

FOI 12/0550 BP North Uist Original Request

'Please can you send me a web link to the consultation and technical documents relating to BP's North Uist well application, including the environmental impact and emergency response plans, and details of the well design and drilling plan which were considered prior to the consent.'

http://www.decc.gov.uk/en/content/cms/news/pn12_027/pn12_027.aspx

'If these documents are not published on your web site, please can you provide any available documents and technical data by email.'

DECC Response 23 February 2012

Thank you for your e-mail of 22 March 2012 in which you requested the following information:-

'Please can you send me a web link to the consultation and technical documents relating to BP's North Uist well application, including the environmental impact and emergency response plans, and details of the well design and drilling plan which were considered prior to the consent.'

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'If these documents are not published on your web site, please can you provide any available documents and technical data by email.'

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

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).

The press statement by the Energy Minister Charles Hendry referred to in your request relates to the issue of consent to proceed with the proposed well under the Petroleum Act 1998, which was underpinned by an Environmental Statement relating to the proposed well, a Petroleum Operations Notice No.15B (PON15B) application seeking final approval of the environmental impact assessment for the well and seeking approval for chemical use and/or discharge during the drilling and completion operations, and an Oil Pollution Emergency Plan (OPEP). Your subsequent e-mail dated 19 April suggests that these are the documents likely to be of most relevance to the undergraduate project, and copies of the PON15B application and the OPEP have been placed on a CD and will be forwarded under

separate cover. I can confirm that a copy of the Environmental Statement can be found on the BP website at:

http://www.bp.com/liveassets/bp_internet/globalbp/STAGING/global_assets/downloads/S/scotland_north_uist_exploration_well_environmental_statement.pdf

You should note that there are other environmental submissions relating to the North Uist Well, such as the application for a navigational consent to locate the drilling rig, but we consider it unlikely that these submission will be relevant to the project. However, if you consider that these documents would be useful, please contact me to discuss your requirements.

You should also note that we cannot provide copies of the detailed well design and drilling plan, as the Health and Safety Executive (HSE) are responsible for examining those submissions. If you still require copies of those documents, it will therefore be necessary to contact the HSE.

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, 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, oil companies and other organisations have been redacted from the documents provided.

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 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, these emergency contact details have also been redacted from the documents provided.

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 Department, quoting the reference number above in any future communication.

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

Documents on CD;

OPEP 1633
PON15B/604

Please note that due to the size of the documents released they cannot be uploaded onto the DECC website, however, these documents can be obtained by emailing emt@decc.gsi.gov.uk