

Chapel Street,  
Belmullet,  
Co. Mayo.

20<sup>th</sup> September, 2006

Ms. Ann Marie Donlon,  
Environmental Protection Agency.

Re: IPPC licence Application No. 738

Dear Ms. Donlon,

I refer to your letter to Shell dated 11<sup>th</sup> August, 2006 in relation to above application. One of the items referred to therein was cold venting of gas. Shell applied to the EPA in December 2004, to 'cold vent' gas on an emissions basis. As you are aware this is not alone an emissions issue, it is also a Health and Safety issue requiring planning permission from Mayo Co. Co. - as confirmed by the HSA in August, 2005. I brought this statement to your attention on 19<sup>th</sup> August, 2005.

Your current request to Shell to amend their EIS is incongruent with the circumstances. This EIS has been the basis of four years of on-going submissions between the public and State protection agencies (i.e. MLVC, HSA, NPWS and EPA). It has also been the basis on which planning permission was originally granted by Mayo Co. Co., and on which appeal was made to An Bord Pleanala. Latterly, it is this same EIS which is before the Irish High Court and the European Court.

The concept of changing an EIS under such circumstances casts fundamental doubt on the whole Planning process and avenues of Appeal. It throws open the doors to applicants to leave essential information out of an EIS initially, (in breach of the EIA Directive) and subsequently have the EIS amended after the Planning Permission stage when applying for other licences - such as an IPPC licence.

Yours sincerely,

Imelda Moran.

EPA  
Main File ✓  
Public File ✓ x 2  
Evaluation File             
Date 28.9.06 UMG

Environmental Protection Agency IPPC Licencing 21 SEP 2006 Received Initials <u>                    </u>
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