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**For the Attention of Amber Rudd  
Department of Energy & Climate Change  
3 Whitehall Place  
London  
SW1A 2AW**

**Your reference TO2015/05428/JA**

**12<sup>th</sup> July 2015**

Dear Minister,

Further to my letter of 18<sup>th</sup> May 2015 I am now sending you a copy of my Request for Action under Article 12 of The Environmental Liabilities Directive **2004/35/CE** which has been sent to the Scottish First Minister, various Scottish Government Departments, all 32 Scottish Councils, MSPs and some MPs and MEPs.

Windfarm Development in Scotland is clearly breaching The Environmental Liabilities Directive, the Water Frameworks Directive 2000/60/EC.  
Competent authorities: Scottish Environmental Protection Agency/Scottish Water/Forestry Commission Scotland/Scottish National Heritage/Drinking Water Quality Regulator/Councils and the Scottish Government have failed in their legal duty to protect the water environment. Developments have not been monitored or assessed according to the legal requirements *as defined in Directive 2000/60/EC Article 8* during the preparation, construction, operation and decommissioning of



windfarms. This *damage* has resulted in the polluting of water catchment areas resulting in the contamination of public and private water supplies.

**ELD 2004/35/CE Article 11- Competent authority**

- 1. Member States shall designate the competent authority(ies) responsible for fulfilling the duties provided for in this Directive.*
- 2. The duty to establish which operator has caused the damage or the imminent threat of damage, to assess the significance of the damage*

**WFD 2000/60/EC (11)** *As set out in Article 174 of the Treaty, the Community policy on the environment is to contribute to pursuit of the objectives of preserving, protecting and improving the quality of the environment, in prudent and rational utilisation of natural resources, and to be based on the precautionary principle and on the principles that preventive action should be taken, environmental damage should, as a priority, be rectified at source and that the polluter should pay.*

This 'Request for Action' calls for an immediate independent investigation into water contamination of ALL windfarm developments on water protected zones.

Immediate cessation of all further development until safe levels of drinking water can be assured.

Events are proving how damaging to water quality and public health it has been for the previous First Minister Alex Salmond, through the Scottish Water Act, to permit the industrialisation of water catchment areas in Scotland via wind power installations. The relevant section of this Act must clearly be repealed so that complete protection of reservoirs, lochs and private water supplies can be restored.

*Article 7 4. The competent authority shall invite the persons referred to in Article 12(1) and in any case the persons on whose land remedial measures would be carried out to submit their observations and shall take them into account.*

I sincerely hope that this will end the SNP obsession with carpeting our landscape with more wind farms.

Yours faithfully,

*S. M. Crosthwaite*

Susan Crosthwaite

