



MARINE (SCOTLAND) ACT 2010

GUIDELINES FOR OBTAINING LICENCES FOR THE RELEASE OF TRACERS AND BIOCIDES AND/OR SIMILAR MATERIALS

The Marine (Scotland) Act 2010 requires that licenses must be obtained for the deposit of substances or articles, either in the sea or under the sea-bed, within United Kingdom waters or United Kingdom controlled waters. As the licensing authority, Marine Scotland Licensing Operations Team (MS-LOT) determines applications and issues licenses on behalf of the Scottish Ministers.

In the Act 'United Kingdom waters' means any part of the sea within the seaward limits of United Kingdom territorial waters and 'United Kingdom controlled waters' means any part of the sea within the limits of an area designated under section 1 (7) of the Continental Shelf Act 1964. Furthermore 'sea' includes any area submerged at Mean High Water Springs (MHWS) and therefore also includes the tidal limits of an estuary or arm of the sea and the tidal waters of any channel, creek, bay or river.

Licenses are required from Marine Scotland to release physical, chemical or biological tracer materials to determine likely patterns of dispersion or relocation of materials entering the marine environment and for the application of biocides to marine structures to control inter-tidal plants, seaweed, marine algae, etc. Licenses may also be required for certain other chemical releases associated with the discharge of fire fighting foam, treated cooling water, disinfection of well boats and ships tanks, etc (each proposal is treated on a case by case basis).

The following information will be required to allow MS-LOT to undertake a multi-disciplinary assessment of the proposals to determine whether there are likely to be adverse effects on the marine environment, the living resources it supports or other legitimate users of the sea. Particular regard is paid to schemes proposed in areas designated as being of scientific or conservation importance and where there is a likelihood of interference with commercial fishing interests including fish farms. For certain operations and types of materials, the assessment may require chemical and toxicological studies to be undertaken to supplement the information submitted in support of the application:

- Timing of the operation(s),
- Purpose of proposed operation(s),
- Details of material to be used (proprietary name of tracer, agent or biocide and chemical name),
- Copy of hazard and toxicity data sheets,
- Total number of operations in one year and description of area(s) of release/treatment,

- Estimated dates and duration of each operation,
- Quantity and concentration of material (tracer or biocide, etc) to be used during the operation(s),
- Method of deposit (eg hose, can, sprayer, pumped discharge, etc),
- Details of location(s) including geographical coordinates (latitude and longitude in degrees and decimal minutes) and in relation to oil field proposals, block number.

Although the above list is not exhaustive it shows the details required by Marine Scotland in the first instance.

If you require any further information or guidance in these matters do not hesitate to contact the Marine Scotland Licensing Operations Team (MS.MarineLicensing@scotland.gov.uk).