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Document Name: Submission to oral hearing re EPA
(16.4.07) Brid McGarry
Applicant/Licensee: Shell E&P Ireland Limited
Reg. No. P0738-01

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at

Office of Licensing & Guidance,
EPA,
P.O. Box 3000
Johnstown Castle Estate,
Wexford.
Tel: 053 9160600

Gortacragher,
Rossport,
Ballina,
Co. Mayo

16th April 2007

The Licensing Unit,
Office of Licensing & Guidance,
Johnstown Castle Estate,
Co. Wexford

Re: Application for an IPPC Licence to the developer Shell E&P Ireland Ltd– Register No. P0738-01. (Submission to oral hearing in the Broadhaven Hotel, Belmullet, County Mayo).

Dear Sir/Madam,

I refer to the above application for a proposed determination of the EPA to issue an IPPC licence to Shell E&P Ireland Ltd to operate a proposed gas refinery at Ballinaboy, Bellagelly South, County Mayo. I am listed under "Objection No.7" which was submitted under Treasa Ní Ghearraigh and others. I wish to make a submission on the other valid objections. I refer to "Objection No.6" submitted by Ed Moran, on behalf of Friends of Rossport Limited and Imelda Moran. I am in total agreement with respect to the detail which has been outlined in this submission. I would like to elaborate on a few points as outlined in the submission.

Best Available Technology

I would like to refer to my submission to the EPA dated the 06th September 2006 whereby I outlined in the first paragraph that best available practice should be used. The proposed refinery at Ballinaboy does not comply with the use of Best Available Technology (BAT). In this regard I refer to a copy of a report, dated 01st February 2007 and entitled "*Use your profit to clean up your mess*". This report blatantly demonstrates that the applicant does not qualify as a "*fit and proper person*" as an insight is given into the total disregard which is shown towards fenceline communities and their respective environments including our own. As a community we are fully aware of the devastating consequences which this development will incur to our pristine environment. In this regard I refer to a recent article in the Irish Times newspaper dated the 28th March 2007 entitled "*Shell denies link to rising aluminium levels in water supply*". This is reflective of the true reality with respect to the monitoring of pollution in our area. The EPA issued a proposed determination to issue the IPPC licence, and since that time, and long before elevated Aluminium levels have been allowed to leave the site via the local river tributaries to Carrowmore lake (potable water supply for Erris) and Sruth Mhada Conn estuary. Both are protected EU sites. This is unacceptable and portrays the applicant and the monitoring agencies in a very poor light with respect to accountability.

Integrity of EIS – misinformation and omission

Once again I would like to refer to my submission to the EPA dated the 06th September 2006 whereby I outlined in the 2nd paragraph that the EIS submitted to the agency was incomplete. The lack of clarity in the EIS is put in context by so many important and vital issues being so poorly researched and elaborated on, and omitted totally as in the case of the “cold venting” issue. This is in conflict with the statutory requirements of both Irish and EU legislation to do so, and is clearly in breach of the EIA Directive. To put this in context it is necessary to compare and contrast the successive EIS’s which have accompanied the various applications with respect to this unprecedented project. The first EIS in 2000 was deficient; however it contained revealing data which was omitted from the subsequent EIS for the later application. The 2nd EIS also recorded data relevant to certain categories with respect to environmental emissions that were reduced significantly compared to the first one even though the same circumstances pertained. This misinformation is highly reflective of the reality that the applicant has no credibility going on a trend analysis and thus displays that they do not qualify as a “*fit and proper person*”. This is also highly reflective of the disregard which the applicant displays towards the local residents, and their receiving environment and once again reflects the true reality that they do not take into consideration safeguarding the fenceline communities which are located in close proximity to their establishments.

In conclusion it is self apparent that a close political/corporate climate exists within our Irish culture. It is clear that the Environmental Protection Agency like An Bord Pleanála is also subject to intense pressure to assist developments of this nature. This proposal is proposed to incorporate the most primitive technology in its design. This proposal does not have community consent, however if the offshore options were thoroughly investigated it would have. The applicant has avoided carrying out any feasibility studies in this regard. I trust that you will take these considerations into account in your deliberations.

Thanking you,

Brid Mc Garry

Brid Mc Garry. (B. Agr. Sc, Food Science & Chemistry)

- Appendices:
- (1) Copy of submission sent to the EPA dated 6th September 2006
 - (2) “*Use your profit to clean up your mess*” by the Shell Accountability Coalition, dated the 01st February 2007.
 - (3) “*Shell denies link to rising aluminium levels in water supply*” by Lorna Siggins (Marine Correspondent) dated the 28th March 2007

Ms. Noeleen Roche,
c/o The Environmental Protection Agency Licensing Section,
P.O. Box 3000,
Johnstown Castle Estate,
County Wexford.

Environmental
Protection Agency
08 SEP 2006

Gortacragher,
Rosspport,
Ballina,
County Mayo

06th September 2006

Registered Number: 738

Re: Application for an Integrated Pollution Prevention and Control (IPPC) licence which included an accompanying EIS received from Shell E & P Ireland Limited in respect of a gas, condensate, and miscellaneous hydrocarbons refinery/terminal facility proposed to be located at Bellanaboy Bridge, Bellagelly South, Ballina, County Mayo.

Dear Madam,

I refer to the above application for a licence which is at present before the Environmental Protection Agency. I wish to make a submission on the above IPPC licence application and would request that its content be fully considered by the agency.

I wish to object to the granting of the licence to the applicant on a number of grounds. It is my understanding that the Agency in their assessment of the application for a licence are to consider all of the environmental aspects of the on-shore facility including the chemical effluent proposed for discharge into Sruth Mhada Conn estuary which is surrounded by a cluster of Special Areas of Conservation. I have always outlined in my correspondence to the various agencies that the fundamental overall Corrib Gas project (and the use of its infrastructure for further expansion with respect to the hydrocarbon industry) including the inland refinery which is unprecedented in nature need to be subjected to a thorough review re. health and safety aspects and also with respect to the devastating consequences which the chemical emissions from the purification process at the proposed refinery will incur to the pristine air, sea and land environments. The best option in my opinion to resolve this issue is to process the hydrocarbons offshore in a steel water jacket platform, or by utilising "Twister" technology at source. The resources offshore have increased exponentially in financial terms and thus the cost issue with respect to the development proposal should not arise i.e. the resources should be processed in accordance with best available practice. A report based on data in the E.I.S. conducted by a gas refinery engineer, Peter Rossington, stated that this proposal *"incorporates some of the worst gas terminal design, that actually maximises emissions and minimises energy efficiency"*. This concept is riddled with environmental vandalism and thus I would request that the agency uphold the statutory standards in order to insure that the public welfare and our pristine environment is upheld.

I refer to a letter requesting further information from the applicant sent to Mr. Mark Carrigy, Operations Manager for the proposed terminal and dated the 11th August 2006 and posted on the main file on the 15th August 2006 by the agency. The letter refers to the following paragraph:

"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....*

... 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".

I wish to draw your attention to the "cold venting" of the gas issue. The Health & Safety Authority confirmed that it was an issue in a letter dated the 12th August 2005. This reality means that by association the applicant must apply to Mayo County Council for approval as it is a planning matter. The H.S.A. in the regulatory fashion can then assess the risks associated with same. It is my considered opinion that it is not acceptable therefore that the applicant should be allowed to submit further information at this stage instead of being requested to submit a new and complete E.I.S. as the original one on which submissions from the public and other statutory agencies were based was incomplete. The applicant must submit a new E.I.S. which takes into account this information re venting arrangements of which the applicant had been aware of from inception. As the site and its surrounds which include the upstream pipeline and the effluent discharge pipeline are under the "Seveso II Directive" as an establishment and as this is new information which the H.S.A. did not have access to (even though the applicant did), or the public consequently the full "domino effects" with respect to risk, and chemical explosions and chemical by-products which can form carcinogens have not been properly assessed. It is the remit of the agency to assess environmental aspects thus it must work in tandem with the other relevant agencies to form an overall appreciation of the true extent of the potential environmental consequences. I also refer to the incineration of condensate on site which will lead to elevated environmental emissions as opposed to the burning of natural gas. The blatant lack of the use of best available technology is again self evident and I trust that you will take these considerations into account in your deliberations.

Yours faithfully,

Brid Mc Garry.
Brid Mc Garry.

Shell denies link to rising aluminium levels in water supply

Irish Times
28/3/07

LORNA SIGGINS,
MARINE CORRESPONDENT

Shell E&P Ireland has said it is not responsible for highly elevated aluminium levels in Carrowmore lake, the public water supply for Erris, north Mayo.

The company has also denied that it was pumping diesel from the Bellanaboy terminal site on Monday night into a stream, which feeds into the Carrowmore lake catchment. The company has acknowledged a "small" diesel leak from a generator at the site in the last few days.

Results obtained by *The Irish Times* show elevated aluminium levels in a number of tests carried out in January and February of this year on Mayo County Council's behalf for water run-off from the Bellanaboy terminal site, the Bellanaboy river and Carrowmore lake. The lake supplies drinking water to 10,000 people in Erris.

The county council warned Shell over a year ago about the risk of elevated aluminium levels, as a result of work on the site which has disturbed the "doib" or soil layer under the peat. At that time, it had a report of aluminium levels in discharge water from the site of over three times the accepted limit.

The company installed an Axonics treatment plant to deal with the problem, but "post Axonics" results dated January 31st, 2007, show aluminium levels at over 200 times the recommended World Health Organisation (WHO) maximum limit for drinking water. The recommended WHO guideline maximum limit for aluminium in drinking water is 200 micrograms per litre (ug/l).

Aluminium levels of 1714 ug/l and 406 ug/l were detected in samples from the Carrowmore

lake tested at University College Hospital, Galway (UCHG), dated January 24th of this year. A similar breach of recommended aluminium levels in February 2006 was described subsequently by the local authority as a "laboratory error".

The council said last night that it was still very concerned that aluminium levels had not been reduced to agreed targets by Shell for run-off from the site, but said it was "not possible" that the elevated levels for Carrowmore lake for January 24th were caused by Shell. It said it believed it had identified the source of a "short-term problem".

Shell said that aluminium concentrations in the Bellanaboy River would consist of soil material from the catchment area and from eroding river banks, and water from Carrowmore lake is treated.

"Shell's landholding around the terminal site comprises only two per cent of the total catchment area of Carrowmore Lake and the terminal earthworks area constitutes only a small part of the site," it said.

Last week, the company dismissed as "spurious" concerns expressed by residents about a tar-like substance running off site. However, samples were taken for testing by the North Western Regional Fisheries Board. Reports of diesel being pumped off site on Monday night of this week were also denied by the company.

However, Mary Corduff, one of the residents who witnessed the diesel run-off, has disputed this. She told *The Irish Times* that when residents tried to alert Shell security, they were told there was no one on site to deal with the issue. A group of gardai then arrived and ordered the group to "keep the road clear".