

Whisky Distillery Permit

Portintruan Distillery

CAR/S/5007349

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Introduction

This introduction is not part of the authorisation.

Authorisations

Who we are: The Scottish Environment Protection Agency (SEPA) is a non-departmental public body of the Scottish Government. Our purpose is to deliver environmental protection and improvement in ways that, as far as possible, also create health and wellbeing benefits and sustainable economic growth.

Why we issue authorisations: We are responsible for preventing or controlling pollution and improving the environment. One of the tools available to us is the authorisation of activities that present environmental risk. Authorisations give permission for these activities to occur and set conditions that the activities must comply with.

When we issue authorisations: We will issue an authorisation following our determination of an application, when satisfied that the authorised person has put in place measures to protect the environment and is capable of carrying out activities in line with the conditions of an authorisation.

Changes to authorisations: We can amend, suspend or revoke an authorisation in response to changes in legislation, the activities undertaken or authorisation holder performance.

Compliance and enforcement: SEPA Officers may undertake monitoring and inspections to assess compliance with authorisation conditions. All authorisations and inspection reports are publicly available. If an authorised person fails to comply with an authorisation, we may take enforcement action in line with our enforcement policy and guidance.

General information:

Address:	East of Port Ellen Port Ellen Islay PA42 7DS
Description of authorised activities:	The abstraction of water from the water environment.
Environmental risks SEPA has regulatory powers to control:	The impact on the water environment from the abstraction and discharge of water.

Authorisation Number: CAR/S/5007349

Notice: Grant of Authorisation

This authorisation 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”)

Authorisation Number:	CAR/S/5007349
Authorised Person:	Elixir Distillers Ltd 09681748 Alchemy House/45 Park Royal Road Park Royal London NW10 7LQ
Date of Authorisation:	13/01/2025
Authorised Activities:	The abstraction of water from the water environment.
Authorised Place:	The abstraction location(s) as further detail in the schedules of this authorisation.
Conditions applicable to this authorisation:	The conditions contained in the schedules of this authorisation. Terms used in this authorisation are, unless otherwise specified, defined in the Interpretation of Terms schedule.



Authorisation Number: CAR/S/5007349

Authorised by:	<div data-bbox="595 349 1062 528" style="background-color: black; width: 293px; height: 80px; margin-bottom: 5px;"></div> Authorised to sign on behalf of the Scottish Environment Protection Agency
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Schedule 1: The Authorised Person and Activities

Purpose: This schedule places responsibility on the authorised person to ensure compliance with the conditions of this authorisation and details the activities that can be carried out.

1.1 Duty of Authorised Person

1.1.1 The authorised person must ensure compliance with the conditions of this authorisation.

1.2 Authorised Activities

1.2.1 The authorised activities are the abstraction of water from the water environment necessary for the operation of a whisky distillery.

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Schedule 2: Abstraction

Purpose: This schedule limits the location and scale of the abstraction activities. Water is abstracted from the water environment to produce whisky.

2.1 Abstraction Activities

- 2.1.1 The abstraction of water in Table 1 must only be undertaken
- (a) at the corresponding abstraction location; and
 - (b) subject to the corresponding controls;
- specified in Table 1.
- 2.1.2 Subject to condition 2.1.4, the maximum combined daily abstraction volume from boreholes BH5 and BH7 detailed in Table 1 must not exceed 200 m³.
- 2.1.3 The maximum combined yearly abstraction volume from boreholes BH5 and BH7 detailed in Table 1 must not exceed 73,000 m³.
- 2.1.4 There must be no abstraction from Borehole BH5 or BH7, detailed in Table 1, when groundwater levels in Monitoring Borehole BH6, detailed in Table 2, are less than or equal to 12.24 mAOD.

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Table 1 Abstraction location(s) and limits

Activity	Location (NGR)	Controls		
		Return location (NGR)	Maximum abstraction rate (m ³ /sec)	Maximum daily abstraction volume (m ³)
Borehole Abstraction BH5	Groundwater NR 3820 4594	n/a	0.00075	65
Borehole Abstraction BH7	Groundwater NR 3823 4590	n/a	0.0024	200

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Schedule 3: Monitoring

Purpose: This schedule details groundwater monitoring requirements.

3.1 Monitoring Points

3.1.1 Groundwater monitoring must be undertaken as described and at the monitoring location details in Table 2.

3.1.2 The groundwater monitoring in Table 2 must be undertaken:

- (a) of the corresponding parameter;
- (b) at the corresponding monitoring location; and
- (c) at the corresponding frequency;

specified in Table 2.

Table 2 Groundwater monitoring

Monitoring location description	Monitoring location (NGR)	Frequency	Parameter (mAOD)
Monitoring borehole BH6	NR 3816 4583	Continuously	Groundwater level

Schedule 4: Environmental Events

Purpose: This schedule requires the cessation, prevention and reporting of any potentially polluting event that may arise from the authorised activities.

4.1 Notification of SEPA

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

- (a) An event that has caused or could cause adverse impact to the environment or harm to human health;
- (b) An event that results, or could result, in an emission to the environment that is not authorised;
- (c) An event that has caused a breach of a condition of this authorisation.

In this condition, the meaning of 'event' is as defined in the Interpretation of Terms in Schedule 6 of this authorisation.

4.2 Management of the Event

4.2.1 All measures that are reasonably practicable must be taken to stop an event and to minimise its effect on the environment.

4.3 Reporting of the Event

4.3.1 Within 14 days of an event 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 the impacts; and
- (c) The action(s) taken to prevent the event from recurring.

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Schedule 5: Record Keeping and Data Submission

Purpose: This schedule requires the authorised person to keep records of specific activities carried out and to provide SEPA with specified information at regular intervals.

5.1 Record Keeping

5.1.1 All information recorded, kept or submitted to SEPA in accordance with a condition of this authorisation must be:

- (a) True and accurate;
- (b) Kept for a minimum of six years; and
- (c) Provided to SEPA upon request.

5.1.2 Records must be kept of the total daily volume of each authorised abstraction in Table 1.

5.1.3 Records must be kept of the groundwater levels at the groundwater monitoring location detailed in Table 2.

5.2 Data Submission

5.2.1 The information detailed in 5.1.2 must be submitted to SEPA annually no later than 31 January each year.

5.2.2 The information required by 5.1.2 must be submitted to SEPA via email, in the **electronic data return form** supplied by SEPA to WRDataReturns@sepa.org.uk.

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Schedule 6: Interpretation of Terms

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

Term	Definition
abstraction	The removal or diversion of water by mechanical means, pipe or any engineering structure or works from any part of the water environment.
authorisation	The water use licence granted by SEPA under The Water Environment (Controlled Activities) (Scotland) Regulations 2011
authorised activities	The activities which may be carried on under this authorisation.
authorised person	The holder of this authorisation, and person responsible for securing compliance with the conditions of it.
authorised place	The geographic location or locations at which the authorised activities may be carried on.
construction works	The carrying out of any building, civil engineering or engineering construction works, including the clearance or preparation of the site.
electronic data return form	Electronic data return forms can be found on the SEPA webpage at: www.sepa.org.uk/regulations/water/abstractions On this webpage there is a link to the Data Returns form (excel spreadsheet). This is in the section "Data returns for abstraction licences"
event	<ul style="list-style-type: none"> • any accident which has caused or could cause environmental harm; or • any malfunction, breakdown or failure of plant, infrastructure or techniques which has caused or could cause environmental harm; or • force majeure or action taken to save human life or limb.

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Term	Definition
inland water	All standing or flowing water on the surface of the land (other than transitional water) and all groundwater, within the landward limits of coastal water. Includes all rivers, streams, ditches, drains, cuts, culverts, dykes, sluices and passages through which water flows and includes artificial watercourses and underground watercourses.
groundwater level	Depth of groundwater in metres Above Ordnance Datum (mAOD)
SEPA	Scottish Environment Protection Agency.
water environment	All surface water, groundwater and wetlands.
wetland	An area of ground the ecological, chemical and hydrological characteristics of which are attributable to frequent inundation or saturation by water and which is directly dependent, with regard to its water needs, on a body of groundwater or a body of surface water

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 authorisation) and to any other enactment, which may after the date of the authorisation replace or amend it.