

Reference Number: DAERA/26-757

Request Details:

**NIEA discharge limits, Curraghinalt
CPLI (LA10/2017/1249/F; TrC
080/20_1; TrC 081/20_1.**



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

Northern Ireland Environment Agency

Water Regulation and Enforcement
Division

[Redacted]

By email to:

[Redacted]

Water Regulation Unit

17 Antrim Road

Lisburn

BT28

E-mail:

waterregulationcorrespondence@daera-ni.gov.uk

26 October 2026

Dear [Redacted]

Environmental Information Regulation 2004

I refer to your request for information received by the Department on 30 September 2026 that sought the following information:

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.

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Please provide the following recorded information. Where a request refers to a person, the role or team is sufficient.

(a) The model. The name or type of the model NIEA used to derive discharge limits for the Curraghinalt applications; its version; whether it was developed by NIEA or by an external party; the date from which NIEA has used it to derive discharge consent limits; and any guidance, procedure or quality-assurance document governing its use.

(b) The flaw. All recorded information identifying the flaw: whether it lies in the model's method, its code, its input data, or the way inputs were selected; which inputs are affected; and its effect on the limits produced, including the direction and scale of that effect.

(c) The baseline parameters. Records showing whether the reason for the flaw affects the baseline parameters used in the model, including water quality and flows; if so, which parameters are affected and how (for example, values that were wrong, data that was omitted or wrongly included, or the way baseline values were calculated); and the effect on the limits produced.

(d) Why no limits were provided. Records setting out why NIEA could not provide discharge limits on 29 September 2026; what prompted the review in which the flaw was found; and when, how and by whom it was identified.

(e) Other discharge consents. Records showing:

- (i) whether the model, method or input data is NIEA's standard approach to deriving discharge consent limits, either for all discharge consents or for particular types of discharge;
- (ii) whether NIEA has used it to derive limits for any other discharge consent, consent review or statutory consultation response;
- (iii) how many such consents or responses there are, and the date of the earliest;
- (iv) any assessment by NIEA of whether the flaw affects, or potentially affects, those consents or responses, including whether it potentially affects every discharge consent set using the model and, if so, since what date; and the outcome of that assessment;
- (v) any list of the consents or responses concerned, giving the reference, the receiving water body and the date; and
- (vi) (vi) any decision to review them, or to notify consent holders, consultees or the public.

If a full list under (e)(v) cannot readily be extracted, the number of consents or responses by year, and by type of discharge, will do in the first instance.

I can advise that the Department has completed its search and can confirm that it holds some of the information you requested.

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The information held which can be disclosed is below.

(a) *The model.*

The Model NIEA uses to derive consent limits is the River Quality Planning Tool (RQP). It is one of the main tools used for discharge permitting and water management in the UK and was originally used by the NIEA, under licence from the Environment Agency in GB, who developed the model. The Environment Agency has now made the model open-source and it can be found here:

<https://github.com/DEFRA/RQP-MPER>

The model has been in use since c. 2000. NIEA internal guidance governing the use of the model is currently under review. Current internal guidance for its application is provided at **Annex A**.

(b) *The flaw.*

As outlined in oral evidence to the Inquiry, errors were identified in the selection of appropriate input parameters.

Regulations 12(5)(b) (course of justice) and 12(4)(d) (material in the course of completion) are considered applicable, as the analysis is legally privileged and remains under development pending completion of the ongoing work.

(c) *The baseline parameters.*

NIEA's analysis indicates that it was the selection of appropriate input parameters and not the data themselves that were incorrect.

Regulations 12(5)(b) (course of justice) and 12(4)(d) (material in the course of completion) are considered applicable, as the analysis is legally privileged and remains under development pending completion of the ongoing work.

(d) *Why no limits were provided.*

There are no records pertaining to this aspect, since the problem was identified on the evening before and a decision was reached verbally between NIEA officials in discussion with Counsel on the way to proceed regarding advising the Commission.

Regulation 12 (4) (a) therefore applies, since the information is not held.

(e) *Other discharge consents.*

NIEA uses the RQP model to derive consent limits for all relevant discharges with approx.4000 consents extant consents with parameters derived using the model.

NIEA consider it would be manifestly unreasonable and likely to impose a disproportionate cost and burden due to the volume, to provide the details of these consents. Therefore regulation 12 (4) (b) is considered to apply. If you have an

interest in a particular consent or geographical area and are able to refine your request, we can reconsider what information we can provide.

The Department has decided not to disclose some of the information you requested as it considers some relevant exemptions to be engaged. In these instances, the Department is legislatively required to consider the public interest in disclosure. An associated Public Interest Test has been conducted and is attached for your information at **Annex B**.

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,

Water Regulation Unit

Northern Ireland Environment Agency

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