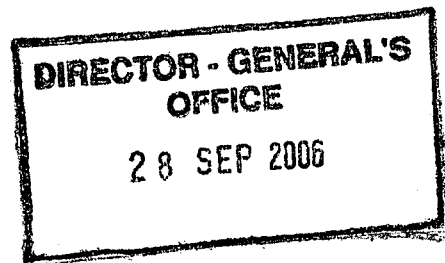


An Comhchoiste um
Chomhshaol agus Rialtas
Áitiúil
Teach Laighean,
Baile Átha Cliath 2



Joint Committee on
Environment and Local
Government,
Leinster House,
Dublin 2
Phone (01) 618 3826
Fax (01) 618 4123



Dr Mary Kelly
Director General
Environmental Protection Agency
Headquarters, PO Box 3000
Johnstown Castle Estate
County Wexford

EPA
Main File ☒
Public File ☒
Evaluation File ☒
Date 9/10/06

Dear Dr Kelly

I refer to the enclosed letter from Ms Imelda Moran which was circulated to each Member of this Joint Committee and considered at our meeting today.

The Joint Committee decided that a copy of this letter should be sent to you for your views on the concerns raised.

It is not the intention of the Joint Committee to seek influence in this or any other matter before you, however it is hoped that you could inform the Joint Committee if Ms Moran should have grounds for concern with regard to her contention that an incomplete EIS can secure planning permission.

Yours sincerely

Colm Downey
Clerk to the Joint Committee

27th September 2006

Chapel Street,
Belmullet,
Co. Mayo.
18th September, '04

Mr. Sean Haughey,
Chairman,
Joint Oireachtas Committee,
Dept. Environment & Local Government.

Dear Mr. Haughey,

Re: Shell IPPC Licence Application to EPA

I understand you have an all-party committee meeting shortly and I am asking you to bring up Shell's IPPC Licence Application to EPA at that meeting as per enclosed letter.

Shell applied to the EPA for this IPPC licence in December, '04 which included cold-venting of gas into the local environment - 300,000 kg annually. As this is a 'Health and Safety' issue Shell must apply for planning permission to do so, as confirmed in writing by the Health and Safety Authority. However it failed to do this at the Planning stage despite statutory requirement to do so under EU Environmental Impact Assessment legislation.

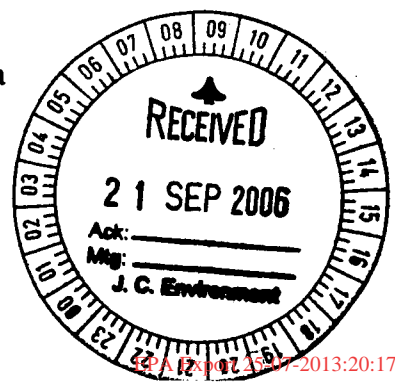
The upshot of this is that the State Agencies responsible for Planning and protection, including DoCMNR, NPWS, H.S.A. MLVC, the Planning Authority Mayo Co.Co. An Bord Pleanala and the High Court were denied access to this information which was highly relevant to their respective roles.

The EPA is now requesting Shell to amend the original Environmental Impact Statement submitted to Mayo CC Planning Section in 2002. This is an entirely inadequate response which would allow any applicant seeking planning permission to withhold information from an EIS and, after getting planning permission, to have the EIS amended post planning for the purpose of obtaining further essential permissions.

As the originators of the underlying legislation, you have a duty to enquire into this.

Yours sincerely,

Imelda Mora





Environmental Protection Agency
An Gníomhaireacht um Chaomhú Comhshaoil

Mr. Mark Carrigy
Terminal Manager
Shell E&P Ireland Limited
c/o Michael JS Egan
Project Management Limited (PM)
Killakee House, Belgard Square,
Tallaght, Dublin 24

EPA
Main File ✓
Public File ✓x2
Evaluation File ✓
Date 15.8.06 Wrg

Headquarters, PO Box 3000
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County Wexford, Ireland

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11/08/06

Reg No: P0738-01

Dear Mr. Carrigy

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.
- Describe the processes that involve the use of the P.I.G. receiver and launcher.
- Describe energy efficiency considerations made in relation to the operation of the gas plant.
- Give details of the 'typical operation' scenario considered in the air modeling report in terms of loading, discharge height, velocity and temperature etc.
- Give details of the quantities of gaseous emissions arising from direct venting of natural gas during operational phase and the impact on the environment.
- Having regard to the measurement units, explain how measured background metals presented in Table 10.7 tie in well with published data presented in Table 10.6 as stated in Section 10.3.5 of the EIS. Characterise the habitat in the vicinity of the waste water discharge outfall. Describe the fate of metals constituents, in particular any accumulation of metals in sediments and biota.
- Give the averaging period to which the marine dispersion model results relate.

Note:

Any *telephone enquiries* in relation to the above should be directed to Ann Marie Donlon at the number above.

All *written communications and replies* should be directed to Noeleen Roche, EPA, PO Box 3000, Johnstown Castle Estate, Co. Wexford.

Please submit the information as 1 signed original, 2 hard copies and 16 copies in electronic searchable PDF format on CD-ROM.

In addition to the above please also provide an updated non-technical summary to reflect the information provided in your reply.

This request is being made in accordance with the requirement of Article 14(1) that an Environmental Impact Statement shall comply with Article 25 of the European Communities (E.I.A.) Regulations 1989, 1994 and 1999.

Your response to this request should be directed to Noeleen Roche Administration Officer, Office of Licensing & Guidance.

It should be noted that the eight-week period within which the Agency is to decide the proposed determination cannot commence until this notice has been complied with.

Yours sincerely



Ann Marie Donlon
Office of Licensing & Guidance

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Consent of copyright owner required for any other use.

Note: Any *telephone enquiries* in relation to the above should be directed to Ann Marie Donlon at the number above.
All *written communications and replies* should be directed to Noeleen Roche, EPA, PO Box 3000, Johnstown Castle Estate, Co. Wexford.