



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

11.07.2011 15:54

To <Public.Participation@unece.org>

cc

bcc

Subject "C/54" Email 27

-----Original Message-----

From: ENV CHAP
Sent: Tuesday, March 29, 2011 2:42 PM
To: LONG Antoinette (ENV); BURSA Dorota Anna (ENV)
Cc: ENV CHAP A
Subject: FW: CHAP (2010) 00645 Reply from Minister of Environment REP140/EOC/11

CHAP (2010)00645

-----Original Message-----

From: Pat Swords [mailto:pat.swords.chemeng@gmail.com]
Sent: Tuesday, March 29, 2011 2:38 PM
To: ENV CHAP
Subject: CHAP (2010) 00645 Reply from Minister of Environment REP140/EOC/11

To: CHAP (2010)00645
From: Pat Swords
Date: 29-3-11

<http://www.environ.ie/en/Environment/Waste/PublicConsultations/SubmissionsReceived/>

I would certainly disagree that an SEA under Directive 2001/42/EC can be done after the policy is adopted by the Government, as was stated to me in my clarification back in autumn 2010 in relation to the failure to complete this assessment. See mine and other submissions at the Department's web page. Furthermore the Aarhus Convention is clear in that due account has to be taken of the public participation process. Ignoring the comments of the Environmental Protection Agency, who were stating that the principles of the waste levies were not supported by European Environmental Legislation, is completely and utterly irregular.

----- Forwarded message -----

From: Minister <MINISTER@environ.ie>
Date: Tue, 29 Mar 2011 11:31:01 +0000
Subject: REP140/EOC/11
To: "pat.swords.chemeng@gmail.com" <pat.swords.chemeng@gmail.com>

29 March 2011

Mr Pat Swords

RE: REP140/EOC/11

Email: pat.swords@chemeng@gmail.com

Dear Mr Swords,

I wish to refer further to your email of 6 February 2011.

The 2007 Programme for Government contained a commitment to carry out an international review of waste management plans, practices and procedures and to act on the review's conclusions. In November 2009 the International Review of Waste Management Policy was published, commissioned from an international consortium made up of Eunomia Research and Consulting, and a number of national and international partners.

On 15 July 2010 a Draft Statement of Waste Policy was published for public consultation. The draft policy statement was based on the recommendations and analysis of the International Review of Waste Management Policy. In advance of finalising a Statement of Waste Policy by Government, comments were invited from relevant stakeholders and any other interested parties. The closing date for receipt of submissions was 1 October 2010.

A decision was made on 7 December 2010 to post the submissions received on the Department's website, with some redactions relating to personal information, legally privileged information or information that might be prejudicial to Garda investigations and this was completed on 11 January 2011.

On behalf of the Minister, I would like to comment on your concerns in relation to the application of the Aarhus Convention in respect of the consultation concerning the Draft Statement. It is not accepted that the Department has ignored the Convention's core principles. On the contrary, the consultation process was conducted entirely in accordance with the Articles quoted in your letter.

As regards the completion of a Strategic Environmental Assessment, I refer you to the e-mail from this Department sent to you on 19 July 2010, and reiterate that an SEA is not required in respect of a draft waste policy. Such assessments are appropriate at a later stage of the policy formulation cycle.

In relation to perceived divergence between submissions received and the Environment (Miscellaneous Provision) Bill 2010, it is entirely a matter for Government to disagree with any submission received during a consultation period, subject, obviously, to legal requirements.

I regret that you are of the view that the Department has failed in its duty to provide a satisfactory level of customer service to you, and that you feel that officials have been obstructive. However, the Department is satisfied that its conduct has been entirely in accord

with accepted standards of transparency, customer service and administration. Further, the several accusations of illegality made in your correspondence of 6 February have no basis.

Providing a high-quality, efficient and effective service is central to our work in the Department of the Environment, Heritage and Local Government. If you, as a customer, are not happy with the quality of the service which you have received from the Department, you may wish to make a customer service complaint. You will find details of how to do so on our website at www.environ.ie<<http://www.environ.ie/>>

Yours sincerely,

Eddie Kiernan
Private Secretary