

The A30 Chiverton to Carland Cross Development Consent Order 2020

Application for Discharge of Requirement 8

PART 1 – Application	
1-1 Application Details	
Consenting Granting Body	DfT National Transport Casework Team on behalf of SoS
Undertaker	Highways England (HE)
Requirement Reference	Schedule 2, Part 1, Requirement 8: Land and Groundwater Contamination
Schedule 2 Requirement Text	<p><i>8.(1) No part of the authorised development is to commence until a contamination risk assessment in respect of controlled waters has been produced for that part which is to include details of—</i></p> <p><i>(a) any existing sources of contamination within the Order limits that may be affected by the carrying out of the authorised development;</i></p> <p><i>(b) any reasonably required protective measures to ensure that the carrying out of the authorised development does not make worse any adverse conditions or risks associated with such existing sources of contamination; and</i></p> <p><i>(c) appropriate remediation strategies and mitigation measures to address any historic contamination which is shown to be having significant, unacceptable effects on the environment within the context of the proposed works,</i></p> <p><i>and the assessment has been submitted to and approved by the Secretary of State.</i></p> <p><i>(2) The steps and measures that are identified as necessary for the purposes of carrying out the authorised development in the assessment referred to in sub-paragraph (1) must be implemented as part of the authorised development.</i></p> <p><i>(3) In the event that contaminated material, including impacted groundwater, is found at any time when carrying out the authorised development, which was not previously identified in the environmental statement, the undertaker must cease construction of the authorised development in the vicinity of that contamination and must report it immediately in writing to the Secretary of State and the relevant planning authority, and in agreement with the relevant planning authority undertake a risk assessment of the contamination, and sub-paragraphs (4) and (5) will apply.</i></p>

	<p><i>(4) Where the undertaker determines that remediation is necessary, a written scheme and programme for the remedial measures to be taken to render the land fit for its intended purpose must be prepared submitted to and approved in writing by the Secretary of State following consultation with the relevant planning authority.</i></p> <p><i>(5) Remedial measures must be carried out in accordance with the approved scheme.</i></p>
Purpose of application	<p>Highways England is making a formal submission to the DfT National Transport Casework Team for discharge of Requirement 8 (1). Requirement 8 (1) does not necessitate consultation with any third party organisation prior to the submission of the application to the DfT.</p>

1-2 Discharge Application Response	
Undertakers discharge application approved	Yes / No
Organisation	Department for Transport
Name	Dave Candlish, Head of National Transport Casework Team
Signature and Date	
Comments	

PART 2 – Background Information	
	<p>Requirement 8(1) states that Highways England should prepare a contamination risk assessment in respect of controlled waters for that part of the authorised development which is to commence and gain approval from the DfT prior to the authorised development commencing.</p> <p>An Environmental Statement (Application document reference 6.2, 6.3 and 6.4) was submitted as part of the DCO application. Section 7, Chapter 9, Geology and Soils of the Environmental Statement (Application reference 6.2) sets out the potential impacts of the scheme on geology and soils, including groundwater and land contamination. A Ground Investigation Report was submitted as Appendix 9.2 (Application reference 6.4).</p>

The management of these risks are set out in the outline CEMP as Appendix 16.1 of the Environmental Statement (Application Reference 6.4), which will be updated and agreed with the Secretary of State pursuant to Requirement 3 of the DCO.

In order to discharge Requirement 8 (1) a Contamination Controlled Waters Risk Assessment (CCWRA) has been prepared and submitted as part of this application. This is an additional rather than updated document.

We will be seeking to discharge a number of the DCO Requirements in several phases, based on the specific site activities and locations. However, the CCWRA is an overarching document that covers the scheme in its entirety for the full duration of the construction programme.

The CCWRA is set out as follows:

- Chapter 2 summarises the ground investigation undertaken in relation to contaminated land and provides a summary of the site setting, including the geological and hydrogeological conditions;
- Chapter 3 defines the contaminant sources and assesses the pathways for contamination to move from the source to the identified receptors and shows a conceptual site model (CSM) for the scheme;
- Chapter 4 provides the main body of the Controlled Waters Risk Assessment. It identifies existing sources of contamination within the Order Limits that may be affected by the carrying out of the authorised development (Requirement 8 (1)(a));
- Chapter 5 provides the protective measures and remediation measures for locations where existing sources of contamination are likely to have an unacceptable impact to controlled waters (Requirement 8(1)(b) and 8(1)(c)); and
- Chapter 6 provides conclusions.

The CCWRA also provides evidence of meeting clause GS1 of the Record of Environmental Actions and Commitments (REAC) as included in Annex B to the Construction Environmental Management Plan (CEMP) which will be discharged under Requirement 3.

As set out in Chapter 6 Conclusions of the CCWRA data obtained from recent GI along with desk based assessment has identified that there are plausible pathways by which following disturbance of the ground, controlled water receptors could be impacted. The Phase 1 and Phase 2 ground investigations do not show a large number of existing source of contamination within the Order Limits. Those sources of contamination comprise areas of made ground with an anthropogenic component, mining features and current and historical commercial land use (petrol filling stations). Further assessment has identified that there are

For each of the sources of contamination there is potential that groundwater in the underlying Secondary A aquifer could be impacted by development works.

	<p>Other groundwater abstractions could be impacted by the leached contaminants within groundwater as could local surface waters and springs.</p> <p>There is also the possibility that surface water runoff from areas of exposed contaminated soil could contaminate local streams directly.</p> <p>An assessment of the potential risk of impact to the identified receptors identified that for the majority of the identified potential sources and receptors, the impact would be minor. However, for the identified area of oil contamination a moderate impact was defined.</p> <p>Based on the assessment, protective measures (mitigation) are required for the majority of the identified sources of contamination. These measures include setting chemically derived values for soils which would be retained on site or disposed off site and ensuring protective measures are in place within the scheme's CEMP.</p> <p>For the area of identified oil contamination, active remediation to remove the contamination to an agreed concentration which would be protective of the identified receptors will be undertaken.</p>
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PART 3 – Consultation	
3-1 Overview of Consultation Material Issued	
	Requirement 8 (1) does not require any consultation with third party organisations prior to submission to the DfT.
3-2 Extent of Consultation and Materials Provided	
	Requirement 8 (1) does not require any consultation with third party organisations prior to submission to the DfT.
3-3 Consultation Communication Overview	
	Requirement 8 does not state that any consultation with third party organisations is required, therefore no details of correspondence are listed within Section 3.3 of this document.
3-4 Consultation Response Overview	
	Requirement 8 does not state that any consultation with third party organisations is required, therefore no consultation responses to record within section 3.4 of this document.
3-5 Consultation Response Detail	

Requirement 8 (1) does not require any consultation with third party organisations prior to submission to the DfT, therefore no consultation responses to record within Section 3.5 of this document.

Name	Josh Hodder, Senior Project Manager A30 Chiverton to Carland Cross, Highways England		
Signature		Date	