Reference Number: DAERA/26-826
Request Details:
Land located northeast of 121
Rossdowney Road,
BT47 5SU.

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 and Industrial Pollution
Regulation and Enforcement Division

[redacted]

Waste Regulation Unit Planning Response Team
NIEA
17 Antrim Road
Lisburn
BT28 3AL

E-mail: LGWinfo@daera-ni.gov.uk

09 November 2026

Dear [redacted]

Environmental Information Regulation 2004

I refer to your request for information received by the Department on 27 October 2026 that sought the following information:

1. Please provide any evidence which refers to the exact location of the tarry waste pit within the land parcel identified below. This may include a historic map of the tarry waste pit indicating the area of the boundary; or coordinates showing the exact location with a buffer indicating the estimated area of the former tarry waste pit;
2. Please provide any environmental reports that were prepared in relation to the tarry waste site at Rossdowney Road. One such report was identified in a previous FOI request (attached) which was prepared by Entec (1996);
3. Please provide any evidence of remediation works (if any) undertaken at the site and the results / status of such works. If a third-party contact should be provided in response to this query, please include an email address and contact phone number to the relevant department (in accordance with GDPR regulations); and
4. Please confirm if there are legislative requirements regarding the need for a buffer between the former tarry waste pit and any potential development, including mitigation requirements should topsoil be disturbed during construction works.

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

The information held which can be disclosed is summarised below and attached at **Annex A**.

The Department has decided not to disclose some of the information you requested as it considers Regulation 12 / Section 5(b) to be engaged.

1. Please provide any evidence which refers to the exact location of the tarry waste pit within the land parcel identified below. This may include a historic map of the tarry waste pit indicating the area of the boundary; or coordinates showing the exact location with a buffer indicating the estimated area of the former tarry waste pit;

A plan of the Rossdowney Road site from the ENTEC report (1996) has been provided along with the borehole logs for the boreholes identified on the plan. To the knowledge of NIEA this represents the most recent investigation of the site and the extent of tar in the quarry.

2. Please provide any environmental reports that were prepared in relation to the tarry waste site at Rossdowney Road. One such report was identified in a previous FOI request (attached) which was prepared by Entec (1996);

The Department has decided not to disclose this information you as it considers Regulation 12 / Section 5(b) to be engaged. The Department has considered this element within the test attached at **Annex B** and has determined that no lawful basis for disclosure under EIR exists. Please bear in mind that any disclosure must be considered in terms of disclosure to the “world at large” and not just to you, the requester.

3. Please provide any evidence of remediation works (if any) undertaken at the site and the results / status of such works. If a third-party contact should be provided in response to this query, please include an email address and contact phone number to the relevant department (in accordance with GDPR regulations);

NIEA have no information that remediation has been undertaken at the site.

4. Please confirm if there are legislative requirements regarding the need for a buffer between the former tarry waste pit and any potential development, including mitigation requirements should topsoil be disturbed during construction works.

There is no legislative requirement for a buffer between tarry waste and any new development. Any new development where potential land contamination may be

present would require supporting information to be provided as part of an application for planning permission.

The supporting environmental information required is set out in the Environmental Advice for Planners available at: Environmental Advice for Planning | Department of Agriculture, Environment and Rural Affairs.

The DAERA Developers Guide - Redeveloping Land Affected by Contamination available at: https://www.daera-ni.gov.uk/publications/best-practice-guidance-documents may also be of use.

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]
Waste Regulation Unit Planning Response Team

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