

Schedule

The permit has been varied as follows:

1. In Schedule 4, Condition 4.6.20 has been deleted and replaced by a new Condition 4.6.20 as follows :-
 - 4.6.20 No more than 7.5t/day of ammoniacal nitrogen (as N) shall be released from discharge point C as an annual average in any calendar year.
2. In Schedule 4, new conditions 4.6.22, 4.6.23, 4.6.24 and 4.6.25 have been included as follows :
 - 4.6.22 By 30 November each year the Operator shall provide a progress report including but not limited to :-
 - The outcome of the previous 12 months work at the Midi plant.
 - A review of effluent monitoring data gathered for TSS, COD, TN & TP over the previous 12 months in accordance with Condition 4.2.5 and compare performance against the ELV's for TSS, COD, TP & TN in Table 4.5 that will apply from 04 December 2030.
 - 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 4.5 that apply from 4 December 2030.
 - Intended plans for reducing emissions to water of TSS, COD, TN & TP over the following 12 month period.
 - 4.6.23 By 31 December 2026 the Operator shall provide timebound plans for processing all spent wash at the Ladywell anaerobic digestion plant.
 - 4.6.24 By 31 December 2027 the Operator shall submit a review detailing the outcome of work to modify the distilling process for Girvan North to enable easier processability of feedstock and recovery of nutrients from effluent for use as a fertiliser.
 - 4.6.25 By 31 December 2028 the Operator shall submit a review of effluent monitoring data for the previous 12 months and compare performance against the ELV's for TSS, COD, TP & TN in Table 4.5 that will apply from 4 December 2030. Where gaps exist a fully costed and timebound plan shall be provided detailing any further measures necessary to be implemented to achieve compliance with those ELV's.

Permit Number: PPC/A/1003144/CP01/VAR02

3. In Schedule 4, Table 4.5 has been amended as follows :-

- i) For the row titled Composite Limits for Parameters From Emission Source delete the entry for Total Suspended Solids and insert the following rows above the Parameter Dissolved Copper

Table 4.5 – Emissions to Water Environment ELVs

Composite Limits For Parameters From Emission Source	Total suspended solids	A 65 t/day, CL 6100mg/l * (daily average) CU 6500mg/l * (daily average) 50mg/l** (daily average)	-
	Chemical oxygen demand (daily average in mg/l)	CL 10400* CU 10,800* 100mg/l**	-
	Total nitrogen (daily average in mg/l)	CL 1350* CU 1750* 20mg/l**	-
	Total phosphorous (daily average in mg/l)	CL 200* CU 210* 2 **	-

* Until 4 December 2030

** From 4 December 2030

Permit Number: PPC/A/1003144/CP01/VAR02

- ii) Delete the entry for the parameter ammoniacal nitrogen in the row titled Composite Limits for Parameters From Emission Source and replace with the following row :-

Table 4.5 – Emissions to Water Environment ELVs

Composite Limits for Parameters From Emission Source	Ammoniacal Nitrogen	A 9 t/day	
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4. The following 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**	6100*	6500*
Chemical oxygen demand (COD)	100**	10400*	10,800*
Total nitrogen (TN)	20**	1350*	1750*
Total phosphorous (TP)	2**	200*	210*

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

* Until 4 December 2030

** From 4 December 2030

X.3 Basis for the Derogation

SEPA has 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;

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 has included two tier composite ELV's for total suspended solids (CL of 6100 mg/l & CU of 6500mg/l), chemical oxygen demand (CL of 10,400mg/l & CU of 10,800mg/l), total nitrogen (CL of 1350mg/l & CU of 1750mg/l) & total phosphorous (CL of 200mg/l & CU of 210mg/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 December 2030. There is projected to be a phased reduction in emissions to water during the period of the derogation.