



Ref: EIR / 2309

04 March 2019

Mr
Enagh Youth Forum

Email: enaghyf@gmail.com

Dear Mr

Freedom of Information Act 2000 Request Tarry Waste

I refer to your EIR request and respond as follows:

1: Please outline the total number of Tarry Waste Sites still existing in the Rural Faughan DEA and their current status?

In 1992 the Environment Service, Department of the Environment for Northern Ireland (DOE (NI)) commissioned an investigation to assess environmental risks associated with the deposits of tarry wastes. In March 1996 the Environment Service DOE (NI) produced a report prepared by Entec "Investigation of Environmental Risks from "Tarry Waste" Disposal Sites Londonderry Area, Northern Ireland".

Based on this report the total number of sites in the Rural Faughan DEA investigated at the time was 23. Of these 23 sites, the presence of tar was confirmed at 6 sites due to its physical presence on site or on the basis of historical records (Category A & B in the Entec Report), at 2 sites the presence of tar was strongly inferred based on geochemical data (Category C in the Entec Report), at 4 sites tar was possibly present (Category D in the Entec Report) and at 11 sites the presence of tar was unconfirmed (Category E in the Entec Report).

2. Please list locations of these sites?

Please see below table which lists the sites within Rural Faughan DEA investigated as part of the 1996 Entec report "Investigation of Environmental Risks from "Tarry Waste" Disposal Sites Londonderry Area, Northern Ireland".

Derry

C/o Council Offices
98 Strand Road
Derry
BT48 7NN

Strabane

C/o Council Offices
47 Derry Road
Strabane
BT82 8DY

+44 (0) 2871 253 253
info@derrystrabane.com
www.derrystrabane.com

f Derry City & Strabane District Council
@dcscouncil

Site No	Site Name	Category
2	Falloward	A
3	Rosstowney Road	A
4	Mobuoy Road	A
5	Tirbracken Road	A
7	Carmoney Road	A
10	Mobuoy Road	A
12	Craigback Road	C
26	Highmoor Cross	C
8	Fawney Road	D
11	Ardkill Road	D
17	Temple Road	D
22	Burntollet Bridge	D
13	Judges Road	E
14	Judges Road	E
15	Highmoor Road	E
16	Fincairn Glen	E
18	Donnybrewer	E
19	Gortree Road	E
20	Gortree Road	E
23	Craigback Road	E
24	Highmoor Road	E
25	Highmoor Road	E
27	Ervey Road	E

3. Please provide an update relating to clean up efforts at these sites?

The Northern Ireland Environment Agency is the lead agency with respect to remediation proposals at the Illegal Waste site at Mobuoy Road. Further information on the status of this site may be obtained by contacting the Land & Groundwater Team Regulation Unit within the NIEA:

Regulation Unit
Land and Groundwater Team
Klondyke Building
Cromac Avenue

Gasworks Business Park
Lower Ormeau Road
Belfast BT7 2JA

Following site inspections, assessment of the Entec report and discussions with relevant agencies about the tarry waste site at Tirbracken Road it was concluded in 2014 that the tarry waste deposits at this site were unlikely to present a risk to the health of the occupants of nearby residential property or wider public due to the absence of a credible/ actual pollutant linkage.

In 2014 the vast majority of the other tarry waste sites remain unchanged from the original Entec report.

The 1996 Entec report concluded that, based on the results of the study, the indications were that environmental impacts associated with the tarry wastes appear to be limited and localised. Significant concentrations of full suites of tarry chemicals in local waters only occurred at a few sites, and rapid dilution with distance from the sites would result in no detectable impacts. The risk of contact and ingestion with tar was also very low (and unlikely) due to the isolated locations of many sites, the exception being two or three of the sites which were active workplaces. (Mobuoy Road no longer an active workplace).

Part 3 of the Waste and Contaminated Land (Northern Ireland) Order 1997 provides the legal provisions for the introduction of a Contaminated Land regime in Northern Ireland equivalent to that operating under Part 2A of the Environmental Protection Act 1990 (EPA 1990) in England and Scotland since 2000 and in Wales since 2001. The Order was enacted in 1997 but the regime is not yet in force. In the absence of such a regime the only role the Councils Environmental Health Service has in relation to contaminated land in general is assessing any planning applications outlining proposals for contaminated sites or adjacent land.

As referred to earlier further information on contaminated land may be available from the Land & Groundwater Team Regulation Unit within the NIEA.

If you are dissatisfied with our response you have rights of review and appeal; these rights consist of two review processes.

Firstly our internal review procedure is available by contacting:

John Kelpie
Chief Executive
Derry City and Strabane District Council
98 Strand Road
Derry BT48 7NN Tel 028 71253253 or email john.kelpie@derrystrabane.com

Secondly, you can appeal directly by contacting the Information Commissioner at:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
CHESHIRE SK9 5AF Tel: 0303 123 1113 (local rate) or email: casework@ico.org.uk

I would advise however, the Information Commissioner has indicated that a review will not be undertaken unless the Council has first had an opportunity to re-consider its decision.

Yours sincerely

**Principal Environmental Health Officer
Environment & Neighbourhoods Team**