Environment Marine and Fisheries Group
Marine and Fisheries Division

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

Our reference: DAERA/26-795

[redacted]

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Email: marine.inforequests@daera-ni.gov.uk

02 November 2026

Dear [redacted]

Environmental Information Regulations 2004

Regarding your request for information received by the Department on 04 October 2026 which sought the following information:

1. Please either provide, or confirm expressly that NIEA does not hold:

(i) the other water-quality results for the same sites and period (for example general physico-chemistry, nutrients, metals and other priority or specific substances);
(ii) any sediment results;
(iii) any biota results, including shellfish flesh and fish tissue;
(iv) any pyrethroid results for 1 January 2020 to 11 December 2024. Annex A has none for that period.

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2. Please confirm whether the search included the teams responsible for transitional, coastal and marine monitoring and for shellfish water protected areas. It should also have covered any such data held on the Department's behalf, for example by AFBI (regulation 3(2)).

3. Item 4 also asked for (a) any site drainage plan for the bale storage area and (b) any discharge consent relating to surface water from that area. The response does not address either. Please provide them, or confirm expressly that they are not held.

4. (i) that LN/13/35/V3 is the licence referred to in NIEA records as "WML 22/59", and that it is the current version with no later modification;
(ii) whether any condition on chemical use, spraying, fogging or misting is contained in the Working Plan (condition 1.2.1). The Working Plan is not on the register. Please provide the parts of it on pest control, odour control, chemical use, drainage and pollution prevention, since these fall within item 4; and
(iii) whether NIEA holds any notice of change to the Working Plan under condition 1.2.2 concerning insecticide, biocide or deodorising product use. Condition 1.2.2 requires any such notice to be accompanied by "a written assessment of the effect … on the risk posed by the site to human health and the environment". If such a notice and assessment exist, they fall within item 3.

5. I note the Department's position that it holds no environmental assessment of insecticide, biocide or deodorising product use at the Re-Gen facility. Where environmental information is not held, the correct basis is the exception in regulation 12(4)(a), and a refusal notice under regulation 14 is required. Please confirm the position in that form, with a brief description of the searches made: which teams, and whether the waste regulation and water regulation case files for the site were included. Please also confirm whether the search covered the Working Plan file and any submissions under conditions 1.2.2 and 1.2.3 of the licence. Item 3 also asked for any NIEA assessment of spray drift or runoff to the water environment. Please confirm that this was included in the "not held" answer.

6. (i) Several results carry the comment "Dilution factor applied", including cypermethrin at Narrow Water on 20 August 2025 (61.81 ng/l) and 17 November 2025 (51.96 ng/l). Please explain what this means for each result, and give the limit of detection and limit of quantification that applied after dilution.

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(ii) Please confirm whether results are for whole water or the dissolved fraction, the analytical method used, and whether the laboratory is accredited for these substances.

(iii) The coordinates for both sites on 12 December 2024 are given as latitude 55.0464. This appears to be an error, since the sites are at 54.0747 and 54.1111 on every other date. Please confirm.

(iv) On 25 June 2014 one row is labelled site CL2 but carries the name and coordinates of Carlingford Lough 4.

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

1.
(i) These are provided in Carlingford WQ.csv and Carlingford Chemicals.csv.
(ii) No chemical analyses of sediments have been undertaken within the area or timeframe requested (within 2 km of Warrenpoint Port and from 1 Jan 2000 to date).
(iii) Monitoring results for mussel flesh are provided in Carlingford Biota.csv.
(iv) All chemical data including pyrethroids are included in Carlingford Chemicals.csv and CL Pyrethroids.csv.

2.
The search included the teams from DAERA Marine and Fisheries Division responsible for transitional-, coastal-, and marine monitoring as well as for shellfish water protected areas.
AFBI is a separate corporate entity from DAERA and NIEA and do not input into FOIs or EIRs for the DAERA or NIEA. Requests for information held by AFBI would need to be directed to AFBI directly.

3.
I can advise under 12(4)(a) the information requested is not held as confirmed by the NIEA team who regulate the site.

4.
(i) This is the latest version.
(ii) The Working plan has previously been provided under EIR and is available on the DAERA website DAERA/26-418 - A copy of the current working plan referred to in the Waste Management License for the ReGen facility at Warrenpoint Port. | Department of Agriculture, Environment and Rural Affairs
(iii) We do not hold any notice of change, Working Plan as above.

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5. I can advise under 12(4)(a) the information requested is not held as confirmed by the NIEA team who regulate the site.

6.
(i) Where a dilution has been used the Cypermethrin concentration in the original sample extract was above the linear range of the method of analysis. The extract was then diluted and reanalysed to bring it within the linear range. The aim of dilution is to bring the concentration of the diluted extract within the linear range of the calibration graph which was the case for all sample extracts that required dilution, including for the 2 samples highlighted above. The reported concentration for both results was well above the Limit of Quantitation times the dilution factor. Limit of Detection is a meaningless metric, The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017 stipulates that data be reported to a Limit of Quantitation.
(ii) In compliance with the needs of the The Water Environment (Water Framework Directive) Regulations (Northern Ireland) 2017, analysis was performed on the whole sample using a method of analysis developed in-house and validated to the ISO 17025 standard and as per the requirements of both the Regulations and UKAS.
(iii) All site names and co-ordinates have been corrected.
(iv) All site names and co-ordinates have been corrected.

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]

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