Consultation on the proposed mine water treatment schemes in Nenthead and Nentsberry.

Report of open house session and evening workshop, Nenthall Hotel, Nenthall, 14 March 2017

Introduction:

This report captures the discussion points raised at the public meetings which took place on Tuesday 14th March 2017 at Nenthall Hotel, Nenthall. The evening meeting was facilitated and recorded by Simon Wilson and Karen Saunders from Wilson Sherriff. Wilson Sherriff are the independent facilitation and engagement specialists engaged by the Coal Authority to support the consultation and engagement activities for the mine water treatment schemes in Nenthead and Nentsberry.

Two sessions were held:

- An open house drop-in session, held from 2-5pm, where people could come and meet members of the Coal Authority/Environment Agency project team to discuss individual concerns and queries.
- A public workshop, held from 6-8pm, involving a facilitated discussion, with a mixture of whole group and small group discussions.

24 people attended the drop-in session and 25 attended the evening workshop. Of these, some people had attended both sessions.

Feedback forms were available to complete during the event or return via post or email. The consultation is also being made available online https://www.gov.uk/government/publications/haggs-mine-water-treatment-scheme

The deadline for responses is 31st March 2017 and a separate summary of the feedback received will be produced and made available on the gov.uk website.

Open house drop in session:

A series of exhibition boards were available for people to have a look at and members of staff from the Coal Authority/Environment Agency project team were available to speak to on a one to one basis. There was a selection of information presented on the boards including the background to why the schemes are needed, other interventions in the area and an overview of the consultation process and indicative timeframes. In addition, the boards included large-scale maps of the ‘long list’ of areas that had been identified for further assessment as potential locations for a mine water treatment scheme.

The aim of the event was to obtain public feedback on the potential areas and as well as having the option to complete the feedback form, people were invited to write comments and/or thoughts on the different areas on post-its and leave them on the flip chart for other people to read. These post-it notes were left on display throughout the duration of the event and in the evening workshop as well.
Comments left on the flip charts:

- It is stated that the flowers and plants will be “treated” with these “pollutants” for a period of three years.................?! 
- Areas 39, 36, 35 because sparsely populated area 
- We won’t be living in an AONB anymore 
- 38 – as was agreed with HP, TM and CWS, if something was proposed it would be smaller than previous proposal 
- Clean up a brownfield site at the same time 
- Investigate tailings at Nenthead eroding above Overwater Bridge 
- The rationale for any treatment plant going ahead anywhere is flawed. If the EA insist on, and have to be seen to be doing something then it absolutely has to be at least 2-3 miles away from the nearest property. 
- Area 38 – is a non-starter. Odour abatement untested for mine water. Midges – suppression techniques undeveloped. 
- Visibility and proximity to housing. The further away the better for example Areas 35, 36, 39 
- Sites 39, 35, 36 are the only viable sites. There should be no scheme anywhere near homes. 
- You don’t know enough about the area to say anything! 
- You speak of life in the Nent being damaged by ‘pollution’ by heavy metals. Life in and around the Nent is flourishing – it has had thousands of years to evolve and is biologically fascinating – hence the SSSIs. 
- Not 38. Possibly 25, 39. Proximity to people are the main concerns 
- You haven’t learnt anything from last year. It will not get clearer – it’s a jaundiced view. 
- The rationale does not add up. Haggs and Caplecleugh COMBINED contribute only 4% of the zinc loading in the Tyne Estuary year on year 
- You don’t have enough knowledge of the biology and chemistry of the river to propose anything! 
- Not on existing agricultural land. Use an old industrial site 
- We do not want to sacrifice the landscape and ecology of Alston Moor for an unproven effect on the River Tyne 
- Problems at Force Crag must halt the EA rolling out any future plants anywhere
Evening Workshop – 6 pm to 8pm

The evening workshop was facilitated by Simon Wilson and Karen Saunders from Wilson Sherriff. Simon welcomed everyone to the meeting and asked people to introduce themselves.

Session One – The Story So Far

Hugh Potter from the Environment Agency and Cheryl Donohoe from the Coal Authority gave the group an update on the current status of the project, reminded people of why there was a need to treat the mine water discharges and explained that the focus of this round of engagement was to get feedback from the local community on the ‘long list’ of potential areas that had been identified.

Following their update, participants were invited to ask questions of clarification, which are shown below:

Question: Why don’t we have a veto? Our feeling is that our environment is not as important as the environment for the fish. Are we being sacrificed for benefits further downstream? We don’t want odour, H2S or algal blooms.

Response: The Government wants to clean up polluted rivers to create a better environment for people and wildlife. There are high metal concentrations in the river all the way to Newcastle. We want to find a way of balancing any impacts on the local community in the Nent catchment with the environmental and economic benefits of cleaner water that will come from starting to deal with pollution from abandoned mines in the Nent.

Question: What is the benefit to the people here?

Response: We are looking at pollution in all the rivers. A cleaner river environment will bring environmental and economic benefits.

Question: Isn’t the purpose to save costs at the port for sediment disposal?

Response: A reduction in metal concentrations in sediments in the Tyne estuary is one benefit, but the original reason for trying to clean up pollution from abandoned mines is because it is Government policy to clean up polluted rivers. Cleaning up the metals in the Tyne sediments is an extra reason for doing the work but we are also trying to clean up water quality in other rivers polluted by abandoned mines across England.

Question: What danger does the river present to people?

Response: Compared to the Drinking Water Standard (DWS), the water quality in the river is below the DWS.

Question: If the benefits will take 30 years, isn’t it better to wait and find a process that has lower risks?

Response: The benefits to water quality would be immediate, once the mine water is treated. Sediment improvements would take much longer. Force Crag has no odour control, but this scheme would have. The design work for odour mitigation is ongoing and we can control where the smell comes from. We can add Hydrogen Peroxide or Ozone to convert the Hydrogen
Sulphide back to Sulphate. The technology for odour control is not new and is used in other industries. Any potential for residual odour will influence the final location.

**Question**: Why would you show us potential sites if you not sure about the odour issue?

**Response**: What we are looking at tonight is the ‘long list’ of sites. We may find out that, after further investigation, some of them need to be removed.

**Question**: Why didn’t you do that first? Some of these sites will cause worry and may not all be feasible?

**Response**: The areas shown already include a buffer zone around houses and when we applied the Site Evaluation Criteria, any areas that are less than 200m from housing will have scored a low score for proximity to housing.

**Comment**: It would have been prudent to fit odour management at Force Crag, as I understand you can’t retrofit it. Anything done here will therefore be a pilot scheme.

**Question**: In the original proposal, you said there was no reed bed. Now you are saying you could include a reed bed to treat the water. Why?

**Response**: The reed bed wouldn’t be part of the process to remove metals from the mine water. The compost-based ponds work by removing oxygen from the water which helps create the conditions to bind metals up in the compost. But we can’t put water without oxygen straight into the river as that would be bad for fish and river insects. The reed beds are a way of putting oxygen back into the water before it joins the river, possibly along with a small cascade waterfall. It would be located after the water comes out of the compost-based treatment ponds.

**Question**: What will you do with the compost?

**Response**: Over a period of about 10-20 years, the compost will accumulate metals. Based on experience in America, the compost needs to be replaced when there is not enough food left for the bacteria which occur naturally in the compost. The material would then be removed from site to landfill or another suitable disposal facility.

**Question**: Is some of the £30million going to be fed back to the community to compensate for the drop in house values or are we just the collateral damage?

**Response**: The benefits assessment estimated that the environmental and economic benefits to society of cleaning up the River Nent were about £30 million over 25 years. There is no compensation scheme available.

**Session Two – Your views on the long list**

Michael Sherman from the Coal Authority then explained the process that the project team used to identify the areas that have been identified for further assessment and consideration as potential locations for a mine water treatment scheme.

Following the presentation, participants were invited to ask questions of clarification. These are summarised below and grouped into themes, so do not appear in the exact order in which they were asked:
Land for a Scheme:

Comment: You have no chance of getting lots of those sites.

Response: There are three main things we will take into account before selecting sites for the ‘short list.’ We will consider the views of stakeholders, including your views, landowners’ views and the results of the Site Evaluation process.

Question: Is there any chance of compulsory purchase?

Response: No.

Question: If we opt for a site in the wider area, won’t you say that it’s too expensive?

Response: Not necessarily.

Question: Do you just own the one site? Haven’t you already selected the site?

Response: No. We have not decided on which site will be chosen.

Question: Can we believe you?

Response: Yes.

Question: Why did you buy the site?

Response: The land was available for purchase. If we don’t use it, we could resell it, and we will be using it for access to build a new sediment trap in the river.

Question: Are there any national planning guidelines to stipulate conditions for this type of scheme?

Response: No. Every site is taken on its merits.

Question: Have you been in contact with all landowners? We haven’t been contacted and our water supply comes from one of those areas.

Response: We have started the process and the plan is to complete it in the next few weeks.

Treatment Technology:

Question: Is there a less intrusive way of treating the water?

Response: The other alternative is an active chemical plant. That would have a smaller footprint, but would be more expensive and look more industrial.

Question: Would a chemical plant affect us less in terms of construction, disruption etc?

Response: We don’t think so. The passive ponds can be designed to be less intrusive.
Session Three – Table Discussions and Feedback

Each table was then asked to discuss the following questions:

1) Which of the areas are worth considering further and which are not?
2) What is important to you in choosing which areas to consider further?

Feedback on the Areas:

**Question:** Is the land you already own going to be used?

**Response:** Before deciding on the ‘short list’, we will take three things into consideration. These are land availability, the technical feasibility and stakeholder views, including the public. We have contacted some landowners already and don’t believe that the site we already own is the only site. We hope that there will be others that we can take forward.

**Question:** Can you take account of our view that the previous site is not acceptable to most of us? We don’t want it to go forward.

**Response:** Yes.

**Question:** Two weeks ago, you said that no conversations had taken place with landowners. Why use visuals if you haven’t looked at land availability yet?

**Response:** This is the journey that any developer goes on. It can be frustrating to stakeholders, but is a standard journey in which developers look at lots of different sites in parallel before narrowing down the options.

**Question:** But you only have that one piece of land. Are you listening to our ‘want’ for you to discount it, if that’s the only piece of land?

**Response:** We would look at that site, but we don’t want to get into that position. We believe there are other options.

**Comment:** Two weeks ago, in a meeting we (Nentsberry Community Group) had with you, we were told that no conversations had taken place with landowners. Now you are contradicting yourselves and saying yes you have.

**Response:** We have only just started a round of new discussions with landowners and expect to complete that process within a few weeks.

**Question:** Why do you have to decide on the ‘short list’ by June?

**Response:** There is no specific reason other than the long term decision process we explained in our meetings last year which mapped out the project milestones. The plan is to have a ‘short list’ of sites ready for detailed discussion in June. We set out the indicative timeframe at the start of the process and we are aiming to stick to it as best we can. We are still on target to come back to you with the 3 shortlisted sites in June.

**Comment:** All the smaller sites are near houses. I can’t understand the scoring and why they are on the maps.
Response: The scores are based on the Site Evaluation Criteria and the areas identified are all based on Geographical Information System (GIS) outputs. Further work is still needed to identify individual sites.

Question: The sites are just too close to people. The scheme could fail and should not be anywhere near houses. What you do if it doesn't work?

Response: We would put in measures to manage the scheme, but if it didn't work, we would turn the scheme off.

Comment: The further away from people, the less of a problem you will have and you won’t have to worry about landscaping.

Response: That is valuable feedback and we have had a very clear message tonight that proximity to housing is the biggest concern.

Question: Are you taking our concerns on board though?

Response: Yes.

Comment: We are in a very windy place here. If odour was a problem, it would impact a much bigger area.

Question: All the sites have a potential impact. Why not collect the water further downstream, where you can collect additional water and impact less people?

Response: We would if we could. At the moment we are looking at schemes for Haggs and Caplecleugh. We are starting to monitor Nent Force Level, but the level is over 200 years old and has lots of internal collapses. It would not be a responsible action to ‘force’ additional water into a collapsed system.

Comment: But it would capture more of the pollution downstream of the other big discharges.

Response: We need to capture the water where it comes out before it enters the river, rather than treating the whole flow of the river, which would not be economical.

Comment: But you will be putting clean water back into dirty water downstream at Alston. It would be interesting to know the level of contamination in the Nent Force Level.

Question: Is 3 hectares seen as an acceptable footprint to put in an AONB?

Response: The size of the land needed is to allow for some flexibility in the design of the layout for the scheme to minimise its visual impact and make it look more natural. It would not be 3 hectares of open pond.

Question: on the previous site, you said it would have to be raised. Will it still need to be raised?

Response: We haven’t done any further design work for that site.

Question: Are some of the areas owned by people who have already said no?

Response: We are still in the process of discussing with landowners. So far, only one person has said no. We have heard two comments this evening from landowners we haven’t spoken to yet,
who have said they would not sell, so the maps do potentially show sites that won’t progress and would be removed.

**Comment:** You should have looked at that first before asking for our views.

**Question:** You have already said that we don’t have a veto, so what is the point, as you just put the scheme where you want to?

**Response:** Although you do not have a veto, we have already said that we will take a number of different things into consideration: stakeholders’ views, the site evaluation process and landowner views.

**Technical Issues:**

**Question:** Is Force Crag no longer working because of algal blooms?

**Response:** An algal mat has grown in both ponds at Force Crag. It was peeled off one pond, which is now working again, but peeling off the mat was not as successful in the second pond and the water level is rising. We have switched that pond off at the moment, but the first one is working fine.

**Question:** Could that problem happen here? I.e. it doesn’t work.

**Response:** Part of the design process is to minimise the chance of that happening, but we will also have a maintenance programme and back-up measures.

**Comment:** We are concerned about the risks of H₂S. We don’t want a scheme near to the communities, but also don’t want it to impact on the flora and fauna such as deer and red squirrels. The reason for concern is that when I was at Force Crag, I spoke to the National Trust Officer and he said that you wouldn’t want your dog to fall into one of the ponds.

**Response:** An ecological assessment of the impact of a scheme has been done at a high level, but a more detailed assessment would be needed for individual sites, before one was selected.

**Question:** Even if the metal levels in the Nent Force Level are an issue, are you still going to treat the water here, rather than down there?

**Response:** Haggs and Caplecleugh are the main reasons for failure. Nent Force Level impacts the River South Tyne and we may still need to look at that, but we still need to treat the water from these two discharges.

**Question:** What’s the point if the water is just going to get ‘mucked up’ again?

**Response:** There are 8-10 schemes in total that we will need to do in the South Tyne (including the Nent and Allen catchments), as well as a range of other measures.

**Comment:** I still don’t understand why you need a scheme here, when there is a site further downstream.

**Question:** In 30 years’ time, are we going to be left with an unmaintained, smelly site?
**Response:** The Government made a commitment in 2011 and again in its 25-year plan, which is about to be published, to clean up water pollution and it will maintain funding for any existing schemes.

**Question:** What about when we are out of Europe?

**Response:** Leaving Europe doesn’t affect current legislation in the UK and the UK was fully involved in creating the Water Framework Directive and supports the principles it sets out. There is still a commitment, but if any schemes had to be decommissioned, the Government have said that they would fund that, so there is no eyesore.

**Question:** If you needed to pump, would the pipes have a visual impact?

**Response:** No. The pipes would be underground and are relatively small diameter pipes.

**Comment:** If there were sites that are ok for a joint Hags/Capcleugh scheme, you’d still need pipes and to pump to the scheme.

**Response:** Yes, but the pipes to and from the ponds would still be underground.

**Question:** What will happen to the flow rate in the river upstream of the treatment site?

**Response:** We will need to control where the water goes back into the river. That will be determined by a permit from the Environment Agency.

**Question:** As you know, we live in an areas of high rainfall. What about the impact of the high rainfall on the spoil heaps?

**Response:** We are working with the Tyne Rivers Trust to have a look at some of the spoil heaps and to do some interventions.

**Comment:** Some work was done previously to cap spoil heaps in Nenthead.

**Response:** That work was done to reduce the risk of flooding and to protect people.

**Comment:** The diffuse pollution from the tailings overwhelms the pollution in the flow from one adit. The report by Hugh Potter at the Environment Agency shows the comparison.

**Response:** There are two strands to the pollution problem. Pollution is a legally defined terms when levels of contaminants are above a certain concentration that is set based on toxicity to aquatic life. Here the level of metals is up to 130 times the safe level at low river flows. So cleaning up the mine water discharges will have a big effect on how polluted the river is. But at higher river flows, much more metal is transported down the river – with most of this metal coming from the spoil heaps and contaminated sediments – therefore cleaning up these diffuse sources will have most effect on lowering the amount of metal that ends up in the Tyne estuary sediments.

**Question:** I am aware that we create problems through mining, but nature has a way of compensating e.g. Plants that have adapted to heavy metals. I have seen fish jumping and other aquatic life in the river. At times evolution can override problems and at other times it can sink. How much are we taking account of nature’s ability to adapt?
Response: In the Blagill area and further downstream, there are areas with high metal concentrations that are designated as Sites of Special Scientific Interest (SSSI) and Special Areas of Conservation (SAC) because only metal tolerant plants can survive. The EA agreed with Natural England that because it couldn’t guarantee no harm to those sites, it would put in place “mitigation actions” to help their existing condition. The special sites were formed over 100 years ago when the river was a ‘dead’ river due to huge amounts of metals and mining wastes that were being deliberately put into the river. Advice from specialists is that the sites are already deteriorating because the river is not as polluted as it used to be and so the metal-tolerant plants are being pushed out by ordinary plants like gorse and willow. The mitigation actions mean that at certain sites, the Environment Agency and Coal Authority have asked the Northumberland Wildlife Trust to strip back the top layers to ‘turn back time’ and re-expose soils containing high metal concentrations to see if that helps the metal tolerant plants to grow better. Initial results show that there has been some improvement.

Question: Is the metal content in the river getting less each year?

Response: The Environment Agency data shows no change since 1979, but the situation was far worse over 100 years ago.

Comment: If Natural England is going through all that effort to preserve polluted areas, why are you putting us through this?

Response: Some of the areas where metal tolerant plants grow are protected under UK law but they are mostly deteriorating. These “caliminarian grasslands” are part of the biodiversity of the UK environment but they are artificial and rely on pollution to flourish so it is a difficult balance between water pollution and high metal concentrations at the protected sites.

Question: The stretch of river near Browngill adit has fish in it. Clearly, they aren’t all dying. How much will they have evolved to live in the water as it is?

Response: The EA is planning to do some biological monitoring in the river. There are no migratory fish because of the barriers downstream (i.e. the Nent Force waterfall), but we think the fish are spawning in the cleaner tributaries. We are trying to establish if the eggs in the main river are viable, as experience from elsewhere suggests that the young fry die.

Question: Will you run out of money or do you have a bottomless pit? This has been going on for 5 years.

Response: We have forecast expenditure for the scheme and assessed the costs and benefits. We don’t have a bottomless pit of money, but believe the scheme is needed.

Question: Will you have to stop if it gets too expensive?

Response: We would not stop a scheme half way through.
Communications:

Question: Is the timetable published?

Response: Yes. We hope to come back in June with the ‘short list’ of possible sites to get your feedback. We are hoping that will result in one clear preferred site to take forward, for which we will then discuss the detailed design, layout, maintenance etc with you. If we proceed to planning and an application is successful, the development would start next year.

Question: How will the CA/EA interpret and summarise the feedback on the sites?

Response: We will be getting feedback in different forms including these meetings, on-line responses to the consultation and meetings with other stakeholders. We will produce a report from these meetings and summarise the feedback we receive. We will then take a view based on that feedback, the site evaluation process and landowner views and return in June to get feedback on the short list. We are taking your views into consideration along with those other routes of feedback.

Comment: Our reluctance to help with the consultation process, we don’t want that to help you decide to just go for the other site.

Response: What we are hearing is that you don’t want a site with proximity to housing or people.

Comment: You should also register that you are going to sacrifice us and with no compensation.

Question: Who is your boss? There must be someone higher than you?

Response: This is a Defra funded programme and there is a Programme Board which consists of people from Defra, the Environment Agency and Coal Authority. Ultimately, the “boss” is the Secretary of State for Environment, Food and Rural Affairs, Andrea Leadsom.

Next Steps:

Simon Wilson then asked Cheryl Donohoe to summarise the next steps in the process. The Coal Authority would like feedback on the different potential areas by the end of March 2017. The can be done on-line, via email, in meetings or filling in the feedback form and leaving it at the end of the evening. The CA will then summarise the feedback, feed in the results from the landowner discussions and work up three sites for discussion with stakeholders in June.

Question: would those still be potential sites or sites you know you can use?

Response: At that stage we would have considered the technical feasibility, stakeholders’ views and landowner views, so all three sites would be feasible.

Question: Why three sites? Do you think you’ll get two more?

Response: Yes.

Simon Wilson then thanked everyone for attending and closed the meeting.

Wilson Sherriff
March 2017