

**PE1563/K**

Environment and Forestry Directorate  
Environmental Quality Division



Ned Sharratt  
Assistant Clerk  
Public Petitions Committee  
Room T3.40  
The Scottish Parliament  
Edinburgh  
EH99 1SP



23 February 2016

Dear Ned,

Thank you for your letter of 10 February 2016 in relation to the consideration of Petition PE1563 (sewage sludge spreading).

If I can start by answering the specific questions that the Committee asked.

***Can the recommendation in paragraph 31 be concluded more quickly?***

We agree it is important for the research report to be completed quickly. However it is essential that adequate time is available to conduct a robust piece of research that will usefully add to the evidence we already have. We will work with Health Protection Scotland to identify suitable research organisations, who will then be invited to respond to an invitation to competitive tender. Health Protection Scotland, SEPA and Scottish Government officials will work closely with the appointed researchers to ensure that we end up with an improved evidence base that will inform and improve future practice.

Based upon experience in commissioning and conducting similar studies, SEPA estimates that this work will be completed around the end of 2016.

***How will communities be made aware of the new reporting mechanism, whereby SEPA is the main point of contact for complaints?***

There will need to be some thought given to this as there will be resource implications for SEPA. As part of this new approach, consideration will also need to be given to what happens following that initial complaint and how best to provide feedback to complainants.

This may require changes to legislation to give SEPA the necessary powers to follow up complaints etc.

Consideration on the whole process of complaint procedures and public access to information on how to actually make the complaints will be required, and this will be done over the next few weeks.

We will ensure however that key community groups who have experienced odour problems previously, will be informed of the new arrangement through their community councils and in addition, all local authorities will be notified of the change. We will recommend that they (along with SEPA) update their website to ensure the public are also made aware.

I understand that in addition to changes to their website, SEPA will also issue a press release once the details (including the timetable) of this change is known.

Any legislative changes that may follow from the review will of course be subject to the normal consultation process.

***In relation to [SEPA's assurance](#) that there is only one sludge landfill site in Scotland, how non-licenced sludge landfill is monitored and dealt with and whether the conclusions of the Review will affect the regulation of such practices?***

There may be a slight misunderstanding on this point. SEPA's response confirmed that it is only aware of *one* authorised landfill site in Scotland which is used for disposal of sewage sludge (in Shetland).

There are however, a number of *other* licensed landfill sites within Scotland that hold licences which would, *in theory*, permit the acceptance of sewage sludge for disposal.

Sewage sludge which is applied to land in agricultural or non-agricultural settings would normally be considered to be a recovery rather a disposal (landfill) activity. The recommendations made in the review are intended to improve these recovery activities. It is not considered that disposal of sewage sludge outwith licensed landfill sites is a practice which actually occurs and, therefore, the recommendations in the Review do *not* address this issue.

Such activities would constitute an offence and SEPA, as the regulator responsible for waste management, already has the necessary powers to investigate and report any such offences.

Finally, can I clarify to the committee that the "review group" is a group that has been brought together specifically to advise the Cabinet Secretary. It will be for Mr Lochhead to decide on what actions to take and how to proceed so any further discussion on the review should be directed through the Minister.

I hope the committee find this helpful.

Yours sincerely

**GARY GRAY**  
Zero Waste Delivery Team