

LOW-RISK CONSTRUCTION DEWATERING ABSTRACTIONS

The Environment Agency's new Regulatory Position Statement (RPS) allows low-risk groundwater abstraction for dewatering without a license.

The RPS does not alter the legal requirement to hold an abstraction licence, but it sets out conditions under which the Environment Agency would not normally take enforcement action.

Contractor Compliance Checklist

Ground engineering teams intending to operate under the Regulatory Position Statement should ensure the following actions are completed:

- Complete a Hydrogeological Impact Assessment (HIA) in line with EA guidance

- Prepare a Groundwater Management Plan covering pollution prevention and environmental protection

- Install a flowmeter on discharge and log daily readings consistently

- Notify the EA in advance by emailing enquiries@environment-agency.gov.uk with 'temporary small-scale dewatering for construction' in the subject

- Maintain compliance records from day one and retain them for at least two years, including:

- abstraction records
- reports and surveys
- hydrological impact assessment
- landowner and operator details
- before and after photographs
- access agreements
- technical specifications
- drawings and plans

The following **conditions** must also be met to comply with the new RPS:

100% of the abstracted groundwater is discharged without intervening use to either: a. the same aquifer as that from which it was abstracted, or b. the nearest part of any watercourse to the point of abstraction

The abstraction period is no longer than 9 months

The abstraction is not within 50 metres of a watercourse

The abstraction rate must not exceed 400m³/day (4.63 l/s – 24/7) during the first month

The abstraction rate during the subsequent 8 months does not exceed 100m³/day (1.16 l/s – 24/7)

The quantity limits apply only to the water which is discharged to a watercourse. Any abstraction rate above limits set out in the two conditions above do not apply to temporary abstractions of groundwater, of less than 9 months, for construction dewatering if all the water is returned (discharged without intervening use) directly to the same aquifer from which it was taken

The abstraction must not cause, or be likely to cause damage, adverse effect or harm to the environment, habitats, conservation sites (Special Protection Areas - SPAs, SSSIs, possible SPAs, Special Areas of Conservation - SACs, possible SACs and Ramsar sites) protected species, freshwater fish, migratory salmonids (salmon and sea trout), eels or impact other water users

Where some or all the abstracted groundwater is discharged to a watercourse and the abstraction is within 500 metres of a water dependent designated site or within 250 metres of a groundwater-fed wetland or river, or a spring, well or borehole used to supply water for any existing lawful abstraction, the discharge must not exceed 200m³/day (2.32 l/s – 24/7) during the first month and 50m³/day (0.58 l/s – 24/7) during the subsequent 8 months

You must not derogate an existing lawful abstraction that is a protected right, whether licensed or an abstraction activity exempt from licensing

You must not prevent the statutory authorities (navigation authority, harbour authority, etc) from carrying out their legal obligations

You must not interfere with the operations of any drainage board for any internal drainage district

You must ensure that the works do not cause a deterioration in the status of a water body or compromise the delivery of any relevant environmental objectives