

# SEPA calls on construction industry to be aware of new licensing requirements

27 August 2018

The Scottish Environment Protection Agency (SEPA) is urging the construction industry to ensure they have a licence and Pollution Prevention Plan before starting any new large construction projects from 1 September 2018.

- From 1 September 2018 all new large construction projects must have a licence and Pollution Prevention Plan.
- SEPA has been engaging with the construction industry to ensure they are aware of the changes to drainage system regulations.
- Further guidance is available from SEPA's website to ensure construction activities are compliant with the regulations.

A licence will be required, before any construction work can commence for sites that:

- exceed 4 hectares in area;
- contain a road or track length in excess of 5km; or
- include any area of more than 1 hectare or any length of more than 500 metres on ground with a slope in excess of 25 degrees.

SEPA has produced [guidance](#) for the construction industry to help with the development of a pollution prevention plan which will be required before any work commences. This plan must be complied with onsite during the entire construction phase.

All discharges of water run-off from construction sites to the water environment are regulated, and the changes apply to a wide range of construction types, including house and industrial building, wind farms, forestry, transport, pipe laying, overhead pylons and hydro power schemes.

David Harley, Head of Water and Planning at SEPA, said:

Every day SEPA works to protect and enhance Scotland's environment and the changes to the regulations have been introduced to reduce the risks of pollution to the water environment from construction site water run-off.

"The changes will ensure adequate treatment systems are in place to protect the environment prior to and during the construction phase. For example, this will reduce the risk of silty water run-off which can damage and kill aquatic life by smothering and suffocating.

"We are clear that compliance is non-negotiable and have been engaging with the construction sector to ensure they are aware of

the changes coming into force. If you're responsible for the operation of a construction site please contact your [local SEPA office](#) as soon as possible, so that we can work with you to ensure that the correct authorisations are in place."


## Ends

### Further information

- The amendments to the Controlled Activity Regulations (CAR) introduced a threshold to General Binding Rule (GBR) 10 for when a construction site SUDS (Sustainable Drainage Systems) licence will be required.
- Even if you do not need to apply for authorisation, companies are reminded that they are still required to operate the site in accordance with the general binding rules specified in the Water Environment (Controlled Activities) (Scotland) Regulations 2011, as amended (CAR). Details of these rules can be found in the [CAR practical guide](#).

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## [SEPA takes action on dust emissions from Dunbar site](#)

 24 August 2018

The Scottish Environment Protection Agency (SEPA) has issued a warning letter to Tarmac Cement and Lime Limited following an investigation into dust in the Dunbar area.

SEPA officers carried out an investigation into dust deposits in the local area after receiving a number of complaints from members of the public in September and October 2017.

The investigation concluded that the Tarmac site was the most likely source of the dust issues and that the operator needed to take action to prevent and minimise the potential escape of dust from the site.

The warning letter advises the operator that SEPA expects them to review existing procedures for monitoring and detection of dust emissions from the plant equipment and activities at the site. The letter also advises the operator that SEPA expects them to carry out earlier and more proactive identification of excessive dust emissions before complaints are made, and that SEPA will undertake a review of the site's permit.

This review is now underway, and SEPA is also undertaking a separate investigation in response to dust complaints in Dunbar during May 2018.

Terry A'Hearn, SEPA's Chief Executive, said:

Every day SEPA works to protect and enhance Scotland's environment and we are clear that compliance is non-negotiable. SEPA has carried out a full investigation into the causes of the dust complaints in Dunbar from September and October 2017. This investigation has now concluded and a warning letter has been issued to Tarmac Cement and Lime Limited in Dunbar. SEPA is clear that practices should be improved to prevent further events and ensure full compliance. The review of the operator's permit is a key part of the steps SEPA is taking. We are also undertaking a further investigation into complaints received about dust in May 2018 and will take all action necessary to ensure the environment and local communities are protected."

Ends

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## [SEPA stresses importance of checking staff ID](#)

📅 24 August 2018

The Scottish Environment Protection Agency (SEPA) is reminding people in Perthshire, Clackmannanshire and Stirling of the importance of checking staff credentials, after a homeowner in Greenloaning was visited by a man impersonating a SEPA officer.

They were visited on Saturday 17 August by an individual who told them he was from SEPA. He wanted to inspect trees on their property to see if work, which they would have to pay for, was required. They refused his request and informed SEPA.

SEPA's Chief Executive, Terry A'Hearn, said:

"We understand that this was a worrying incident for those involved and have reported the matter to Police Scotland. SEPA officers do not carry out work on people's property, and if anyone else has a similar experience I encourage them to contact the Police straight away."

"All SEPA staff carry appropriate photographic identification and should always show it to you. If you are approached by someone claiming to be from SEPA ask to see their ID, especially if you don't recognise them.

"Anyone with any concerns, can always call SEPA's 24 hour Contact Centre on 03000 99 66 99 to check out the details of any officers visiting them."

Ends

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## [Lanark businessman fined £1,200 for water pollution incident in Perth](#)

✘ 17 August 2018

Businessman Andrew John Bailie was fined £1,200 at Perth Sheriff Court today (17 August 2018) after the discharge of liquid fertiliser into a protected watercourse in Perthshire.

The Scottish Environment Protection Agency (SEPA) received complaints from members of the public on 23 September 2015 who had discovered discoloured water and saw dead fish in the Ordie Burn, which is part of the River Tay Special Area of Conservation.

SEPA officers carried out an investigation and identified that the incident was caused as a result of the spreading operation of the man-made liquid fertiliser Anaerobic Digestate at Little Tulliebelton Farm, near Bankfoot, Perthshire.

Andrew John Bailie pled guilty to failing to comply with the regulations on storing the fertilizer prior to it being spread. Whilst Mr Bailie was not on site during the spreading operation he was aware that the Anaerobic Digestate holding tank was located only three or four metres from the watercourse which is too close in case of any leak or overflow from the tank. This is in contravention of General Binding Rule 18 which states that no fertiliser may be stored within ten metres of a watercourse.

SEPA officers found that during the spreading activity the tank had overflowed due to a blockage and a volume of the liquid fertiliser had spilled into Ordie Burn at that point. As a result of further investigation they also found evidence of pollution having entered the Ordie Burn.

SEPA submitted a report to the Procurator Fiscal.

Terry A'Hearn, SEPA's Chief Executive, said:

"Every day SEPA works to protect and enhance the environment, and we are clear that environmental compliance is non-negotiable. This is at the core of our One Planet Prosperity Strategy.

"Andrew John Baillie failed to follow the regulations that are in place to protect the environment, and this resulted in pollution to the water environment with significant impact to trout and salmon populations.

"This incident was not only unacceptable, it was also avoidable. In instances like this it is our job to hold such operators to account. We hope this outcome sends a strong message to everybody operating in Scotland. SEPA is

here to make sure that action will be taken if you don't pay attention to your environmental responsibilities."

Calum McGregor, SEPA's Reporting Officer, said:

"Whilst Anaerobic Digestate is a useful fertiliser if used and stored properly, it is a highly polluting liquid which can cause significant harm to fish if it is allowed to enter a watercourse. The discharge of Anaerobic Digestate to the watercourse caused a significant number of fish to be killed, mainly salmonoids, over a 2.2 kilometre stretch of the Ordie Burn and 1 kilometre stretch of the Wynnies Burn. It is expected it will be a number of years before the river fully recovers.

"If Mr Bailie had ensured that the storage of Anaerobic Digestate complied with the regulations, and that those working for him at the site were adequately trained, then this incident could have been avoided. We hope this ruling will serve as a warning to others."

**Ends**

#### **Notes to editors**

The exact charge which Andrew John Bailie pled guilty to was:

Between 21st September 2015 and 23rd September 2015, both dates inclusive, at Little Tulliebelton Farm, Bankfoot, Perthshire, PH1 4DH and elsewhere you ANDREW JOHN BAILIE, being Operations Manager for Digestate Management Services Limited did fail to comply with or contravene a general binding rule, namely number 18, which states that no fertiliser may be stored on land that is within 10 metres of any surface water or wetland, namely a river, burn, ditch, wetland, loch, transitional water or coastal water in that you did store fertiliser on land that was within 10 metres of the Ordie Burn (at National Grid Reference Number 03678 34335); CONTRARY to the Water Environment (Controlled Activities) (Scotland) Regulations 2011 Regulation 44(1)(b) Water Environment and Water Services (Scotland) Act 2003 Section 20(1)

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## **[Keep Scotland Beautiful launches first wave of bathing water campaign](#)**

📅 16 July 2018

My Beach, Your Beach, Keep Scotland Beautiful's latest campaign to improve bathing waters at three well known beaches, was launched today.

The campaign, funded by Scottish Government, will aim to make a difference by

tackling littering, dog fouling and feeding gulls by those visiting the beach.

Launching on one of busiest beach days of the year, the start of the Glasgow Fair, we will be focusing on three beaches in particular:

- South Beach, Ayr
- Portobello Beach, Edinburgh
- Fisherrow Sands, Musselburgh

All three of the beaches selected for this campaign trial have faced challenges in improving the quality of their seawater as measured by the Scottish Environment Protection Agency (SEPA), whose research confirms the strong link between behaviour on the land and the cleanliness of the local seawater.

Environment Secretary Roseanna Cunningham said:

“This campaign is one of a number of measures to improve three of Scotland’s best loved beaches and bathing waters, which are enjoyed by thousands of people on a daily basis. Sadly, some of those users leave more than just footprints behind, with dog fouling and littering, which attracts gulls, impacting on water quality.

“Keeping our beaches and bathing waters clean is a priority for the Scottish Government, which is why we’re helping to fund Keep Scotland Beautiful’s campaign, and working closely with stakeholders to provide long term solutions to the problem.

“I know the people of Scotland will be keen to support the campaign, and I would encourage them to do so by carrying out some simple actions to help us all continue to enjoy Scotland’s amazing beaches and bathing waters.”

A campaign team were on Ayr South Beach today to meet and inform local beach users of the importance of responsibly collecting and removing their rubbish from the beach at the end of their visit, not letting dogs foul the beach, and discouraging the feeding of gulls which then leads to further negative impact on the local environment.

Members of the public were urged to get involved in a #2MinuteCleanUp and share their successes on social media, and dog owners were encouraged to enter the ‘doggy portrait’ competition which could see their pets feature as the face of a dog fouling campaign – reminding dog owners to ‘bag it and bin it’.

Nicola Turner, Community Projects Officer at Keep Scotland Beautiful, commented:

“We can all play a part in cleaning up our nation’s bathing waters, improving the experience at the seaside for locals and visitors alike. Whilst visitor behaviour is only part of the solution, by taking our litter home, bagging and binning dog poo, and not feeding the gulls, we can all be part of the solution and get cleaner water for us all to enjoy.

“The launch of our ‘My Beach, Your Beach’ campaign emphasises our shared responsibility, and we look forward to meeting lots more local beach users as the campaign period unfolds.”

The pilot project covering the three beaches will trial a number of interventions, including:

- Business packs for local business including stickers, posters and information on how they can get involved,
- Colourful bin wraps with key campaign messaging,
- Signage around the beachfront raising awareness of the campaign,
- A series of community engagement events involving dogs, litter and gulls, communicating how these can seriously impact on water quality.

Councillor Ian Cochrane, South Ayrshire Council’s Portfolio Holder for Sustainability and the Environment, added:

“We’re extremely proud of our beaches in South Ayrshire and work incredibly hard throughout the year to keep them looking their best and to ensure – as far as we can – that our bathing waters meet national standards.

“Where standards aren’t quite what we want them to be, we work closely with SEPA and other partners to address pollution issues – and visitor behaviour is one way to do that. By being responsible and picking up after ourselves and our dogs and making sure that we feed our bins, not the gulls, we can help reduce the amount of dog and bird poo and litter that makes its way into our waters.

“That’s even easier this year thanks to hundreds of new bins that are being put in place at our beaches in South Ayrshire. And, with tens of thousands of people flocking to our beaches during the summer, people power really can make a difference and allow us all to enjoy our stunning coastlines and My Beach, Your Beach.”

The campaign is also designed to complement the range of work currently undertaken by SEPA on bathing water quality.

Terry A’Hearn, Chief Executive of the Scottish Environment Protection Agency (SEPA), said:

“Every day SEPA works to protect and enhance Scotland’s stunning environment, and we are committed to ensuring all of Scotland’s designated bathing waters meet water quality standards.

“By targeting behaviour on land that can affect bathing water quality Keep Scotland Beautiful’s ‘My Beach, Your Beach’ campaign will complement SEPA’s work. Recently Scotland has seen the best rates of compliance since the Bathing Water Directive began and by working in partnership we can further improve the quality of Scotland’s bathing waters including at Ayr South Beach, Portobello and Fisherrow Sands.

“Working with partners, we’re continuing our focus on bathing waters rated as ‘poor’, with tailored improvement plans prepared by SEPA. These projects will

result in major improvements to bathing water quality in the future and should see improvements over the coming season.”

To watch as the campaign unfolds this summer, check out the [My Beach, Your Beach](#) pages and if you see any of the beach interventions tag us with #MyBeachYourBeach.