



**Water Pollution Incidents  
and Enforcement, 2009**

Annual Report



## **Water Pollution Incidents and Enforcement 2009**

This web based report presents statistics relating to water pollution incidents throughout Northern Ireland investigated by, or on behalf of, the Northern Ireland Environment Agency during 2009. NIEA responded to 2152 reports of water pollution in 2009, a decrease of 4.1% from 2008. This equates to 6 investigations per day. NIEA substantiated (confirmed) that 1248 incidents, 58.0% of those reported, had an impact on the water quality of the receiving waterway.

Pollution incidents are classified by Source (where the pollution originates), Category (the type of pollution identified), Cause (why the incident occurred) and Severity (the environmental impact of the pollution).

By Source, in 2009 *Northern Ireland Water Ltd* accounted for the largest number of substantiated incidents investigated by NIEA (25.5%), followed by *Farming* (23.2%) and *Industry* (20.8%). This is illustrated in Figure 1.

By Category, in 2009 *Sewage* (39.5%), *Agriculture* (21.9%) and *Oil* (13.9%) continued the trend from 2008, accounting for the largest proportion of pollutant types (75.3%) in respect of substantiated incidents. This is also illustrated in Figure 1.

The main Causes of substantiated water pollution incidents during 2009 were *Equipment Failure* (19.4%), *Unknown Cause* (16.9%) and *Poor Working Practice* (14.6%).

A total of 204 High and Medium severity incidents were investigated during 2009. This was a decrease of 18.1% compared with 2008 figures (249). Farming was responsible for the largest number of High and Medium severity incidents in 2009 accounting for 32.8% (67 incidents). In 2009, NIEA responded to 95.1% of substantiated High and Medium Severity incidents within set time targets.

As of 7 May 2010, for the incidents that occurred during 2009, NIEA has issued 50 warning letters and submitted 11 cases to the Public Prosecution Service (PPS) (formerly the Office of the Director of Public Prosecutions) with a recommendation for prosecution. To date, none of these cases have been heard in court. A further 55 cases are being progressed with a view to submission to PPS with a recommendation for prosecution.

As of 7 May 2010, for the incidents that occurred during 2008, 55 cases were submitted to the PPS with a recommendation for prosecution. To date, 33 cases have been heard in the Magistrate's Courts, with 91.0% resulting in convictions. Of the 30 convictions to date for pollution incidents and consent breaches detected during 2008, the total of fines so far imposed by the courts is £61,500.00. These fines ranged from £200 to £22,500, with an average fine of £2,050. Of the 55 cases taken by NIEA under the Water (Northern Ireland) Order 1999, the *Agricultural discharges* Category accounted for 30 (54.5%), with the remaining 25 (45.5%) made up of *Breach of Consent*, *Chemical*, *Non Agricultural Waste*, *Oil*, *Sewage* and *Other* Categories. A further 22 cases are being progressed with a view to submission to PPS with a recommendation for prosecution.

The Water Pollution Hotline (0800 80 70 60), continues to be promoted by NIEA, and its use has steadily increased since its launch. In 2009, 893 water pollution incidents were reported via the Hotline.

## **Water Pollution Incidents and Enforcement Statistics 2009 – How to Use this Report**

There will be no stand alone Water Pollution Incidents and Enforcement annual report for 2009. However, this workbook has been produced in order to provide the same datasets as in previous years. For further information, this document may be cross referenced with the existing 2006 Water Pollution Incidents and Enforcement report at [http://www.ni-environment.gov.uk/water/waterpollution/pol\\_respon.htm](http://www.ni-environment.gov.uk/water/waterpollution/pol_respon.htm)

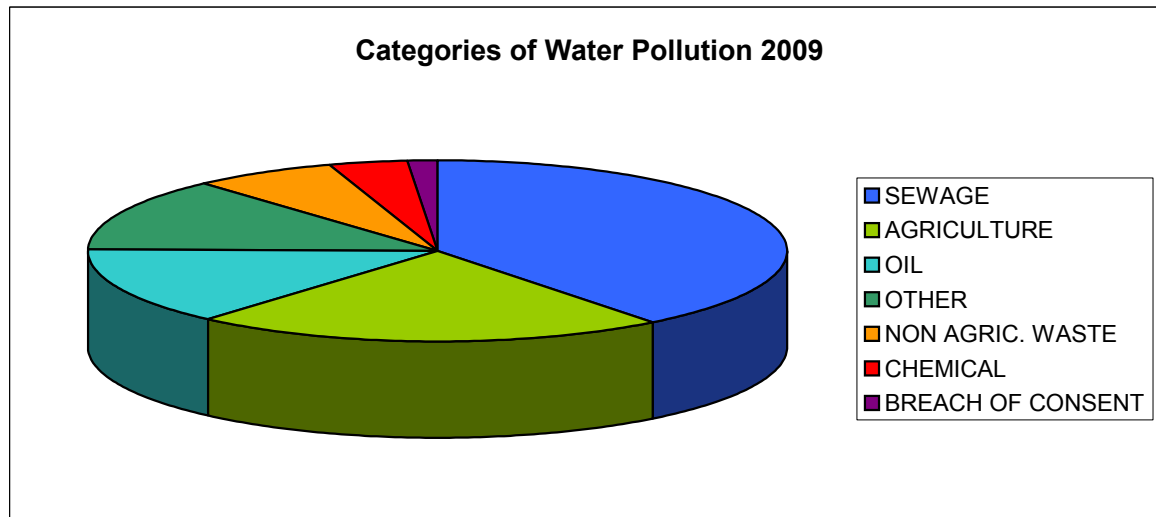
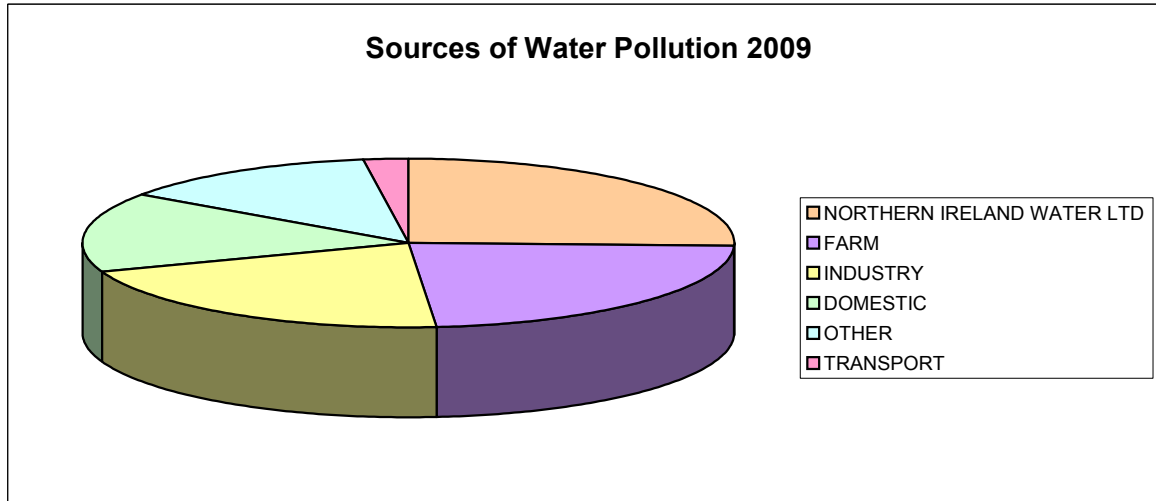
Given the inherent delay between the time that pollution incidents, where prosecution is recommended, occur and subsequent court outcome, this report provides enforcement data for incidents that occurred in 2008 and an update on the situation for incidents that occurred in 2009.

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See 2006 Water Pollution Incidents and Enforcement Report for Figures 2 to 4:

<http://www.ni-environment.gov.uk/niea-waterpollutionincidents-and-enforcement2006.pdf>

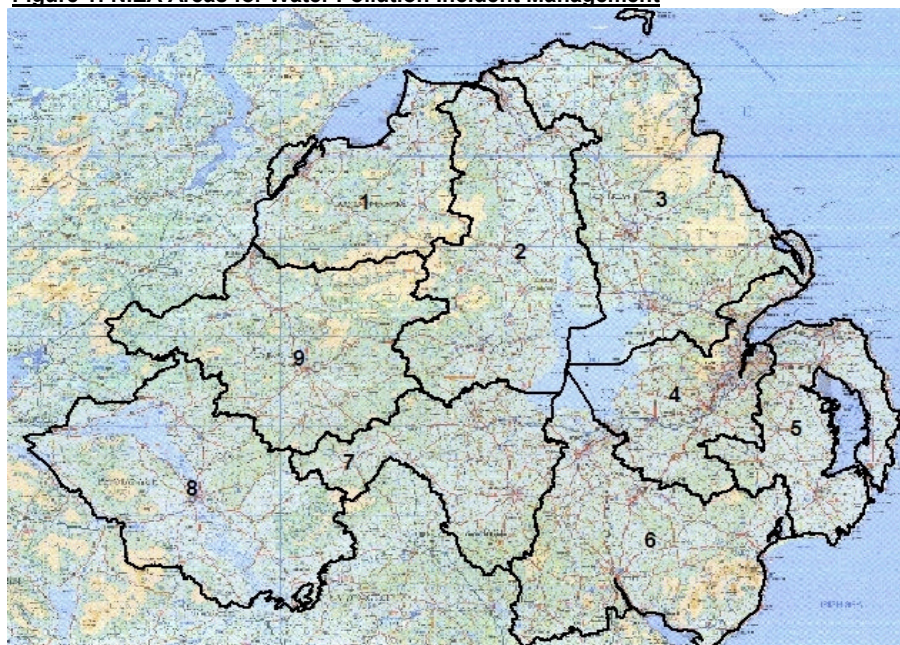
**Figure A: Distribution of Substantiated Pollution Incidents by Source and Category in 2009**



**Table 1: Reports of Water Pollution Received by NIEA 2001 to 2009**

Water pollution reports received by:							
Year	WPH (Normal Hours)	WPH (After Hours)	Total WPH	NIEA direct (Normal Hours)	Regional Offices direct (Normal Hours)	FCB / LA direct (Normal Hours)	Total reports received by NIEA
2001	436	279	715	333	1034	452	2534
2002	436	292	728	277	1039	419	2463
2003	476	292	768	358	977	396	2499
2004	552	284	836	324	787	260	2207
2005	641	301	942	265	789	187	2183
2006	651	294	945	237	726	173	2081
2007	625	296	921	186	1135	49	2291
2008	669	281	950	287	1007	0	2244
2009	661	232	893	192	1067	0	2152

**Figure 1: NIEA Areas for Water Pollution Incident Management**



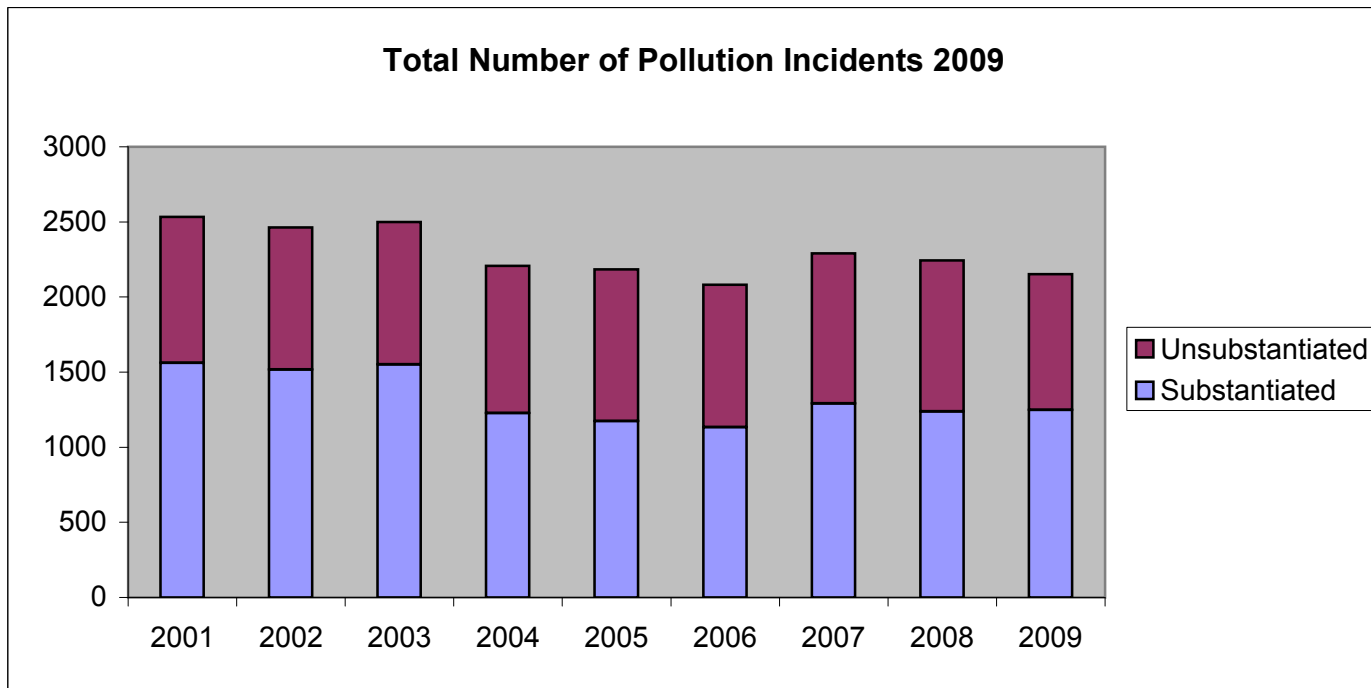
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Water Pollution Incidents and Enforcement 2009

**Table 2: Substantiated and Unsubstantiated Water Pollution Incidents 2001 to 2009**

	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Substantiated</b>	1561	1517	1552	1227	1174	1133	1292	1237	1248
<b>Unsubstantiated</b>	973	946	947	980	1009	948	999	1007	904
<b>Total</b>	<b>2534</b>	<b>2463</b>	<b>2499</b>	<b>2207</b>	<b>2183</b>	<b>2081</b>	<b>2291</b>	<b>2244</b>	<b>2152</b>

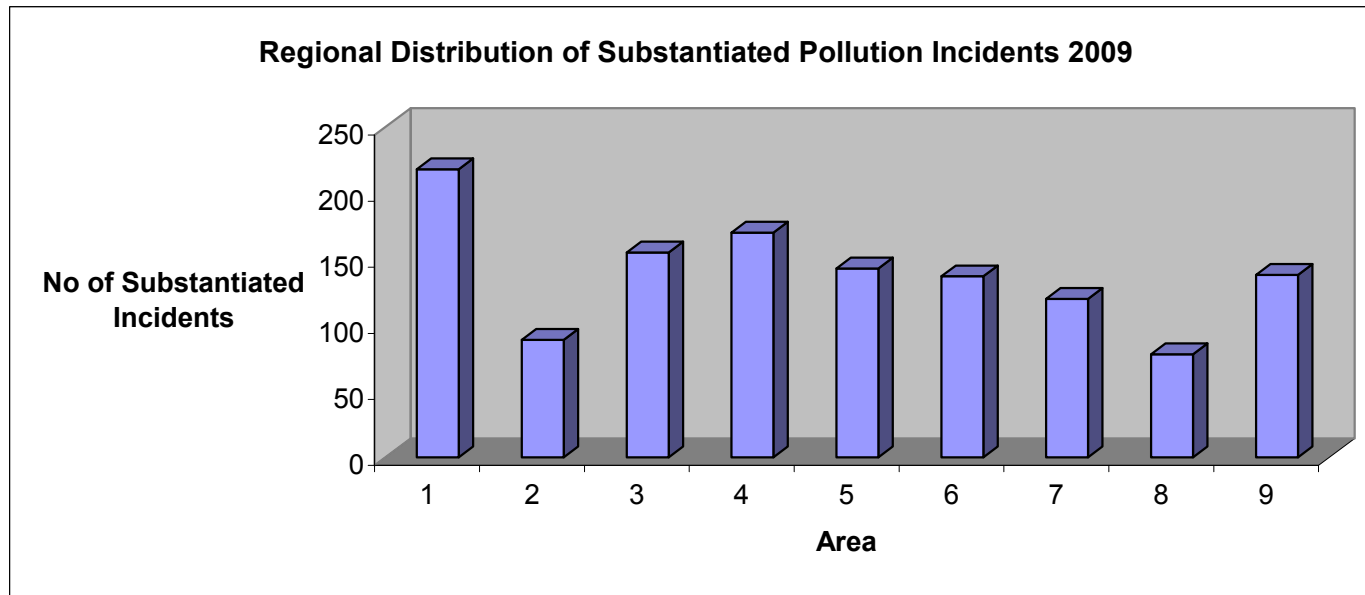
**Figure 5: Total Number of Pollution Incidents Reported 2001 to 2009**



**Regional Distribution of Substantiated Pollution Incidents 2009**

Area	Total substantiated incidents
1	218
2	89
3	155
4	170
5	143
6	137
7	120
8	78
9	138
<b>Total</b>	<b>1248</b>

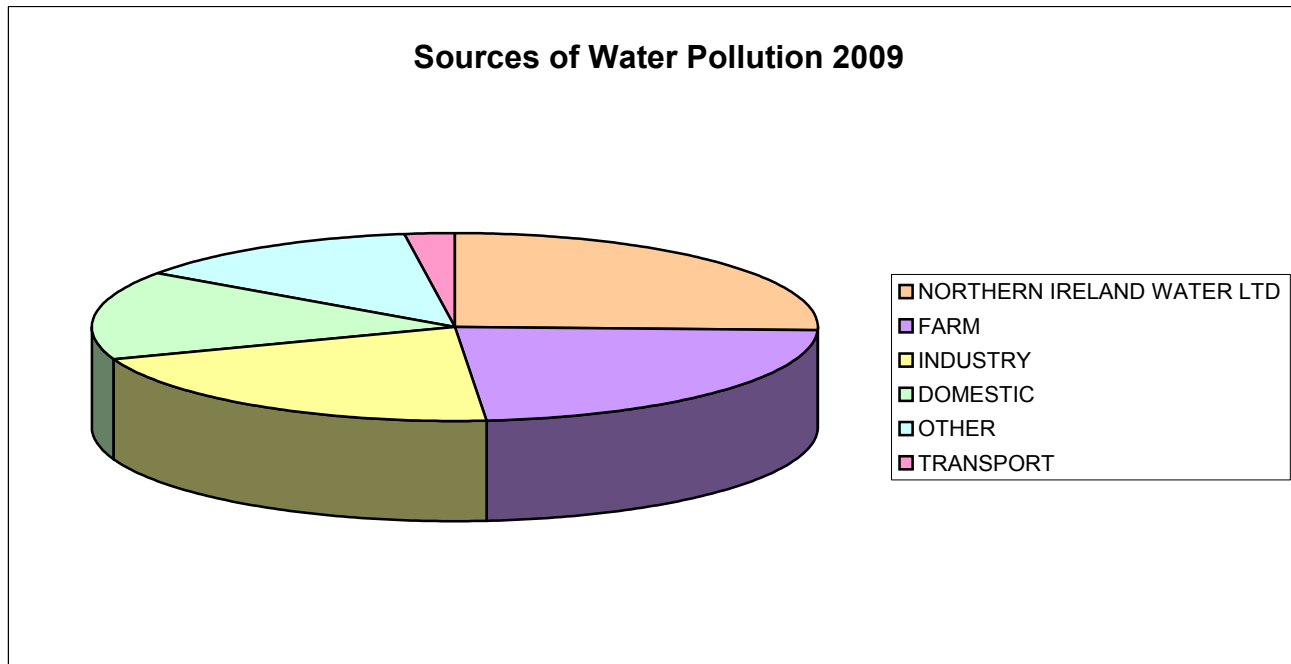
**Figure 6: Regional Distribution of Substantiated Pollution Incidents 2009**



**Table 3: Sources of Water Pollution 2009**

SOURCE	Total No. of Incidents	As a % of the total
NORTHERN IRELAND WATER LTD	318	25.5%
FARM	290	23.2%
INDUSTRY	260	20.8%
DOMESTIC	191	15.3%
OTHER	161	12.9%
TRANSPORT	28	2.2%
	<b>1248</b>	<b>100%</b>

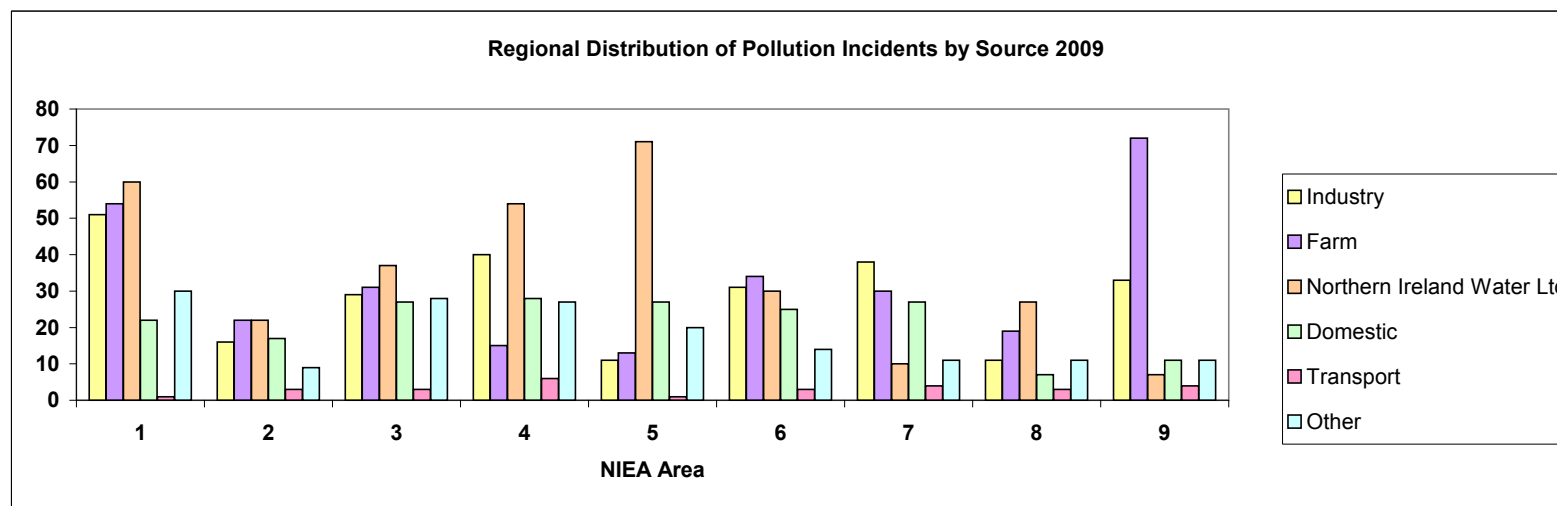
**Figure 7: Sources of Water Pollution 2009**



**Table 4: Regional Distribution of Pollution Incidents by Source 2009**

Source							
Area	Industry	Farm	Northern Ireland Water Ltd	Domestic	Transport	Other	Total
1	51	54	60	22	1	30	218
2	16	22	22	17	3	9	89
3	29	31	37	27	3	28	155
4	40	15	54	28	6	27	170
5	11	13	71	27	1	20	143
6	31	34	30	25	3	14	137
7	38	30	10	27	4	11	120
8	11	19	27	7	3	11	78
9	33	72	7	11	4	11	138
<b>Total</b>	<b>260</b>	<b>290</b>	<b>318</b>	<b>191</b>	<b>28</b>	<b>161</b>	<b>1248</b>

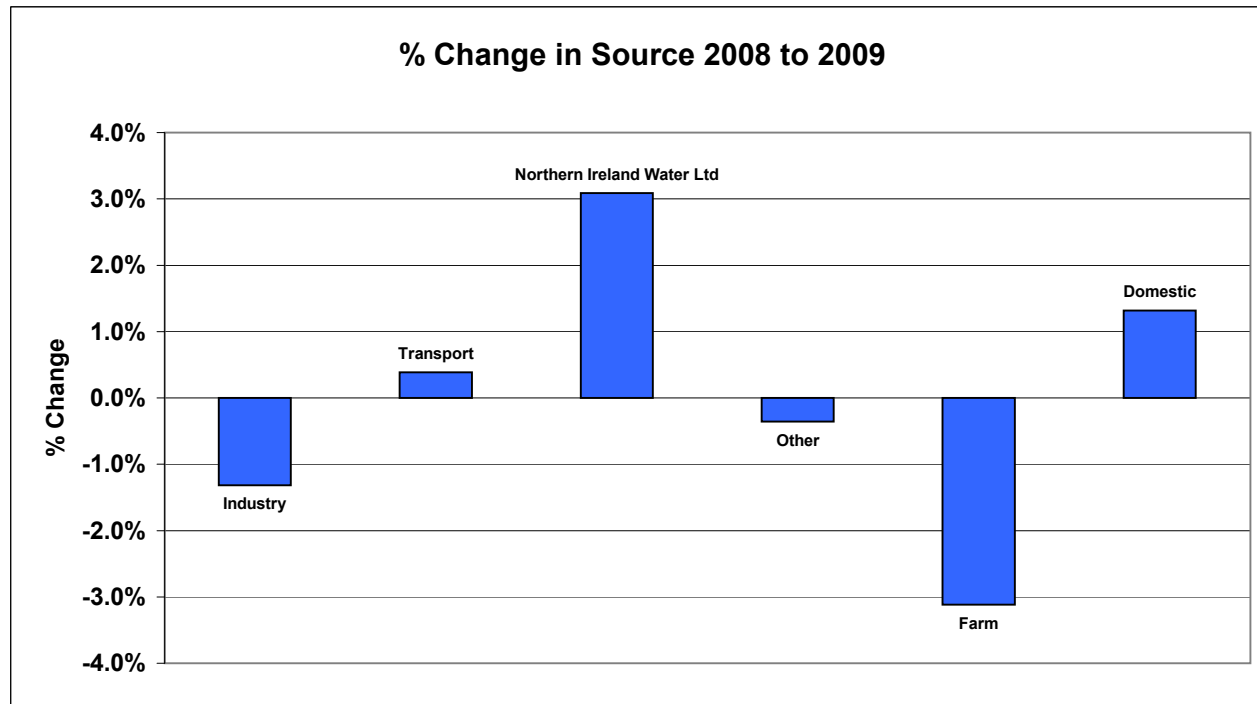
**Figure 8: Regional Distribution of Pollution Incidents by Source 2009**



**Table 5: Percentage Change in Pollution Source 2008 to 2009**

Source	2008	2008	2009	2009	% Change
Industry	274	22.15%	260	20.83%	-1.3%
Transport	23	1.86%	28	2.24%	0.4%
Northern Ireland Water Ltd	277	22.39%	318	25.48%	3.1%
Other	164	13.26%	161	12.90%	-0.4%
Farm	326	26.35%	290	23.24%	-3.1%
Domestic	173	13.99%	191	15.30%	1.3%
<b>Total</b>	<b>1237</b>		<b>1248</b>		

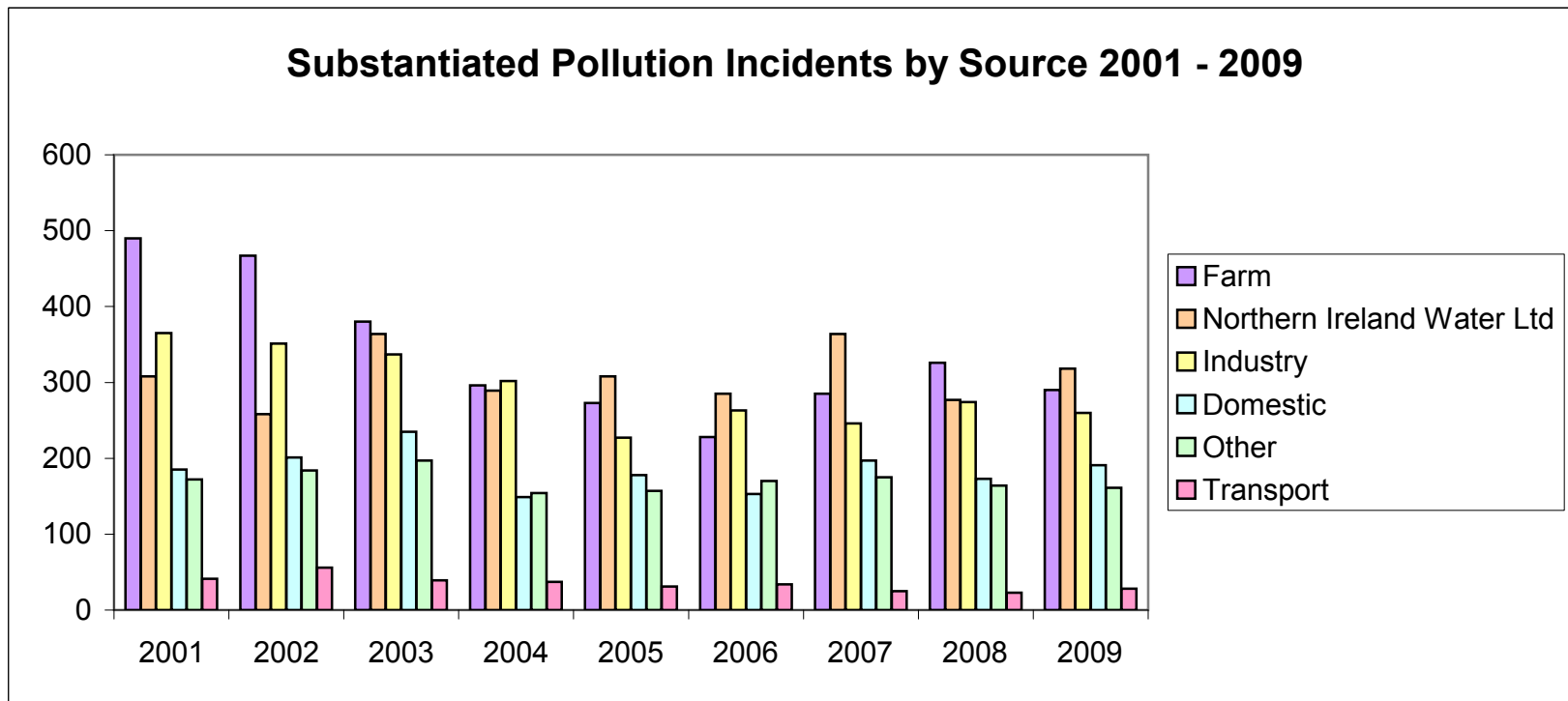
**Figure 9: Percentage Change in Pollution Source 2008 to 2009**



**Trend in Pollution Source 2001 to 2009**

	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Farm</b>	490	467	380	296	273	228	285	326	290
<b>Northern Ireland Water Ltd</b>	308	258	364	289	308	285	364	277	318
<b>Industry</b>	365	351	337	302	227	263	246	274	260
<b>Domestic</b>	185	201	235	149	178	153	197	173	191
<b>Other</b>	172	184	197	154	157	170	175	164	161
<b>Transport</b>	41	56	39	37	31	34	25	23	28
<b>Total</b>	<b>1561</b>	<b>1517</b>	<b>1552</b>	<b>1227</b>	<b>1174</b>	<b>1133</b>	<b>1292</b>	<b>1237</b>	<b>1248</b>

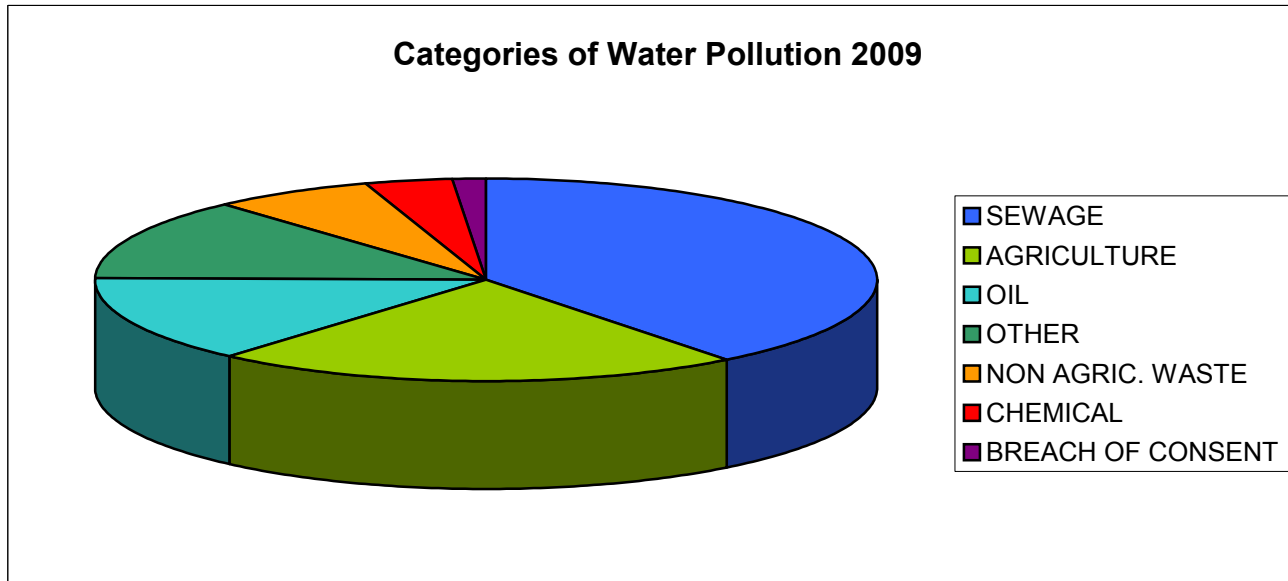
**Figure 10: Trend in Pollution Source 2001 to 2009**



**Table 6: Categories of Water Pollution 2009**

CATEGORY	Total No. of Incidents	As a % of the total
SEWAGE	493	39.5%
AGRICULTURE	273	21.9%
OIL	174	13.9%
OTHER	164	13.1%
NON AGRIC. WASTE	83	6.7%
CHEMICAL	44	3.5%
BREACH OF CONSENT	17	1.4%
<b>Total</b>	<b>1248</b>	<b>100%</b>

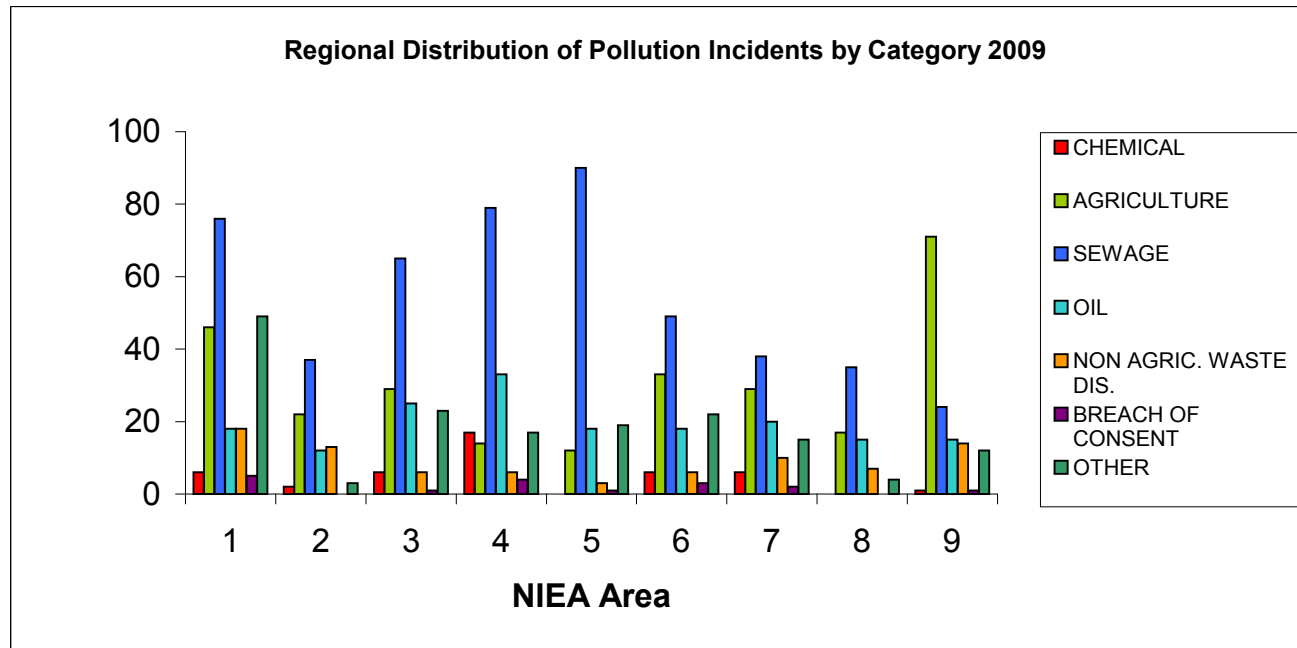
**Figure 11: Categories of Water Pollution 2009**



**Table 7: Regional Distribution of Pollution Incidents by Category 2009**

Category								
Area	CHEMICAL	AGRICULTURE	SEWAGE	OIL	NON AGRIC. WASTE DIS.	BREACH OF CONSENT	OTHER	Total
1	6	46	76	18	18	5	49	218
2	2	22	37	12	13	0	3	89
3	6	29	65	25	6	1	23	155
4	17	14	79	33	6	4	17	170
5	0	12	90	18	3	1	19	143
6	6	33	49	18	6	3	22	137
7	6	29	38	20	10	2	15	120
8	0	17	35	15	7	0	4	78
9	1	71	24	15	14	1	12	138
	44	273	493	174	83	17	164	1248

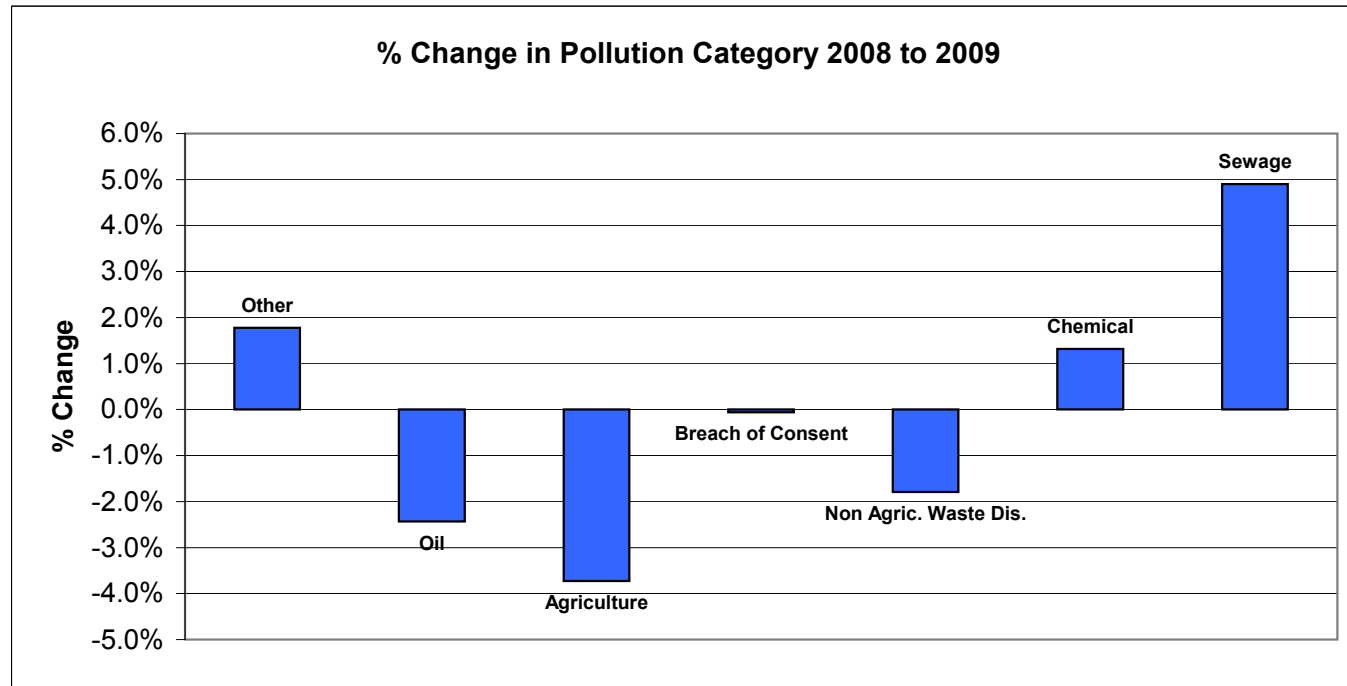
**Figure 12: Regional Distribution of Pollution Incidents by Category 2009**



**Table 8: Percentage Change in Pollutant Category 2008 to 2009**

Category	2008	2008	2009	2009	Overall % Change
Other	140	11.32%	164	13.1%	1.8%
Oil	202	16.33%	174	13.9%	-2.4%
Agriculture	317	25.63%	273	21.9%	-3.7%
Breach of Consent	18	1.46%	17	1.4%	-0.1%
Non Agric. Waste Dis.	105	8.49%	83	6.7%	-1.8%
Chemical	27	2.18%	44	3.5%	1.3%
Sewage	428	34.60%	493	39.5%	4.9%
<b>Total</b>	<b>1237</b>		<b>1248</b>		

**Figure 13: Percentage Change in Pollutant Category 2008 to 2009**

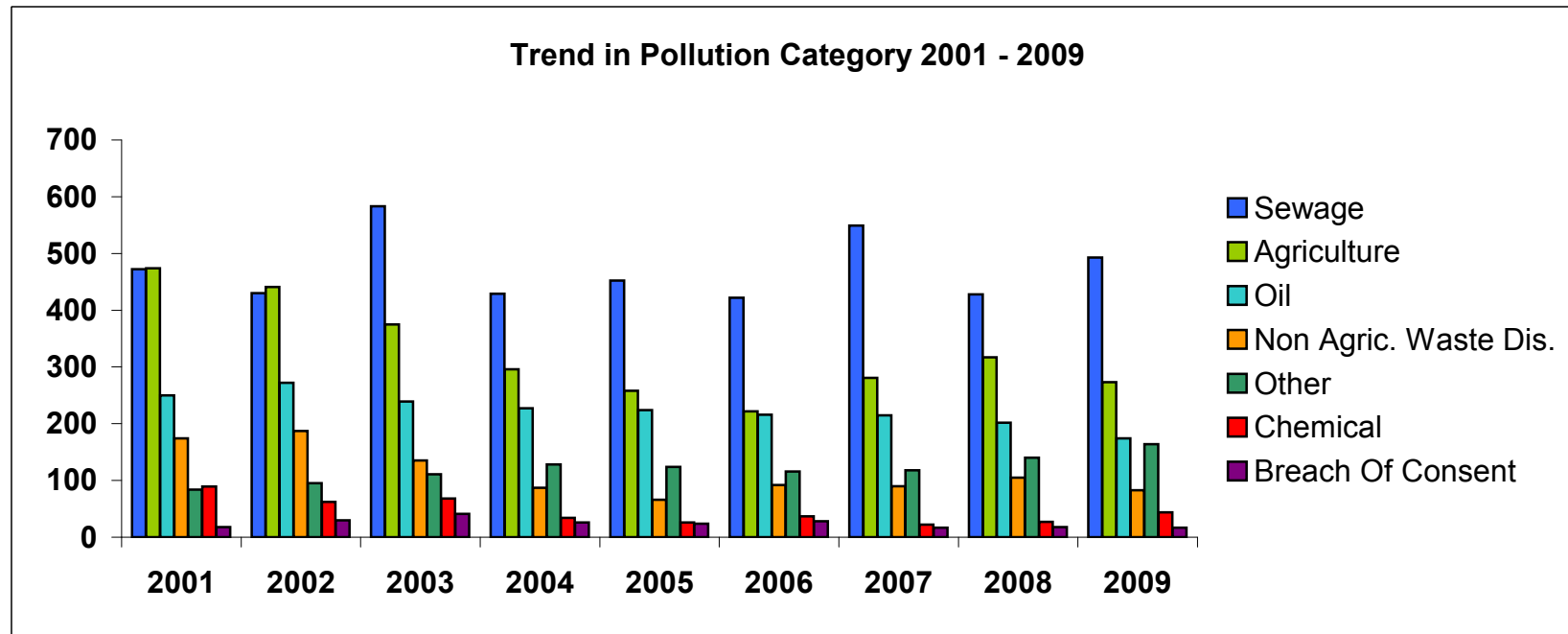


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**Trend in Pollutant Category 2001 - 2009**

	2001	2002	2003	2004	2005	2006	2007	2008	2009
<b>Sewage</b>	472	430	583	429	452	422	549	428	493
<b>Agriculture</b>	474	441	375	296	258	222	281	317	273
<b>Oil</b>	250	272	239	227	224	216	215	202	174
<b>Non Agric. Waste Dis.</b>	174	187	135	87	66	92	90	105	83
<b>Other</b>	84	95	111	128	124	116	118	140	164
<b>Chemical</b>	89	62	68	34	26	37	22	27	44
<b>Breach Of Consent</b>	18	30	41	26	24	28	17	18	17
<b>Total</b>	<b>1561</b>	<b>1517</b>	<b>1552</b>	<b>1227</b>	<b>1174</b>	<b>1133</b>	<b>1292</b>	<b>1237</b>	<b>1248</b>

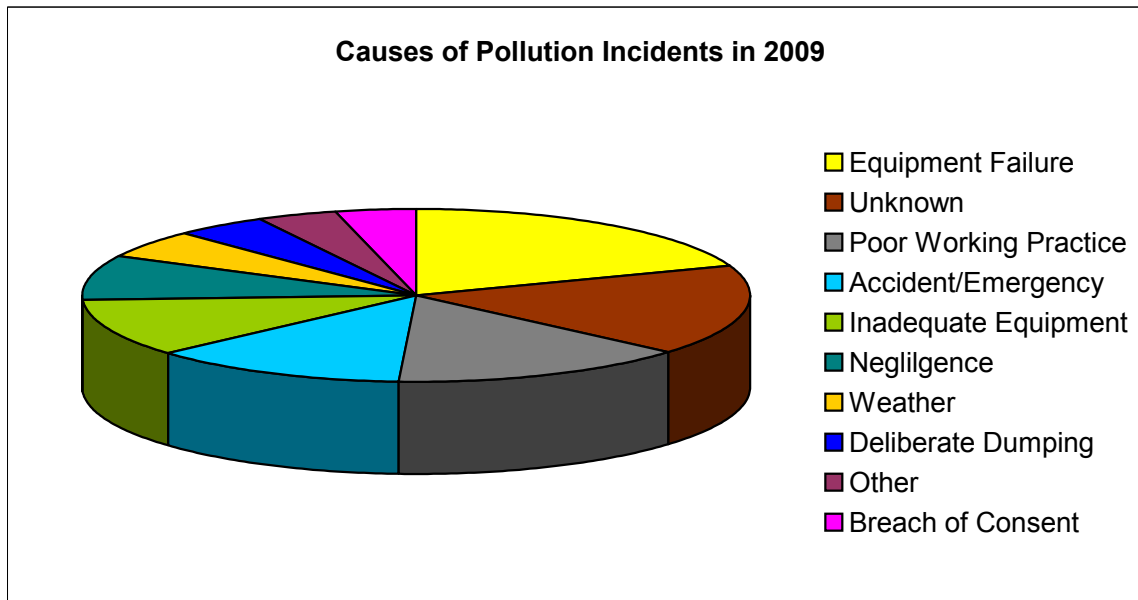
**Figure 14: Trend in Pollutant Category 2001 - 2009**



**Table 9: Cause of Pollution Incidents in 2009**

CAUSE	Total No. of Incidents	As a % of the total
Equipment Failure	242	19.4%
Unknown	211	16.9%
Poor Working Practice	182	14.6%
Accident/Emergency	157	12.6%
Inadequate Equipment	133	10.7%
Negligence	106	8.5%
Weather	64	5.1%
Deliberate Dumping	55	4.4%
Other	48	3.8%
Breach of Consent	50	4.0%
	<b>1248</b>	<b>100%</b>

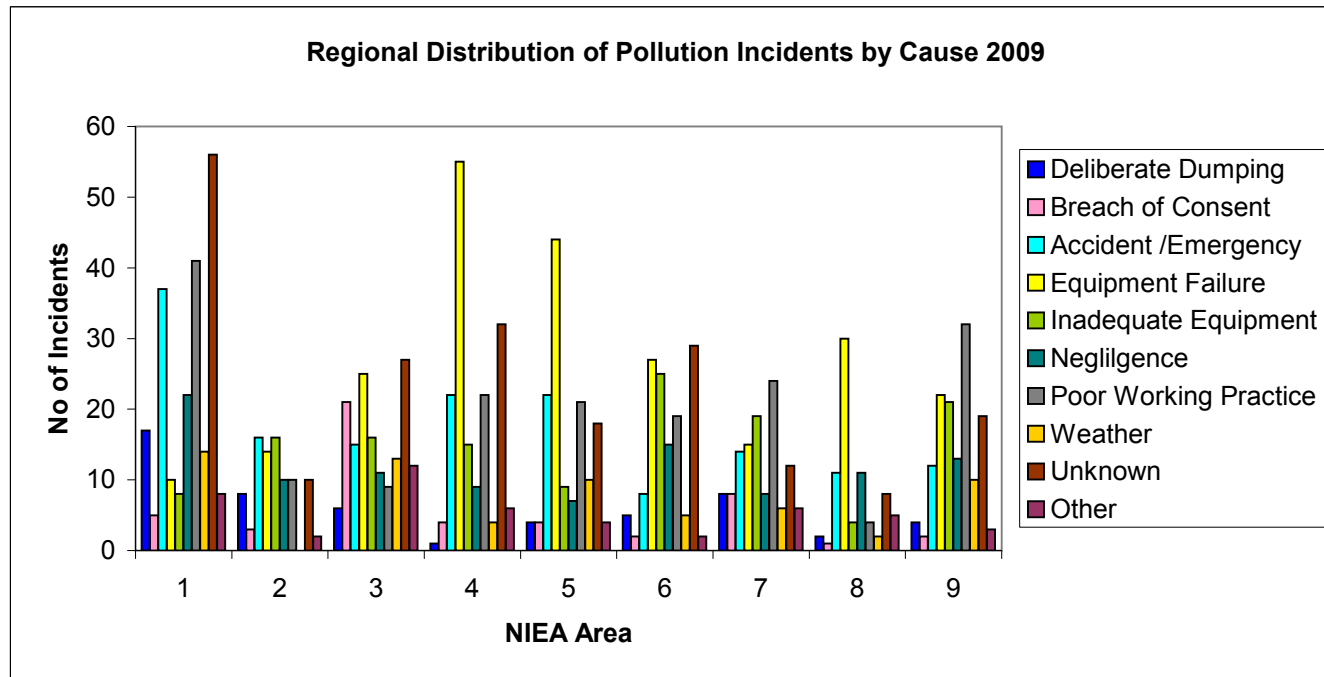
**Figure 15: Cause of Pollution Incidents in 2009**



**Table 10: Regional Distribution of Pollution Incidents by Cause in 2009**

Area	Deliberate Dumping	Breach of Consent	Accident /Emergency	Equipment Failure	Inadequate Equipment	Negligence	Poor Working Practice	Weather	Unknown	Other	Total
1	17	5	37	10	8	22	41	14	56	8	218
2	8	3	16	14	16	10	10	0	10	2	89
3	6	21	15	25	16	11	9	13	27	12	155
4	1	4	22	55	15	9	22	4	32	6	170
5	4	4	22	44	9	7	21	10	18	4	143
6	5	2	8	27	25	15	19	5	29	2	137
7	8	8	14	15	19	8	24	6	12	6	120
8	2	1	11	30	4	11	4	2	8	5	78
9	4	2	12	22	21	13	32	10	19	3	138
<b>Total</b>	<b>55</b>	<b>50</b>	<b>157</b>	<b>242</b>	<b>133</b>	<b>106</b>	<b>182</b>	<b>64</b>	<b>211</b>	<b>48</b>	<b>1248</b>

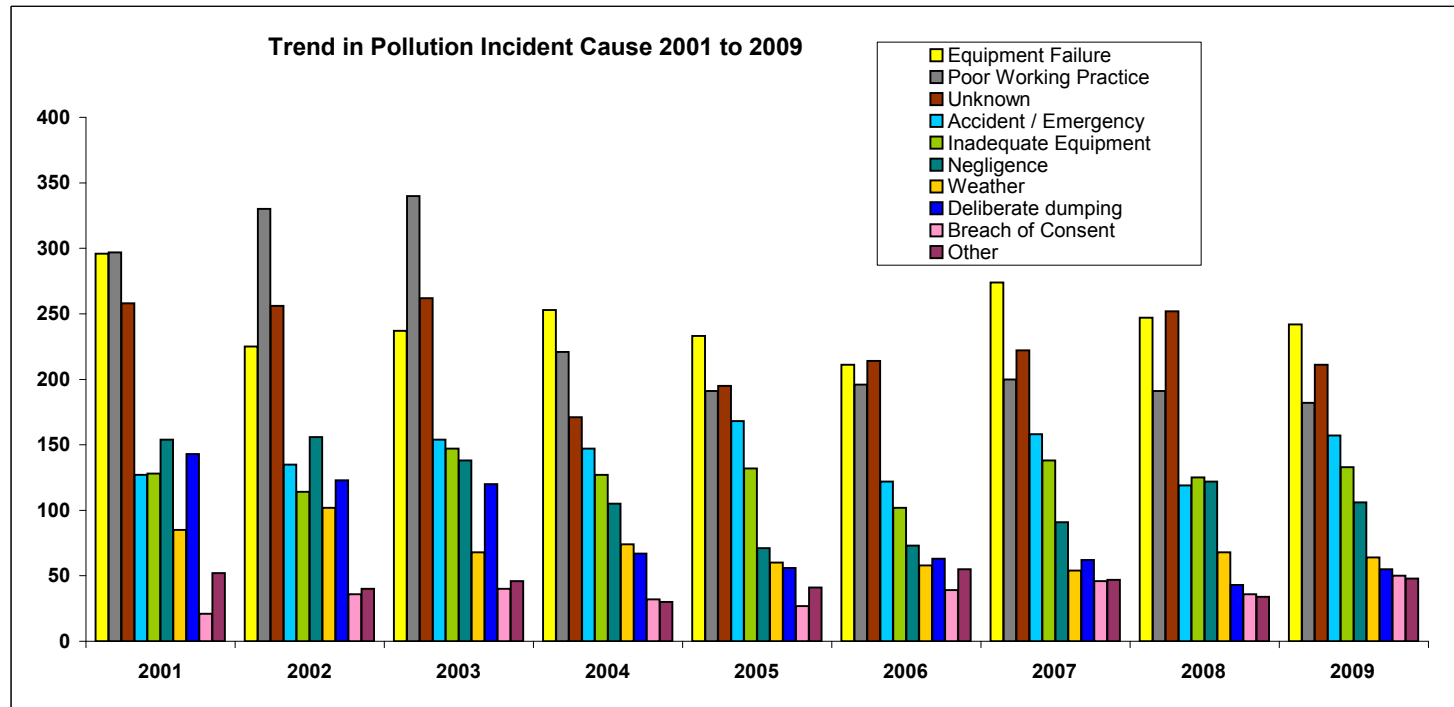
**Figure 16: Regional Distribution of Pollution Incidents by Cause in 2009**



**Trend in Pollution Incident Cause 2001 to 2009**

Cause	2001	2002	2003	2004	2005	2006	2007	2008	2009
Equipment Failure	296	225	237	253	233	211	274	247	242
Poor Working Practice	297	330	340	221	191	196	200	191	182
Unknown	258	256	262	171	195	214	222	252	211
Accident / Emergency	127	135	154	147	168	122	158	119	157
Inadequate Equipment	128	114	147	127	132	102	138	125	133
Negligence	154	156	138	105	71	73	91	122	106
Weather	85	102	68	74	60	58	54	68	64
Deliberate dumping	143	123	120	67	56	63	62	43	55
Breach of Consent	21	36	40	32	27	39	46	36	50
Other	52	40	46	30	41	55	47	34	48
<b>Total</b>	<b>1561</b>	<b>1517</b>	<b>1552</b>	<b>1227</b>	<b>1174</b>	<b>1133</b>	<b>1292</b>	<b>1237</b>	<b>1248</b>

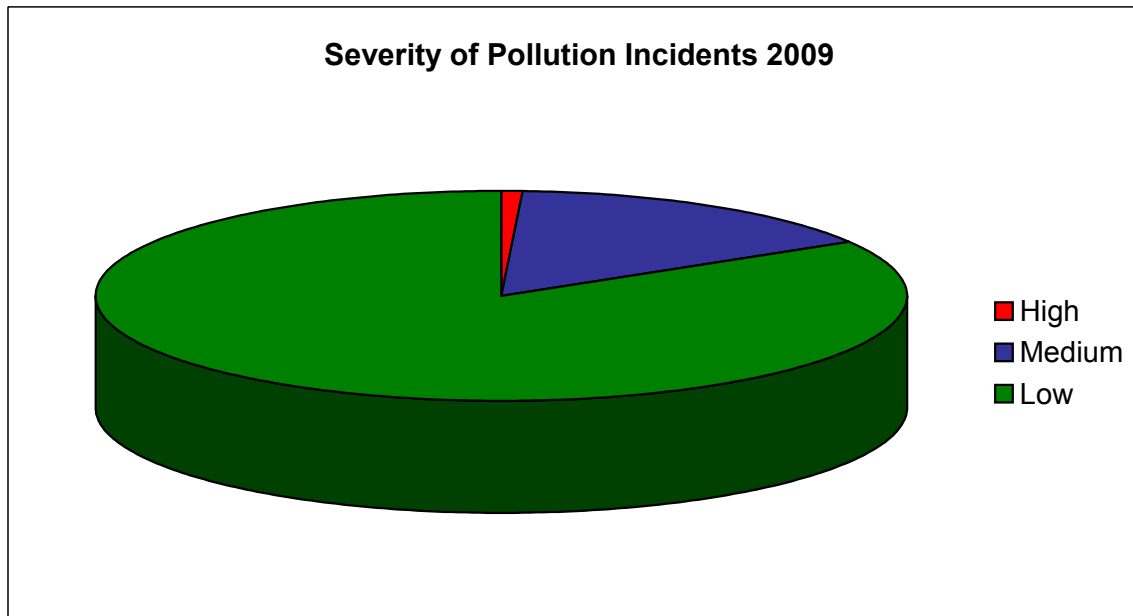
**Figure 17: Trend in Pollution Incident Cause 2001 to 2009**



**Table 11: Severity of Pollution Incidents 2009**

	No. of Incidents	As a % of the total	(See 2006 Report for Severity Classification Definitions)
High	9	0.7%	
Medium	195	15.6%	
Low	1044	83.7%	
Total	1248	100%	

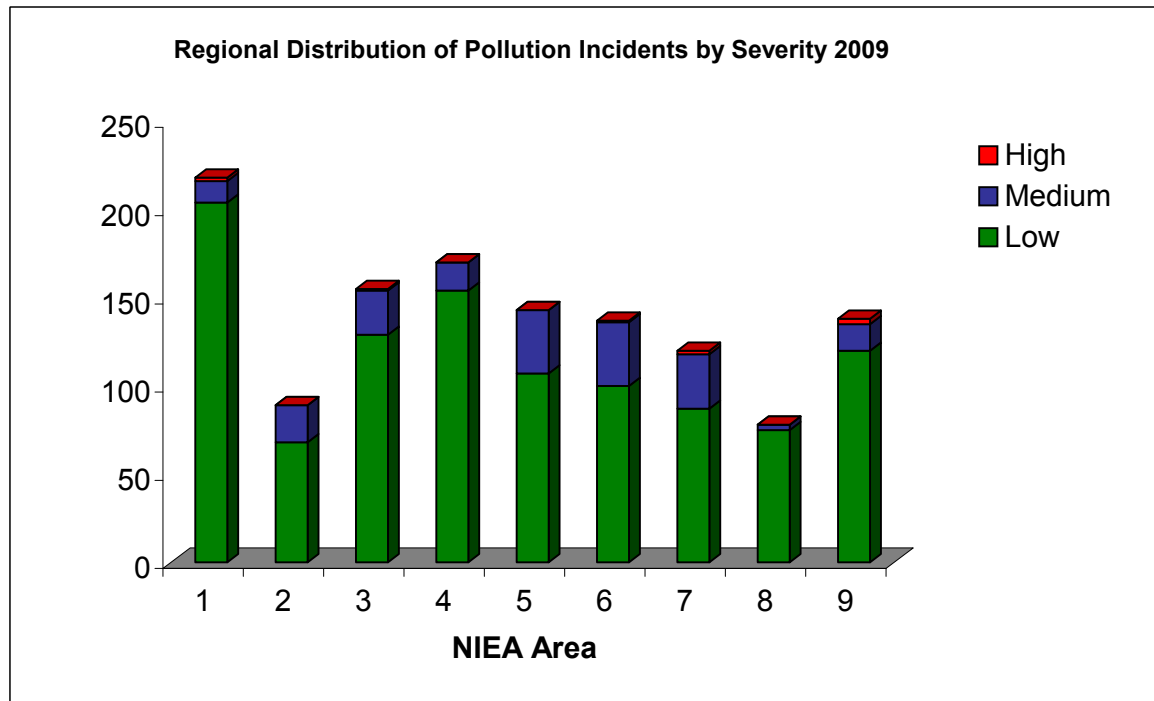
**Figure 18: Severity of Pollution Incidents 2009**



**Table 12: Regional Distribution of Pollution Incidents by Severity in 2009**

Area	Severity			Total
	Low	Medium	High	
1	204	12	2	218
2	68	21	0	89
3	129	25	1	155
4	154	16	0	170
5	107	36	0	143
6	100	36	1	137
7	87	31	2	120
8	75	3	0	78
9	120	15	3	138
<b>Total</b>	<b>1044</b>	<b>195</b>	<b>9</b>	<b>1248</b>

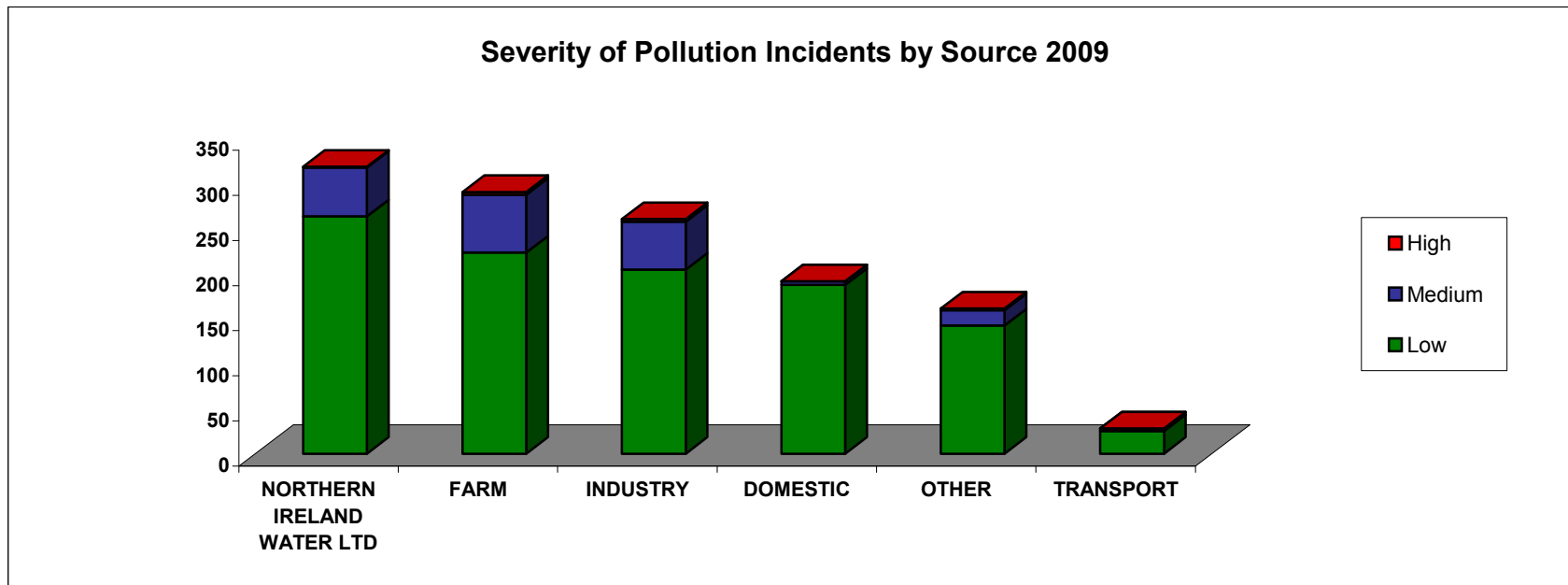
**Figure 19: Regional Distribution of Pollution Incidents by Severity in 2009**



**Table 13: Severity of Pollution Incidents by Source 2009**

SOURCE	Low	Medium	High	Total
NORTHERN IRELAND WATER LTD	263	54	1	318
FARM	223	64	3	290
INDUSTRY	204	53	3	260
DOMESTIC	187	4	0	191
OTHER	142	17	2	161
TRANSPORT	25	3	0	28
<b>Total</b>	<b>1044</b>	<b>195</b>	<b>9</b>	<b>1248</b>

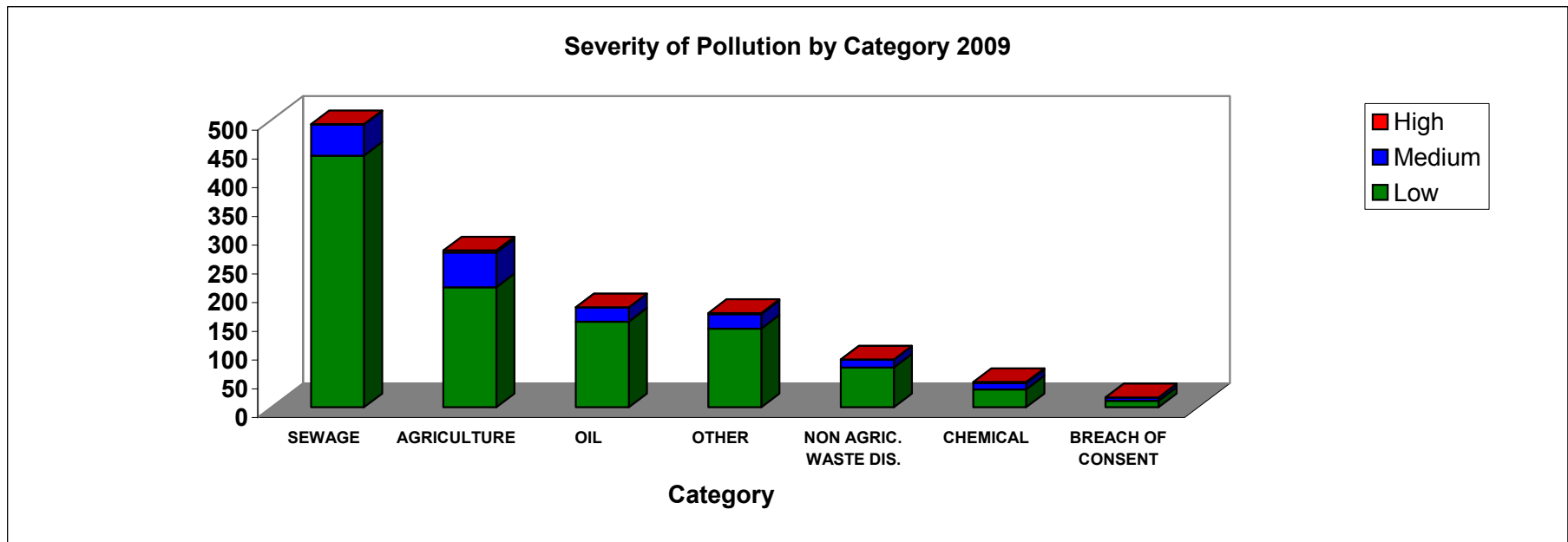
**Figure 20: Severity of Pollution Incidents by Source 2009**



**Table 14: Severity of Pollution Incidents by Category 2009**

Category Name	High	Medium	Low	Total
SEWAGE	1	54	438	493
AGRICULTURE	4	60	209	273
OIL	0	25	149	174
OTHER	2	25	137	164
NON AGRIC. WASTE DIS.	0	14	69	83
CHEMICAL	2	11	31	44
BREACH OF CONSENT	0	6	11	17
<b>Total</b>	<b>9</b>	<b>195</b>	<b>1044</b>	<b>1248</b>

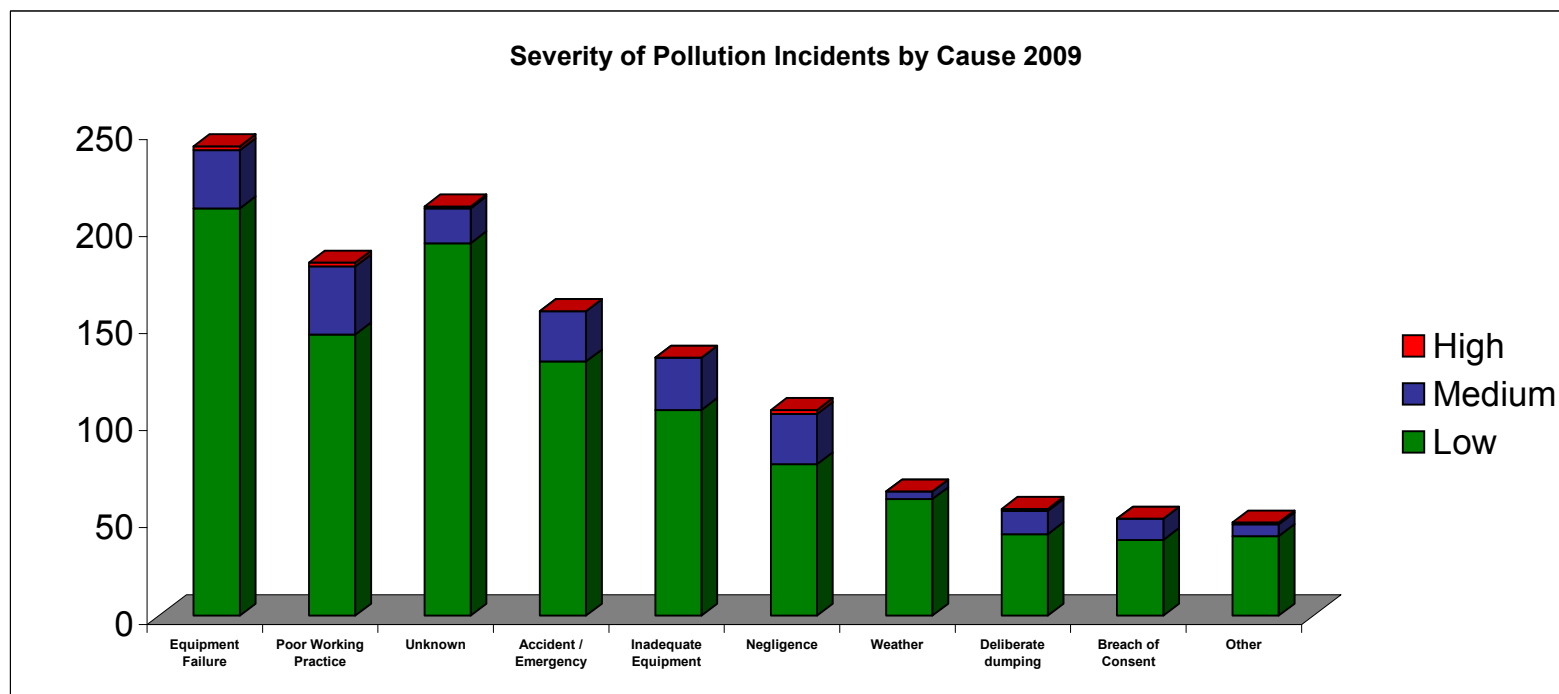
**Figure 21: Severity of Pollution Incidents by Category 2009**



**Table 15: Severity of Pollution Incidents by Cause 2009**

Cause	Low	Medium	High	Total
Equipment Failure	210	30	2	242
Poor Working Practice	145	35	2	182
Unknown	192	18	1	211
Accident / Emergency	131	26	0	157
Inadequate Equipment	106	27	0	133
Negligence	78	26	2	106
Weather	60	4	0	64
Deliberate dumping	42	12	1	55
Breach of Consent	39	11	0	50
Other	41	6	1	48
<b>Total</b>	<b>1044</b>	<b>195</b>	<b>9</b>	<b>1248</b>

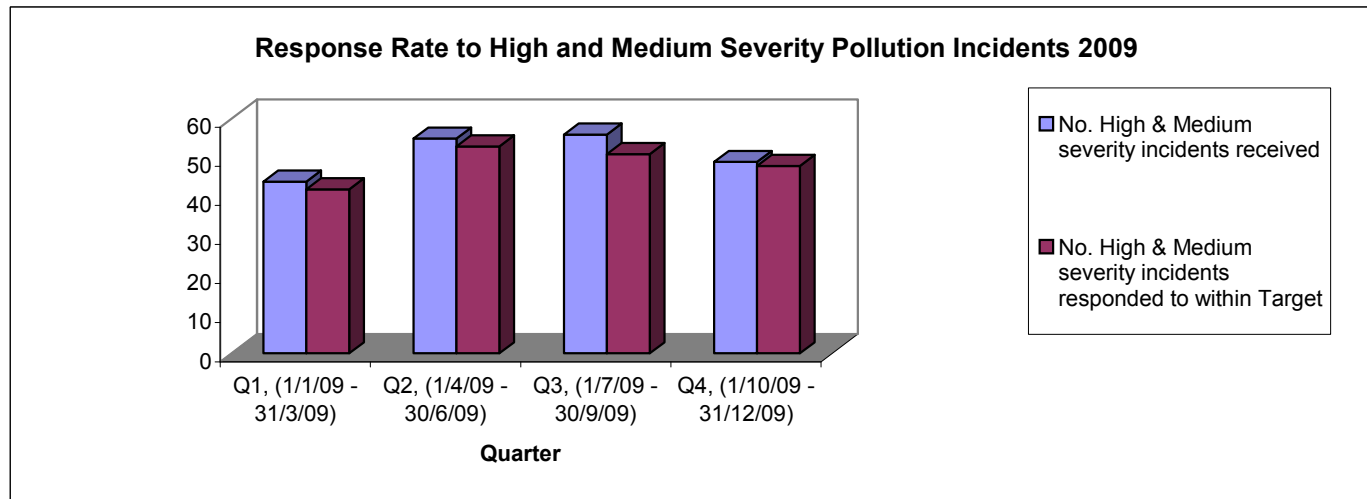
**Figure 22: Severity of Pollution Incidents by Cause 2009**



**Table 16: Response Rate to High and Medium Severity Pollution Incidents 2009**

Time period	No. High & Medium severity incidents received	No. High & Medium severity incidents responded to within Target	% High & Medium severity incidents responded to within Target
Q1, (1/1/09 - 31/3/09)	44	42	95.5%
Q2, (1/4/09 - 30/6/09)	55	53	96.4%
Q3, (1/7/09 - 30/9/09)	56	51	91.1%
Q4, (1/10/09 - 31/12/09)	49	48	98.0%
<b>Total for 2009</b>	<b>204</b>	<b>194</b>	
		<b>Overall response rate for 2009</b>	<b>95.1%</b>

**Figure 23: Response Rate to High and Medium Severity Pollution Incidents 2009**

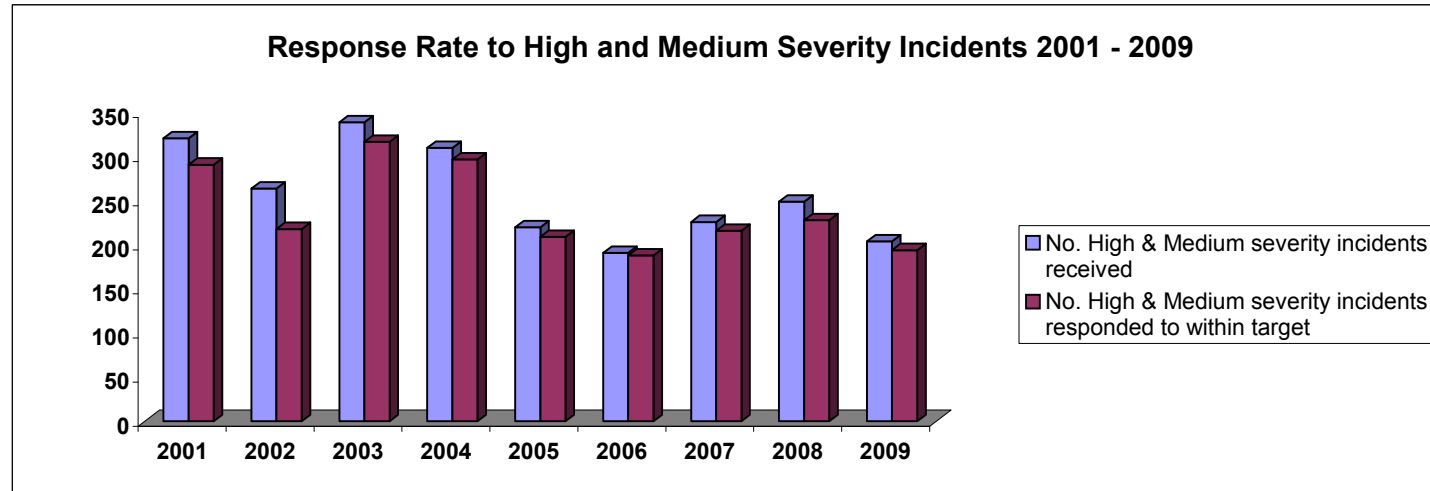


**Table 17: Response Rate to High and Medium Severity Pollution Incidents 2001 to 2009**

	2001	2002	2003	2004	2005	2006	2007	2008
<b>No. High &amp; Medium severity incidents received</b>	321	264	339	310	220	191	226	249
<b>No. High &amp; Medium severity incidents responded to within target</b>	291	218	317	297	209	188	216	228
<b>Response rate (%)</b>	<b>90.7%</b>	<b>82.6%</b>	<b>93.5%</b>	<b>95.8%</b>	<b>95.0%</b>	<b>98.4%</b>	<b>95.5%</b>	<b>91.6%</b>

\*The Incident Response Targets Changed in 2005. (The Targets are detailed in Section 2.10 of the 2006 Report).

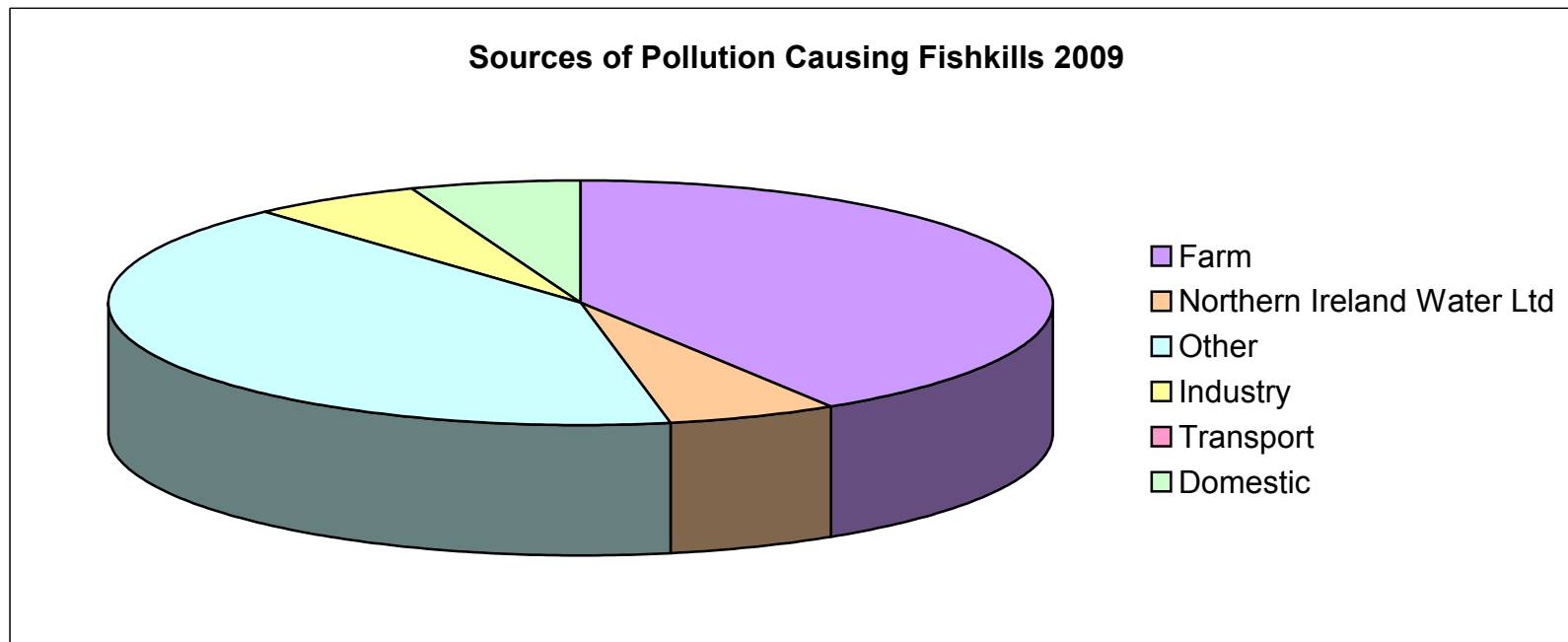
**Figure 24: Response Rate to High and Medium Severity Pollution Incidents 2001 to 2009**



**Table 18: Sources of Pollution Causing FishKills in 2009**

Source	As a % of the total	2009
Farm	41.2%	7
Northern Ireland Water Ltd	5.9%	1
Other	41.2%	7
Industry	5.9%	1
Transport	0.0%	0
Domestic	5.9%	1
<b>Total</b>	<b>100%</b>	<b>17</b>

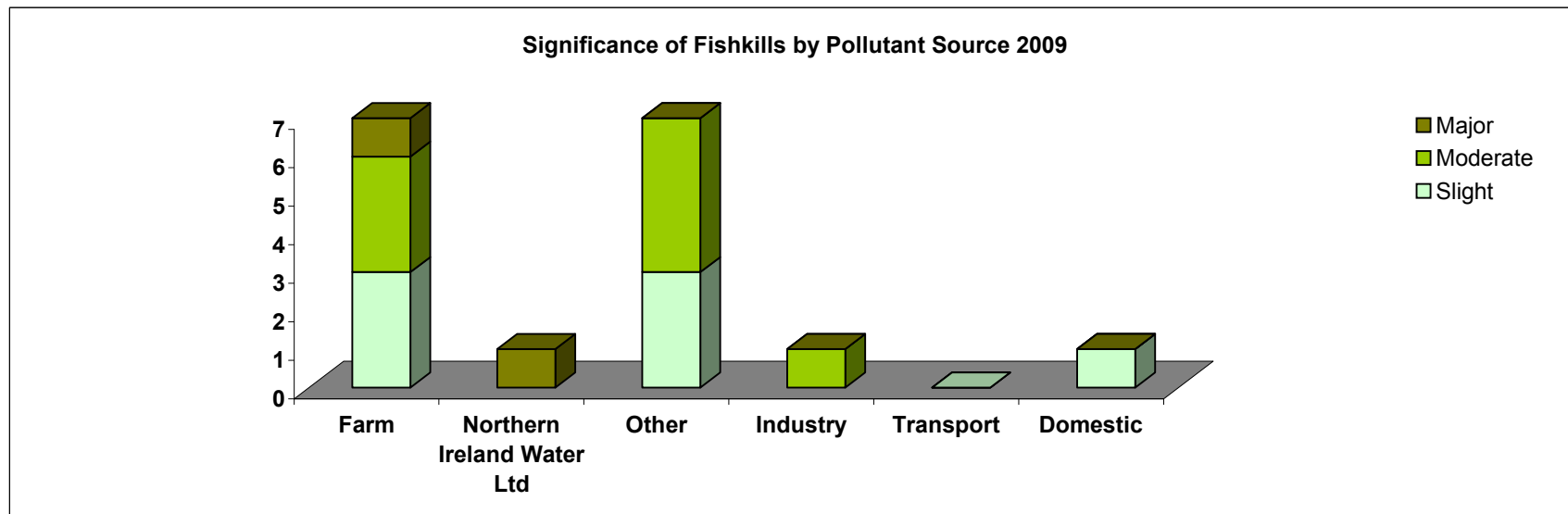
**Figure 25: Sources of Pollution Causing FishKills in 2009**



**Table 19: Significance of FishKills by Pollutant Source 2009**

Source	Slight	Moderate	Major	Total	(See 2006 Report for Classification Definitions)
Farm	3	3	1	7	
Northern Ireland Water Ltd	0	0	1	1	
Other	3	4	0	7	
Industry	0	1	0	1	
Transport	0	0	0	0	
Domestic	1	0	0	1	
<b>Total</b>	<b>7</b>	<b>8</b>	<b>2</b>	<b>17</b>	

**Figure 26: Significance of FishKills by Pollutant Source 2009**

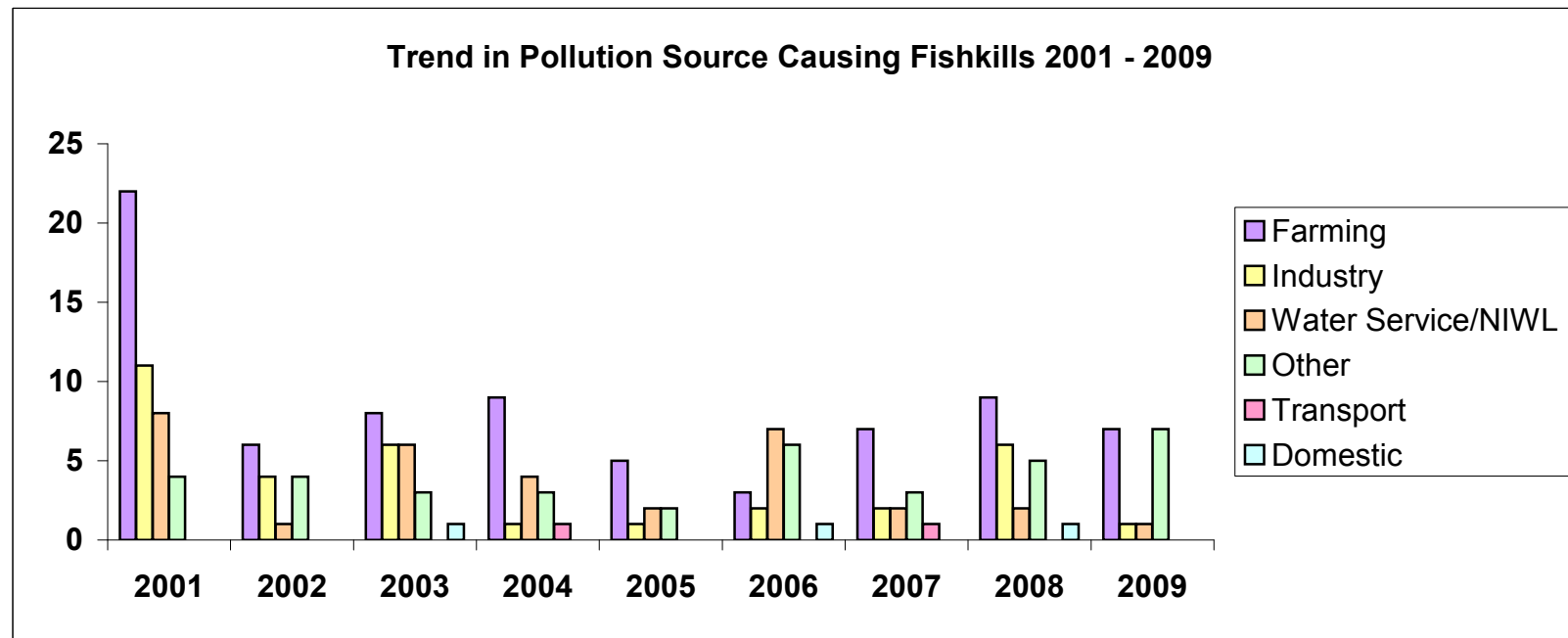


Water Pollution Incidents and Enforcement 2009

**Trend in Pollution Source Causing FishKills 2001 to 2009**

	2001	2002	2003	2004	2005	2006	2007	2008	2009	Total
Farming	22	6	8	9	5	3	7	9	7	76
Industry	11	4	6	1	1	2	2	6	1	34
Water Service/NIWL	8	1	6	4	2	7	2	2	1	33
Other	4	4	3	3	2	6	3	5	7	37
Transport	0	0	0	1	0	0	1	0	0	2
Domestic	0	0	1	0	0	1	0	0	1	3
<b>Total</b>	<b>45</b>	<b>15</b>	<b>24</b>	<b>18</b>	<b>10</b>	<b>19</b>	<b>15</b>	<b>22</b>	<b>17</b>	<b>185</b>

**Figure 27: Trend in Pollution Source Causing FishKills 2001 to 2009**



**Table 20: Summary of Cases Referred to PPS for Incidents that Occurred in 2008**

<b>Summary of Cases Referred to PPS with a Recommendation for Prosecution, for Incidents that occurred during 2008 (As at 7 May 2010)</b>		
<b>Category</b>	<b>Cases referred to PPS for prosecution</b>	<b>% of the total</b>
<b>Agriculture</b>	<b>30</b>	<b>54.5%</b>
<b>Non Agric. Waste Dis.</b>	<b>6</b>	<b>10.9%</b>
<b>Breach Of Consent</b>	<b>1</b>	<b>1.8%</b>
<b>Sewage</b>	<b>9</b>	<b>16.4%</b>
<b>Chemical</b>	<b>2</b>	<b>3.6%</b>
<b>Oil</b>	<b>2</b>	<b>3.6%</b>
<b>Other</b>	<b>5</b>	<b>9.1%</b>
<b>Total</b>	<b>55</b>	<b>100%</b>

Water Pollution Incidents and Enforcement 2009

**Table 21: Costs and Fines Imposed under the Water (NI) Order 1999, for Incidents that occurred in 2008 (As at 7 May 2010)**

<b>CATEGORY</b>	<b>Analysis Costs</b>	<b>Court Costs</b>	<b>Fines</b>	<b>Total</b>
<b>Agriculture</b>	£2,464.97	£620.00	£23,100.00	£26,184.97
<b>Breach of Consent</b>	£181.50	£31.00	£3,000.00	£3,212.50
<b>Chemical</b>	£132.74	£25.00	£250.00	£407.74
<b>Non Agricultural Waste Discharge</b>	£698.68	£139.00	£28,000.00	£28,837.68
<b>Oil</b>	£184.16	£19.00	£350.00	£553.16
<b>Other</b>	£102.90	£97.00	£300.00	£499.90
<b>Sewage</b>	£826.00	£158.00	£6,500.00	£7,484.00
<b>TOTAL</b>	<b>£4,590.95</b>	<b>£1,089.00</b>	<b>£61,500.00</b>	<b>£67,179.95</b>

**Table 22: Water Pollution Prosecution Cases and Warning Letters 2000 to 2008**

<b>Year</b>	<b>Water Order Prosecution Cases</b>	<b>Fisheries Legislation Prosecution Cases</b>	<b>Total Prosecution Cases</b>	<b>Warning Letters</b>
2000	76	7	83	246
2001	104	5	109	230
2002	99	2	101	202
2003	122	1	123	176
2004	78	1	79	195
2005	48	0	48	185
2006	47	0	47	158
2007	48	0	48	146
2008	55	0	55	77

**Water Pollution Prosecution Cases and Warning Letters 2000 to 2008**

	Warning Letters	Water Order Prosecution Cases	Fisheries Legislation Prosecution Cases	Total Prosecution Cases
2000	246	76	7	83
2001	230	104	5	109
2002	202	99	2	101
2003	176	122	1	123
2004	195	78	1	79
2005	185	48	0	48
2006	158	47	0	47
2007	146	48	0	48
2008	77	55	0	55

**Figure 28: Water Pollution Prosecution Cases and Warning Letters 2000 to 2008**

