Scottish Environment Protection Agency
Buidheann Dìon Àrainneachd na h-Alba

Notice: Variation of Permit

This permit has been varied by the Scottish Environment Protection Agency (SEPA) in exercise of its powers under Regulation 46 of the Pollution Prevention and Control (Scotland) Regulations 2012 ("the Regulations"). The terms used in this notice, unless otherwise defined, have the same meaning as in the Regulations.

Permit Number:	PPC/A/1000157/CP01
Site address:	Cameronbridge Distillery Windygates Leven Fife KY8 5RL
Operator:	The Lochnagar Distillery Limited Company Registration No. SC009211 11 Lochside Place Edinburgh EH12 9HA
Variation Number:	VAR03
Date of Notice	08 July 2025
Effective Date of Variation:	08 July 2025
Details of Variation:	The permit is varied as specified in the Schedule attached.

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Schedule

The permit has been varied as follows:

1. In Schedule 3, Condition 3.6.18 to 3.6.20 have been inserted, as follows:

3.6.18 By 31 March 2029 and every 5 years thereafter, the Operator shall conduct surveys of the benthic layer of the seabed along the long sea outfall to determine the scale of the impact to the benthic layer.

3.6.18.1 The protocol for conducting the benthic surveys required by Condition 3.6.18 shall be agreed in writing with SEPA prior to the survey being conducted.

3.6.18.2 By 30 June 2029 and every 5 years thereafter, the Operator shall submit to SEPA the benthic survey reports for the survey required by Condition 3.6.18.

3.6.19 By 31 March 2029 and every 5 years thereafter, the Operator shall conduct marine water column sampling to determine the dispersed concentrations of ammonia and suspended solids discharging from the long sea outfall.

3.6.19.1 The protocol for conducting the water column sampling required by Condition 3.6.19 shall be agreed in writing with SEPA prior to the survey being conducted.

3.6.19.2 By 30 June 2029 and every five years thereafter, the Operator shall submit to SEPA the water column sampling reports for the surveys required by Condition 3.6.19.

3.6.20 Once every five years the Operator shall conduct a survey of the long sea outfall and provide a report on its integrity.

2. In Schedule 3, a new Section 3.9 has been inserted, as follows:

3.9 Bioenergy Plant Progress Review

3.9.1 By 31 December 2025, the Operator shall provide a progress report on the Surplus Biosolids Centrifuge Project (Phase 1).

3.9.2 By 31 December 2025, the Operator shall provide a progress report on the Chemical Dosing Feed Study (Phase 1).

3.9.3 By 31 December 2025, the Operator shall provide a progress report on the UF Trains Replacement (Phase 1).

3.9.4 By 31 December 2025, the Operator shall provide a progress report on the implementation of the Citric Acid and Sodium Hypochlorite Dosing (Phase 1).

3.9.5 By 31 December 2025, the Operator shall provide a progress report on the installation of new membranes in the Reverse Osmosis process for RO2 and RO3. (Phase 1).

3.9.6 By 31 December 2025, the Operator shall provide a report on the progress of Hydrochloric Acid Dosing of the Membrane Bioreactor (Phase 1).

3.9.7 By 31 December 2026, the Operator shall provide a report on the progress of the Dissolved Air Floatation coming fully on-line (Phase 2).

3.9.8 By 31 December 2026, the Operator shall provide a report on the progress of the centrate to Bioenergy Plant Feed Study.

3.9.9 By 31 December 2028, the Operator shall provide a report on the progress of diverting all spent wash to Bioenergy Plant (Phase 2).

3.9.10 By 4 December 2030, the Operator shall provide a report detailing progress made in TN removal due in 2031 (Phase 3).

3.9.11 By 4 December 2030, the Operator shall provide a report detailing progress made in Chemical Dosing and Nutrient Refinement due in 2031 (Phase 4).

3.9.12 For the period until 4 December 2031 the Operator shall submit a report each month containing a summary of:

(a) any commissioning activities undertaken during the preceding month,

(b) any tests undertaken during the previous month, and

(c) the results of any test received during the previous month.

3.9.13 By 31 December each year the Operator shall provide a progress report including but not limited to:

(a) A review of effluent monitoring data gathered for TSS, COD, TN & TP over the previous 12 months in accordance with Condition 3.6 and compare performance against the ELV's in Table 3.3 that apply.

(b) Overall progress made in the previous 12 months in the implementation of techniques to reduce emissions to water of TSS, COD, TN & TP to achieve compliance with the ELV's for those parameters in Table 3.3 that apply.

(c) Intended plans for reducing emissions to water of TSS, COD, TN & TP over the following 12-month period.

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3. In Schedule 3, the following section shall be appended to Table 3.3:

Composite Limits For Parameters From Emission Source	**Total suspended solids (daily average in mg/l)**	CL 10,000* CU 15,000* 50**					
	Chemical oxygen demand (daily average in mg/l)	CL 39,500* CU 44,000* 230*** 100****					
	Total nitrogen (daily average in mg/l)	CL 1600* CU 2300* 410*** 20****					
	Total phosphorous (daily average in mg/l)	CL 500* CU 750* 2**					

4. In Schedule 3, the following footnotes shall be added below Table 3.3:

* Until 4 December 2029

** From 4 December 2029

*** From 4 December 2029 until 4 December 2031

**** From 4 December 2031

5. The following installation specific derogation Annex has been added to the Permit, as follows:

Annex 1 – Derogation Details

X.1 The Regulation

Regulation 25(6) of the Regulations provides that SEPA must include emission limit values that ensure that emissions do not exceed the levels associated with the best available techniques (BAT-AEL) laid down in the BAT Conclusions.

Regulation 25(12) of the Regulations states:

“SEPA may set a less strict emission limit value... for an installation if –

(a) an assessment shows that achievement of the emission levels associated with the best available techniques as described in any BAT Conclusions would lead to disproportionately higher costs compared to environmental benefits due to the –

i) the geographical location or local environmental conditions of the installation, or

ii) technical characteristics of the installation, ..."

Regulation 25(2)(c) provides that where a less strict value is set ("derogation"); it is a requirement that "the permit specifies the reasons for setting the value, including the result of the assessment and the justification for the conditions imposed". The purpose of this Appendix is to satisfy those requirements.

X.2 The Derogation Used

SEPA has decided to set ELV's that derogate from the BAT-AEL range in the BAT Conclusions in respect of total suspended solids (TSS), chemical oxygen demand (COD), total nitrogen (TN) & total phosphorous (TP).

Parameter	BAT-AEL[1] (daily average in mg/l)	Derogated ELV Lower Tier (95%ile) (daily average in mg/l)	Derogated ELV Upper Tier (99%ile) (daily average in mg/l)
Total suspended solids (TSS)	50**	10,000*	15,000*
Chemical oxygen demand (COD)	100****	39,500*	44,000* 230***
Total nitrogen (TN)	20****	1600*	2300* 410***
Total phosphorous (TP)	2**	500*	750*

[1] *BAT-AEL as specified in Table 1 to the Food, Drink & Milk Industries BAT Conclusions*

* Until 4 December 2029

** From 4 December 2029

*** From 4 December 2029 until 04 December 2031

**** From 4 December 2031

X.3 Basis for the Derogation

SEPA have set this emission limit value on the grounds that achievement of emissions within the BAT-AEL range would lead to disproportionately higher costs compared to environmental benefits due to the technical characteristics of the installation:

The technical characteristics of the installation mean that achievement of total suspended solids, chemical oxygen demand, total phosphorous & total nitrogen emissions within the BAT-AEL range would lead to disproportionately higher costs due to the need to:

i) atypical cross media impacts would arise whereby reducing the emissions of one pollutant increase the emissions of another;

ii) the configuration of the plant within the site results in practical difficulties and increased costs, including lack of space for the construction of additional plant; and

iii) the history of recent investment in techniques designed to reduce emissions.

A Cost Benefit Analysis conducted by SEPA based on applicant data gave the result that achievement of emissions for total suspended solids, chemical oxygen demand, total phosphorous & total nitrogen within the BAT-AEL range would lead to disproportionately higher costs for the reasons given above.

X.4 Justification for the Conditions Imposed

SEPA have included two tier composite ELV's for total suspended solids (CL of 10,000mg/l & CU of 15,000mg/l), chemical oxygen demand (CL of 39,500mg/l & CU of 44,000mg/l), total nitrogen (CL of 1600mg/l & CU of 2300mg/l) & total phosphorous (CL of 500mg/l & CU of 750mg/l) on the grounds that SEPA considers it :-

- Represents current BAT for the installation;
- Reflects current plant operating capabilities;
- Ensures no significant pollution of the environment will be caused and that a high level of protection of the environment as a whole will be achieved; and

- The derogation is time limited until 4/12/2029 for TSS and TP and until 4/12/2031 for COD and TN.

There is projected to be a phased reduction in emissions to water during the period of the derogation.