

Our Ref: F0188480

If telephoning ask for:
Michael Hampton

23 February 2018

Dear Mr Staniford

REQUEST FOR INFORMATION

Thank you for your recent request, received by SEPA on 06 February 2018, in which you asked for the following information:

Please provide information on site inspections and visits to salmon farms since 1 January 2015 (i.e. the last three years of data).

A simple breakdown of the number of visits per region/company per year would suffice.

If possible, please indicate when visits were "unannounced" and which were routine.

As context, Anne Anderson from SEPA is currently testifying to the Scottish Parliament and promised to provide the information above to the Environment, Climate Change and Land Reform (ECCLR) Committee so it should be readily and quickly available.

Please consider this a request for information under the relevant Freedom of Information and Environmental Information Regulations including both the Freedom of Information (Scotland) Act 2002 and the Environmental Information (Scotland) Regulations 2004 (as well as any other new or other regulations which may be appropriate).

We have applied the exemption under Section 39(2) of the Freedom of Information (Scotland) Act 2002 as we have determined that the information sought in your request is environmental information. We are therefore handling your request under the terms of the Environmental Information (Scotland) Regulations 2004 (EIRs). In this case the public interest in maintaining this exemption and in dealing with the request in line with the requirements of the EIRs outweighs any public interest in disclosing the information under FOISA.

Response

Please refer to the table below for the requested information. Inspections are normally pre-organised due to access and availability of operator at facilities, however SEPA has powers to visit any premises at any time. Inspections will typically examine cages or tanks, filters and settlement ponds, discharge points and storage of materials, medicines and chemicals. Data held by the company may also be examined. Data submitted to SEPA is assessed.

SEPA has a hazard and risk assessment tool to capture the inherent hazards and risks of a licenced activity. The output of this, when combined with the output of SEPA's Compliance Assessment Scheme

(CAS) gives the level of regulatory effort which is appropriate for any licenced activity/site. This assessment process leads to annual fluctuation in total number and frequency of visits within any regulatory regime.

Inspections and Visits to Salmon Farms
In 2015, 14% of 174 visits were unannounced
In 2016, 13% of 152 visits were unannounced
In 2017, 9% of 160 visits were unannounced.

If you are not satisfied with our response, you have up until 22 April 2018 to request a formal review from SEPA at:

Access to Information
SEPA
Strathallan House
Castle Business Park
Stirling
FK9 4TZ
Email: foi@sepa.org.uk

If you are still not satisfied, you can appeal to the Scottish Information Commissioner.

www.itspublicknowledge.info/appeal

Your unique reference number is F0188480. Please quote this in any future contact with us about your request.

If you have any queries in the meantime, please contact me.

Yours sincerely



Michael Hampton
Access to Information Co-ordinator

What to expect when making a Request for Information

Each request for information, under The Environmental Information (Scotland) Regulations 2004 or the Freedom of Information (Scotland) Act 2002, is formally logged by the authority. The request falls within a process that has two internal stages carried out by the authority; a right of appeal to the Scottish Information Commissioner followed by an appeal to the Court of Session on a point of law only.

- Stage 1 – Request for information
- Stage 2 – Formal Review
- Stage 3 – Appeal for decision by Scottish Information Commissioner (OSIC)
- Stage 4 – Appeal to the Court of Session on a point of law only.

Each enquiry will have a unique Reference Number which should be quoted when you contact us.

How you will be kept informed

You will receive an acknowledgement for your request and Formal Review. We aim to reply to all enquiries promptly, within 20 working days. You will receive a response along with the requested information and/or an explanation regarding any withheld information. We may also contact you if we require clarification or if we are issuing a fees notice.

What happens once your enquiry has been responded to?

If you are not happy with the response or have failed to receive a response, you have the right to request a Formal Review from SEPA.

We will ensure that all personal data is processed, recorded and retained in accordance with the requirements of the Data Protection Act 1998 throughout the handling of each request. You have a right to see information about yourself via submitting a Subject Access Request under the Data Protection Act 1998.

What to do if you are not happy with how your enquiry and review were handled

If you are unsatisfied with our Formal Review response or have failed to receive a response, you can then appeal to the Scottish Information Commissioner via the links below.

www.itspublicknowledge.info/appeal

<http://www.itspublicknowledge.info/home/ContactUs/ContactUs.aspx>

Should you wish to appeal against the Scottish Information Commissioner's decision, you have the right to appeal to the Court of Session on a point of law only. Any such appeal must be made within 42 days after the date of intimation of the decision.