

Modulo per la presentazione delle osservazioni per i piani/programmi/progetti sottoposti a procedimenti di valutazione ambientale di competenza statale

Presentazione di osservazioni relative alla procedura di:

- Valutazione Ambientale Strategica (VAS) – art.14 co.3 D.Lgs.152/2006 e s.m.i.
 Valutazione di Impatto Ambientale (VIA) – art.24 co.3 D.Lgs.152/2006 e s.m.i.
 Verifica di Assoggettabilità alla VIA – art.19 co.4 D.Lgs.152/2006 e s.m.i.

(Barrare la casella di interesse)

Il/La Sottoscritto/a

MARIO MARINI

(Nel caso di persona fisica, in forma singola o associata)

Il/La Sottoscritto/a

in qualità di legale rappresentante della Pubblica Amministrazione/Ente/Società/Associazione

(Nel caso di persona giuridica - società, ente, associazione, altro)

PRESENTA

ai sensi del D.Lgs.152/2006, le **seguenti osservazioni** al

- Piano/Programma, sotto indicato
 Progetto, sotto indicato

(Barrare la casella di interesse)

ID: COD. MYTERNA N. 202303409

(inserire la denominazione completa del piano/programma (procedure di VAS) o del progetto (procedure di VIA, Verifica di Assoggettabilità a VIA e **obbligatoriamente il codice identificativo ID: xxxx del procedimento**)

N.B.: eventuali file allegati al presente modulo devono essere unicamente in formato PDF e NON dovranno essere compressi (es. ZIP, RAR) e NON dovranno superare la dimensione di 30 MB. Diversamente NON potranno essere pubblicati.

OGGETTO DELLE OSSERVAZIONI

(Barrare le caselle di interesse; è possibile selezionare più caselle):

- Aspetti di carattere generale (es. struttura e contenuti della documentazione, finalità, aspetti procedurali)
 Aspetti programmatici (coerenza tra piano/programma/progetto e gli atti di pianificazione/programmazione territoriale/ settoriale)
 Aspetti progettuali (proposte progettuali o proposte di azioni del Piano/Programma in funzione delle probabili ricadute ambientali)
 Aspetti ambientali (relazioni/impatti tra il piano/programma/progetto e fattori/componenti ambientali)
 Altro (specificare) **SALUTE PUBBLICA, AND ENERGY SECURITY**

ASPETTI AMBIENTALI OGGETTO DELLE OSSERVAZIONI

(Barrare le caselle di interesse; è possibile selezionare più caselle):

- Atmosfera
 Ambiente idrico

OGGETTO: Presentazione osservazioni.

Progetto: Progetto per la realizzazione di un impianto eolico, costituito da 8 aerogeneratori di potenza unitaria pari a 7,2 MW, per una potenza complessiva di 57,6 MW, da realizzarsi nel Comune di Ruvo di Puglia (BA), oltre ad un sistema di accumulo di potenza pari a 50 MW e incluse le opportune opere di connessione alla RTN, ricadenti anche nei comuni di Terlizzi (BA) e Bitonto (BA) (cod. MYTERNA n. 202303409).

Procedura: Valutazione Impatto Ambientale (PNIEC-PNRR)

Codice Procedura: 11282

OSSERVAZIONI

I undersigned Mario MARINI submit, as per Dlgs. 152/2006, the following observations for the procedure **Valutazione Impatto Ambientale (PNIEC-PNRR)** related to the Project in object.

1. Aspetti di carattere generale

(struttura e contenuti della documentazione, finalità, aspetti procedurali):

- (i) the document Codice Elaborato ELAB. 12 "**R10-QUADRO_ECONOMICO-signed.pdf**" lacks and therefore has not informed the public of the following essential data:
 - (a) if Italian and/or EU taxpayers money has been or will be used to pay for any part of the procedure; documentation or project costs? If so complete itemised details of those expenses are missing ;
 - (b) the sum of money RDP srl has in fact invested and paid or has committed formally to invest and pay, as at 14 May 2024, for costs of the procedure; documentation and project components?
 - (c) the projected price, in todays terms, at which RDP srl has forecast and/or committed to provide one specific unit of electric energy to B2B buyers, who will then sell to B2C clients who are highly likely to be exclusively Italian and/or EU citizens;
 - (d) the break-even point , and other critical data, of the project have not been projected or indicated to the public in any document. The CapEx to construct this factory of 8 WTGs is indicated at more than one hundred million Euro. The OpEx to maintain and run the said factory will be recovered, perhaps exclusively, from purchase of the electric energy by the citizens of Italy and EU and from subsidies funded entirely by Italian and EU tax payers and certainly not from RDP srl. Therefore, before moving to any other technical observation contained in the documentation, it first essential and critical for the public to be informed, by qualified and competent technicians if this project is affordable and feasible and sustainable.
- (ii) The three documents Codice Elaborato ELAB. 10 "**R08-ELENCO_PREZZI-signed.pdf**" and Codice Elaborato ELAB. 11 "**R09-ANALISI_PREZZI-signed.pdf**" and Codice Elaborato ELAB. 12 "**R10-QUADRO_ECONOMICO-signed.pdf**" do not correspond to the document Codice Elaborato ELAB. 13 "**R11- DISCIPLINARE_DESCRITTIVO_DEGLI_ELEMENTI_TECNICI-signed.pdf**" and/or to the document Codice Elaborato ELAB. 06 "**R04-**

CALCOLI_PRELIMINARI_DEGLI_IMPIANTI.pdf", For example (not exhaustive), the price of the following two essential components and/or data are not mentioned anywhere in the documentation:

- (a) Vestas V172 7.2 WTG, specified at page 28 of the said document Codice Elaborato ELAB. 13;
 - (b) Sungrow container type storage cabin, model ST5015kWh PowerTitan 2.0 Liquid Cooled Energy Storage System with battery LFP of 5015 kWh, and the Sungrow transformers specified at page 8 and 9 of the said document Codice Elaborato ELAB. 04;
- (iii) Codice Elaborato ELAB. 45 "R44-PIANO_DI_MONITORAGGIO_FAUNISTICO.pdf"; etc., (which for the purpose of articulating the specific point I now seek to make, may be seen as "consequential consideration" in this application), have evidently been signed by independent technicians each of who are specifically qualified and validly regulated in the territorial jurisdiction to sign the related document in that particular narrow sector. In contrast, it is evident that all the foundational and preeminent considerations, i.e. the financial and economic validity and feasibility and affordability, of the project and of its produce, which is an essential commodity, have not been prepared and/or signed by any competent technician, such as a Chartered Accountant or economist or banker specialised in the energy and renewables sector. Here it is perhaps pertinent to not forget the errors of Arthur Anderson (wikipedia link) even where they possessed world leading technical competence;
- (iv) has the contents of the critical document Codice Elaborato ELAB. 40 "R39-ANALISI_ANEMOLOGICA-signed.pdf" in fact been elaborated by Ing. A. Campanale, Ing. F. Blasi and Ing. G. Conversano and approved by Ing. M. Candeo who have each signed the document? If so, why did they not elaborate and/or prepare and/or provide only this critical document to the public in Italian language? Or has it, in fact, been prepared exclusively in English Language and exclusively by EMD International A/S EMD International A/S, Niels Jernes Vej 10, DK- 9220 Aalborg, T: + 45 69 16 48 50, E: emd@emd.dk and their consultants Maurizio Motta and Stela M. Zanchettin? If so, why has the document of mandate, by which Ing. A. Campanale, Ing. F. Blasi and Ing. G. Conversano and Ing. M. Candeo affirmed they have elaborated and approved the contents of the said ELAB 40?
- I hereby invite the procedure to determine whether the said document Codice Elaborato ELAB. 40 "R39-ANALISI_ANEMOLOGICA-signed.pdf" is procedurally regular or must be struck-off the records of the procedure and declared invalid on the ground of procedural irregularity. In the event that procedural irregularity is determined, I hereby invite the procedure to dismiss and reject the application on this ground alone and take all further actions in accordance with law;
- (v) the document Codice Elaborato ELAB. 02 "D03-VISURA_CAMERALE.pdf", informs that the sole shareholder and beneficiary of RDP srl is Enlight EU energies Kft., which is incorporated and/or operating in Budapest Hungary. The government of the United States of America Securities and Exchange Commission informs the public from its archives, on its web page https://www.sec.gov/Archives/edgar/data/1922641/000110465923005318/tm2219901d14_ex21-1.htm, that an American parent Enlight Renewable Energy Ltd. owned Enlight EU energies Kft. . No further information is available for public evaluation, to determine the effective owners; decision makers; profit and loss sharing and all effective civil and penal liabilities, that may occur in the present application; documentation; construction; operation and decommissioning of the project, ex-Art. 2049 Codice Civile and related articles of the Italian civil code and penal code and other applicable EU and Italian laws. It is not possible for the public response in the procedure, to determine effectively who to sue as the key responsible padrone and/or committente ex-Art. 2049 Codice Civile and related articles of the Italian civil code and penal code and other applicable EU and Italian laws. This effectively

leads to impunity of the real decision makers who have conceived and acted to set-up and constitute the juridical vehicles, in Italy and outside Italy, that have then moved to realise the present application and proposed project that may cause irreparable harm and loss to Italian and EU citizens and their territory and their historical and archeological assets;

(vi) the document ELAB. 36 “R34-

ANALISI_PRELIMINARE_DEL_CONTESTO_ARCHEOLOGICO.pdf” is manifestly and preliminary and not fit for purpose and must be struck off. Detailed and comprehensive archeological analysis is essential and critical and I invite the procedure to note diligently that the present Ruvo di Puglia (BA) is a living museum perhaps of comparable significance to the key archaeological sites of the world. It has produced the third pope Cletus and one family who collated and studied the archeological assets of the agro of Ruvo di Puglia has produced the current director of the Vatican Museum.

It this context is pertinent and not unreasonable for the eventual archaeological analysis To evaluate, with empirical data, a hypothesis of investing one hundred million Euros of tax payers money on recovering and showcasing the archaeological assets of the agro of Ruvo the Puglia (BA) to the world to generate financial and other foreign revenue.

It will not be surprising if the outcome is that many times more real revenue may be produced from foreign tourism and related industries than from covering the entire murgia with hundreds of WTGs..

2. Aspetti programmatici:

VIncA flow-chart in R21-Studio di Incedenza is defective in itself and /or *ultra vires* in the present procedure 11282, on the grounds that:

No prior consultation was notified to or held with the population of Ruvo di Puglia and /or the public, by the concerned ministry or anyone else, to determine parts of national territories which qualify for inclusion for change of use to gigantic industrial parks of any kind and which must definitely be excluded from inclusion of such gigantic industrial parks.

It is unforeseeable, that the population of Rome or Venice or Milano will be subjected to the anxiety of having to respond to 105 technical documents within thirty days, for installation 8 gigantic WTGs and allied components in the Fori or Panteon or St. Peter’s Square or the Piazza San Marco or Piazza Duomo di Milano.

It is erroneous and contrary to good governance practises to club /cumulate the essential prior procedure with the present procedure and allocate 30 days for both or to conduct the present procedure without prior completion of the aforesaid essential procedure.

Given that massive disturbance, temporary and permanent, to the territory and daily lives of the population of Ruvo di Puglia and the general public will occur with the granting of permission in the procedure, not only from the time of landing of the components at Manfredonia to their eventual end-of-life decommissioning but also from the time of reading and responding to the 105 technical documents imposed on them in the procedure, but more importantly that the population themselves will have to pay for the construction and the operation and the maintenance and the decommissioning by their taxpayers money and by eventually purchasing the energy generated by the project at undisclosed prices: it is reasonable; valid and essential for citizens to be given the missing information specified above so that they may have the opportunity to determine:

1. the affordability of the energy output;
2. the sustainability of the project cost;

Put in simple analogous terms, how and why should citizens or Ruvo di Puglia and Italy, not agree to buy a Rolls Royce when they cannot afford its cost price and the price of excessively large volume of fuel to operate it extremely high fuel consumption;

The economic logic contained in the documentation is misleading and erroneous and perhaps perverse, for the following simple reasons: the project will only pay for betterment of the lives of citizens of Ruvo di Puglia if all of the following occur together:

- (i) the sale price of each Kw of electricity that it generates is cheaper than the sale price of equivalent electricity energy; and if
- (ii) in facts it makes a profit from the sale of electric energy and the Hungarian parent and/or its US parent and foreign shareholders pass formal resolution to disburse part of the profits earned towards the public works in Ruvo di Puglia; and if
- (iii) the buyers of the major part of the electric energy that may eventually be produced by the project are not citizens of Ruvo di Puglia and or Italy and of the EU; and if
- (iv) major part of the income generated by the project is not exported outside Italy and/or the EU; or if
- (v) the electric energy produced by the project is eventually exported and sold outside Italy and the EU, for sale prices that deliver a break-even point which is reached within a time frame economically and financially valid and certainly within the life-span of the project - which is highly unlikely and certainly not projected in the documentation!

Should any one of the above not occur or should the the contrary take place, which is reasonably foreseeable given the unwillingness and shortcomings of the project promoters and technicians set out above, then it will simply mean that residents of Ruvo di Puglia and/ EU Italy and /EU will in fact pay not only for the said public works set out in the procedure documents but also for potentially exorbitant price of electric energy (leading to energy insecurity or unavailability) and for the cost of the procedure; documentation and for all components of the project and their decommissioning and disposal.

6. Aspetti Ambientali (Salute pubblica, Beni culturali e paesaggio, Atmosfera, altro)

ELAB. 23 - R21-Studio di Incidenza is defective and invalid on ground that evidently it has been elaborated and signed only by an agronomo and human health care professionals doctors, psychologists, occupational therapist have not been involved in its preparation and an agronomo is not qualified to and therefore has left out the human ecosystem and impacts on humans.

I reserve all rights and interests to make further observations, in each of the technical documents of the procedure after the lacking data indicated above is made available clearly and published in the procedure.

With reserve of all rights and interests to comment on the validity of the VINCA guidelines and procedure separately.

Il Sottoscritto dichiara di essere consapevole che le presenti osservazioni e gli eventuali allegati tecnici saranno pubblicati sul Portale delle valutazioni e autorizzazioni ambientali VAS-VIA-AIA del Ministero dell'Ambiente e della Sicurezza Energetica.

Elenco Allegati

Allegato 1- Dati Personali OSS_1258_VIA_DATI_PERS_20240611.pdf

Allegato 3 - Modulo per osservazioni.pdf

Allegato 3 - Carta d'identità (fronte e retro).pdf

Data 13/06/2024

PISTOIA


Mario MARINI