

30<sup>th</sup> January 2006

Circular WSP1/06

*To each sanitary authority*

**Re. Cross Compliance Inspections in respect of the EU Use of Sewage Sludge in Agriculture Directive and Other Matters**

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**1. On Farm Inspections under the Single Farm Payment Scheme**

The Single Farm Payment Scheme was introduced in 2005 under EU Regulation 1782/2003. Under the Scheme farmers are required to respect the various statutory management requirements set down in the EU legislation (Directives and Regulations) on the environment, public health, plant health and animal welfare and to maintain land in good agricultural and environmental condition.

The Single Farm Payment Scheme requires the inspection of farms in order to verify *inter alia* compliance with the requirements of Council Directive 86/278/EEC on the protection of the environment, and in particular of the soil, when sewage sludge is used in agriculture. It is understood in this regard that in addition to the general round of on farm inspections some 20 inspections will be carried out at farms that accept municipal sewage sludge/biosolids in 2006.

Sanitary authorities are advised that pilot inspections that took place over recent months and which were carried out by officials of the Department of Agriculture, the Environmental Protection Agency and Local Authorities, indicate that compliance with certain key elements of the Directive as required under national Regulations has not been demonstrated. Such non-compliance has implications not only for the individual farmers that accept and use municipal sewage sludges but also for the sanitary authorities that are involved in the supply and acceptance (from other authorities) of sewage sludge.

In order to avoid any difficulties with regard to the on farm inspections regime, each sanitary authority is asked to review their systems for the control and management of municipal sewage sludge and in particular to ensure that they are in a position to demonstrate compliance in relation to the Directive and national Regulations and in particular regarding:

- ❑ The management including recording of sewage sludge spreading in their functional area.
- ❑ The management of the reuse of their sewage sludge outside their functional area. In particular authorities should ensure that such departures are carried out in accordance with appropriate standards and good practice and that the recipient authorities are provided with all required information.
- ❑ The preparation and application of nutrient management plans in accordance with national Regulations;

The implications of non-compliance by a sanitary authority or authorities with the Directive and associated national Regulations are very serious both from a local and national prospective. Each sanitary authority is asked to ensure that the requirements of the Directive and national Regulations and in particular the matters raised in this circular are being complied with. It is considered that sanitary and environment divisions in each local authority should liaise on this matter and that each authority satisfy itself that all aspects of this Directive and the associated national Regulations are complied with prior to the commencement of the on-farm inspections regime.

## **2. Code of Good Practice for the Use of Biosolids in Agriculture**

You are also requested to refer to circular L9/99 (dated 25 June 1999) and L13/99 (dated 29 November 1999) regarding the use of sewage sludge and *inter alia* the Code of Good Practice for the Use of Biosolids in Agriculture. It is our intention, following a detailed review and updating of this voluntary Code, to further underpin the Code by way of Statutory Instrument. It is proposed in this regard, that the Code will be updated and reissued and Regulations introduced within the next 18 months.

In the interim each sanitary authority is advised to review their arrangements for the management and control of sewage sludge/biosolids and to ensure that the treatment, administration and beneficial use of all such sludge/biosolids is appropriate and in accordance with the standards set in the Code of Good Practice for the Use of Biosolids in Agriculture.

Any queries arising from this circular may be addressed to the undersigned.

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Liam Gleeson  
Water Services Policy Section

To - Each County and City Manager and Director of Services (Water Services)  
and Director of Environmental Services)  
Copy to – CCMA GCCC, AMAI, EPA, Ombudsman's Office and Regional Authorities.