

Our Reference: **DAERA/26-300**

Water Catchment Unit

NIEA Lisburn

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██████████ via email

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02 June 2026

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

Environmental Information Regulations 2004

Dear ██████████

Thank you for your information request received by the Department on 1 May 2026 which sought the following, further to correspondence re TOF 0131-2026:

- **When was this first reported to NIEA?**

I can advise that the Department has completed its search and can confirm that it holds the information requested. Investigations related to the request are ongoing and considered as if 'sub judice'. Therefore, the Department has decided to withhold this information under **Regulation 12(5)(b)**.

Under Regulation 12(5)(b), the Department is excepted from the duty to disclose the information on the grounds that the course of justice could be adversely affected without exception and to prevent interference with any legal proceedings.

The appropriate public interest test has been completed, attached as **Annex A**.

Where water pollution is confirmed and the environmental impact is deemed to be of a High or Medium Severity environmental impact and a polluter has been identified, the Department seeks to pursue formal enforcement action under the Water (NI) Order 1999 in line with the DAERA Enforcement Policy.

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, 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 name]

[Redacted title]

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