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**From:** @gov.scot  
**Sent:** 12 September 2019 10:10  
**To:**  
**Cc:** gov.scot; @gov.scot  
**Subject:** RE: benchmark: next steps  
**Attachments:** ATT00003.txt

Dear ,

I have been asked to work with SEPA to provide the background in a brief to Cab Sec and our director has requested that this includes some read across to what happened in Norway, insofar as we know:

- when did they approach Norway,
- how quickly did Norway ok it,
- why any concerns we hold were not of such great import to Norway etc.

From the timelines in a paper submitted to marine Scotland:

A summary of these trials and actions to date is shown below:

- November 2016 permission granted for first field trial of 8m fish/8 farms
- November 2017 first field trial sites completed up to 100% efficacy against lice and no detectable residue of Ectosan® released
- May 2018 Application for Trout field trials submitted
- July 2018 Field trial for trout permission received, 4m fish/4 farms
- May 2018 Application for Field trial re-using water treatment submitted
- May 2018 Several fold increase in CleanTreat efficiency
- July 2018 Field trial with re-use water permission received, 6m fish/6 farms
- July 2018 Atlantic Salmon trials completed
- September 2018 Further optimization of the CleanTreat system to maximize runtime and efficiency
- October 2018 Trout trials completed
- February/March 2019, 2 sets of applications for further field trials in Norway under development

My recollection of benchmark first contact with MS-LOT was in Oct 2018.

From the above timeline it is not clear how long the Norwegian authorities took to determine any application for a trial. Are you aware of how the process went?

What is clear is that field trials were permitted in Norway with a level of discharge that appears to be above the EQS. Could you please provide a narrative for inclusion in the brief around SEPA's concerns with what has been proposed? It would be my intention to provide this information alongside the detail requested below around the list of requirements to try to map out any application process for benchmark.

I have been asked to provide a timeline for the approval process. Obviously this will be dependent on the provision of the right information from benchmark. Marine licence applications usually take 12 weeks to process and so a time line in that regard is simple. However, I really need to get an answer to the OSPAR question and so would really appreciate a response to the 'pollution' question.

Happy to discuss any of this.

Kind regards,

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**From:** (MARLAB)  
**Sent:** 11 September 2019 16:10  
**To:** @sepa.org.uk>; @sepa.org.uk>  
**Cc:** (MARLAB) @gov.scot>  
**Subject:** benchmark: next steps

Dear

It seems as though we have some next steps and that we can move forward on a few aspects to help benchmark meet the information requirements for a trial and the level of detail needed to make an application to us.

I understand that, should we advise Benchmark that they could submit a licence application, it would need to be supported by certain evidence, much of which may have been previously discussed but, in terms of documentation to support an application, should be presented by Benchmark in package to support (at this time) a marine licence application.

In order to move this on, please can you respond to my question in relation to whether this constitutes pollution or not? I have attached again for ease of reference. If there are methods by which this can be controlled to such levels as to not constitute pollution, please can you detail these? These may be some of the measures and steps laid out below.

I understand the supporting information should be as follows (can you please advise if I have got this wrong, or have missed anything?):

1. Recognising the **Reg 10(5)(e)** from the Netherlands in freshwater, evidence of how the discharge (or effluent at the edge of the mixing zone) will meet that.
2. Any physical mechanism by which Benchmark could demonstrate meeting the EQS by techniques to enhance dilution to an acceptable level.
3. Details relating to fate and behaviour, in particular persistence in the environment, recognising the receiving environment in Scotland.
4. Evidence to be provided to meet certain European standards – perhaps you could help phrase that?
5. A trial methodology in order to show adequate testing by acceptable methods to ensure that discharge is within acceptable levels.
6. Details of the expected breakdown products
7. a Best Practicable Environmental Option assessment report documenting the consideration of other options for handling.
8. information on the hydrography of the intended discharge location
9. perhaps an assessment of any effects upon other receptors (such as fishing interests, wild fish interests and the features of any designated sites proximal to the proposed location).

I understand that SEPA has already asked Benchmark for some of the above, so please can you advise what has been supplied and how it falls short of the required detail.

Hope this is self-explanatory, please call if not and that you for your help on this to date.

Kindest regards

