

EIR Request (received 20 March 2019) - Reference: DFI/2019-0114

For all of Northern Ireland please provide the following information, in relation to oil spillages, e.g. diesel, on roads, and the clean-up that follows, for each of the years: 2016, 2017, 2018, and 2019:

1. How many oil spills have been reported?
2. What was the cost for cleaning up ?
3. How many (individuals, businesses, organisations, etc.) have been prosecuted?
4. How much has been recovered towards the cost of cleaning-up?

Response (issued 17 April 2019)

Thank you for your email dated 20 March 2019 requesting information under the Freedom of Information Act 2000 in relation to oil spills and associated information for the periods 2016, 2017, 2018 & 2019.

In considering your request on behalf of the Department I have determined that the information requested falls under the aegis of the Environmental Information Regulations 2004 (EIR), as opposed to Freedom of Information Act 2000. Your request is for information that relates to activities, policies or plans that affect the environment. Section 39 of the Freedom of Information Act specifically excludes from consideration under that Act requests for what is deemed to be environmental information.

A guide explaining the Environmental Information Regulations can be found at:

<https://ico.org.uk/for-organisations/guide-to-the-environmental-information-regulations/what-are-the-eir/>.

The Environmental Information Regulations established general public rights of access to environmental information held by public authorities, similar to the general rights established under FOI, information provided in response to a request is considered to have been placed in the public domain. There is no provision for privileged access to information, it may either be released to the World at large, or it must be withheld. Any information provided in response to an information request (either FOI or EIR) is considered to have been placed in the public domain.

In response to your request, I shall respond to each of your queries in tum:

1. *How many oil spills have been reported for each of the years 2016, 2017, 2018, 2019?*

The number of oil spills reported to the Department during the calendar years 2016, 2017, 2018 and 2019 (up to 31st March) are set out below:

Year	Spills
2016	1,363
2017	1,987
2018	1,108
2019 (to 31 March)	285

Please note that the figures above may include multiple reports of an oil spill at the same location.

2. What was the cost for cleaning up?

The cost of cleaning oil spill will vary greatly depending on the size of the spill, the location and the amount of staff, materials and equipment used however the Department does not maintain a record of expenditure in the format requested.

3. How many (individuals, businesses, organisations, etc.) have been prosecuted and how much has been recovered towards the cost of cleaning-up?

There have been no prosecutions in relation to oil spills during the period in question and therefore no amounts recovered from the perpetrators of oil spills.

You will appreciate the many difficulties in identifying offenders and proving a case regarding oil spills, as the courts will require substantial and clear evidence before an effective prosecution can be brought. In the vast majority of cases of oil spills, the Department is unaware of the offender and therefore cannot pursue the matter any further.

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