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My Ref: EIR_1_NIEA

Department of Agriculture, Environment and Rural Affairs
Northern Ireland Environment Agency: Access to Information

30 September 2026

Item	Detail
Subject	Urgent request for information under the Environmental Information Regulations 2004: the model NIEA used to derive discharge limits, the flaw NIEA has identified in it, and whether other discharge consents are affected
Context	Conjoined Public Local Inquiry, Curraghinalt Project: LA10/2017/1249/F; TrC 080/20_1; TrC 081/20_1
Requester	Patrick Haughey, third-party objector

1. BACKGROUND

- 1.1 On Tuesday 29 September 2026, NIEA, through its counsel Mr Byass, told the Conjoined Public Local Inquiry that it was unable to provide the discharge consent limits it was due to provide that day. NIEA stated that, while developing conditions on the evening of 28 September, it discovered that the model it had used to derive the limits was flawed. It referred to numerous inputs to the model as the issue, but did not identify the actual reasons.
- 1.2 There is no official recording of the Inquiry. The statements above are as I recorded them, and I would welcome correction of any detail.
- 1.3 This request is deliberately narrow. It concerns the model itself, the flaw, its effect on the baseline parameters, and whether other discharge consents are affected. A separate request of the same date deals with the Curraghinalt applications specifically.

2. INFORMATION REQUESTED

- 2.1 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) any decision to review them, or to notify consent holders, consultees or the public.

2.2 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.

3. HANDLING

- 3.1 This is a request for environmental information under regulation 5 of the Environmental Information Regulations 2004. The Regulations require a response within 20 working days (regulation 5(2)). The Water and Water Ecology topic of the Inquiry closes on 7 October 2026, so I ask for the earliest possible response, and for each item to be released as soon as it is ready.
- 3.2 The Regulations apply a presumption in favour of disclosure (regulation 12(2)). The information concerns emissions to water: under regulation 12(9), the exceptions in regulation 12(5)(d) to (g) cannot be relied on for information on emissions. If any information is withheld, please identify the exception, set out the public interest balance, and release the remainder (regulation 12(11)).
- 3.3 Please provide the information electronically, and any model input or output data in its native format (for example, as spreadsheets), under regulation 6(1). Please respond to each item by its letter. If any item is considered too broad, please contact me under regulation 9 so that it can be refined, rather than refusing it.

Yours faithfully,

Patrick Haughey
Third-party objector