



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

11.07.2011 15:51

To <Public.Participation@unece.org>

cc

bcc

Subject "C/54" Email 22

From: ENV CHAP A

Sent: Tuesday, May 11, 2010 3:19 PM

To: WEGERDT Patrick (ENV); BURSA Dorota Anna (ENV); WALKER Margaret (ENV)

Cc: ENV CHAP A

Subject: FW: CHAP (2010) 00645: Aarhus Request for Information on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

Please, do not forget to add these documents into the related CHAP case.

Thanks in advance,

Encarna

María Encarnación ARIAS SANCHEZ

Infringements Unit

Directorate-General for Environment

European Commission

B-1049 Brussels

Office: BU-9 1/23

T (32-2)29-65 703

F (32-2)29-91 070

Please note that from now on my new address e-mail is:

maria-encarnacio.arias-sanchez@ec.europa.eu

 **Please consider the environment before deciding to print this e-mail**

From: ENV CHAP

Sent: Thursday, April 29, 2010 9:06 AM

To: WEGERDT Patrick (ENV); BURSA Dorota Anna (ENV); WALKER Margaret (ENV)

Cc: ENV CHAP A

Subject: FW: CHAP (2010) 00645: Aarhus Request for Information on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

Dossier CHAP(2010)00645

Alberto POZZI
European Commission
DG Environment - DG Climate
BU-5 0/40
B-1049 Brussels
Phone: +32-2-29 69162
e-mail : alberto.pozzi@ec.europa.eu



Please consider the environment before deciding to print this e-mail.

From: Pat Swords [mailto:pat.swords.chemeng@gmail.com]
Sent: Thursday, April 29, 2010 12:28 AM
To: info@ocei.ie; ENV CHAP; COMM IE INFO REQUEST
Cc: foi@ucd.ie; president@ucd.ie; info@ucd.ie; aine.gibbons@ucd.ie; sinead.dolan@ucd.ie; mary.staunton@ucd.ie; debbie.scanlan@ucd.ie
Subject: CHAP (2010) 00645: Aarhus Request for Information on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

To: Office of the Commissioner of Environmental Information

With regard to my Access to Information on the Environment (AIE) request of 28-2-2010 to University College Dublin (UCD), see below, no attempt has been made to answer part (b) of the request. As regards part (a) the reply of the 22-3-2010 was completely inadequate and no attempt has been made to reply to my request to the internal review within the statutory period. I am therefore requesting a formal appeal according to S.I. No. 133 of 2007 and will lodge my €150 payment to your website.

To: CHAP(2010) 00645

Another example of another Irish Public Body refusing to provide Access to Information on the Environment on request in accordance with Directive 2003/4/EC and engaging in dissemination of false information on the environment to the Irish Public.

To: EU Commission Office in Dublin

Regulation 1367/2006 applies the Aarhus Convention to EU Institutions and Bodies. Please note my contact details below as per AIE request to UCD. With regard to Shell to Sea this organisation of eco-terrorists has operated outside the democratic process and repeatedly used violence

against those of us in the scientific and technical community. If we consider Maura Harrington and the Shell to Sea involvement with UCD as documented below in the links,

- On 12th March 2009 Judge Mary Devins sentenced Maura Harrington to jail for 28 days for the assault on Garda Eamon Berry, which she described as a “despicable show of utter contempt”. In sentencing her, Judge Devins told Ms Harrington she was less inclined to believe in her passion for her cause having “witnessed the enjoyment she seems to get in being in the public limelight”. She also sentenced her for being in contempt of Court.
- On 10th September 2009 Maura Harrington was jailed for three months in relation to the assault of a security guard and entering a Shell compound at Glengad with the intention of committing an offence on June 16th, 2008.
- On 11th February Patrick O'Donnell, who was the leader of a group of Shell to Sea protesters who surrounded and intimidated four gardaí in an unmarked vehicle was sentenced to seven months in prison. Judge Raymond Groarke, at a sitting of the Circuit Criminal Court in Castlebar, told Patrick O'Donnell (52), that he was a “thug” and “a bully”.

It is therefore clear that senior staff, the facilities and the name of UCD are being used to actively and repeatedly support this violent anti-democratic grouping, i.e. the facility of UCD is being used to groom and mentor students in violent and anti-democratic behaviour directed at us.

My requests relates then to:

(a) Article 2 of Directive 2003/4/EC defines information on the environment, which in addition to emissions includes energy, cost / benefit analysis and other economic analysis, etc. What EU funding falling under this definition is currently being paid to UCD? Secondly what EU programmes under this definition have been applied to by UCD and are other consideration for approval?

(b) What is the position of the EU for funding organisations which act outside the EU legislative basis, particularly Aarhus requirements and/or are engaged in active support of anti-democratic campaigns?

Regards

Pat

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

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

Date: Sun, Apr 25, 2010 at 12:30 PM

Subject: Re: Aarhus Request for Infomation on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

To: FOI <foi@ucd.ie>, president@ucd.ie, info@ucd.ie, aine.gibbons@ucd.ie, sinead.dolan@ucd.ie, mary.staunton@ucd.ie, debbie.scanlan@ucd.ie, "Damian A. Mooney" <damian.mooney@ucd.ie>

25th April by my watch today. Does UCD consider itself above the legislation? It certainly is demonstrating this fact. As I have pointed out time and time again in making this legal request there is a democratic process with regard to environmental legislation, namely the 300 Directives which form the Environmental Acquis. It is quite clear that UCD as a public body is operating outside of this democratic process in the manner in which its staff, students and facilities are being used. Not only has UCD stepped outside the democratic process but it has been engaged in abusive behaviour to those of us who deliver the legally compliant industrial infrastructure of the state. particularly as regards a 'Trial by Media in the Court of Public Opinion'. This has resulted in enormous financial losses and lost business and career opportunities, not to mention the violence and abuse that has been incited by this behaviour. If UCD has a problem with the Shell Corrib project or any other project in the state then it is entitled to engage in the democratic process, which governs the regulation of these projects to the Environmental Acquis. To date I have no evidence of UCD engaging in the democratic process related to this project but the extent of undemocratic and abusive behaviour by the staff and the organisation with regard to this issue is completely unacceptable.

On Wednesday I am, as I have in previous years, helping UCD Chemical Engineering with the assessment of their final year students. As I am making the effort once again to attend your campus I expect to be met by the senior official in UCD responsible for this addressing this behaviour that is outside both the legislative basis and abusive to us who earn or livelihoods in industrial development.

Pat Swords BE CEng FICChemE CEnv MIEMA

<http://www.shelltosea.com/content/shell-retreats-solidarity-pat-odonnell-continues>

<http://www.dublins2s.com/content/corrib-gas-project-decade-resistance-shell-state-giveaway-ireland%E2%80%99s-gas-oil>



On Wed, Apr 7, 2010 at 1:49 PM, FOI <foi@ucd.ie> wrote:
Dear Mr Swords,

I wish to acknowledge receipt of your request for an Internal Review under the Access to Information on the Environment Regulations 2007. You should expect to receive the Internal Review Decision letter's to parts A and B of your request by 22nd April 2010 and 06th May 2010 respectively.

Kind regards,

Debbie Scanlan

Records Management & Freedom of Information Unit

Room 005 Tierney Building

University College Dublin

Phone: +353-1-7161616

<mailto:debbie.scanlan@ucd.ie>

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

Sent: 03 April 2010 16:38

To: FOI

Cc: andy.storey@ucd.ie; President@ucd.ie; damian.mooney@ucd.ie; Aine.Gibbons@ucd.ie; sinead.dolan@ucd.ie; Mary.Staunton@ucd.ie; info@ucd.ie; debbie.scanlan@ucd.ie

Subject: Re: Aarhus Request for Infomation on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

To: Freedom of Information at UCD

Part (b) of my request of 28th February has not been answered in the one month statutory period. Part (b) I have requested an internal review on. I require a statement as to the legal non-compliance of UCD. Does UCD not consider itself a Public Body? This I consider strange given that I and other taxpayers fund UCD and it clearly engages in research in areas that fall under Article 2 of Directive 2003/4/EC.

On Mon, Mar 22, 2010 at 2:05 PM, Pat Swords <pat.swords.chemeng@gmail.com> wrote:

You need to read your legislation S.I. No. 133 of 2007. There is no fee.

On Mon, Mar 22, 2010 at 10:49 AM, FOI <foi@ucd.ie> wrote:

Dear Mr Swords,

- If you would like to make a request for information under the Freedom of Information Acts 1997 and 2003, may I refer you to the FOI application process at www.ucd.ie/foi/foi/foirequest.htm.

- A fee of €15 must accompany all applications for non-personal information.

Kind regards,

Debbie

Debbie Scanlan

Executive Assistant

Records Management & Freedom of Information Unit

Room 005 Tierney Building

University College Dublin

Phone: +353-1-7161616

<mailto:debbie.scanlan@ucd.ie>

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

Sent: 19 March 2010 21:51

To: President@ucd.ie; info@ucd.ie; foi@ucd.ie

Cc: damian.mooney@ucd.ie; aine.gibbions@ucd.ie; sinead.dolan@ucd.ie; Mary.Staunton@ucd.ie

Subject: Fwd: Aarhus Request for Infomation on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

It's very, very simple. The Guidance document issued by the Department of the Environment states in Section 7.3 that public bodies should respond to requests, such as that below, positively and promptly. UCD has until the 28th of this month to do so to ensure legal compliance.

I do not take kindly to false information on the environment being disseminated to the public for the purpose of political or personal gain (see attached). Furthermore it is completely unacceptable when it is being done at the expense of people, some like myself who are UCD

graduates, who are working in full compliance with all legislative requirements and are morally and ethically due a minimum level of respect. Not to mention the fact that they are paying the taxes and generating the wealth which funds UCD.

In the past I have been more than helpful with assisting the UCD Chemical Engineering Department. However, the situation below and the fact that I have not received a reply to date leaves me with a completely unpleasant viewpoint of what standards are now being applied in the place in which I did my degree. Rest assured others will be seeing this correspondence and drawing their own conclusions.

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

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

Date: Sun, Feb 28, 2010 at 7:01 PM

Subject: Aarhus Request for Infomation on the Environment related to UCD and letters printed in Irish Times on 24th December and 24 February

To: president@ucd.ie

Cc: info@ucd.ie

S.I. No. 133 of 2007 applies as UCD is a Public Body, see attached guidance on these regulations.

Pat Swords BE CEng FICChemE CEnv MIEMA

10 Hillcourt Rd

Glenageary

Co. Dublin

2852768

(but e-mail is best as I'm out of the country most of the time as nobody in their right mind would invest in a country where the the principles of law and civil decency are not respected).

What I am requesting according to the Regulations:

(a) On the 24 February 2010 in the Letters section of the Irish Times it was stated by UCD "a dangerous onshore pipeline" with regard to the Corrib pipeline in Co. Mayo. Safety in the EU is regulated by Directive 89/391/EC and its daughter directives and further guidance on major accident hazards can be found in Directive 96/82/EC (as amended) and associated guidance from the EU. Directive 2003/4/EC is clear in Article 2 (1) that the safety of such an installation is environmental information for the purpose of the regulations. I am therefore requesting the full technical file developed by UCD, which clearly outlines according to the above legislation why the pipeline concerned is **dangerous**.

(b) On the 24 December 2009 in the Letters section of the Irish Times it was stated by UCD that "the impact of wind generation on the future electricity price is uncertain". Personally I am aware of the 2004 Eirgrid "Impact of Wind Power Generation in Ireland on the Operation of Conventional Plant and the Economic Implications", which clearly outlines the resultant cost basis as does the July 2009 Poyry Report encompassing more than 20,000 hours of technical input: <http://www.poyry.com/linked/group/study> . I am therefore requesting the full technical file developed by UCD which clearly outlines why the impact of wind generation on the future electricity price is uncertain. Note Article 2 (1) of Directive 2003/4/EC is clear in that energy and cost / benefit studies and other economic analyses are clearly environmental information for the purpose of the regulations.



Request for internal review to UCD 22-3-2010.pdf Reply from UCD Communications 22-3-2010.pdf

