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Sent via e-mail to: douglas.millican@scottishwater.co.uk

Dear Douglas

Improving Urban Waters

Over the past 20 years, SEPA has worked with Scottish Water to implement our respective responsibilities under the requirements of current environmental legislation and policy. This has delivered significant improvements to the water environment through upgrades to the sewage collection and treatment systems.

Between 2010 and 2021, SEPA required Scottish Water to improve 279 sewer overflows and 104 wastewater treatment works which were previously prioritised since they were causing significant pollution.

As a result, I am pleased that SEPA is able to report in the forthcoming third River Basin Management Plan (RBMP) that water quality is now at its highest level to date, with 87% of Scotland's waters having good or better water quality.

However, the forthcoming RBMP will recognise that there is more to be done to improve our urban waters: to move towards a circular economy for urban water management in Scotland and achieve our sector plan vision of:

“Towns and cities are using nature-based, blue-green solutions to absorb and safely convey rainwater, helping strengthen their resilience to the intense downpours they face under climate change; minimise the risk of polluting sewage spills by keeping rainwater out of sewers; and create fantastic places for people to live and work”.

There are over 3,600 combined sewer overflows (CSO) in Scotland. Combined sewer overflows are an integral part of every sewer network, ensuring that sewers do not back up and flood homes, streets and sewage works during heavy rainfall. They should therefore spill during storms but should not cause water quality impacts or visible litter, if they are correctly designed and maintained. Over the past few years, we have worked closely with your staff to confirm that over 650 sewer overflows are currently considered unsatisfactory due to their design, as set out in SEPA's current regulatory policy (Regulation of Sewer Overflows, SEPA WAT-RM-07).

Climate change and customer disposal of unflushable items continues to put increased pressure on the sewer network, which could lead to increasing numbers of unsatisfactory overflows in future.

We therefore require a step change in Scotland in efforts to tackle the worst environmental impacts as soon as possible and to take a One Planet Prosperity approach to improving our urban waters for the long term.

During recent discussions with Scottish Government, Scottish Water and ourselves, Scottish Water committed to producing a route map on improving urban waters. This will be included as an action in the forthcoming River Basin Management Plan. We expect this route map to include:

- By 2024:
 - installation of monitors on overflows in the highest priority locations (over 1000 sewer overflows);
 - increased reporting on sewer network and treatment works hydraulic performance, including spills from overflows;
 - an improvement plan for all confirmed water quality impacts which contribute to achieving the objectives of the third River Basin Management Plan (RBMP) (24 sewer overflows confirmed);
 - an improvement plan for the highest priority confirmed sewage litter impacts (85 sewer overflows confirmed);
 - a long-term plan to progressively eliminate litter and substantially reduce spills from sewer overflows, with the aim of achieving a circular economy for urban water management in Scotland.

- By 2027:
 - improvements delivered to address all confirmed water quality impacts which contribute to achieving objectives in the third RBMP;
 - an improvement plan for all sewer overflows which are unsatisfactory and prioritised as being of medium priority (approximately 150 locations);
 - significant progress towards delivering improvements at high and medium priority overflows.

- By 2031:
 - improvements delivered for all sewer overflows which are unsatisfactory and prioritised as being of high or medium priority.

We recognise that actions and resources will be required not only by Scottish Water but by many other stakeholders, including SEPA, Scottish Government, Local Authorities and customers, if we are to deliver a circular economy approach for urban water management in Scotland. SEPA will continue to work with Scottish Water and other stakeholders in this effort.

We also understand from previous discussions that, given current technology, some improvements will be very costly; these could be considered disproportionately expensive and therefore inappropriate to deliver at this time. We will continue to work with you to seek out solutions which are sustainable, proportionate and best technical knowledge not entailing excessive cost.

SEPA recognises that there are number of issues relevant to sewage discharges which have emerged in recent years, such as microplastics, antimicrobial resistance and an increase in wild swimming. These are not considered in the current legislation nor in SEPA's current regulatory policy. We intend to engage

with relevant stakeholders, including Scottish Water and NGOs, to discuss these issues and the long-term plan to progressively eliminate litter and substantially reduce spills.

Could you please ensure that you submit the phased route map to SEPA by 10 December.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Terry A'Hearn', is enclosed in a thin, light-colored rectangular border.

Terry A'Hearn
Chief Executive