

WRITTEN EVIDENCE SUBMITTED BY SOUTH WEST WATER (FR0080)

SOUTH WEST WATER EVIDENCE IN RESPONSE TO EFRA CALL FOR EVIDENCE ON FARMING RULES FOR WATER (FRFW)

Neil Parish, EFRA committee

By electronic submission via the portal

10 December 2021

Dear Mr Parish

EFRA CALL FOR EVIDENCE ON FARMING RULES FOR WATER (FRFW).

About South West Water

South West Water are a Water and Sewerage company based in the South West of England. South West Water is part of Penon Group plc. We provide reliable, efficient and high-quality drinking water and wastewater services throughout Cornwall and Devon and in areas of Dorset and Somerset. We also have a significant role in looking after the region's bathing waters and coastline.

South West Water came into being in 1989 with the privatisation of the water industry. Since this time, thanks to the tireless work of our 2,500 employees, we have transformed water and wastewater operations, and have brought the region's drinking water, sewerage systems and bathing waters into line with the stringent UK and European Union standards. This extensive programme of environmental improvement has resulted in some of the finest bathing waters in Europe, picturesque scenery and rivers with stunning wildlife. We believe that by investing in the future of our region, we are not only improving the quality of life for today's residents and visitors but are also taking responsibility for future generations.

We are based in one of the largest and most rural regions of England. Given that a quarter of all agricultural holdings are located in the region, we have built a strong and thriving relationship with the farming community.

Our reason for providing evidence

We generate over 160,000 tonnes of sewage sludge each year, the bulk of which is recycled to land. This is an important fertiliser, providing huge benefits to farmers and ultimately supporting the circular economy between water company recycle production and land management use. We accordingly are highly interested in supporting the best way to maximise the value of biosolids in the interests of farming and the environment.

We all recognise the need to reduce agricultural diffuse pollution given that under the Water Framework Directive (WFD) 46% of the Reasons for Not Achieving Good Status (RNAGS) in the South West are associated with agricultural runoff. However, getting the balance right between that objective and supporting a robust circular economy for biosolids is critical.

The new rules reduce the potential for recycling to land and instead could result in significant tonnage of biosolids being disposed of to landfill and/or incineration. Neither of these would be without other - and indeed potentially more significant - environmental issues.

We support the Environment Agency (EA) developing processes for the effective regulation of farming runoff and agree that this is necessary to support the improvements required. We want Farming Rules for Water rules to be applied in the right way based upon clear evidence and consultation, fully cognisant of the impact the rules will have on the water industry and farming communities. This means following the principles of good regulation with adequate consultation and Regulatory Impact Assessments being undertaken and published before potential changes to rules take effect.

Since the FRFW regulations were introduced in April 2018, the EA has continued to review the rules – amending these in September 2020, and in doing so, effectively banning most biosolids and other organic manure applications in late summer/autumn in advance of winter cereals. Alongside, the EA have issued two Regulatory Position Statements which have allowed water companies to recycle biosolids through a risk-based approach and store bio-solids over the winter (RPS 252 and RPS 253). These are welcomed by the industry and farmers as they have allowed some respite from the EA interpretation of FRFW and have allowed operational activities to continue in the short term; but we would welcome clarity on the long-term processes for the recycling of bio-solids to land.

We believe there are already tools and standards in the sector that with some review and update, can better meet the objectives of the EA move. We provide thoughts on this in our response to the questions raised by EFRA. A quick resolution to this issue is in all of our interests: to prevent significant instability within the sector and ensure the trust and confidence in this valuable recycle within the farming community. As such, we are extremely supportive that the Environment, Food and Rural Affairs (EFRA) Committee will be holding a one-off evidence session to discuss the Farming Rules for Water Regulations.

EFRA QUESTION 1: What impact, if any, is the EAs implementation of Farming Rules for Water preventing farmer from spreading organic fertiliser?

There are a number of impacts of the EA implementation of the Farming Rules for Water. These would restrict farmers access to cost effective, low carbon, organic fertilisers. More specifically, the impacts are:

- 1) Preventing spreading during the Autumn spreading season and ahead of the crop being sown as nutrients are utilised over the lifecycle of the crop not at the point of application.
- 2) Spreading to a nitrate leaching limit of 5kg/ha which means not enough nutrients are applied for the crops' lifecycle thus increasing the need for farmers to use costly, fossil fuel-based inorganic fertilizers during the lifecycle to ensure crop nutrient needs are met.
- 3) A reduction in landbank suitable for organic spreading due to an increase of sensitive areas i.e., Camel and Axe Estuaries in our region.

We are proactively looking for options for managing alternative routes to recycling under FRFW. We are looking at opportunities to expand the landbank and work with new farms in our operational area. However, we know that we would need to recycle to c. 85% of farms in our region to meet the new rules. We believe that such an expansion would be near impossible to achieve as this same landbank would be competing with farmers own needs to spread their own organic manure in line with Farming Rules for Water.

We are expecting to rely more on the ability to store as a temporary measure – whereby bio-solids are stored to be recycled at a later date. We only have circa 3,000 tonnes of onsite storage on our treatment facilities (about seven days of production), whilst we operate on average 75,000 tonnes of storage across the farms we work with.

EFRA QUESTION 2: Are there changes that should be made to the rules - or how they are applied?

Water companies produce biosolids from sewage sludge as part of the wastewater treatment process. They are treated and applied in accordance with the 'Biosolids Assurance Scheme,' a leading accreditation that ensures biosolids maximise environmental benefit and avoid any risk to health. In the UK nearly all biosolids are BAS certified, meaning they comply with the UKAS accredited and independently audited BAS standard including requirements of all relevant regulations, codes and best practice, including restrictions on the rate, frequency and timing of applications.

Given the nature of the Biosolids Assurance Scheme, SWW consider that the Water Industry should continue to recycle bio-solids through the BAS scheme. To provide confidence to all stakeholders including farmers, the standards associated with BAS should be continually reviewed as more science becomes available and amended as appropriate.

Implementing three new commitments within BAS would minimise the risk of diffuse pollution from biosolids applications:

1. No biosolids to be applied to sandy soils in the late summer/autumn except to crops which require autumn nitrogen (e.g. oilseeds and grass in certain circumstances);
2. Increased nutrient management advice will be provided to farmers/land managers to allow them to make informed decisions. Additionally, the training provided to advisors will be increased; and
3. A minimum dry solids limit for biosolids cake will be progressively introduced to reduce the concentration of RAN (as RAN content is inversely related to dry solids).

If required then further research could be undertaken to quantify the science behind this process, such research could be funded by the water industry and made transparent to all stakeholders

The Bio-solids Assurance Schemes documents can be found at <https://assuredbiosolids.co.uk/scheme-documents/>

EFRA QUESTION 3: What are the best ways of preventing agricultural diffuse pollution?

Currently there is a Code of Good Agricultural Practice (COGAP) that sets out best practice, that farmers must not use more than 250kg of total nitrogen from all organic manures spread in any 12-month period on any single hectare of land, excluding any livestock manures deposited by grazing animals. Good practices mean not applying more N than the crop needs.

Farms are only allowed to spread slurry when conditions are suitable – i.e., this is not allowed when land is waterlogged, likely to flood, frozen or snow covered, or when heavy rain is forecast; or when land is steep, and a risk of water pollution exists. There is no limit on when in the year.

The Biosolids Assurance Scheme (BAS) has recognised the need to ensure no sandy or shallow soils are spread during the Autumn spreading season and have agreed to other improvements to ensure best practice and access to the landbank is maintained. We believe that the BAS scheme could be the required self-regulated audit compliance system for the water sector that stakeholders and farmers trust.

For the farming sector, there is a need to work closely with the NFU to develop appropriate self-certification processes for the farming community. This will continue to ensure good farming practices. We already work closely with the Farming Community over the last 15 years to reduce the risk of water pollution upstream of our drinking water abstraction points. Details of this work can be found at <https://www.southwestwater.co.uk/environment/working-in-the-environment/upstream-thinking/>

These mechanisms can support getting the balance right between the objective of protecting rivers with the need to protect other aspects of the environment and support a robust circular economy for biosolids. We note that this point was the conclusion of the Agriculture and Horticulture Development Board (AHDB), who funded an assessment of the impact of the FRfW on all organic manures. This was overseen by the AHDB and a steering group including representatives from the water industry, National Farmers Union (NFU), FACTS, Agricultural Industries Confederation (AIC), resource management industry, EA, Defra, academics, technical experts and more. The impact assessment concluded that:

“Effective management of organic manures requires consideration of the ‘balance of risks’ to water, air and soil as well as practical considerations, taking into account not only the type of organic material and when it is applied, but how and where it is applied. Autumn applications to light textured soil present the greatest risk of nitrate leaching. The risk of soil damage from spring applications is also lowest on light soils. By contrast ammonia losses to air and phosphorus losses to water pose the greatest pollution risk on clay and medium soils, and spring applications pose a significant risk of compaction on these soil types. Clay and medium soils also have more limited opportunities for spring cropping.”

Overall, we welcome working with EFRA to support getting the balance of risks right.

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