Reference Number: DAERA/26-767
Request Details: See Appendix A

Department of
Agriculture, Environment and Rural Affairs
An Roinn
Talmhaíochta, Comhshaoil agus Gnóthaí Tuaithe
Depairtment o'
Fairmin, Environment an' Kintra Matthers
www.daera-ni.gov.uk

Northern Ireland Environment Agency
Waste & Industrial Pollution Regulation and Enforcement Division

[redacted]

NIEA Regulation Unit
17 Antrim Road
Lisburn
Tonagh
BT28 3AL

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

02 November 2026

Dear [redacted],

Environmental Information Regulations 2004

I refer to your request for information received by the Department on 4th October 2026 that sought the following information.

See Appendix A

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.

Following a preliminary review of information held and consideration of the Public Interest Test (Appendix B), the Department has decided that, due to the volume and complexity of this request it would not be in the public interest to fulfil it.

The Department considers this to be manifestly unreasonable under exemption 12(4)b as it would place a disproportionate burden on Departmental resources and significantly impact the ability of NIEA staff to carry out their statutory functions. In

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particular, the time required to identify, retrieve, review and redact information relating to this request would require the diversion of specialist staff from regulatory and operational duties for a prolonged period. This would adversely affect the authority's ability to perform its statutory responsibilities and provide services to the public.

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.

Kind regards,

Transfrontier Shipment of Waste, Persistent Organic Pollutants and Registration of Waste Carriers Branch.

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Appendix A – Requested Information

C. Information requested

12. Separately, I request the following recorded information under the EIR for the period 1 January 2021 to the date of your response, covering any Re-Gen site and any intermediate broker, dealer or carrier.

Part A — Shipments of Re-Gen plastics to LPP

Item 1. *Every notification, consent and movement document for shipments of plastic waste from Re-Gen to LPP or any LPP group facility.*

Item 2. *Where no notification was made, every Annex VII document NIEA holds or has obtained, showing the waste codes entered (Basel/OECD, including any B3011 or EU3011 entry, and List of Wastes) and the recovery facility and operation stated, together with any Article 18 contract.*

Item 3. *A schedule of those shipments: date, tonnage, waste code, carrier, dispatching Re-Gen site, and receiving LPP site and permit.*

Item 4. *Re-Gen's returns to NIEA under its licences and permits (including WML 38/10) showing plastics (including 19 12 04) dispatched to Ireland, by quarter and waste code.*

Item 5. *Any NIEA check, inspection, query, enforcement action, warning or refused shipment relating to these shipments, and related correspondence with Re-Gen, LPP, Ireland's National Transfrontier Shipment Office or Limerick City and County Council.*

Part B — Classification

13. I understand that shipments from Northern Ireland to Ireland remain subject to the EU regime under the Windsor Framework: Regulation (EC) No 1013/2006, or Regulation (EU) 2024/1157 where it applies, with the Transfrontier Shipment of Waste Regulations 2007. Please correct me if NIEA applies a different framework.

Item 6. *Which shipment regulation(s) NIEA has applied to Northern Ireland to Ireland shipments in each year since 2021, and any guidance or briefing on the point.*

Item 7. *How NIEA classifies plastics mechanically separated from residual waste: whether it treats them as capable of meeting B3011 or EU3011, or as notifiable (for example Y48); any contamination threshold or test it applies; and whether it treats them as still "mixed municipal waste collected from private households" under Article 3(5).*

Item 8. *Any decision or advice NIEA has given any operator on that classification, and any internal or inter-agency correspondence on shipping residual-derived plastics or counting them as recycled in WasteDataFlow.*

Part C — NIEA controls

Item 9. *NIEA's written procedures for assessing notifications and Annex VII shipments, including any check that the receiving facility's permit covers the waste code and tonnage; records of any such check for LPP; and any LPP authorisation NIEA holds for the period before December 2025.*

Item 10. *NIEA's Article 50 inspection plans since 2021; the number and outcome of inspections of residual-derived plastics, RDF/SRF or other 19 12 xx shipments; and any sampling or composition testing of recyclate from Re-Gen's black bin processing.*

Item 11. *Any certificate of recovery or other confirmation that material shipped to LPP arrived and was recovered, and any verification of those tonnages before they were accepted as recycling in WasteDataFlow.*

14. Where NIEA holds no information for an item, please say so, so that the absence of a control is on the record.

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Appendix B

Public Interest Test – Environmental Information Regulations

Reference Number: DAERA/26-767

Requested Information: See Appendix A

Exemption / Exceptions under consideration

Regulation 12(4)(b)

Reasons why the public interest would favour disclosure:

- Everyone has the right to access environmental information.
- DAERA is committed to conducting its business in a manner that is as open and transparent as possible**.**

Reasons why the public interest would favour withholding:

- Compliance would require the diversion of specialist staff from regulatory and operational duties for a prolonged period. This would adversely affect the authority's ability to perform its statutory responsibilities and provide services to the public.

Conclusion

Following consideration of the Public Interest Test, the Department has decided that it would not be in the public interest to 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.

Transfrontier Shipment of Waste, Persistent Organic Pollutants and Registration of Waste Carriers Branch.

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