



Department
of Energy &
Climate Change

Energy Group

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To:
By email

Our ref – 13/0127

12.04.04.02/93c

20 February 2013

Dear

Thank you for your email dated Monday 23 January 2013, in which you requested the following information:

"I wish to make a freedom of information request relating to chemicals which are used in offshore oil production operations in the UKCNS, UKCNS and UKSNS of the North Sea.

I am interested in data which is collected and held by DECC via the EEMS database relating specifically to chemical applications which would be permitted under a PON15D and PON15F.

For the period 2012, I would like to request, for each separate chemical application recorded in EEMS:

Installation Operator, Installation Name (and any reference number), chemical "Product Name" (and/or CEFAS "registration number"), Chemical "Function", Chemical "HQ Band", "Product Warnings" and the presence of any "Substitution warning", the amount of chemical used, amount of chemical discharged to the environment. If possible, whether this is a "batch" or "continuous" chemical application (although I appreciate that this may derive from an alternative data source - the chemical permit - and may not be readily cross referenced).

For the same period, 2012 I would also like to request relevant data for EEMS04 for oil in waters (specific for each platform, the amount of water discharged, the kg of oil discharged, the concentration of oil discharged in water etc..)

I would also like to request the amount of produced water re-injected and the amount of oil re-injected."

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 that may apply).

The Department does hold information which falls within the scope of your request in relation to chemical information and oil in water data held in the Environmental Emissions Monitoring System (EEMS). In response to this part of your request, I have attached two spreadsheets to the email accompanying this letter which have been taken from EEMS.

The first spreadsheet details the chemical information for installations within the UKCS for the year 2012; detailing the chemicals used, quantity used and quantity discharged for each installation. One sheet provides production activity (PON15D) information and the other gives drilling activity (PON15F) information. The second spreadsheet provides information pertaining to the request for Oil in Water data.

You also requested the following information: '*Chemical "HQ Band" "Product Warnings" and whether this is a "batch" or "continuous" chemical application..*'; in relation to the EEMS information related to PON15D and PON15F permits. As you have previously been informed (please refer to your request EIR 11/1260) this information is not collated as part of the EEMS reports/returns process. This information is available on operators' chemical permit applications but is not readily accessible.

Gathering the specific information you request ('*whether this is a "batch" or "continuous" chemical application..*') would be likely to involve a significant cost and substantial diversion of resources from the Department's other work. It would require a very significant amount of searching, collating and cross-checking of individual permit applications to locate the appropriate information.

The Department approves a vast number of chemical permit applications each year containing a very substantial number of chemicals; for instance, in 2012 there were approximately 5000 chemicals included within the production and drilling chemical permits. We provide this information to illustrate, and let you understand, the volumes of information involved.

After careful examination of this part of your request under the terms of the Environmental Information Regulations 2004 (EIRs), we have determined that Regulation 12(4)(b) applies. Regulation 12(4)(b) states that a public authority may refuse to disclose information to the extent that the request for information is manifestly unreasonable. This exception is subject to the public interest test.

In applying this exception, we have considered the public interest test. We have applied a presumption in favour of disclosure as required by Regulation 12(2). We acknowledge that there may be public interest in the information you have requested: greater transparency makes the government more accountable to the electorate; makes public authorities more accountable; furthers public understanding of the issues with which those public authorities must deal; increases trust and also enables the public contribution to policy making to become more effective.

Having considered the public interests, we have concluded that the balance is not in favour of complying with your request. Therefore, we will not process this portion of your request as currently drafted any further at this stage.

We do wish to be as helpful as we can in assisting you in obtaining the information you are interested in. To assist you in refining your request, by narrowing its scope to be more specific concerning the precise nature of the information you wish to obtain, we suggest that:

- you may wish to focus on information relating to specific chemical permit applications and/or consider the time period that you are interested in.

We suggest that you review the material DECC makes publicly available on its website at the 'Environmental Data' web page at <https://www.gov.uk/oil-and-gas-environmental-data> to see if this would help you in making your request more specific.

Using the above suggestions to revise your request could make it more manageable. However, we must make you aware that even by narrowing or refining the scope of your request this may not in itself be enough to ensure that the exceptions mentioned above would no longer apply.

As mentioned previously (your ref The Centre for Environment, Fisheries and Aquaculture Science (CEFAS), an executive agency of DEFRA is responsible for ranking chemical products according to Hazard Quotient (HQ), calculated using the Chemical Hazard and Risk Management (CHARM) model. You may find the following link useful (<http://cefas.defra.gov.uk/industry-information/offshore-chemical-notification-scheme.aspx>). This provides a further link to the "*Definitive Ranked Lists of Registered Products, Excel Format ...*" which is maintained by

CEFAS and holds details of all registered chemicals within the UKCS, their HQ Band, Product Warnings, Substitution Warnings and Function where applicable.

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.

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

Yours sincerely

Energy Development Unit

