



## BIOSOLIDS ASSURANCE SCHEME

### Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021

#### BAS Standard Position Statement

##### 1. Background

The Welsh Government have introduced The Water Resources (Control of Agricultural Pollution) (Wales) Regulations 2021 to reduce losses of pollutants from agriculture to the environment by setting rules for certain farming practices. They will also place good practice requirements for nutrient management into one set of regulations to reduce complexity. These regulations effectively apply Nitrate Vulnerable Zones (NVZ) requirements, which previously applied to specified parts of Wales, to the whole of Wales. As a result, the existing Nitrate Pollution Prevention (Wales) Regulations 2013 will become obsolete and will be withdrawn.

This Position Statement outlines how the Biosolids Assurance Scheme (BAS) Standard requirements will relate to Wales going forwards, including what clauses apply where and from when.

##### 2. BAS Standard

The vast majority of the BAS Standard requirements are unaffected as they already apply to all of Wales (and beyond). However, the following clauses of the BAS Standard Issue 5 will apply to **all of Wales**, rather than being limited only to NVZ areas:

- **Clause 3.6.** – Within Nitrate Vulnerable Zones biosolids (cake) temporary field storage heaps must occupy as small a surface area as is practically required to support the mass of the heap and prevent it from collapsing.
- **Clause 3.7.** – Within Nitrate Vulnerable Zones a minimum 2-year gap must be observed before biosolids can be field stored in the same location as a previous temporary field store.
- **Clause 3.12.** – Within Nitrate Vulnerable Zones, biosolids must not be stored within 10 metres of surface water, or an effective field drain, or within 30 metres of surface water where the land has a slope of  $>12^{\circ}$ .
- **Clause 6.2.** – Biosolids must not be applied within 10 metres of a surface water course or within Nitrate Vulnerable Zones within 6 metres of any surface water course where precision liquid application equipment is used.
- **Clause 6.5.** – Within Nitrate Vulnerable Zones biosolids must not be applied to agricultural land that has slope of  $>12^{\circ}$  where there is a significant risk of nitrogen getting into surface water (*Nitrate Regulations*).

- **Clause 6.7.** – Within Nitrate Vulnerable Zones biosolids with high readily available nitrogen (usually liquid) i.e. >30% readily available N must not be applied during the following closed periods (*Nitrate Regulations*):

Soil type	Grassland	Tillage Land
Sandy or shallow soil	1st September to 31st December	1st August to 31st December
All other soils	15th October to 31 <sup>st</sup> January	1st October to 31 <sup>st</sup> January

However, on tillage land with sandy or shallow soil biosolids with high readily available nitrogen content may be applied between 1<sup>st</sup> August and 15<sup>th</sup> September inclusive if the land is sown on or before 15<sup>th</sup> September (*Nitrate Regulations*).

### 3. Implementation dates

Anywhere in Wales which was previously in an NVZ (as specified in the 2013 NVZ Action Programme), must conform with the above requirements from 1<sup>st</sup> April 2021 inclusively.

For areas of Wales which were not previously in an NVZ, the clauses will apply to the rest of Wales on the following dates:

#### From the 1<sup>st</sup> April 2021:

- **Clause 6.2.** – Biosolids must not be applied within 10 metres of a surface water course or within Nitrate Vulnerable Zones within 6 metres of any surface water course where precision liquid application equipment is used.
- **Clause 6.5.** – Within Nitrate Vulnerable Zones biosolids must not be applied to agricultural land that has slope of >12° where there is a significant risk of nitrogen getting into surface water.
- **Clause 6.7.** – Within Nitrate Vulnerable Zones biosolids with high readily available nitrogen (usually liquid) i.e. >30% readily available N must not be applied during the following closed periods:

Soil type	Grassland	Tillage Land
Sandy or shallow soil	1st September to 31st December	1st August to 31st December
All other soils	15th October to 31 <sup>st</sup> January	1st October to 31 <sup>st</sup> January

However, on tillage land with sandy or shallow soil biosolids with high readily available nitrogen content may be applied between 1<sup>st</sup> August and 15<sup>th</sup> September inclusive if the land is sown on or before 15<sup>th</sup> September.

**From the 1<sup>st</sup> January 2023:**

- **Clause 3.6.** – Within Nitrate Vulnerable Zones biosolids (cake) temporary field storage heaps must occupy as small a surface area as is practically required to support the mass of the heap and prevent it from collapsing.
- **Clause 3.7.** – Within Nitrate Vulnerable Zones a minimum 2-year gap must be observed before biosolids can be field stored in the same location as a previous temporary field store.
- **Clause 3.12.** – Within Nitrate Vulnerable Zones, biosolids must not be stored within 10 metres of surface water, or an effective field drain, or within 30 metres of surface water where the land has a slope of  $>12^\circ$ .