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MMO Reference: DCO/2022/00008
Planning Inspectorate Reference: EN020026
Identification Number: [REDACTED]

09 December 2025

Dear Sir or Madam,

Planning Act 2008, National Grid Electricity Transmission, Proposed Sea Link Project

Deadline 2 Submission

On 23 April 2025, the Marine Management Organisation (the “MMO”) received notice under section 56 of the Planning Act 2008 (“the PA 2008”) that the Planning Inspectorate (“PINS”) had accepted an application made by National Grid Electricity Transmission, (the “Applicant”) for determination of a development consent order (“DCO”) for the construction, maintenance and operation of the proposed Sea Link Project (the “DCO Application”), (MMO ref: DCO/2022/00008 PINS ref:EN020026). The DCO includes a Deemed Marine Licence (DML) in Schedule 16.

The Applicant seeks authorisation for the construction, operation and maintenance of the Sea Link interconnector, comprising of approximately 122 kilometres (“km”) High Voltage Alternating Current (“HVAC”) cable between the Suffolk landfall location (between Aldeburgh and Thorpeness) and the Kent landfall location at Pegwell Bay (the “Project”).

This document comprises the MMO’s submission for Deadline 3.

This written representation is submitted without prejudice to any future representation the MMO may make about the Application throughout the examination process. This representation is also submitted without prejudice to any decision the MMO may make on any associated application for consent, permission, approval or any other type of authorisation submitted to the MMO either for the works in the marine area or for any other authorisation relevant to the proposed development.

Yours sincerely

[REDACTED]



Marine Licencing Case Officer

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1. Comments on Written Representations.

- 1.1. The MMO has reviewed a number of documents and written representations submitted at Deadline 1 and notes that the Applicant and other interested parties have outstanding concerns regarding the Project. The MMO has no comments at this stage regarding these documents and will continue to review updated documents and provide comments at subsequent deadlines where applicable.

2. Comments on updates made to the draft Development Consent Order (REP1-036)

- 2.1. The MMO is in the process of reviewing the updates made to the DCO, including the DML, which was submitted at Deadline 1 and defers comment to a future deadline.

3. Comments on the Applicants' response to the MMO's Relevant Representation

- 3.1. The MMO has reviewed the Applicant's responses to relevant representations from statutory bodies (REP1-112) and has the following comments to make:

- 3.2. Comments 3.9.38 and 3.9.39

The Applicant has stated in their response that *"the MMT Survey Report (2022) referenced is included in the Benthic Characterisation Report. The survey was undertaken in October 2021. An additional survey has also been undertaken by Next Geo between 22/08/2024-03/09/2024 to supplement this data to sample 5 areas along the offshore route where the Offshore Scheme Boundary deviated from the 2021 survey area. This includes areas identified for pre-sweeping"*. The Applicant continues to state that *"a draft version of the 2024 survey report including results was sent to the MMO for review on 29th May 2025. All analyses in this report were conducted by MMO approved laboratories. The final report for this additional offshore survey from 2024 can be submitted as supplementary information on XX if required"*.

The MMO notes that the Applicant has provided the 2022 and additional 2024 survey reports but does not appear to have submitted the 2022 sample results (which are presented in the survey report) in the standard MMO results template as was requested in previous responses. Therefore, the sample data must be submitted in the correct format for review, and if possible, the Certificates of Analysis also provided.

- 3.3. The MMO assumes that the 2024 survey report that has been referred to is the same report as the 2024 geophysical survey report submitted. The MMO requests that the Applicant confirms if this is correct and submit any sediment results from the 2024 geophysical survey (if contaminants were analysed) in the standard MMO results template format. Additionally, it is not clear what 'XX' is referring to in point 3.9.39 of this response, and this should be clarified.
- 3.4. Comment 3.9.40
The Applicant has noted the MMO initial comment detailed in point 3.9.40 of this document and has provided no further response. As above, the 2022 results, and any available sediment contaminant results from the 2024 geophysical survey, have been requested in the standard MMO results template format.
- 3.5. Comment 3.9.41
The Applicant has not provided a response to this comment; however, the MMO does not consider this to be critical. The MMO further notes from the Environmental Statement (Intertidal Surveys 2023) that *"PSA samples were transported to Kenneth Pye Associates Ltd. for this analysis"* who are validated by the MMO for Particle Size Analysis (PSA); therefore, the MMO considers that this resolves the initial comment with respect to PSA only.

Whilst repeat analysis of samples for Total Organic Matter (TOM) and Total Organic Carbon (TOC) using validated laboratories and methods, if the samples were available (assuming they were stored appropriately since sampling) could be considered, given that the samples were collected in 2022 they are no longer considered timely as they surpass the OSPAR 3-year data validity window. However, although it is advised that MMO validated laboratories are used, provided the method and extraction rates are appropriate, the data is still considered useful as indicative, but the level of confidence in the data is lower. Moreover, the MMO considers that reanalysis of TOM and TOC could likely be considered pointless, again given the time that has passed since the samples were collected and the opportunity for the marine environment to have changed due to potential pollution incidences and storm events since. The Applicant should note for future reference to use MMO validated laboratories only.

3.6. The MMO requests that the Applicant confirm, if possible, whether the SOCOTEC method used was for marine sediment analyses, and not mistakenly soil analysis.

3.7. Comment 3.9.42

The MMO notes that the Applicant has provided no further response regarding this comment. However, the MMO considers that the list of Polycyclic Aromatic Hydrocarbons (PAHs) analysed for is insufficient to fully characterise the risk concerning PAHs due to the lack of congeners such as C-group Naphthalene's, Fluoranthene etc. However, the highest concentrations (in samples Lagoon, PT2U and PT3U) are not at the level that usually exceed relevant upper assessment criteria. As such, it may be possible to assume that the PAH levels are of an acceptable risk or comparable to the broader area, however this relies heavily on assumptions. The MMO notes that the Applicant does not point to the exceedance of Action Level (AL) 2 for copper in the Lagoon sample in any of their assessment chapters. Whilst the associated construction activity (i.e. the drilling) does not equate to dumping under the London Protocol (and so the ALs do not apply), this does raise potential concern with respect to mobilising contaminated sediments throughout the water column. There is insufficient information in the application to determine whether such a concentration of copper is normal for the Lagoon, and whether any characteristics of the Lagoon (for example, if it is wholly/partially enclosed) could mitigate the spatial extent of any mobilisation. As such, the Applicant may wish to consider further assessing impacts to the Lagoon area from the proposed works or modifying the work programme to avoid the Lagoon area.

3.8. Comment 3.9.43

The Applicant has stated that *"the reference to CEFAS classifications of drilling fluid is intended to illustrate the low risk to the marine environment posed by drilling fluid discharges in the absence of an alternative regulation scheme appropriate to the case of landfall Horizontal Directional Drillings. It should be noted that drilling fluid discharges from oil and gas installations are an order of magnitude larger than those from landfall drills"*. The Applicant refers to the Design Development Report which outlines how the drilling fluid break out will be assessed through the use of hydro fracture modelling and to commitments to assessing and managing the risk of drilling fluid break out in the Register of Environmental Actions and Commitments.

The Design Development Report (Appendix A Landfall HDD Feasibility technical note) states that the drilling fluid will be made of 4% bentonite and 98% water, and that it is a non-toxic, natural clay mineral. Whilst it is true that some products called 'Bentonite' as a brand name may be pure Bentonite, other branded products may contain additives (either declared or not declared on the safety data sheet), therefore only pure bentonite or those products called 'Bentonite' that are either OSPAR PLONOR (pose little or no risk) or marked as PLONOR on the Definite Ranked List would be suitable for use. The OSPAR list of chemicals that Pose Little or No Risk to the marine environment can be found here: [Offshore Chemicals | OSPAR Commission](#)

3.9. The report also comments that there may be a requirement for the use of Lost Circulation Material (LCM) typically sugar or cellulose starch-based product such as xanthan gum. As LCMs may contain other components that are not so benign, e.g. persistent plastics, then all LCMs and their chemical composition including supporting test data must be provided for use. If the product is on the OSPAR PLONOR list or Definitive Ranked List marked as PLONOR, whilst there is likely to be little or no toxic risk to the marine environment, the Applicant must still notify the MMO of the name of the product/chemical (CAS if pure chemical) and supplier with the quantity of the material to be used. This is to ensure that the material is approved for use in the marine environment.

3.10. Comment 3.9.44

This comment has been noted by the Applicant, who additionally stated that *“chemical risk assessments... will include chemical contents contained within the bentonite-based drilling fluid. It is understood that any chemical additives used in HDD for offshore wind farms do not need to be on the CEFAS approved list, and an offshore chemicals permit is not required. However, the activities may still need to be covered by the relevant licence and any conditions that are specified in this licence will need to be adhered to. A commitment is included in the Register of Environmental Actions and Commitments”*.

It is not clear where the Applicant has acquired the term for the ‘Approved Ranked list’. The DCO provides requirements for carriage storage bunding and spills but not on chemicals/products for use in construction, and does not state that chemicals to be used should be on the ‘Approved list’:

“(1) Unless otherwise agreed in writing by the MMO, the carriage and use of chemicals in the construction of the authorised scheme must comply with the International Convention for the Prevention of Pollution from Ships as amended.....

(3) The storage, handling, transport and use of fuels, lubricants, chemicals and other substances must be undertaken so as to prevent releases into the marine environment, including bunding of 110% of the total volume of all reservoirs and containers.

(7) The undertaker must ensure that any oil, fuel or chemical spill within the marine environment is reported to the MMO, Marine Pollution Response Team within 12 hours.”

The MMO and Cefas assumes that comments on the ‘Cefas approved list’ are referring to the ‘Definitive Ranked list of registered products’, found here: [Downloads and useful links - Cefas \(Centre for Environment, Fisheries and Aquaculture Science\)](#). It is a misnomer that using chemicals from this list is acceptable as they are ‘pre-approved’, as this is not the case. The registered products have had their chemical components identified and hazards assessed, ready for developers to be able to conduct a site-specific risk assessment of the use of the products in their operations. These site-specific risk assessments are then assessed by the oil and gas regulator (Department for Security and Net Zero) who liaise with Cefas to assess the chemical risk and justifications for use in the marine environment prior to regulatory approval. The chemicals registered where appropriate are modelled using the Chemical Hazard and Risk Model (CHARM). The model uses default parameters from oil and gas platforms and the data provided by the supplier to rank the chemicals. Therefore, all rankings are not relevant for the use of any product on an offshore wind farm for example. Chemicals that are non-charmable e.g. a cleaner, may be used and applied with the standard dose stated on the Cefas Template provided to a supplier and then have the similar relevant risk. These Templates indicate whether the substance is on the OSPAR list of chemicals that are anticipated to pose little or no risk to the marine environment (PLONOR) or at least considered PLONOR like and also shows whether there are chemicals in the product that would be considered sufficiently hazardous to be substituted for another (Sub or Substitution Warning). Where products contain substitution warnings or plastics and where there is a perceived risk e.g. Offshore Chemical Notification Scheme Group A or B chemicals

(Definitive Ranked List). Therefore the use of non-charmable template data or the information on the published Definitive Ranked List by an operator to demonstrate a site specific risk would be acceptable, but it should be noted that Cefas specialists assessing the chemicals notified to the MMO for use in constructions are not able to access the data base used for the registration of products as the information contained is highly confidential and the data is not accessible for use other than for the registration and assessment of chemicals used and discharged in England's and Netherlands waters, by the oil and gas industry.

- 3.11. If the Applicant uses only chemicals on the definitive ranked list that are either PLONOR and OCNS group E, provided sufficient justification of the chemicals/products physical impact has been provided the toxic risk to the marine environment is anticipated to be acceptable, and the MMO would likely have no objection to their use. However, notification should still be given of the product to be used giving the exact name (character specific) the supplier, the safety data sheet and the date of the downloaded list, together with any Template if available to the MMO with the quantity likely to be used along with the Construction Environmental Management Plan that the Applicant has committed to produce. This is to ensure that the MMO is aware of the chemicals and their hazard and risks that are being used in the marine environment and that they remain acceptable for use during the duration of the licence.
- 3.12. If chemicals/products are to be used with contact to the marine environment that are not on the Definitive ranked list then these should be notified to the MMO for approval of use at least eight weeks prior to their use. These chemicals should be notified with evidence pertaining to their persistence bioaccumulation and toxicity (PBT), this would include relevant test reports, read across arguments, any other supporting documents relating to the site-specific risk for their use and discharge and where appropriate justification for use if deemed hazardous (Predicted Effect Concentration (PEC)/ Predicted No-effect Concentration (PNEC) >1). If the chemicals/products are on the Definitive Ranked list and contain substitution warnings and are not OCNS Group E, then the MMO should be notified of the reasons for the substitution warning and a justification for their continued requirement for use in the marine environment or be substituted for a chemical without warnings. This information should be included in the Construction Environmental Management Plan and also included as a condition in the DML.
- 3.13. The MMO thanks the Applicant for their commitment to include additional information in the Construction Environment Plan on hydro fracture modelling and Drilling fluid management plan, however it suggests these are to be shared for information only with Natural England when completed. This may also be of interest to the MMO if hydraulic fracture were to occur in the marine environment and what contingency or mitigation if any would be required, as well as notification of the management of the chemicals. The MMO notes that the Applicant states that it would likely be less of an issue in marine environments for bentonite release, however consideration of volumes and impacts would likely be of interest, however the MMO as regulator should be fully advised on the impacts of chemicals used in the marine environment.
- 3.14. In the Design Development report, it is stated that *"the gravel is significantly stronger than the surrounding sediment (e.g. nodules of well cemented shells or calcium carbonate reef deposits) the gravels will need to be removed from the bore by additional swabbing of the hole and tripping the drilling bit entirely out of the bore when necessary. Further ground investigations will improve the understanding of this risk"*. If the HDD is to be undertaken from Sea to Land, the MMO requests that the Applicant clarify if the removed material from the bore is likely to be deposited in the marine environment and if so, the quantity and likely impacts of the disposed material should be provided to the MMO for approval.
- 3.15. Comment 3.9.51
The Applicant's response makes reference to the MMO's comment which noted that the Sea Link cable route passes to the west of the Downs herring spawning ground, with a small

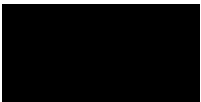
section of the cable corridor passing through 'preferred' herring spawning habitat (based on the EMODnet data). The MMO previously noted that the suitability of the seabed sediments in these locations meant that herring spawning activity could not be ruled out, though any spawning that did occur was likely to be at a lower intensity. The Applicant's response acknowledges our comment and confirms that they have assessed the potential effects to these habitats, accordingly, concluding no significant effects. The MMO agrees with this conclusion in relation to cable laying activities.

4. Landfall Sediment Modelling Reports

- 4.1. The MMO has reviewed the Landfall Sediment Modelling reports for Aldeburgh and Pegwell Bay (PDA-037 and PDA-038 respectively) and have the following comments to make:

The MMO considers that the methodologies and data sources are appropriate, comprehensive, and transparently presented. The approach is consistent with best practice for coastal morphological and sediment transport assessments and the key findings are well-supported by the data and analysis. Both reports provide a balanced summary of current conditions, likely future changes, and the main risks, with appropriate caveats regarding uncertainty. The MMO therefore has no further comments to make.

Yours sincerely



Marine Licencing Case Officer



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