

Our reference: DAERA/20-333

[REDACTED]

[REDACTED]

Waste Regulation
Klondyke Building
Gasworks Business Park
Malone Lower
Belfast
BT7 2JA

Tel: [REDACTED]

Email: [REDACTED]

4 January 2021

Dear [REDACTED]

Environmental Information Regulations 2004

I refer to your request for information received by the Department on 09 December 2020 that sought the following information:

The required dataset of facility waste returns data will indicate how much of each waste type each facility has received and removed each year.

This includes all facilities (incinerators, cement kilns, gasifiers, AD, composting (open windrow, IVC), recycling centres/reprocessing, transfer stations, biological/chemical/physical treatment, MRFs, MBTs etc.)

Could this data please be in an Excel (or .csv) format, and include for each facility:

- ***Site name***
- ***Operator***
- ***Postcode***
- ***Permit/ licence number***
- ***Permitted capacity***
- ***Inputs or outputs by EWC code, and***
- ***Year***

Please could I get this data for 2014, 2015, 2016, 2017, 2018 and (if possible) 2019.

Sustainability at the heart of a living, working, active landscape valued by everyone.



Department of

**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

I can advise that the Department has completed its search and can confirm that it holds some of the information you requested re all facilities (incinerators, cement kilns, gasifiers, AD, composting (open windrow, IVC), recycling centres/reprocessing, transfer stations, biological/chemical/physical treatment, MRFs, MBTs etc.) making waste returns.

In regard to waste recycling centres operated by the District councils the Department does not hold this information, however, it is already available via the WasteDataFlow web portal www.wastedataflow.org (for which is accessible to members of the public). Questions 16c and 23 for the Northern Ireland District Councils for the years in question contain the specific information you are seeking.

I wish to advise you that the annual tonnage received by European Waste Catalogue (EWC) code from each individual site cannot be disclosed as the disclosure of such data would cause substantial prejudice to the commercial undertaking and economic interest of the relevant companies / sites as it would lead to competitors gaining an unfair advantage and therefore EIR Regulation 12(5)(e) provides an exemption from disclosure.

A public interest test has been completed and is attached in Appendix A.

However, it has been possible to indicate the specific / individual EWC codes of wastes received and removed by each site under each authorisation in each year.

Further by aggregating these individual tonnages it has been possible to give the total tonnage of waste received and removed under each authorisation by each site for the years where we have data. In this section the site type description and the annual maximum tonnage of waste (where they have been separately recorded) have been included as requested

For those sites where no site type description / classification and / or annual maximum allowed have been separately recorded, this information is already available from an examination of the authorisation via the web public registers below:

<https://appsdaera-ni.gov.uk/wasteexemptions/>

<https://appsdaera-ni.gov.uk/wastelicences/>

<https://appsdaera-ni.gov.uk/ipri/>

Sustainability at the heart of a living, working, active landscape valued by everyone.

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.





Department of

**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

This information has exclusively been supplied as an (Excel) spreadsheet due to its tabular & voluminous nature and as requested by yourself.

The supply of information in response to a freedom of information request does not confer an automatic right to re-use the information. Under UK copyright law you can use any information supplied for the purposes of private study and non-commercial research without requiring permission. Similarly, information supplied can also be re-used for the purposes of news reporting. An exception to this is photographs.

For other forms of re-use, for example publishing the information, you would need the permission of the organisation or person who owns the copyright. In the case of information produced by government departments and agencies you can re-use the information under the Open Government Licence. For information about this please see <http://www.nationalarchives.gov.uk/doc/open-government-licence/open-government-licence.htm>

If, however, the copyright is identified as belonging to somebody else, you will need to apply for permission. For information about how to obtain permission from a third party, please go to Intellectual Property Office's website at

<http://www.ipo.gov.uk/types/copy/c-other.htm>

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, Ballykelly 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.

Sustainability at the heart of a living, working, active landscape valued by everyone.

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.





Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

Yours sincerely,



NIEA Waste Regulation

Enc

***Sustainability** at the heart of a living, working, active landscape valued by everyone.*

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.





Department of

**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk

Appendix A

DAERA DAERA/20-333: Public Interest Test (PIT)

Assessment of EIR request from [REDACTED], Eunomia Research and Consulting, 29 Clerkenwell Road, London, EC1M 5RN

Subject of public interest test

The Inputs and outputs by EWC code by individual site by year (namely 2014, 2015, 2016, 2017, 2018, 2019) for all (incinerators, cement kilns, gasifiers, AD, composting (open windrow, IVC), recycling centres/reprocessing, transfer stations, biological/chemical/physical treatment, MRFs, MBTs etc.) sites making waste returns.

Exception being considered

Environmental Information Regulations 2004- Regulation 12(5)(e)- adversely affect the confidentiality of commercial or industrial information.

Reasons for Disclosure:

- Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure
- DAERA is committed to conducting its business in a manner that is as open and transparent as possible.

Reasons against Disclosure:

- This information relates to EWC codes received and removed at individual sites and as such could be used to ascertain the extent / efficiency to which a business is carrying out specific allowed operations at a particular site. This information could be used to give a commercial advantage to a competitor to the existing company re the provision of similar specific operations in a particular area / areas. Therefore to release this information would cause a substantial prejudice to the commercial undertaking and economic interest to the companies, which impacts on the public interest of the wider economy.
- The Department, having previously consulted with such sites (e.g. authorised waste operators) has prior knowledge of their position which is that they consider giving out such detailed information as EWC movement data on / off their individually identifiable sites as commercially sensitive as if the information were released it would provide a competitor with an unfair advantage.

Conclusion:

In considering the Public Interest Test in relation to the use of this exception we recognise that Regulation 12(2) requires DAERA to apply a presumption in favour of disclosure and to be as open and transparent as possible. However, withholding the information allows the companies to operate in a fair market without unfair advantage being given to competitors therefore the public interest in favour of disclosure is outweighed by that in favour of withholding

Sustainability at the heart of a living, working, active landscape valued by everyone.

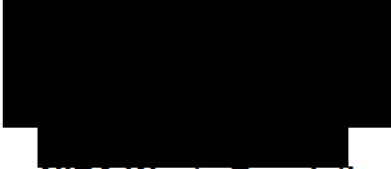
If you are deaf or have a hearing difficulty you can contact the Department via the Next Generation Text Relay Service by dialling 18001 + telephone number.





Department of
**Agriculture, Environment
and Rural Affairs**

www.daera-ni.gov.uk



NIEA Waste Regulation

4th January 2021

***Sustainability** at the heart of a living, working, active landscape valued by everyone.*

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.

