



Department
of Energy &
Climate Change

3 Whitehall Place,
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www.decc.gov.uk

Our ref: 12/1752

7th January 2013

ENVIRONMENTAL INFORMATION REQUEST : 12/1752

I refer to your e-mail of 12 December which made the following request:

I would be grateful for receipt of document which were created during the period 1 January 2012 to date relating to the following areas. In each case, the reference to shale gas activities includes exploration and (where applicable) the production of shale gas in the UK.

- (a) assessment of the estimated or likely fugitive methane emissions from shale gas activities;*
- (b) investigation or assessment regarding monitoring and controlling fugitive methane emissions from shale gas activities so as to minimise environmental impacts;*
- (c) assessment of the effectiveness of the existing regulatory structure applicable to the drilling, use and abandonment of boreholes (in connection with shale gas activities) in terms of keeping environmental impacts within current legal requirements;*
- (d) assessment of the effectiveness of the wider regulatory regime (so far as relevant to environmental impacts) applicable to shale gas activities.*

We have considered your request in accordance with the Environmental Information Regulations 2004 (EIRs) as the information you have sought disclosure of, does in our view, fall within the definition of 'environmental information' as stated in the EIRs.

After a preliminary assessment of your request we are unable to provide you with the environmental information requested because in our view the exception in regulation 12(4)(b) of the EIRs applies. This exception provides that a public authority may refuse to disclose information to the extent that the request for information is manifestly unreasonable. The amount of information you have requested is likely to be substantial. Gathering it together would therefore be likely to involve a significant cost and diversion of resources from the Department's other work. We would need to trawl various sources and officials within the department who have been involved in briefing on and looking at aspects of shale gas exploration and development, and it would not necessarily be clear from a report or document title whether or not it includes information relevant to paragraphs

(a) to (d) of your request, for example fugitive methane emissions or boreholes in connection with shale gas activities.



In applying this exception, we have considered the public interest in disclosing the information. In this respect we recognise that disclosure could enhance public understanding of the Government's position on shale gas and fracking and facilitate the accountability and transparency of Government decisions. However, we consider the balance of the public interest lies in favour of withholding the information. This is because your request would place a substantial and unreasonable burden on the resources of the Department and on balance, therefore, we consider that the public interest would be better served deploying our resource in undertaking core work of the Department.

We would suggest that you consider narrowing your request, perhaps for example by reducing the timeframe or limiting the request to specific documents or reports of which you may be aware. I should though add that if the scope of your request is reformulated, to the extent the request is for environmental information, exceptions to disclosure under the EIRs may still apply. Concerning any non-environmental information, you may wish to bear in mind when clarifying your request the cost limit of £600 for answering FOI requests (this represents the estimated cost of spending 3.5 working days determining whether the department holds the information and locating, retrieving and extracting the information). Exemptions to disclosure may still apply under FOIA to any narrower request.

Appeals procedure

If you are unhappy with the result of your request for information, you may request an internal review within two calendar months of the date of this letter. If you wish to request an internal review please contact 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. Contact details: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.