

Our Ref: F0188792

If telephoning ask for:
[REDACTED]

24 May 2018

Dear [REDACTED]

REQUEST FOR INFORMATION

Thank you for your recent request, received by SEPA on 28 December 2017 in which you asked for the following information:

- 1) *Please can you provide me with any complaints received in regards to the 2 Sisters site/s in Coupar Angus since August 25, 2017?*
- 2) *Can you also provide me with any compliance reports for the below 2 Sisters sites which will be considered in their 2017 assessments?*
CAR/L/1004601, CAR/L/1012604, PPC/E/0020065
- 3) *Can you provide me with details of any assessment of the 2 Sisters site/s in Coupar Angus SEPA have conducted since August 25, 2017?*
Can you also confirm, as of the present date, whether each site is complying with their PPC permit?
- 4) *Please can you provide me with any odour assessments in regards to the 2 Sisters site/s in Coupar Angus since August 25, 2017?*
- 5) *Please can you provide any documents and details relating to the loss of approximately 700l of Sodium Hypochlorite to land and potentially to Coupar Burn by 2 Sisters? Please can you also detail any similar incidents and their outcomes?*

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). In this case the public interest in maintaining this exemption and in dealing with the request in line with the requirements of the EIRs outweighs any public interest in disclosing the information under FOISA.

Response

1) Complaints received in regards to the 2 Sisters site/s in Coupar Angus since August 25, 2017.

At the time of receiving your request we confirm that SEPA had received the following complaints;

- 12 September 2017 - ENV/0888046, Cat 3 Minor. ELMS record states they found odour offensive.
- 15 September 2017 - ENV/0888118, Cat 3 Minor. Offensive odour noted.

- 01 October 2017 - ENV/0888342, Cat 4 Other.
- 5 May 2018 - ENV/0891669
- 07 April 2018 - ENV/0891082, Cat 4 Other

2) Compliance reports

- CAR/L/1004601 – One assessment logged on the 17 April 2018 in relation to data returns. The licence is for a borehole abstraction at the 2 Sisters Letham premises. Operations stopped at the site in June 2015 but the licence hasn't been surrendered. There is no activity on site but as the licence is active it has been marked down in 2017 as at risk due to there being no data returns submitted.
- CAR/L/1012604, - One inspection logged on the 21 March 2017. One Data Return logged on the 26 April 2018 please refer to enclosed screenshots of inspections.
- PPC/E/0020065 – Inspection on the 21 March 2017, 7 August 2017 and 14 November 2017. Please refer to the enclosed copies of two environmental events and two data returns.

3) Assessment and Compliance

In addition to the above, please also refer to the enclosed copy assessment report following an inspection on 20 March 2018

The current compliance status:

- CAR/L/1004601 – Overall Interim Assessment: Excellent
- CAR/L/1012604 - Overall Interim Assessment: Excellent
- PPC/E/0020065 – Overall Interim Assessment: Good

4) Odour assessments

In relation to the PPC/E/20065 site, the event report referred to above relates to an odour complaint and investigation.

In addition please refer to the attached spreadsheet which indicates that six odour assessments have been completed since August 25, 2017. None have recorded the odour as offensive.

5) Loss of Sodium Hypochlorite to land and potentially to Coupar Burn

Please find documents relating to loss of Sodium Hypochlorite to Land. There was one similar incident on 15 September 2017, this was a spillage of blood. Documents are enclosed to the later incident, we have withheld one document as it was submitted in handwritten format.

Please note that personal information has been redacted from the 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.

If you are not satisfied with our response, you have up until 19 July 2018 to request a formal review from SEPA at:

Access to Information
SEPA
Strathallan House
Castle Business Park
Stirling
FK9 4TZ
Email: foi@sepa.org.uk

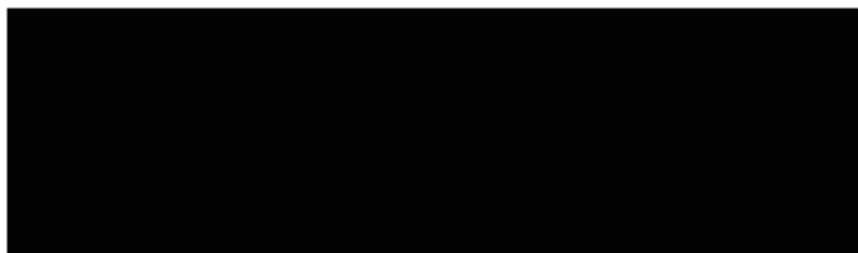
If you are still not satisfied, you can appeal to the Scottish Information Commissioner.

www.itspublicknowledge.info/appeal

Your unique reference number is F0188792. 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



What to expect when making a Request for Information

Each request for information, under The Environmental Information (Scotland) Regulations 2004 or the Freedom of Information (Scotland) Act 2002, is formally logged by the authority. The request falls within a process that has two internal stages carried out by the authority; a right of appeal to the Scottish Information Commissioner followed by an appeal to the Court of Session on a point of law only.

- Stage 1 – Request for information
- Stage 2 – Formal Review
- Stage 3 – Appeal for decision by Scottish Information Commissioner (OSIC)
- Stage 4 – Appeal to the Court of Session on a point of law only.

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

How you will be kept informed

You will receive an acknowledgement for your request and Formal Review. We aim to reply to all enquiries promptly, within 20 working days. You will receive a response along with the requested information and/or an explanation regarding any withheld information. We may also contact you if we require clarification or if we are issuing a fees notice.

What happens once your enquiry has been responded to?

If you are not happy with the response or have failed to receive a response, you have the right to request a Formal Review from SEPA.

We will ensure that all personal data is processed, recorded and retained in accordance with the requirements of the Data Protection Act 1998 throughout the handling of each request. 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 are unsatisfied with our Formal Review response or have failed to receive a response, you can then appeal to the Scottish Information Commissioner via the links below.

www.itspublicknowledge.info/appeal

<http://www.itspublicknowledge.info/home/ContactUs/ContactUs.aspx>

Should you wish to appeal against the Scottish Information Commissioner's decision, you have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of the decision.