

Gormley hides behind outdated scientific data, tells TD his dept. can't intervene but Councils must defer to his guidelines

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Subject REP762/JG/09 and REP 8204/JG/08
17 September, 2009.

Mr Thomas Broughan, T.D., Dail Eireann, Leinster House, Kildare Street, Dublin 2.
RE: REP762/JG/09 and REP 8204/JG/08

Dear Tommy

I refer to your 'correspondence on behalf of Mr Con Colbert who is a member of the Irish Electromagnetic Radiation Victims Network (IERVN).

As you will be aware, my Department has responsibility in relation to the potential health effects of non-ionising radiation and v electro-magnetic fields. The regulation of the telecommunications and energy industries remains a matter for the Minister for Communications, Energy and Natural Resources through the regulators ComReg (the Commission for Communications Regulation) and CER (the Commission for Energy Regulation).

Officials from the Environmental Radiation Policy Section of my Department have met with Mr Colbert and members of IERVN and other groups concerned with the potential health effects of electromagnetic fields (EMF) on two occasions, most recently in April of this year. These meetings have provided a useful opportunity for Mr. Colbert and the other group members to highlight their concerns about the health effects of electro-magnetic fields, and for officials from my Department to advise them of current Government policy on the issue.

Current Government policy is informed by the report of the Expert Group established by the Inter-departmental Committee on the Health Effects of Electromagnetic Fields. The Expert Group Report - "Health Effects of Electromagnetic Fields" - was published by the Government in March 2007 and is available for download on my Department's website (www.environ.ie).

In compiling this report the Expert Group examined all major scientific reviews available worldwide on this subject at that time, including those of the World Health Organisation (WHO). The Report considers a wide range of issues in relation to the potential health effects of EMF, including from mobile telecommunications and wireless technologies.

The Report found that the majority scientific consensus to date is that no adverse short or long term effects have been demonstrated from exposure to EMF at levels below the limits recommended by the International Commission on Non-Ionising Radiation Protection (ICNIRP).

The Expert Group Report also recommended that Ireland continue to adopt and enforce the international guidelines developed by the ICNIRP and endorsed by the MHO and the European Union and that precautionary measures should be adopted where appropriate. This recommendation has also been accepted by Government. Ongoing international research continues to be coordinated through the EU, WHO and other bodies. My Department will continue to monitor relevant findings.

The current advice of my Department to those living in close proximity to mobile phone base stations, based on the conclusions of the Expert Group Report, is that there is no scientific basis or evidence of adverse health effects in children or adults as a result of exposure to EMF. This applies irrespective of the location of the phone mast.

With regard to Wireless Fidelity, or Wi-Fi, there is no consistent evidence to date that Wi-Fi adversely affects the health of the general population. The signals have a very low power level, typically 0.1 watt (100 milliwatts), and are well within the internationally accepted ICNIRP guidelines. The radio frequency (RF) exposures from Wi-Fi are broadly similar as those from traditional RF applications such as FM radio and television and are typically lower than RF exposures from mobile phones.

As there is no consistent evidence of any adverse health effects from RF exposures below ICNIRP guideline levels there is no reason why schools and others should not use Wi-Fi equipment. However, as with any new technology, it is a sensible precautionary approach to keep the situation under ongoing review as new information becomes available.

On the issue of planning, erection of communications masts generally requires planning permission. However, the Planning and Development Regulations 2001 set out certain exemptions in this area. These exemptions are subject to limitations/conditions, in particular compliance with radiation emission standards of the Director of Telecommunications Regulation. If these conditions and limitations are not complied with, the planning authority can take enforcement action or insist that planning permission be sought.

Under planning legislation, the decision to require planning permission in the first instance, or to grant or refuse a planning application, with or without conditions, is a matter for the relevant planning authority. In making decisions on planning applications, planning authorities must consider the proper planning and sustainable development of the area, having regard to the provisions of the development plan, any submissions or observations received, relevant Ministerial or Government policies, including any guidelines issued by the Department. Likewise, An Bord Pleanála, in determining an appeal, must review the entire case, having regard to the same matters as the planning authority, i.e. the development plan, submissions

received, etc. Under section 30 of the Planning and Development Act 2000 I am specifically precluded from exercising any power or control in relation to any particular case with which a planning authority or An Bord Pleanala is concerned.

My Department published Guidelines for Planning Authorities on Telecommunications and Support Structures in 1996. The guidelines are intended to facilitate planning authorities, An Bord Pleanala, the licensed providers of mobile telecommunications services and the public by providing guidance on dealing with these developments within the planning system.

The guidelines set out a locational hierarchy in relation to the siting of radio masts and advise that free-standing masts should only be located within or in the immediate surrounds of smaller towns or villages as a last resort. If such a location should become necessary, the masts and antennae should be designed and adapted for the specific location. In the vicinity of larger towns and in city suburbs, operators should endeavour to locate in industrial estates or in industrially zoned land. The guidelines further advise that, only as a last resort, and if all the alternatives are unavailable or unsuitable, should free-standing masts be located in a residential area or beside schools. Under Section 28 of the Planning and Development Act 2000, planning authorities are required to have regard to any Ministerial guidelines, in the performance of their functions.

I trust this clarifies my Department's position in relation to mobile telecommunications and Wi-Fi. I hope you find this information useful.

Yours sincerely,
John Gormley T.D.,
Minister for the Environment, Heritage and Local Government