



MINISTRY OF DEFENCE

Mr Carroll

request-327xxxxxxxxxx@xxxxxxxxxxxxxxxx.xxx

DE Sec-Sec PBFOI1

Defence Estates Secretariat
Defence Estates
Kingston Road
Sutton Coldfield
West Midlands
B75 7RL

Telephone (MOD): +44 (0)121 311 2451
Facsimile (MOD): +44 (0)121 311 3809
E-mail: secretariat@de.mod.uk

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Dear Mr Carroll

Request for Information: Effects of White Phosphorus Munitions

Thank you for your enquiry of 14 April 2010 to the Defence Science and Technology Laboratory and subsequent e-mails of 18 May and 5 June. These were passed to Defence Estates (DE) – the Ministry of Defence (MOD) organisation with responsibility for the defence estate – and have been dealt with under the Freedom of Information (FOI) Act 2000.

To recap, you asked five questions regarding the firing of white phosphorus munitions at sites in the UK by the British military, its potential environmental effects and work undertaken to remediate sites.

Let me begin by offering my sincere apologies for the time taken to acknowledge and respond to your request. This was due to an administrative error by DE and the need to identify what information is held across from the various relevant areas of DE and the MOD, in order to provide you with as full a response as possible. This work, which has proven to be more complex than originally hoped, is still ongoing, although I hope to bring it to a conclusion soon.

As you might be aware, the MOD has a Land Quality Assessment programme of works for its sites. This programme is prioritised based upon the risk posed rather than specific contaminants and therefore information relating to specific contaminants such as white phosphorus is not centrally collated. However, it is believed that a number of sites have been investigated where white phosphorous has been either identified or known to be present. To provide the requested details for each such site, including details of any remediation activities, would require the retrieval and scrutiny of various records located across DE and the MOD.

Section 12 of the FOI Act states that a public authority is not obliged to comply with a request for information if it estimates that the cost of complying would exceed the 'appropriate limit'. This limit is £600 and equates to 24 hours worth of effort on our part (calculated at £25/hour), roughly three and a half working days. It goes on to say that the public authority must provide advice and assistance to help the applicant refine the request so that information can be provided within the 'appropriate limit'.

It has been assessed that the costs involved in providing the information you have requested will exceed the £600 limit. Under the terms of Section 12 of the Act we are not obliged to comply with this part of your request. However, if you would like to refine your request in order to try and bring it under the appropriate limit please let me know. For example, we might be able to more easily provide information on specific sites of interest.

If you are not satisfied with this response or you wish to complain about any aspect of the handling of your request, then you should contact me in the first instance. If informal resolution is not possible and you are still dissatisfied then you may apply for an independent internal review by contacting the Head of Corporate Information, 6th Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail CIO-FOxxxx@xxx.xx). Please note that any request for an internal review must be made within 40 working days of the date on which the attempt to reach informal resolution has come to an end.

If you remain dissatisfied following an internal review, you may take your complaint to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not investigate your case until the MOD internal review process has been completed. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website, www.ico.gov.uk.

Yours sincerely

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