

NOTE ON GROUNDWATER CONDITIONS

This Note has been prepared by SLR Consulting Limited on behalf of Brett. It sets out the latest text of a proposed planning condition in relation to Groundwater Conditions.

It follows a meeting between the parties held at 3pm on 22nd November 2021 on a without prejudice basis to discuss conditions, and in particular 'trigger' conditions and without prejudice to the appellant's position on alternative conditions, the drafting is agreed. The parties to the call were:

Luke Wilkinson – SLR
Karen Myers – Brett
Clay Durrant – Environment Agency
Ilias Karapanos – Affinity Water
Jenny Lightfoot – HCC
Brian Owen – HCC

(John Rumble of Affinity Water was invited but did not join the call).

The Second Proposal as revised:

In the above, context, the revised second proposal is:

[1] Prior to the commencement of development, the following shall be submitted to and approved in writing by the mineral planning authority:

Details of the construction and water management during construction of infiltration lagoons;

Details of the UML back-drain upon restoration;

The development shall be undertaken in accordance with the approved details.

[2] Prior to the commencement of development, a Groundwater and Water Monitoring and Management Plan (GWMMP) shall be submitted to and approved in writing by the mineral planning authority. The GWMMP shall include:

The locations of surface and groundwater monitoring, the type and nature of monitoring and sampling to be undertaken and the scope of laboratory analysis to be undertaken on the samples obtained;

As a minimum, ongoing monitoring for groundwater level, bromate and bromide concentrations in monitoring wells: BHB, BH104, BH106, BH301, BH303 & BH304 to continue the long term dataset; unless otherwise agreed in writing by the Mineral Planning Authority.

The timetable for the submission of monitoring reports;

Provisions which are specific to Phase A

Details of the lower and upper mineral recharge lagoons

A method to establish the statistical confidence required for any borehole monitoring results which are relied upon as trigger levels. This would include but would not be limited to:

- Arrangements for validation sampling;
- Evaluation of results below detection limits;
- Arrangements for stakeholder notification, data review and escalation process.

The water and groundwater sampling, analysis and reporting of the results shall be in accordance with the approved GWMMP. The development shall be undertaken in accordance with the approved GWMMP.

[3] Prior to the extraction of minerals from the LMH in each of Phases B, C, D, E, F and G, a revised GWMMP shall be submitted to and approved in writing by the mineral planning authority.

[4] In the event that monitoring results indicate that bromate concentrations in the LMH extraction phase exceed the trigger level of $2\mu\text{g l}^{-1}$ at the confidence level in the approved GWMMP, then an action plan (that should detail further assessment of groundwater levels and chemistry) and programme shall be submitted for approval of the mineral planning authority. The action plan shall be implemented as approved.

[5] In the event that monitoring results indicate that bromate concentrations in the current LMH extraction phase exceed the trigger level of $5\mu\text{g l}^{-1}$ at the confidence level in the approved GWMMP, then a response plan for the timescale and extent of suspension of mineral working in the LMH shall be submitted for the approval of the mineral planning authority. LMH excavation shall cease until the Mineral Planning Authority has approved a response plan. The response plan shall be implemented as approved.

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