

Reference Number: DAERA/26-738
Request Details:
Continuation of request DAERA 26-646
– Information regarding Lisbane Landfill
Gas Infrastructure / “Previous
Correspondence” on 5/6/2026.



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

An Roinn

**Talmhaíochta, Comhshaoil
agus Gnóthaí Tuaithe**

Department o'

**Fairmin, Environment
an' Kintra Matthers**

www.daera-ni.gov.uk

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Waste Permitting Team
Lisburn NIEA
17 Antrim Road
Lisburn
BT28 3AL

Tel: 02890569596

Email: daera.informationmanager@daera-ni.gov.uk

19 October 2026

Dear Tandragee Environmental Action

Environmental Information Regulation 2004

I refer to your request for information received by the Department on 23 September 2026 as detailed below.

Dear NIEA Waste Complaint,

Thank you for your response.

For the avoidance of any possible doubt, the email referred to in my request is the following email dated 5 June 2025:

“Subject: Lisbane Landfill DW Sludge (Alum Sludge)

Date: 05 June 2025 14:53:27

I hope all is well with you.

As you are aware from previous correspondence raising concerns regarding the condition of the gas extraction infrastructure at Lisbane landfill, we also have concerns.

Further work needs to be carried out on this gas infrastructure, hence NIEA have taken the decision to suspend acceptance of all DW filter cake until such time as the NIEA are content that the gas infrastructure at Lisbane is fit for purpose.

All acceptance of DW filter cake into Lisbane landfill should cease by Thursday 12th June 2025.

I am under the understanding that this DW filter cake is being brought in by NWPe to your permitted site, a courtesy email will be sent to NWP for information.”

This is the email I identified in my original request by date, site, permit number and by quoting verbatim the sentence referring to the previous correspondence concerning the condition of the gas extraction infrastructure.

I would also point out that DAERA itself recently identified and disclosed this exact email in response to DAERA/26-463. In those circumstances, I do not understand the basis for the Department’s statement that it was unable to identify which email my request referred to.

Furthermore, as this email was drafted by NIEA, who expressly referred to “previous correspondence raising concerns regarding the condition of the gas extraction infrastructure”, NIEA should be in a position to identify the previous correspondence to which that statement referred. That is precisely the correspondence sought by my request.

Nevertheless, the Department has now expressly sought clarification under regulation 9 and relied upon regulation 12(4)(c). I have therefore provided the clarification requested above.

The Information Commissioner’s guidance states:

“If the requester comes back with clarification and you are able to identify the information they want, you should deal with the clarified request as a fresh request and respond within a new 20 working day time limit.”

The relevant ICO guidance is available here:

<https://eu-west-1.protection.sophos.com?d=ico.org.uk&u=aHR0cHM6Ly9pY28ub3JnLnVrL2Zvci1vcmdhbmlzYXRpb25zL2ZvaS9mcmVlZG9tLW9mLWluZm9ybWF0aW9uLWFuZC1lbnZ>

[pcm9ubWVudGFsLWluZm9ybWF0aW9uLXJIZ3VsYXRpb25zL3JIZ3VsYXRpb24tMTItNC1jLXJlcXVlc3RzLWZvcml1bGF0ZWQtaW4tdG9vLWdlbmVyYWwtYS1tYW5uZXlv&i=NjU1NTQ1Y2Y2MjBmMmMyMzA0ZGUxZTM3&t=VmQ5SytXb2JEVHBIY0RMaGZnOWFRajhzR1pwcTFDemhoU0dOcGdUT1MzTT0=&h=1de0f35993504dc0b701dba649c47bad&s=AVNPUEhUT0NFTkNSWVBUSVa_qXvDPnrSBHpRJaHIQaJVwu415HyUuiffwQxGIN-iWbT3P-cV6QgVRo1ABjER_50](https://www.foia.gov/foia/pcm9ubWVudGFsLWluZm9ybWF0aW9uLXJIZ3VsYXRpb25zL3JIZ3VsYXRpb24tMTItNC1jLXJlcXVlc3RzLWZvcml1bGF0ZWQtaW4tdG9vLWdlbmVyYWwtYS1tYW5uZXlv&i=NjU1NTQ1Y2Y2MjBmMmMyMzA0ZGUxZTM3&t=VmQ5SytXb2JEVHBIY0RMaGZnOWFRajhzR1pwcTFDemhoU0dOcGdUT1MzTT0=&h=1de0f35993504dc0b701dba649c47bad&s=AVNPUEhUT0NFTkNSWVBUSVa_qXvDPnrSBHpRJaHIQaJVwu415HyUuiffwQxGIN-iWbT3P-cV6QgVRo1ABjER_50)

Accordingly, please now proceed with DAERA/26-646 on the basis of the clarification above and respond within the new 20-working-day time limit identified in the ICO guidance.

I reserve my position as to whether regulation 12(4)(c) was properly engaged in the first place, given the specificity of my original request and the fact that DAERA had already recently identified and disclosed the email concerned.

Yours sincerely,

Response:

As explained in the information sheet enclosed with the acknowledgement letter, under certain conditions, the Department has the right to refuse to respond to a request for information.

The Department will engage regulation 12(4)(b) Manifestly unreasonable in this instance, a completed Public Interest Test is included in Appendix A for your information.

NIEA has received a significant number of complex, extensive and often repetitive requests for information relating to the Lisbane site near Tandragee. Many of these requests seek similar or substantially the same information that has previously been requested and responded to.

The volume and complexity of these requests have placed a disproportionate burden on departmental resources and are significantly impacting the ability of NIEA staff to carry out their statutory functions. In particular, the time required to identify, retrieve, review and prepare responses to requests concerning the Lisbane site is affecting the Waste Permitting Team's capacity to fulfil its other statutory duties and regulatory responsibilities.

NIEA has already released a substantial amount of information relating to the Lisbane site into the public domain. This information is available through the DAERA Publication Scheme and can be accessed at the following link:

[DAERA Publication Scheme | Department of Agriculture, Environment and Rural Affairs](#)

In light of the significant volume of information already published and the ongoing impact that repeated requests are having on the department's resources, NIEA will not provide further responses to requests that seek information already published, previously released, or that substantially duplicate earlier requests. Requesters are therefore encouraged to consult the information available through the DAERA Publication Scheme in the first instance.

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,

Waste Permitting Team

APPENDIX A

Public Interest Test – Environmental Information Regulations

Reference Number – DAERA/26-738

Requested Information:

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[1.protection.sophos.com?d=ico.org.uk&u=aHR0cHM6Ly9pY28ub3JnLnVrL2Zvci1vcmdhbmlzYXRpb25zL2ZvaS9mcmVIZG9tLW9mLWluZm9ybWF0aW9uLWFuZC1lbnZpcm9ubWVudGFsLWluZm9ybWF0aW9uLXJIZ3VsYXRpb25zL3JIZ3VsYXRpb24tMTltNC1jLXJlcXVlc3RzLWZvcml1bGF0ZWQtaW4tdG9vLWdlbmVyYWwtYS1tYW5uZXlv&i=NjU1NTQ1Y2Y2MjBmMmMyMzA0ZGUxZTM3&t=VmQ5SytXb2JEVHBIY0RMaGZnOWFRcjR1pwcTFDemhoU0dOcGdUT1MzTT0=&h=1de0f35993504dc0b701dba649c47bad&s=AVNPUEhUT0NFTkNSWVBUSVa_qXvDPnrSBHpRJJaHIQaJVwu415HyUuiffwQxGIN-iWbT3P-cV6QgVRo1ABjER_50](https://eu-west-1.protection.sophos.com?d=ico.org.uk&u=aHR0cHM6Ly9pY28ub3JnLnVrL2Zvci1vcmdhbmlzYXRpb25zL2ZvaS9mcmVIZG9tLW9mLWluZm9ybWF0aW9uLWFuZC1lbnZpcm9ubWVudGFsLWluZm9ybWF0aW9uLXJIZ3VsYXRpb25zL3JIZ3VsYXRpb24tMTltNC1jLXJlcXVlc3RzLWZvcml1bGF0ZWQtaW4tdG9vLWdlbmVyYWwtYS1tYW5uZXlv&i=NjU1NTQ1Y2Y2MjBmMmMyMzA0ZGUxZTM3&t=VmQ5SytXb2JEVHBIY0RMaGZnOWFRcjR1pwcTFDemhoU0dOcGdUT1MzTT0=&h=1de0f35993504dc0b701dba649c47bad&s=AVNPUEhUT0NFTkNSWVBUSVa_qXvDPnrSBHpRJJaHIQaJVwu415HyUuiffwQxGIN-iWbT3P-cV6QgVRo1ABjER_50)

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Yours sincerely,

Exemption / Exceptions under consideration

Regulation 12(4)(b)

Reasons why the public interest would favour disclosure:

- Everyone has the right to access environmental information.
- Disclosure of the information would provide greater detail on the regulator's decision making process.

Reasons why the public interest would favour withholding:

- Complying with the volume of information requested would apply an unjustified level of diversion of resources from other statutory business, including regulation of the site in question.
- The subject of this request has already been partially addressed.

Conclusion

Following consideration of the Public Interest Test, the Department has decided that it would not be in the public interest to completely fulfil the request made by the requestor. The Department considers this to be manifestly unreasonable based on the burden of dealing with the request and consequent diversion of resources in dealing with this query. The requestor has been provided with a link to a large volume of information already released.

Waste Permitting