

Our Ref: F0184379

Mr Don Staniford
Protect Wild Scotland
6 Argyle Street
Ullapool
Wester Ross
IV26 2UB

If telephoning ask for:
Cara Everitt

11 February 2014

Dear Mr Staniford

REQUEST FOR INFORMATION

Thank you for your recent email, received by SEPA on 24 January 2014, in which you asked for the following information:

Please provide information on sea lice disposal, water pollution incidents, environmental health violations and effluent monitoring at the Wester Ross Fisheries processing plant in Dingwall since 2002. Please therefore include any information relating to the disposal of sea lice, effluent monitoring results, environmental health issues, inspection reports, testing and pollution issues at the Wester Ross Fisheries processing plant in Dingwall. Please include any letters and emails to and from Wester Ross Fisheries/Salmon.

We have applied the exemption under Section 39(2) of the Freedom of Information (Scotland) Act 2002 as we have determined that the information sought in your request is environmental information. We are therefore handling your request under the terms of the Environmental Information (Scotland) Regulations 2004. (EIRs)

We passed your enquiry to the relevant Operations team who provided the following response:

SEPA have records of two Environmental Events at the Dingwall Business Park that may be related to the activities at the Wester Ross factory. Please see the enclose pollution incident for full details. Please note that there are two fish processing factories in the Dingwall Business Park and these two events may be attributed to either of them.

Please note that personal data has been blanked out from a small number of the attached documents in accordance with Regulation 11(2) of the EIRs and Data Protection Principles. We have considered public interest in respect of the withholding of this personal data and have determined that the public interest in withholding this specific information outweighs the public interest in its release in to the public domain. Please note that we have not withheld complete documents which contain such personal data and have released all other information within the document which is not subject to requirements of the Data Protection Act 1998.

There have been odour issues within the Business Park, and Wester Ross salmon were one party who attended a meeting in relation to these. Please see the enclose document 'Minutes' for a copy of the minutes from this meeting.



Chairman
David Sigsworth

Chief Executive
James Curran

Stirling Office

Erskine Court, Castle Business Park, Stirling FK9 4TR
tel 01786 457700 fax 01786 446885
www.sepa.org.uk

SEPA hold no information relating to pollution issues that can be attributed to the Wester Ross Fisheries processing plant in Dingwall. This information is excepted under Regulation 10(4)(a) of the Environmental Information Regulations 2004. The text of which is reproduced below;

(4) A Scottish public authority may refuse to make environmental information available to the extent that- (a) it does not hold that information when an applicant's request is received.

SEPA hold no letters and emails to and from Wester Ross Fisheries/Salmon in relation to the processing plant in Dingwall. This information is excepted under Regulation 10(4)(a) of the Environmental Information Regulations 2004.

SEPA hold no information relating to the disposal of sea lice, effluent monitoring results, environmental health issues, inspection reports and testing in relation to the Wester Ross Fisheries processing plant in Dingwall. This information is excepted under Regulation 10(4)(a) of the Environmental Information Regulations 2004.

Under SEPA's duty to advise and assist under the terms of The Environmental Information (Scotland) Regulations 2004 regulation 9, please note the Wester Ross Fisheries processing plant in Dingwall has a discharge to the local sewer, and as such Scottish Water is the body who regulate this discharge.

As confirmed above SEPA does not hold this information on effluent monitoring, in accordance with Regulation 14(1)(b) of the Environmental Information (Scotland) Regulations 2004, we advise you to contact Scottish Water directly who may hold this information. The text of Regulation 14(1)(b) is reproduced below;

(1) Where a Scottish public authority has received a request to make environmental information available and does not hold that information but believes that another public authority holds the information requested then it shall:- (b) supply the applicant with the name and address of that other authority,

In accordance with the above, please note that the contact details for Scottish Water can be located in the link below.

<http://www.scottishwater.co.uk/about-us/freedom-of-information/freedom-of-information>

If you are not satisfied with our response, you have up until 8 April 2014 to request a formal review from SEPA at:

Access to Information
SEPA Corporate Office
Erskine Court
Castle Business Park
STIRLING
FK9 4TR
Email: foi@sepa.org.uk

If you are still not satisfied, you can appeal to the Scottish Information Commissioner.

Scottish Information Commissioner
Kinburn Castle
Doubledykes Road
St Andrews
Fife
KY16 9DS
Telephone: 01334 464610
Fax: 01334 464611
Email: enquiries@itspublicknowledge.info

Your unique reference number is F0184379. Please quote this in any future contact with us about your request.

If you have any queries in the meantime, please contact me.

Yours sincerely



Cara Everitt
Access to Information Co-ordinator

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ENV0841207_Redacted
Minutes

What to expect when making a Request for Information

Each request for information, under either The Environmental Information (Scotland) Regulations 2004 or the Freedom of Information (Scotland) Act 2002, is formally logged within a process which has a two internal stages and a subsequent right of Appeal to the Scottish Information Commissioner.

- Stage 1 – Request for information
- Stage 2 – Formal Review
- Stage 3 – Appeal for decision by Scottish Information Commissioner (OSIC)

Every internal formal review will be fair, reasonable, transparent and proportionate and will have clear terms of reference.

How you will be kept informed

You will receive a written acknowledgement for your enquiry. We aim to reply to all enquiries quickly and certainly within 20 working days. We will also contact you if we need further clarification regarding the request for information or if we need to issue a fees notice.

You will receive a response along with the requested information and/or an explanation regarding any withheld information.

Each enquiry will have a unique Reference Number which should be quoted when you contact us.

What happens once your enquiry has been responded to?

If you are not happy with the response (or have not had a response), you have the right to request a review from SEPA.

It is recognised that some enquiries may require the processing of personal data relating to customers, other external third parties and SEPA staff. We will ensure that such data is processed, recorded and retained in accordance with the requirements of the Data Protection Act 1998. (You have a right to see information about yourself via submitting a Subject Access Request under the Data Protection Act 1998.)

What to do if you are not happy with how your enquiry and review were handled

If you have already been through the two steps of making your request and requesting a review and are still not happy, you can appeal to the Scottish Information Commissioner. The Scottish Information Commissioner enforces Scotland's freedom of information laws and tells people about their rights to ask Scottish public authorities for information. The contact details are;

Scottish Information Commissioner

Kinburn Castle

Doubledykes Road

St Andrews

Fife

KY16 9DS

Telephone: 01334 464610

Fax: 01334 464611

e-mail: enquiries@itspublicknowledge.info