

Response to the Scottish Government/ SEPA Consultation on revising the Scottish Pollutant Release Inventory (SPRI) pollutant list and reporting requirements

by the Scottish Environment LINK Freshwater Taskforce

Date: 17 July 2013



Introduction

Scottish Environment LINK is the forum for Scotland's voluntary environment community, with over 30 member bodies representing a broad spectrum of environmental interests with the common goal of contributing to a more environmentally sustainable society.

Its member bodies represent a wide community of environmental interest, sharing the common goal of contributing to a more sustainable society. LINK provides a forum for these organisations, enabling informed debate, assisting co-operation within the voluntary sector, and acting as a strong voice for this community in communications with decision-makers in Government and its agencies, Parliaments, the civic sector, the media and with the public.

Acting at local, national and international levels, LINK aims to ensure that the environmental community participates in the development of policy and legislation affecting Scotland.

LINK works mainly through Taskforces – groups of members working together on topics of mutual interest, exploring the issues and developing advocacy to promote sustainable development, respecting environmental limits.

LINK members welcome the opportunity to comment on this consultation.

Consultation Questions

Q1. Do you agree with SEPA's purpose and aims for reviewing the SPRI pollutant list and other reporting requirements?

The proposals are based on a "wish to reduce the regulatory burden on industry and to streamline the SPRI system". Scottish Environment LINK does not agree with a purpose of reducing 'regulatory burden' for the sake of that alone. We support the streamlining of regulation only when it does not compromise existing levels of environmental protection and, indeed, seeks to enhance it.

LINK urges that any future changes to the SPRI pollutant list and reporting requirements are effectively monitored to identify any potential environmental consequences from those changes. If there is any indication that environmental protection has weakened as a result of the changes, immediate steps must be taken to rectify this.

Q2. Do you agree that SEPA should continue to use SPRI to collect data on substances which fulfil other legal requirements and international obligations (i.e. the substances listed in Annex A1.2)?

Yes

Q3. Please identify any substances in Annex A1.3 which you believe either should be there or shouldn't be there and tell us why (i.e. assess the non-mandatory substances proposed for retention/addition/removal).

LINK does not wish to comment on specific substances. However, we do not agree with the proposal for some non-mandatory substances to be removed because they have never been reported on. The fact that these substances are currently on the SPRI list would indicate that SEPA and/or others have previously considered them potentially damaging and worthy of being included in the SPRI. Therefore, we do not understand the argument that they should be removed simply because they have not been reported on. Instead, we think a precautionary approach should be taken to retain these substances on the list so that they continue to be tested for as this would help SEPA detect where there might be pollution issues with such substances in future. Furthermore, we suggest that SEPA explores why these substances have not been reported on e.g. is it because they have never been detected or are operators perhaps unaware of their requirements in respect of testing for these substances?

Q4. Do you agree that operators should not be required to report substances which may be present (below reporting threshold) but are below the accepted limit of detection? If not, please explain why?

We do not agree on the basis that it is not clear how SEPA will establish that operators are continuing to test for these substances. We appreciate that, through the better regulation agenda, SEPA intends to focus more effort on criminals and 'chancers' than the compliant and we agree with this principle. However, it is not clear at this stage how SEPA will make the distinction between those groups. While the objective of more *efficient* reporting is laudable, a *reduction* in reporting must not be pursued where this could bring increased criminal and 'chancer' behaviour.

Q5. Please tell us if you have any other views or comments on the SPRI system that have not been covered by the previous questions.

We reiterate that it is critical that any changes to the SPRI process are effectively monitored to ensure the system is affording the necessary protection to the natural environment.

Q6. SEPA will be updating its SPRI guidance this year to make any changes which arise as a result of this review. Please tell us how you find using the current SPRI guidance and any suggestions for making the guidance more user-friendly or effective.

No comments.

This response was compiled on behalf of LINK Freshwater Taskforce.

For more information, please contact:

Lisa Webb, Convener of the Freshwater LINK Taskforce,
RSPB Scotland, 2 Lochside View, Edinburgh Park, EH12 9DH
lisa.webb@rspb.org.uk 0131 317 4100

or the LINK Parliamentary Officer, Andy Myles
on 0131 225 4345 or via email on andy@scotlink.org
www.scotlink.org

LINK is a Scottish Charity (SC000296) and a Scottish Company Limited by guarantee (SC250899). LINK is core funded by Membership Subscriptions and by grants from Scottish Natural Heritage, Scottish Government and Charitable Trusts.

Registered HQ office: 2 Grosvenor House, Shore Road, Perth PH2 8BD tel 01738 630804 email enquiries@scotlink.org
Parliamentary office: 3rd Floor, Gladstone's Land, 483 Lawnmarket, Edinburgh EH1 2NT tel 0131 225 4345 email parliamentary@scotlink.org