

cc: PL/PN

Chapel Street,  
Belmullet,  
Co. Mayo.

26<sup>st</sup> June, 2007

Environmental Protection Agency,  
Johnstown Castle Estate,  
Wexford.

Dear Sirs,

Re: Application No. P0738-01

Several months prior to the recent Oral Hearing I took issue with Shell's 'Addendum' to the EIS (so-called) on the basis that it was not in fact an addendum but a fundamentally changed EIS. In particular, I pointed out that certain statements contained therein were false and were obviously intended to mislead the EPA and the public at large in respect to the highly contentious issue of cold-venting of gas.

Consequently, in the course of the Oral Hearing I specifically requested that Shell be required to give proof of the alleged consultations re cold-venting which, in their 'Addendum', they claimed to have had with the local community and with the Planning Authority. Several times over I requested that the relevant Planning Authority official be called to answer whether such consultations took place. The Chairman refused to call such witness, though he acknowledged that he was statutorily empowered to do so. Instead, he ruled that he would place responsibility on Shell to provide documentary proof of their consultation with the Planning Authority.

Shell utterly failed to comply with this directive, as was patently evident from the written response they furnished to the Hearing. The Chairman acknowledged this failure when the blatant inadequacy of Shell's response was contested. However he still refused to call the relevant Planning Authority official to answer questions in respect to whether the alleged consultations took place. This stance therefore raises question as to where primary responsibility lies for adjudicating this very serious issue.

Shell meanwhile admitted in the course of the above related proceedings that no specific consultations re cold-venting with the local community had taken place. While this was a very significant admission, it in no way concluded the matter. The gravity of their offense in furnishing false information with intent to mislead was in fact compounded by their failure to comply with the directive of the Chairman to supply proof of consultation with the Planning authority. Furthermore, as I considered this

instance of misrepresentation, false information and deception to be symptomatic of a much wider culture within SEPIL, I and others repeatedly adverted to other such instances in the course of Oral Hearing proceedings.

In conclusion, I wish to note that this type of offense is specifically provided for in the EPA Act 1992, Sect. 87 as a disqualifying issue in and of itself. Consequently, while it was raised as an important matter at the Oral Hearing, it is not primarily a matter for the Oral Hearing to adjudicate. As stated above, I repeatedly drew attention to it as a matter of urgency with the EPA several months prior to the Oral Hearing, and I pursued it persistently in the course of the Hearing without avail. Consequently, as it is an issue of major import in its own right under EPA legislation, and as its implications are of fundamental significance overall, I call upon the EPA to exercise its legislative responsibility in this matter now so that judicial determination may be established in time for inclusion in the Oral Hearing deliberations.

Yours faithfully,

Imelda Moran.

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