

52 Claremont Road
Sandymount
Dublin 4

Friday 26th October 2007

Dr Jonathan Derham
Office of Licensing & Guidance
Environmental Protection Agency
PO Box 3000
Johnstown Castle Estate
County Wexford

Re: WO232-01
Waste Licence Application by Dublin City Council
Dublin Waste to Energy Project
Pigeon House Road
Poolbeg Peninsula
Dublin 4

Dear Dr Derham,

On Monday last, 22nd October 2007, we sent a submission to the EPA enclosing the following material in softcopy:

Having visited the EPA headquarters last week it was clear that your file does not contain copies of the two workbooks with spreadsheets provided by Dr Porter in support of the submissions on climate impact which he made on behalf of DCC to An Bórd Pleanála.

Please find attached copies of these two workbooks:

- 1. Poolbeg 2 original climate_chapter_calculations.xls*
- 2. Poolbeg 3 original climate_spreadsheet_280507.xls*

Also please find attached additional material for your consideration:

- 3. JPMcC - VJ Critique of Porter Climate Models.xls*

A copy of our workbook with spreadsheets in which we provide our analysis and reworking of Dr Porter's models.

Paper material

We received two calls from your Office on Wednesday and Thursday to the effect that the EPA does not place spreadsheets on their website. A paper copy of the material was sought for the website.

We wish to protest that this policy of the EPA is inadequate in the discharge of its duty to inform the public. The material we submitted is essential to the understanding of the climate models produced by Dr Porter on behalf of Dublin City Council.

It is the responsibility of the EPA to check the material submitted as part of any EIS for a waste licence application. It is now clear to us following our analysis that these models as presented by Dr Porter were never checked.

His calculations for the Meath incinerator and for the Poolbeg incinerator have the same mistakes.

Complex Models

Understanding or assessing this complex science requires access to the analysis tools used to create these climate impact models - spreadsheets in this case – and for the EPA to restrict availability to paper format only is a major interference with the public's right to information.

Providing a printout of a spreadsheet on paper is entirely insufficient because the underlying formulae are invisible. The assumptions, calculations, mistakes and other consequences of these complex models can not be assessed without having the actual excel spreadsheets themselves for examination.

We have been in a position to conduct this analysis only because we took part personally in the Oral Hearing conducted by An Bórd Pleanála into the application for the Poolbeg incinerator during which we asked the Inspector to seek a softcopy of the models from the applicant. Having obtained these models during the public hearing we were then able to analyse them and point out the many errors and inconsistencies in the climate models. We have submitted the spreadsheets in their original electronic format to both the EPA and the public to analyse the models.

Who should check the sums? Clearly the EPA did not check these same sums in the case of the Meath application. We were present at the EPA oral hearing in Drogheda when Dr Porter gave evidence and this aspect of his model was not challenged.

Consequences

If this detailed analysis had not been done by us the flaws would never have been seen. One has to wonder at what other flaws are contained in the rest of the EIS.

Similar flaws are present in the published EIS for the Meath incinerator. Please let us know if our new findings change in any way the decision of the EPA to licence the Meath plant. We believe this decision must now be revisited in light of the new facts.

A more important question comes into focus – how can the public have confidence in the self monitoring regimes already licensed by the EPA for similar plants?

Given that mistakes of this magnitude are contained in the application itself it is quite possible that similar mistakes will arise in the self-monitoring of the plant but how can the public or the EPA know that such might be the case?

Monitoring of these facilities which require understanding of the complex science involved should be done directly by the authorities and should not be left to the applicant to self monitor.

Duty to Provide Information

It makes a farce of the regulatory regime if the EPA does not check the sums itself because it has not got them in its possession and at the same time it prevents the public from checking them by refusing to put up the relevant spreadsheets on its website.

Since the EPA will not provide to the public this material as submitted by us we have now placed original copies of the spreadsheets on www.fiasco.ie and we would encourage the public to access the material there.

We are submitting under protest paper copies of these spreadsheets as requested for your website.

The EPA policy of placing paper-only documents on your website is restrictive and should be changed.

Yours sincerely,

Yours sincerely,

Joe McCarthy
Chartered Engineer
BSc FICS MMII DLS CEng MIEI

Valerie Jennings
Chartered Physiotherapist
MCSP MISCP LicAcu

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For originals of these spreadsheets please go to www.fiasco.ie