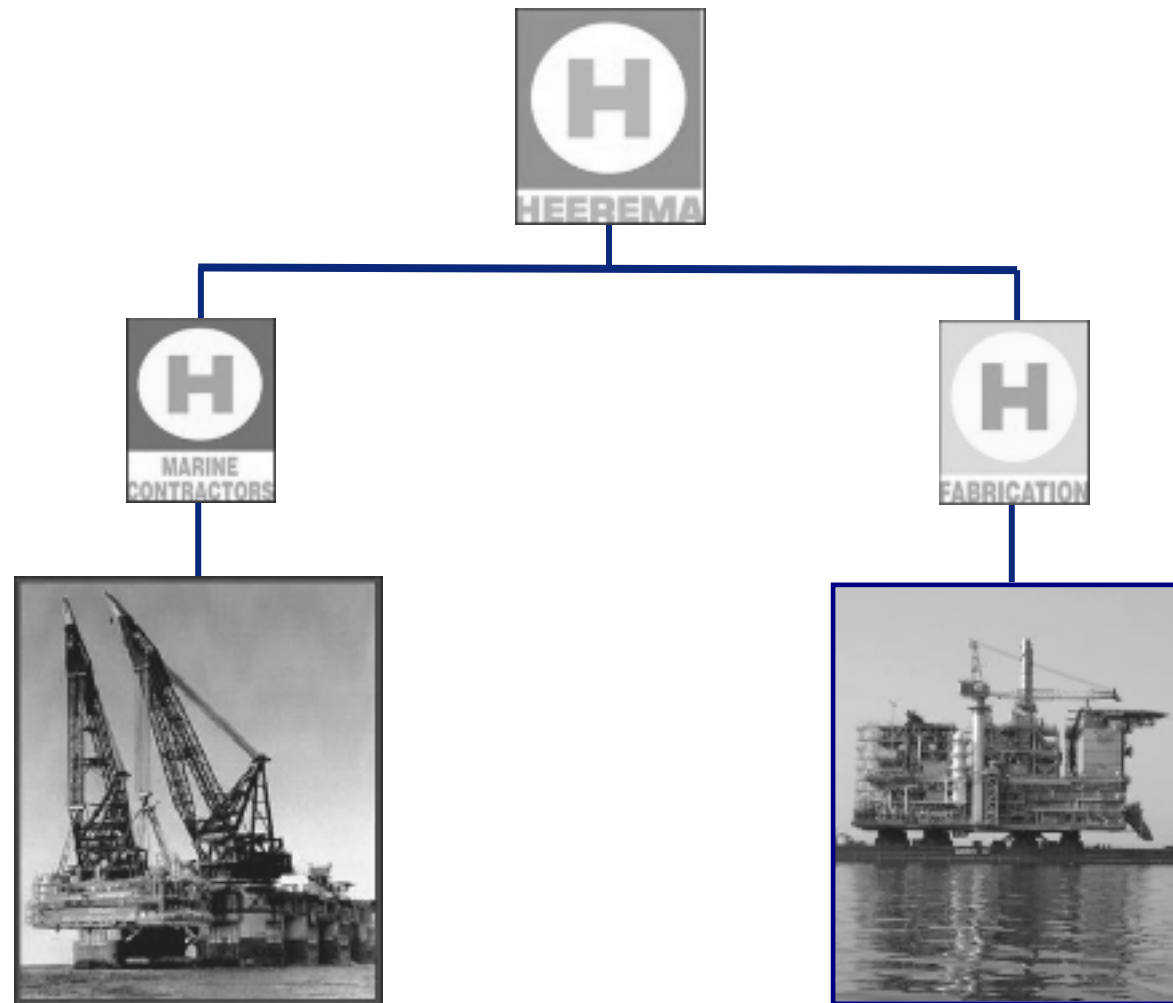


# HEEREMA HARTLEPOOL

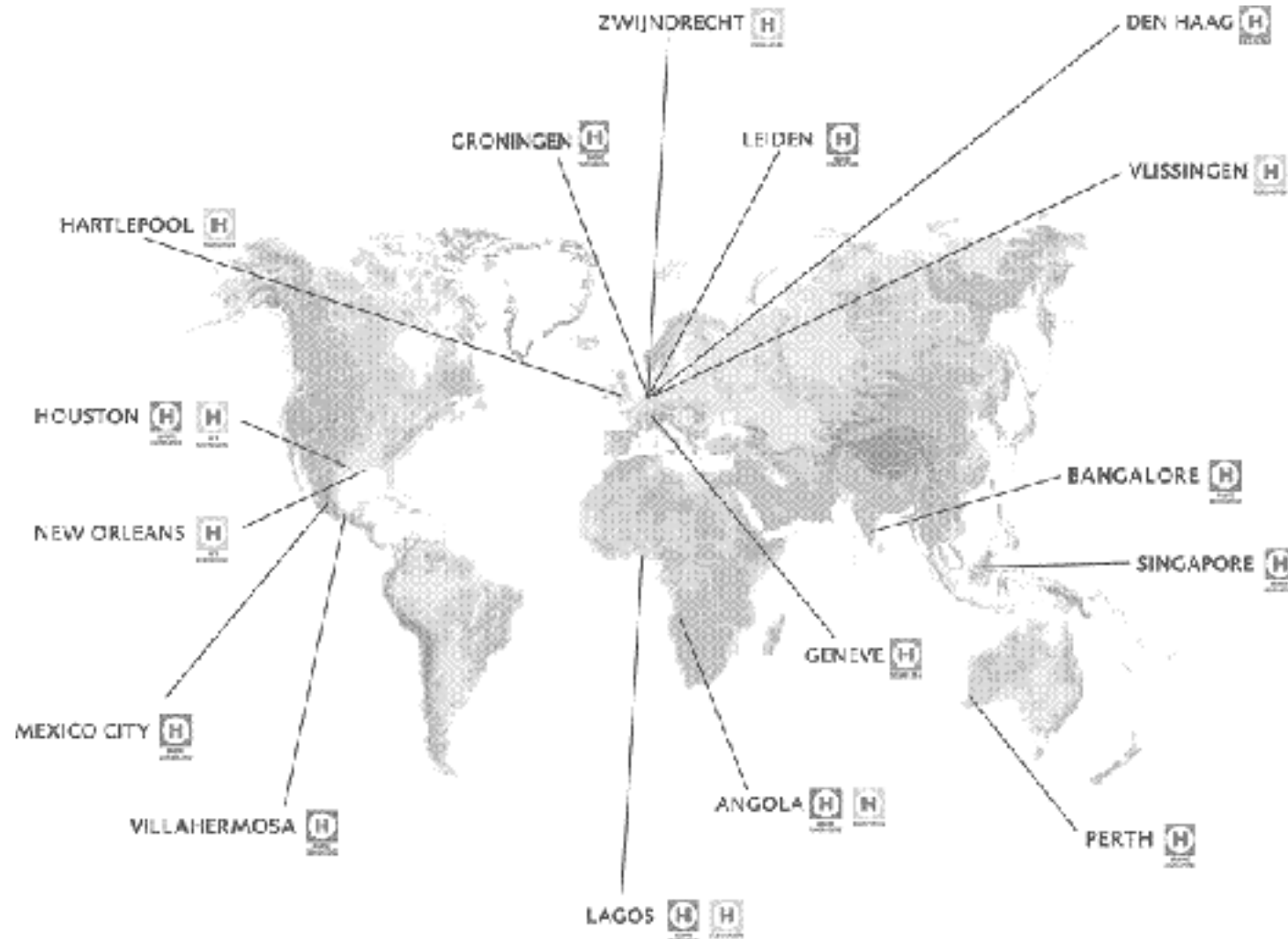
## VICTORIA HARBOUR ACTIVITIES

Presented by: Name Last name  
Date: 24 March 2010

# HEEREMA GROUP



# HEEREMA GROUP LOCATIONS





# The HEEREMA GROUP of Companies

## Heerema Marine Contractors



- Offshore Installation
- Transportation
- Marine Engineering
- Foundation Technology
- J-lay pipe laying
- Anchor Wire Installation



# The HEEREMA GROUP of companies

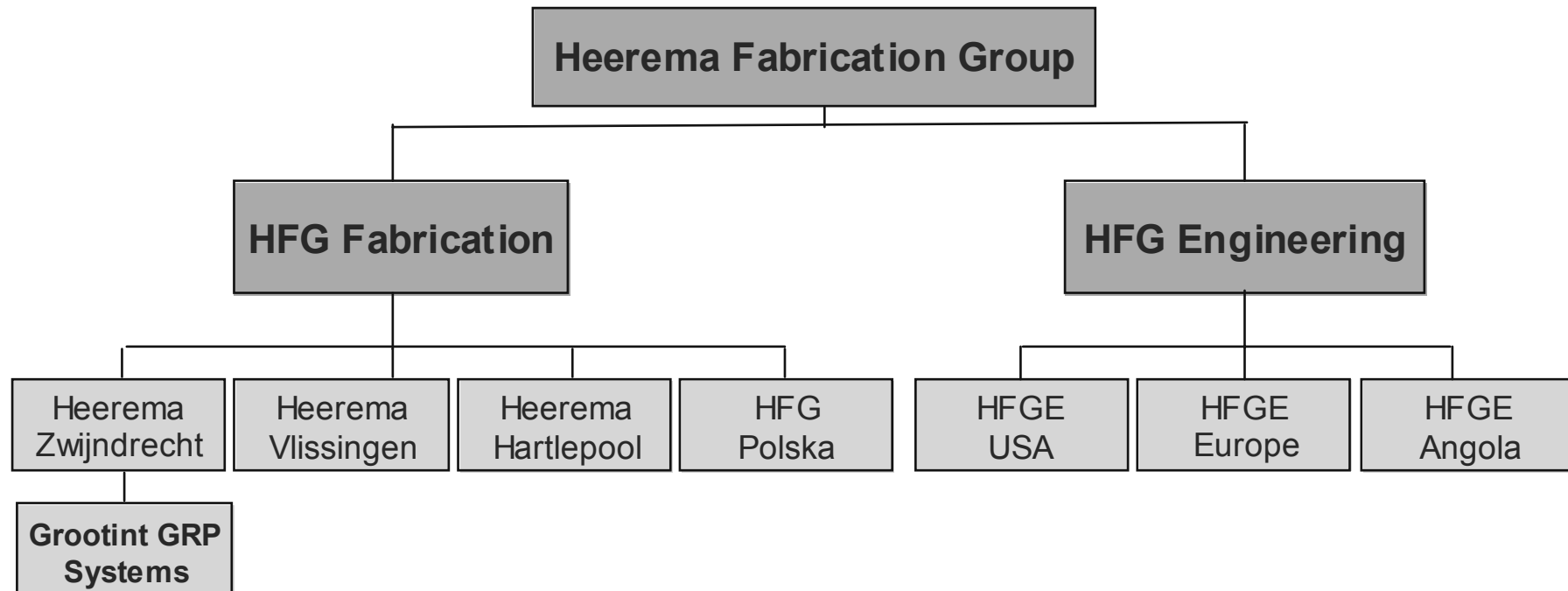
## Heerema Fabrication Group



- EP(I)C Contractors
- Engineering
- Overall Project Management
- Fabrication of Topsides
- Fabrication of PAU's / PAR's
- Fabrication of Jackets
- Integrated Projects



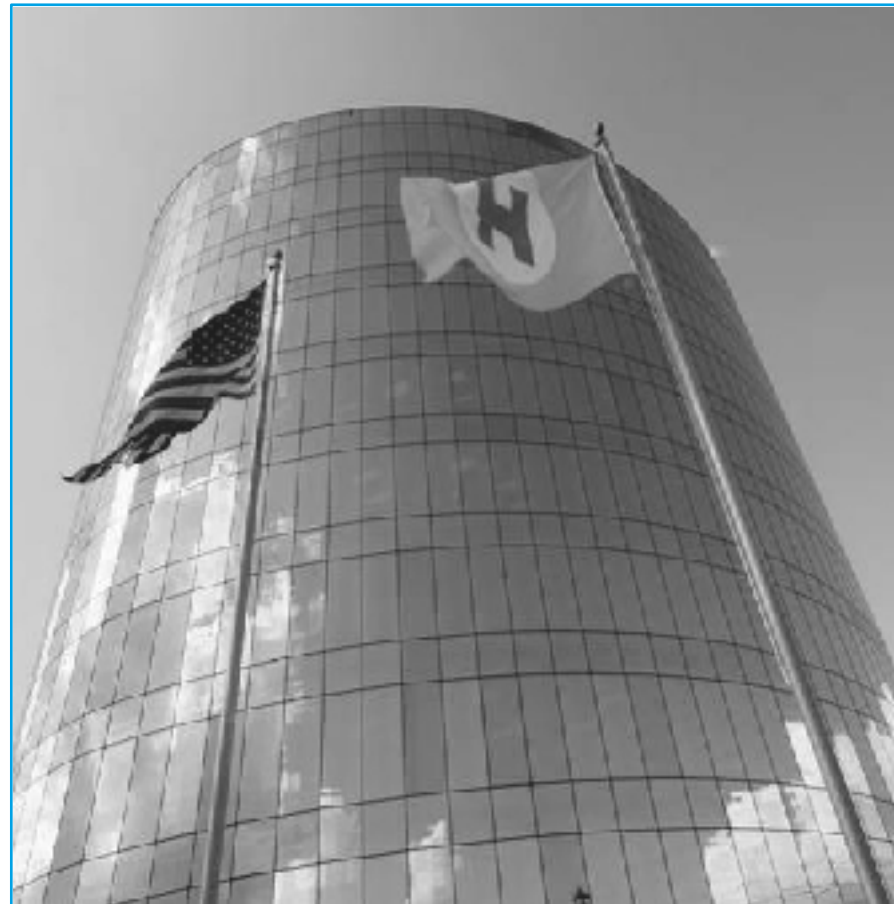
# HEEREMA FABRICATION GROUP STRUCTURE



## Multi-disciplined Facility Engineering and Design firm

Typical facility design includes:

- Offshore Oil and Gas
  - Jackets
  - Topsides
  - Fixed Platform
  - Floater
- Gas Plants
- Inland Oil and Gas Facilities
- Chemical Plants Facilities
- Bio Fuels



# HEEREMA ZWIJNDRECHT



# HEEREMA VLISSINGEN





# HEEREMA HARTLEPOOL



# HEEREMA HARTLEPOOL YARD 1 ~ NORTHGATE



**Total area of Yard :** 28,090m<sup>2</sup>

**Fabrication Facilities**

**Main Fabrication Hall :** 100m x 37m x 20m  
(L x W x H)

**Overhead Cranes :** 2 x 30 Te  
19m below hook  
1 x (20 Te + 20 Te)  
19m below hook

**Prefabrication Hall :** 60m x 32m x 6m  
(L x W x H)

**Overhead Cranes :** 3 x 10 Te  
7.4m below hook



# HEEREMA HARTLEPOOL YARD 2 ~ GREENLAND ROAD



**Total area of Yard : 48,311m<sup>2</sup>**

## **Fabrication Facilities**

**Main Fabrication Hall : 100m x 37m x 30m  
(L x W x H)**

**Overhead Cranes : 2 x (40 Te + 40 Te)  
30m below hook  
2 x (20 Te + 20 Te)  
30m below hook**

**Max. engineered  
lift 400 Te**

**Prefabrication Hall : 100m x 36m x 8.1m  
(L x W x H)**

**Overhead Cranes : 4 x 10 Te  
8.1m below hook**

# HEEREMA HARTLEPOOL LOADOUT DETAILS

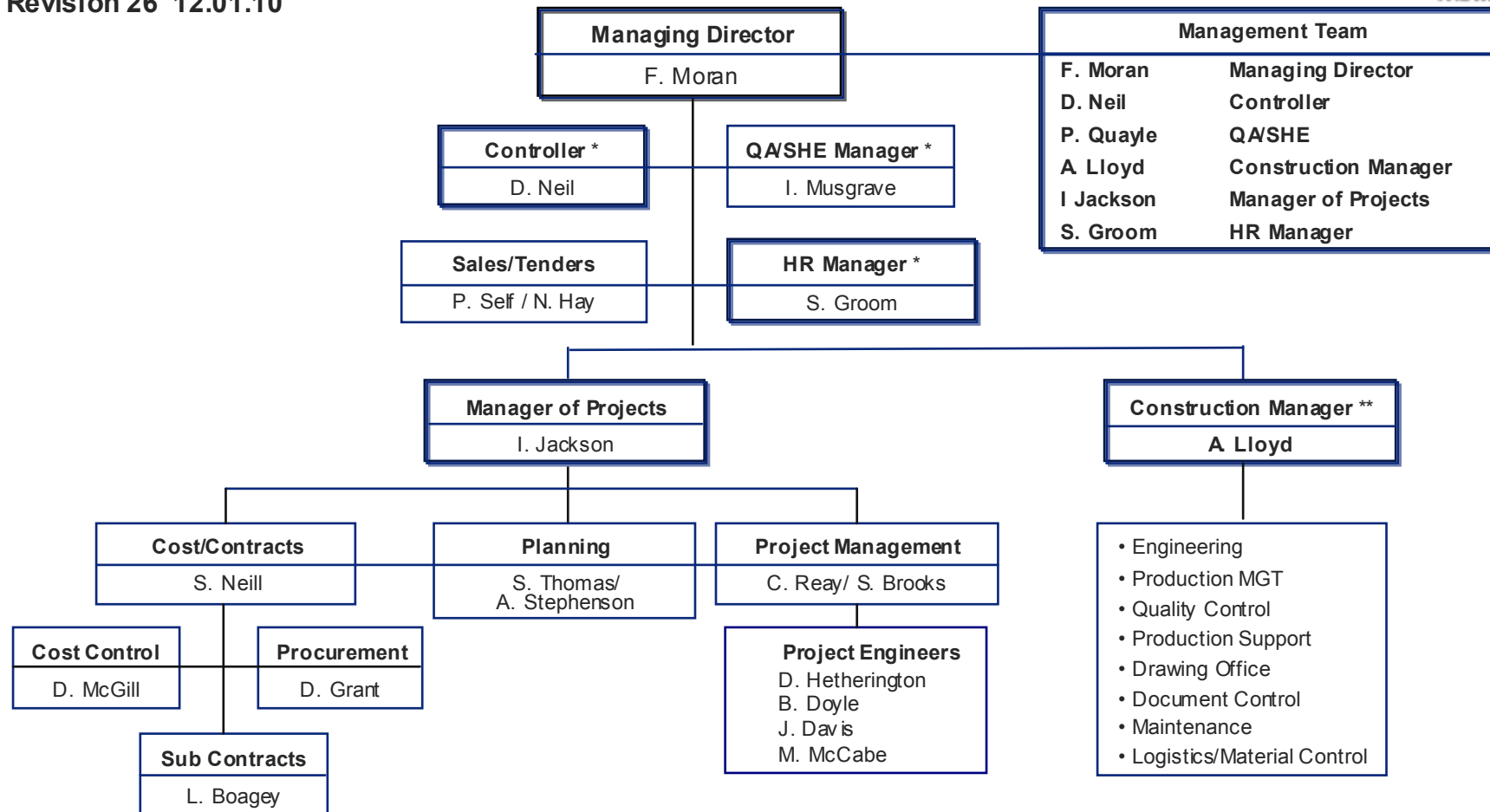


| Waterfront/Access                               | YARD I<br>NORTHGATE | YARD II<br>IRVINES QUAY |
|---|---------------------|-------------------------|
| Waterfront Type                                 | Enclosed Harbour    | Enclosed Harbour        |
| Width of Load-out Quay                          | 24.5m               | 38.3m                   |
| Length of Load-out Quay                         | 50m                 | 50m                     |
| Total Length of Quay                            | 95m                 | 355m                    |
| Minimum water depth                             | 4.0m                | 9.5m                    |
| Minimum water depth in<br>Channel to open water | 5.7m                | 5.7m                    |
| Width restriction to open water                 | 110m                | 110m                    |
| Loadout Capacity                                | <b>6,000 Te</b>     | <b>15,000 Te</b>        |

# HEEREMA HARTLEPOOL ORGANISATION STRUCTURE



Revision 26 12.01.10



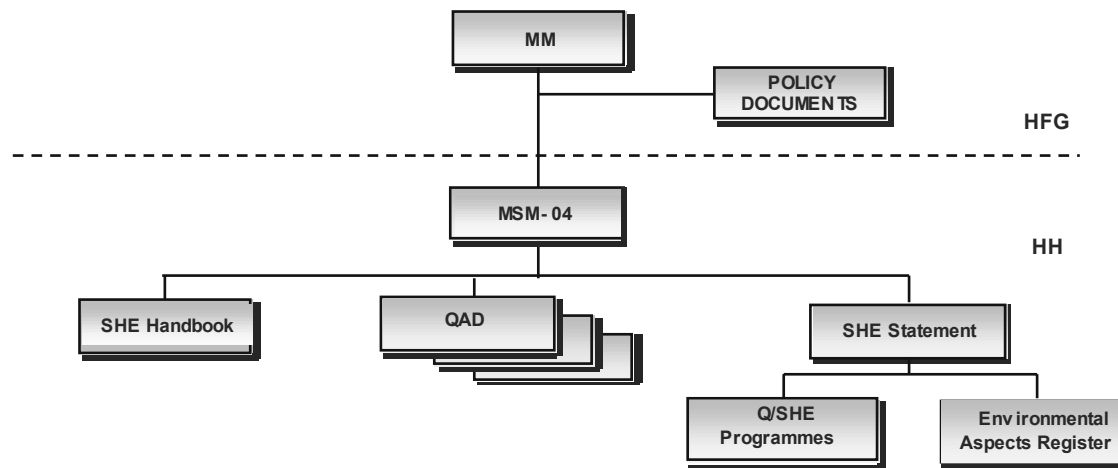
# HEEREMA HARTLEPOOL MANAGEMENT SYSTEM



Heerema Hartlepool have developed an integrated Management System encompassing Quality, Safety, Health and Environment which is based upon the following standards:

- Quality - BS EN ISO 9001 : 2008 DNV Certificate No. 38358-2008-AQ-NLD-RvA
- Environment - BS EN ISO 14001 : 2004 DNV Certificate No. 38357-2008-AE-NLD-RvA
- Health & Safety - BS OHSAS 18001: 2007 DNV Certificate No. 38356-2008-AHSO-NLD-RvA

The Heerema Hartlepool Management System is described throughout a series of standard documents which are related to each other in a hierarchical framework. The structure of the system is described below:



## HEEREMA HARTLEPOOL CURRENT PROJECTS

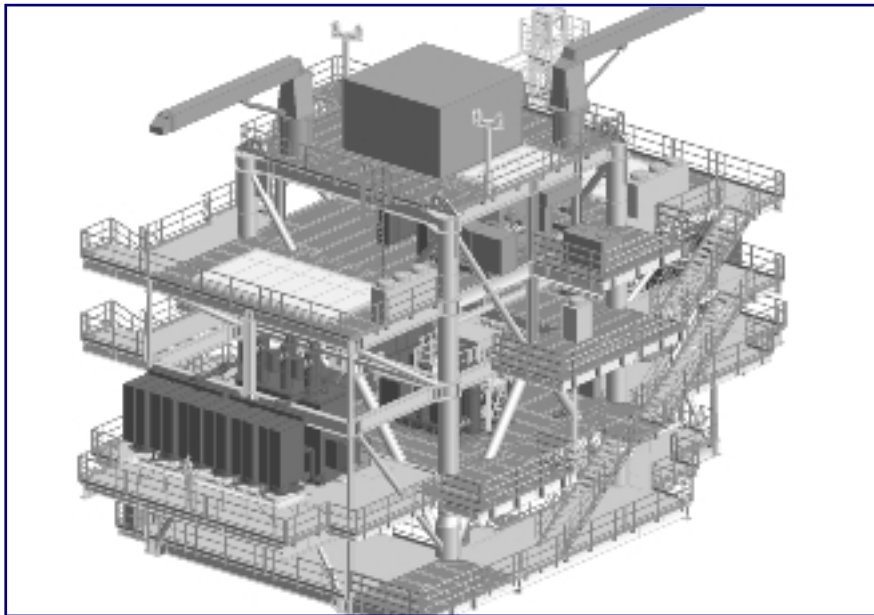


### **BUZZARD ENHANCEMENT PROJECT PRODUCTION SWEETENING DECK**

|                 |   |                            |
|-----------------|---|----------------------------|
| Client          | : | Nexen Petroleum (U.K.) Ltd |
| Contract Type   | : | Construction               |
| Overall Weight  | : | 6,300Te                    |
| Overall Size    | : | 53m(L) x 36m(W) x 22m(H)   |
| Contract Award  | : | March 2008                 |
| Completion Date | : | March 2010                 |

The Bridge to link the module to the Process Deck Offshore is being built inside Yard 1 Northgate

## HEEREMA HARTLEPOOL CURRENT PROJECTS



### SHERINGHAM SHOAL OFFSHORE WINDFARM PROJECT

|                 |                                 |
|-----------------|---------------------------------|
| Client          | : AREVA T & D U.K. LTD          |
| Contract Type   | : CONSTRUCTION                  |
| Overall Weight  | : 2 X 1,000Te                   |
| Overall Size    | : 22.3m(L) x 17.5(W) x 14.5m(H) |
| Contract Award  | : October 2009                  |
| Completion Date | : September 2010                |

Some of the Deck Frames for the Project are being built inside  
Yard 1 Northgate

## HEEREMA HARTLEPOOL PREVIOUS PROJECTS



### **GREATER GABBARD OFFSHORE WINDFARM SUBSTATION PLATFORM**

Client : SIEMENS TRANSMISSION  
AND DISTRIBUTION LTD.

Contract Type : EPC

Overall Weight : 2,000 Te

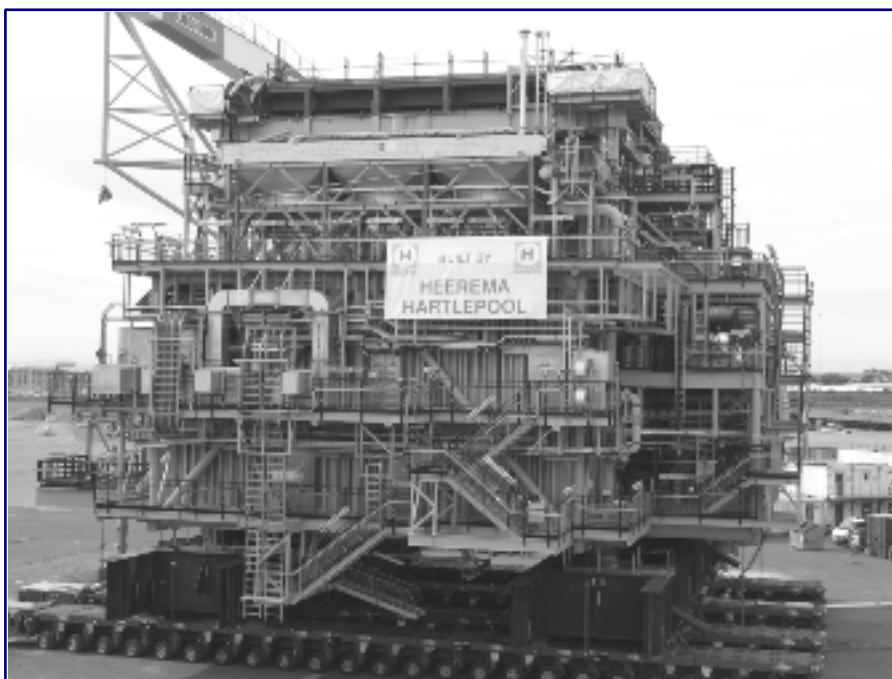
Overall Size : 38m(L) x 31m(W) x 13m(H)

Contract Award : May 2008

Completion Date : September 2009

Major Subcontracts : HFGE - Detailed Design

## HEEREMA HARTLEPOOL PREVIOUS EXPERIENCE



### **SHELL SEAN COMPRESSION PROJECT, SEAN COMPRESSION MODULE**

Client : SHELL U.K. LIMITED  
Contract Type : (C) Construction  
Overall Weight : 2,300Te  
Overall Size : 28 x 30 x 22 (L x W x H)  
Contract Award : June 2006  
Completion Date : August 2007



## HEEREMA HARTLEPOOL PREVIOUS EXPERIENCE



### **BRITANNIA SATELLITES PHASE 1 DEVELOPMENT BRIDGE LINKED PLATFORM**

Client : CONOCOPHILLIPS  
(U.K.) LIMITED

Contract Type : Construction

Overall Weight : 5,700Te

Overall Size : 60m (L) x 44m (W) x 26m (H)

Contract Award: February 2005

Completion Date: July 2006

# LOCAL EMPLOYMENT



| <b>MANNING LEVELS FOR HEEREMA HARTLEPOOL</b> | <b>22/02/2010</b> |
|--|-------------------|
| PRODUCTION                                   | 443               |
| PRODUCTION SUPPORT                           | 26                |
| SHOPFLOOR APPRENTICES                        | 29                |
| MANAGEMENT TEAM                              | 7                 |
| PERSONNEL                                    | 5                 |
| ACCOUNTS/PAYROLL                             | 5                 |
| PROCUREMENT                                  | 3                 |
| SAFETY/SECURITY/MEDICAL                      | 7                 |
| SECRETARIAL                                  | 1                 |
| MARKETING                                    | 0                 |
| CLEANERS                                     | 0                 |
| PROJECTS                                     | 5                 |
| WORKS PREP                                   | 9                 |
| GC DEPARTMENT                                | 7                 |
| GA DEPARTMENT                                | 1                 |
| CONTRACTS                                    | 6                 |
| PLANNING                                     | 5                 |
| DRAWING OFFICE                               | 11                |
| ENGINEERING                                  | 2                 |
| TENDERS                                      | 2                 |
| IT DEPARTMENT                                | 3                 |
| ALLOCATED PERSONNEL                          | 2                 |
| SECONDED PERSONNEL                           | 0                 |
| SUBCONTRACTORS                               | 334               |
| CLIENTS                                      | 144               |
| <b>GRAND TOTAL ON ALL SITES</b>              | <b>1057</b>       |

## PROJECTS COMPLETED BY HEEREMA HARTLEPOOL APPRENTICES



### HEADLAND PROJECTS

- Make, supply and help install gun mount for Heugh Battery at Fairy Cove
- Refurbish and make new mount for guns at Heugh Battery Museum Site
- Designed and constructed frames for rifle range at Heugh Battery Museum Site
- Refurbishment of equipment for Heugh Battery (constant and ongoing)
- Delivery of recycled packing cases and free timber to Heugh Battery for WW1 Trench simulation
- Fabrication of gates and steel arches for the Headland new toilet block
- Pontoons for Kafeger landing for Tall Ships visit (Victoria Harbour)
- Design, fabrication and erection of side and front gates for St Mary's Church
- Assist in design and fabrication of new arch ways for Thorpe Street Gardens
- Refurbish buoy bell and anchors for Headland Community
- Donation for trees
- Refurbish weight training equipment for Headland Boxing Club

## PROJECTS COMPLETED BY HEEREMA HARTLEPOOL APPRENTICES



### OTHER PROJECTS

- Design and fabrication of gates and ornate panels for Stranton School and pipes for ornamental garden
- Counter balance weights for Trincolmalee (7 tonne)
- Six ornamental benches for Burbank Street
- Rugby posts for West Rugby Club

# CHARITY DONATIONS



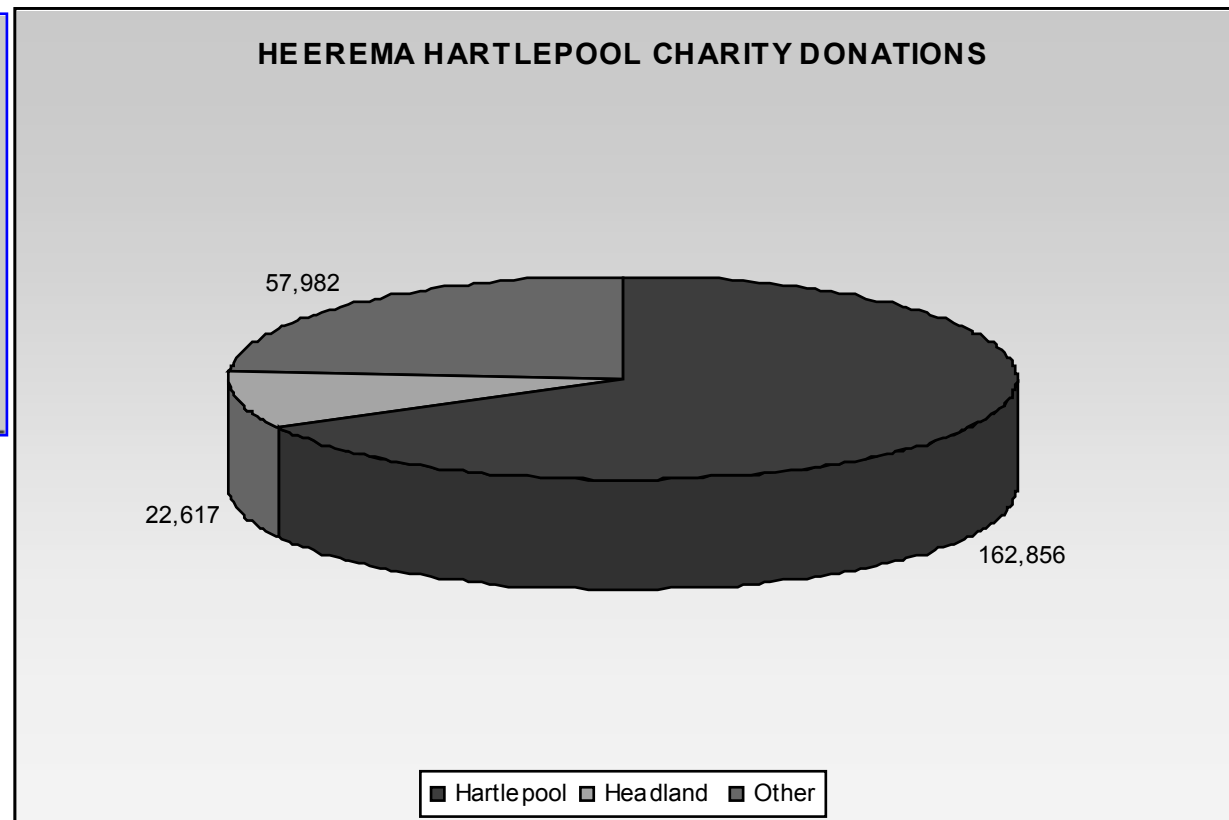
|           | Hartlepool | Headland | Other    |
|-----------|------------|----------|----------|
| 2000      | £ 2,380    | £ 500    | £ 700    |
| 2001      | £ 19,308   | £ 4,350  | £ 3,650  |
| 2002      | £ 14,002   | £ 2,250  | £ 4,500  |
| 2003      | £ 22,768   | £ 5,100  | £ 1,800  |
| 2004      | £ 23,907   | £ 7,757  | £ 11,630 |
| 2005      | £ 22,348   | £ 1,300  | £ 5,721  |
| 2006      | £ 21,366   | £ 2,300  | £ 12,636 |
| 2007      | £ 7,711    | £ 411    | £ 11,640 |
| 2008      | £ 1,141    | £ 111    | £ 111    |
| Sept-July | £ 13,115   | £ 1,400  | £ 4,912  |
|           | £ 162,050  | £ 22,617 | £ 57,902 |

+

1997 Shell Corvette £20,000  
1999 Shell Shearwater £40,000  
Total £60,000

=

Total £303,455



## NEIGHBOURHOOD SERVICES SCRUTINY FORUM REPORT

16 March 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS - EVIDENCE FROM THE REGENERATION AND NEIGHBOURHOODS DEPARTMENT

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### 1. Introduction

- 1.1 The following information has been collated for the Neighbourhood Services Scrutiny “Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas”.
- 1.2 The information below represents the key economic benefits to Hartlepool of the Port and its occupiers.

### 2. PD PORTS

- 2.1 Tees and Hartlepool is third largest port in UK.
- 2.2 Employment – minimum 100 on site per day .Mainly engineering and stevedores.
- 2.3 Port also supports the following key occupiers – Heerema, JDR Cables, Omya and Vandalen.
- 2.4 The Port also provides key shipping and dock services to Huntsman and Corus.

### 3. HEEREMA

- 3.1 Major offshore engineering facility, diversifying into offshore.20% of turnover last year was offshore wind market.

3.2 Turnover

**2008** £17m

**2009** £61m

3.3 Employment varies with contracts , can be up to 1,000 direct employees.Following figures represent the last two years .

**2008**- Direct employees 188. Supplier chain 188.Total 376

**2009**- Direct employees 549,110 client personnel.  
Supplier chain 659.Total 1,318

3.4 Average salary on site £45,000 pa.

**4. JDR CABLES**

4.1 Manufacturer of high grade offshore cables and umbilical cords , currently supplying Greater Gabbard , the world's largest wind farm with sub sea array cabling and has also won contract to supply London Array project which will be double the size of Greater Gabbard.  
JDR also working on largest wave energy project in UK.

4.2 JDR currently employ 60 people , 45 in manufacturing and 15 in design, project management etc.

4.3 Average salary is £30,500  
It is anticipated that JDR will employ over 200 over the next 4 to 5 years .

4.4 Business has invested £13m to date and will invest a further £3m this year.

**5. HUNTSMAN TIOXIDE**

5.1 Huntsman manufactures titanium dioxide and supplies world wide markets.The facility at Greatham is state of the art and well over £150m has been invested on the plant in last five years.

5.2 The company employs 250 direct staff and 140 core contractors. Average salaries on site total £30,000 pa. Supplier chain will support at least a further 250 jobs.

5.3 There is an extensive local supplier chain including PD Logistics, PD Ports ,Naramax ,Wolviston Management Services.

## **6. OMYA**

- 6.1 Manufacturer of The Hartlepool plant processes white dolomite (calcium magnesium carbonate).
- 6.2 Employ 13 direct. Supplier chain is almost exclusively local Hartlepool businesses and this will support at least 13 additional jobs.

## **7. VANDALLEN**

- 7.1 Metal recycling , primarily exported to Europe.
- 7.2 Turnover £5m.
- 7.3 20 jobs in North East with 10 in Hartlepool.
- 7.4 Supplier chain is primarily local businesses which support an additional 50 jobs.

## **CONTACT OFFICER**

Antony Steinberg – Economic Development Manager  
Economic Development  
Hartlepool Borough Council  
Tel: 01429 523503  
Email: [antony.steinberg@hartlepool.gov.uk](mailto:antony.steinberg@hartlepool.gov.uk)

## **BACKGROUND PAPERS**

No background papers were used in the preparation of this report.



## NEIGHBOURHOOD SERVICES SCRUTINY FORUM

16 March 2010



**Report of:** Scrutiny Support Officer

**Subject:** POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND AND SURROUNDING AREAS - FEEDBACK FROM THE SITE VISIT HELD ON 19<sup>TH</sup> FEBRUARY 2010, THE OBSERVATIONS OF SHIPS FROM THE TOWN WALL, THE VISITS TO PROPERTIES ON THE HEADLAND AND THE FOCUS GROUP HELD ON 23<sup>RD</sup> FEBRUARY 2010 – COVERING REPORT

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### 1. PURPOSE OF REPORT

- 1.1 To facilitate a discussion amongst Members of this Forum in relation to the site visit to PD Ports held on 19 February 2010, the observations of ships from the Town Wall by Members, the visits to properties on the Headland and the Focus Group held on 23 February 2010.

### 2. BACKGROUND INFORMATION

- 2.1 As part of the evidence gathering process for the undertaking of the investigation into the 'Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas' a site visit was recently attended by Members of the Neighbourhood Services Scrutiny Forum to PD Ports and Members also visited the Town Wall as and when they choose to observe the loading / unloading of ships.
- 2.2 Members have also visited residents on the Headland to speak to them about their concerns and view their properties in relation to the possible environmental impacts of dust deposits. The feedback from these visits will be circulated to Members in advance of this meeting.
- 2.3 A Focus Group was also held on 23 February 2010 to gather views of residents. The views / comments / questions will be circulated in advance of this meeting. In addition to this answers will be provided to the questions in written format prior to the meeting.

- 2.4 In line with good practice, Members of this Forum who were in attendance are requested to share / discuss their findings at today's meeting.

### **3. RECOMMENDATIONS**

- 3.1 That Members of the Forum discuss their findings from the site visit to PD Ports held on 19 February 2010, the observations of ships from the Town Wall, the visits to properties on the Headland and the Focus Group as outlined in section 2 of this report.

Contact:- Laura Starrs – Scrutiny Support Officer  
Chief Executive's Department - Corporate Strategy  
Hartlepool Borough Council  
Tel: 01429 523 087  
Email: [laura.starrs@hartlepool.gov.uk](mailto:laura.starrs@hartlepool.gov.uk)

### **BACKGROUND PAPERS**

- (a) Scrutiny Investigation into the Possible Environmental Impacts of Dust Deposits on the Headland and Surrounding Areas – Scoping Report – 16 February 2010

# **NEIGHBOURHOOD SERVICES SCRUTINY FORUM**

## **POSSIBLE ENVIRONMENTAL IMPACTS OF DUST DEPOSITS ON THE HEADLAND**

**Meeting 16<sup>th</sup> March 2010**

### **ADDITIONAL INFORMATION**

- (a) Feedback from the focus group and written comments received from the leaflet / questionnaire (Item 7.2 b (iv) on agenda for 16<sup>th</sup> March 2010 meeting) – *pages 1-6*
- (b) Questions received from focus group and answers (when answers are received from the Environment Agency, these will be circulated under separate cover) – *pages 7-26*
- (c) Port operations planning history – *pages 27-30*
- (d) Memo's from PD Ports – *pages 31-34*
- (e) Written statement from Headland residents – *pages 35-36*
- (f) Safety Data Sheets (please note these have been circulated for the purposes of the environmental aspects – not the health aspects) – *pages 37-50*

## **Feedback from Focus Group and Written Comments received from the leaflet / questionnaire**

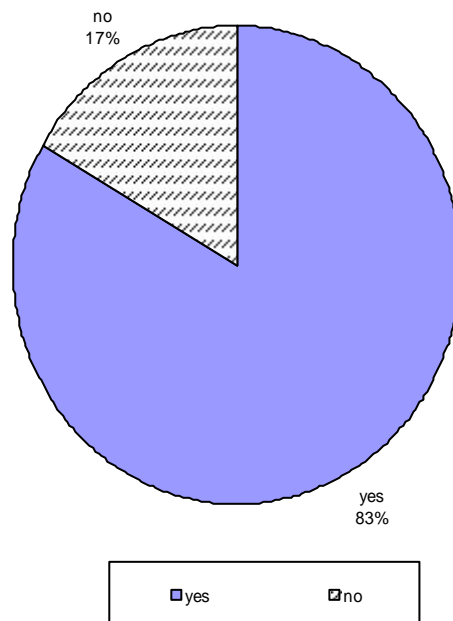
### **1. Comments from the leaflets / questionnaires**

1.1 3600 leaflets were distributed to all households on the Headland, Marina and Central Estate inviting people to attend the focus group which was held on 23<sup>rd</sup> February 2010 and the formal meeting of the Neighbourhood Services Scrutiny Forum which was held on 1<sup>st</sup> March 2010.

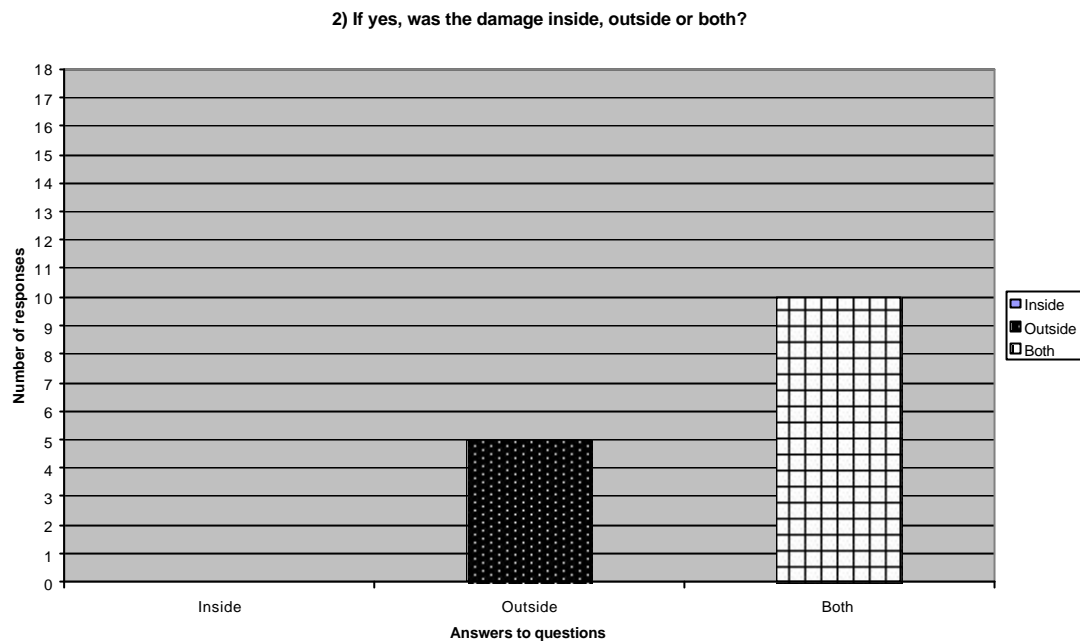
1.2 A short questionnaire was printed on the back of the leaflet and people were asked to complete the questionnaire and submit their written views / comments / questions if they were unable to attend the focus group or the 1<sup>st</sup> March meeting. 18 questionnaires were completed and returned. The graphs below show the responses to each question.

#### 1.3 *Question 1*

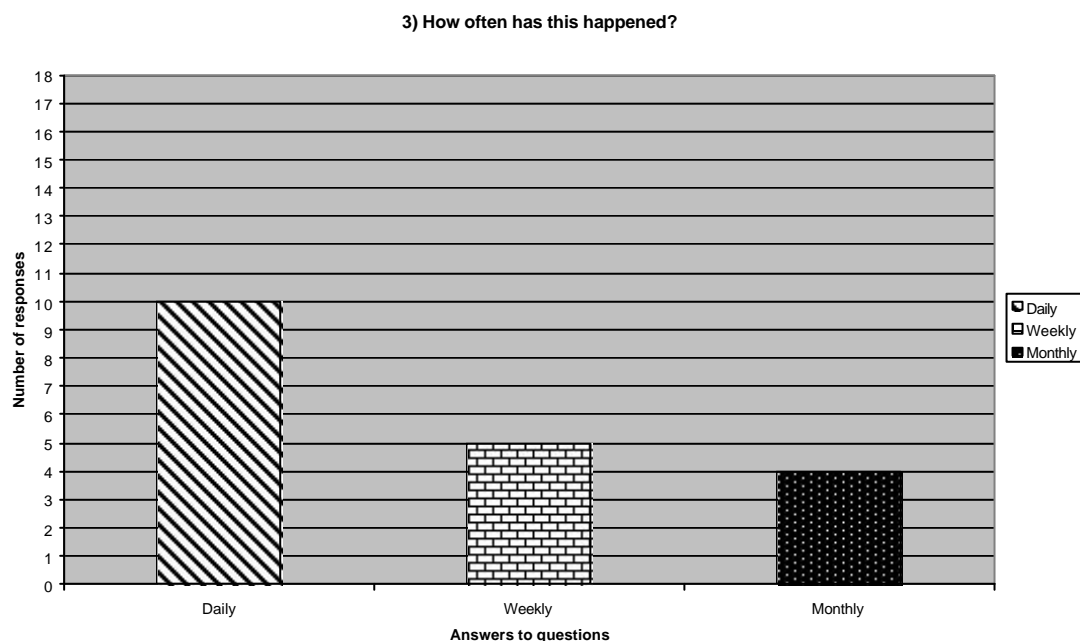
Do you think that your property has been damaged by dust from the port area?



## 1.4 Question 2



## 1.5 Question 3



(Please note that 3 people gave more than one answer to the above question – for example it happens daily and weekly)

1.6 The following views / comments were received from residents and have been written how they were received (minus the health aspects):-

(a) **Prissick Street** – no issues.

- (b) **Slake Terrace** – In my opinion the dust does not cause damage to buildings.
- (c) **Throston Street** – My property is a newly built house and have noticed rust around window ledges, fragments are spread across the whole of the window ledge and cannot be removed when cleaning. Also our windows are cleaned on a regular basis but always seem to have a thin layer of dust over them. Never really thought anything about it until this letter arrived through my letterbox. Do you think there is a possible connection?
- (d) **Town Wall** – Have had to paint rendering and woodwork more frequently to front of house. Don't keep windows open. Door step often covered in dust. Have to wash more often. Also noise has started again but keeps well within time limits
- (e) **Town Wall** – I've had double glazing installed for less than a year and specs of rust already appearing on the paintwork. The dust from the scrap heap on the docks is constantly settling on the windows and doors. No attempt is made to lessen this and noise from loading is bad.
- (f) **Town Wall** – How much longer do we have to put up with this filth, it is damaging our properties, would any of the Council Members like to live among this filth, we have to do something and get it moved now.
- (g) **Town Wall** – This is now getting beyond a joke. Constant black / red dust in house and outside. Worse when ships loading up or unloading. Please give me a clean street to live.
- (h) **Town Wall** – This dust settles on everything inside and out even in the summer you can't open your windows as they thick with dust and black spots.
- (i) **Darlington Street** – I would appreciate an honest inquiry into the problem and for it not to be covered up and any truths buried.
- (j) **Northgate** – A number of years ago houses on the Headland used to have a reduction in rates etc. Noise when Heerema was starting building rigs outside and piling for docks.
- (k) **Northgate** – we need to know why our properties are at risk for the sake of profits of PD Ports
- (l) **Northgate** – we should not have to live in the atmosphere from the dust it affects our lives and property

- (m) **Cliff Terrace** – My view is that it is another way for residents of that particular part of the Headland to try and con the Council out of more cash. I think it's disgusting. I don't know how many more times this has to be addressed. A complete waste of money.
- (n) **Cobb Walk** – Within a few months of having new windows and doors installed they were (and still are) covered in brownish coloured specks. Who (if anybody) will re-imburse me with the cost of my windows and doors.
- (o) **Heronspool Close** – Very bad stench from T.M.D on a daily basis, ongoing since 2001. Houses, cars contaminated . Other contamination – TMD Friction, Oaksway Ind. Estate, Hartlepool.
- (p) **Telford Close** – We have been resident in Telford Close TS24 0UE for 10 years and are not aware of any problems relating to environmental dust. One of our sills being used for monitoring purposes. The council staff who discussed the matter with me before installation referred to 'red spots' on UPVC. A friend who lives well to the west of the railway says that he frequently cleans off such marks. Major movement of stored pipes south of Cleveland road have caused short term visible dust clouds and noise. Observations of shipping at Hartlepool suggests that nearby residents may well be occasional subject to levels of contamination that are unacceptable in the 21<sup>st</sup> century.
- (q) **Somersby Close** – Regarding the issue's of dust myself and my family have lived in this property since 1984 when it was first built. Myself and neighbours past and present have remarked how dusty the houses are. You can dust and by the end of the day it looks as if it's never been touched. When we open a window grime gets on our blinds and the window sills are covered in grime too. I can wash my car and the following day it's covered in a film of dirt without it moving. We always blamed the Steetly Plant but it can't be because since its closure it's remained the same, it can be a nuisance but over the years we have had to live with it. Also, in the last year or so I have noticed a very low pitched rumble noise, its more noticeable at night time even with the windows closed you can hear it. It does sound a lot like a diesel car outside with the engine ticking over but if you look outside there is nothing there. It doesn't keep you awake but if you wake up during the night it's annoying enough to make it hard for you to drop back off to sleep. Does anyone know the causes for the dust and the low rumble noise? Its not the police helicopter because that noisy, this noise is the very low end of the noise range hertz not kilohertz. Its not tinnitus because my wife hears it too.

## **2. Feedback from Focus Group held on 23<sup>rd</sup> February 2010**

2.1 A focus group was held on 23<sup>rd</sup> February 2010 at the Headland Borough Hall to gather the views / comments / questions from residents in relation to the possible environmental impacts of dust deposits on the Headland and surrounding areas.

2.2 Four questions were asked at the focus group. The questions are detailed below along with the responses:-

### **(1) Do you think that you have suffered environmental damage to your property as a result of port activities?**

Yes

### **(2) If yes, what was the damage and how often does it happen?**

Damage to:-

- (i) cars / gardens / clothing (washing cannot be dried outside) / curtains / carpets / furniture / heating / gas fires / windowsills / interior walls / wallpaper / exterior walls / frames of doors and windowsills / gardens / plants / lawns / paving / plant pots / garden furniture / outside fences / walls / blinds / damage to caravettes and caravans / boats in dock / paintwork / door furniture / motorbikes / windscreens / wiper blades / contamination to home grown vegetables / hinges rust / fibre glass pitted / stainless steel rust coated / discolouration of UPVC and aluminium windows i.e rust marks / marine life (ginger lobsters living in scrap)
- (ii) Cleaning the house and contents require more power use i.e carbon footprint and extra money from residents to pay for.
- (iii) Depending on the direction of wind / actual activity on dock – If wind direction is on Headland then we get covered with dust on homes / cars etc and this can be up to a few centimetres thick. If wind direction is away from Headland we can still get a slight covering. Either way we have to continuously clean this dust away resulting in scratches on windows and what you don't get off gets into window frames etc and leaves brown / red marks
- (iv) Continuously decorating, waste of time as we know it will be dirty again soon. Move scrap to Teesport where there is no housing because all scrap is brought in by road
- (v) Rust dust scours materials / rust scum floats on water, sinks.



- (vi) Quay washed down into dock.
- (vii) Loss of value to property
- (viii) From heavy metal exposure / black dust

Frequency:-

24 hours 7 days a week for ever, daily occurrence whether there is activity going on at the Port or not, due to the stock piles of scrap on Irvines Quay, on going

**(3) Do you think that port activities affect the quality of your life? If yes, can you explain how? (answer to be non – health related – i.e not stress, anxiety, depression etc)**

- (i) Can't open windows / can't sit in gardens / walk the streets when we are being bombarded with dust
- (ii) Lack of sleep due to noise causes tiredness to people on shifts etc
- (iii) Feeling of worthlessness
- (iv) Children playing in a dirt environment
- (v) Volume of traffic when Heerema is in operation – change of shift has cars going in both directions creating noise and danger to the public.
- (vi) No where else in Hartlepool is close to industry – makes you feel like a second class citizen.
- (vii) Living in a deprived area (a council made slum / ghetto like)
- (viii) The noise is intolerable some days it means that we can't have our windows open

**(4) If you have any specific questions relating to the possible environmental impacts of port activities please detail below.**

Answers to the questions will be provided prior to the next meeting on 16<sup>th</sup> March 2010.

**Answers to questions from Focus Group.**

**Question 1**

What have HBC or any agencies or companies done to reduce the exposure routes to residents regarding:

- Air inhalation – from dust in the air?
- Dermal contact – from contamination from dust that we are in contact with, e.g. our property?
- Dust ingestion – from breathing and contact?
- Eating – e.g. deposited dust in the dock being dredged then dumped at sea, causing exposure to edible fish stocks?

We want a copy of all results, before and after, that prove anything has been done and is successful.

**Answer**

Health Related and not relevant to this Scrutiny

**Question 2.**

M17 Environment Agency Technical Guidance Document for monitoring of particulate matter in ambient air around waste facilities (including metal recycling/scrap yards). Regarding dirty/dusty/noisy port operations - we want a copy of all evidence that all of the legislative framework has been adhered to, which includes:

- Air Quality Management Legislation
- Environment Protection Legislation
- Health and Safety Legislation
- Planning and Environmental Legislation

We want a copy of all testing/results/investigations to prove it has been carried out.

**Answer**

Air Quality Management Legislation;

Under the provisions of the Environment Act 1985 and the Air Quality Regulations 2000, the Council has to regularly review and assess air quality within the borough. The original full assessment was undertaken in 2000. The Council has to publish an annual progress report and every 3 years has to undertake an updating and screening assessment. All of these reports are available on the Council's [web site](#) and in the Central Library.

Environmental Protection Legislation;

There are two permitted operations on the Port permitted under the Environmental Permitting Regulations 2007. These are Van Dalen's scrap operation which is permitted and regulated by the Environment Agency and PD Ports permit for the

**(b)**

unloading of coal and petrocoke which is permitted and regulated by the council. Both of these operations are regularly inspected by the regulators. In the case of the PD Ports permit it receives an annual inspection.

Health and Safety Legislation - Health Related and not relevant to this Scrutiny.

Environmental Legislation;

The Statutory Nuisance provisions of the Environmental Protection Act 1990 are applicable to all other operations on the dock. The Council are responsible for any formal action under these provisions and have been undertaking investigations in order to obtain evidence of any statutory nuisance from the Port. This includes the monitoring exercise from which both the residents and members of the forum have the results. The members of the forum also have the detailed chronological list of events which are in the scrutiny report.

Planning – provided

**Question 3.**

M17 gives an example of a scrap yard may be considered hazard, due to the potential impact of toxic heavy metals. The corresponding risk might be that there is a 1 in 100 chance per year that residents in nearby houses would receive a significant exposure to say nickel.

We want to see the results of all checks carried out on incoming scrap, to check for contamination of harmful elements, including PCB's/Cadmium/Mercury/Copper/Aluminium/Zinc etc and their components.

**Answer**

This is a question for the Environment Agency

**Question 4.**

What have HBC done about run off from the area into Victoria Harbour. We want to see the report. We want to see the results from tests carried out on the environmental impact of the dust into the water, affecting sea life.

**Answer**

This is a question for the Environment Agency

**Question 5.**

Obviously, the petri dishes are not the most suitable method for monitoring. They are not showing what the DVD is showing. M17 states that a pilot survey is used to confirm that the anticipated monitoring method will be adequate in terms of performance. We want to see the results of the pilot survey.

**Answer**

This is a question for the Environment Agency

**Question 6.**

Since the issue has been ongoing, why has air monitoring never been carried out since 2,000 and we want to see the report that in 2,000 it was recommended to position the unit behind the Borough Hall, out of direct line of port operations.

**Answer**

The monitoring was undertaken as part of the early stages of the review and assessment process. The monitoring station monitored 4 pollutants, particulates (PM10), Nitrogen Dioxide (NO2), Sulphur Dioxide (SO2) and Carbon Monoxide (CO). The monitors were housed in a large unit which weighed 3 tonnes and required a mains power supply. The largest contributor to particulates (PM10) and NO2 is traffic and the station was therefore sited at the nearest suitable location that was available at the time.

**Question 7.**

Air monitoring - as M17 has the first choice for method and technique for each detrimand been used, e.g. deposited dust recommendation. Frisbee omni-direction deposit gauge. Along all site perimeter, minimum of 2 along each boundary. If not, why not? We want to see the report.

**Answer**

This is a question for the Environment Agency

**Question 8.**

Can we have the results from all surveys carried out that show if the facility has always been compliant with Environmental/HSE requirements. What survey methods have been used over the years. Going back to 1<sup>st</sup> complaints early 90's.

**Answer**

We do not undertake routine surveys of any sites. When complaints are received concerning any alleged nuisances they are investigated and relevant action is taken.

**Question 9.**

Control of substances hazardous to health – COSHH. They all warn on iron oxide dust – to prevent inhalation of dust. Say that inhalation risk, a nuisance causing concentration can be reached quickly. May cause mechanical irritation/chest and

**(b)**

muscle pain, flu like symptoms. But long-term exposure may affect lungs, resulting in siderosis.

Can we see the report that allows Councillor Brash to then tell us on TV that the dust is not the cause of health problems. Where is his science/evidence that overrule COSHH sheets.

**Answer**

Health Related and not relevant to this Scrutiny

**Question 10.**

We want to see the minutes of any meetings that took place without the involvement of residents on dust issues.

There were meetings held without the residents of the Liaison Group.

One such meeting, behind closed doors, attended by HBC reps/Environmental Agency and HSE Graham Hull, Environmental Agency questioned proposed monitoring asking what did they expect to get from it – as all parties round the table were aware there was a problem.

At the same meeting, Stephanie Landles, HBC, said they were only holding back from serving of notice, because Van Dalen were round the table working to solve the problem. The problem hasn't been solved in 19 years. No new handling techniques have worked, so when are HBC going to serve notice?

**Answer**

It was stated that a regulatory bodies meeting was held in private and that liaison group members were not provided with minutes. It was agreed by the liaison group at the meeting of 6<sup>th</sup> March 2008 that the regulatory bodies should meet separately and report back to the group. As a result, officers from HBC, the HSE and the EA attended a meeting on 8<sup>th</sup> April 2008.

The (draft) minutes of the regulatory bodies meeting on the 8<sup>th</sup> April 2008 were distributed at the following liaison meeting on 22<sup>nd</sup> April 2008 as minuted.

HBC will serve a Notice if and/or when we obtain sufficient and appropriate evidence.

**Question 11.**

In Van Dalen's flawed envoy report, why did 2 air monitors get positioned upwind, on the outside of the scrap instead of the contaminated downwind side?

Why did the 3<sup>rd</sup> monitor get positioned on the north west corner of the scrap, upwind? (The wind on the day was north east, conveniently blowing dust away from the monitors).

**Answer**

The three monitors on the ship were neither upwind or downwind. They were positioned on the hull of the loading bay to enable monitors to directly measure the source of emissions. This eliminated the obvious possibility of variable wind direction over the duration of the monitoring period. I think there was a general consensus amongst the 'experts' involved in the process that measuring the source profile of dust was the best method to give a worst case scenario.

A monitor was stationed "upwind" of the loading bay. This was to profile what you might call the background levels of particulates so the analysis could profile the background levels of particulates in a very complex industrial / coastal environment. Otherwise, the actual measured data from the ship would have been meaningless and we could not put the emissions of the loading in perspective. This was one of the methods that highlighted the prevalence of rutile sand particulates in the surrounding area.

**Question 12.**

January 2009, HBC received a complaint from a Sea View Terrace resident regarding brown spots on windows that Heerema had replaced the previous year. HBC said it was unlikely to be caused by port activities because of the distance between the two.

We want to see the reports/tests HBC made to come to this conclusion. M17 states how far airborne particles can travel. Don't HBC officers believe the Environmental Agency? Have they produced their own guidance documents that ignores/overrules M17? Were the windows not changed in the first place because of possible damage from port activities?

**Answer**

Monitoring is currently being undertaken at 9 Sea View Terrace.

HBC had no involvement in the replacement of windows on the Headland. Our understanding is that this was an issue handled by Heerema and their insurers.

**Question 13 and 14.**

What evidence can HBC provide that shows their actions have reduced the environmental impact the dust on residents lives. We want to see the evidence of any actions that have improved the quality of the resident's lives.

We want a quality of life where we can sit in our gardens/houses and breath clean air. How are HBC going to give us our wish?

**Answer**

The council and the other agencies will continue to work together to ensure that there are continuing improvements to practices on the port within the realms of

**(b)**

these being reasonably practicable. We will also continue our investigations and where we have evidence of any contraventions of our permits or of statutory nuisance we will pursue formal action.

**Question 15.**

Dr Kelly's health report was flawed. Doctor's surgeries contain not just people from the local area. Can HBC prove that the Stranton/Dyke House areas, which were highlighted to be above normal for respiratory illness, was not caused by the effect that the scrap and dust was located near their area for 20 years – 20 years ago?

**Answer**

Health Related and not relevant to this Scrutiny

**Question 16.**

Residents have damage to property, including cars/houses. Why has the Port Authority taken responsibility for cleaning some residents houses/valeting cars and not made the same offer to those who haven't complained?

**Answer**

The Council are not aware that the Port have taken responsibility for cleaning residents houses and cars. This would be a civil issue between residents and the Port.

**Question 17.**

Who is going to pay for the damage to our property/life and the environment we live in?

**Answer**

Damage to property such as cars, boats windows, paintwork is a civil matter between the claimant and the person or body which has caused the damage.

**Question 18.**

Heerema have test windows installed and weekly independent checks/reports carried out, these were installed after they paid over £1 million to replace residents windows. These have now the same damage as the windows they replaced. We want HBC to request access to the reports and to see the photos/evidence that we have. We want to see the full reports.

**Answer**

This is a question for Heerema. Damage to property such as cars, boats windows, paintwork is a civil matter between the claimant and the person or body which has caused the damage.

**Question 19.**

Councillor Brash stated that there was not any detrimental impact on health caused by the dust. We want to see the evidence that quantify this HBC statement.

Do HBC believe that breathing dust from port activities has no effect on our health or not?!!!

**Answer**

Health Related and not relevant to this Scrutiny

**Question 20.**

What are the clean up plans for Irvine's Quay?

- How much is it costing?
- How much is HBC putting up?
- What is happening to the scrap heaps?
- What loss of earnings are Van Dalen/PD ports getting?

**Answer**

**What are the clean up plans for Irvines Quay?**

Prior to the event we will need to "make good" the land at PD to be used for the Tall Ships Village to ensure it is level, lumps and bumps flattened out and safe for a large number of visitors and infrastructure. The Tall Ships project will bear this cost and this work will take place in spring 2010.

We will return the land to PD in the same state it was handed over with temporary fencing taken down, site cleansed etc.

**How much is it costing?**

Engineering quotes are currently being gathered to undertake these works.

**What is happening to the scrap heaps?**

In project meetings we have discussed the option of covering it with hoardings to make it more visually appealing for visitors, but no decisions have yet been reached.

**What loss of earnings are Van Dalen / PD Ports getting?**

In terms of operational costs to PD and Van Dalen, these are commercially confidential considerations for both companies, but discussions with PD from the bidding stage onwards have been on the basis that there will be no public funding to reflect any operational income implications for the port or its tenants. Similar arrangements prevail for Hartlepool Marina.



**Question 21.**

Why has it taken the action of residents to highlight this issue? Why haven't HBC taken the lead to remove the pollution and improve our quality of life?

**Answer**

When complaints are received concerning any alleged nuisances they are investigated and relevant action is taken.

**Question 22.**

Regarding complaints of dust and noise a petition was handed into HBC in 1992. Minutes HBC Chief Executives Department August 7<sup>th</sup> 1992 – the meeting held, attended by HBC representatives/port representatives/Teesside Holdings (scrap) and the Engineering Environmental Director. The board members present requested time to reconsider and evaluate recorded incidents. We want to see the minutes of the findings after reconsideration/evaluation.

At the same meeting under item E) Dust the minutes say there was no evidence that any dust was of a toxic nature. We want to see the evidence to show how HBC came to this conclusion to support this statement.

**Answer**

This was handled by HBC officers, port representatives and the operator of the scrap business at that time. From the information presented it is clear that this petition resulted in the setting up of the original liaison group. The officers mentioned in this report have long since retired and we have no surviving records of these meetings.

Any issues regarding toxicity are health related and not the remit of this Scrutiny.

**Question 23.**

Why should we pay the same Council Tax as residents across the town who breath and live in a clean environment. What reduction are HBC going to give the residents in Council Tax and backdated to 1992?

**Answer**

HBC Officers deal with complaints of statutory nuisance on a daily basis throughout the Borough. As far as we are aware, Council Tax is not linked to these activities anywhere in the Borough

**Question 24.**

We have reported incidents of heavy dust pollution and HBC environment department officers have said that they can't do anything about it because it was too

**(b)**

windy! We want the HBC report/evidence/methodology to allow this statement to be made.

**Answer**

During extreme weather conditions, particularly on dry days when there are strong winds it is inevitable that there will be dust blowing around from all sorts of sources. The incident referred to in the question was one of these. It was a dry day with strong gusty winds. Officers visited the area immediately on receiving the complaint. There was dust blowing everywhere not only on the port. The port had stopped all loading and unloading operations and their bowser was operating across the whole site attempting to dampen down any dust emissions ie. the company were using 'best practicable means' to alleviate the situation and therefore no action was possible. One of the Town wall residents confirmed that the bowser had been used all day. On the day in question there was even sand blowing off Middleton Beach over the top of the banjo pier opposite the Town Wall.

**Question 25.**

What are HBC doing about the dust pollution from the wagons moving these filthy cargoes to/from the port? This is affecting the full town. We want to see any test results.

**Answer**

It is the driver's responsibility to ensure that his cargo is secure. If a vehicle is spilling any of his cargo onto a highway then the police have powers to take action.

**Questions 26 and 27.**

What are HBC going to do to stop damage to property/houses/windows/door furniture/health when we are in our homes/outside our homes?

What are HBC going to do about damage to cars/paintwork/windscreen/wipers/boats?

**Answer**

Damage to property such as cars, boats windows, paintwork is a civil matter between the claimant and the person or body which has caused the damage.

**Questions 28.**

We demand the filthy cargoes are moved up the Tees, away from residential areas. Bring the clean cargoes here. No job losses but a better quality of life.

**Answer**

HBC cannot demand that the Port remove these bulk cargos to Teesport. HBC has no influence over PD Ports commercial operations.

**Question 29.**

What did Van Dalen (scrap) promise HBC to persuade them not to invoke service of notice?

**Answer**

Van Dalen have not promised HBC anything not to invoke service of notice. In fact HBC are not the regulator for the Van Dalen site it is the EA.

**Question 30.**

With the closure of Corus at Redcar, is it true that the scrap is coming to Hartlepool that they used to take?

**Answer**

As far as we are aware, there are no plans to bring scrap to Hartlepool following the mothballing of the Redcar plant.

**Question 31.**

Scrap should be moved to the Corus Quayside loading area, will HBC pursue this idea?

**Answer**

HBC has no influence over PD Ports commercial operations.

**Question 32**

The general images portrayed on the DVD from residents has enough evidence to close these operations. No other town in the country and that includes councils would tolerate what the Headland residents have had to tolerate for the past 20 years.

HBC better do something quickly to rid the residents of filthy cargoes or else we will make the Tall Ships visit our platform for media enlightenment.

**Answer**

This is a statement and does not require an answer

**Question 33.**

What are HBC going to do to force the movement of filthy cargoes up the Tees?

**Answer**

**(b)**

HBC cannot demand that the Port remove these cargos to Teesport. HBC has no influence over PD Ports commercial operations.

**Question 34.**

Are HBC going to take the issue and force environmental clean up for the cargos?

**Answer**

HBC has no role in cleaning cargos

**Question 35.**

At the liaison meeting 6<sup>th</sup> March 2008, Adrian Hurst, HBC told the meeting that he had been on the site the day before when it was not windy and there was no ship in. he observed every time the grabber dug into the stock pile there was dust everywhere. He then went to Town Wall to see the tipping, where he saw a cloud of dust. He questioned what it must be like during days of severe weather.

What has HBC done to stop this happening? The DVD is from December 2009. Why have the residents been ignored? We are still suffering. Mr Baster (Van Dalen) said that it was not a normal situation and would not normally happen. The DVD shows it happening now. What are you going to do about it?

**Answer**

As already stated at the scrutiny meeting of 1<sup>st</sup> March 2010, we accept that dust emissions were observed from the Van Dalen site on 5<sup>th</sup> march 2008 which were affecting resident's properties. The first meeting of the liaison group had already been arranged for 6<sup>th</sup> March 2008 as a result of complaints concerning dust from Van Dalen and the ports. Since that time, working in collaboration with the various agencies and operators, improvements have been secured and there is now not sufficient evidence to support action for statutory nuisance.

**Question 36.**

At the secret (to residents) meeting of officers held 8<sup>th</sup> April 2008.

Chris Giles of the HSE stated that the HSE was able to look at monitoring figures for the workforce (workforce exposure limits) but these had no relation to the exposure allowances for members of the public. Graham Hull of the Environmental Agency asked if the workforce exposure limit was low on site, would that automatically mean the exposure to the public was lower.

Chris Giles (HSE) stated that it could not be determined that if it was safe for a worker to work on site for 8 hours per day that it would be safe for a member of the public to live in the vicinity. How then can Councillor Brash then tell us we are safe and health not affected by dust? So if the petri dishes are showing a low exposure limit (and they obviously are not the best measurement apparatus – the DVD shows

**(b)**

that!) how can HBC then determine that it is safe for a member of the public to live in the vicinity? The HSE couldn't! we want the methodology they used for the statement.

**Answer**

There have been no 'secret' meetings. It was agreed by the liaison group at the meeting of 6<sup>th</sup> March 2008 that the regulatory bodies should meet separately and report back to the group. As a result, officers from HBC, the HSE and the EA attended a meeting on 8<sup>th</sup> April 2008. The (draft) minutes of the regulatory bodies meeting on the 8<sup>th</sup> April 2008 were distributed at the following liaison meeting on 22<sup>nd</sup> April 2008 as minuted.

The remainder of this question is health related and therefore not relevant to this scrutiny.

### Questions from Focus Group / leaflets

Do you think there is a possible connection between port activities and rust / fragments on windows?

Ans: Possibly but we do not have the evidence to support this.

Need to know why properties are at risk for the sake of profits of PD Ports?

Ans: Not clear what is meant by properties being at risk? Damage to property is a civil matter. We currently do not have the evidence to pursue action for statutory nuisance.

Does anyone know the causes of the dust and low rumbling noise.

Ans: We have e-mailed the resident who asked this question to make an appointment to visit and investigate. We have received no response to our e-mail. We will contact him by post and investigate this further.

Are you aware of new legislation coming from the EU concerning the effect of dust on residential areas?

Ans: Yes. This is Air Quality legislation which will be controlled under regulations that will be laid under the provisions of the Environment Act 1985.

Will global warming give us enough sea water to cover this dust and scrap piles?

Ans: Comment noted but this is not a question that can be answered.

Will the wind farms help to blow the scrap / rutile / sand / talc ore away? (maybe over to Teesport)

Ans: Comment noted but this is not a question that can be answered.

When is this going to come to a conclusion, when is action been taken in support of the residents?

Ans: This has been answered previously. We will continue to work with the Port and the companies operating on the Port to improve practices on the port and their effects on the environment. We will also continue our investigations into any possible statutory nuisance and take any formal action we can subject to having adequate evidence.

What is the timescale for the question above will it be before August 7<sup>th</sup> – 11<sup>th</sup> 2010?

Ans: This is ongoing and (see previous answer).

Why is it that with all the evidence that is in the public domain Van-Dalen is still operating?

Ans: This requires an answer from EA

Why have we not had the results of all samples taken? What was outcome of petri dishes? (No feedback?)

Ans: The residents and members of the Scrutiny Forum have copies of all of our monitoring results.

Noise made by moving scrap metal, loading of scrap metal is very bad, what has been done to stop noise nuisance?

Ans: Arrangements are in place with residents of the Town wall to monitor noise from the operations on the Port.

Adding up all of the evidence from 1995 to video of 2008 are the Council, HSE, EA saying that everything is ok?

Ans: We are not. What we are saying is that we do not have adequate evidence to support taking any legal action.

Why cover up for the Tall Ships and not for us?

Ans: In project meetings we have discussed the option of covering it with hoardings to make it more visually appealing for visitors, but no decisions have yet been reached.

It isn't essential that the scrap heap is covered. This is a maritime event taking place in a working port and so people will expect to see things of this nature.

Marine life contaminated?

Ans: This requires an answer from the EA

Dock is dredged then taken to fishing grounds and dumped. Are we eating contaminated food?

Ans: This requires an answer from the EA

Rutile sand – is it affecting water quality and harmful to children playing on fish sands?

Ans: This requires an answer from the EA

Why have we lived with this for 19 years and still no one listens?

Ans: We are listening. Hence this scrutiny process

The ships offload (via hoppers) into lorries to prevent the dust problem. However, one of the two hoppers has not got a side and so cannot do this job. When pointed out the manager of PD Ports said it would be fixed the next day. How do they manage to oversee such a glaring problem? Does this instil any confidence in their capabilities?

Ans: We have not observed this hopper in use. If they are using it then it probably does not instil any confidence. We suggest this is raised with PD Ports further.

The site visit was to see the unloading process. But the vessel had been unloaded prior to the visit and the dockside cleaned?

Ans: We were informed on at least two separate occasions to different council officers that they would be unloading at the time of the site visit. It is the Port's usual practice to bring in a road sweeper and clean the dockside after a ship has been unloaded.

We have never seen any results of the toxicology in the dock and in the water and in the sediments – let alone airborne?

Ans: This requires an answer from the EA

The ship in the dock had covers over all the vents and inlets to stop dust ingress to the engine / living quarters. Why is this necessary if there is no dust problem?

Ans: If the ship had covers to stop ingress of dust, this would not be relevant to the investigation of dust in the residential area.

Where are all HBC / EA results of tests carried out back to 1992?

Ans: Residents and the Members of the scrutiny forum have all the results of the monitoring undertaken by HBC.

When you catch a lobster out of the dock it is ginger – what do you think causes this?

Ans: This requires an answer from the EA

If there isn't a problem – why do you think the area requires clean up for tall ships?

Ans: see focus group answers - there are some areas of ground where levelling is required to enable visitors and crew to walk around safely



### **Secret Meeting 2008**

Why didn't the Council close Van Dalen down then, Stephanie Landles said because they (Van Dalen) were around the table working to solve the situation, talk, talk and still nothing has changed they should be closed down.

It appears from this meeting that the health of Van Dalen workforce is more important than that of the Residents.

What exactly did Van Dalen promise Hartlepool Borough Council to persuade them not to invoke service of notice.

What happened to dust management plan promised to Stephanie Landles.

It was recognized by all parties at this meeting there was a dust problem and action was required, what action was taken, nothing has changed.

Van Dalen have been working on the Bund Walls what appears to be a concrete base has been added if this is to retain water run off what happens when water builds up and turns stagnant, more smell for residents to endure.

### **Huntsman Tioxide**

Why can't Huntsman build a berth adjacent to there works on the River Tees to off load Rutile Sand direct to the plant.

With the closure of Corus this will free up more space at Teesport all dirty cargoes could be moved up the Tees.

Why have we had no update regarding results from dust samples.

What is happening on Irvines Quay regarding the Tall Ships visit, who is financing cleaning, covering of Scrap, and covering loss of earnings to the various companies, not the Council Taxpayers we hope.

In general the images portrayed on the DVD is evidence enough to close down Van Dalen and stop PD Ports handling these dirty cargoes, what is Hartlepool Borough Council going to do to help the Headland Residents. No other town in the country and that includes councils would tolerate what the Headland Residents have had to endure for the last twenty years.

Hartlepool Borough Council do something quickly and help the Residents or else we will make it very uncomfortable for you.

**\*The Tall Ships Are Coming\***

### **Answers to Mr Graham's Questions**

- Q1 See answers to questions from focus group
- Q2 Health Related
- Q3 See answers to questions from focus group
- Q4 This would be part of the requirements of Van Dalen's Environmental Permit.
- Q5 Actions reported through the liaison group following this meeting. Other actions are listed in the chronological list of events attached to scrutiny report.
- Q5 Cannot understand why water would build up and turn stagnant. If it did then the EA would require action to be taken to remedy the situation.
- Q6 This would be a commercial decision for Huntsman that the council is not in a position to influence.
- Q7 See answers to questions from focus group
- Q8 See answers to questions from focus group
- Q9 See answers to questions from focus group
- Q10 See answers to questions from focus group

## NEIGHBOURHOOD SERVICES SCRUTINY FORUM

16 March 2010



**Report of:** Director of Regeneration and Neighbourhoods

**Subject:** PORT OPERATIONS PLANNING HISTORY AND  
COMMENTS SUMMARY IN RELATION TO  
CONCERNS ABOUT DUST

### 1. PURPOSE OF REPORT

- 1.1 To provide Members with details of planning controls in relation to concerns raised at the Neighbourhoods Services Scrutiny Forum held on the 16<sup>th</sup> February 2010 regarding dust in relation to port operations.

### 2. BACKGROUND INFORMATION

- 2.1 Details of planning controls (if any) are listed below under the relevant company name.

#### PD PORTS

- 2.2 Port activities do not require planning permission as The Town and Country Planning (General Permitted Development) Order 1995, Part 17B indicates that development is permitted on operational land by statutory undertakers or their lessees in respect of dock, pier, harbour, water transport, or canal or inland navigation undertakings, required –

(a) for the purposes of shipping, or

(b) in connection with the embarking, disembarking, loading, discharging or transport of passengers, livestock or goods at a dock, pier or harbour, or with the movement of traffic by canal or inland navigation or by any railway forming part of the undertaking.

- 2.3 There are no planning restrictions on these activities.

#### VAN DALEN UK LTD, IRVINES QUAY

- 2.4 It is understood that the Van Dalen operation relates to an import/export business in which activities fall within Part 17B of The Town and Country

Planning (General Permitted Development) Order 1995 defined above, as such the activities are considered to be permitted development.

2.5 It has been confirmed by the Environment Agency that the Waste Management Licence also reflects this use as an import/export business and no treatment of materials is part of the business.

2.6 In terms of planning there is no control over the current activities.

### **HEEREMA LTD, VICTORIA HARBOUR**

2.7 There are no specific planning conditions which relate to dust control as such. However a planning approval for the site granted on the 16 July 1985 (Ref. H/FUL/0255/85), details a condition which require activities to be carried out within buildings. There are other conditions and a S52 legal agreement attached to the planning approval which cover other environmental issues outside the scope of this exercise e.g. noise.

### **J D R CABLE SYSTEMS LTD, GREENLAND ROAD**

2.8 There are no specific planning conditions which relate to dust control as such. However there are two planning approvals which detail conditions which require works to be carried out within buildings:

- H/2008/0166 - Use of shed for the manufacture of umbilical chords/undersea cables ( B2 use) and alterations to elevations
- H/2009/0596 - Extension to existing manufacturing unit to accommodate new vertical laying up machine (VLM).

2.9 There is also a planning condition attached to an approval which covers other environmental issues outside the scope of this exercise e.g. noise.

- H/2008/0247 - Erection of single storey office and welfare accommodation, external plant enclosures with parking spaces and security fencing.

### **OMYA, MIDDLETON ROAD**

2.10 A planning condition relating to dust control was attached to two planning approvals when the site was Nortalc Milling:

- H/FUL/706/94 - New Bagging Warehouse also machine platform in existing a buildings and associated drainage.
- H/FUL/485/94 - Erection of a single-storey extension to existing plant and provision of 6 new storage silos and base for further silos and transformer building.

2.11 The planning condition required a scheme to prevent the emission of dust to the atmosphere to be submitted and approved by the Local Planning Authority. The company have provided this information and the condition was subsequently discharged.

2.12 There is a planning condition attached to another approval which covers other environmental issues outside the scope of this exercise e.g. noise

- H/FUL/323/98 – Construction of buildings to accommodate plant and machinery for the processing of crushed and ground minerals and bagging and storage

### **HOGGS FUELS LTD, LAND AT FERRY ROAD**

2.13 There are no specific planning conditions which relate to dust control as such. However there is a planning approval which details a condition which precludes processing activities on the site.

- H/FUL/0285/97 – Use of land for storage and solid fuel and the manufacture of fencing and erection of boundary fence and 2 sheds.

## **3. RECOMMENDATIONS**

That Members of the Forum note the content of this report.

**Contact Officer:-**     **Chris Pipe - Principal Planning Officer**  
Regeneration and Neighbourhoods – Development Control  
Hartlepool Borough Council  
Tel: 01429 523596  
Email: Christine.pipe@hartlepool.gov.uk

## **BACKGROUND PAPERS**

The following background paper was used in the preparation of this report:-

- (i) Hartlepool Borough Council's Planning Register.

## Memo

To: All Vessel Superintendents  
From: Paul Watson

CC: Sean Beach  
Date: Tuesday 24<sup>th</sup> November 2009

**Re: Night Shift Working – Environmental Considerations.**

As you are all aware we are currently in consultation with the Environment Agency, Hartlepool Borough Council and the residents on the Headland with regards to noise and dust pollution from vessels working on Irvin's Quay.

During this "sensitive" time please can you ensure that all staff working during "night shift" hours are aware of the following and take steps to minimise the levels of dust and noise pollution to an absolute minimum: -

- Loading Shovels must not drag their buckets over the quay to "sweep" up loose cargo.
- Loading Shovels must keep the need to "reverse" to a minimum. The "quieter" of the machines is to be used as a priority where possible.
- Wagon Drivers must take steps to ensure that when pulling away from tipping areas that the speed of movement is such that the tail gates do not "bang" against the main chassis of the vehicle.
- Crane Drivers must take preventative steps to ensure that any leaking cargo is not discharged from a height above the hopper
- Crane Drivers must only use the intercom system where absolutely necessary and show respect for the local residents on the Headland

If you have any problems then please call the Duty Shift Manager in the first instance and the Operations Manager if problems escalate.

Regards,

Paul Watson  
Shift Manager



## DUST SUPPRESSION

### Hose Operator

In order to minimize the amount of airborne dust in the surrounding area, that may be of nuisance to our neighbours on the Headland, and as this is a serious complaint, we have decided to utilize water hoses during the loading of Scrap vessels.

When employed as a Hose operator you should only use the water *in short bursts* so as not to flood the cargo and surrounding area. Ideally this will also prevent soiled water entering the dock.

Please remember to use a metered hose so that we can keep a record of water usage but please also remember **Not** to use the Ship's Watering Gear.

*Andy Kilgour*

*Shift Manger*

10.03.08



## **Dust Suppression**

### **Crane Drivers**

In order to minimize the amount of airborne dust, that may be a nuisance to our neighbours on the Headland, we should try to address this issue by at all times lowering the grab fully into the vessel onto the stowed heap before releasing cargo. This should help in our efforts to improve this situation.

Your co-operation in this matter would therefore be appreciated.

*Andy Kilgour*

*Shift Manager*



As evidence I would like to inform councillors of the problem that as a resident living on the town wall area i have had to endure for the last 20 years.

Several residents can confirm this actually happened as they were present on the occasion. The names are listed below.

Back in 2008 I contacted H.B.C Environmental officers to say that I was having serious problems with dust that was coming from the docks area, it was coming across and landing on my property and onto my car, leaving everywhere covered in a reddish/brown dust. When I tried to wash it from my property it was scratching the windows and the paint work on the car. This is not the first time we have had to report this to H.B.C.

I asked for the council officer to attend my home and inspect the dust and damage. When he turned up several hours later, with another officer I asked if he could see the dust lying around and he said yes. I asked if he could take some samples to see what it was and what it contained, he said no as it was too windy and if they tried to collect the dust to put into a container it would probably just blow away, the other officer with him had a camera so I asked if he could take some photographs as proof that this had happened and he was not allowed to as the officer said that it probably would not have shown up.

I pointed out the reason that I asked the H.B.C to attend was because this was what was happening, I keep getting a covering of this dust onto my property and when it is windy like this it is really thick and it marks my property if you don't removed it straight away, if you do remove it while doing so it scratches the upvc windows or scratches the paint work of my car. This incident was so bad that you could not mistake what was on the property/cars it was even in the ridges of the windscreen wipers, which could easily have been collected if the officer had bothered. The H.B.C. officers even stood and watched the dust blowing over from the docks area onto our property and still they refused to take any photographs for evidence.

2 years on and all we are been told is that we need to collect evidence to prove that the dust/damage is coming from the docks area, well I would like to say that if the H.B.C. officers had done their job back in 2008 we would have had all the evidence that was needed, ie; results from dust collected, photographic evidence of the dust leaving the docks area and coming on to my property, and and H.B.C officers eye witness account that they witnessed the dust coming from docks area, but they failed to support me, I have had to go and collect my own evidence along with other resident of the Headland, and 20 years on I am still battling with the authorities along with other residents to get some kind of acknowledgement that this dust is damaging my car/property, even though in several of the minutes from meeting with PD Ports/ H.B.C all which are available for councillors to view ( if council have not got them I have and you may view mine) it clearly states that every authority involved admits that there is a serious problem with dust but nobody from any authority is prepared to take action and stop this for the residents, all they are saying is that while PD Ports/Van Dalen are sat round a table and talking to H.B.C./Environmental agencies that they are happy to just let us continue been persistently bothered by this dust. What I say is that after 20 years of this dust I am still no further forward I still have to just put up with it as nothing has changed. So the question I would like to ask is, your 2 years of every authority sitting around the table talking has anything been concluded i.e.; that the authorities are going to take action/put

amendments to their licences? or are you all going to sit and talk for another 18 years till you reach my 20 and then come back and say you will have to just put up with it, I sincerely hope not, I would like some support as a resident of Hartlepool.

Yours.

Lynn Rennie

Also residents that witnessed the above statement as they also had requested the H.B.C. officers to attend and see the damage to their property and cars are signed below.

|                    |               |
|--------------------|---------------|
| ✓ - DOROTHY GRAHAM | 26. Town wall |
| ✓ — JOHN GRAHAM    | 26. Town wall |
| — Peter COOK       | 40 Town wall  |

## Safety Data Sheet 91/155/EEC (gb)

## Iron Oxide

Remy &amp; Co. KG D-22089 Hamburg

Revised: 11.10.2002

Date printed: 11.10.2002



## 01. Identification of the substance / preparation and of the company

Product: Iron Oxide

Use: Raw material

Company: Remy &amp; Co. KG

Hammer Steindamm 42 D-22089 Hamburg

Phone: (+49) 040 3690010

Homepage: www.remy-hamburg.de

eMail: info@remy-hamburg.de

Fax: (+49) 040 363842

Emergency phone: (+49) 040-3690010

## 02. Composition / Information on ingredients

| Substance       | EINECS    | CAS       | Range [%] | Symbol / R-phr. |
|-----------------|-----------|-----------|-----------|-----------------|
| Diiron trioxide | 215-168-2 | 1309-37-1 | ~100      |                 |

## 03. Hazards identification

No particular hazards known.

## 04. First aid measures

## General information

None.

## Inhalation

Ensure supply of fresh air. In the event of symptoms refer for medical treatment.

## Skin contact

When in contact with the skin, clean with soap and water.

## Eye contact

In case of contact with eyes rinse thoroughly with water. In the event of symptoms refer for medical treatment.

## Ingestion

Rinse out mouth and give plenty of water to drink. In the event of symptoms refer for medical treatment.

## Advice to doctor

Treat symptomatically.

## 05. Fire-fighting measures

## Suitable extinguishing media

Product itself is non-combustible, fire extinguishing method of surrounding areas must be considered.

## Extinguishing media that must not be used

None.

## Special exposure hazards arising from the substance or preparation itself or combustion products

None.

## Special protective equipment for firefighters

None.

## Additional information

None.

## 06. Accidental release measures

## Personal precautions

Avoid dust formation.

## Environmental precautions

Knock down dust with water spray jet.

## Methods for cleaning up/taking up

Avoid raising dust. Take up mechanically. Dispose of absorbed material in accordance with the regulations.

## 07. Handling and storage

## Advice on safe handling

Provide extraction if dust raised. Avoid the formation and deposition of dust.

## Advice on protection against fire and explosion

No special measures necessary.

## Requirements for storage rooms and vessels

Keep only in original container.

## Advice on storage compatibility

None.

## Further information on storage conditions

Store in a dry place. Keep container tightly closed.

## 08. Exposure controls / personal protection

## Additional advice on system design

## Ingredients with occupational exposure limits to be monitored

| Substance       | CAS       | Value:                          |
|-----------------|-----------|---------------------------------|
| Diiron trioxide | 1309-37-1 | MAK: 6 mg/m <sup>3</sup> A 2000 |

## Respiratory protection

Breathing apparatus in the event of high concentrations. Short term: filter apparatus, Filter P1.

## Hand protection

Suitable protective gloves: Butyl rubber, &gt;480 min (EN 374)

## Eye protection

Safety glasses.

## Skin protection

Not applicable.

## General protective measures

Avoid contact with eyes and skin. Do not inhale dust.

## Hygiene measures

Wash hands before breaks and after work. Use barrier skin cream.

## Limitation and controlling of the environment pollution

## 09. Physical and chemical properties

|                               |                 |
|-------------------------------|-----------------|
| Form:                         | Powder.         |
| Colour:                       | various         |
| Odour:                        | Odourless.      |
| pH-value:                     | Not applicable. |
| Boiling point [°C]:           | -               |
| Flash point [°C]:             | Not applicable. |
| Flammability:                 | -               |
| Lower explosion limit:        | -               |
| Upper explosion limit:        | -               |
| Combustible properties:       | No              |
| Vapour pressure [hPa]: (20°C) | -               |
| Density [g/ml]:               | 5,2             |

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## Iron Oxide

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Solubility in water: Virtually insoluble.  
 Partition coefficient: n-octanol / water: -  
 Viscosity: Not applicable.  
 Relative vapour density determined in air: Not applicable.  
 Speed of evaporation: -Not applicable.  
 Melting point [°C]: -  
 Autoignition temperature: -

## 10. Stability and reactivity

Hazardous reactions  
 Reactions with strong oxidizing agents.  
 Hazardous decomposition products  
 No hazardous decomposition products known.

## 11. Toxicological information

Acute oral toxicity LD50 Rat : >2000 mg/kg  
 Acute dermal toxicity LD50 Rabbit : -  
 Acute inhalational toxicity LC50 Rat : -  
 Irritant effect on eye  
 Sensitization / Validation  
 Chronic toxicity / Validation  
 Mutagenicity / validation  
 Reproduction toxicity / Validation  
 Carcinogenicity / Validation  
 Experiences made in practice  
 None.  
 General remarks  
 Not applicable.

## 12. Ecological information

Biodegradable

Fish toxicity  
 Behaviour in sewage plant

AOX-advice  
 No dangerous components.  
 General information  
 Ecological data are not available.  
 Contains compounds of 76/464/EC  
 Not applicable.

## 13. Disposal considerations

Disposal / Product  
 For recycling, consult manufacturer.  
 Waste no. 060316  
 Disposal / Contaminated packaging  
 Uncontaminated packaging may be reused.

## 14. Transport information

## 14.1 Classification according to ADR:

ADR: not classified as Dangerous Goods

Dangerous Goods

Declaration:

Labelling

Factor, ADR 1.1.3.6.3:

Hazard-no: -

Label:

ADR-Conditions for limited quantities(LQ): -

Dangerous Goods not classified as Dangerous Goods

Declaration:

Labelling

Label:

Inner packing, max.:

Total gross mass of a package:

## 14.2 Classification according to IMDG:

IMDG-Code: not classified as Dangerous Goods

Dangerous Goods

Declaration:

Labelling

Label:

IMDG-Conditions for limited quantities(LQ):

Dangerous Goods not classified as Dangerous Goods

Declaration:

Labelling

Label:

Inner packing, max.:

Total gross mass of a package:

## 14.3 Classification according to IATA:

IATA-DGR: not classified as Dangerous Goods

Dangerous Goods

Declaration:

Labelling

Label:

## 15. Regulatory information

Labelling

The product does not require a hazard warning label in accordance with EC directives

Hazard symbols

## Special labelling for certain preparations

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Not applicable.

National regulations

Not applicable.

16. Other informations

Regulatory information

- \* 91/155 (2001/58)
- \* 67/548 (2001/59)
- \* 1999/45 (2001/60)
- \* 91/689 (2001/118)
- \* 89/542
- \* ADR (23.07.01)
- \* IMDG-Code (30.Amdt.)
- \* IATA-DGR (2002)
- \* Classification according to VbF
- \* Water hazard class

Modified position:

Not applicable.

# MATERIAL SAFETY DATA SHEET

## Section 1: Product/Company Information

**Identity:** Ferrous Oxide, Hematite, Magnetite, Fe<sub>2</sub>O<sub>3</sub>, Fe<sub>3</sub>O<sub>4</sub>

**Mfg. Name:**



POWDER TECHNOLOGY INC.  
14331 Ewing Avenue S.  
Burnsville, MN 55306

Emergency Number: (952) 894-8737  
Number for Info: (952) 894-8737  
Date Updated: 13 October 2005

## Section 2: Emergency and First Aid

- Eyes:** Immediately flush eye with water for at least 15 minutes. Get medical aid.
- Skin:** Immediately flush skin with water for at least 15 minutes. Remove contaminated clothing. Get medical aid if irritation develops or persists. Wash clothes before reuse.
- Inhalation:** Remove person to fresh air. If not breathing, give artificial respiration. Seek medical help if coughing and other symptoms do not subside.
- Ingestion:** Do not induce vomiting. If conscious, have the victim drink 2-4 cups of milk or water. Get medical aid.

## Section 3: Composition Information

### Typical chemical composition:

| CAS#      | Chemical Name                             | Percent |
|-----------|---|---------|
| 1309-37-1 | Hematite, Fe <sub>2</sub> O <sub>3</sub>  | 99.4    |
| 1317-61-9 | Magnetite, Fe <sub>3</sub> O <sub>4</sub> | 99.4    |

## Section 4: Hazardous Ingredients/Identity Information

| Chemical   | Name  | ACGIH  | NIOSH  | OSHA - Final PELs        |
|------------|-------|--|--|--------------------------|
| Iron (III) | Oxide | 5 mg/m <sup>3</sup> TWA (dust and fume, as Fe) | 5 mg/m <sup>3</sup> TWA (dust and fume, as Fe) | 10 mg/m <sup>3</sup> TWA |

H.M.I.S. ratings: Health - 0

Flammability - 1

Reactivity - 1

### Section 5: Hazard Identification

|                     |   |
|---------------------|---|
| <b>Skin:</b>        | Dust may cause mechanical irritation.   |
| <b>Eye Contact:</b> | Dust may cause mechanical irritation.   |
| <b>Inhalation:</b>  | Dust is irritating to the respiratory tract. Inhalation of fumes may cause metal fume fever, which is characterized by flu-like symptoms with metallic taste, fever, chills, cough, weakness, chest pain, muscle pain and increased white blood cell count. |
| <b>Ingestion:</b>   | May cause severe and permanent damage to the digestive tract. May cause liver damage. Causes severe pain, nausea, vomiting, diarrhea and shock. May cause hemorrhaging of the digestive tract.  |

Note: The toxicological properties of this substance have not been fully investigated.

### Section 6: Accidental Release Measures

Use clean-up methods that do not disperse dust into the air. Use exposure control and personal protection methods as described in Section 12.

### Section 7: Physical/Chemical Data

|   |  |
|---|--|
| <b>Melting Point:</b>                           | 2849° F                                      |
| <b>Specific Gravity (H<sub>2</sub>O = 1.0):</b> | 5.24   |
| <b>Vapor Pressure:</b>                          | 1 mm Hg @ 20° C                              |
| <b>Vapor Density:</b>                           | Not applicable                               |
| <b>Solubility in Water:</b>                     | Insoluble                                    |
| <b>Appearance:</b>                              | Hematite: red-brown, Magnetite: Bluish-black |
| <b>Odor:</b>                                    | No Odor                                      |
| <b>Physical State:</b>                          | Solid  |

### Section 8: Fire and Explosion Hazard Data

**General Information:** Wear a self-contained breathing apparatus in pressure-demand, MSHA/NIOSH approved and full protective gear. Irritating and highly toxic gases may be generated by thermal decomposition or combustion. Non-combustible, substance does not burn but may decompose upon heating to produce irritating, corrosive and/or toxic fumes.

**Extinguishing Media:** Substance is non-combustible; use appropriate agent for surrounding fire.



### Section 9: Stability and Reactivity Data

|  |   |
|--|---|
| <b>Stability:</b>                            | Product is stable.  |
| <b>Incompatibility (Materials to Avoid):</b> | Aluminum, bromine pentafluoride, calcium hypochlorite, carbon dioxide, cesium carbide, ethylene oxide, hydrazine, performic acid. |
| <b>Hazardous Decomposition:</b>              | Irritating and toxic fumes.   |
| <b>Hazardous Polymerization:</b>             | Will not occur.   |

### Section 10: Handling and Storage

Store in a cool, dry area. Do not store at temperatures above 140° F. Use adequate ventilation and dust collection. Use exposure control and personal protection methods as described in Section 12.

### Section 11: Toxicological Information

**Carcinogenicity:** Not listed by ACGIH, IARC, NTP or CA Prop 65.

### Section 12: Exposure Control/Personal Protection

|                                |  |
|--------------------------------|--|
| <b>Respiratory Protection:</b> | Use local exhaust or general dilution ventilation to control dust levels below applicable exposure limits. Minimize dispersal of dust into the air.  |
| <b>Eye Protection:</b>         | Wear safety glasses with side shields or goggles to avoid contact with the eyes. In extremely dusty environments and unpredictable environments, wear tight-fitting unvented or indirectly vented goggles to avoid eye irritation or injury. |

### Section 13: Disposal Considerations

All disposal methods must be in accordance with all Federal, State/Provincial and local laws and regulations. Regulations may vary in different locations. Waste characterization and compliance with applicable laws are the responsibility solely of the waste generator.

### Section 14: Transportation Data

Hematite and Magnetite are not regulated under U.S. DOT regulations.



## Section 15: Other Regulatory Information

### US FEDERAL

#### TSCA

CAS# 1309-37-1 is listed on the TSCA inventory.

#### Section 12b

None of the chemicals are listed under TSCA Section 12b.

#### TSCA Significant New Use Rule

None of the chemicals in this material have a SNUR under TSCA.

#### CERCLA Hazardous Substances and corresponding RQs

None of the chemicals in this material have an RQ.

#### SARA Section 302 Extremely Hazardous Substances

None of the chemicals in this product have a TPQ.

#### SARA Codes

CAS # 1309-37-1: chronic.

#### Section 313

No chemicals are reportable under Section 313.

#### Clean Air Act:

This material does not contain any hazardous air pollutants.

This material does not contain any Class 1 Ozone depleters.

This material does not contain any Class 2 Ozone depleters.

#### Clean Water Act:

None of the chemicals in this product are listed as Hazardous Substances under the CWA.

None of the chemicals in this product are listed as Priority Pollutants under the CWA.

None of the chemicals in this product are listed as Toxic Pollutants under the CWA.

#### OSHA:

None of the chemicals in this product are considered highly hazardous by OSHA.

#### STATE

CAS# 1309-37-1 can be found on the following state right to know lists: California, New Jersey, Pennsylvania, Minnesota, Massachusetts.

### European/International Regulations

#### European Labeling in Accordance with EC Directives

#### Hazard Symbols:

Not available.

#### WGK (Water Danger/Protection)

CAS# 1309-37-1: 0

#### Canada - DSL/NDSL

CAS# 1309-37-1 is listed on Canada's DSL List.

#### Canada - WHMIS

WHMIS: Not available.

#### Canadian Ingredient Disclosure List

CAS# 1309-37-1 is listed on the Canadian Ingredient Disclosure List.

## Section 16: Other Information

The information and recommendations contained herein are based upon data believed to be correct. However, no guarantee or warranty of any kind, express or implied, is made with respect to the information contained herein. It is the user's obligation to determine the conditions of safe use of this product.