

Ms. Noeleen Roche,
The Environmental Protection Agency Licensing Unit
P.O. Box 3000,
Johnstown Castle Estate,
Co. Wexford.

Environmental
Protection Agency
08 SEP 2006

Rosspoint South,
Ballina,
County Mayo

07/09/2006

Reg No: 738

Re: Application for an Integrated Pollution Prevention and Control (I.P.P.C) licence based on an Environmental Impact Statement received from Shell E&P Ireland Limited on the 08/12/2004.

Dear Ms. Roche,

I refer to the above application for a licence which is before the agency. I wish to object to the granting of the licence to the applicant on a number of grounds as per my original submission in order to maintain the public welfare and the environment.

I refer to a letter seeking further information from the applicant sent to Mr. Mark Carrigy, Operations Manager for the proposed terminal and dated the 11th August 2006. I refer to the following paragraph in said letter:

"I refer to the Environmental Impact Statement submitted as part of your application for an Integrated Pollution Prevention and Control (IPPC) licence, which was received on 08/12/2004.

I am to advise in accordance with Article 14(2)(b) of the Environmental Protection Agency (Licensing) Regulations 1994 to 2004 that the EIS does not comply with sub Article 14(1) in so far as the risk of environmental pollution from the activity is concerned.

In the circumstances you should make immediate arrangements to have the following information submitted to the Agency within one month of the date of this notice:-

- > Update the EIS so as it reflects the current IPPC licence application where appropriate.*
- > Provide a scaled layout plan of the refinery, identifying all principal components and emission points.*
- > Quantify the fuel and water required during operational phase and hydrocarbon condensate production".....*

I am highly alarmed about the health and safety, and environmental repercussions of the "cold venting" of the gas issue. The Health & Safety Authority have confirmed in correspondence dated the 12th August 2005 that it is an issue re "risk assessment". This confirmation in retrospect demonstrates that the applicant must apply to Mayo County Council for planning

permission. It is not acceptable for the H.S.A. to be excluded from forming an up to date opinion on this reality and thus the regulatory standards with respect to the relevant agencies must be upheld. It is not acceptable in my opinion therefore that the applicant is requested to submit further information at this stage re venting frequency as they were aware of this information from the beginning and this was not included in the initial Environmental Impact Statement on which public and agency submissions were based. The developers were aware that their proposal included "cold venting" arrangements so therefore a new and complete E.I.S. must be furnished as it does not comply at this present time with: *"Article 14(2)(b) of the Environmental Protection Agency (Licensing) Regulations 1994 to 2004 that the EIS does not comply with sub Article 14(1) in so far as the risk of environmental pollution from the activity is concerned"* as per your statement of the 11th August 2006. The activity described as "cold venting" requires full planning permission based on a complete E.I.S. and thus this activity must be properly assessed through the planning regulatory process which includes observations from all the relevant agencies to form a more complete assessment of the actual health and safety and environmental consequences. I trust that the agency will uphold the statutory standards with respect to this reality in its considerations.

Yours faithfully,

Brendan Philbin

Brendan Philbin.

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