



Mr Carroll
[Request-97020-
xxxxxxxx@xxxxxxxxxxxxxxxx.xxx](#)

Our Ref: ERC/1521/YD 2100/YD

Your Ref:

Date: 16 March 2012

Dear Mr Carroll

Freedom of Information request – Discharge consents into Birmingham Canal Mainline from Rattlechain Lagoon

Requests for information recorded are generally governed by the Freedom of Information Act 2000 (FOIA). The information you have requested is environmental and it is therefore exempted from the provisions of FOIA by FOIA s.39 (1). We have therefore considered your request under the provisions of the Environmental Information Regulations 2004 (EIR).

I apologise for the delay responding in full to your Freedom of Information request received 13 December 2011. I have reviewed the reason for the delay and unfortunately the request was closed in error after sending only part of your request.

Please find below our response to your outstanding questions.

In response to "Can you confirm what limits either Severn Trent, the NRA or the Environment Agency set for white phosphorus in the effluent consent limits, or if this particular chemical was tested for in either the works effluent or into the canal system from the Rattlechain landfill owned by Albright and Wilson? By white phosphorus I mean elemental phosphorus P4 and not "phosphorus" as P".

The consent we supplied to you does not set limits for elemental phosphorus P4. The same is true for Environmental Permit Number EPR/SP3339BL that is in force for the Oldbury Chemical Works. Table S3.2 on page 26 of the permit requires the site to analyse spot samples of the storm overflow to the adjacent canal for phosphorus. This is total phosphorus as P not elemental phosphorus P4. Please find attached a copy of the permit for your convenience. As neither the consent nor the permit sets limits for elemental phosphorus P4, it is unlikely that we have asked for this to be tested in either of the discharges mentioned above. If the company have analysed for P4, it will have been for their own internal purposes because it is not a reportable requirement under either of our permits.

In response to "Can you confirm what capabilities the Environment Agency have today for testing for white phosphorus in analysis of effluents/water or other matter, and whether any of their laboratories have an accredited method for doing so?"

Because we and our predecessor organisations have not requested an analysis of elemental phosphorus P4, our National Laboratory Service does not have an accredited method for it's' analysis in any medium. If we were to request such an analysis now, they would sub-contract the work to another laboratory suitably accredited for this determinand rather than spend time developing their own capability and purchasing the instruments needed. This would be reviewed if there was sufficient demand to make the development of the capability cost effective.

If you are not satisfied with our response to your request for information you can contact us to ask for our decision to be reviewed. If you are still not satisfied following this, you can then make an appeal to the Information Commissioner, who is the statutory regulator for Freedom of Information. The address is: Office of the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF .

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Website: <http://www.informationcommissioner.gov.uk>

Yours sincerely

Team Leader - External Relations

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