

RWE
Aktiengesellschaft
Essen

Counter motions by Dipl. Ing. agr. Johann Smid, Pewsum, 30 March 2013

“Counter motions filed with respect to RWE’s 2013 Annual General Meeting

I hereby file the following counter motions with respect to RWE AG’s Annual General Meeting on 18 April 2013:

Counter motion regarding Item 3 on the Agenda:

Approval of the Acts of the Executive Board for fiscal 2012

I hereby request that the acts of the members of the Executive Board not be approved.

Rationale:

Continued construction of the RWE/Essent coal-fired power plant in Eemshaven, Netherlands

On 24 August 2011, the Raad van State (the highest administrative court in the Netherlands) declared the permits issued by the Province of Groningen under nature preservation law for RWE’s coal-fired power station at Eemshaven null and void. It found that the effects on the Wadden Sea world natural heritage and the East Frisian Islands had not been considered sufficiently. Nevertheless, RWE continues to build at its own risk and has filed an application for a new permit. According to RWE, its coal-fired power plant will emit approximately 8 to 10 million metric tons of carbon dioxide, 1,750 metric tons of carbon monoxide, 2,060 metric tons of nitrous oxides, 1,454 metric tons of sulphur dioxide, 103 metric tons of fine particulate matter, 17 metric tons of hydrogen fluoride, 95 kilogrammes of mercury, 3 kilogrammes of cadmium/thallium and 472 kilogrammes of other highly toxic substances every year. It will consume about 6 million cubic metres of cooling water a day.

RWE’s power station will ruin our health, climate, nature, fishing industry and tourism in our region: western East Frisia! The areas most affected are Borkum, Juist, Krummhörn (Greetsiel) and Emden as well as the world natural heritage – the Wadden Sea.

On 28 March 2011, Peter Terium himself said: Het renedement is niet meer economisch op dit moment; i.e. at present, it is not profitable to generate electricity from coal. In addition, the costs of the CO₂ surcharge have to be borne, as the expensive CCS technology will not be available until about 2025. He went on to say that, based on the current state of knowledge, a coal-fired power plant would not be built at Eemshaven (DvhN, 11 February 2012). Furthermore, the electricity produced will not be needed in the Netherlands. It may well be exported to Germany and Western Europe. In March 2012, RWE filed a new application with the Province of Groningen for a permit for the coal-fired power station at Eemshaven under nature preservation law. The Province of Groningen approved the request on 19 April 2012. More than 6,200 objections were filed against the nature preservation permit, but the Province of Groningen held that all private objectors who lived more than 1.5 kilometres from the coal-fired power station were not affected. Several people filed suits with the Raad van State in the Hague, including the member of parliament Thilo Hoppe, mayor Johann Saathoff and myself. During the hearing in Groningen on 26 October 2012, it was found that the study on the effects of RWE's coal-fired power plant on Borkum and the East Frisian Islands requested by the Raad van State had not even been completed. Furthermore, the Ems Dollart contract, which stipulates the involvement of the German authorities and organisations affected, had not been complied with. **The Province of Groningen is obviously not unbiased in these proceedings.** The date for a second hearing has not yet been set. The affected German communities such as Borkum, Krummhörn and Jemgum as well as Dutch and German environmental organisations will continue to file suits with the Raad van State and the approval procedure under nature preservation law will be long drawn out and have an uncertain outcome. Therefore, the same will apply to the operating permit for RWE's coal-fired power station at Eemshaven. **It is highly doubtful whether the power plant will be of commercial benefit, and the damage to Borkum, Krummhörn and the entire western East Frisia is immense.** A study on the effects of RWE's coal-fired power plant at Eemshaven commissioned by Greenpeace Netherlands from the University of Stuttgart delivered the following results: 40 people would die every year – especially due to the fine particulate emissions. In addition, there will be a significant rise in the incidents of respiratory tract and pulmonary diseases. Furthermore, one would have to expect 9,000 days of sick leave in the plant's catchment area! This study confirms the severe effects of RWE's coal-fired power station on the health of the people in our region! Keeping in mind the fact that Borkum is a therapeutic bath for respiratory tract diseases and that Krummhörn also has a large tourism sector, one can only hope that this RWE power station in Eemshaven never goes into operation!

Counter-motion filed with respect to Item 4 on the Agenda:

Approval of the Acts of the Supervisory Board for fiscal 2011:

I hereby file a motion against approving the acts of the members of the Supervisory Board.

Rationale:

The Supervisory Board also failed to cancel the risky investment of about 3 billion euros in RWE's coal-fired power plant at Eemshaven in 2012 – even after the Raad van State had declared the permits under nature preservation law for the coal-fired power station and the deepening of the outer Ems from Eemshaven to the North Sea null and void on 24 August 2011 and despite the dilettantish preparation of the new approval procedure applied for by RWE!

Dipl. Ing. agr. Johann Smid,

Councillor of the Community of Krummhörn

Krummhörn - Pewsum, 30 March 2013"