



Environmental  
Protection  
Scotland

## Newsletter

April-May 2020

### HAS LOCKDOWN CHANGED THE WAY WE LIVE AND WORK FOREVER?



OUR lives have changed drastically since Britain went into lockdown to combat the spread of COVID-19 on Monday March 23<sup>rd</sup>.

Roads have been devoid of traffic as people adhere to the advice to stay in and work from home, cycling is up by 215% in some areas of Scotland and people are walking for leisure more frequently. Use of rail services was down by 95% during the most restrictive phase of the lockdown.

In addition, the Cabinet Secretary for Transport Scotland Michael Matheson recently announced that £10 million is being made available to local authorities to construct temporary 'pop-up' cycling and pedestrian schemes – a move which could end up seeing areas reshaped towards active travel.

The lockdown measures and decline in flying have driven down air pollution and noise levels, particularly for people living near flightpaths and major traffic routes.

Read more our full report [here](#)

### BROWNFIELD LAND SCOTLAND 2020 - REPORT

THE Brownfield Land Scotland land quality conference, organised by Environment Analyst, took place at the Hilton Grosvenor hotel in Edinburgh on February 5<sup>th</sup>.

The event brought together consultants, land contamination officers, developers, housing officers and health experts interested in hearing about the latest developments in the brownfield land and related planning sectors.

Topics covered ranged from Scotland's new Planning Act, which is due to come into force later this year, to environmental risk assessments, the RSK report for the Scottish Government into the Gorebridge CO<sub>2</sub> incident, groundwater resilience, the National Planning Framework, Verification in planning applications, the work of the Coal Authority, risk communication, and climate change impacts.

EPS supported the event and we have compiled a summary of the main presentations. Read our [full summary](#) on the event.



### CLEAN AIR DAY 2020 MOVED TO OCTOBER 8TH

Clean Air Day 2020 is to take place Thursday October 8<sup>th</sup>.

The campaign, which was originally scheduled for June 18<sup>th</sup>, relies heavily on multiple organisations and communities coming together to demonstrate the difference we can all make to the air.

Environmental Protection Scotland will once again coordinate the campaign in Scotland on behalf of the Scottish Government and will be in touch with previous event organisers as the plans take shape.

We are excited about the opportunities the new date will bring such as building on Car Free Day on September 23<sup>rd</sup> and working in tandem with Walk to School Month, organised by Living Streets.



With uncertainty over whether large public gatherings will be permitted or not again in 2020, the emphasis will be on social media with schools being among the campaign's strongest assets.

All messages will be shaped by the outcomes of the COVID-19 pandemic and will look to build sensitively and constructively on how we have learned to work and live differently.

We hope you will join us to celebrate Clean Air Day 2020. Please keep checking the Newsletter, website and social media feeds for updates.

## EXXONMOBIL REPORTED TO PROCURATOR FISCAL OVER MOSSMORRAN UNPLANNED FLARING

EXXONMobil is to be the subject of a SEPA report to the Crown Office and Procurator Fiscal Service over unplanned flaring at the Mossmorran refinery in Fife, that resulted in some 960 complaints – the highest number the agency has received to its hotline for any single environmental event.

The regulator announced its decision to file the report in a statement by Terry A'Hearn, the Chief Executive, on May 13<sup>th</sup>. The move has been welcomed by the Chair of the Mossmorran Action Group, which has campaigned and organised meetings attended by residents in an effort to resolve the problem.

Mr A'Hearn said an external review of the Mossmorran situation would be conducted by the Irish Environmental Protection Agency and this would be completed by October 2020. It would aim to share best practice and



advise on further measures that may be taken to improve compliance. SEPA said it supports Fife Council's review of the Mossmorran and Braefoot Bay Community and Safety Committee, as well as collaborating with the local authority to review monitoring with input from local communities and other public partners as soon as is safely practical to do so.

The controversy dates back to unplanned flaring over a week-long period in April 2019. This led to a wide-ranging regulatory investigation involving specialist regulatory, technical, scientific and enforcement teams from across the agency.

In 2017, the agency sent a final warning letter to ExxonMobil in 2017 following a 'preventable and unacceptable' flaring incident. SEPA said it was working closely with the Health and Safety Executive which has responsibility for site safety as part of the Competent Authority under the Control of Major Accident Hazards Regulations. It said it would focus on ensuring the owners address the root causes of unacceptable flaring.

New measures include detailed technical assessment of the timelines for new ground flare installations by ExxonMobil utilising independent technical experts to verify the proposed programme.

The agency confirmed the actions of ExxonMobil Chemical Limited continue to be under continual review during the current coronavirus pandemic with an intensified compliance programme to focus on the steps the company is taking to prevent and minimise flaring.

Mr A'Hearn, said: "Compliance with Scotland's environmental laws is simply non-negotiable. Over a number of years, communities across Fife have repeatedly endured unplanned flaring. Whilst flaring is an important safety mechanism of such facilities, it must become the exception, rather than routine."

"People rightly expect that their lives won't be impacted by nearby industrial processes and yet again, over an extended period during Easter 2019, communities were impacted by unacceptable and preventable flaring."

James Glen, Chair of Mossmorran Action Group, expressed a wish that it had been dealt with earlier, but added that he hoped the "full force of the law is now brought to bear on ExxonMobil."

In a statement, ExxonMobil said it was committed to the highest regulatory standards, was committed to complying with environmental standards and was in compliance with all applicable laws. It said it was involved in constructive and open cooperation with the regulator.

COPFS, which is due to receive the SEPA report imminently, but no timeframe has been announced for how long it will take to reach a decision on whether to prosecute. Meanwhile, Fife Council has approved plans for ExxonMobil to add a flare tip to their elevated stack at Mossmorran that will reduce noise and vibration when flaring is taking place.



## DR ALEC McLEAN JOINS BOARD OF TRUSTEES

We are delighted to announce that Dr Alec McLean has joined the EPS Board of Trustees.

Dr McLean has worked in respiratory medicine and allergy for over 40 years principally in the areas of asthma, COPD, cystic fibrosis, interstitial lung disease and allergic rhinitis and has a great interest in the effects of the environment on lung health. He was Global Head of Respiratory Medicine at IQVIA, was CEO of a Scottish biotech company, a Head of Projects at AstraZeneca and a Research Fellow at the University of Edinburgh Medical School.

## BROWNFIELD SUMMIT 2020

Environment Analyst's virtual conference, the Brownfield Summit 2020, is taking place throughout May and provides the perfect opportunity to learn and network through a series of virtual speaker presentations, panel discussions and roundtables.

The first sessions of the Brownfield Summit saw a variety of industry experts share their knowledge on ground gas. Other sessions are on groundwater and data collection and analysis. A delegate pass includes access to the upcoming sessions, as well as access to previous presentation recordings so you can catch up on sessions that have already taken place.

Key topics include:

- Ground gas risk assessment
- Retrofitting gas protection measures to existing buildings
- Improving the quality of gas protection, installation and verification
- Groundwater risk assessment and remediation
- Spatiotemporal Data Analysis Tool (GWSDAT)
- Achieving cost-effective & compliant access & sharing of data
- Maximising the Potential of Your Site & Project Data

[Book your place now.](#)

## EXPERT ADVISORY GROUPS

THE EAG's have been busy, the lockdown notwithstanding, with new co-chairs of the air quality group announced, some excellent presentations and a new member adding to the strength in depth of the Scottish Noise Advisory Group (SNAG). All meetings are to be held on a 'virtual basis' until further notice.

## NOISE

CHRIS Steel, a specialist inspector for noise and vibrations at the Health and Safety Executive, has joined the SNAG. At the meeting on Monday May 25<sup>th</sup>, which was chaired by Steve Williamson (The City of Edinburgh Council), discussed the impact of the COVID-19 lockdown on noise, including aviation, road transport and on the ability of council officers to deal with

allegations of noise nuisance effectively during the restrictions. The meeting also discussed concerns that building sites could be operating for longer after lockdown ends, and the potential for increased residential noise from outdoor café-style bars if they are introduced to encourage social distancing. There were updates on International Noise Awareness Day on April 29<sup>th</sup>, SEPA's report to the COPFS on the Mossmorran flaring controversy and trials of the Noise App by some local authorities.

## AIR

DR Iain McLellan (University of the West of Scotland) and Jennifer Simpson (Sweco) took over from Dr Stuart Sneddon (Ricardo) as co-chairs of the group on Wednesday March 11<sup>th</sup>. This well-attended 'hybrid' meeting was held at Ricardo in Glasgow. From London, Dr Ying Zhang of the National Physical Laboratory, gave an excellent 'virtual' presentation entitled 'Accuracy in AQ measurement followed by a Q&A and other members joined via Microsoft Teams. Other topics for discussion included Clean Air Day 2020, the Cleaner Air For Scotland strategy and indoor air quality. We will carry a report of a presentation that Dr Zhang gave on air quality to the Waterfront AQ conference in London in the Newsletter next month.

## LAND

SADLY our 'Housebuilding on Brownfield Land Conference,' which had been due to take place in April, was postponed due to the pandemic and a Doodle Poll is to be issued to arrange another meeting of the group shortly.

## WHO EUROPEAN CENTRE CONTAMINATED LAND SURVEY

Across Europe, urban settlements are changing and expanding. Due to lack of land resources, urban growth and development increasingly relies on the re-use and conversion of land with different former functions (e.g. former agricultural, industrial, commercial, military or harbour land) located both within and around the settlement area.



The World Health Organisation (WHO) European Centre for Environment and Health's head Francesca Racioppi, pictured, recently spoke at about air quality and climate change at a conference organised by the Royal College of Physicians of Edinburgh. The Centre is aiming to develop a set of best practices on redevelopment of contaminated sites for urban planners and policymakers.

They are looking for case studies where:

- A formerly contaminated site was redeveloped to enable a new urban purpose on or next to it.
- New use after remediation includes any urban functions with public access, such as housing, schools, entertainment or recreation.
- The project was finished before 2018, so that reliable information on environmental and health impacts can be compiled.

For more about the criteria for a case study and to participate click on this [Survey Monkey](#) It runs until the end of May.

## IN THE PRESS

A POSITIVE story about air quality hit the front pages of the Glasgow Times on April 27<sup>th</sup>.

The newspaper contacted EPS for a comment after a reporter from the newspaper received an FoI response from Glasgow City Council to an inquiry about NO<sub>2</sub> during the first weeks of lockdown.

In a front page 'exclusive' story headlined 'OFF-THE SCALE' IMPROVEMENT ON POLLUTION' the paper's health correspondent Caroline Wilson wrote about how "levels of harmful nitrogen dioxide measured on Hope Street are 47% below a comparable fortnight last year." Her FoI looked at March 23<sup>rd</sup>-April 5<sup>th</sup> 2020 against March 25<sup>th</sup>-April 7<sup>th</sup> 2019.

EPS said that they showed 'real and meaningful improvements in air quality' at the start of the lockdown. Councillor Anna Richardson, the City Convenor or the Sustainability and Carbon Reduction Committee, cautioned that the figures needed to be properly checked and ratified,



but stressed the importance of the ‘gain in air quality during lockdown is not lost as we emerge from the current crisis.’ Read the story [here](#).

We were also quoted in the Glasgow Times and The Scotsman following the Cabinet Secretary for Transport Michael Matheson’s April 28<sup>th</sup> announcement of a £10million fund for local authorities to design and implement temporary ‘pop-up’ cycle paths and pedestrian space to encourage social distancing. Click the links below to read the stories:

<https://www.edinburghnews.scotsman.com/news/transport/ps10m-fund-announced-scottish-pop-cycle-lanes-and-wider-pavements-2552827>

<https://www.glasgowtimes.co.uk/news/18411679.10million-pop-up-cycle-pedestrian-lanes-lockdown/>

## EPS GIVES EVIDENCE TO MP’S

SHORTLY before the lockdown, EPS gave evidence to a committee of MPs scrutinising the Environment Bill.

Policy and Communications Officer John Bynorth travelled to London on March 12<sup>th</sup> where he was questioned about the devolved situation regarding air and land quality. He said it was important that the proposed UK Office for Environment Protection liaised closely with its equivalent in Scotland.

Scottish Environment Link and the Law Society of Scotland also participated in the three person panel, the last to give evidence in person to the Committee examining the Environment Bill before the lockdown. Evidence has subsequently been taken by video conference link.

The parliamentary TV recording of the EPS section of the evidence can be found by clicking [here](#) (starts at 13.47 into the video)

## NEXT MONTH – PROFESSOR JON FAIRBURN INTERVIEW

WE interview Professor Jon Fairburn, Professor of Sustainable Development at Staffordshire University. It was held over from this month due to the article about COVID-19.

There will also be a full report from the Waterfront Air Quality Forum that was held at Arup’s Central London offices in February and an interview with EPS’s newest trustee, Dr Alec McLean.

Articles for consideration in the Newsletter should be emailed to [admin@ep-scotland.org.uk](mailto:admin@ep-scotland.org.uk) and marked with the word ‘**NEWSLETTER**’ in the subject header. The next issue will be published in the coming weeks.

EPS is the continuation of an eminent line of charities going back to the days of the National Society for Clean Air and more recently Environmental Protection UK. Our objectives include the support and development of the work of Scotland’s environmental regulators and scientists based on sound science, objectivity and best practice. We seek to work towards a cleaner, quieter, healthier sustainable Scotland.

Environmental Protection Scotland

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