

SCOTTISH ENVIRONMENT PROTECTION AGENCY

**WATER ENVIRONMENT AND WATER SERVICES (SCOTLAND) ACT 2003
WATER ENVIRONMENT (CONTROLLED ACTIVITIES) (SCOTLAND) REGULATIONS
2011 (“THE REGULATIONS”)**

NOTICE OF VARIATION OF AUTHORISATION UNDER REGULATION 24(4)

To: Scottish Sea Farms Limited
Address: c/o Shepherd and Wedderburn LLP
Condor House
10 St. Paul’s Churchyard
London
EC4M 8AL

In accordance with regulation 24(4) of the Regulations, the Scottish Environment Protection Agency hereby gives you notice that it has decided, following application by you, to vary authorisation reference number CAR/L/1009031 in respect of the carrying on of controlled activity or activities at or near or in connection with

Site or location of activity: Marine Pen Fish Farm
Dunstaffnage
Firth of Lorn
Dunbeg
Oban

granted on 17 September 2003 (as previously varied) (“the Authorisation”).

The variations to the Authorisation are specified in the schedule attached to and forming part of this notice and shall take effect on 1 April 2022.

Signed:

Date:

Authorised to sign on behalf of the
Scottish Environment Protection Agency

Under the terms of regulation 50(f) of the Regulations, a person who has been granted the variation of an authorisation on request under regulation 24, but is aggrieved by the removal, addition or amendment of any condition, has a right of appeal. The procedures for making an appeal are set out in Schedule 9 of the Regulations.

SCHEDULE TO NOTICE OF VARIATION UNDER REGULATION 24(4)

The Authorisation has been varied by amending, adding or deleting conditions or other provisions, as follows:

The 'Contents' page, the 'Interpretation of Terms' pages, and Schedule 1 to 7 of authorisation reference number CAR/L/1009031 (as amended), have been deleted and replaced with a new 'Contents' page and Schedules 1 to 8 attached to this Schedule.

Introduction

This introduction does not form part of the permit.

Authorisations

Who we are: The Scottish Environment Protection Agency (SEPA) is a non-departmental public body of the Scottish Government, established under the Environment Act 1995. Our purpose is to make sure the environment and human health are protected, and resources and services are used sustainably.

Why we issue authorisations: SEPA is responsible for preventing or controlling pollution and improving the quality of the environment. This responsibility includes regulating industrial and other processes that may be capable of causing pollution of the environment. One of the tools available to SEPA is the authorisation of certain activities that may present a risk to the environment.

Anyone who wishes to carry out one of these activities has to first apply to SEPA for an authorisation, be granted the authorisation, and thereafter carry out activities in line with conditions contained within the authorisation. It is an offence under the relevant legislation to breach a condition of an authorisation.

When we issue authorisation: SEPA will issue an authorisation when satisfied that an applicant has put in place measures to protect the environment and is capable of carrying out activities in line with the conditions of an authorisation. Authorisations allow activities to occur and set performance outcomes based on a site's environmental risk. SEPA can amend, suspend or revoke an authorisation in response to changes in legislation, site activities or authorisation holder performance. Sites that hold an authorisation may be monitored and inspected by SEPA Officers who assess compliance with the conditions of the authorisation. All authorisations and inspection reports are publicly available.

Enforcement: If an authorisation holder (or site operator) fails to comply with the conditions of the authorisation it may result in enforcement action being taken against it by SEPA in accordance with SEPA's enforcement policy and guidance.

General site information:

| | |
|--|--|
| Site Name and Location | Dunstaffnage Marine Pen Fish Farm, Firth of Lorn, Dunbeg, Oban. |
| Description of Authorised Activity | The discharge to the water environment of fish excreta, uneaten food and other substances as listed in this permit resulting from the operation of a marine pen fish farm. |
| Environmental risks SEPA has regulatory powers to control | The impact on the water environment due to the discharge of organic material and medicine residues from a pen fish farm. |

| | |
|--|--|
| <p>This Permit has been granted by the Scottish Environment Protection Agency (SEPA) in exercise of its powers under Regulation 8 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (“the Regulations”) subject to the conditions contained in the Schedules attached to and forming part of this Permit.</p> | |
| Authorisation (Permit) Number: | CAR/L/1009031 |
| Permit Holder (Authorised Person): | Scottish Sea Farms |
| Date of Authorisation (Permit): | <<Enter Date of signature, DD-MM-YYYY>> |
| Authorised Activities: | The discharge to the water environment of fish excreta, uneaten food and other substances as listed in this permit resulting from the operation of a marine pen fish farm. |
| Authorised Place: | Dunstaffnage Marine Pen Fish Farm Firth of Lorn, Dunbeg, Oban NM 8654 3418 |
| Conditions applicable to this Authorisation (Permit): | The conditions in Schedules 1 to 7 of this authorisation. Terms used in this authorisation are, unless otherwise specified, defined in Schedule 8. |

Signature: Date: **DD/MM/YYYY**

Authorised to sign on behalf of the
 Scottish Environment Protection Agency

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Schedule 1: The Authorised Person and Activity

The purpose of Schedule 1: This section set outs what the authorised activity is and places responsibility on the Authorised Person for ensuring compliance with the permit conditions.

1.1 Authorised Activity

1.1.1 The Authorised Activity is the discharge to the water environment of fish excreta, uneaten food and other substances as listed in this permit resulting from the operation of a marine pen fish farm.

1.2 Duty of Authorised Person

1.2.1 The Authorised Person is the Responsible Person referred to in the original Permit.

1.2.2 The Authorised Person must ensure compliance with all the conditions of the permit.

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Schedule 2: Marine Pen Fish Farm Description

The purpose of Schedule 2: To limit the scale of the impact from the activity by controlling the maximum weight of fish, fallow periods and the specific location and layout of the fish farm.

2.1 Fish Species

2.1.1 Only Atlantic Salmon (*Salmo salar*) may be farmed at the site.

2.2 Maximum Weight of Fish

2.2.1 The maximum weight of Atlantic Salmon held on site at any one time must not exceed 2350 tonnes.

2.3 Fallow Period

2.3.1 There must be a minimum period of 42 consecutive days between every production cycle during which no Atlantic Salmon shall be kept on site.

2.3.2 SEPA must be notified in writing within 14 days of the site being stocked.

2.3.3 SEPA must be notified in writing within 14 days of the site being fallowed.

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2.4 Pen Configuration

2.4.1 The fish pens must be configured as set out in Table 1.

Table 1 Pen Configuration

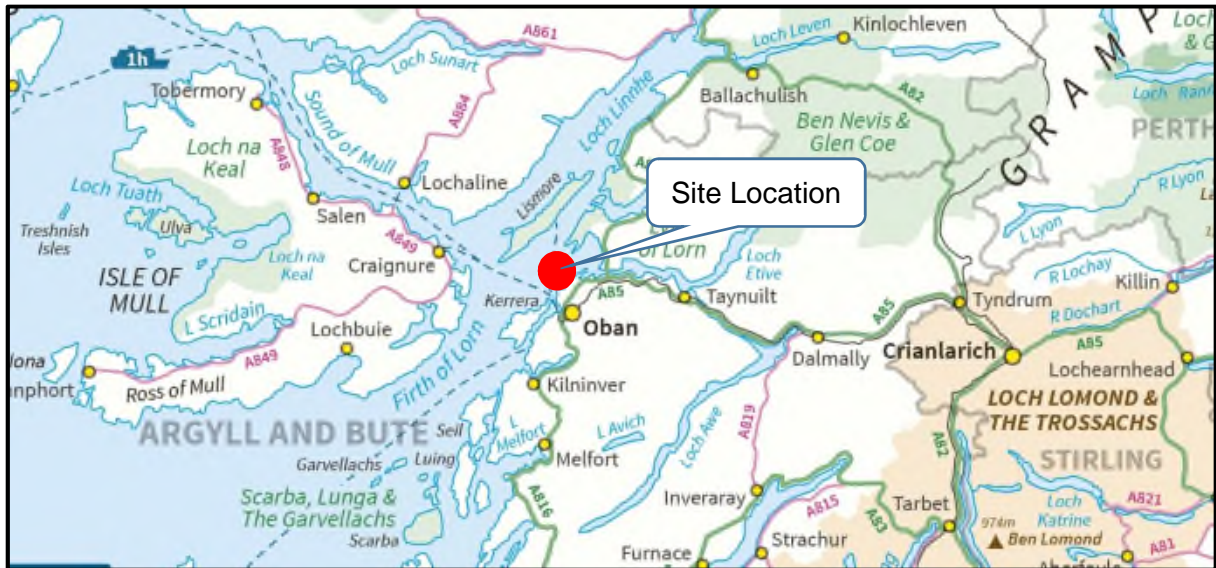
| | |
|---------------------------------|-------|
| Number of pens | 14 |
| Circumference of pens | 100 m |
| Depth of nets | 16 m |
| Number of different pens groups | 2 |
| Number of pens in each group | 7 |
| Number of pens in row 1 | 7 |
| Number of pens in row 2 | 7 |

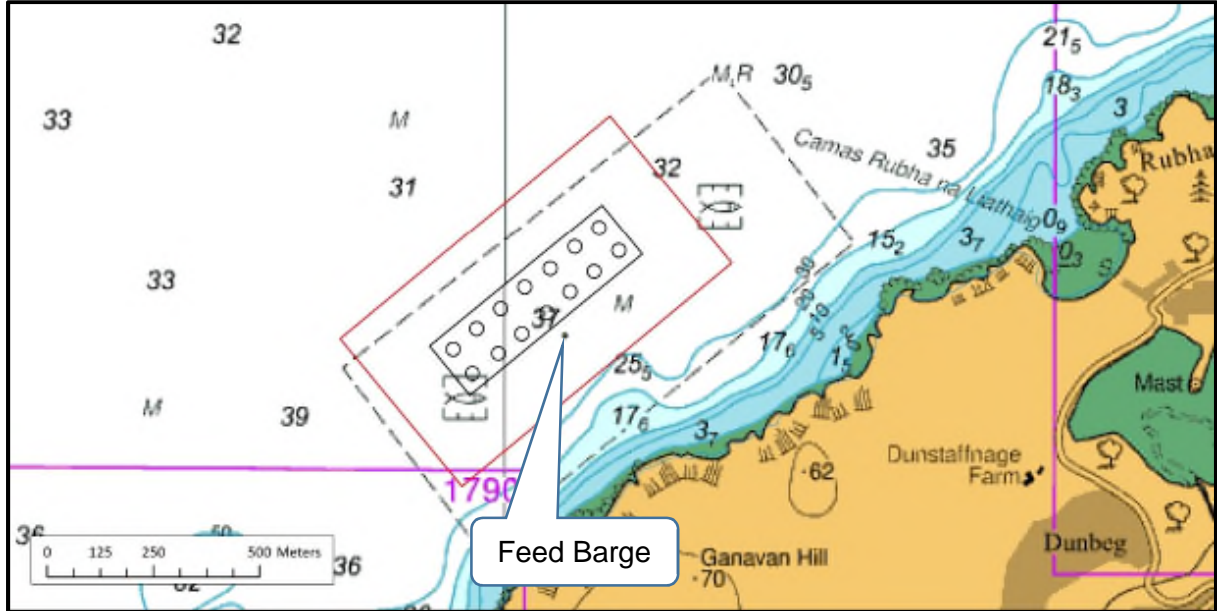
2.4.2 The Authorised Location of the fish pen group is within an area delineated by the red line in Figure 1 and bounded by the pen corner buoys located at the following National Grid References (NGRs):

- 1) NM 8671 3440 (NW)
- 2) NM 8679 3428 (NE)
- 3) NM 8628 3409 (SW)
- 4) NM 8637 3397 (SE)

2.4.3 The pen corner buoys must not be located at a distance greater than 50 metres in any direction from the NGRs listed in 2.4.2.

Figure 1 Fish Pen Location





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Schedule 3: Medicine Use

The purpose of Schedule 3: SEPA expects the Authorised Person to manage their site in such a way that it minimises the discharge of medicines into the water environment. Where it is necessary to use medicines the conditions control their use to meet environmental standards.

3.1 Medicine Minimisation

3.1.1 All reasonable steps must be taken to minimise the discharge of medicines and medicine residues.

3.2 Medicines and Chemical Use

3.2.1 Only those medicines and chemicals specifically authorised in this Permit or in the Permitted Substance Working Plan (PSWP) - PSWP/CAR/L/1009031, Version 2, November 2019 may be discharged to the water environment.

3.3 Permitted Substance Working Plan

3.3.1 All medicines and chemicals named in the Permitted Substances Working Plan (PSWP) - PSWP/CAR/L/1009031, Version 2, November 2019 must be used in accordance with the limits specified in the PSWP.

3.4 Bath Sea Lice Medicines

3.4.1 The medicines in Table 2 must only be discharged following treatment of the fish within an enclosure fully separated from the water environment.

Table 2 Permitted Medicine - Bath

| Medicine name | Active ingredient |
|-----------------------------------|-------------------|
| Salmosan, Salmosan Vet or Azasure | Azamethiphos |
| AMX or ALPHAMAX | Deltamethrin |
| Excis | Cypermethrin |

3.4.2 The enclosure in which fish are treated with Azamethiphos and Cypermethrin must be no more than 11% of the full pen volume.

3.4.3 The enclosure in which fish are treated with Deltamethrin must be no more than 30% of the full pen volume.

3.4.4 The quantity of medicines in Table 2 used must not exceed:

- a) 787.8 grams of azamethiphos in any 24 hour period.
- b) 17.9 grams of deltamethrin in any 3 hour period.
- c) 0.18 grams of cypermethrin - Maximum Allowable Concentration.

- 3.4.5 The medicines in Table 2 must not be combined with each other or with any other substance or compound during any treatment in a single pen.
- 3.4.6 When multiple pens are being treated at the same time, only one of the medicines in Table 2 may be used at the site.
- 3.4.7 The medicines in Table 2 must not be discharged within 24 hours of the discharge of any bath treatment medicine from a wellboat at the site.

3.5 In-feed Sea Lice Medicines

Table 3 Permitted Medicine – in-feed

| Medicine name | Active ingredient |
|--------------------|--------------------|
| Slice or Quinafish | Emamectin benzoate |

- 3.5.1 Any treatment with the medicine in Table 3 must be carried out over a 7-day period.
- 3.5.2 Subject to 3.5.3 and 3.5.4, the total quantity of the medicine in Table 3 used in any treatment must not exceed 50 micrograms per kilogram of Atlantic Salmon treated per day.
- 3.5.3 Subject to 3.5.4, the total quantity of the medicine in Table 3 which may be used in any treatment may be increased to a maximum of 60 micrograms per kilogram of Atlantic Salmon treated per day, where it has been authorised in writing by a registered veterinarian.
- 3.5.4 Any treatment of the medicine in Table 3 must not exceed the maximum environmental quantity of 898.95 grams.

3.6 Notification of Medicines Use

3.6.1 SEPA must be given the information required in Table 4 no fewer than 2 working days before using any medicine in Table 2.

Table 4 Bath Medicine Notifications

| Medicine type | Information required |
|----------------|--|
| Bath medicines | Amount of medicine to be used |
| | Amount of active ingredient to be used |
| | Number of pens to be treated |
| | Proposed start and end date of treatment |

3.6.2 SEPA must be given the information required in Table 5 no fewer than 5 working days before using any medicine in Table 3.

Table 5 In-Feed Medicine Notifications

| Medicine type | Information required |
|-------------------|--|
| In-feed medicines | Biomass at start of treatment |
| | Biomass at end of treatment |
| | Amount of medicine to be used |
| | Amount of active ingredient to be used |
| | Proposed start and end date of treatment |
| | Veterinary authorisation, if applicable |

Schedule 4: Seabed Standards

The purpose of Schedule 4: This section details the minimum environmental standards that must be met.

4.1 Biological Seabed Standards

- 4.1.1 The seabed at any point immediately under the outer edge of any pen must contain a minimum of 2 species of re-worker polychaete worms with a combined abundance of more than 1,000 individuals per square metre.
- 4.1.2 The seabed around the fish farm at the boundary of an area of 195,447m² (the “mixing zone”) must meet as a minimum an Ecological Quality Ratio (EQR) of 0.64 IQI at any time.

4.2 Chemical Seabed Standards

- 4.2.1 Emamectin benzoate concentrations must not exceed 23.5 ng per kg of marine sediment (dry weight) in the seabed at any point 100 metres from the outer edge of any pen.

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Schedule 5: Environmental Monitoring

The purpose of Schedule 5: This schedule requires fish farm operators to carry out environmental monitoring in line with SEPA guidance.

5.1 Seabed and Water Monitoring Plan

- 5.1.1 A Seabed and Water Monitoring Plan (SWMP), 'Dunstaffnage Seabed and Water Monitoring Plan SWMP/CAR/L/1009031, v1' must be submitted to SEPA no later than 6 months from the date of issue of this permit.
- 5.1.2 Monitoring must be carried out in accordance with the 'Dunstaffnage Seabed and Water Monitoring Plan SWMP/CAR/L/1009031, v1' (SWMP).
- 5.1.3 SEPA must be notified no fewer than 14 days before monitoring is undertaken.

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Schedule 6: Environmental Events

The purpose of Schedule 6: This section requires the cessation, prevention and reporting of any potentially polluting event and/or breach of permit condition that may arise on the site.

6.1 Notification of SEPA

6.1.1 SEPA must be notified via its pollution hotline contact telephone number (0800 807060) as soon as reasonably practicable, and in any case within 24 hours of identification of the event, of the following:

- a) any event which has caused or could cause adverse impact to the water environment or harm to human health;
- b) any event that results or could result in an emission to the water environment that is not authorised by this permit;
- c) a breach of any condition of this permit.

6.2 Management of the Event

6.2.1 All measures that are reasonably practicable must be taken to stop an event, as described in 6.1.1, and to minimise and/or mitigate its effect on the environment.

6.3 Report of the Event

6.3.1 Within 14 days of an event as described in 6.1.1, a report must be submitted to SEPA detailing:

- a) the reason(s) for the event;
- b) the action(s) taken to stop the event and minimise and/or mitigate its impacts;
- c) the action(s) taken to prevent the event from recurring.

Schedule 7: Record Keeping and Data Submission

The purpose of Schedule 7: This schedule requires the Authorised Person to keep records of specific activities carried out on site and to provide SEPA with specified information at regular intervals, or upon request.

7.1 Data Recording

- 7.1.1 All information recorded, kept, or submitted to SEPA in accordance with a condition of this Permit must be true and accurate.
- 7.1.2 Records must be kept of the following:
- a) all medicine use notifications;
 - b) start and finish dates of each sea lice medicine treatment;
 - c) quantities of medicine used during each sea lice medicine treatment (grams);
 - d) weight of Atlantic Salmon at end of each sea lice medicine treatment (tonnes);
 - e) veterinary prescription for each sea lice medicine treatment;
 - f) veterinary authorisations in accordance with Condition 3.5.3;
 - g) total weight of Atlantic Salmon harvested per month (tonnes).
- 7.1.3 Records must be kept for a minimum of 6 years and must be provided to SEPA upon request.

7.2 Data Reporting

7.2.1 The information specified in Table 6 must be submitted on a quarterly basis no later than the relevant submission deadline in Table 7 of every calendar year during which the site is operational.

Table 6 Data Reporting Requirements

| Requirement number | Information to be Submitted |
|--------------------|---|
| 1 | Maximum weight of Atlantic Salmon held on site during each month (tonnes) |
| 2 | Total amount of feed used per month (tonnes) |
| 3 | Total Salmosan and/or Salmosan Vet and/or Azasure use each month (g) |
| 4 | Total AMX and/or ALPHAMAX use each month (litres) |
| 5 | Total Excis use each month (litres) |
| 6 | Total Slice and/or Quinafish use each month (g) |
| 7 | Total azamethiphos use each month (g) |
| 8 | Total deltamethrin use each month (g) |
| 9 | Total cypermethrin use each month (g) |
| 10 | Total emamectin benzoate use each month (g) |
| 11 | Total use of each anti-parasiticide listed in the PSWP each month (g) |
| 12 | Total use of each anti-microbial listed in the PSWP each month (g) |
| 13 | Total weight of mortalities of Atlantic Salmon each month (kg) |

Table 7 Data Reporting Submission Deadline

| Quarter | Reporting Period | Submission Deadline |
|---------|-------------------------|---------------------|
| 1 | 1 January – 31 March | 28 April |
| 2 | 1 April – 30 June | 28 July |
| 3 | 1 July – 30 September | 28 October |
| 4 | 1 October – 31 December | 28 January |

7.2.2 Results from the analysis of all samples collected in accordance with the SWMP Dunstaffnage Seabed and Water Monitoring Plan SWMP/CAR/L/1009031, v1 must be submitted to SEPA no later than 16 weeks from the final date of each survey period.

7.2.3 Within 12 weeks of the end of each growth cycle a description of each of the steps taken in accordance with 3.1.1 and the dates and/or time period(s) over which they were implemented must be submitted to SEPA.

7.2.4 The information required by conditions 7.2.1, 7.2.2 and 7.2.3 must be submitted via email, in the Excel Spreadsheet supplied by SEPA, to ffbiomass@sepa.org.uk.

Schedule 8: Interpretation of Terms

For the purposes of this Permit, and unless the context requires otherwise, the following definitions shall apply.

| Term | Definition |
|--------------------------------|---|
| authorised activity | Means the controlled activity which is authorised under this permit and subject to the conditions of this permit. |
| authorised location | Means the geographic location or locations at which the Authorised Activity is carried on. |
| authorised person | Means the person who is responsible for securing compliance with the terms of this permit and has been identified as such by SEPA in accordance with regulations 8(6) of the Regulations. |
| controlled activity | Means an activity to which the regulations apply, in accordance with regulation 3(1) of the Regulations |
| environmental harm | Means: (a) Harm to the health of human beings or other living organisms, (b) Harm to the quality of the water environment, including: (i) harm to the quality of the water environment taken as a whole (ii) other impairment of, or interference with, the quality of aquatic ecosystems or terrestrial ecosystems directly depending on aquatic ecosystems, (c) offence to the sense of human beings, (d) damage to property, or (e) impairment of, or any interference with, amenities or other legitimate uses of the water environment. |
| maximum environmental quantity | Means the maximum residual quantity of Emamectin Benzoate in the environment at any one time taking into account excretion and decay of all previous treatments which if complied with will meet the environmental quantity standard at the edge of the mixing zone. |
| mixing zone | Means the area of seabed immediately under and extending outwards from a fish farm in which the discharge from the fish farm is likely to have an adverse impact on the environment. |
| pen | Means an enclosed cage, net or other structure in which fish are kept. |
| permit | Means an authorisation under regulation 8 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011. |

| | |
|-----------------------|---|
| production cycle | Means the period of time that fish are on-grown in pens at sea, from juveniles until they are removed for transfer and/or slaughter. |
| SEPA Officer | Means any person who is authorised by SEPA under regulation 31(4) of the Regulations to exercise the powers specified in Part 1 of Schedule 6 of the Regulations for the purposes specified in Regulation 31(5) of the Regulations. |
| SEPA | Means the Scottish Environment Protection Agency |
| the water environment | Means all Surface Water, groundwater and wetlands |
| weight of fish | Means the weight of fish including stomach contents and body fluids. This shall not be after any period of starvation. |

Except where specified otherwise, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of the permit) and to any other enactment, which may after the date of the permit replace or amend it.

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