

Our reference: DAERA/21-378

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Water Management Unit
17 Antrim Road
Tonagh
Lisburn
BT28 3AL

Email: WMU.FOI@daera-ni.gov.uk

Date: 23 December 2021

Dear ██████████

Environmental Information Regulations 2004

With regard to your request for information received by the Department on 6 December 2021 that sought information:

1. How many pollution incidents in our waterways were reported in the last 12 months to your department?
2. How many of these investigations have resulted in a polluter being identified and subsequent proceedings being initiated by the department.

I can confirm the Department holds the information you requested and is reported below.

Information on pollution reports and investigations is entered on to the Pollution Incident Management System (PIMS) and there are checks and audits carried out to confirm its accuracy. Investigators will have a number of 'open or unresolved' cases which are not fully entered onto the system in real time. As such, the last 12 months has been taken as the period from 01 October 2020 to 30 September 2021 inclusive to allow for this investigative and reporting delay.

As such, in the time period referenced above, 1962 reports of potential water pollution were either received or directly found by staff.

Of these, of which all reports are physically visited, 1055 were recorded as no pollution found at the time of inspection.

Of the remaining 907 incidents, 770 were classified as Low Severity, 121 as Medium Severity and 16 as High Severity. This is based on the NIEA's Pollution Severity Classification criteria.

Of the 770 Low Incidents, polluters were identified in 363 of these investigations.

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Of the 121 Medium incidents, polluters were identified in 95 investigations.
Of the 16 High Incidents, polluters were identified in 8 investigations.

NIEA aims to take proportionate enforcement action in High and Medium Severity incidents where a polluter is identified and the circumstances warrant. This can include a Warning Letter issued under the Water (1999) Order which may be used as evidence as relevant history should similar circumstances recur, which has not been reported as proceedings in this context.

In relation to High Severity, 1 case has been referred for consideration for prosecution by the Public Prosecution Service, and 2 recommended for action of a breach against the Basic Farm Payment Scheme (BPS). 4 cases have been put forward for consideration under both prosecution and BPS. 1 final case is still under review for recommendation of further enforcement action.

Regarding Medium Severity, 7 cases referred to PPS for consideration of prosecution, 40 referred for BPS breach, 1 for both and 9 are still under active consideration for relevant further action.

In addition, 48 incidents in the Low category have been recommended for referral as a potential breach under BPS.

If you require any clarification, believe that any part of your request has been overlooked, misunderstood or misinterpreted, please contact me in the first instance to see if it is a matter that can be resolved.

If you are unhappy with the manner in which your request for information has been handled or the decision to release/withhold information, you have the right to request a formal review by the Department. If you wish to do so, please contact The Review Section either by e-mailing daera.informationmanager@daera-ni.gov.uk or by post at The Department of Agriculture, Environment and Rural Affairs, Data Protection & Information Management Branch, Floor 2, Ballykelly House, 111 Ballykelly Road, Ballykelly, Limavady BT49 9HP, within two months from the date of this letter.

If after such an internal review you are still unhappy with the response, you have the right to appeal to the Information Commissioner at Wycliffe House, Water Lane, Wilmslow, CHESHIRE SK9 5AF, who will undertake an independent review of the Department's decision.

Yours sincerely,







Water Management Unit

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If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.

