



Our reference: **DAERA/24-76**

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13 May 2024

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Environmental Information Regulations 2004

With regard to your request for information received by the Department on 19/02/24 that sought information on any upcoming policy or plans regarding coastal outfalls in relation to pollution incidents and effluent types and to provide a DAERA version of the Environment Agency's Event Duration Monitoring data and/or Permitted Discharges to Controlled Waters.

I can advise that the Department has completed its search and can confirm that it holds some of the information you requested which is below. Under Regulation 12(4)(a) the Department is excepted from the duty to disclose some of the information on the grounds that the information sought is not held. The Department has also assessed that some of the information you have requested is not complete and therefore has engaged Regulation 12 (4) (e) as the information is related to unfinished work.

NIEA regulates sewage related discharges to the water environment via a consenting process under the Water Order 1999. The Consents require dischargers to treat sewage to a level which can be sustained by the environment and to maintain such treatment to avoid pollution. Discharges to the marine environment, including those discharges via coastal outfalls are regulated under legislation and operational procedures. Discharges to the marine environment are subject to several conditions. Any deviation from this operational policy, or from any other aspects of policy, must be justified through a rigorous oversight process..

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Please see attached Operational Procedures for discharges to the Coastal and Transitional waters and the procedures / guidance relied on to consent discharges from WwTW.

In addition NIEA are developing operational procedures for the Operation of Event and Duration Monitors and the Compliance Assessment of Flow at Wastewater Treatment Works. These operational procedures are unfinished and therefore can not be released under Regulation 12(4)(d).

In advance of the operational procedures being finalised, NI Water are collectively moving through the commissioning process of storm-overflow monitors to ensure the data received is accurate and reliable. Whilst there is no statutory obligation for NIEA or NI Water to publish the data, it is NIEA's intention to publish annual performance reports once accurate and reliable data is provided by NI Water. However no data has been provided to date and therefore exemption Regulation 12(4) (e) has been applied in relation to the Event and Duration Monitor Data.

NIEA currently do not hold any data from installed event and duration monitors and therefore engage Regulation 12(4)(a) as the Department is excepted from the duty to disclose some of the information on the grounds that the information sought is not held. However NI Water have now published modelled data on discharges from storm overflows on their website which can be accessed on the following link [Storm Overflow performance \(niwater.com\)](https://www.niwater.com/storm-overflow-performance) .

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.

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