



<Dorota-Anna.BURSA@ec.europa.eu>

13.07.2011 15:15

To <Public.Participation@unece.org>

cc

bcc

Subject FW: "C/54" Email 37

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**From:** BURSA Dorota Anna (ENV)  
**Sent:** Tuesday, July 12, 2011 9:43 AM  
**To:** 'Public.Participation@unece.org'  
**Subject:** "C/54" Email 37

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**From:** ENV CHAP  
**Sent:** Wednesday, August 11, 2010 8:58 AM  
**To:** WEGERDT Patrick (ENV); BURSA Dorota Anna (ENV); WALKER Margaret (ENV)  
**Cc:** ARIAS SANCHEZ Maria Encarnacion (ENV)  
**Subject:** FW: EU CHAP (2010) 00645 - Garda File FB11. 242.09: National Renewable Energy Action Plan - Failure to complete Strategic Environmental Assessment

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**From:** Pat Swords [mailto:pat.swords.chemeng@gmail.com]  
**Sent:** Wednesday, August 11, 2010 12:21 AM  
**To:** ENV CHAP; GBFI\_DV  
**Cc:** Jerry Waugh; info  
**Subject:** EU CHAP (2010) 00645 - Garda File FB11. 242.09: National Renewable Energy Action Plan - Failure to complete Strategic Environmental Assessment

To: EU CHAP(2010) 00645 - Garda Bureau of Fraud Investigation  
FB11.242.09

Date: 10/8/2010

Subject; National Renewable Energy Action Plan

With regard to this recently published plan, which has been submitted to the EU Commission:

- <http://www.dcenr.gov.ie/NR/rdonlyres/C71495BB-DB3C-4FE9-A725-0C094FE19BCA/0/2010NREAP.pdf>

This complaint relates to the failure to complete the necessary public participation in decision making and the dissemination of false information on the environment, yet again, to the Irish Public.

Directive 2001/42/EC is clear in Article 3 (2a) that plans and programmes relating to energy are subject to strategic environmental assessment and under Article 4 that these plans and programmes must be subject to assessment **before adoption**. See also Article 5 relating to the Environmental Report and Article 6 relating to consultation. This Directive has been implemented into Irish Law since 2004:

- <http://www.environ.ie/en/DevelopmentandHousing/PlanningDevelopment/EnvironmentalAssessment/>

Note: The Environmental Report is a key document in informing the public of the costs, benefits and most particularly the alternatives to the proposed plan or programme.

The National Renewable Energy Action Plan submitted to the EU is clear in page 5 that the Government has a target for a 40% generation of electricity from renewable sources by 2020. It is also clear in that this plan is currently in the process of implementation, see for example the 'gate process' page 24 or Grid 25 on page 74. At no stage has a strategic environmental assessment being completed for this plan for 40% of electricity from renewable sources. Neither has any cost benefits been completed with regard to the environmental benefits of the funding mechanisms and alternative measures to achieve them. See attached documentation dating to September 2009 relating to an Access to Information on the Environment Request, which has gone to appeal (CEI/09/0016). Furthermore it is clear from the National Renewable Energy Plan that the Government has no intention of completing a strategic environmental assessment for its renewable energy plan, the only such sections of the plan which will have a future strategic environmental assessment are the Ocean Energy and Grid 25 components (note the Grid 25 programme is already being implemented).

It is also clear from a technical perspective that the current wind energy programme to achieve the 40% target has a capital cost of greater than €30 billion, for which the environmental benefits are only in the region of €36 million per annum (based on the EU ExternE damage cost of €9 per tonne of CO<sub>2</sub>). Sadly these same environmental benefits could be achieved at less than one thirtieth of the cost by implementation of waste to energy programmes as other Member States have done, yet these measures are being obstructed by the present administration acting outside the legislation (see previous correspondence). Currently (as of 24th May 2010) total installed wind generation in Ireland stands at 1,379 MW. No cost / benefits in terms of financial and environmental evaluations or alternatives related to this programme were ever presented to the Irish public, who are now paying huge sums of money in additional electricity charges and levies. Indeed the Eirgrid report in 2004 on "Impact of Wind Power Generation in Ireland on the Operation of Conventional Plant and the Economic implications" is clear in that 1,500 MW of wind energy would lead to a 15% increase in electricity generation costs and this appeared high relative to other alternatives:

- [http://www.eirgrid.com/media/2004%20wind%20impact%20report%20\(for%20updated%202007%20report,%20see%20above\).pdf](http://www.eirgrid.com/media/2004%20wind%20impact%20report%20(for%20updated%202007%20report,%20see%20above).pdf)

Not unsurprisingly a 5% increase in electricity prices occurred this week (see attached) and link below:

- <http://www.irishtimes.com/newspaper/breaking/2010/0809/breaking18.html>

The Government Official (Michael Tutty - Chairman of the Commission for Energy Regulation) stated: "*The renewables will help us a lot in the future, will help to keep prices down*". **This is a completely false statement and is to be the subject of an Access to Information on the Environment Request by others.** See also previous appeals by the Commissioner for Environmental Information CEI/10/004 and CEI/10/0002 (attached and below):

- <http://www.ocei.gov.ie/en/DecisionsOfTheCommissioner/>

The sums of money, which will have to be paid out on renewable contracts over the next number of years (purchase agreements are usually 15 years) are simply staggering. If the proper legislation in the granting of these contracts had been followed the same environmental benefits could have been achieved for a fraction of the cost. Instead abuses of power are occurring to distribute these contracts based on political lobbying and favours, with the Irish public being constantly fed false information with regard to the costs and benefits of the programme.

It's very, very simple, industry can't afford this and job losses are occurring.

- <http://www.irishtimes.com/newspaper/ireland/2010/0810/1224276470844.html>

For over 18 months I have been repeatedly highlighting this to well paid public servants in the EU and National Administrations. Nothing has been done to date. As I have pointed out before under the Charter of Fundamental Rights (Lisbon Treaty 2009), there is a Right to Good Administration, which includes that "The Union must make good any damages caused by its institutions or its servants in performance with its duties, in accordance with the general principles common to the laws of the Member States".

Regards

Pat Swords BE CEng FICChemE CEnv MIEMA



2001-42-EC.pdf



DCENR.rtf

Comments on Update on Appeal CEI-09-0016 May 2010.pdf



Minister defends electricity levy - The Irish Times - Mon, Aug 09, 2010.mht



CEI-10-0004 Clarifications related to Eirgrid Appeal to Commissioner for Environmental Information 15-2-2010.pdf



Clarifications to the OCEI re Appeal to the IDA CEI-10-0002 Date 25-2-2010.pdf