

Fife farmer fined for slurry pollution in Bluther Burn

05 November 2018

A Dunfermline farmer was fined £500 at Dunfermline Sheriff Court on 1 November 2018 following a three day trial for his involvement in a slurry spreading operation that resulted in pollution of the Bluther Burn near Saline.

James Gemmell Cousar was found guilty of causing and permitting a contractor to spread slurry without adequate instruction, supervision or training. As a result of the spreading a number of fish and invertebrates were killed along a five kilometre stretch of the Bluther Burn. The Scottish Environment Protection Agency (SEPA) investigated the circumstances leading up to the pollution, and submitted a report to the Procurator Fiscal.

SEPA received notification of the pollution through an anonymous complaint that the burn was running a green-brown colour. On attending the site SEPA officers discovered that the water was cloudy and brown and smelt of slurry.

During their investigations SEPA identified that the contractor had been told to carry out the spreading with only very basic instruction. The slurry, which was spread as an organic fertiliser, was applied in excess on wet, boggy fields near to a watercourse and in unsuitable wet weather conditions.

Approximately 400,000 gallons (1.8 million litres) had been spread over three days on an area covering 40 acres (16 hectares) at a rate that was too fast. This was in excess of the recommended amounts in James Cousar's own farm waste management plan.

The pollution incident resulted in a high number of dead invertebrates, including freshwater shrimps, beetles, snails, worms, and fly larvae and two young trout being found as far as five kilometres downstream of the discharge point.

Callum Waddell, SEPA's reporting officer, said:

"Every day SEPA works to protect and enhance Scotland's environment, and we are clear that environmental compliance is non-negotiable. There is no reason for this incident to have happened. The spreading of slurry is heavily regulated and the amount of farm slurry spread during inappropriate conditions would never be allowed. We will always take enforcement action in line with our enforcement policy against those who show disregard for the regulations, and we are pleased that James Cousar has been held to account of this."

Ends

Notes to Editor

The exact charge James Gemmell Cousar was found guilty of was:

Between 7 October 2016 and 12 October 2016, both dates inclusive, at Lynn Farm, Steelend, Dunfermline you James Gemmell Cousar did carry on and you James Gemmell Cousar did cause or permit Alexander Forbes Winchester, a Contractor, to carry on a controlled activity, namely an activity liable to cause pollution of the water environment in that you did instruct, said Alexander Winchester, a newly appointed farm hand, to carry out a spreading activity, namely spreading of slurry on fields, without adequate supervision or training and as a consequence a quantity of slurry was spread inappropriately which did discharge into the water environment, namely the Bluther Burn at National Grid Reference NT 0630 9195 and this did cause pollution of said watercourse and did adversely affect the invertebrate and fish populations up to 5 kilometres from the discharge point and did cause the deaths of fish and invertebrates without the authority of an authorisation under the aftermentioned Regulations; CONTRARY to the Water Environment (Controlled Activities) (Scotland) Regulations 2011 Regulation 4 and 44(1)(a) and the Water Environment and Water Services (Scotland) Act 2003 Section 20(3)(a)

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