



Department  
of Energy &  
Climate Change

Energy Group  
Energy Development Unit  
Offshore Environment and  
Decommissioning  
Atholl House  
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By e-mail

Our ref: 12/1517

5 December 2012

**Tel**

[www.decc.gov.uk](http://www.decc.gov.uk)  
[offshore.lectorate@decc.gsi.gov.uk](mailto:offshore.lectorate@decc.gsi.gov.uk)

Dear

Thank you for your e-mail of 29 October 2012 in which you requested the following information:-

*'I am contacting you to obtain a copy of the following documents under the Freedom of Information Act.*

- 1. Suncor Energy Romeo Exploration Oil Pollution Emergency Plan, Plan no 1786 Approved 10th Sept 2012*
- 2. Talisman Clyde/Orion Fields system Oil Pollution Emergency Plan, Plan no 1788 Approved 18th Sept 2012*
- 3. Premier Oil Spaniards Exploration Well (15/21a-E) Oil Pollution Emergency Plan, Plan no 1760 Approved 21st Sept 2012'*

We consider that the information that you have requested constitutes environmental information for the purposes of the Environmental Information Regulations 2004 (EIRs). Accordingly, your request has been dealt with under the terms of the EIRs.

Under these regulations, you have the right to:

- Know whether we hold the information you have requested and;
- Be provided with that information (subject to any exceptions which may apply).



We confirm that we do hold the information requested. Copies of the Oil Pollution Emergency Plans (OPEPs) are on the enclosed CD. Some information has been redacted from them (under exception 12(3) and 12(5)(a) and details are provided below.

Regulation 12(3) of the EIRs provides an absolute exemption for personal data, which then falls to be dealt with under the Data Protection Act (DPA). Personal data of third parties can only be disclosed in accordance with the data protection principles. In particular, the first data protection principle requires that disclosure must be fair and lawful and must comply with one of the conditions in Schedule 2 of the DPA. We do not think that it is fair to release the names and contact details of DECC staff below Senior Civil Service level, oil company personnel or staff in other organisations and do not think that any of the relevant conditions in Schedule 2 of the DPA apply. As a result, the names and contact details of staff in DECC below Senior Civil Service level, oil companies and other organisations have been redacted from these documents.

Regulation 12(5)(a) of the EIRs provides a qualified exception in relation to information to the extent that its disclosure would adversely affect public safety. The OPEPs contain emergency telephone numbers/contact details and form reference numbers for a number of organisations, which are not in the public domain. These are to be used in cases of emergency when public safety may be at risk and by those responsible for responding to an emergency. Were they in the public domain, they may be used other than by those persons and for those purposes and so public safety may be adversely affected. We have considered the balance of public interests in the application of the exception. There is a public interest in transparency. It is in the public interest to ensure that emergency details are used only in the event of an emergency and are kept free for that purpose by those persons who need to deal with such emergencies. Weighing these factors, we have concluded on balance that the public interest lies in favour of maintaining the exception at regulation 12(5)(a). Therefore, emergency contact details/form reference numbers have been redacted from the information supplied to you.

### **Appeals Procedure**

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within two months of the date of receipt of the response to your original letter and should be addressed to the **Information Rights Unit** [foi@decc.gsi.gov.uk](mailto:foi@decc.gsi.gov.uk).

Please remember to quote the reference number above in any future communications.

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at:



Department  
of Energy &  
Climate Change

Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

**Energy Development Unit**