

FOI reply from the Scottish Government on toxic chemical discharges via wellboats (31 August 2020):

From: <casehandling.service@gov.scot>
Date: Mon, Aug 31, 2020 at 5:06 PM
Subject: Your recent correspondence with Scottish Government and partner agencies - 202000058631
To: <salmonfarmingkills@gmail.com>

Please find attached a response to your correspondence.

Attachments:

22 Attachments

22 Attachments

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Appendix: FOI disclosure (covering letter dated 31 August 2020 and 22 PDFs)

marinescotland



Scottish Government
Riaghaltas na h-Alba
gov.scot

T : 0131 244 4377
E : kate.webb@gov.scot

Don Staniford
Scottish Salmon Watch
salmonfarmingkills@gmail.com

Your ref: 202000058631
Our ref: Well Boats & Salmon Farms Since 1 October 2018
31 August 2020

Dear Don Staniford,

REQUEST UNDER THE ENVIRONMENTAL INFORMATION (SCOTLAND) REGULATIONS 2004 (EIRs)

Thank you for your request dated 8 July 2020 under the relevant FOI and Environmental Information regulations.

Your request:

"Please provide information on well boats and salmon farms since 1 October 2018.

- Please include data on chemical use including Azamethiphos, Deltamethrin, Hydrogen Peroxide, Emamectin benzoate, Imidacloprid (BMK08/Ectosan) and any other chemicals, medicines, antibiotics and anti-parasiticides which may be used via well boats.

- Please include any discussions relating to the input, sharing and publication of well boat data on chemical use by salmon farms via 'Scotland's Aquaculture' and SEPA's 'Scottish Pollutant Release Inventory' (this would include dialogue with salmon farmers, chemical companies and government agencies).

Marine Laboratory, 375 Victoria Road,
Aberdeen AB11 9DB
www.gov.scot/marinescotland



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- Please include copies of any well boat licences issued since 1 October 2018.
- Please provide information on well boat bio-security, cleaning, mort disposal, diseases and chemical waste discharges in relation to salmon farming (including information relating to how and where the wastes, effluents and mortalities are discharged, transported and disposed of).
- Please include any information relating to the transfer of licensing/regulatory powers for well boats from the Scottish Government (Marine Scotland) to SEPA including Cabinet Briefings, emails, letters and any other information.

Scottish Salmon Watch is interested in why the transfer of licensing from Marine Scotland to SEPA is taking so long and why well boat data on chemical use by salmon farms is not posted publicly in a more speedy manner."

As the information you have requested is 'environmental information' for the purposes of the Environmental Information (Scotland) Regulations 2004 (EIRs), we are required to deal with your request under those Regulations. We are applying the exemption at section 39 (2) of the Freedom of Information (Scotland) Act 2002 (FOISA), so that we do not also have to deal with your request under FOISA.

This exemption is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exemption. We have found that, on balance, the public interest lies in favour of upholding the exemption, because there is no public interest in dealing with the same request under two different regimes. This is essentially a technical point and has no material effect on the outcome of your request.

Response to your request

1. The completed 2018 Discharge Returns have already been provided to you under the following EIRs request which you made in 2019: FoI/19/02442 released on 18 November 2019. Our response to this request was published on our website last year: <https://www.gov.scot/publications/?publicationTypes=foi-eir-release&page=1/>

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

We do not yet hold completed Discharge Returns for 2019 or 2020.

While our aim is to provide information whenever possible, in this instance we are unable to provide some of the information you have requested because of an exception under regulation 10(4)(a) (information not held) of the EIRs applies to that information. The reasons why this exception applies is explained in the Annex to this letter.

The Discharge Returns for 2019 should be completed by the end of September 2020. The Discharge Returns for 2020 should be completed within the first half of 2021.

The annual Discharge Return data is published each year by the Scottish Environment Protection Agency (SEPA). The 'Scottish Pollutant Release Inventory' (SPRI) 2019 will be published on 29 September 2020 at 09:30.



SPRI publishes on the SEPA website in detail, and on the Scotland's Environment (SE) website in a more summarised version. A link to the published data is provided below and are published by site, by industry code and by pollutant:

<https://www2.sepa.org.uk/spripa/Search/ByIndustry/Criteria.aspx>

Searching by 7(b)(i) and 7(b)(ii) emissions to water will bring up each site's return (not detailed, and the pollutants are not split by source so wellboat data is not specifically identifiable). The Results Summary tab has totals for the sector for the year. There's also a "csv" icon at the bottom of the page with the full data for the reporting code in for that year – again just total mass emissions by pollutant for each site, and also a "pdf" icon which has totals on.

2. (i) The wellboat returns data is not currently published on Scotland's Aquaculture Website. We do not hold any information relating to discussions of wellboat data on chemical use by salmon farms via 'Scotland's Aquaculture' or any information held of Scottish Government dialogue with chemical companies on this point.

While our aim is to provide information whenever possible, in this instance we are unable to provide the information you have requested because of an exception under regulation 10(4)(a) (information not held) of the EIRs applies to that information. The reasons why this exception applies is explained in the Annex to this letter.

(ii) I enclose a redacted electronic copy of some of the information you have requested. In this instance we are unable to provide some of the information you have requested because an exception under regulation 11(2) (personal information of a third party) of the EIRs applies to that information. The reasons why that exception applies are explained in the Annex to this letter.

3. The information you have requested regarding any well boat licences issued since 1 October 2018 is available from <http://marine.gov.scot/>. All licences are now routinely published.

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

4. (i) Some of the information you have requested relates to the activities and operations undertaken by Marine Scotland's Fish Health Inspectorate (FHI), most notably, within the areas of site specific chemical use through well boats operations, information on well boat biosecurity, cleaning, mortality disposal and disease. Where information is held in relation to these areas, and it relates to the aquatic animal health surveillance programme, it is made publicly available through the proactive publication of FHI information. In addition to the FHI case information, you may also find some information of relevance through mortality reports and sea lice information which is also proactively published: <https://www.gov.scot/collections/publication-of-fish-health-inspectorate-information/>

The FHI also hold some information in relation to well boat disinfection associated with dead fish transfers to Northern Ireland for processing. Where these movements involve un-eviscerated fish, they must be accompanied by a health certificate and part of the process in issuing this involves confirming that the transport vehicle has been cleaned and disinfected prior to its use. This includes details of the steps involved in cleaning and disinfection, confirming the areas and equipment on the boat where this has been applied, as well as the detergents and disinfectants used and their concentration and contact times.



Similar information, relating to vehicle disinfection (including well boats where applicable) can also be inspected as part of the health certification process for exports and imports of live aquatic animals. Although copies of this information are not retained it forms an important part of the process, along with physical inspection where possible, to allow health certification to be undertaken. Satisfactory completion of the same is documented through the health certificate, along with the FHI case sheet in relation to exports.

In addition to the above, you may also find some information in relation to well boats and the relevant sections of your request on the Scottish Government website by conducting appropriate searches under the publication: <https://www.gov.scot/publications/>

The industry's Code of Good Practice for Scottish Finfish Aquaculture also contains information which is relevant to your request, which you may find useful: <http://thecodeofgoodpractice.co.uk/>

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

(ii) Marine licences in respect of wellboat discharges permit the discharge of sea lice treatment effluents in accordance with the conditions in the relevant licences and only at the fish farm site specified in the licence. Such marine licences issued by MS-LOT, including those issued since 1 October 2018, have been published at: <http://marine.gov.scot/>

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.

5. (i) I enclose redacted electronic copies of some of the information you have requested. In this instance we are unable to provide some of the information you have requested because an exception under regulation 11(2) (personal information of a third party) of the EIRs applies to that information. The reasons why that exception applies are explained in the Annex to this letter.

Four of the items enclosed, titled 14, 15, 17 & 18, are redacted copies of internal briefing notes for four meetings held by the Aquaculture Industry Leadership Group (AILG). The information contained in the Annexes A, B and C of each item is already publicly available under the following links:

<https://aquaculture.scot/wp-content/uploads/2019/09/Aquaculture-ILG-Agenda-Meeting-10.pdf>

<https://aquaculture.scot/wp-content/uploads/2019/09/Aquaculture-ILG-Agenda-and-Actions-for-Meeting-9-final.pdf>

<https://aquaculture.scot/wp-content/uploads/2019/09/Aquaculture-ILG-Agenda-and-Actions-for-Meeting-8-final.pdf>

<https://aquaculture.scot/wp-content/uploads/2019/05/Aquaculture-ILG-Agenda-and-Actions-for-Meeting-7-final.pdf>

<https://aquaculture.scot/wp-content/uploads/2018/06/Aquaculture-ILG-Agenda-and-Actions-for-Meeting-6.pdf>

Under regulation 6(1)(b) of the EIRs, we do not have to give you information which is already publicly available and easily accessible to you in another form or format.



(ii) While our aim is to provide information whenever possible, in this instance we are unable to provide some of the information you have requested because exceptions under regulation 10(4)(d) (material in the course of completion), regulation 10(4)(e) (internal communications) and regulation 10(5)(d) (confidentiality of proceedings) of the EIRs applies to that information. The reasons why these exceptions apply are explained in the Annex to this letter.

Your right to request a review

If you are unhappy with this response to your EIRs request, you may ask us to carry out an internal review of the response, by writing to The Director of Marine Scotland, Area 1B South, Victoria Quay, The Shore, Edinburgh, EH6 6QQ or by emailing: Directormarinescotland@gov.scot

Your review request should explain why you are dissatisfied with this response, and should be made within 40 working days from the date when you received this letter. We will complete the review and tell you the result, within 20 working days from the date when we receive your review request.

If you are not satisfied with the result of the review, you then have the right to appeal to the Scottish Information Commissioner. More detailed information on your appeal rights is available on the Commissioner's website at: <http://www.itpublicknowledge.info/YourRights/Unhappywiththeresponse/AppealingtoCommissioner.aspx>

ANNEX

REASONS FOR NOT PROVIDING INFORMATION

1. An exception under regulation 10(4)(a) (information not held) of the EIRs applies to some of the information you have requested

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not hold the information you have requested regarding Discharge Returns for 2019 & 2020.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in the Discharge Returns, clearly we cannot provide information which we do not hold.

2. (i) An exception under regulation 10(4)(a) (information not held) of the EIRs applies to some of the information you have requested

Under the terms of the exception at regulation 10(4)(a) of the EIRs (information not held), the Scottish Government is not required to provide information which it does not have. The Scottish Government does not hold the information you have requested relating to discussions of wellboat data on chemical use by salmon farms via 'Scotland's Aquaculture' and dialogue with chemical companies or salmon farmers.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances



of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. While we recognise that there may be some public interest in discussions the Scottish Government has had regarding wellboat data on chemical use by salmon farms via 'Scotland's Aquaculture' Aquaculture' and dialogue with chemical companies or salmon farmers, clearly we cannot provide information which we do not hold.

2. (ii) & 5. (i) An exception under regulation 11(2) (personal information of a third party) of the EIRs applies to some of the information you have requested

Regulation 11(2) – To the extent that environmental information requested includes personal data of which the applicant is not the data subject and in relation to which either the first or second condition set out in paragraphs (3) and (4) is satisfied, a Scottish public authority shall not make the personal data available.

An exception under regulation 11(2) of the EIRs (personal information of a third party) applies to some of the information requested because it is personal data of a third party and disclosing it would contravene the data protection principles in Article 5(1) of the General Data Protection Regulation and in section 34(1) of the Data Protection Act 2018.

This exception is not subject to the 'public interest test', so we are not required to consider if the public interest in disclosing the information outweighs the public interest in applying the exception.

5. (ii) An exception under regulation 10(4)(d) (Material in course of completion, unfinished documents or incomplete data) of the EIRs applies to some of the information you have requested

The exception under regulation 10(4)(d) of the EIRs (material in course of completion, unfinished documents or incomplete data) applies to some of the information you have requested because it is material still in the course of completion.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception.

We recognise that there is some public interest in release as part of open, transparent and accountable government. However, this is outweighed by the public interest in ensuring that unfinished or incomplete information which is still being worked on or is under active consideration is not disclosed when it might misinform the public or give a misleading impression of the Government's view or position on the matter to which the information relates.

The intention on the basis of the current Parliamentary timescales is that the finalised Order will come into force in November 2020.

5. (ii) An exception under regulation 10(4)(e) (internal communications) of the EIRs applies to some of the information you have requested



An exception under regulation 10(4)(e) of the EIRs (internal communications) applies to some of the information you have requested because it is internal communication between Scottish Government Ministers and/or officials about an amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011, which is required in order to transfer responsibility for the authorisation of discharges of chemical treatment residues to the water environment via a well boat from marine licensing to CAR licensing.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, there is greater public interest in high quality policy and decision-making, and in the properly considered implementation and development of policies and decisions.

This means that Ministers and officials need to be able to consider all available options and to debate these rigorously, to fully understand their possible implementations. Their candour in doing so will be affected by their assessment of whether the discussions on the amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011 will be disclosed in the near future, when it may undermine or constrain the Government's view on that policy while it is still under discussion and development.

5. (ii) An exception under regulation 10(5)(d) (Confidentiality of proceedings) of the EIRs applies to some of the information you have requested

An exception under regulation 10(5)(d) of the EIRs (Confidentiality of proceedings) applies to some of the information you have requested because it is internal legal advice and disclosure would breach legal professional privilege.

This exception is subject to the 'public interest test'. Therefore, taking account of all the circumstances of this case, we have considered if the public interest in disclosing the information outweighs the public interest in applying the exception. We have found that, on balance, the public interest lies in favour of upholding the exception. We recognise that there is a public interest in disclosing information as part of open, transparent and accountable government, and to inform public debate. However, this is outweighed by the strong public interest in maintaining the right to confidentiality of communications between legal advisers and clients, to ensure that Ministers and officials are able to receive legal advice in confidence, like any other public or private organisation.

Yours sincerely

Kate Webb

Business Casework Officer - Licensing Operations Team - Marine Planning & Policy



PDF #1:

From: [Redacted] <[Redacted]@gov.scot>
Sent: 20 March 2019 12:59
To: [Redacted] <[Redacted]@sepa.org.uk>
Subject: Wellboat Treatments 2018

Dear [Redacted]

Please find attached the spreadsheet detailing wellboat treatments at Marine Fish Farms during 2018, for forwarding to your SPRI team please.

Kind Regards

[Redacted]

Marine Licensing Casework Manager
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Direct Line: [Redacted]
General Queries: +44 (0)300 244 5046
Email: [Redacted] <[Redacted]@ms.marinelicensing@gov.scot>
Website: <http://www.gov.scot/Topics/marine/Licensing/marine>

From: [Redacted] <[Redacted]@sepa.org.uk>
Sent: 16 June 2020 13:45
To: [Redacted] <[Redacted]@gov.scot>
Subject: RE: Wellboat Treatments 2018

Hi [Redacted]

Are you able to provide details of wellboat treatments during 2019 for our SPRI team please?

Thanks very much

[Redacted]

From: [Redacted] <[Redacted]@gov.scot>
Sent: 16 June 2020 14:34
To: [Redacted] <[Redacted]@sepa.org.uk>
Subject: RE: Wellboat Treatments 2018

Hi [Redacted]

I've actually moved to another team but I've forwarded your email for action so hopefully you will receive them soon.

Kind regards

[Redacted]

Business Casework Manager
Marine Scotland - Marine Planning & Policy

Scottish Government | Marine Laboratory | 375 Victoria Road | Aberdeen | AB11 9DB

Legislative approach

It is proposed that this transfer will be achieved by means of an amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011. Detailed drafting is still under development, but the mechanism for achieving this is that the discharge of any substance carried on in the course of the propagation or cultivation of fish, will be exempt from marine licensing. This will include both chemical substances and organic matter discharged as part of the normal operations of well boats.

That means that such discharges will in future fall within the scope of CAR in exactly the same way that discharges of bath treatments currently fall within the scope of CAR, as activities liable to cause pollution of the water environment. Any necessary conditions relating to discharges from well boats will be included within a CAR licence.

Transfer of conditions from marine licensing to CAR

With the exception of licences that are subject to transitional provisions, marine licences will transfer to the CAR regime, and accordingly discharges from well boats will be governed by the CAR regime from the date on which the legal instrument comes into force.

Existing well boat licences will continue to have effect after the date of implementation, but these will become 'deemed' CAR licences, sitting alongside a licence holder's existing CAR licences. The conditions in a 'deemed' licence will continue to remain in force, unless varied or removed by SEPA in accordance with CAR. We understand that

in time SEPA will seek to consolidate the 'deemed' CAR licences with existing CAR licences held by the same person or business.

There will be no charges by Marine Scotland or SEPA for this transfer process.

Transitional provisions

A different approach is required for those licences where an administrative process is underway at the date on which the legal instrument comes into force. In the interests of transparency and simplicity, we believe that a clean handover from one regulator to another at the point of transfer is essential. In practice this means that any procedure which has commenced under the 2010 Act will be concluded before the licence is transferred to CAR.

For example, an application for a marine licence made prior to the transfer date will be determined by Scottish Ministers under the provisions of the 2010 Act. If granted, the licence would become a 'deemed' CAR licence from the date of its granting.

A similar approach will be taken in respect of the following procedures:

- any appeals made against the refusal by Scottish Ministers to grant a marine licence under the 2010 Act will continue to be subject to the procedure under the Marine Licensing Appeals (Scotland) Regulations 2011;
- any inquiry underway under the 2010 Act will continue to be governed by the 2010 Act;
- any ongoing variation, suspension or revocation procedure commenced under the Act, whether by an operator or Scottish Ministers, will continue to be governed by the 2010 Act;

- any appeal against a notice of variation, suspension or revocation given by the Scottish Ministers will continued to be subject to the Marine Licensing Appeals (Scotland) Regulations 2011; and
- offences, civil sanctions and enforcement procedures will continue to be governed by the 2010 Act.

Once any such procedures are concluded, a marine licence that remains in force would become a deemed CAR licence. In the case of an appeal against the refusal of an application, should the appeal be successful and the decision to refuse is overturned, the marine licence will become a deemed CAR licence as soon as it is granted.

Proposed timing

The aim is to finalise the necessary legal instrument by the end of August 2020. The due Parliamentary process would then take approximately 7 weeks, and we would anticipate the instrument coming into force in early November 2020.

**Scottish Government
June 2020**

PDF #4:

[Redacted]

From: [Redacted]
Sent: 16 July 2020 17:36
To: [Redacted]
Subject: FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues
Attachments: FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues

PDF #5:



Tue 28/04/2020 17:59

[Redacted]

on behalf of [Redacted]

FW: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues

Required

[Redacted]

As the meeting organizer, you do not need to respond to the meeting.

When 29 April 2020 11:00-12:00

Location Skype Meeting

-----Original Appointment-----

From: [Redacted]

Sent: 28 April 2020 17:08

To: [Redacted]

Cc:

Subject: Well boat licensing - Request to prioritise work to lay wellboat order as an option to address industry Covid-19 related issues

When: 29 April 2020 11:00-12:00 (UTC+00:00) Dublin, Edinburgh, Lisbon, London.

Where: Skype Meeting

Hi everyone,

[Redacted] and I have been giving further thought to this. We have our thoughts and we also have questions for you, so we reckoned it would be easier to have a quick meeting to discuss the propositions tomorrow. Skype meeting link is below.

From a quick diary scan 11am looks suitable, we shouldn't need the full hour. Let me know if the time doesn't suit and I'll look for an alternative, although will probably need to be Thursday due to other ongoing work.

I've reduced the copy list so that we can make sure that those of you who need to be on the call can be, but please feel free to forward on if appropriate.

Many thanks

[Redacted]

[Join Skype Meeting](#)

Trouble Joining? [Try Skype Web App](#)

PDF #6:

[Redacted]

From: [Redacted]
Sent: 16 July 2020 17:39
To: [Redacted]
Subject: FW: Wellboat Order- Transfer to SEPA

From: [Redacted]
Sent: 23 April 2020 09:41
To: [Redacted] <[\[Redacted\]@scotland.gsi.gov.uk](mailto:[Redacted]@scotland.gsi.gov.uk)>
Subject: RE: Wellboat Order- Transfer to SEPA

Hi [Redacted]

I haven't done anything on this since early April due to Covid-19 priorities, though have spoken to [Redacted] in the intervening period to keep her up to date as there is an outstanding request for a legal timetable detailing the remaining steps.

Current state of play is to get formal agreement from SEPA that the transitional provisions are sufficient then we can progress the legal aspects. This is one of my to-do items but is not near the top at present given the other urgent work which I am having to do with regards to the Hardship Fund and other Covid-19 activities/enquiries etc.

I'm assuming given the colleagues on the circulation list that you've been requested for an update on progress and that you may be being pushed for this to be progressed? If so, is this now seen as a higher priority piece of work or does the position remain that I prioritise Covid-19 work and try to fit this in as and when I am able?

Thanks

[Redacted]

From: [Redacted] <[\[Redacted\]@scotland.gsi.gov.uk](mailto:[Redacted]@scotland.gsi.gov.uk)>
Sent: 22 April 2020 15:36
To: [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>; [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Cc: [Redacted] <[\[Redacted\]@gov.scot](mailto:[Redacted]@gov.scot)>
Subject: Wellboat Order- Transfer to SEPA

Colleagues

Just to give you a brief update on the Wellboat Order- [Redacted] is currently on leave, but the last update I had on this was mid-March and since then nothing has moved as we have all been supporting COVID 19 work.

As I recall, [Redacted] was in the process of putting together the draft provisions to liaise with SEPA; I think he may have since written to them but I cannot confirm until he is back in the office

tomorrow. There were still some other outstanding issues which he needed to conclude, and at that point, [Redacted] was awaiting formal confirmation on these from MS-LOT, (this confirmation may also have happened in the interim).

Other than that, I believe the Order is just about there. All the impact assessments are complete but a public consultation exercise will have to be mounted.

Hope this helps

Kind regards

[Redacted]

Head of Aquaculture Unit | Marine Scotland | Scottish Government | 1B North | Victoria Quay | Edinburgh | EH6 6QQ
Tel: [Redacted] | Mobile [Redacted] | email:

[Redacted] [@gov.scot](mailto:[Redacted]@gov.scot) [Redacted] [@scotland.gsi.gov.uk](mailto:[Redacted]@scotland.gsi.gov.uk) [Redacted] [@scot.cg.gov.uk](mailto:[Redacted]@scot.cg.gov.uk)



PDF #7:

[Redacted]

From: [Redacted]
Sent: 18 June 2020 17:03
To: [Redacted] scottishsalmon.co.uk'
Cc: [Redacted] sepa.org.uk);
Subject: Transferring well-boat licensing from Marine Scotland to SEPA
Attachments: Wellboats - transfer to CAR - discussion paper.docx

Hi [Redacted]

As you are aware an exercise to transfer responsibility for well-boat discharge authorisations from Marine Scotland to SEPA has been mooted several times over recent years. Within SG we have now secured the policy and legal resource to take this forward as soon as the due legal and Parliamentary processes allow. The current aim is to finalise the draft SSI by the end of August, with it coming into force in November.

We have made good progress in identifying the necessary transitional arrangements. We are now at a stage when we can share that thinking with the industry, and discuss how this might work in practice to make sure we have considered all likely eventualities. With that in mind, I attach a short paper that sets out how we expect the transition to take effect. I would be grateful if you could circulate this to your member companies, and we would be happy to talk through any initial feedback or queries you might have at the next regulators meeting on 30 June. We can explore at that point what further discussion/ engagement may be appropriate.

Regards
[Redacted]

– Environmental Quality and Circular Economy Division

Currently working from home – 07557 197303

PDF #8:

[Redacted]
Environmental Quality & Circular
Economy Division
22 June 2020

Cabinet Secretary for Environment, Climate Change and Land Reform

TRANSFERRING RESPONSIBILITY FOR WELL BOAT LICENSING FROM MARINE SCOTLAND TO SEPA – AN UPDATE

Purpose

1. This **routine** submission provides an update on progress with the development of a legal instrument to transfer responsibility for the authorisation of chemical treatment residues discharged from well boats from Marine Scotland to SEPA.

Background

2. A fish farm operator requires authorisation from SEPA under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (“CAR”) for the discharge of any chemical substances to the water environment in the course of operations at the farm site. This includes the discharge of any chemical residues left after sea lice treatments. In addition, if treatment takes place in a well boat, the operator requires a marine licence under the Marine (Scotland) Act 2010 (“the 2010 Act”) for any discharge of chemical residues from the well boat.

3. In 2016, the Independent Review of Aquaculture Consenting recommended that the marine licence for the discharge of chemical residues via a well-boat should be consolidated within the associated CAR licence. This would simplify the legislative framework for aquaculture, by integrating the regulation of such discharges under a single regulator, and removing the need to reapply for marine licences at periodic intervals.

4. [Redacted]

5. The COVID-19 emergency highlighted the challenges faced by the sector in its having to approach 2 regulators operating 2 quite different regulatory systems, in order to secure the flexibility that the industry requires during this difficult period. This prompted us collectively to make a concerted effort to progress this work, and resources have now been identified within both the Scottish Government and Scottish Parliament to bring forward the necessary legal instrument as soon as the due process allows.

Legislative approach

6. It is proposed that this transfer will be achieved by means of an amendment to the Marine Licensing (Exempted Activities) (Scottish Inshore Region) Order 2011. Detailed drafting is still under development, but the mechanism for achieving this is that the discharge of any substance carried on in the course of the propagation or cultivation of fish will be exempt from marine licensing. This will include both chemical substances and organic matter discharged as part of the normal operations of well boats.

7. That means that such discharges will in future fall within the scope of CAR in the same way that discharges of bath treatments, as activities liable to cause pollution of the water environment, currently fall within the scope of CAR. Any necessary conditions relating to discharges from well boats will be included within a CAR licence.

Transfer of conditions from marine licensing to CAR

8. As a general rule, marine licences will transfer to the CAR regime, and accordingly discharges from well boats will be governed by the CAR regime, from the date on which the legal instrument comes into force. These marine licences will continue to have effect after the date of implementation, but they will become 'deemed' CAR licences, sitting alongside a licence holder's existing CAR licence. The conditions in a 'deemed' licence will continue to remain in force, unless varied or removed by SEPA in accordance with CAR. We understand that in time SEPA will seek to consolidate the 'deemed' CAR licences with existing CAR licences held by the same person or business. There will be no charges by Marine Scotland or SEPA for this transfer process.

9. A different approach is required for those licences where an administrative process is underway at the date on which the legal instrument comes into force. In the interests of transparency and simplicity, we believe that a clean handover from one regulator to another at the point of transfer is essential. In practice this means that any procedure which has commenced under the 2010 Act should be concluded before the licence is transferred to CAR. Transitional provisions will be drafted to support this approach.

Consultation and stakeholder interests

10. The 2010 Act requires that the Scottish Ministers consult such persons as they consider appropriate in relation to the proposed Order. As this is primarily a procedural exercise, with no wider policy considerations, we consider that a targeted consultation with key interests will suffice in this instance. We do not propose to carry out a public consultation.

11. We have begun engaging with the sector to discuss how the transitional provisions might work in practice, and to seek their feedback before finalising the instrument.

Legal issues and proposed timing

12. The instrument is subject to affirmative procedure. The aim is to finalise the instrument by the end of August 2020. The due Parliamentary process would then take approximately 7 weeks, and we would anticipate the instrument coming into force in early November 2020. We will bring forward further advice, a draft instrument, and the necessary impact assessments for your approval towards the end of August.

Recommendation

13. I **recommend** that the Cabinet Secretary:
- **notes** progress on this matter; and
 - **agrees** that we do not need to carry out a public consultation in view of the circumstances outlined at paragraph 10.

[Redacted]

Environmental Quality & Circular Economy Division

Copy List:	For Action	For Comments	For Information		
			Portfolio Interest	Constit Interest	General Awareness
Cabinet Secretary for Rural Economy and Tourism					X
Minister for Rural Affairs and Natural Environment					X
DG Economy Director ENFOR Director Marine Scotland [Redacted] ARF [Redacted] ARF [Redacted] ARF [Redacted] SGLD [Redacted] SGLD [Redacted] MS-LOT [Redacted] EQCED [Redacted] EQCED [Redacted] Special Adviser [Redacted] Special Adviser [Redacted] Communications Communications COVID-19 Hub		[

PDF #9:

[Redacted]

From: [Redacted]
Sent: 24 June 2020 12:12
To: [Redacted]
Subject: FW: Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission
Attachments: Wellboats - transferring responsibility to CAR - submission 2.docx

fyi

From: [Redacted] @gov.scot>
Sent: 22 June 2020 15:41
To: Cabinet Secretary for the Environment, Climate Change and Land Reform <CabSecECCLR@gov.scot>
Cc: Cabinet Secretary for Rural Economy and Tourism <CabSecRET@gov.scot>; Minister for Rural Affairs and the Natural Environment <MinisterRANE@gov.scot>; DG Economy <DGEconomy@gov.scot>; Director of Environment & Forestry <director.enfor@gov.scot>; Director of Marine Scotland Mailbox <Directormarinescotland@gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted] [Redacted] @scotland.gsi.gov.uk>; [Redacted] @gov.scot>; [Redacted] [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted] [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted] [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; [Redacted] @gov.scot>; Communications Covid-19 <CommunicationsCovid-19@gov.scot>
Subject: Transferring responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA - submission

Cabinet Secretary for the Environment, Climate Change and Land Reform,

Please find attached an update regarding the transfer of responsibility for the authorisation of well boat discharges from Marine Scotland to SEPA.

[Redacted]

[Redacted] – Environmental Quality and Circular Economy Division
Currently working from home – [Redacted]

PDF #10:



T: [Redacted] F: [Redacted]
E: DirectorMarineScotland@gov.scot

By email to [Redacted] scottishsalmon.co.uk

Copy by post to:-
Julie Hesketh-Laird
Chief Executive
Scottish Salmon Producers Organisation
83 Princes Street
Edinburgh
EH2 2ER

13th December 2019

Dear Julie,

Thank you for your letter of 4 October 2019 about wellboat licensing applications and [Redacted] apologies for not having responded sooner. I am pleased to be able to provide you with this update and in doing so happy to confirm we are making progress in both these areas, as outlined in the update below. I hope this is helpful.

1. Wellboat licensing applications

[Redacted]

[Redacted]

I am also pleased to advise that we are continuing to make arrangements for the transfer of wellboat licensing into the CAR regime by way of a statutory instrument and we will be in touch in due course to arrange a discussion about transitional arrangements.

[Redacted]

[Redacted]

Victoria Quay, Edinburgh EH6 6QQ
www.gov.scot



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[Redacted]

Yours sincerely,

[Redacted]

Graham Black
Director Marine Scotland

Cc:- Fergus Ewing MSP – CabSecRE@gov.scot

PDF #11:

[Redacted]

From: [Redacted]
Sent: 31 July 2020 15:07
To: MS LOT Business and Operational Delivery
Subject: FW: sensitive: wellboat - drafting transitional arrangements
Attachments: Draft transitional arrangements.docx

From: [Redacted] @gov.scot>
Sent: 19 September 2019 16:15
To: [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]
[Redacted] gov.scot>
Cc: [Redacted] @gov.scot>; [Redacted] gov.scot>; [Redacted]
[Redacted] @gov.scot>
Subject: FW: sensitive: wellboat - drafting transitional arrangements

Hi All,

Ahead of tomorrow's meeting at 12.30 with Sepa- grateful if anyone has had any additional thoughts on the attached if you can let me know?

See/ speak to you tomorrow. Thank you for your help.

Kind regards,

[Redacted]

[Redacted]

PDF #12:

From: [Redacted]
Sent: 31 July 2020 15:09
To: MS LOT Business and Operational Delivery
Subject: FW: Wellboats 2

From: [Redacted] @gov.scot>
Sent: 12 August 2019 13:39
To: [Redacted] @SEPA.org.uk>
Cc: [Redacted] @gov.scot>; [Redacted] @gov.scot>
Subject: Wellboats
[Redacted]
Afternoon

Thank you for your e-mail last week. I had a further query, which I wondered whether you could help with?

I am completing a Business and Regulatory Impact Assessment for the regulation, and so I wondered if you had any information relating to costs, i.e. will there be any additional costs/ reduction in costs going forward?

Thank you for your help.

Kind regards,

[Redacted]

[Redacted]

[Redacted]

Marine Scotland – Aquaculture, Scottish Government, 1B North, Victoria Quay, Edinburgh EH6 6QQ
Tel: [Redacted]

PDF #13:

[Redacted]

From: [Redacted]
Sent: 31 July 2020 15:08
To: MS LOT Business and Operational Delivery
Subject: FW: Wellboats

From: [Redacted] @gov.scot>
Sent: 29 August 2019 14:02
To: [Redacted] sepa.org.uk>; [Redacted] SEPA.org.uk>
Cc: [Redacted] @gov.scot>; [Redacted] @gov.scot>
Subject: RE: Wellboats

Hi [Redacted]

Thank you for your e-mail about the Business and Regulatory Impact Assessment (BRIA) for the regulation. I just had a few further queries which I wondered whether yourself/ [Redacted] could help with:

1. I just wanted to double check with regards to a CAR licence- are there any renewals associated with this (once granted)/ are there any annual fees?
2. There is a section in the BRIA that asks about whether there will be new forms for businesses to complete- will it just be that amendments are made to existing Sepa forms?

Kind regards,

[Redacted]

PDF #14:

BRIEFING – FERGUS EWING – AILG – 13 DECEMBER 2018

Date and Time of Engagement	Thursday 13th December 2018 09:00 – 11:00
Where	Macdonald Holyrood, 81 Holyrood Road, Edinburgh, EH8 8AU Salisbury 1 Meeting Room
Why	[Redacted] <i>/th Meeting of the AILG.</i>
Official Support Required	Graham Black, Director (Marine Scotland) [Redacted] [Redacted]
Media Handling	• [Redacted]
Dress code	[Redacted]
car/parking arrangements	[Redacted]
Briefing contents	Annex A – Attendees. Annex B – Agenda Annex C – Minutes & Actions - previous meeting [Redacted]

**Annex D
Steering Brief**

[Redacted]

Agenda 2. Progress Updates on Recommendations:

[Redacted]

[Redacted] to give update on wellboats – (see Annex E).

[Redacted]

**ANNEX E
Wellboats**

Wellboats

QW4	Integrate wellboat Marine Licence into the CAR Licence	Integrate wellboat Marine Licence into the CAR Licence. It is understood that this would: -require one additional sentence to be added to the CAR Licence. -cover all wellboat discharges. -Be supported by SEPA and the finfish industry.	In progress Mike Palmer to Update AILG
-----	--------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------

[Redacted]

PDF #15:

BRIEFING – FERGUS EWING – AILG – THURSDAY 14 MARCH 2019

Date and Time of Engagement	Thursday 14th March 2019 09:00 – 11:00
Where	Macdonald Holyrood, 81 Holyrood Road, Edinburgh, EH8 8AU Salisbury Suite Meeting Room
Why	[Redacted] <i>8th Meeting of the AILG.</i>
Official Support Required	Graham Black, Director (Marine Scotland) [Redacted] [Redacted]
Media Handling	• [Redacted]
Dress code	[Redacted]
car/parking arrangements	[Redacted]
Briefing contents	Annex A – Attendees. Annex B – Agenda Annex C – Minutes & Actions - previous meeting [Redacted]

Agenda 5. The Consenting Review – do we now consider progressing towards a Marine Licensing regime?

[Redacted]

- [Redacted] the work on progressing the licensing of well boats through the CAR regime [Redacted] will in themselves lead to a more effective planning/ consenting Regime.

[Redacted]

PDF #16:

From: [Redacted]
Sent: 31 July 2020 15:14
To: MS LOT Business and Operational Delivery
Subject: A24417992
Attachments: A24417992.obr

-----Original Message-----

From: [Redacted] @gov.scot>
Sent: 04 June 2019 11:37
To: [Redacted] @gov.scot>
Subject: AILG - 2019 - Aquaculture Industry Leadership Group: Cabinet Secretary for Rural Economy - Thursday 6th June: Radisson Blu, Edinburgh - 9th meeting - draft briefing (A24417992)

Hi [Redacted]

[Redacted] are looking to send the AILG briefing today. Ahead of this I have added a caveat to the line of page 18, in the wellboat section, which I thought may be helpful?

Kind regards,

[Redacted]

[Redacted] has sent you a link to "AILG - 2019 - Aquaculture Industry Leadership Group: Cabinet Secretary for Rural Economy - Thursday 6th June: Radisson Blu, Edinburgh - 9th meeting - draft briefing" (A24417992) from Objective.

Open in Navigator
Double click on the attachment

Open in Your Browser
Latest: <https://erdm.scotland.gov.uk/id:A24417992/document/versions/latest>
Published: <https://erdm.scotland.gov.uk/id:A24417992/document/versions/published>

PDF #17:

- FERGUS EWING – AILG – 9TH MEETING – THURSDAY 6 JUNE 2019

<i>Date and Time of Engagement</i>	Thursday 6th 2019 09:00 – 11:00
<i>Where</i>	<ul style="list-style-type: none"> • Radisson Blu, Great Scots Hall, 80 High Street, EH1 1TH, Edinburgh
<i>Why</i>	<ul style="list-style-type: none"> • [Redacted] • 9th Meeting of the AILG.
<i>Official Support Required</i>	<ul style="list-style-type: none"> • Graham Black, Director (Marine Scotland) • Mob: [Redacted]
<i>Media Handling</i>	<ul style="list-style-type: none"> • [Redacted]
<i>Dress code</i>	[Redacted]
<i>car/parking arrangements</i>	
<i>Briefing contents</i>	Annex A – Attendees. Annex B – Agenda Annex C – Minutes & Actions - previous meeting [Redacted]

Agenda 5. The Consenting Review and Progressing a Marine Licencing regime

- In 2015 Marine Scotland and The Crown Estate jointly commissioned an independent review of the consenting process for aquaculture. The final report of the review was published in July 2016. [Redacted]

[Redacted]

[Redacted]

The Consenting Review & Progressing a Marine Licensing regime

Consenting Review

- In 2015 Marine Scotland and The Crown Estate jointly commissioned an independent review of the consenting process for aquaculture. The final report of the review was published in July 2016. [Redacted]

- [Redacted]

as well as the transfer of Wellboat licensing to SEPA's Controlled Activities Regulations (CAR) regime [Redacted]

[Redacted]

[Redacted]

(Quick Win 4 – Integrate wellboat marine licence into the CAR)

- Officials are currently working on a legislative timetable for a statutory instrument. This will include planning a public consultation this summer, including a discussion on how best to manage any transitional arrangements, with the potential for the Regulation to come into force within this year, subject to Parliamentary scrutiny.
- SSPO have been in contact with officials to discuss wellboat licensing and have requested a meeting with Mr Ewing and Ms Cunningham, relating to marine licensing.

PDF #18:

FERGUS EWING – AILG – 10TH MEETING – THURSDAY 19TH SEPTEMBER 2019: MACDONALD HOLYROOD HOTEL, 81 HOLYROOD ROAD, EH88AU

<i>Date and Time of Engagement</i>	Thursday 19 th September 2019 08:45 – 11:00 (to note slightly earlier start time)
<i>Where</i>	<ul style="list-style-type: none"> • Macdonald Holyrood Hotel, 81 Holyrood Road, Edinburgh, EH88AU
<i>Why</i>	<ul style="list-style-type: none"> • [Redacted] • 10th Meeting of the AILG.
<i>Official Support Required</i>	<ul style="list-style-type: none"> • Graham Black, Director, Marine Scotland: mobile: [Redacted] • Mike Palmer, Deputy Director, Marine Scotland: mobile: [Redacted] • [Redacted] Marine Scotland: [Redacted]
<i>Media Handling</i>	<ul style="list-style-type: none"> • Comms to Advise
<i>Dress code</i>	Business attire
<i>Briefing contents</i>	Annex A – Attendees. Annex B – Agenda Annex C - Minutes & Actions - previous meeting (6 June) [Redacted]

(Quick Win 4 – Integrate wellboat marine licence into the CAR)

- Officials are continuing to make arrangements for a statutory instrument, including considering how best to manage any transitional arrangements, with plans to lay in the Scottish Parliament later this year, with the potential for an Order to come into force early next year, subject to Parliamentary scrutiny.

Spatial Planning/Fit for Purpose Regulation

Lines to take

- [Redacted]

- In addition, wellboat licensing will be transferred from Marine Scotland to SEPA's Controlled Activities Regulations (CAR) regime (delayed by Brexit legislation but intention to lay the SI in November for commencement the following January.)
- [Redacted]

[Redacted]

[Redacted]

[Redacted]

PDF #19:

Cabinet Secretary for the Rural Economy
Fergus Ewing MSP



Scottish Government
Riaghaltas na h-Alba
gov.scot

F/T: [Redacted]
E: scottish.ministers@gov.scot

Edward Mountain MSP
Convener
Rural Economy and Connectivity Committee
rec.committee@parliament.scot

29 January 2019

The Scottish Government response to the Rural Economy and Connectivity (REC) report on 'Salmon Farming in Scotland'.

In advance of the planned Parliamentary debate next week, Ms Cunningham and I are pleased to be able to provide you with the Scottish Government's response to the Rural Economy and Connectivity Committee (REC) report on 'Salmon Farming in Scotland'.

As you would anticipate the response is lengthy, in kind looking to respond to the many recommendations within the original report, and adding further context where appropriate. I would be happy to meet and discuss the response in more detail if that would be helpful.

I sense much commonality around the challenges facing the sector and our collective resolve to make tangible early progress. I look forward to expanding on these points next week.

I am copying this letter and attachment to the Convener of the Environment, Climate Change and Land Reform Committee.

[Redacted]

FERGUS EWING

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot



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Scottish Ministers will now propose secondary legislation to transfer responsibility for controlling discharges of medicines from well boats from Marine Scotland to SEPA. This will make SEPA the regulator of discharges of all wastes and medicines from marine cage fish farms; and enable a consistent and more integrated approach to controlling such discharges.

[Redacted]

17

[Redacted]

SEPA is currently responsible for protecting the marine environment from any discharge of organic matter or other chemicals from marine cage fish farms. Scottish Ministers have agreed to transfer responsibility for protecting the environment from

30

discharges from well boats from Marine Scotland to SEPA. This will result in SEPA being the environmental regulator for all discharges into the marine environment associated with marine cage fish farming. SEPA is already the regulator of all discharges into inland waters from hatcheries and freshwater pens.

[Redacted]

[Redacted]

Cabinet Secretary for the Rural Economy
Cabinet Secretary for the Environment, Climate Change and Land Reform

January 2019

PDF #20:

19 December 2018 (Meeting held by phone)

Attendees:

[Redacted] Chair, SEPA
[Redacted] Scottish Sea Farms/ Fish Vet Society
[Redacted] Scottish Environment LINK
[Redacted] Cooke Aquaculture
[Redacted] Scottish Salmon Company
[Redacted] Marine Harvest
[Redacted] SSPO
[Redacted] Defra, VMD
[Redacted]
[Redacted] Scottish Government
[Redacted] Scottish Government

Apologies:

[Redacted] – SEPA

1.) TOR to be published when updated. [Redacted] actioned) -
<https://www2.gov.scot/Topics/marine/Fish-Shellfish/Strategic-Framework/Subgroup3>

[Redacted]

[Redacted]

[Redacted]

PDF #21:

[Redacted]

From: [Redacted]
Sent: 26 February 2019 08:19
To: [Redacted]
Subject: medicines and licencing subgroup - postponing meeting/ update from Chair
Attachments: December 2018 - draft medicines and licencing note.docx
Importance: High

Dear All,

Apologies for any inconvenience, but please note that tomorrow's phonecall is postponed - in the meantime please see an update from the Chair below.

I have also attached a copy of the last meeting's note. Grateful if you can advise of any comments by next Friday, once I have received your comments I will upload to the Group's webpage (link is in the attached note). At present, as it is a draft grateful if you do not circulate any further, thank you.

Kind regards,

[Redacted]

Update from the Chair:

Dear All,

You will recall at our telephone discussion in December that we identified our priorities, from the objectives within the Medicines and Licencing Group workstream of the Farmed Fish Health Framework. Which were:

- Revisit the conclusions of the Wellboat Working Group and progress to date
- [Redacted]

Following the meeting we have considered the work already being undertaken in these areas, which included:

- work Marine Scotland is undertaking to progress the transition of wellboat licencing into CAR.
- work related to the development of the SEPA Finfish Aquaculture Sector Plan.

As these areas are both regulatory in nature, they will be progressed by Government officials in consultation with stakeholders. Therefore I have concluded that going forward I would look to update the Group by regular e-mail as these pieces of work develop, calling formal meetings as appropriate and at key milestone points.

[Redacted]

[Redacted]

[Redacted]

If you have any queries please let myself/ [Redacted] know.[Redacted]

Scottish Salmon Watch's FOI request dated 8 July 2020:

From: **Don Staniford** <salmonfarmingkills@gmail.com>
Date: Wed, Jul 8, 2020 at 11:57 AM
Subject: FOI re. Well Boats & Salmon Farms Since 1 October 2018
To: <ceu@scotland.gsi.gov.uk>

Please provide information on well boats and salmon farms since 1 October 2018.

- Please include data on chemical use including Azamethiphos, Deltamethrin, Hydrogen Peroxide, Emamectin benzoate, Imidacloprid (BMK08/Ectosan) and any other chemicals, medicines, antibiotics and anti-parasiticides which may be used via well boats.
- Please include any discussions relating to the input, sharing and publication of well boat data on chemical use by salmon farms via 'Scotland's Aquaculture' and SEPA's 'Scottish Pollutant Release Inventory' (this would include dialogue with salmon farmers, chemical companies and government agencies).
- Please include copies of any well boat licences issued since 1 October 2018.
- Please provide information on well boat bio-security, cleaning, mort disposal, diseases and chemical waste discharges in relation to salmon farming (including information relating to how and where the wastes, effluents and mortalities are discharged, transported and disposed of).
- Please include any information relating to the transfer of licensing/regulatory powers for well boats from the Scottish Government (Marine Scotland) to SEPA including Cabinet Briefings, emails, letters and any other information.

For example, a redacted email dated 6 December 2018 (believed to be from Marine Scotland) [obtained by Scottish Salmon Watch from the Scottish Government via FOI in December 2019](#) stated:

"The position for now is very clear. MS has been the licensing authority for wellboat discharges for the last 8 years, However, and as the Cabinet Secretary [Fergus Ewing] will be aware from the discussions at the Aquaculture Industry Leadership Group, Marine Scotland have been actively looking at moving forward on the recommendation from the 2016 'Independent review of Aquaculture Consents', which looked at the licensing role for wellboat discharge moving to SEPA. That recommendation has raised some challenges but it still under active consideration and we are hopeful (sic) close to a conclusion"

Scottish Salmon Watch is interested in why the transfer of licensing from Marine Scotland to SEPA is taking so long and why well boat data on chemical use by salmon farms is not posted publicly in a more speedy manner.

Further context is available [online here](#)

Please consider this a formal request for information under the relevant FOI and Environmental Information regulations.

Please provide the information electronically.

Please provide a receipt for this FOI request.

Thanks,

Don Staniford

Director, Scottish Salmon Watch

Read more details [online here](#)



Date: 8 July 2020

Subject: FOI re. Well Boats & Salmon Farms Since 1 October 2018

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- Please include data on chemical use including Azamethiphos, Deltamethrin, Hydrogen Peroxide, Emamectin benzoate, Imidacloprid (BMK08/Ectosan) and any other chemicals, medicines, antibiotics and anti-parasiticides which may be used via well boats.
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