

Submission

Submitter:	Miss Angela Deegan
Organisation Name:	Not Here Not Anywhere
Submission Title:	Objection to Licence
Submission Reference No.:	S011068
Submission Received:	08 April 2023

Application

Applicant:	Microsoft Ireland Operations Limited
Reg. No.:	P1191-01

See below for Submission details.

Attachments are displayed on the following page(s).

Environmental Protection Agency
McCumiskey House,
Richview,
Clonskeagh Road,
Dublin 14,
D14 YR62

Date: 7th April 2023

Dear Sir/Madam,

Re: Objection to the Application for Industrial Emissions License by Microsoft Ireland Operations Limited detailed below

Lic application/review#: LA010454

Register #: P1191-01

Activities to be licensed:

The installation will include a total of 97 no. generators comprising:

- 95 no. emergency backup generators ranging from 1.29 to 7.51 MWth to be used in the event of a loss of power supply to the data storage buildings;
- In addition there are 2 no. 0.5 MWth fire pumps.

The capacity of the back up generators is above the requirement for an Industrial Emissions (IE) Licence as outlined within the First Schedule of the EPA Act 1992. Activity 'Class 2.1 Combustion of fuels in installations with a total rated thermal input of 50 MW or more' specifically relates to this facility.

The applicant is therefore, applying to the Environmental Protection Agency (EPA) for an IE Licence to operate the facility under Activity Class 2.1.

Location of facility: Microsoft Dublin Data Center Campus, Unit 74-76 GRANGE CASTLE BUSINESS PARK, NANGOR ROAD, Clondalkin, Dublin.

I write to you to object to the application by Microsoft Ireland Operations Limited for an Industrial Emissions License for a development consisting of 97 no. diesel powered emergency generators ("Subject Application"). I write on behalf of Not Here Not Anywhere, a nationwide, grassroots, non-partisan group campaigning to end fossil fuel exploration and the development of new fossil fuel infrastructure in Ireland and across the world. We advocate for fair society-wide energy usage and a just transition to renewable energy systems.

NHNA welcomes Ireland's commitment to transition to net zero by 2050 and the urgent adaptation of our energy supply. We recognise that the transition to renewables must be carried out in a way that guarantees nationwide energy security. However, the development and facilitation of new fossil fuel infrastructure to facilitate this transition is not a viable solution.

Background - Ireland's Climate Obligations

Ireland is a signatory and party to multiple international organisations and treaties relating to the Climate Crisis with the aim of avoiding the worst impacts of the crisis, adapting to the challenges it presents, and supporting a just transition.

Beyond Oil and Gas Alliance

During the United Nations Framework Convention on Climate Change 26th Conference of the Parties held in Glasgow in November 2021, Ireland became a core member of the international Beyond Oil and Gas Alliance¹ (BOGA), an international alliance committed to aligning the usage and production of Oil and Gas to the objectives of the Paris Climate Accord.² By joining BOGA, the Irish Government acknowledged and committed to a 55% reduction in natural gas between 2020 and 2030.

Thus, it is highly concerning that there are ongoing plans to develop and permit new fossil fuel infrastructure. These plans are inconsistent with the objectives Ireland committed itself to under the BOGA.

National Climate Objective

The Climate Action and Low Carbon Development (Amendment) Act of 2021 (hereinafter “Climate Act”) outlines Ireland’s legal obligations to pursue and achieve a “climate neutral” society by 2050,³ and to reduce overall GHG emissions by 51% on 2018 levels by the 31st of December 2030.⁴

Carbon Budgets and Associated Sectoral Emission Ceiling

The Climate Act of 2021 requires that the Climate Change Advisory Council prepares and submits to the Minister of Environment 5-year carbon budgets outlining the route to achieving the targets set within the Act.⁵ The Climate Act further requires the Government to set Sectoral Emission Ceilings for each sector.⁶

The Sectoral Emissions Ceiling for the Energy sector outlines a required reduction of 40% of CO₂eq by 2025 year-end, on the 2018 baseline.

Reasons for Objection

Discrepancies/Omissions

- The Electricity Usage table in the section [4.6.1 - Water and Energy Usage](#) of the application form fails to include any usage (in the event that authorisation is granted for use of the generators) from either “Total Renewable Electricity Generated and Used at the Site” OR from “Total Non-Renewable Electricity Generated and Used at the Site”. For both, the annual usage is given as zero.

Electricity Usage

Complete the table below with summary details of current and proposed electricity usage

(The following table contains additional guidance for certain fields where you see the small red triangle in the cell. To view the guidance simply hover over the cell).

Electricity type	Current Usage Per Calendar Year (MWH) *	Future Usage Per Calendar Year if Authorisation Granted (MWH) *
Electricity Purchased	688,300	894,000
Total Renewable Electricity Generated and Used at the Site	-	0
Total Non-Renewable Electricity Generated and Used at the Site	-	0
Total Electricity Generated and Used	-	-
Total Electricity Used	688,300	894,000

- The applicant is unclear about what fuel the generators will use. They have indicated "diesel and/or HVO". The implication seems to be that they may use only HVO rather than fossil diesel. However, in 7.1 of the [Operational Report](#), the following statement indicates that there is absolutely no certainty around using HVO instead of fossil diesel:

¹ Department of Environment, Climate and Communications, “Minister Ryan announces that Ireland has joined the Beyond Oil & Gas Alliance (BOGA) to lead the transition away from global oil and gas production”, (11 Nov 2021)

² Beyond Oil and Gas, “Who We Are”, Accessed on 24 January < <https://beyondoilandgasalliance.com/who-we-are/> >

³ Climate Action and Low Carbon Development (Amendment) Bill 2021, Part 2, Section 5

⁴ *Ibid*, Section 9

⁵ *Supra* 7

⁶ *Ibid*

“A project to substitute Hydrotreated Vegetable Oil (HVO) for traditional diesel fuel, where feasible to do so, is also currently being trialled. This may result in HVO being substituted for diesel at Dub 6,7,8,9,10,12 and 13 in future.”

While HVO has a significantly lower carbon emissions profile than mineral diesel, the applicant gives no definite assurance of using HVO instead of fossil diesel. Without such an assurance, we consider the mention of HVO in the application a “red herring”.

- The applicant also fails to indicate the specifications of any HVO they would use as generator fuel. It should be noted that HVO can be produced from numerous types of feedstock - some of which have significant sustainability issues associated with them.

Urgency of slashing greenhouse gas emissions

We have outlined Ireland’s multiple climate obligations above. However, even if ours and other nations’ climate obligations were to be met, these obligations are not strong enough to lead to the emissions reductions required to limit warming to an average of 1.5°C this century. This is what’s referred to as the “emissions gap” in the most recent IPCC report⁷. Alarmingly, Ireland is failing in most of its climate obligations (the “implementation gap”). Ireland overshot its 2020 emissions reduction target by 7 million tonnes of carbon in 2020.⁸

The latest IPCC report states:

“Risks and projected adverse impacts and related losses and damages from climate change escalate with every increment of global warming (very high confidence). Climatic and non-climatic risks will increasingly interact, creating compound and cascading risks that are more complex and difficult to manage (high confidence).”⁹

Given the increasing levels of disaster we accept with every increment that we allow the climate to warm, due to emissions of greenhouse gases, permitting any new fossil fuel infrastructure is unconscionable. The diesel generators in this application, with a stated total capacity of 579.28MWth could, if licenced, be run for up to **500 hours annually**.

It would be absurd to allow a wealthy corporation like Microsoft (with a net income of \$17.6 billion during Q1 2023¹⁰) permission to burn additional fossil fuels. A company of their resources should be required to ensure their data centres are powered entirely by either of the following:

1. On site direct renewable power source generation combined with renewable and reliable energy storage
2. New off site renewable power source and energy storage with dedicated grid connection, while avoiding questionable Renewable Energy Certificates.

For the above reasons, we urge you to refuse this licence.

Sincerely,

Angela Deegan

On behalf of ***Not Here Not Anywhere***

⁷ A.4.3. [IPCC_AR6_SYR_SPM](#)

⁸ [Warning that cost of failure to meet climate targets could hit €8bn by 2030 - Independent.ie](#)

⁹ B2 [IPCC AR6 Synthesis Report Notes](#)

¹⁰ [Microsoft Q1 2023 earnings: profits and Windows down but Xbox and devices up - The Verge](#)