
Ministry of Economy

**CONCLUSIONS FROM THE STRATEGIC
ENVIRONMENTAL IMPACT
ASSESSMENT
OF ENERGY POLICY**

Appendix 4

to draft “Energy Policy of Poland until 2030”

TABLE OF CONTENTS

1.	LEGAL BASIS AND SOCIAL CONSULTATIONS	2
2.	JUSTIFICATION OF THE SELECTED OPTION OF ENERGY POLICY IMPLEMENTATION IN THE CONTEXT OF ALTERNATIVE SOLUTIONS	3
3.	APPLICATION OF FINDINGS CONTAINED IN THE ENVIRONMENTAL IMPACT ASSESSMENT	4
4.	OPINIONS OF THE GENERAL DIRECTOR FOR ENVIRONMENT PROTECTION AND THE CHIEF SANITARY INSPECTOR	5
5.	RESERVATIONS AND PROPOSALS SUBMITTED FOLLOWING SOCIAL CONSULTATIONS	5
6.	INCORPORATION OF SUGGESTIONS CONCERNING THE METHODS AND FREQUENCY OF MONITORING THE EFFECTS OF IMPLEMENTING PROVISIONS OF THE DOCUMENT	5

1. Legal basis and social consultations

The obligation to carry out strategic environmental impact assessment of the draft Energy Policy results from the Act of 3 October 2008 on the dissemination of information on environment and its protection, on participation of the society in environmental protection, and on environmental impact assessment. To this end, an *Environmental Impact Assessment of the Draft Energy Policy of Poland until 2030* (hereinafter referred to as the *Assessment*) has been prepared. The *Assessment* has been drawn up on the request of the Ministry of Economy by Proeko CDM Sp. z o.o. (hereinafter referred to as the Consultant). Full text of the *Assessment*, due to its size, has not been attached to the draft Energy Policy. It is available on the website of the Ministry of Economy.

The *Assessment*, along with the draft *Energy Policy of Poland until 2030*, was subject to social consultations which were held between 29 April and 3 June 2009. The consultations were also carried out according to the procedure provided for in the Act of 6 December 2006 on principles of conducting the development policy (Dz.U. [Journal of Laws] of 2006 No 22, item 1658, as amended). The procedure of social consultations was open – each interested person or entity could present their position.

Table 1. The course of strategic environmental impact assessment of the draft Energy Policy of Poland until 2030.

Task	Implementation status
Agree the scope of <i>Assessment</i> with the Minister of the Environment and the Chief Sanitary Inspector	Agreed in 2008
Ensure that <i>Environmental Impact Assessment</i> is devised of implementing the analysed <i>Energy Policy</i> provisions, whose scope complies with relevant legal regulations	Public procurement proceedings have been carried out; an agreement with the selected Consultant has been signed
Announce the information on initiating proceedings for the strategic environmental impact assessment	Published on 29 April 2009, time for submitting reservations – 22 days
Present the draft <i>Assessment</i> to the public and organise the process of public consultations, at least 21 days long, under which proposals are received, as well as remarks, reservations and opinions of the consultations participants	The consultations were carried out in May and June 2009
Present the draft <i>Assessment</i> for opinion to the General Director for Environment Protection and to the Chief Sanitary Inspector	The <i>Assessment</i> was submitted for opinion when the consultations started
Examine (adopt or reject and provide relevant justifications) the proposals, reservations and opinions received in the course of social consultations	Proposals, reservations and opinions have been examined; the analysis of remarks have been attached to the complete report containing the Environmental Impact Assessment, and it has been published on the website of the Ministry of Economy

Task	Implementation status
Prepare a final version of the <i>Assessment</i> , taking account of the opinions received from the competent authorities indicated above, and of social consultations results	Completed in June 2009, after remarks, opinions and reviews have been gathered and analysed
Examine the recommendations contained in the <i>Assessment</i> , as well as resulting from the social consultation process, and take them into account in the process of verification and adoption of <i>Energy Policy</i> content	According to the Council of Ministers work schedule

Representatives of local government, ecology organizations, economic chambers and associations, scientific circles, trade unions and employers' associations, energy enterprises, as well as individuals participated in social consultations. They submitted over 1,100 detailed remarks to the draft energy policy and its attachments. Due to diversified profile and different interests of those groups, the remarks were often contradictory or mutually exclusive. Therefore, the process of incorporating the remarks in the draft document required many decisions, often of strategic importance.

In line with Article 55(3) of the Act on the dissemination of information on environment, this Appendix is a summary justifying the selection of the option of energy policy implementation in the context of alternative solutions. It also provides information on the manner and scope the following were taken account of:

- Arrangements provided in the Environmental Impact Assessment,
- Opinions of the General Director for Environment Protection and the Chief Sanitary Inspector,
- Submitted remarks and proposals,
- Suggestions on the methods and frequency of monitoring the effects of implementation the document's provisions..

2. Justification of the selected option of energy policy implementation in the context of alternative solutions

The analysis of the draft *Energy Policy*, including a comparison of the Policy provisions with proposals of alternative energy strategies, and taking account of the demands put forward during the consultations, did not allow to identify any quickly applicable alternatives for the desired trends in the energy sector changes to be implemented and stimulated, as outlined in the *Policy*.

In the light of information collected while working on the *Assessment* it has not been unanimously determined whether possible implementation of future investments, currently only outlined within individual priority measures, would be the source of impact that could threaten cohesion of protected areas or lead to destruction of priority habitats. It is, therefore, necessary to confirm the information by detailed analyses at the stage of strategic assessment and impact assessment of the planned actions, only after the investment plans have been specified.

In the Consultant's opinion, the projection of demand for fuels and energy, attached to the draft *Policy*, best reflects the trends of probable changes, ensuring at the same time that diversified energy mix will be created, making use of various available sources and resources of energy carriers. Such scenario makes it also possible at least to maintain the present energy security level due to diversified energy sources and diversified energy carriers supply, and to mitigate the environmental impact, in particular as a result of considerably reducing the use of coal and developing emission-free or low-emission energy sources.

3. Application of findings contained in the Environmental Impact Assessment

Taking into account the framework and strategic character of the document, the *Environmental Impact Assessment* formulates recommendations focussed on reinforcing the possibilities to implement the objectives included in the document under analysis. Assuming that the set of measures proposed in the draft *Policy* contributes in general to the reduction of environmental pressure, it has been emphasised that the specified objectives are feasible, and some potential is still available. It has been emphasised that:

1. Activities related to energy efficiency should be carried out in an equally intensive manner in two complementary areas: the fastest possible improvement of primary energy efficiency (by increasing efficiency of generation equipment and preferences for co-generation processes) and the reduction in demand for final energy, in particular in service, household, and transport sectors (*inter alia* by replacing equipment and vehicles with those which consume less energy, thermo-modernisation, passive construction, lighting rationalisation).
2. Instruments adopted to implement the *Energy Policy*, including environmental and energy standards, as well as flexible mechanisms for balancing most important emission sources (CO₂, SO₂, NO_x), should be adjusted to the issues related to the improvement of energy efficiency, which will ensure preferences for the use of installations with highest energy efficiency.
3. The development of nuclear energy, as compared to the EU average, may be the ultimately effective method to ensure balancing and significant reduction in demand for non-renewable energy carriers. However, these matters are socially controversial and a wide, national debate on the issue must be carried out and also the conditions for the development of this part of the energy sector should be determined sooner, which is crucial to developing and modernising other energy subsectors.
4. The *Assessment* shows that the share of the renewable energy sources in total demand for final energy supply at 20-30% is realistic, which would give the renewable energy sub-sector a share comparable with other energy sources. This would also support creation of new jobs and would be a significant step forward to “balance” the Polish energy and would ensure long-term energy security, enabling significant reduction in the use of non-renewable fossil fuels. However, in order to achieve this level of satisfying the domestic energy demand, it is necessary to limit the increase in the demand for final energy, in particular for electricity, and ensure maximum use of the potential offered by the renewable energy sector.

Recommendations resulting from the *Assessment* were taken into account in the final version of the draft *Energy Policy*. The only exception was the last recommendation concerning more ambitious objectives for renewable energy sources. The Minister of Economy concluded that

in the present economic circumstances, especially in the times of increasing energy prices and economic slowdown, there is no justification for setting the proposed objective for the renewable energy resources development. The objective formulated in the *Energy Policy* does not limit the development of these resources to the assumed level, it only determines their minimum acceptable share in the final energy use at 15% in 2020, according to our commitments to the EU.

4. Opinions of the General Director for Environment Protection and the Chief Sanitary Inspector

Opinions of the General Director for Environment Protection and the Chief Sanitary Inspector on the draft *Energy Policy of Poland until 2030* and the *Environmental Impact Assessment* have been taken into account in these documents.

The opinion of the Chief Sanitary Inspector concerned the inclusion of health protection measures resulting from the *Assessment* into the *Energy Policy*. These measures have been provided for in Appendix 3 under priority VI *Mitigating the environmental impact of the power industry*.

In accordance with the remarks of the General Director for Environment Protection, provisions on the need to carry out a strategic assessment of environmental impact of the planned nuclear energy development programme have been included in the *Energy Policy*. The Director has also pointed out the provisions of Measure 2.2, which have been clarified in line with the current legal status. The remarks to the *Assessment* have been taken into account.

5. Reservations and proposals submitted following social consultations

All the reservations as to the *Energy Policy* and to the *Assessment* have been examined and partly incorporated in these documents. The most important amendments resulting from the reservations are as follows:

- Specifying measures undertaken to reduce emissions of NO_x and SO₂;
- Defining measures to reduce the quantity of waste produced in fuel and energy sector and to use industrial, agricultural and municipal waste for energy purposes;
- Defining measures to reduce emissions from low combustion sources;
- Mitigating the negative impact of energy sector on waters.

However, the requests to incorporate very detailed provisions in the document, as such provisions that can only be examined at the stage of implementing individual measures, have not been taken into account.

A detailed analysis of remarks is available on the website of the Ministry of Economy as an Appendix to the *Assessment*.

6. Incorporation of suggestions concerning the methods and frequency of monitoring the effects of implementing provisions of the document

According to proposals contained in the *Assessment*, the evaluation of environmental impact of implementing *Energy Policy* will be carried out with the use of existing statistical tools, as

well as data and information gathered under the State Environmental Monitoring and the National Emission Inventory System. No need has been established to create a new information system or to develop the existing ones .

The analyses will be drawn up as simplified reports submitted to the Council of Ministers on an annual basis, and as detailed analysis – once every four years, when the new energy policy will be at the stage of preparation. This will allow taking account of changes occurring in the energy system and modifying ecology policy objectives and measures accordingly, with a view to stimulating changes and the behaviour of enterprises.

Detailed reports on implementation of *Energy Policy* objectives as regards environmental protection in a wide sense and sustainable development will cover in particular the following issues:

- The primary energy use volume and the efficiency indicators for primary energy conversion into final energy,
- The volume of final energy use and the structure of final energy supply,
- The renewable energy supply volume,
- Growth rates of wind energy supply,
- Growth rates of the use of biomass,
- Growth rates of bio-fuels supply and their share in the fuel market,
- Changes in the volume of emission of basic pollutants, carbon dioxide and other greenhouse gases from the energy sector,
- Investment projects implemented in the mining industry and in the energy production sector (capacity above 20 MWt),
- Transmission infrastructure projects, already implemented and planned.