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POA-ENV-POL-002
Environmental Code of
Practice for Contractors
Version 8

PORT OF ABERDEEN



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1. Definitions and Abbreviations

In this ECOP, the obligations outlined in the ECOP apply to the primary contractor and all those working under their authority on the Construction (Design and Management) Regulations (CDM) projects. This ensures a consistent approach to environmental compliance and operational procedures across the entire project team.

CDM in the UK apply to projects that meet certain thresholds:

- Duration: Over 30 working days.
- Workforce: More than 20 workers simultaneously on site.
- Person-days: More than 500 person-days of work.
- Projects exceeding these thresholds are considered "notifiable" and require a CDM plan to be prepared. The size of these projects can vary widely, from small-scale renovations to large-scale infrastructure projects.

"you": Refers to the primary contractor responsible for the project.

"subcontractors, agents, or employees": Includes any individuals or organisations working under the direction of the primary contractor.

"working under their direction or on their site": Specifies that the clause applies to individuals and organisations working directly for the contractor or on the project site.

We, our and **us** means Port of Aberdeen, our representatives or agents on site and/or any other person working for us.

Many of the ECoP clauses refer to **reasonably practicable** or **practicable** actions. This means that you must reduce the risk or threat as far as possible, but that you may take in to account the cost and inconvenience of doing so. Bear in mind that it is generally accepted that larger risks and impacts justify greater expense and trouble to control them. If you are ever in doubt about what 'reasonably practicable' means, we are happy to discuss this with you, but we will retain final say on the matter.

While most of the ECoP clauses are mandatory, several state that you **should** work in a certain way. If you are found not to be working in accordance with a 'should clause' without reasonable justification it will be recorded as a non-conformance. If you are ever in doubt about what 'reasonable justification' is, we are happy to discuss this with you, but we will retain final say on the matter.

Open ground means a permeable surface that is not protected by hard standing. Such areas allow water and other substances to percolate into the soil where they can cause contamination or affect groundwater quality.

MHWS and **MLWS** means Mean High Water Spring tide (4.3m above chart datum) and Mean Low Water Spring tide (0.6m above chart datum) respectively.

Other common abbreviations include **ACC**, which means Aberdeen City Council; **AHB**, Aberdeen Harbour Board; **MS** Marine Scotland; **SAC**, Special Area of Conservation; **SEPA** the Scottish Environment Protection Agency; **SM** Scottish Ministers; **SNH**, Scottish Natural Heritage and **VTS**, Vessel Traffic Services.

2. Background

The activities for which we employ contractors, like construction and demolition, have been identified as some of the most significant ways in which our operations affect the environment. Even though we are not carrying out these activities ourselves, our duties as stewards of the local environment mean that we must exercise control over the people doing them for us.

We do this by including an Environmental Code of Practice (EcoP) in our contract with you, which explains the minimum requirements for control measures while you work for us including alignment with our policies regarding sustainability and Net Zero for the future. The EcoP has been developed to protect the particular sensitivities of the environment in the harbour area and we believe this approach is the best way to minimise harm to the environment without being unduly prescriptive about the way you manage your work.

If required, project specific environmental risk assessments will be produced for high-risk activities.

3. Local Environment

Port of Aberdeen North Harbour is located in the River Dee, one of Scotland's most important rivers and a Special Area of Conservation (SAC). SACs have the highest and strictest protected site status in Europe.

Atlantic salmon are migratory fish that pass through the harbour on their way upstream to spawn in fresh water, with young fish passing through the harbour on their way out to sea where they spend the second part of their life. Otters are also present along the

Aberdeenshire coast although they are rarely found foraging within the harbour. Freshwater pearl mussels are only found upstream of the port, but their life cycle is dependent on migratory fish.

Bottlenose dolphins and other cetaceans (e.g., porpoises and whales) are regularly seen in the Harbour Mouth. These animals, resident in the Moray Firth SAC, roam along much of the east coast of Scotland to feed. The protected status given to them by the Moray Firth SAC is in force wherever the animals are.

A Site of Special Scientific Interest (SSSI) is a statutory designation made by Scottish Natural Heritage (SNH) under the Nature Conservation (Scotland) Act 2004. SSSI's are those areas of land that SNH considers to best represent the natural heritage of an area – its diversity of plants, animals, habitats, rocks and landforms, or a combination of such natural features. Port of Aberdeen South Harbour is adjacent to and within the boundary of the Nigg Bay SSSI located on the southwest of Nigg Bay, approximately 1km south of North Harbour.

The Nigg Bay SSSI was first designated in 1984 and covers an area of 4.72 hectares (ha). The Nigg Bay SSSI consists of the exposed cliff face. The Nigg Bay SSSI is a designated SSSI for its geological features.

Port of Aberdeen is unique in its setting at the centre of Scotland's third largest city, with people living and working right next to our estate. Nuisance impacts like noise, dust, light pollution and smells are common at busy ports and our attempts to control them must be especially effective because these impacts can quickly have a dramatic effect on many people.

The port is also a focal hub of industrial and commercial activity. The impact of things like surface water runoff must be robustly tackled not just because the local water environment is unusually sensitive to them; but because the cumulative impact of many organisations operating in a relatively small area can be disproportionately more significant.

Future new regulations are being considered which require environment and biodiversity to be enhanced (Net gain etc.) POA expects all of its contractors to support our approaches and efforts in this regard as they are developed.

4. General Information

4.1. Principle

One of the most important aspects of environmental protection is robust management. This means knowing how your activities affect the environment and understanding the relevant laws, then using this information to make sure you exercise the appropriate degree of control over your staff and subcontractors. Causing environmental damage or knowingly allowing it to take place is an offence so you should, for your own protection,

keep records that allow you to demonstrate you have taken all possible measures to avoid and mitigate impacts (including emissions) to an acceptable level in compliance with regulatory requirements

Our approach to environmental protection is to reduce risks and impacts using ALARP (As Low As Reasonably Practicable) principles. You should do the same while you are working for us.

When you identify ways to control environmental risks and impacts you should be objective and must not initially consider the cost, effort or inconvenience they cause. You should prioritise potential controls according to the following hierarchy:

- First, measures that *eliminate* the risk by designing it out of the activity.
- Second, measures that *combat /mitigate* the risk by applying fail-safe protection.
- Last, measures that *minimise* the risk by adopting suitable systems of work.

After you have done this, you should consider which of these control measures are reasonably practicable, taking into account what levels of expense or trouble are justified by the size of the risk or impact in question. Bear in mind that it is generally accepted that larger risks and impacts justify greater expense and trouble to control them.

4.2. Contractual Matters

The ECoP forms part of our contract with you and you must comply with it. **If you perceive a conflict between the ECOP and any other document issues as part of, under or in accordance with the contract you must advise us immediately and work to the most restrictive interpretation until we agree otherwise.**

4.3. Activities Requiring Approval

You will need to request authorisation from us before you start certain activities with high risks or potential long-term impacts. These are indicated in the ECoP with a box.

Unless stated otherwise, you should allow us a fortnight to consider your request. Notwithstanding the conditions of contract, we are unlikely to pay additional costs if your work is delayed because we have not had this amount of time.

4.4. Mandatory Record Keeping

You will need to keep records of certain activities with high risks or potential long-term impacts. These are indicated in the ECoP with a grey highlight.

4.5. Site Inspections

We will periodically inspect your site and observe your work. Site inspections may occur without warning and will be followed up with a report indicating areas of non-compliance with the ECoP, identifying risks that we believe are not being sufficiently managed and giving advice. The scale of your work, the significance of the environmental risks and the results of previous inspections will determine how frequently you are visited.

Items recorded on the report are marked as follows:

- NC** a 'red' non-conformance means that a threat to the environment is present or imminent. You must stop related work and take corrective action immediately. Compliance with this requirement is not a compensation event under the contract.

- NC** a 'yellow' non-conformance means that there is a potential threat to the environment. You must take corrective action as soon as reasonably practicable e.g., during a natural pause in the task. Compliance with this requirement is not a compensation event under the contract.

- NC** a 'blue' non-conformance means that a clause of the ECoP has been partly or wholly waived *in that specific circumstance only* because acceptable alternative measures are in place to protect the environment. Provided those are maintained, no further action is needed.

- R** a 'red' requirement note is an additional measure to reduce environmental risk. You must stop related work and implement this immediately.

- R** a 'yellow' requirement note is an additional measure to reduce environmental risk. You must implement this as soon as is reasonably practicable e.g., during a natural pause in the task.

- A** an advice note contains information that will help you to improve the quality of your operations or reduce environmental risk.

5. Environmental Laws and Future Requirements

POA expects all clients and contractor, port users to play their role in cooperating and contributing to national targets and initiatives to improve the environment and contribute to reducing climate change impacts.

In line with the Scottish Government target, to reach net-zero emissions by 2045. Port of Aberdeen has set an ambitious target to become the UK's first net-zero port by 2040. By taking proactive measures to reduce emissions, invest in clean technologies, and support the energy transition, the port is setting a strong example for other ports and demonstrating its commitment to environmental sustainability.

Net Zero and decarbonisation of the marine industry and Ports is a challenge involving everybody, and all business and supply chain activities associated with Port and transport industry will be expected to contribute to reducing emissions and energy efficiency for the future, and providing data on annual emissions and reduction efforts.

There are many laws to protect the environment and the ECoP is aligned with these. However, you should be aware that the ECoP might not cover all laws that apply to you. **You are responsible, at all times, for understanding what laws apply to your activities and making sure you operate legally.**

Unless indicated otherwise in the contract we will obtain the 'general' authorisation (e.g., planning consent, Marine Licences or SEPA Licences) for the work and supply you with a copy of it. However, you may need other permits to authorise certain activities (e.g., concrete batching plant, crushers, some waste management activity, some types of in-rivers work and creating temporary discharges to watercourses and sewers). **You are responsible, at all times, for understanding what activities are allowed by the permits you have and obtaining any others you need.** (Obtaining such permits can take up to 12 weeks in some cases recognising the existing constraints of some regulators and the letter of the law).

AS part of POA responsible record keeping we would like to maintain up to date copies of SEPA licences and waste licences etc within the POA area of jurisdiction from our clients and tenants.

5.1. Further Guidance

The following documents provide important information when preparing and implementing your Environmental Management Plan. Of particular significance are the Pollution Prevention Guidelines (PPGs), now being replaced by updated versions known as Guidance for Pollution Prevention (GPPs). Developed by SEPA, these guidelines outline best practices for various activities to minimise environmental impact. The complete collection of PPGs and GPPs is available on the Net Regs website: <https://www.netregs.org.uk/environmental-topics/guidance-for-pollution-prevention-gpp-documents/>. Complying with the GPPs/Pollution Prevention Guidelines (PPGs) will make it less likely you cause environmental harm and, should an incident occur, good record keeping will enable you to show that you have acted responsibly at all times.

- GPP 1 Understanding your environmental responsibilities – good environmental practices.
- GPP 2 Above ground oil storage.
- GPP 4 Treatment and disposal of wastewater where there is no connection to public foul sewer.
- GPP 5 Works and maintenance in or near water. ***Especially relevant***
- GPP 6: Working on construction and demolition sites. ***Especially relevant***
- GPP 8 Safe storage and disposal of used oils.

- GPP 13 Vehicle washing and cleaning.
 - PPG 18 Managing fire water and major spillages.
 - GPP 21 Pollution incident response planning.
 - GPP 22: Dealing with spills.
 - GPP 27 Installation, decommissioning and removal of underground storage tanks Coastal and Marine Environmental Site Guide (second edition) (C744). CIRIA, 2015.
- *Especially relevant***
- The Water Environment (Controlled Activities) (Scotland) Regulations 2011: A Practical Guide. SEPA, 2016.
 - Working with Wildlife: guidance for the construction industry (C691). CIRIA, 2011.

CIRIA (<http://www.ciria.org>), SEPA (<http://www.sepa.org.uk>), SNH (<http://www.snh.gov.uk>) and IEMA (<http://www.iema.net>) websites all provide numerous sources of useful information and guidance.

With regard to waste, SEPA provide excellent guidance at https://www.sepa.org.uk/regulations/waste/guidance/#Regulatory_guidance

Noise – noise risk assessment and impact mitigation measures
<https://www.legislation.gov.uk/ssi/2006/465/contents/made>)

The Environmental Protection Act 1990 <https://www.legislation.gov.uk/ukpga/1990/43/contents>

This Act provides the principal controls over so-called "statutory nuisances", including noise nuisances, whether arising from industrial, leisure or domestic activities. By virtue of the Noise and Statutory Nuisance Act 1993, it also applies to nuisances arising from vehicles (e.g., from car alarms but not traffic noise), machinery and other equipment such as loudspeakers, in the street. Under the 1990 Act, local authorities have a duty to inspect their areas from time-to-time to detect nuisance and, when satisfied that one exists or is likely to occur or recur, to serve an Abatement Notice on the person responsible. They also have a duty to investigate any complaint made by a person living within their area. Though businesses have a defence of "best practicable means", failure to comply with a Notice is a criminal offence. Local authorities have a power of entry to private premises, power to seize noise-making equipment and powers to carry out works in default of Notices.

The Control of Pollution Act 1974
<https://www.legislation.gov.uk/ukpga/1974/40>

This Act contains powers for local authorities to deal with noise and vibration from construction and demolition sites. It also contains powers concerning the use of loudspeakers in the street (which have been used successfully in connection with loud car stereos), together with powers for the Secretary of State to approve Codes of Practice for the minimisation of noise. Codes currently exist for audible intruder alarms, ice cream van chimes, model aircraft and construction noise and these may be used in evidence in legal proceedings.

The Health and Safety at Work Act 1974 <https://www.hse.gov.uk/legislation/hswa.htm>
Though aimed primarily at the protection of workers (and providing, through Regulations,

controls over workplace noise), this Act also places a duty on employers to conduct their businesses so as to ensure that others too are not exposed to risks to their health. This can include risks arising to the public at large from noisy work activities.

The Water Environment (Oil Storage) (Scotland) Regulations 2006

<https://www.legislation.gov.uk/ssi/2006/133/contents/made>

This regulation sets standards for the storage of oil to prevent pollution of Scotland's water environment. These regulations apply to businesses, public sector bodies, and some residential properties storing more than 200 litres of oil.

The Waste (Scotland) Regulations 2012

<https://www.legislation.gov.uk/sdsi/2012/9780111016657/contents>

It aims to improve waste management, increase recycling rates, and reduce waste sent to landfill, supporting Scotland's Zero Waste Plan. Key measures include the mandatory segregation of recyclable materials (such as paper, card, glass, metals, and plastics) by businesses, public sector organisations, and waste collectors. Food waste separation is also required.

Climate Change (Emissions Reduction Targets) (Scotland) Act 2019

<https://www.legislation.gov.uk/asp/2019/15>

The Act amends the Climate Change (Scotland) Act 2009 ("the 2009 Act") to make provision setting targets for the reduction of greenhouse gases and to make provision about advice, plans and reports in relation to those targets. It also makes provision about advice, plans and reports in relation to those targets, with the objective of Scotland contributing appropriately to the world's efforts to deliver on the Paris Agreement reached at the 21st Conference of the Parties of the United Nations Framework Convention on Climate Change.

The Act sets out a net-zero emissions target requiring Scottish Ministers to ensure that the net Scottish emissions account for the target year of 2045 is at least 100% lower than the baseline.

Soil Contamination- status survey clean-up and lease closure

<https://www.gov.scot/policies/pollution/contaminated-land/>

Polluter pays - The regime follows the polluter-pays principle, meaning those responsible for the land or the polluting activity are expected to pay for remediation wherever this is practical. Pollution from existing industrial sites is strictly controlled.

Air – air quality improvement risk assessment and control measures

<https://www.gov.scot/policies/pollution/air-quality/>

Water – water use reduction efficiency and discharge controls/ drainage

<https://www.gov.scot/news/action-on-water-efficiency/>

Litter and fly tipping- Managing Waste

<https://www.gov.scot/policies/managing-waste/litter-and-flytipping/>

Energy use and efficiency

<https://www.gov.scot/policies/energy-efficiency/industrial-energy-efficiency/>

Invasive species monitoring <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species/scottish-invasive-species-initiative>

Biodiversity protection

<https://www.nature.scot/scotlands-biodiversity>

Biodiversity and net gain

Following the passing of the Environment Bill, mandatory biodiversity gain for developments in England and Wales will be introduced through the forthcoming Environment Act in November 2023.

Unlike England and Wales, Scotland has not followed the model of imposing a legal requirement to deliver biodiversity net gain. Alternatively, the Scottish Government published a proposal to deliver biodiversity gain through the National Policy Framework (NPF).

Should you need it, our Environmental Manager will be able to offer guidance. They can be contacted at SHEQ@portofaberdeen.co.uk or 01224 597000.

6. General Site Management

6.1. REQUIREMENTS

Before starting work, you must prepare an Environmental Management Plan (EMP) and submit it to us for approval. The EMP must:

- a) clearly define roles and responsibilities for environmental matters on site.
- b) list all the activities you will undertake during the contract, identify and risk assess the related environmental impacts and describe the control measures you will implement to reduce or eliminate the impacts.
- c) explain how persons on your site will be made aware of the control measures relevant to their role and how you will verify they are being implemented.

Before starting work, you must prepare an Emergency Response Plan (ERP) and submit it to us for approval. The ERP must:

- a) include a procedure for reporting, responding to, investigating and logging environmental incidents (e.g., fuel spills) of any kind, size or severity.
- b) require a log of incidents and reports to be kept available for inspection in the site office.
- c) make clear that SEPA must be notified immediately if any pollution enters a watercourse, drain or bare ground and that Aberdeen VTS must also be notified if

any pollution enters, or could enter, harbour waters (on +44 1224 597000 or VHF Channel 12).

- d) prohibit the use of chemical dispersal agents at any time.
- e) explain how all persons on your site will be made aware of the ERP requirements.

You are advised, if your site is adjacent to water, to consider employing a specialist pollution response contractor on retainer.

You may not carry out any work that is audible above background levels at the site boundary other than between Monday to Friday between 0700 and 1900 and Saturday between 0900 and 1600 unless such work is essential for the safety of persons or property.

You must keep your site secure at all times, mark the boundary appropriately and keep any fences and hoardings in a good state of repair.

You must mount an information sign at a prominent location on the site boundary that includes a phone number for the receipt of complaints and enquiries. You must respond to calls within 24 hours of receiving them and keep a log of the nature, date and time of the call and the actions you took. The log must be available for inspection in the site office.

You must keep your site clean, tidy and free of litter.

Before starting work, you must prepare a plan showing haul routes for traffic in both directions between your site and the trunk road network and submit it to us for approval. Your personnel and suppliers should be made aware of these routes. Haul routes outside your site must be kept free of mud and spoil by, as required: covering lorries; providing wheel washes; maintaining, as far as practicable, hardstanding on haul routes within your site; 'wetting-down' and ensuring all haul routes are regularly swept.

Before starting work, you must familiarise yourself with the layout and nature of any existing services, tanks, pipes and cables on your site and whether they are 'live' or not. All personnel must be made aware of their location and, if they are underground, they should be clearly marked-out on the site itself. When pipes and tanks require removal, they must be purged and cleaned first and if they are to remain buried, pipes should be capped at any cut. Underground tanks should, where practicable, be removed in one piece.

You must arrange artificial lighting in a way that minimises light pollution and, particularly, does not illuminate watercourses (e.g., the river) or dazzle nearby traffic or ships. Lights should be switched off when the site is closed if safety requirements allow this.

You must plan your work and site layout in a way that keeps noisy machinery and activities as far from the site boundary and sensitive receptors (e.g., housing) as practicable. Before carrying out any noisy activity you must check enclosures and acoustic shrouds supplied with the machinery are fitted. Where it is not possible to avoid such activities at

the site boundary, your EMP must identify the measures you will take to minimise noise pollution.

You must plan your work, site layout and site boundary enclosures in a way that keeps activities generating dust as far from the boundary and watercourses as possible and prevents dust escaping from the site. If you use sand or high-pressure-water blasting you must enclose the work with screens to prevent dust escaping from the immediate working area and traps to prevent any liquid effluent from entering open ground, watercourses or drains.

If your site is near a watercourse and you intend to use herbicides, you must consult with SEPA first. If you encounter invasive plants like Japanese Knotweed or Giant Hogweed on your site, you must inform us immediately. You are advised not to disturb them because some (e.g., Giant Hogweed) are toxic to humans.



Giant Hogweed, *Heracleum mantegazzianum* by Gerard M at nl. Wikipedia Japanese Knotweed, *Fallopia japonica* by MdE (Wikipedia-de),

7. Machinery, Fuels and Chemicals

Machinery, fuels and chemicals introduce a pollution risk to your site. From diesel to curing agents, many of the chemicals you will need have properties that can cause pollution. Root cause analysis has shown that most pollution incidents at the harbour are caused by carelessness when storing, handling or using chemicals or fuels.

Port of Aberdeen has made significant strides in its commitment to sustainability, particularly in the area of renewable fuels. A key initiative has been a substantial investment in hydrotreated vegetable oil (HVO), a cleaner-burning alternative to diesel fuel. This renewable fuel is now powering various port vehicles, vessels, and equipment. Furthermore, the port is actively encouraging port stakeholders to explore opportunities in sustainable fuels.

If your carelessness is identified as the primary cause of a pollution incident, we will seek to recover any costs associated with making good the impact of the event from you and we will not consider any compensation event associated with delays or extra costs you have incurred.

7.1. REQUIREMENTS

You should avoid the use of harmful chemicals and you may not use CHIP Code N chemicals (see right) without our approval. To provide approval we will need you to explain why there is no suitable alternative and your EMP must include the relevant safety data sheets.

(From 1 January 2021, the classification, labelling and packaging of chemicals placed on the market in Great Britain (England, Scotland and Wales) is regulated by the 'Retained CLP Regulation (EU) No. 1272/2008 as amended for Great Britain', known as GB CLP). This regulation was established following the UK's departure from the European Union to ensure continuity and legal clarity in chemical safety standards.

When it is not possible to avoid the use of harmful chemicals you must adopt a system of work that restricts the amount of the chemical removed from the storage bund to no more than is needed for the immediate task. Your system of work must reduce the risk that the chemical enters drain, groundwater or watercourses.

You must store harmful chemicals in suitable, labelled containers in properly constructed, covered and secure bunds more than 10m from watercourses or drains. Each bund must be able to contain at least 110% of the volume of the largest container in it or 25% of the total volume of all containers in it, whichever is greater. At each bund you must keep a well-stocked spill kit capable of absorbing/containing all the stored chemicals. Bunds and containers should be inspected regularly to ensure they are in good condition and free of spills, liquids and debris

You must store fuel on site in secured bowsers/tanks with integral secondary containment and fitted with a sight or gauge to measure the contents. Gauges, pipework and hoses must be kept within the secondary containment. Bowsers/tanks must be kept below roof level and more than 10m from watercourses, on a designated secure area of hard standing with a well-stocked 'oil only' spill kit at each. Bowsers and associated equipment should be locked when not in use and inspected regularly to ensure they are in good condition, operating as designed and that secondary containments are free of spills, liquids and debris.

You should not use jerry-cans or similar containers to distribute fuel around your site and should aim to fuel all machinery and vehicles on a designated area of hard standing. No plant except vessels may be fuelled within 10m of watercourses. During fuelling you must deploy drip trays below all filler caps and pipe connections and have a well-stocked 'oil only' spill kit beside the operation.

You must keep plant and vehicles clean, in a good state of repair and regularly check them for leaks and faults, paying particular attention to hydraulic hoses and connections. Maintenance or repairs must be carried out on an area of hard standing. If your site is within 10m of a watercourse you should, wherever the operating specifications permit it, use biodegradable, 'eco-friendly' additives, lubricants and hydraulic oils.

You should not 'ford' or operate any plant or vehicles in such a way that any part of them is submerged in water (excavator 'arms' may be used under water). When not in use, plant and vehicles must be switched off and kept above MHWS, more than 10m from watercourses and, where practicable, on hardstanding. *This does not apply to machinery that forms part of or is permanently mounted on a vessel.*

Static machinery (e.g., generators) must only be operated above MHWS and as far as is practicable from watercourses. If such plant is to be operated on open ground or within 10m of a watercourse it must be placed in a suitable drip tray that is kept free of debris and water. *This does not apply to machinery that forms part of or is permanently mounted on a vessel.*

We may require certain types of in-rivers works to be enclosed by containment. You must seek approval from us before using machinery mounted on a barge or in-river platform.

Before starting work you must give us a site plan showing the location of fuel bowzers, chemical stores and spill kits as well as an 'as full' contents list for each type of spill kit. Spill kits should be checked regularly to ensure they are properly stocked.

8. Waste Management

POA expects port users to actively manage waste in accordance with the waste hierarchy and industry best practice the construction industry is the UK's single largest source of landfilled waste. Waste is strictly controlled to minimise the amount sent to landfill, prevent it from being disposed of illegally and to protect the environment from pollution if it has harmful properties.

It is not always obvious if a material meets the legal definition of waste. For example, even if you consider the demolition rubble and excavated soil you produce to be a raw material it may still be 'waste'. You should seek advice from SEPA if you are in any doubt about this.

8.1. REQUIREMENTS

Before you start work you must prepare a Site Waste Management Plan (SWMP) and submit it to us for approval. The SWMP must:

- a) identify a single person responsible for waste management.
- b) estimate the types and amounts of waste to be generated during the contract.
- c) establish quantifiable targets for the elimination, reduction, reuse and recycling of all types of waste, including demolition rubble and excavation arisings.

You must evaluate whether any waste produced on your site is hazardous (special) or not and commission Waste Acceptance Criteria (WAC) tests as required.

Waste should be managed in accordance with the waste hierarchy:



Contractors are encouraged to adopt circular economy practices by prioritising the reuse of demolition materials, and sourcing sustainable materials to minimise environmental impact and reduce waste sent to landfill:



You must keep waste in an appropriate manner, depending on its properties, at designated, secure locations more than 10m from watercourses. Waste containers should be labelled, and some types of waste may also need to be kept in a bund or covered to prevent ground contamination and protect watercourses.

You must ensure that the waste carrier provides a member of your staff with a Waste Transfer Note (WTN) or Consignment Note BEFORE each load of waste leaves your site. These must be dated and must quantify and describe the waste, including the relevant

European Waste Catalogue code, and where it came from. *N.B. "One load, excavation arisings" is not adequate, but "5 tonnes excavated sandy coloured soil and small stones from 0 to 2 m BGL at Commercial Quay per WAC Test 2131/1" is.*

You must keep a detailed up-to-date register of every waste transfer that occurs during the contract. The register is to be available for inspection in the site office and must include:

- a) every WTN and hazardous (special) waste Consignment Note received during the contract.
- b) a record of every carrier removing waste from the site during the contract, including a copy of their Waste Carrier Certificate.
- c) a record of every facility receiving waste from the site during the contract, including a copy of the exemption/permit for those facilities and information about what they have done with the waste e.g. whether it was landfilled or crushed for reuse.
- d) copies of correspondence with waste carriers and receivers to show that they understand the nature of the waste being handled by them, that they have received the relevant WAC tests and that they are capable of receiving that sort of waste and authorised to do so.

Every month, or at the end of the contract if it lasts less than one month, you must supply us with an updated copy of the SWMP indicating progress against the and a report summarising the types and amounts of waste removed from the site during that period and listing all the relevant receivers and carriers.

At the end of the contract, you must supply us with a copy of the waste register.

9. Drainage and Dewatering

Managing water quality is particularly important because of importance of protected species in the area and their sensitivity to the cumulative impact of many industrial and commercial processes around the port. Port of Aberdeen undertakes routine water quality testing to ensure the **protection of the marine environment, compliance with environmental regulations, and the safety of port operations**. By regularly monitoring water quality, the port can identify potential issues, such as pollution or contamination, and take steps to mitigate them. This helps to preserve the health of marine ecosystems and safeguard public health.

Surface water drains can have a significant impact on water quality because they can carry polluted and silty water direct to watercourses with little treatment.

Dealing with surface water and flooded excavations on a construction site can be especially complex, particularly if the site is in the tidal zone. As with most aspects of environmental management, the best approach is to consider these issues early on and plan your work, accordingly, using a risk assessment approach.

Very few discharges to watercourses are exempt from the need for authorisation from SEPA so you should study the guidance in PPG 6 and the requirements of The Water Environment (Controlled Activities) (Scotland) Regulations 2011 carefully. If a discharge needs to be created or altered temporarily it is your responsibility to seek SEPA's authorisation for this.

9.1. REQUIREMENTS

Before starting work, you must familiarise yourself with the layout and nature of any controlled water, drains, discharges and associated infrastructure on and crossing your site. You should mark-out gullies and drains according to the following code: RED for those confirmed as leading to a foul sewer and BLUE for any others.

You must not allow untreated surface runoff from your site to drain directly into a watercourse at any time. Therefore, you must plan your work in a way that:

- a) minimises disruption to drains crossing your site, preserves the integrity of functioning drains as long as practicable and installs and commissions new drains as soon as practicable.
- b) preserves the integrity of existing hardstanding as long as possible and minimises the amount and area of open ground on your site at any time.
- c) considers tidal conditions and minimises the need for dewatering tidal excavations.

You must not allow any liquid other than uncontaminated surface runoff to enter BLUE drains. Wastewater from a process (e.g., vehicle washing) is generally 'trade effluent' and may only be discharged, with Scottish Water's agreement, to a RED drain or directly into a foul sewer.

If surface water drains are to be demolished before their replacements are commissioned, you must prepare a plan explaining how you intend to provide temporary drainage during the intervening period and submit it to us for approval. The agreed measures must be implemented before any existing infrastructure is disturbed.

You must empty, wash, and fully drain interceptors and settling tanks before they are removed or demolished. They should, where practicable, be removed in one piece.

You must give us as much notice as possible of the date when any new discharges forming part of the permanent works are to be commissioned. Ideally, this should be 16 weeks beforehand.

If your work is carried out under a Marine Licence it may, in certain circumstances, be acceptable for you to dewater a tidal excavation without authorisation from SEPA provided you comply with General Binding Rules 10 and 11 of *The Water Environment (Controlled Activities) (Scotland) Regulations 2011*. The discharge from this must run via an appropriately sized and properly installed silt trap or settling tank and must not cause pollution, visible discolouration, or elevated suspended solids in the receiving water.

Where you are responsible for the design of new drains in the permanent works, each discharge should be designed in accordance with the latest government guidance/standards. We would expect any discharges to be fitted with a suitable settling tank and petroleum interceptor, an inspection/sampling chamber and a shut off valve. Before you begin to install new drains, the plans must be submitted to Port of Aberdeen for approval.

10. Excavations, Stockpiles and Fill

Aberdeen Harbour has a long history of industrial use, much of this in days when the use of harmful chemicals and polluting activities was not controlled, so there is always the possibility of discovering ground contamination.

The proper management of excavations and stockpiles is important because open ground allows contamination to be mobilised into groundwater and bare soil, and stockpiled materials are a key source of silt in surface water runoff. Migratory fish are particularly sensitive to cloudy water.

We may have carried out a site investigation into chemical ground conditions and included this information in your invitation to tender. You must decide whether this is sufficient for you to be confident you understand the nature of the soils you are working with. You should bear in mind that some imported fills may be classed as waste (even if they are being reused) so you may have to obtain a Waste Management Licence exemption from SEPA to use them.

10.1. REQUIREMENTS

You must plan your work in a way that preserves the integrity of existing hardstanding as long as possible and minimises the area and duration of open ground on your site at any time.

You must place stockpiles of material more than 10m from watercourses, grade them appropriately to prevent slippage and, if they are to remain present for longer than four weeks create temporary bunds and ditches around them to contain silty runoff.

You must keep a 'mass-haul log' of all material excavated, stored, imported or reused on site. This must be available for inspection in the site office, and you must supply us with a copy at the end of the contract. It should accurately describe the nature of the material (see W4), its quantity, source, current location and final location – linking to the SWMP/Waste Register as required.

You may not import any fill to site without our approval. We will need to know and agree that the nature, chemical quality and source of the material is suitable. If you are placing fill in a watercourse, even temporarily, you must have a Marine Licence for the work and

should ensure the material is free of fines/soil and will not cause pollution, visible discolouration or elevated suspended solids in the receiving water.

You must maintain a watching brief for evidence of ground contamination (e.g., oily smell or appearance) when removing hardstanding and opening or significantly enlarging excavations. The person doing this should be suitably experienced and must keep records, including photographs, of their observations to include in the log described in E3. Machine drivers should also be vigilant for ground contamination when they are working.

If you discover or suspect, you have discovered previously unidentified contaminated ground you must stop any related work immediately and notify us. You should also cover the excavation as far as practicable. This is a compensation event.

Where ground is suspected to be or has been identified as contaminated you must not disturb it or dewater the immediate area without approval from us. To provide approval we will need a detailed method statement covering the measures you will take to protect the environment and we may need to share this method statement with the appropriate regulators.

11. Concrete, Cement and Grout

Cementitious products are extremely alkaline and can have serious and long-lasting effects in the water environment. Your approach to using these materials should focus on the steps you need to take to effectively contain them in the pour area and prevent any loss to watercourses.

Remember that requirement F1 applies to curing agents, retarders, moulding oils and other additives and requirement F2, especially in relation to fugitive spray, is relevant when choosing the way, you apply these compounds to completed pours.

11.1. REQUIREMENTS

You must plan your work in a way that minimises the need for underwater concrete pours. If they cannot be avoided, you should discuss them with us and submit a method statement for us to approve before you begin.

You should plan pouring/injection in a way that allows maximum curing time before any cementitious material comes into contact with water, particularly when working in the tidal zone. Ideally, pouring/injection should begin on a falling tide as soon as the water level is low enough.

You must not allow any surplus cementitious product to be discharged into a watercourse or drain and should take all practicable steps to protect watercourses and drains from

rebound/windblown spray, runoff from recent pours and spills and dribbles from shutters, pumps and hoppers.

You must designate an appropriate area for cleaning and washing vehicles and plant used for handling cementitious material. This area should not be on open ground and should impound any waste material and runoff so it can be disposed of properly. See also D3.

12. Piling, Pile Removal and Drilling

Piling and drilling are among the loudest activities that take place at Port of Aberdeen. The noise and vibrations from these operations, especially if you are using an impact hammer, can cause distress to people living and working nearby and can be heard surprisingly far away. Works that have the possibility to cause nuisance needs to be approved by the Port of Aberdeen SHEQ department prior to commencement.

Noise and vibration travels further and faster underwater so even if you are driving piles in the river environment it can easily be sensed by fish and marine mammals; deterring them from moving though the harbour, reducing their ability to hunt and maybe even causing permanent physical harm or death.

It may be possible to vary P4 if your location, activity and equipment substantially reduces the possibility of disturbance, but you should not assume that such an agreement can be reached when developing your programme or calculating your price.

12.1. REQUIREMENTS

Your EMP must include measures to monitor, control and mitigate the noise and vibration produced by driving/removing piles or drilling. You may not use diesel impact hammers.

You must plan your work in a way that makes use of a hydraulic jack or vibro-hammer wherever practicable and for as long as possible and should only use impact hammers to drive piles to 'set' or when adverse ground conditions require it.

You must fit any acoustic shrouds to the hammer before operating it and use a 'soft-start' procedure when piling within 50m of watercourses. The 'soft-start' procedure is for the hammer to be started on the lowest possible power setting/drop height and run up to working power/height over a period of at least five minutes. The 'soft-start' procedure should be repeated after any break in operations lasting longer than 20 minutes.

Unless agreed otherwise you may only drive/remove piles or drill between sunrise or 0700 (whichever is later) and 1900 or sunset (whichever is earlier) on weekdays. You may also drive/remove piles or drill between sunrise or 0700 (whichever is later) and 1300 on Saturdays. You may not drive/remove piles or drill on Sundays or public/local holidays. (See 5.1 for reference to guidance)

13. Additional Information

This Code of Conduct for Contractors shall be read in conjunction with the POA Environmental Code of Practice, POA Port Access Policy/Procedure and the POA Handbook. The latest version of all documents can be obtained from the SHEQ Department at Port of Aberdeen.

14. History of Changes & Scheduled Reviews

Date	Reason for review	Details of Any Changes Made
07.07.2020	Added History of changes	Added history of changes section to the document for future changes being made to the document.
03.08.2020	Updated document.	Reviewed and included reference to Port of Aberdeen Access/Policy and Aberdeen Harbour Handbook.
03.09.2020	Updated document	Environmental Manager reviewed and included further guidance on compliance and good practice. Changed to V7.
23/11/2024	Updated Document	Added information on South Harbour SSSI. Updated Environmental Law and Further Requirements section. Inserted reference to Ports Net Zero Strategy and use of sustainable fuels. Added responsibility to CDM projects only

Contractors Certificate

Port of Aberdeen

I have received a copy of the Port of Aberdeen’s Environmental Code of Practice, General Requirements. I will distribute a copy of this code to each of my managers or supervisors engaged on the contract work.

My company’s employees and any sub-contractors will be instructed to work to the code throughout any contract.

I understand that employees who contravene good practice may be asked to leave the site and may not be allowed further entry.

I undertake to ensure that no work will be done until this certificate is completed and a copy returned.

Name of Contractors Company:		Contact Number:	
Address:		Post Code:	

Signed:			
Position:		Date:	

Extra copies of the Environmental Code of Practice, General Requirements are available on request.

Received by:	For Port of Aberdeen		
Date:			