

**Summary of responses to proposals to amend the charges for the spreading of organic material on land.
Consultation closed on 21 May 2010**

There were seven substantive responses to the consultation and one with no comment.

In more detail:

One expressed concern that the proposal to reduce fees would reduce the commitment and effectiveness of SEPAs site and application assessments and pollution responses.

3 were specifically or broadly supportive of the proposals

2 expressed concern that the proposals were only to the benefit of larger land holdings and companies and that more should be done for smaller land disposal activities and companies.

One expressed concern that proposed costs appear high and that other similar regulations, policies, procedures and codes of practice had not been sufficiently taken into account when reviewing the work and charges.

A brief summary of the consultation responses and SEPAs replies were as follows:

NAME	COMPANY	DATE REC	DATED ACK	COMMENTS	RESPONSE SEPA
Lindsay McFadzean	Slamannan Angling Club, Avon valley angling association & Linlithgow angling club	23/4/10	27/4/10	Concerned that the proposed streamlining of the licence application procedure may reduce the time allocated by SEPA in appraising the suitability of individual sites before the licences are issued, rather than simply shortening the administrative process. They are also concerned that by reducing the cost	The proposals reduce charges to the correct level to recover SEPAs costs. They better reflect the actual time spent and will not lead to a reduction in the overall time spent processing and

				of the licences, SEPA may not be prepared to spend the required amount of time policing pollution incidents arising from the spreading of Organic Waste	administering applications and dealing with pollution incidents.
Maitland Mackie	Mackies Scotland	5/4/10	22/4/10	<p>Feels it can't take a whole day extra to inspect a 250 ha farm compared with the 50 ha farm.</p> <p>Unhappy with hourly rate cost and sees little attempt to reconcile SEPA's requirements and logistics of your operations with those of the NVZ, and SGRPID regulations and procedures and that of the GAEC, and PEPFA codes of practice.</p>	<p>The costs are not solely for disposal site inspection time. The costs of pre application discussions, preparatory work prior to site meetings, discussions and inspection, reporting, record keeping, dealing with enquiries and pollution investigation and follow up are all recovered through charges.</p> <p>The hourly rate includes direct costs (as above) and includes travel and expenses plus support costs including administration, legal, IS, facilities and finance costs.</p>
Ian Stephen	RIGIFA	22/4/10	22/4/10	No comments	No comment
John Matheson	Rock Highland Ltd	15/3/10	22/4/10	Feels the new proposals favour large farming units and more expensive for the spreading contractor to register land.	Proposals reflect the efficiencies available when dealing with areas in close proximity to each other and managed by one registration holder. This can

					benefit both contractors and large farms.
Callum Clark	Cornage Highland Dairy	22/5/10	27/5/10	<p>New proposal allows for the spreading of large amounts whereas they and other smaller farms only spread a small amount and are charged the same. Felt this accentuates the gap between smaller and larger producers and they see no allowance to the structure to allow SEPA to accommodate smaller producers.</p> <p>Suggested:-</p> <p>A banding between 1000 tons and 50,000 tons. A lower charge for producers not taking in extra product to spread and making money from doing so, SEPA to record the history of companies spreading organic waste allow for the facility to apply for renewal by text or e-mail.</p>	<p>Regulating and charging discrete 50 ha units allows smaller operators to pay less than larger operators who utilise more than 50 ha. 50 ha is felt to be a reasonable area for the minimum single unit. Any smaller area would add greater and unnecessary complexity.</p> <p>Regulations do not take account of any commercial aspects. Charges are set to recover regulatory and monitoring costs and similarly take no account of commercial or private use. SEPA does keep records of spreading and company history but need to inspect the land to cross check. Renewal by text or e-mail may be possible and will be investigated for future use but renewal would likely continue to involve re-inspection and cost recovery.</p>
Janice	Scottish Rural	21/5/10	27/5/10	The SRPBA recognises that the proposals in this	The PEPFA code is an

Cassidy	Property and Business Association			consultation document do go some way to reducing bureaucracy in the rural sector by allowing all 50 hectare units on a farm to register on one form. While this approach is welcomed, They do consider that more effective use of the PEPFA Code would remove the necessity for registration in the first instance.	important element of environment protection for SEPA but is insufficient to replace the para 7 registration process.
Liz Drew	LARAC	20/5/10	27/5/10	Overall, LARAC supports the recommended charging options detailed in Annex 1 and Annex 2 of the consultation document. The SEPA proposal to rationalise and simplify the regulatory approach to these waste exemptions by removing the 50 hectare restriction and allowing all organic spreading activities taking place on one farm, to be registered as one, may provide a potential financial incentive and subsequent stimulus to the use of recycled organic matter on land.	No comment
Morag Garden	Scottish Whisky Association	21/5/10	27/5/10	Welcome and support the proposal to rationalise and simplify the regulatory approach for waste exemptions by removing the 50 hectare restriction and allowing all organic spreading activities, taking place on the one farm, to be registered as one. This amendment should lead to benefits both for SEPA and the applicant, whilst not creating any greater environmental risk. In addition SWA believes it would also be beneficial to operators for the scheme to allow one application per activity, where the activity is for the same material under the ownership of the same applicant. SWA also support the proposal to reduce the application & renewal fees for each associated 50 ha site.	No comment

The balance of responses confirmed that the proposals are acceptable and no further changes were proposed when seeking final approval from Ministers.