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Environment, Food and Rural Affairs Committee
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UKPIA response to the Environment Food and Rural Affairs (EFRA) review of soil health in the UK

The UK Petroleum Industry Association (UKPIA) represents the eight main oil refining and marketing companies and a number of the smaller standalone operators and oil storage terminals operating in the UK. Together, these companies are responsible for the sourcing and supply of petroleum products meeting over 85% of UK inland demand, accounting for a third of total primary UK energy¹.

Response to the call for evidence

Question 1: How can the Government measure progress towards its goal of making all soils sustainably managed by 2030? What are the challenges in gathering data to measure soil health how can these barriers be overcome?

This call for evidence references “soils ability to function as a vital living ecosystem that sustains plants, animals, and humans”. However, there is no definition that UKPIA is aware of which the UK Government have adopted for ‘Soil Health’.

In support of the EU Soil Health Framework, the European Environment Agency published the “Soil monitoring in Europe - Indicators and thresholds for soil health assessments” report. This report defines in a variety of ways in the literature the concept of “soil health”. Before metrics can be established that provide a measure of soil health, a common, agreed definition of ‘Soil Health’ is needed.

A soil health data gathering challenge that requires further consideration is the ‘end use’ of the soil. Soil in the UK is present in a range of rural and urban settings providing a range of functions from agriculture to infrastructure. The collection and

¹ [BEIS Digest of UK Energy Statistics \(DUKES\) 2022 Tables 3.2-3.4.](#)

measurement of soil health, for example, where soils are used for crop growth, woodland or under a factory all provide different functions. These will all need to be captured and compared differently.

Question 2: Do current regulations ensure that all landowners/land managers maintain and/or improve soil health? If not, how should they be improved?

UKPA represents companies that undertake a range of industrial activities at their sites, which include refineries, cross-country pipelines, oil import and distribution terminals and filling station networks. The underlying soils are therefore subject to a wide range of industrial impacts.

Many of the sites are regulated by the environmental regulators under [The Environmental Permitting \(England and Wales\) Regulations 2016, SI 2016 No. 1154](#) (as amended) and the corresponding Regulations in Scotland and Northern Ireland. An Environmental Permit from one of the environmental agencies is required to cover emissions to land, water and air during the operational activity. Principally, the permitting requirements that are used to control soil health are identified in the “Baseline Survey” as part the Integrated Pollution Prevention and Control (IPPC) Directive. The focus is on preventing further degradation of soils, and in mitigating the impact of any pollution to soils, rather than improving soil health. UKPIA supports this approach, especially, where applied to longstanding industrialised sites where industrial activities will continue well into the future.

Site contamination and remediation must also be considered when sites are developed or redeveloped. Under Part 2A of the Environmental Protection Act 1990 provisions are made for planning authorities to place an obligation on developers to assess sites for contamination and remediate it where there is an unacceptable risk; these have been implemented under the Planning Regime under national regulations.

If there is a move to consider improvement of regulations and improve soil health UKPIA believes that an understanding of the ‘end use’ of the soil and its’ functions should be embedded in regulation. This would be consistent with a proportional, risk-based implementation of regulation. It would also acknowledge the benefits that anthropogenic use of land, and the soil below it, has brought to society.

Although regulation should be best aligned for the needs of the United Kingdom, close alignment with the development of soil health policies and standards in the European Union would be highly desirable given the complexity of this topic; indeed there are commitments to do so under the 2021 [EU-UK Trade and Cooperation Agreement](#).

Question 3. Will the standards under Environmental Land Management (ELM) schemes have sufficient ambition and flexibility to restore soils across different types of agricultural land? What are the threats and opportunities for soil health as ELMs are introduced?

Environmental Land Management Standards (ELMs) that focus on different types of agricultural land should have sufficient ambition and flexibility to restore soils across different types of agricultural land. The agricultural environmental land management standard should focus on agricultural use only. However, if an industrial ELM were to be developed, UKPIA would welcome the opportunity to comment on the potential threats and opportunities for soil health on industrial land.

Question 4: What changes do we need to see in the wider food and agriculture sector to encourage better soil management and how can the Government support this transition?

UKPIA has no response to Question 4.

Question 5: What does UK Government need to do to tackle other stressors on soil health such as soil contamination?

UKPIA believes that to tackle other stressors on soil health, such as soil contamination a “Soil Health Regulation” is required. It should be implemented in a way that complements current contaminated land, remediation and environmental permitting regulation and the land use planning frameworks.

UKPIA believes that any new regulation should encourage voluntary action rather than mandate specific actions. We also believe that a reasonable framework should be:

1. Risk-based and sustainable. Risk-based management principles should be employed, requiring development of a conceptual site model (e.g., ISO 21365:2019) that identifies source-pathway-receptor linkages and incorporating a sustainability assessment (e.g. ISO 18504:2017, Sustainable Remediation) into remedy selection and implementation. This will encourage re-use of contaminated land for future beneficial uses and does not place new barriers for the successful regeneration of sites.
2. Proportional. This would require remediation action to be proportional to the risk(s) to human health and environment. It should not require remediation where there is no unacceptable risk. While soil health is important, treatments of high risk, recalcitrant chemicals may require high energy and destructive technologies to reduce loading to acceptable levels. It may be the remediation that may adversely transform soils. Treatment technologies should be subject to assessment to determine the greatest net environmental benefit.



Thank you for the opportunity to respond to the EFRA Committee call-for-evidence.

Yours sincerely,

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