



Pat Swords <pat.swords.chemeng@gmail.com>

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## Letter requesting meeting with regard to Aarhus Convention and systematic non-compliances of Irish State with Environmental Acquis

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Pat Swords <pat.swords.chemeng@gmail.com>

Tue, Sep 21, 2010 at 8:21 PM

To: Liam-Joseph.Cashman@ec.europa.eu

Cc: ENV-CHAP@ec.europa.eu, COMM-IE-INFO-REQUEST@ec.europa.eu, ptobrien18@gmail.com, oposull@gmail.com, mikeclucas@hotmail.com, brendancafferty@hotmail.com, jerwaugh@yahoo.co.uk, keith.elliott@pmg.ie, eamonn.devery@pmg.ie, raymond.sexton@hotmail.com, mervyn.wilmot@pmg.ie, Patrick.WEGERDT@ec.europa.eu

Dear Mr Cashman

It is increasingly obvious to us in Ireland, see attached, and in other Member States, see for example below, that this wind energy programme is being driven without any regard to either the staggering economic cost or the hardly discernible environmental benefits (if any at all).

- <http://www.spiegel.de/spiegel/print/index-2010-38.html>

It is also clear that your colleagues in DG Energy have refused to accept responsibility for the proper implementation of this programme giving due regard to the Principle of Proportionality and the Aarhus Convention. This is by no means the first time they have refused to properly reply to a request related to this programme within the timeframes established by the European Code of Good Administrative Behaviour, see below:

- <http://www.ombudsman.europa.eu/resources/code.faces#hl17>

If DG Energy are not willing to attend the meeting proposed for the 1st October, then so be it. We would rather go ahead with the meeting and exercise the option to make a communication to the compliance committee of the Aarhus Convention (<http://unece.org/env/pp/ccBackground.htm>) with regard to DG Energy's approval of the REFIT I tariffs and funding of the UK / Ireland interconnector, both of which are integral to the Irish Wind Energy Programme. A programme which has never been through the proper process of Strategic Environmental Assessment and Public Participation and for which there has been no costs / benefits review and consideration of alternatives.

Regards

Pat Swords

On Wed, Sep 15, 2010 at 10:37 PM, Pat Swords <[pat.swords.chemeng@gmail.com](mailto:pat.swords.chemeng@gmail.com)> wrote:

To: Liam Cashman

Date 15-9-2010

It seems completely incredible to all of us here that if billions upon billions are to be spent on the renewable energy sector that (a) it can be demonstrated that it actually produces improved environmental performance, (b) it has been optimised to maximise environmental benefit per unit financial cost and (d) that the proper legal procedures with regard to access to information, public participation and access to justice have been adhered to. For nearly two years I have been pointing out that I can't find (a), (b) or (c), such as in the attached, and billions is an awful lot of money. That is why it is important that some answers are presented by your colleagues in DG Energy.

Regards

Pat Swords

On Mon, Sep 6, 2010 at 4:57 PM, <[Liam-Joseph.Cashman@ec.europa.eu](mailto:Liam-Joseph.Cashman@ec.europa.eu)> wrote:

Dear Mr Swords,

Thank you for this information. We are checking internally as to suitability of dates.

I note that you wish to raise renewable energy directives 2001/77 and 2009/28. As you indicate, these are DG ENERGY instruments and so we will need to check with our colleagues in that DG as to whether they are available to discuss these.

Yours sincerely,

Liam Cashman

Deputy Head of Unit ENV A.2

Compliance Promotion, Governance and Legal Issues

*EUROPEAN COMMISSION*

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*Liam-Joseph.[Cashman@ec.europa.eu](mailto:Cashman@ec.europa.eu)*

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**From:** Pat Swords [<mailto:pat.swords.chemeng@gmail.com>]

**Sent:** Monday, September 06, 2010 2:27 PM

**To:** CASHMAN Liam (ENV)

**Cc:** ENV CHAP; COMM IE INFO REQUEST; [ptobrien18@gmail.com](mailto:ptobrien18@gmail.com); [oposull@gmail.com](mailto:oposull@gmail.com); [mikeclucas@hotmail.com](mailto:mikeclucas@hotmail.com); [brendancafferty@hotmail.com](mailto:brendancafferty@hotmail.com); [jerwaugh@yahoo.co.uk](mailto:jerwaugh@yahoo.co.uk); [keith.elliott@pmg.ie](mailto:keith.elliott@pmg.ie); [eamonn.devery@pmg.ie](mailto:eamonn.devery@pmg.ie); [raymond.sexton@hotmail.com](mailto:raymond.sexton@hotmail.com); [mervyn.wilmot@pmg.ie](mailto:mervyn.wilmot@pmg.ie); WEGERDT Patrick (ENV)

**Subject:** Re: Letter requesting meeting with regard to Aarhus Covention and systematic non-compliances of Irish State with Environmental Acquis

Dear Mr Cashman

Thank you for your prompt reply. Attached is our proposed agenda for the meeting. As a number of us are working outside the country a Friday is the most suitable day. We would therefore propose Friday 1st October for the meeting or a suitable Friday to follow. We propose that Raymond Sexton chair the meeting from our side. With regard to the review of the situation in Ireland:

- Keith Elliott, who was construction manager on the Corrib Gas terminal, will present this project supported by Brendan Cafferty of ProGas Mayo, who will present the viewpoint of the local community.
- Mike Clucas will provide the background to Waste to Energy issues in Ireland.
- Eamonn Devery and Jerry Waugh will present the background to power generation and the renewable energy programme.
- Oisín O'Sullivan and myself have several years of experience implementing the Environmental Acquis in Central and Eastern Europe and we will address issues related to compliance with the Environmental Acquis.

We will have a number of others who will wish to attend to hear your viewpoints. I would allow at this stage for a further 7 to 8 people but I will confirm in the next week or so.

If you have any questions please do not hesitate to contact us.

Regards

Pat Swords

On Wed, Sep 1, 2010 at 10:02 AM, <[Liam-Joseph.Cashman@ec.europa.eu](mailto:Liam-Joseph.Cashman@ec.europa.eu)> wrote:

Dear Mr Swords,

Thank you for this email to which we will be formally responding.

In the meantime, could you indicate potentially suitable dates for you for a meeting from mid-September on as we will need to check schedules here. Could you also indicate the persons who would wish to be present to enable us to organise a suitable venue. Finally, could you specify the points you would like to discuss to ensure that any meeting is focused and can be properly prepared.

Yours sincerely,

Liam Cashman

Deputy Head of Unit ENV A.2

Compliance Promotion, Governance and Legal Issues

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**From:** Pat Swords [mailto:[pat.swords.chemeng@gmail.com](mailto:pat.swords.chemeng@gmail.com)]

**Sent:** Tuesday, August 31, 2010 7:12 PM

**To:** ENV CHAP; CASHMAN Liam (ENV); COMM IE INFO REQUEST

**Cc:** Pat O'Brien; oposull; mikeclucas; Brendan Cafferty; Jerry Waugh; Elliott, Keith; Devery, Eamonn; [raymond.sexton@hotmail.com](mailto:raymond.sexton@hotmail.com); mervyn.wilmot

**Subject:** Letter requesting meeting with regard to Aarhus Covention and systematic non-compliances of Irish State with Environmental Acquis

To: Liam Cashman / CHAP (2010)00645 / EU Commission in Dublin

Please find attached letter with regard to the above. We would be grateful for a meeting to discuss these issues and the measures proposed to resolve the current completely unacceptable situation in Ireland. The non-compliances with the Environmental Acquis are leading to huge job losses in industrial development. Furthermore the capital and operational costs of a policy of 40% of electricity to be generated by renewable sources (mostly wind based), which is neither economically or environmentally justified, cannot be sustained by this economy and will lead to ever increasing job losses in an increasingly uncompetitive manufacturing sector.

Regards

Pat Swords BE CEng FIChemE CEnv MIEMA

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