

**Northern Ireland Environment Agency
(NIEA)**
Regulatory and Enforcement Division



Department of
**Agriculture, Environment
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

Our reference: **DAERA/26-293**

Via e-mail ██████████@gmail.com

NIEA Waste Management Licensing Team
Regulation Unit
17 Antrim Road, Tonagh, Lisburn, BT28 3AL

Tel: 028 9056 9339

Email: wru.queries@daera-ni.gov.uk

19 May 2026

Dear ██████████

Environmental Information Regulations 2004

Regarding your request for information received by the Department on 29 April 2026 which sought the following information:

I make this request under the Freedom of Information Act 2000 and/or the Environmental Information Regulations 2004 for all recorded information held by DAERA/NIEA relating to the article published in The Irish News on Tuesday 28 April 2026, headed "Warrenpoint odour complaints 'made by a man in Ballymena'", written by Gary McDonald, Business Editor, whose published contact email is g.mcdonald@irishnews.com.

Please provide all recorded information held concerning the basis for the Department's statement that the complaints were made by "a man in Ballymena", including all internal emails, submissions, briefings, complaint records, notes, press lines, draft responses, approval records, and all communications with The Irish News and/or Gary McDonald concerning that statement.

*Please also provide all recorded information showing how the Department concluded where the requester was from, including whether that conclusion was drawn from an **Sustainability at the heart of a living, working, active landscape valued by everyone.***

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.



email address, email domain, metadata, prior correspondence, internal systems, assumptions, or any other identifying material. ICO guidance states that requests should generally be considered without reference to the requester's identity or motives, and that a valid correspondence address can be an email address.

In addition, please provide all recorded information concerning the Department's legal basis for disclosing, confirming, inferring, or describing the apparent location or identity of a complainant/requester to any third party, including a journalist or media organisation. This includes any data protection assessment, legitimate interests assessment, internal guidance, policy documents, decision-making records, or consideration of whether such disclosure involved personal data and, if so, whether disclosure was lawful, fair and transparent under Article 5(1)(a) UK GDPR.

Please also provide any consideration given to section 40 FOIA and/or regulation 13 EIR, and any assessment as to whether the information disclosed or referred to constituted third-party personal data. ICO guidance on complaint files confirms that public authorities must consider whether disclosure of third-party personal data would contravene the data protection principles, and must not disclose such data where disclosure would be unfair or otherwise unlawful.

If the Department maintains that it was entitled to identify or describe the requester as being from Ballymena, please provide the specific legal basis, internal guidance, policy, and any ICO decision notices, tribunal authorities, or precedents relied upon. If no such recorded assessment exists, please expressly confirm that.

For the avoidance of doubt, please also confirm how the Department considers it lawful, fair, accurate and evidence-based to determine where a requester is "from" on the basis of an email address alone, if that is what occurred in this case. If personal data about a complainant/requester was disclosed to a third party without a lawful basis, please provide all recorded information showing how that disclosure was authorised.

Under Regulation 12(4)(a) the Department is excepted from the duty to disclose the information on the grounds that the information sought is not held.

The Department has not released any personal data within the scope of UK GDPR in relation to this matter, including any information relating to the location of reporters. On that basis, no recorded information is held in respect of the elements of your request which relate to that assertion.

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

Sustainability at the heart of a living, working, active landscape valued by everyone.

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.



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, Jubilee 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,

[Redacted signature]

[Redacted contact information]

Sustainability at the heart of a living, working, active landscape valued by everyone.

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.

