

MEMO

<i>From</i>	Secretary for Development	<i>To</i>	Distribution			
<i>Ref</i>	() in DEVB(W) 515/83/04	<i>(Attn :</i>	<table border="1"> <tr> <td>RECEIVED OM</td> </tr> <tr> <td>- 6 OCT 2010</td> </tr> <tr> <td>Fill Management Division</td> </tr> </table>	RECEIVED OM	- 6 OCT 2010	Fill Management Division
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<i>Date</i>	6 October 2010	<i>Total Pages</i>	4 + Encl.			

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**Control Measures for Management of
Dredged/Excavated Contaminated Sediment**

This memo is to promulgate control measures about management of dredged/excavated contaminated sediment.

2. Dredged/excavated contaminated sediment has been disposed of at mud pits at East of Sha Chau since 1992. However, with environmental, marine traffic and development constraints, the mud pits now under construction at East of Sha Chau and the mud pits being planned at South of the Brothers are the last mud pits available in Hong Kong.
3. To ensure maximum effort is made by the project proponent to reduce the consumption of the very limited mud pit capacity, it is necessary to tighten the control on management of dredged/excavated contaminated sediment, including the stepping up of sampling requirement at early stage of project planning, the exhaustive examination of options to reduce sediment generation and disposal, the requirement for cross-boundary disposal of Category Mp sediment and the enhancement of accountability of sediment disposal proposal.
4. The control measures to tighten up the control on management of dredged/excavated contaminated sediment are as follows:
 - (a) To enable a more accurate estimate of mud disposal volume be made available for consideration when provisional agreement for sediment disposal allocation is sought for projects involving dredging and excavation in areas where the expected contamination level is Category M/H, Marine Fill Committee (MFC) requires that the project proponent should take sediment samples at a 200m x 200m grid. The samples should be continuous and with a vertical profile. The top level of the sub-samples should be at seabed, 0.9m down, 1.9m

down, 2.9m down and then every 3m to the bottom of the dredged layers. The project proponent should as early as practicable submit the proposed sampling plan to the Dumping At Sea Ordinance (DASO) Team of the Environmental Protection Department (EPD) for comment.

- (b) The project proponent is required to carry out an assessment on sediment management as outlined on the "Flow Chart for Management of Contaminated Sediment" at **Appendix A**. This requirement ensures that the project proponent has exhausted all management options to keep the sediment in place and explored in details all possible ex-situ treatment, disposal and beneficial reuse options before a decision is made to remove the sediment off site. Reference should be made to the consultancy study – FM01/2007 by the Civil Engineering and Development Department (CEDD) on various management options. A copy of the report is available on CEDD's website.
- (c) Project proponents should apply for cross-boundary disposal of Category Mp sediment generated from their projects in accordance with the Agreement on Cross-boundary Marine Dumping and the Implementation Scheme on the Management of Cross-boundary Marine Dumping unless the genuinely estimated quantity of Category Mp sediment is less than 100,000 m³. Other non-mud pit options for Category Mp sediment should also be examined. In case the application is not successful and there is no other feasible non-mud pit options, the project proponent should liaise with the Secretary of MFC about fall-back options.
- (d) To enhance the accountability of the sediment disposal proposal, endorsement by the appropriate directorate officer of the works departments or the Authorized Person (AP) of the private project as indicated on the attached Flow Chart at **Appendix A** is required to be obtained prior to submission of the disposal option to the Secretary of MFC. Project proponents may seek advice from the Secretary of MFC, if necessary.

FM	CE	SE/P1	SE/P2	SE/P3	SE/BP	SE/HF	SE/S1	SE/S2
Initial								
Date								
E/	GR			CIR				
PS II	FM / /			BU				

- (e) Project proponents are required to exhaust all management options and work out the estimated quantities of contaminated sediments to be disposed of based on the results of the sampling carried out as early as practicable according to (a) above and seek provisional agreement from MFC on allocation of disposal space at mud pit. Such allocation will have to be re-confirmed after the sediment quality report (SQR) is completed and approved by DASO team of EPD during the detailed design stage. During construction, a project proponent should review from time to time the estimated final quantity of contaminated sediment disposal and advise MFC of any changes in advance before the actual disposed quantity has reached 80% of the approved quantity. If the latest estimated final quantity exceeds the approved quantity by 5,000 m³ (or 5% of the approved quantity, whichever is more), the project proponent should seek further approval from MFC as a new application with appropriate endorsement as follows:

Scenario		Endorsement
(I) Public Works Projects		
(i)	The estimated final quantity does not exceed the approved quantity by 100,000m ³ (or 5% of the approved quantity, whichever is more)	By a D2 officer for MFC's approval
(ii)	The estimated final quantity exceeds the approved quantity by 100,000m ³ (or 5% of the approved quantity, whichever is more)	By a D3 officer for MFC's approval
(II) Private Projects		Endorsement by the AP for MFC's approval

Examples illustrating how the threshold quantities are determined and how the requirements of new applications and endorsements apply are shown in **Appendix B**.

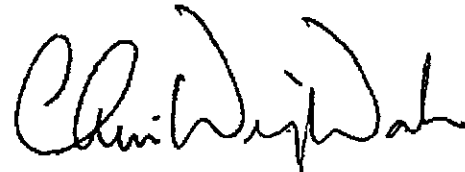
- (f) If a public project proponent disposes a quantity of 5,000 m³ (or 5% of the approved quantity, whichever is more) more

than the approved quantity without the prior approval of MFC, or a quantity less than the approved quantity by more than 5,000 m³ (or 5% of the approved quantity, whichever is more) without prior notification to MFC, the respective Director should personally provide an explanation to MFC and copy it to the Permanent Secretary for Development (Works).

5. This memo should be read in conjunction with ETWB TCW No. 34/2002 - Management of Dredged/Excavated Sediment.

6. This memo takes immediate effect. Paragraph 4 (c) should only apply to those projects for which provisional agreement of MFC for allocation of sediment disposal space has not yet been granted.

7. If you require further information, please contact Mr M Y Tang, AS(WP)6, at 2848 2585.



(W W CHUI)

for Secretary for Development

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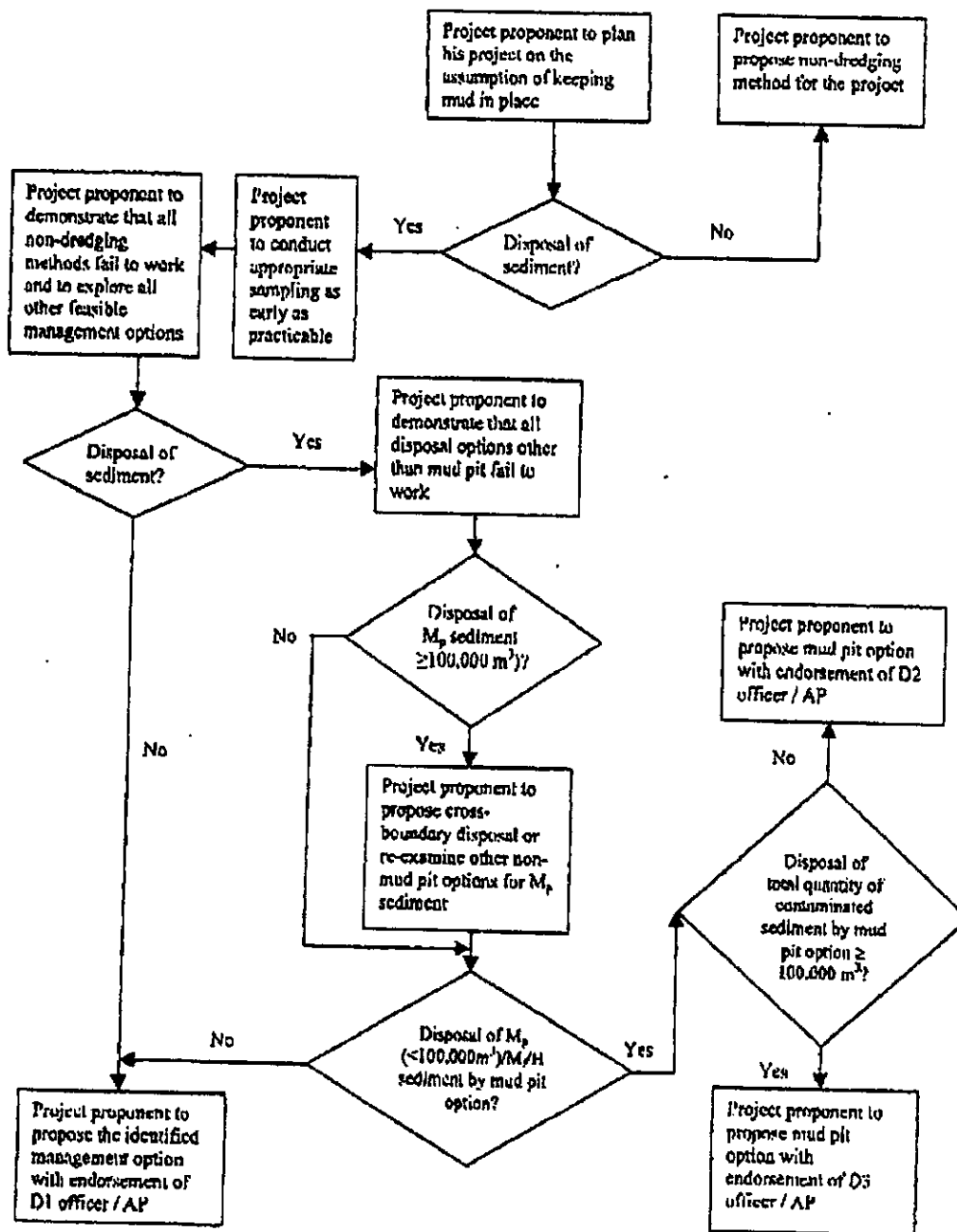
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Appendix A

Flow Chart for Management of Contaminated Sediment[#]



[#] This flow chart shall be read in conjunction with Appendix C of ETWB TC(W) No. 34/2002. M_p and M_f sediment refer to Category M sediment passing and failing respectively the biological screening.

Note: The volume refers to bulk volume.

Appendix B

Examples to illustrate how the threshold quantities are determined and how the requirements of new applications and endorsement apply

	Example	Threshold quantity for requirement of new application	Threshold quantity for requirement of endorsement by a D2/D3 Officer
		5,000m³ or 5% of the approved quantity, whichever is more	100,000m³ or 5% of the approved quantity, whichever is more
(a)	Project with large quantity of contaminated sediment Approved Quantity: 2,500,000m ³ Estimated Quantity: 2,750,000m ³ (i.e. increase by 250,000m ³)	125,000m³ because 5% of approved quantity, i.e. 125,000m ³ is more than 5,000m ³ . A new application is required because the increased quantity i.e. 250,000m ³ exceeds 125,000m ³ .	125,000m³ because 5% of the approved quantity, i.e. 125,000 m ³ is more than 100,000m ³ . The new application shall be endorsed by a D3 officer because the increased quantity exceeds 125,000m ³ .
(b)	Project with medium quantity of contaminated sediment Approved Quantity: 120,000m ³ Estimated Quantity: 132,00 m ³ (i.e. increase by 12,000m ³)	6,000m³ because 5% of approved quantity, i.e. 6,000m ³ is more than 5,000m ³ . A new application is required because the increased quantity i.e. 12,000m ³ exceeds 6,000m ³ .	100,000m³ because 100,000m ³ is more than 5% of the approved quantity, i.e. 6,000 m ³ . The new application shall be endorsed by a D2 officer because the increased quantity does not exceed 100,000m ³ .
(c)	Project with small quantity of contaminated sediment Approved Quantity: 10,000m ³ Estimated Quantity: 11,000m ³ (i.e. increase by 1,000m ³)	5,000m³ because 5,000m ³ is more than 5% of approved quantity, i.e. 500m ³ . A new application is <u>not</u> required because the increased quantity, i.e. 1,000m ³ does not exceed 5,000m ³ .	NA

* The threshold quantities determined for the respective example cases are shown in bold.